

HOUSE BILL REPORT

SHB 1485

As Passed House

February 28, 1997

Title: An act relating to salmon harvest reporting.

Brief Description: Requiring the department of fish and wildlife to report to the legislature regarding salmon harvests.

Sponsors: By House Committee on Natural Resources (originally sponsored by Representatives Linville, Buck, Hatfield, Chandler, Cooper, Sump, Regala, Butler, Anderson, Doumit, Morris, Sheldon, Tokuda, Kessler, Scott, Blalock and Dickerson).

Brief History:

Committee Activity:

Natural Resources: 2/11/97, 2/19/97 [DPS].

Floor Activity:

Passed House: 2/28/97, 93-0.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Buck, Chairman; Sump, Vice Chairman; Thompson, Vice Chairman; Regala, Ranking Minority Member; Butler, Assistant Ranking Minority Member; Alexander; Chandler; Hatfield; Pennington and Sheldon.

Staff: Rick Anderson (786-7114).

Background: The Boldt decision, and other federal court orders, have established the basis under which the harvests of salmon and steelhead are allocated between treaty tribal and non-tribal entities in this state. Key provisions of this allocation system include the following: 1) the Department of Fish and Wildlife and the treaty tribes must cooperatively manage harvests under the continuing jurisdiction of the federal courts; 2) treaty tribes are allowed the opportunity to catch up to 50 percent of the harvestable salmon; 3) harvestable salmon are generally those fish that remain after deducting for spawning escapement; 4) harvest allocation decisions must be made for each river and each fish run in that river unless otherwise agreed; and 5) wastage of fish should not occur. For example, if an entity chooses not to use its available allocation, the other entity can harvest the unused allocation. Most

allocation agreements for tribal and non-tribal harvests are made following a series of public meetings known as the "North of Falcon" process.

The Boldt decision requires that tribal and non-tribal entities keep harvest records to ensure equity in allocating salmon and to promote sound management. The department maintains this information in a highly technical form that is not easily readable by the public.

Summary of Bill: The Department of Fish and Wildlife is required to submit an annual post-harvest report to the Legislature identifying how salmon and steelhead harvests were allocated among treaty tribal and non-tribal fishers for the preceding season. Additionally, the report must identify policies that result in a less than full harvest for non-tribal fishers and specify the location and quantity of salmon and steelhead harvested under the wastage provisions of the Boldt decision. The report is due by March 1 of each year. This report must include the total commercial harvests and the best available estimates of the total recreational harvests. By September 15, the department must submit a final report that includes the finalized recreational harvest estimates.

Appropriation: None.

Fiscal Note: Requested on February 20, 1997.

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

Testimony For: The public should have good information when it participates in public salmon allocation meetings. The bill does not require tribes to report to the Legislature. The information required by this bill will be an important tool as the state makes decisions related to impending Endangered Species Act listings for salmon and steelhead. The Department of Fish and Wildlife can provide only general estimates of recreational harvest by March 1 of each year.

Testimony Against: None.

Testified: Representative Kelli Linville, prime sponsor; John D. Kelly, King County Outdoor Sports Council; Brian Edie, Department of Fish and Wildlife; Ed Owens, Coalition of Coastal Fisheries; and Scott Coughlin, Purse Seine Vessel Owner's Association (all pro).