

SENATE BILL REPORT

SB 5297

As of February 1, 2023

Title: An act relating to nontribal commercial salmon fisheries in Washington waters of the Columbia river.

Brief Description: Concerning nontribal commercial salmon fisheries in Washington waters of the Columbia river.

Sponsors: Senators Van De Wege, Salomon, Rivers, Wilson, L., Lias and Nobles; by request of Office of the Governor.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 2/02/23.

Brief Summary of Bill

- Removes the authority for a person to use a gill net for catching salmon in the lower mainstem of the Columbia River after January 1, 2025.
- Establishes a nontribal commercial buyback account for reducing the number of nontribal commercial gill net licenses on the Columbia River through a voluntary buyback program.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Jeff Olsen (786-7428)

Background: The Washington Department of Fish and Wildlife (DFW) acts to preserve, protect, perpetuate, and manage Washington's wildlife, food fish, game fish, and shellfish. DFW must conserve fish and wildlife resources in a manner seeking to maintain the economic well-being and stability of the state's fishery resources. DFW must promote orderly fisheries, while enhancing and improving the state's recreational and commercial

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fishing. In managing state fisheries, DFW establishes the time, place, manner, and methods used to harvest or enjoy fish and wildlife.

Commercial fishers must obtain applicable licenses from DFW. An annual resident salmon gill net license is \$380, a non resident license is \$765, with a \$100 surcharge and \$105 application fee. There are separate salmon gill net licenses for the Grays Harbor-Columbia River, and Willapa Bay-Columbia River.

There are certain restrictions on fishing gear types in the Columbia River. A person must not use, operate, or maintain a gill net which exceeds 1500 feet in length or a drag seine in the Columbia River for catching salmon. In 1985, legislation was enacted directing DFW, in coordination with the Oregon Department of Fish and Wildlife, to adopt rules to regulate the use of monofilament in gill net webbing on the Columbia River.

In the 2022 supplemental operating budget, \$14.4 million was provided to reduce the number of nontribal commercial gill net fishing licenses on the Columbia River through a voluntary buy-back program. While the buyback program is not yet complete, DFW reported that in January 2023, of the 240 commercial salmon gill net licenses for the Columbia River, 169 licenses have been retired under the program, one was not renewed, and there are 70 licenses remaining. For the licenses purchased, the budget proviso directed DFW to calculate the reduced impacts to wild and endangered stocks based on the most recent five-year average of harvest and reserve those impacts for conservation through increased wild salmonid escapement or mark selective fisheries capable of harvesting surplus hatchery-reared salmon where needed to meet federal genetic protection requirements for wild salmon populations in a manner consistent with state-tribal fishery management agreements.

Summary of Bill: After January 1, 2025, a person may not use a drift gill net or drift net for catching salmon in the lower mainstem of the Columbia River. DFW shall reserve fishery impacts previously used in Washington waters of the lower mainstem of the Columbia River nontribal salmon gill net fisheries for conservation through increased wild salmonid escapement or mark selective fisheries capable of harvesting surplus hatchery-reared salmon where needed to meet federal genetic protection requirements for wild salmon populations in a manner consistent with state-tribal fishery management agreements.

Drift gill net or drift net means a gill net of single web construction, not anchored, tied, staked, placed, or weighted in such a manner that it cannot drift. The lower mainstem of the Columbia River means Washington waters in the mainstem of the Columbia River below Bonneville dam. Salmon gill net licenses for Willapa Bay-Columbia River and Grays Harbor-Columbia River specify the license is for the lower Columbia River non-mainstem.

The requirements do not affect tribal treaty fishing rights, allowable fishing gears for tribal fisheries, or state-tribal fishing agreements.

The Nontribal Commercial Gill Net Buyback Account is created and expenditures from the account may only be used to reduce the number of nontribal commercial gill net licenses on the Columbia River through a voluntary buyback program. The license buyback program shall compensate individual license holders, with priority given to those with higher reported landings.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.