

# HOUSE BILL REPORT

## SHB 1490

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### As Passed House:

March 3, 1999

**Title:** An act relating to the delivery of salmon into the ports of the state.

**Brief Description:** Allowing the landing of salmon caught in other states' offshore waters in Washington ports.

**Sponsors:** By House Committee on Natural Resources (Originally sponsored by Representatives Hatfield, Doumit, Buck and Kessler).

### Brief History:

#### Committee Activity:

Natural Resources: 2/9/99, 2/19/99 [DPS].

#### Floor Activity:

Passed House: 3/3/99, 97-0.

### Brief Summary of Substitute Bill

- Provides an exception to the requirement that salmon fishers who are licensed to fish in Oregon and California obtain a salmon delivery license to deliver salmon into the state of Washington.

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## HOUSE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Buck, Republican Co-Chair; Regala, Democratic Co-Chair; Anderson, Democratic Vice Chair; Sump, Republican Vice Chair; G. Chandler; Clements; Doumit; Eickmeyer; Ericksen; Pennington and Stensen.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Rockefeller.

**Staff:** Josh Weiss (786-7129).

### Background:

Currently, commercial fishers must obtain a license from the Washington Department of Fish and Wildlife in order to deliver food fish or shellfish, which have been taken in offshore waters, to a port in the state. "Offshore waters" are marine waters of the Pacific Ocean outside the territorial boundaries of the state, including the marine waters of other states and countries.

In addition, a salmon delivery license is required to deliver salmon taken in offshore waters to a port in the state. Such a license must be obtained in addition to a regular fishing license, and does not authorize the actual harvesting of fish. The fee for a salmon delivery license is \$380 for a resident, and \$685 for a nonresident. An additional \$100 is charged and dedicated to the regional fisheries enhancement group account. If a person holds a nonlimited entry delivery license, that fee may be applied to the fee for a salmon delivery license.

Persons holding a salmon troll license need not obtain a separate delivery license.

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**Summary of Bill:**

Allows Washington citizens who hold a California or Oregon salmon troll license to land legally taken salmon into Washington ports, without obtaining a separate salmon delivery license. The exception only applies to salmon caught south of Cape Falcon, Oregon, in marine waters of the Pacific Ocean which are outside the territorial limits of Washington State.

The Washington Department of Fish and Wildlife must develop methods for identifying that salmon were in fact taken south of Cape Falcon. Such methods must be adopted into administrative rule.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** (Original bill) Currently all fish caught south of Cape Falcon, Oregon have to be unloaded in Oregon, reloaded, and then brought to Washington. This causes problems for both freezer boats and ice fishers, resulting in a lower quality product, and is inconvenient. In addition, the state loses the landing taxes on the fish. In putting this idea together, we anticipated enforcement problems, however there is a mechanism in place that the department could use. Boats could report to the Coast Guard when south of Cape Falcon before they come back into the state. We do not anticipate a big misuse

of this provision. Approximately 20 to 25 boats per year will take advantage of this exception.

(With concerns) The Department of Fish and Wildlife would like to see the bill amended to only allow the exception when the salmon troll fishery north of Cape Falcon is closed. Statute does allow for a nontransferable, nonrenewable, emergency salmon delivery license. There were 1,286 salmon troll licenses issued in Oregon, and 2,069 salmon troll licenses issued in California. If only a small number of Oregon or California licensees abused this exception, it would undermine the license buyback program in the state. To avoid this, it would require an increased enforcement effort north of Cape Falcon. The department only has one 56-foot enforcement vessel in this area. Monitoring landing of salmon in Washington is the only enforcement tool for out-of-state waters.

The Department of Fish and Wildlife enforcement officers are limited in number these days. The department does not have the time or personnel to enforce this bill, nor does the Coast Guard. The effect will be that when the fishery is open both north and south of Cape Falcon, the department won't be able to tell where the fish were caught. This would allow fishers from Oregon to fish north of Cape Falcon without any Washington licensing, without the department's knowledge.

**Testimony Against:** None.

**Testified:** (In support) Doug Fricke, Washington State Trollers.

(In support with concerns) Phil Anderson, Washington Department of Fish and Wildlife.