
**Natural Resources, Ecology &
Parks Committee**

HB 3102

Brief Description: Providing guidelines for the issuance and renewal of a geoduck diver license and requiring harvesters to help reseed state commercial beds.

Sponsors: Representatives B. Sullivan, Buck, Appleton, Eickmeyer, Pearson, Campbell and Hasegawa.

Brief Summary of Bill

- Prohibits the Department of Fish and Wildlife from issuing new geoduck diver licenses after July 1, 2006, and establishes criteria for renewing an existing geoduck license.
- Directs geoduck harvesters to provide labor and equipment to seed state commercial beds with geoduck seed provided by a state hatchery.

Hearing Date: 2/2/06

Staff: Jeff Olsen (786-7157).

Background:

Commercial harvest of geoduck clams on state-owned aquatic lands is managed jointly by the Department of Natural Resources (DNR), the Washington Department of Fish and Wildlife (WDFW), and, as a result of a federal court decision, the Puget Sound Treaty Indian tribes. The federal court affirmed the tribes' right to 50 percent of the annual commercial harvest of geoducks and established cooperative shellfish resource management requirements for the state and the tribes. The state and the tribes are responsible for estimating geoduck population size, determining sustainable yield, and minimizing adverse effects to the environment.

The DNR is required to manage geoducks as valuable materials and offer commercial harvest rights to the highest bidder. Half of the revenue supports management of state-owned aquatic lands and resources, and the other half supports the Aquatic Lands Enhancement Account for public access and habitat restoration.

Commercial licenses allowing participation in geoduck fisheries are managed by the WDFW. Unless otherwise restricted, there are generally no limits imposed on the number of persons wishing to participate in a fishery. Fisheries that have restrictions on the number of persons that

may participate are called limited entry fisheries. Examples of limited entry fisheries include certain commercial salmon fisheries and the commercial Dungeness crab fishery.

Divers engaged in the commercial harvest of geoduck clams must obtain a nontransferable license from the WDFW. Geoduck diver licenses cost \$185 for a resident and \$295 for a nonresident. There are currently no restrictions to the number of qualified persons wishing to obtain a geoduck diver license.

Summary of Bill:

After July 1, 2006, the WDFW may not issue new geoduck diver licenses. A person may renew an existing license if they held a geoduck license in 2004 and also meet one of the following criteria:

- a person must have held a geoduck diver license for five of the ten years between 1994 and 2003; or
- the person acquired the license by transfer from another person who held it during the previous year and did not subsequently transfer the license to a third party.

Geoduck diver licenses are not transferable and license holders must perform harvesting. The Director of the WDFW must revoke geoduck diver licenses that are not renewed by December 31 of each year. Licensed harvesters have the responsibility to provide labor and equipment to plant state-supplied geoduck seed on state commercial beds.

Appropriation: None.

Fiscal Note: Requested on 1/26/06.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.