

SENATE BILL REPORT

SHB 1821

As Reported By Senate Committee On:
Natural Resources, Parks & Shorelines, March 28, 2001

Title: An act relating to the consideration of extenuating circumstances for gear and effort reduction for the coastal Dungeness crab resource plan provisions.

Brief Description: Concerning coastal Dungeness crab resource plan provisions.

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

Brief History:

Committee Activity: Natural Resources, Parks & Shorelines: 3/28/01 [DP].

SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & SHORELINES

Majority Report: Do pass.

Signed by Senators Jacobsen, Chair; Spanel, Vice Chair; Constantine, Hargrove, Morton, Oke, Snyder and Stevens.

Staff: Victor Moon (786-7469)

Background: The Department of Fish and Wildlife is required to develop a resource plan for the Dungeness crab coastal fishery that achieves an even-flow of harvesting as well as long-term stability of the fishery. The department must seek the input of the Dungeness crab coastal fishery licensees and processors in preparing the plan. The plan may include pot limits, reductions in the number of vessels, individual quotas, trip limits, area quotas, and other measures as determined by the department.

The number of shellfish pots assigned to a Washington Dungeness crab coastal fishery license is based upon the most poundage of Dungeness crab landed during one of three qualifying seasons. These qualifying seasons were: December 1, 1996 through September 15, 1997; December 1, 1997 through September 15, 1998; and December 1, 1998 through September 15, 1999. A crab pot limit of 300 is assigned to a license with landings from 0 to 35,999 pounds. A crab pot limit of 500 is assigned to a person with landings that total 36,000 pounds or more.

The director is authorized to reduce the landing requirements for coastal crab, but may not totally waive the landing requirement, upon the recommendation of an advisory review board appointed by the director. The advisory review board may recommend a reduction in the landing requirements in individual cases if the board finds that extenuating circumstances prevented the person from meeting the landing requirements. The director is required to adopt rules which define extenuating circumstances.— Extenuating circumstances may include situations in which a person had a vessel under construction so that the qualifying landings could not be made.

The provisions of the resource plan developed for the Dungeness crab coastal fisheries that are designed to effect a gear reduction or a reduced effort based upon historical landings are not required to be considered as extenuating circumstances for failure to meet the landing requirements for coastal crab.

Summary of Bill: The failure of a license holder to meet the provisions of the resource plan developed for the Dungeness crab coastal fisheries are designed to effect a gear reduction or a reduced effort based upon historical landings must be considered as an extenuating circumstance– and the Department of Fish and Wildlife may adjust the quota of pots allowed for the license holder.

The Department of Fish and Wildlife must use the poundage of crab landed during February 1996 for purposes of determining the number of shellfish pots assigned to a Dungeness crab coastal fishery license, if a person lost a vessel due to sinking during one of the three qualifying seasons. The license holder must notify the department of his or her eligibility under this provision by September 30, 2001.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The Department of Fish and Wildlife needs more flexibility in assigning the number of crab pots for each fisher in the coastal crab fishery.

Testimony Against (concerns): The use of extenuating circumstances– must be carefully administered to maintain the long-term stability of the fishery.

Testified: Randy Ray; Ed Owens, WA Dungeness Crab Fishers, Columbia River Dungeness Crab Fishers (pro); Jay Odell, Dept. of Fish and Wildlife (concerns); Dennis Eagle, United Seafood Business Assn. (concerns).