

2SHB 1076 - S COMM AMD

By Committee on Natural Resources, Ocean & Recreation

1       Strike everything after the enacting clause and insert the  
2 following:

3       "NEW SECTION.   **Sec. 1.** (1) The legislature finds that:

4       (a) Seven rockfish stocks, including canary and yelloweye rockfish,  
5 have been designated under federal law by the national marine fisheries  
6 services as overfished on the west coast.

7       (b) The department of fish and wildlife has classified certain  
8 rockfish species within Puget Sound as critically depressed. These  
9 common species of rockfish have undergone dramatic declines in Puget  
10 Sound and the coast during the past three decades.

11       (c) The Pacific fishery management council and the department of  
12 fish and wildlife have eliminated the directed commercial fisheries and  
13 greatly reduced the recreational fishing opportunity for these species.

14       (d) Due to the interactions of these depleted stocks with the  
15 healthier ones, commercial and recreational fisheries have been  
16 severely constrained in recent years in order to rebuild the  
17 populations of these overfished rockfish. For many of these stocks  
18 there have been no recent stock assessments, or the current assessments  
19 are based on poor data. Improved survey information is essential for  
20 assessing abundance and to monitor progress toward rebuilding efforts  
21 on the coast and in Puget Sound.

22       (e) Department of fish and wildlife staff have been developing  
23 underwater robot technology or remote operated vehicles to  
24 scientifically estimate the abundance of rockfish populations in both  
25 the nearshore and in deep waters. These new assessment techniques,  
26 coupled with existing bottom trawl surveys, will be used to estimate  
27 current abundance and future recovery of rockfish populations along the  
28 coast of Washington and in Puget Sound.

29       (2) Therefore, the legislature intends to implement a targeted,  
30 short-term surcharge on commercial licenses issued by the department of

1 fish and wildlife in 2008 through 2010 that provide for the retention  
2 or landing of groundfish, and a targeted, short-term surcharge on 2008  
3 through 2010 recreational saltwater fishing licenses. Funds derived  
4 from the surcharge will be used by the department of fish and wildlife  
5 solely for the purpose of conducting rockfish research and stock  
6 assessments.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW  
8 to read as follows:

9 (1) The department is directed to develop and implement a rockfish  
10 research and stock assessment program. Using funds from the rockfish  
11 research account created in subsection (2) of this section, the  
12 department must conduct Puget Sound basin and coastal surveys with new  
13 and existing technology to estimate the current abundance and future  
14 recovery of rockfish populations and other groundfish species. The  
15 stock assessment must include an evaluation of the potential for marine  
16 fish enhancement. Beginning December 2008, and every two years  
17 thereafter, the department shall report to the appropriate committees  
18 of the legislature on the status of the stock assessment program.

19 (2) The rockfish research account is created in the custody of the  
20 state treasurer. All receipts from surcharges assessed on commercial  
21 and recreational fishing licenses for the purposes of rockfish research  
22 must be deposited into the account. Expenditures from the account may  
23 be used only for rockfish research, including stock assessments. Only  
24 the director of the department or the director's designee may authorize  
25 expenditures from the account. The account is subject to allotment  
26 procedures under chapter 43.88 RCW, but an appropriation is not  
27 required for expenditures.

28 **Sec. 3.** RCW 77.65.150 and 2006 c 186 s 1 are each amended to read  
29 as follows:

30 (1) The director shall issue the charter licenses and angler  
31 permits listed in this section according to the requirements of this  
32 title. The licenses and permits and their annual fees and surcharges  
33 are:

		Annual Fee		
		(RCW 77.95.090 Surcharge)		Governing
License or Permit		<u>(Section 2 of this act Surcharge)</u>		Section
		Resident	Nonresident	
5	(a) Nonsalmon charter	\$225	\$375	
6		<u>(plus \$35 for section 2</u>	<u>(plus \$35 for section 2 of</u>	
7		<u>of this act Surcharge)</u>	<u>this act Surcharge)</u>	
8	(b) Salmon charter	\$380	\$685	RCW 77.70.050
9		(plus \$100)	(plus \$100)	
10		<u>(plus \$35 for section 2</u>	<u>(plus \$35 for section 2 of</u>	
11		<u>of this act Surcharge)</u>	<u>this act Surcharge)</u>	
12	(c) Salmon angler	\$ 0	\$ 0	RCW 77.70.060
13	(d) Salmon roe	\$ 95	\$ 95	RCW 77.65.350

14 (2) A salmon charter license designating a vessel is required to  
15 operate a charter boat from which persons may, for a fee, fish for  
16 salmon, other food fish, and shellfish. The director may issue a  
17 salmon charter license only to a person who meets the qualifications of  
18 RCW 77.70.050.

19 (3) A nonsalmon charter license designating a vessel is required to  
20 operate a charter boat from which persons may, for a fee, fish for food  
21 fish other than salmon and shellfish.

22 (4)(a) "Charter boat" means a vessel from which persons may, for a  
23 fee, fish for food fish or shellfish for personal use in those state  
24 waters set forth in (b) of this subsection. "Charter boat" also means  
25 a vessel from which persons may, for a fee, fish for food fish or  
26 shellfish for personal use in offshore waters or in the waters of other  
27 states. The director may specify by rule when a vessel is a "charter  
28 boat" within this definition.

29 (b) A person may not operate a vessel from which persons may, for  
30 a fee, fish for food fish or shellfish in Puget Sound, Grays Harbor,  
31 Willapa Bay, Pacific Ocean waters, Lake Washington, or the Columbia  
32 river below the bridge at Longview unless the vessel is designated on  
33 a charter boat license.

34 (5) A charter boat licensed in Oregon may fish without a Washington  
35 charter license under the same rules as Washington charter boat  
36 operators in ocean waters within the jurisdiction of Washington state

1 from the southern border of the state of Washington to Leadbetter  
2 Point, as long as the Oregon vessel does not take on or discharge  
3 passengers for any purpose from any Washington port, the Washington  
4 shore, or a dock, landing, or other point in Washington. The  
5 provisions of this subsection shall be in effect as long as the state  
6 of Oregon has reciprocal laws and regulations.

7 (6) A salmon charter license under subsection (1)(b) of this  
8 section may be renewed if the license holder notifies the department by  
9 May 1st of that year that he or she will not participate in the fishery  
10 during that calendar year. The license holder must pay the one  
11 hundred-dollar enhancement surcharge and a thirty-five dollar surcharge  
12 to be deposited in the rockfish research account created in section 2  
13 of this act, plus a fifteen-dollar handling charge, in order to be  
14 considered a valid renewal and eligible to renew the license the  
15 following year.

16 **Sec. 4.** RCW 77.65.210 and 2005 c 20 s 4 are each amended to read  
17 as follows:

18 (1) Except as provided in subsection (2) of this section, a person  
19 may not use a commercial fishing vessel to deliver food fish or  
20 shellfish taken for commercial purposes in offshore waters to a port in  
21 the state without a nonlimited entry delivery license. As used in this  
22 section, "deliver" and "delivery" mean arrival at a place or port, and  
23 include arrivals from offshore waters to waters within the state and  
24 arrivals ashore from offshore waters. As used in this section, "food  
25 fish" does not include salmon. As used in this section, "shellfish"  
26 does not include ocean pink shrimp, coastal crab, or fish or shellfish  
27 taken under an emerging commercial fisheries license if taken from off-  
28 shore waters. The annual license fee for a nonlimited entry delivery  
29 license is one hundred ten dollars for residents and two hundred  
30 dollars for nonresidents, and an additional thirty-five dollar  
31 surcharge for both residents and nonresidents to be deposited in the  
32 rockfish research account created in section 2 of this act.

33 (2) Holders of salmon troll fishery licenses issued under RCW  
34 77.65.160, salmon delivery licenses issued under RCW 77.65.170, crab  
35 pot fishery licenses issued under RCW 77.65.220, food fish trawl--Non-  
36 Puget Sound fishery licenses, and emerging commercial fishery licenses  
37 issued under RCW 77.65.200, Dungeness crab--coastal fishery licenses,

1 ocean pink shrimp delivery licenses, shrimp trawl--Non-Puget Sound  
2 fishery licenses, and emerging commercial fishery licenses issued under  
3 RCW 77.65.220 may deliver food fish or shellfish taken in offshore  
4 waters without a nonlimited entry delivery license.

5 (3) A nonlimited entry delivery license authorizes no taking of  
6 food fish or shellfish from state waters.

7 **Sec. 5.** RCW 77.32.470 and 2005 c 192 s 1 are each amended to read  
8 as follows:

9 (1) A personal use saltwater, freshwater, combination, temporary,  
10 or family fishing weekend license is required for all persons fifteen  
11 years of age or older to fish for or possess fish taken for personal  
12 use from state waters or offshore waters.

13 (2) The fees for annual personal use saltwater, freshwater, or  
14 combination licenses are as follows:

15 (a) A combination license allows the holder to fish for or possess  
16 fish, shellfish, and seaweed from state waters or offshore waters. The  
17 fee for this license is thirty-six dollars for residents, seventy-two  
18 dollars for nonresidents, and five dollars for youth. There is an  
19 additional fifty-cent surcharge for this license, to be deposited in  
20 the rockfish research account created section 2 of this act.

21 (b) A saltwater license allows the holder to fish for or possess  
22 fish taken from saltwater areas. The fee for this license is eighteen  
23 dollars for residents, thirty-six dollars for nonresidents, and five  
24 dollars for resident seniors. There is an additional fifty-cent  
25 surcharge for this license, to be deposited in the rockfish research  
26 account created section 2 of this act.

27 (c) A freshwater license allows the holder to fish for, take, or  
28 possess food fish or game fish species in all freshwater areas. The  
29 fee for this license is twenty dollars for residents, forty dollars for  
30 nonresidents, and five dollars for resident seniors.

31 (3)(a) A temporary combination fishing license is valid for one to  
32 five consecutive days and allows the holder to fish for or possess  
33 fish, shellfish, and seaweed taken from state waters or offshore  
34 waters. The fee for this temporary fishing license is:

35 (i) One day - Seven dollars for residents and fourteen dollars for  
36 nonresidents;

1 (ii) Two days - Ten dollars for residents and twenty dollars for  
2 nonresidents;

3 (iii) Three days - Thirteen dollars for residents and twenty-six  
4 dollars for nonresidents;

5 (iv) Four days - Fifteen dollars for residents and thirty dollars  
6 for nonresidents; and

7 (v) Five days - Seventeen dollars for residents and thirty-four  
8 dollars for nonresidents.

9 (b) The fee for a charter stamp is seven dollars for a one-day  
10 temporary combination fishing license for residents and nonresidents  
11 for use on a charter boat as defined in RCW 77.65.150.

12 (c) A transaction fee to support the automated licensing system  
13 will be taken from the amounts set forth in this subsection for  
14 temporary licenses.

15 (d) Except for active duty military personnel serving in any branch  
16 of the United States armed forces, the temporary combination fishing  
17 license is not valid on game fish species for an eight-consecutive-day  
18 period beginning on the opening day of the lowland lake fishing season.

19 (e) There is an additional fifty-cent surcharge on the temporary  
20 combination fishing license and the associated charter stamp, to be  
21 deposited in the rockfish research account created in section 2 of this  
22 act.

23 (4) A family fishing weekend license allows for a maximum of six  
24 anglers: One resident and five youth; two residents and four youth; or  
25 one resident, one nonresident, and four youth. This license allows the  
26 holders to fish for or possess fish taken from state waters or offshore  
27 waters. The fee for this license is twenty dollars. This license is  
28 only valid during periods as specified by rule of the department.

29 (5) The commission may adopt rules to create and sell combination  
30 licenses for all hunting and fishing activities at or below a fee equal  
31 to the total cost of the individual license contained within any  
32 combination.

33 NEW SECTION. Sec. 6. This act is necessary for the immediate  
34 preservation of the public peace, health, or safety, or support of the  
35 state government and its existing public institutions, and takes effect  
36 immediately."

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1        On page 1, line 1 of the title, after "research;" strike the  
2 remainder of the title and insert "amending RCW 77.65.150, 77.65.210,  
3 and 77.32.470; adding a new section to chapter 77.12 RCW; creating a  
4 new section; and declaring an emergency."

EFFECT: Requires that the stock assessment include an evaluation  
of the potential for marine fish enhancement. DFW must report each  
biennium to the Legislature on the status of the assessment program.  
Removes the expiration date.

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