

# FINAL BILL REPORT

## ESHB 1326

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**C 331 L 09**  
Synopsis as Enacted

**Brief Description:** Establishing a license limitation program for harvest and delivery of Pacific sardines into the state.

**Sponsors:** House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake, Van De Wege, Kretz and Nelson; by request of Department of Fish and Wildlife).

**House Committee on Agriculture & Natural Resources**  
**Senate Committee on Natural Resources, Ocean & Recreation**

**Background:**

Sardine distribution is seasonal and/or driven by ocean conditions. Sardines can be found from Mexico to Canada up to 200 miles off the coast. In Washington sardines are typically caught 10 to 35 miles offshore.

An experimental commercial fishery allows the harvest of a newly classified species, or harvest of a previously classified species, in a new area or by new means. Pacific sardine is managed under the Emerging Commercial Fishery provisions as an experimental commercial fishery by the Washington Department of Fish and Wildlife (WDFW). The fishery is open to purse seine gear only. Participants are required to annually renew their Emerging Commercial Fisheries License (\$185 for residents; \$295 for nonresidents) and Experimental Sardine Fishery Permit.

**Summary:**

A vessel designation, along with either a Washington sardine purse seine fishery license (Sardine License) or a temporary annual fishery permit (Permit), is required to use purse seine gear to fish for or possess Pacific sardines in offshore waters. People who have a valid Oregon or California license or permit to fish for or possess sardines in offshore waters do not need a Washington Sardine License or Permit. However, a Washington Sardine License or Permit is required to deliver Pacific sardines into the state.

A Sardine License may be: (1) issued to a person who held a Coastal Pilchard Experimental Fishery Permit (Pilchard Permit) in 2008, or to any person who held a Pilchard Permit in

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2005, 2006, or 2007 and whose vessel designated on the permit sank prior to 2008; (2) renewed annually; and (3) transferable.

Only a person who owns or operates a vessel designated on the license or permit may hold a Sardine License or Permit.

Beginning in 2010, after taking into consideration the status of the Pacific sardine population, the impact of removal of sardines and other forage fish to the marine ecosystem, including the effect on endangered marine species, and the market for Pacific sardines in the state, the WDFW Director may issue a Sardine License to any person, as long as the issuance of the Sardine License would not raise the number of licenses beyond the number initially issued in 2009.

Beginning in 2010, a Permit may be issued to any person if the combined number of active Sardine Licenses and Permits already issued during the year is less than 25.

The WDFW Director must adopt rules that require a person fishing under a Sardine License or Permit to minimize by-catch and the mortality of by-catch.

The annual fee for a Sardine License or a Permit is \$185 for residents and \$295 for nonresidents. A Permit expires at the end of the calendar year in which the permit is issued. A person may not own or hold an ownership interest in more than two Sardine Licenses.

**Votes on Final Passage:**

House	96	0	
Senate	44	0	(Senate amended)
House	97	0	(House concurred)

**Effective:** July 26, 2009