
**Rural Development, Agriculture, &
Natural Resources Committee**

HB 2276

Brief Description: Concerning the collection of derelict fishing gear.

Sponsors: Representatives Appleton and Fitzgibbon.

Brief Summary of Bill

- Specifies that a person who encounters derelict fishing gear may collect it and turn it in to a fish and wildlife enforcement officer.
- Specifies that a person who collects derelict fishing gear in accordance with the Department of Fish and Wildlife's Derelict Fishing Gear Removal Guidelines is not subject to criminal or civil liability, except upon proof of gross negligence or willful or wanton misconduct.

Hearing Date: 1/17/20

Staff: Rebecca Lewis (786-7339).

Background:

In partnership with the Department of Natural Resources, the Northwest Straits Foundation, and several other entities, the Department of Fish and Wildlife (WDFW) published the Derelict Fishing Gear Removal Guidelines (Guidelines) in 2002 at legislative direction. The Guidelines document addresses the safe removal and disposal of various types of derelict fishing gear, and provides a procedure for gear removal projects. "Derelict fishing gear" includes commercial and recreational fishing equipment and does not include lost or abandoned vessels or shellfish pots.

Under the guidelines, a person must submit a plan for derelict gear removal 30 calendar days before the project is to begin. If the WDFW determines that a proposed gear removal project is consistent with the guidelines, the WDFW issues a letter that the person undertaking the project must keep at the work site. Any derelict fishing gear removal projects must respect private

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property and conform with various health and safety standards, as well as local, federal, and tribal regulations.

Generally, a person must obtain a hydraulic project approval prior to commencing a project that will use, divert, obstruct, or change the natural flow or bed of any of the salt or fresh waters of the state; however, derelict fishing gear removal conducted in accordance with the Guidelines is exempt from hydraulic projects permitting.

Summary of Bill:

If a person encounters derelict fishing gear, they may collect it and turn it in to a fish and wildlife officer. A person who removes derelict fishing gear consistent with the guidelines developed by the Department of Fish and Wildlife is not subject to civil or criminal liability, including liability related to hydraulic project permitting, except upon proof of gross negligence or willful or wanton misconduct.

Appropriation: None.

Fiscal Note: Not requested.

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