
HOUSE BILL 2696

State of Washington

61st Legislature

2010 Regular Session

By Representatives Blake, Takko, Chandler, Lias, Kretz, Dunshee, Kristiansen, Williams, and McCune

Read first time 01/12/10. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to developing a process for the department of fish
2 and wildlife for proposing a new permit-only salmonid fishery for the
3 Columbia river that promotes the harvest of hatchery-origin fish by
4 utilizing fishing gear designed to maximize the harvest of hatchery-
5 origin fish while minimizing the mortality to wild fish listed under
6 the federal endangered species act; creating a new section; and
7 providing an expiration date.

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

9 NEW SECTION. **Sec. 1.** (1) The department of fish and wildlife
10 shall develop a legislative proposal consistent with this section for
11 consideration during the 2012 legislative session that would authorize
12 a permit-only commercial salmonid fishery in the portion of the
13 Columbia river between Cape Disappointment and the Bonneville dam using
14 a fishing gear type currently not authorized for use in the area or for
15 the species authorized in the new fishery.

16 (2) The new fishery must be limited to one that at least partially
17 affects a species or run of salmonid:

18 (a) That is, as of the effective date of this section, listed as
19 threatened or endangered under the federal endangered species act;

1 (b) That is not meeting designated spawner and broodstock
2 management objectives; and

3 (c) For which a fish hatchery located in Washington is in operation
4 that produces harvestable, externally marked fish that complements the
5 naturally occurring in-migration of the targeted salmonid species.

6 (3) The director of the department of fish and wildlife must
7 utilize the authority provided in RCW 77.65.400 to initiate an
8 experimental fishery that must be used to gather data and insight
9 supporting the legislative proposal produced under this section.

10 (4) The permit-only fishery proposed for creation in the
11 legislative proposal produced under this section must promote the
12 harvest of hatchery-origin fish by utilizing fishing gear designed to
13 maximize the harvest of hatchery-origin fish while minimizing the
14 mortality to wild fish listed under the federal endangered species act.

15 (5) In implementing this section, the department of fish and
16 wildlife must form and consult with a formal steering committee
17 composed of individuals who are licensed to fish commercially for
18 salmonid species in the Columbia river. The department of fish and
19 wildlife may also invite representatives of tribal government, the
20 federal government, the state of Oregon, and private citizens deemed by
21 the director to have qualifications useful to the steering committee or
22 the department.

23 (6) The director of the department of fish and wildlife must
24 initiate contact with the director of the agency for the state of
25 Oregon with jurisdiction over commercial fishing in the Columbia river
26 and invite the state of Oregon to participate in the process
27 established in this section. If the state of Oregon agrees to
28 participate, the Washington department of fish and wildlife must
29 include Oregon as a full partner in the research and attempt to design
30 the research questions in a manner that is useful to unified management
31 between the two states on the Columbia river.

32 (7) The final proposed legislation developed under this section
33 must be delivered to the appropriate committees of the legislature,
34 consistent with RCW 43.01.036, by November 21, 2011. The proposed
35 legislative language must be accompanied by a formal supporting report
36 designed to aid the legislature in its deliberations that contains, at
37 a minimum, the following:

1 (a) An explanation of the process or processes utilized to test the
2 gear type or types included in the proposed legislation;

3 (b) An assessment of the effectiveness and mortality rates of the
4 gear type or types included in the proposed legislation, including an
5 explanation of the methodology used to determine effectiveness and
6 mortality and a comparison between the mortality rates of the tested
7 gear types and that of fishing with gear types that rely on capture by
8 hooks and physical sorting of the individual fish;

9 (c) An assessment of the cost to the license holder of the gear
10 type or types included in the proposed legislation, including the costs
11 of any necessary vessel retrofitting, additional workforce, additional
12 vessel hours, or other direct or indirect costs necessitated by the new
13 gear type;

14 (d) An assessment of the likelihood of success of any new proposed
15 gear type based on its economic feasibility;

16 (e) An approximation of the additional amount of hatchery fish, if
17 any, that the new proposed gear type or types will allow a licensed
18 fisher to retain;

19 (f) The identification of barriers still existing to full
20 implementation of a fishery based on the proposed gear types;

21 (g) An assessment of the economic impact, positive or negative,
22 that the proposed new fishery may have on the local communities
23 situated adjacent to the affected portion of the Columbia river; and

24 (h) A conclusion based on the lessons learned through the
25 implementation of this section and additional proposed steps forward in
26 maximizing the capture of hatchery fish.

27 (8) Neither the department of fish and wildlife nor the fish and
28 wildlife commission may authorize the use of any gear type for salmonid
29 fishing on the Columbia river not allowed during the 2009 license year
30 from the effective date of this section until July 31, 2012, unless the
31 gear type allowance is part of the process established by this section.

32 (9) This section expires July 31, 2012.

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