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SENATE BILL 5021

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State of Washington

57th Legislature

2001 Regular Session

By Senator Oke

Read first time 01/08/2001. Referred to Committee on Natural Resources, Parks & Shorelines.

1 AN ACT Relating to the protection of threatened or endangered  
2 salmon in commercial salmon net fisheries; and adding new sections  
3 to chapter 77.12 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The director must place department  
6 employees or trained volunteers on certain commercial net fishing  
7 boats. The catch observers must be placed on boats that are  
8 authorized to commercially fish for salmon in areas where salmon  
9 stocks listed under the endangered species act are known to occur  
10 in mixed stock areas. The intent of the catch observers is to  
11 document the degree of catch of threatened or endangered fish  
12 during each commercial net fishery, and to reduce the level of  
13 threatened or endangered salmon caught to an absolute  
14 minimum. Catch observers must also be utilized to estimate the  
15 immediate or delayed mortality rate of endangered or threatened  
16 salmon caught and released within each net fishery.

17 The director must use the best statistical methods to determine  
18 the number and distribution of catch observers in each commercial

1 salmon net fishery in order to achieve statistically valid  
2 sampling of the threatened or endangered component of the catch in  
3 each fishery. In no case may such a net fishery be authorized  
4 without prior arrangements for placement of a statistically valid  
5 number of catch observers on the boats participating in the  
6 fishery.

7 NEW SECTION. **Sec. 2.** The commission may not authorize a  
8 commercial net fishery for salmon in any geographic area where  
9 threatened or endangered salmon are known to occur without  
10 ensuring that the director will place sufficient catch observers  
11 on the boats that participate in the fishery in compliance with  
12 section 1 of this act.

13 NEW SECTION. **Sec. 3.** The director must provide the data  
14 generated by catch observers under section 1 of this act to the  
15 treaty Indian tribes, federal fisheries management agencies, and  
16 to the public. Data from the catch observer program must be  
17 included in the department's comprehensive biennial report of all  
18 department operations, as required in RCW 77.04.120.

19 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act are each  
20 added to chapter 77.12 RCW.

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