
SUBSTITUTE SENATE BILL 6020

State of Washington

68th Legislature

2024 Regular Session

By Senate Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Muzzall, Braun, and Lovelett)

READ FIRST TIME 01/30/24.

1 AN ACT Relating to establishing a Puget Sound nonspot shrimp pot
2 fishery license; amending RCW 77.70.005, 77.70.410, 77.70.420, and
3 77.65.220; and adding a new section to chapter 77.70 RCW.

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

5 **Sec. 1.** RCW 77.70.005 and 2011 c 147 s 5 are each amended to
6 read as follows:

7 The definitions in this section apply throughout this chapter and
8 related rules adopted by the department unless the context clearly
9 requires otherwise.

10 (1) "Deliver" or "delivery" means arrival at a place or port, and
11 includes arrivals from offshore waters to waters within the state and
12 arrivals ashore from offshore waters.

13 (2) "Nonspot shrimp" means a species complex composed of the
14 following species of pandalid shrimp including Dock shrimp (*Pandalus*
15 *danae*), coonstripe shrimp (*Pandalus hypsinotus*), humpy shrimp
16 (*Pandalus goniurus*), ocean pink shrimp (*Pandalus jordani*), pink
17 shrimp (*Pandalus eous*), and side stripe shrimp
18 (*Pandalus (Pandalopsis) dispar*).

19 (3) "Pacific sardine" and "pilchard" means the species *Sardinops*
20 *sagax*.

21 (~~(3)~~) (4) "Spot shrimp" means the species *Pandalus platyceros*.

1 **Sec. 2.** RCW 77.70.410 and 2001 c 105 s 1 are each amended to
2 read as follows:

3 (1) The shrimp pot-Puget Sound fishery is a limited entry fishery
4 and a person shall not fish for spot shrimp or nonspot shrimp taken
5 from Puget Sound for commercial purposes with shrimp pot gear except
6 under the provisions of a shrimp pot-Puget Sound fishery license
7 issued under RCW 77.65.220.

8 (2) A shrimp pot-Puget Sound fishery license shall only be issued
9 to a natural person who held a shrimp pot-Puget Sound fishery license
10 during the previous year, except upon the death of the licensee the
11 license shall be treated as analogous to personal property for
12 purposes of inheritance and intestacy.

13 (3) No more than two shrimp pot-Puget Sound fishery licenses may
14 be owned by a licensee. The licensee must transfer the second license
15 into the licensee's name, and designate on the second license the
16 same vessel as is designated on the first license at the time of the
17 transfer. Licensees who hold two shrimp pot-Puget Sound fishery
18 licenses may not transfer one of the two licenses for a (~~twelve-~~
19 ~~month~~) 12-month period beginning on the date the second license is
20 transferred to the licensee, but the licensee may transfer both
21 licenses to another natural person. The nontransferability provisions
22 of this subsection start anew for the receiver of the two licenses.
23 Licensees who hold two shrimp pot-Puget sound fishery licenses may
24 fish one and one-half times the maximum number of pots allowed for
25 Puget Sound shrimp, and may retain and land one and one-half times
26 the maximum catch limits established for Puget Sound shrimp taken
27 with shellfish pot gear.

28 (4) Through December 31, 2001, shrimp pot-Puget Sound fishery
29 licenses are transferable only to a current shrimp pot-Puget Sound
30 fishery licensee, or upon death of the licensee. Beginning January 1,
31 2002, shrimp pot-Puget Sound commercial fishery licenses are
32 transferable, except holders of two shrimp pot-Puget Sound licenses
33 are subject to nontransferability provisions as provided for in this
34 section.

35 (5) Through December 31, 2001, a shrimp pot-Puget Sound licensee
36 may designate any natural person as the alternate operator for the
37 license. Beginning January 1, 2002, a shrimp pot-Puget Sound licensee
38 may designate only an immediate family member, as defined in RCW
39 77.12.047, or the immediate family member of a shrimp pot-Puget Sound
40 licensee's spouse as the alternate operator(~~-~~) with the following

1 exceptions: A licensee with a bona fide medical emergency may
2 designate a person other than an immediate family member as the
3 alternate operator for a period not to exceed two years, provided the
4 licensee documents the medical emergency with letters from two
5 medical doctors describing the illness or condition that prevents the
6 licensee from participating in the fishery. The two-year period may
7 be extended by the director upon recommendation of a department-
8 appointed Puget Sound shrimp pot advisory board. (~~If the licensee~~
9 ~~has no immediate family member who is capable of operating the~~
10 ~~license, the~~) A licensee may ((make a request to)) designate any
11 natural person as the alternate operator by requesting the Puget
12 Sound shrimp pot advisory board to designate an alternate operator
13 who is not an immediate family member, and upon recommendation of the
14 Puget Sound shrimp pot advisory board, the director may allow
15 designation of an alternate operator who is not an immediate family
16 member.

17 **Sec. 3.** RCW 77.70.420 and 2001 c 105 s 2 are each amended to
18 read as follows:

19 (1) The shrimp trawl-Puget Sound fishery is a limited entry
20 fishery and a person shall not fish for nonspot shrimp taken from
21 Puget Sound for commercial purposes with shrimp trawl gear except
22 under the provisions of a shrimp trawl-Puget Sound fishery license
23 issued under RCW 77.65.220.

24 (2) A shrimp trawl-Puget Sound fishery license shall only be
25 issued to a natural person who held a shrimp trawl-Puget Sound
26 fishery license during the previous licensing year, except upon the
27 death of the licensee the license shall be treated as analogous to
28 personal property for purposes of inheritance and intestacy.

29 (3) No more than one shrimp trawl-Puget Sound fishery license may
30 be owned by a licensee.

31 (4) Through December 31, 2001, shrimp trawl-Puget Sound fishery
32 licenses are nontransferable, except upon death of the licensee.
33 Beginning January 1, 2002, shrimp trawl-Puget Sound licenses are
34 transferable.

35 (5) Through December 31, 2001, a shrimp trawl-Puget Sound
36 licensee may designate any natural person as the alternate operator
37 for the license. Beginning January 1, 2002, a shrimp trawl-Puget
38 Sound licensee may designate only an immediate family member, as
39 defined in RCW 77.12.047, or an immediate family member of a shrimp

1 trawl-Puget Sound licensee's spouse as the alternate operator((=))
2 with the following exceptions: A licensee with a bona fide medical
3 emergency may designate a person other than an immediate family
4 member as the alternate operator for a period not to exceed two
5 years, provided the licensee documents the medical emergency with
6 letters from two medical doctors describing the illness or condition
7 that prevents the immediate family member from participating in the
8 fishery. The two-year period may be extended by the director upon
9 recommendation of a department-appointed Puget Sound shrimp trawl
10 advisory board. (~~If the licensee has no immediate family member who~~
11 ~~is capable of operating the license, the licensee may make a request~~
12 ~~to~~) A licensee may designate any natural person as the alternate
13 operator by requesting the Puget Sound shrimp trawl advisory board to
14 designate an alternate operator who is not an immediate family
15 member, and upon recommendation of the Puget Sound shrimp trawl
16 advisory board, the director may allow designation of an alternate
17 operator who is not an immediate family member.

18 (6) A holder of a shrimp trawl-Puget Sound fishery license issued
19 under RCW 77.65.220 may harvest members of the nonspot shrimp species
20 within the waters of Puget Sound.

21 (7) No more than one shrimp trawl-Puget Sound fishery license or
22 nonspot shrimp pot-Puget Sound fishery license may be owned by a
23 licensee.

24 (8) The combined number of shrimp trawl-Puget Sound fishery
25 licenses and nonspot shrimp pot-Puget Sound fishery licenses issued
26 under RCW 77.65.220 is limited to five licenses in total.

27 NEW SECTION. Sec. 4. A new section is added to chapter 77.70
28 RCW to read as follows:

29 (1) The nonspot shrimp pot-Puget Sound fishery is a limited entry
30 fishery and a person may not fish for nonspot shrimp for commercial
31 purposes with nonspot shrimp pot gear except under the provisions of
32 a nonspot shrimp pot-Puget Sound fishery license or a shrimp pot-
33 Puget Sound fishery license issued under RCW 77.65.220.

34 (2) A nonspot shrimp pot-Puget Sound fishery license may
35 designate only an immediate family member, as defined in RCW
36 77.12.047, or an immediate family member of a nonspot shrimp pot-
37 Puget Sound licensee's spouse as the alternate operator with the
38 following exceptions: A licensee with a bona fide medical emergency
39 may designate a person other than an immediate family member as the

1 alternate operator for a period not to exceed two years, provided the
2 licensee documents the medical emergency with letters from two
3 medical doctors describing the illness or condition that prevents the
4 immediate family member from participating in the fishery. The two-
5 year period may be extended by the director upon recommendation of a
6 department-appointed Puget Sound shrimp trawl advisory board. A
7 licensee may designate any natural person as the alternate operator
8 by requesting the Puget Sound shrimp trawl advisory board to
9 designate an alternate operator who is not an immediate family
10 member, and upon recommendation of the Puget Sound shrimp trawl
11 advisory board, the director may allow designation of an alternate
12 operator who is not an immediate family member.

13 (3) A holder of a nonspot shrimp pot-Puget Sound fishery license
14 issued under RCW 77.65.220 may harvest members of the nonspot shrimp
15 species within the waters of Puget Sound.

16 (4) The combined number of shrimp trawl-Puget Sound fishery
17 licenses and nonpot shrimp pot-Puget Sound fishery licenses issued
18 under RCW 77.65.220 is limited to five licenses in total.

19 (5) A nonspot shrimp pot-Puget Sound fishery license may only be
20 issued to a natural person who held a nonspot shrimp pot-Puget Sound
21 fishery license or a shrimp trawl-Puget Sound fishery license issued
22 during the previous licensing year, except upon the death of the
23 licensee the license must be treated as analogous to personal
24 property for purposes of inheritance and intestacy.

25 (6) No more than one shrimp trawl-Puget Sound fishery license or
26 nonspot shrimp pot-Puget Sound fishery license may be owned by a
27 licensee.

28 (7) A shrimp trawl-Puget Sound fishery license may be converted
29 to a limited entry nonspot shrimp pot-Puget Sound fishery license by
30 any holder of a shrimp trawl-Puget Sound fishery license. A shrimp
31 trawl-Puget Sound fishery license that is converted to a limited
32 entry nonspot shrimp pot-Puget Sound fishery license is permanently
33 retired as a shrimp trawl license.

34 (8) A converted limited entry nonspot shrimp pot-Puget Sound
35 fishery license may only fish on nonspot shrimp resources previously
36 allocated to shrimp trawl-Puget Sound fishery license holders. If all
37 shrimp trawl-Puget Sound fishery licenses convert to nonspot shrimp
38 pot-Puget Sound fishery licenses, the department shall work with
39 stakeholders to review the allocation of the commercial nonspot
40 shrimp resources and develop recommendations for future allocations.

1 (9) Nonspot shrimp pot-Puget Sound fishery license holders
 2 reserve the right to cooperatively modify and design gear with the
 3 department via a director's issued permit to efficiently and
 4 economically harvest *Pandalus eous*, *Pandalus jordani*, and *Pandalus*
 5 *dispar*. The process to modify and design gear is intended to develop
 6 the fishery to ensure a means to harvest all nonspot shrimp species
 7 for these license holders.

8 **Sec. 5.** RCW 77.65.220 and 2018 c 235 s 7 are each amended to
 9 read as follows:

10 (1) This section establishes commercial fishery licenses required
 11 for shellfish fisheries and the annual fees for those licenses. The
 12 director may issue a limited entry commercial fishery license only to
 13 a person who meets the qualifications established in applicable
 14 governing sections of this title.

| Fishery (Governing section(s)) | Annual Fee | | Application Fee | Vessel Required? | Limited Entry? |
|---|--------------|--------------|-----------------|-----------------------|-----------------------|
| | Resident | Nonresident | | | |
| (a) Burrowing shrimp | \$235 | \$620 | \$105 | Yes | No |
| (b) Crab ring net- Puget Sound | \$180 | \$565 | \$ 70 | Yes | No |
| (c) Dungeness crab-coastal (RCW 77.70.280) | \$345 | \$730 | \$105 | Yes | Yes |
| (d) Dungeness crab- Puget Sound (RCW 77.70.110) | \$180 | \$565 | \$105 | Yes | Yes |
| (e) Emerging commercial fishery (RCW 77.70.160 and 77.65.400) | \$335 | \$720 | \$105 | Determined by rule | Determined by rule |
| (f) Geoduck (RCW 77.70.220) | \$ 0 | \$ 0 | \$ 70 | Yes | Yes |
| (g) Hardshell clam mechanical harvester (RCW 77.65.250) | \$580 | \$965 | \$ 70 | Yes | No |
| (h) <u>Nonspot shrimp</u> | <u>\$335</u> | <u>\$720</u> | <u>\$105</u> | <u>Yes</u> | <u>Yes</u> |

| | | | | | | |
|----|---|-------|-------|-------|-----|-----|
| 1 | <u>pot-Puget Sound</u> | | | | | |
| 2 | <u>(section 4 of</u> | | | | | |
| 3 | <u>this act)</u> | | | | | |
| 4 | <u>(i)</u> Oyster reserve | \$180 | \$565 | \$ 70 | No | No |
| 5 | (RCW 77.65.260) | | | | | |
| 6 | ((f)) <u>(j)</u> Razor clam | \$180 | \$565 | \$105 | No | No |
| 7 | ((f)) <u>(k)</u> Sea cucumber dive | \$280 | \$665 | \$105 | Yes | Yes |
| 8 | (RCW 77.70.190) | | | | | |
| 9 | ((k)) <u>(l)</u> Sea urchin dive | \$280 | \$665 | \$105 | Yes | Yes |
| 10 | (RCW 77.70.150) | | | | | |
| 11 | ((h)) <u>(m)</u> Shellfish dive | \$180 | \$565 | \$ 70 | Yes | No |
| 12 | ((m)) <u>(n)</u> Shellfish pot | \$180 | \$565 | \$ 70 | Yes | No |
| 13 | ((h)) <u>(o)</u> Shrimp pot- | \$335 | \$720 | \$105 | Yes | Yes |
| 14 | Puget Sound | | | | | |
| 15 | (RCW 77.70.410) | | | | | |
| 16 | ((e)) <u>(p)</u> Shrimp trawl- | \$335 | \$720 | \$105 | Yes | Yes |
| 17 | Puget Sound | | | | | |
| 18 | (RCW 77.70.420) | | | | | |
| 19 | ((p)) <u>(q)</u> Spot shrimp-coastal | \$335 | \$720 | \$ 70 | Yes | Yes |
| 20 | ((q)) <u>(r)</u> Squid | \$335 | \$720 | \$ 70 | Yes | No |

21 (2) The director may by rule determine the species of shellfish
22 that may be taken with the commercial fishery licenses established in
23 this section, the gear that may be used with the licenses, and the
24 areas or waters in which the licenses may be used. Where a fishery
25 license has been established for a particular species, gear,
26 geographical area, or combination thereof, a more general fishery
27 license may not be used to take shellfish in that fishery.

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