
SUBSTITUTE SENATE BILL 5567

State of Washington

67th Legislature

2022 Regular Session

By Senate Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Van De Wege and Salomon)

READ FIRST TIME 01/21/22.

1 AN ACT Relating to commercial salmon fishing; amending RCW
2 77.50.030; adding new sections to chapter 77.65 RCW; and creating a
3 new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that wild salmon
6 populations have declined and that many populations are threatened
7 and endangered. The legislature further finds that allowing the use
8 of alternative fishing techniques that can reduce or eliminate
9 impacts to threatened wild fish, while allowing for selective harvest
10 of hatchery stocks, improves the recovery of wild fish and increases
11 the opportunities to catch harvestable stocks. Therefore, the
12 legislature finds that repealing provisions of Initiative 77 from
13 1934 that restricts the use of certain fishing gear will provide
14 fisheries managers with additional options for managing the selective
15 harvest of salmon stocks.

16 **Sec. 2.** RCW 77.50.030 and 2001 c 163 s 2 are each amended to
17 read as follows:

18 (1) A person shall not use, operate, or maintain a gill net which
19 exceeds one thousand five hundred feet in length or a drag seine in
20 the waters of the Columbia river for catching salmon.

1 (2) (~~A person shall not construct, install, use, operate, or~~
2 ~~maintain within state waters a pound net, round haul net, lampara~~
3 ~~net, fish trap, fish wheel, scow fish wheel, set net, weir, or fixed~~
4 ~~appliance for catching salmon or steelhead except under the authority~~
5 ~~of a trial or experimental fishery permit, when an emerging~~
6 ~~commercial fishery has been designated allowing use of one or more of~~
7 ~~these gear types. The director must consult with the commercial~~
8 ~~fishing interests that would be affected by the trial or experimental~~
9 ~~fishery permit. The director may authorize the use of this gear for~~
10 ~~scientific investigations.~~

11 ~~(3))~~) The department, in coordination with the Oregon department
12 of fish and wildlife, shall adopt rules to regulate the use of
13 monofilament in gill net webbing on the Columbia river.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.65
15 RCW to read as follows:

16 (1) The department may by rule authorize the use of fixed fishing
17 gear types including, but not limited to, pound nets, fish traps, and
18 weirs for the selective commercial harvest of salmon and the release
19 of threatened and endangered salmonids.

20 (2) Where alternative commercial salmon fishing gear types are
21 proposed for use, the department must develop a plan to authorize,
22 implement, and regulate alternative commercial salmon fishing gear
23 types prior to the implementation of alternative gear commercial
24 fisheries. Any fisheries conducted with alternative commercial salmon
25 fishing gears authorized under this section must:

26 (a) Release threatened and endangered salmonids with minimal
27 mortality;

28 (b) Be conducive to the mark-selective harvest of excess
29 hatchery-reared salmon consistent with federal conditions for
30 hatchery production and genetic protections for wild and endangered
31 salmon populations;

32 (c) Ensure compliance with tribal treaty fishing rights and
33 state-tribal fishery management agreements; and

34 (d) Remain within established allocations for the commercial
35 sector and ensure adequate escapement for the needs of recreational
36 fisheries and hatchery broodstock.

37 NEW SECTION. **Sec. 4.** A new section is added to chapter 77.65
38 RCW to read as follows:

1 (1) Consistent with the requirements in section 3 of this act,
2 the department must by rule authorize and implement a selective
3 commercial pound net fishery in the lower Columbia river by June 1,
4 2023. By December 1, 2022, the department shall complete the plan
5 required in section 3(2) of this act and report findings and
6 recommendations to the appropriate committees of the legislature on
7 license structures and fees, any necessary statutory or rule changes,
8 and any other actions necessary to authorize, implement, and regulate
9 a commercial pound net fishery for the mark-selective harvest of
10 hatchery-reared salmon.

11 (2) Nothing in this section precludes the director from
12 authorizing one or more alternative fishing gears, including pound
13 nets, beach seines, or purse seines, through an emerging commercial
14 fishery designation in the lower Columbia river under RCW 77.70.160
15 prior to the adoption of the rules required in subsection (1) of this
16 section.

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