
HOUSE BILL 1896

State of Washington

59th Legislature

2005 Regular Session

By Representatives Appleton, Eickmeyer, Chase and Haigh

Read first time 02/09/2005. Referred to Committee on Select
Committee on Hood Canal.

1 AN ACT Relating to geoduck harvest in Hood Canal; adding a new
2 section to chapter 77.65 RCW; and adding a new section to chapter 79.96
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.65 RCW
6 to read as follows:

7 (1) Except as otherwise provided in this section, the department
8 and the department of natural resources are prohibited from entering or
9 reentering into any management plan with either a state or nonstate
10 entity that would, in the area of Hood Canal south of a line projected
11 from the communities of South Point in Jefferson county and Lofall in
12 Kitsap county, allow for the harvest of any naturally occurring geoduck
13 below the mean low tide line.

14 (2) Except as otherwise provided in this section, the department
15 and the department of natural resources are prohibited from entering or
16 reentering into any management plan with either a state or nonstate
17 entity that would, in the area of Hood Canal north of a line projected
18 from the communities of South Point in Jefferson county and Lofall in
19 Kitsap county and south of a line projected from Tala Point in

1 Jefferson county to Foulweather Bluff in Kitsap county, allow for the
2 harvest of naturally occurring geoduck below the mean low tide line in
3 an amount greater than ninety percent of the average harvest level in
4 that area for the years 2000 through 2004.

5 (3) The commission may adopt a rule allowing the department to
6 enter into management agreements with state or nonstate entities that
7 allow for the harvest of naturally occurring geoduck in areas otherwise
8 prohibited or restricted by this section if a majority of the members
9 of the commission vote to affirm that:

10 (a) A mapping inventory of the naturally occurring geoducks in the
11 entire Hood Canal south of a line projected from Tala Point in
12 Jefferson county to Foulweather Bluff in Kitsap county has been
13 completed;

14 (b) The significance of geoducks in reducing oxygenation has been
15 specifically studied; and

16 (c) The results of the mapping inventory and oxygenation study
17 indicates that allowing the harvest of naturally occurring geoducks in
18 Hood Canal will not have either a significant short-term adverse effect
19 or significant long-term adverse effect on the environmental health of
20 Hood Canal.

21 (4) If a majority of the members of the commission vote
22 affirmatively on a rule under subsection (3) of this section, a summary
23 of the research considered must be presented to the appropriate
24 standing committees of both the house of representatives and the
25 senate. No rule may take effect until thirty days after the
26 adjournment of the session during which the research is presented.

27 NEW SECTION. **Sec. 2.** A new section is added to chapter 79.96 RCW
28 to read as follows:

29 The department is prohibited from entering or reentering into a
30 management plan with either a state or nonstate entity in violation of
31 section 1 of this act unless the department of fish and wildlife is
32 authorized by the fish and wildlife commission to enter into such a
33 management plan.

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