

HOUSE BILL REPORT

HB 1210

As Reported by House Committee On:
Agriculture & Natural Resources

Title: An act relating to the standardization of salmon fishing time for gill net gear and purse seine gear in Puget Sound.

Brief Description: Regarding the standardization of salmon fishing time for gill net gear and purse seine gear in Puget Sound.

Sponsors: Representatives Blake, Chandler, Kretz and Takko.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 1/26/11, 2/2/11 [DP].

Brief Summary of Bill

- Requires, with exceptions, the Fish and Wildlife Commission to adopt rules ensuring equal commercial salmon fishing time between gill nets and purse seines in the Puget Sound.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 11 members: Representatives Blake, Chair; Stanford, Vice Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Dunshee, Hinkle, Kretz, Orcutt, Pettigrew and Van De Wege.

Minority Report: Do not pass. Signed by 2 members: Representatives Lytton and Rolfes.

Staff: Jason Callahan (786-7117).

Background:

The Fish and Wildlife Commission (Commission) may authorize commercial salmon fishing seasons in certain portions of the Puget Sound during designated times of the year. The Commission is also responsible for identifying lawful gear types that may be used to harvest salmon commercially. Along with identifying gear types, the Commission is also responsible

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for identifying the details as to where and when each gear type can be used, as well as how many fish may be collectively captured with each gear type. These fishing gear types include purse seines, gill nets, drift gill nets, and skiff gill nets.

A purse seine is a type of fishing gear that utilizes mesh net webbing fashioned so that it encircles fish and prevents their escape under the net by drawing in the bottom of the net to form a closed bag. A gill net is a flat, square net that suspends vertically in the water and captures fish by their gills. A gill net can be either a drift gill net, which is not anchored or tied in a manner that prevents drifting, or a skiff gill net, which is attached to floats.

Summary of Bill:

The Commission is required to adopt rules specifying weekly fishing schedules for gill net and purse seine gear any time that commercial salmon fishing is authorized in the Puget Sound. The weekly schedules must ensure that there is an equal amount of time provided for both gear types to take salmon during each week, and that the ability to fish on the first day of the weekly opening alternates between the two gear types. This arrangement is referred to as the equal time provision.

The Commission may adopt rules contrary to these equal time requirements if one of three conditions is met. These conditions are as follows:

- Direct on-water sampling estimates show a disproportionate amount of non-target fish bycatch mortality associated with one or both of the gear types.
- An economic analysis of Puget Sound commercial salmon fishing conclusively demonstrates that allocating a greater amount of time to one gear type over the other will improve the economic well-being and stability of the entire fishing industry.
- The total allowable harvest is insufficient to allow openings for both gear types.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Purse seine vessels are family businesses. An equal time requirement is not a departure from the current fishery structure. Since there is no statutory clarity for the Commission to follow, each decision of the Commission is challengeable in court. These litigations lead to expense to the state and a decrease in predictability for the fleets.

(Opposed) Catch allocations must be fair and rational. A court ruling has found that the current allocations are neither. Equal time requirements would allow purse seine vessels to have more time on the water and catch a disproportionate number of fish. Equal time does not reflect equal opportunity for the resources since purse seine vessels can harvest more fish than gill net vessels in the same amount of time.

Gill net users are family businesses that self-tax themselves to increase the quality, value, and jobs related to the Puget Sound salmon fishery. These efforts have opened more markets and increased the diversity and stability of the fishery. The success of the gill net fleet is a win-win for the state, the public, and the resource. In contrast, the purse seine fleet is owned by a few corporations.

Persons Testifying: (In support) Rob Zuanich, Purse Seine Vessel Owners Association.

(Opposed) David Harsila, Puget Sound Salmon Commission; and Brendan Donkers and Ray Honea, Puget Sound Harvesters Association.

Persons Signed In To Testify But Not Testifying: None.