
HOUSE BILL 2426

State of Washington

68th Legislature

2024 Regular Session

By Representatives Rule and Chapman

Read first time 01/18/24. Referred to Committee on Agriculture and Natural Resources.

1 AN ACT Relating to protecting and preserving the Puget Sound
2 salmon purse seine fishing industry; adding a new section to chapter
3 77.12 RCW; creating new sections; making an appropriation; and
4 providing expiration dates.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that the
7 protection, welfare, and economic well-being of the Puget Sound
8 salmon purse seine fishing industry is important to the people of
9 this state. There presently exists an overabundance of salmon purse
10 seine fishing gear in Puget Sound that causes great pressure on
11 fishing resources. This results in great economic waste to the state
12 and prohibits conservation and harvesting programs from achieving
13 their goals. This adverse situation has been compounded by the
14 federal court decisions, *United States of America et al. v. State of*
15 *Washington et al.*, civil no. 9213, United States district court for
16 the western district of Washington, February 12, 1974, and *Sohappy v.*
17 *Smith*, 302 F. Supp. 899 (D. Oregon, 1969), as amended, affirmed, and
18 remanded 529 F. 2d 570 (9th Cir., 1976). As a result, large numbers
19 of individual salmon purse seine vessel owners face personal economic
20 hardship, and the Puget Sound salmon purse seine fishing industry is
21 continually confronted with economic difficulty. It is vital that the

1 state have the authority to purchase purse seine licenses or permits,
2 as appropriate, in a manner that will provide relief to the
3 individual purse seine vessel owner, and that will effect a reduction
4 in the amount of purse seine fishing gear in use in the Puget Sound
5 so as to ensure increased economic opportunity for those persons in
6 the industry and to ensure that the department of fish and wildlife
7 is allowed to continue its sound scientific conservation and
8 harvesting programs.

9 (2) The legislature intends to establish a fair and equitable
10 system to reduce the number of Puget Sound salmon purse seine
11 licenses from 71 to 40.

12 (3) This section expires June 30, 2025.

13 NEW SECTION. **Sec. 2.** (1) The department of fish and wildlife
14 shall develop a Puget Sound salmon purse seine license buyback and
15 retirement program. This program is in effect from December 1, 2024,
16 to June 30, 2025, and is an open offer from the department of fish
17 and wildlife to purchase Puget Sound salmon purse seine licenses for
18 the sum of \$150,000 per license in accordance with the provisions of
19 this act.

20 (2) This section expires June 30, 2025.

21 NEW SECTION. **Sec. 3.** (1)(a) To implement the Puget Sound salmon
22 purse seine license buyback and retirement program established in
23 section 2 of this act, the department of fish and wildlife shall rank
24 all Puget Sound salmon purse seine licensees from one through 71.

25 (b) In determining this ranking, the department of fish and
26 wildlife shall calculate the gross income from total landings
27 recorded on each license for all salmon species. For the purposes of
28 this subsection, "gross income from total landings" means the total
29 value from commercial landings made on the license for all salmon
30 species landed in 2018, 2019, 2020, 2021, and 2022 as reported to the
31 department of fish and wildlife on fish receiving tickets. For
32 licenses purchased during the years 2018 through 2022, only the
33 landings made on the license after the date of purchase by the
34 licensee at the time of ranking may be used in calculating the total
35 gross income as defined in this subsection (1)(b). The ranking must
36 be from highest total gross income from total landings to lowest
37 total gross income from total landings.

1 (2)(a) Beginning December 1, 2024, the department of fish and
2 wildlife shall make an open offer, subject to the provisions of (b)
3 and (c) of this subsection and in a form and manner prescribed by the
4 department of fish and wildlife, to Puget Sound salmon purse seine
5 licensees who ranked number one through 71 under subsection (1)(b) of
6 this section.

7 (b) The offer amount to purchase a Puget Sound salmon purse seine
8 license under this subsection is the sum of \$150,000.

9 (c) A Puget Sound salmon purse seine licensee, ranked number one
10 through 31 under subsection (1)(b) of this section, must receive a
11 notice from the department of fish and wildlife, by certified mail
12 return receipt requested, making a firm offer to purchase the license
13 of the licensee for the amount in (b) of this subsection. A licensee
14 receiving a notice under this subsection (2)(c) has 30 days from the
15 date of receipt to acknowledge and accept the offer. Acknowledgment
16 and acceptance must be made by certified mail to the address the
17 department of fish and wildlife lists on the request form. Any
18 acknowledgment or acceptance that is received after the 30-day period
19 is void and the department of fish and wildlife's offer to purchase
20 the license is withdrawn and no further efforts to purchase may be
21 made to that licensee for that specific license. If the department of
22 fish and wildlife does not receive acknowledgment or acceptance from
23 a licensee within this 30-day period, the department's offer to
24 purchase that licensee's license is withdrawn and no further efforts
25 to purchase may be made to that licensee for that specific license.

26 (d) A Puget Sound salmon purse seine licensee, ranked number 32
27 through 71 under subsection (1)(b) of this section, must receive a
28 notice from the department, by certified mail return receipt
29 requested, requesting a formal letter of interest to sell the license
30 of the licensee for the amount in (b) of this subsection. A licensee
31 receiving a notice under this subsection has 30 days from the date of
32 receipt to submit a formal letter of interest to sell their license.
33 The formal letter of interest must be sent by certified mail to the
34 address the department of fish and wildlife lists on the request
35 form. Any formal letter of interest that is received after the 30-day
36 period is void and the department of fish and wildlife's request for
37 a formal letter of interest under this subsection is withdrawn and no
38 further efforts to purchase may be made to that licensee for that
39 specific license. If the department of fish and wildlife does not
40 receive a formal letter of interest from a licensee within this 30-

1 day period, the department's request for a formal letter of interest
2 under this subsection is withdrawn and no further efforts to purchase
3 may be made to that licensee for that specific license.

4 (3) (a) Once the 30-day periods in subsections (2) (c) and (d) of
5 this section have lapsed, the department shall:

6 (i) Purchase the license of any licensee that responded with an
7 acknowledgment and acceptance under subsection (2) (c) of this
8 section; and

9 (ii) In ranked order, purchase the license of any licensee that
10 responded with a formal letter of interest under subsection (2) (d) of
11 this section until the department reaches a total of 31 licenses
12 purchased.

13 (b) The department of fish and wildlife shall tender the amount
14 of payment within 45 days from the date the Puget Sound salmon purse
15 seine licensee receives their vendor identification number from the
16 office of financial management.

17 (4) This section expires June 30, 2025.

18 NEW SECTION. **Sec. 4.** A new section is added to chapter 77.12
19 RCW to read as follows:

20 (1) Upon completion of the Puget Sound salmon purse seine buyback
21 and retirement program established under section 2 of this act, the
22 department may not issue any new Puget Sound salmon purse seine
23 commercial licenses if it would cause the total number of licenses
24 for this fishery to exceed 40.

25 (2) The Puget Sound salmon purse seine buyback and retirement
26 program carried out pursuant to section 2 of this act may not be
27 construed to alter in any way the department of fish and wildlife's
28 existing method of providing harvest opportunities between and among
29 the competing commercial gear types based on the historical average
30 annual catches for each gear group.

31 NEW SECTION. **Sec. 5.** The sum of \$5,000,000, or as much thereof
32 as may be necessary, is appropriated for the fiscal year ending June
33 30, 2024, from the general fund to the department of fish and
34 wildlife for the purposes of this act.

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