

**RCW 77.12.870 Derelict fishing gear and shellfish pots database**

**—Reporting requirements.** (1) The department, in partnership with the Northwest straits commission, the department of natural resources, and other interested parties, must create and ensure the maintenance of a database of known derelict fishing gear and shellfish pots, including the type of gear and its location.

(2) A person who loses or abandons commercial net fishing gear within the waters of the state is required to report the location of the loss and the type of gear lost to the department within twenty-four hours of the loss.

(3) A person who loses or abandons shellfish pots within the waters of the state is encouraged to report the location of the loss and the type of gear lost to the department. [2012 c 190 s 2; 2010 c 193 s 8; 2009 c 333 s 21; 2002 c 20 s 3.]

**Findings—2012 c 190:** "(1) The legislature finds that derelict fishing gear poses a serious threat to human life, the health of the state's marine and freshwater ecosystems, and numerous species of birds, fish, marine mammals, and shellfish. Derelict fishing gear entraps and kills for decades and threatens endangered species, including federal endangered species act-listed salmon, steelhead, Puget Sound rockfish, green sturgeon, and marbled murrelet. In Puget Sound, estimates from the Northwest straits initiative indicate that derelict commercial fishing nets were killing approximately one thousand two hundred marine mammals, twenty-one thousand birds, and sixty-seven thousand fish per year.

(2) The legislature further finds that while significant progress has been made to remove historic accumulations of lost and abandoned commercial fishing nets in Puget Sound, reforms are needed to stem the ongoing accumulation of commercial fishing nets and commercial and recreational shellfish pots in both marine and freshwater environments. While the Northwest straits initiative received a one-time federal grant of over four million five hundred thousand dollars to remove high priority derelict fishing nets from Puget Sound, no long-term source of funding is currently available for the continued removal of derelict fishing nets or the removal of an estimated twelve thousand derelict shellfish pots. Insufficient funding and information is available to confirm and quantify the likely presence of derelict fishing gear in other state waters. These and other factors increase the need for a mandatory reporting system to quantify ongoing accumulations of lost or abandoned commercial fishing nets and recreational or commercial shellfish pots.

(3) The legislature further finds that the department of fish and wildlife is working cooperatively with the department of natural resources and the Northwest straits initiative to maintain a statewide database of derelict fishing gear. However, despite recent known instances of commercial fishing net losses, only two reports of lost commercial fishing nets have been made by fishers to the department of fish and wildlife database under the current voluntary reporting system since its inception in 2003.

(4) The legislature further finds that instituting a mandatory reporting requirement for persons who lose or abandon commercial fishing nets will help prevent continued accumulations, lead to prompt removal, and better allow state and federal authorities to estimate the impacts. The department of fish and wildlife is also encouraged to provide recreational and commercial shellfish pot users with the

opportunity to report lost shellfish pots through existing catch reporting mechanisms. The department of fish and wildlife should rely upon existing authorities to formulate any rules necessary to ensure compliance with mandatory reporting requirements for derelict commercial fishing nets and encourage maximum participation in reporting lost shellfish pots." [2012 c 190 s 1.]

**Finding—Purpose—2002 c 20:** See note following RCW 77.12.865.