

Concise Explanatory Statement (CES) Crewmember Licensing

Rules amended as part of this rulemaking:

None.

Rules repealed as part of this rulemaking:

None.

Rules created as part of this rulemaking:

WAC 220-351-100.

1. Background/Summary of Project:

The Department of Fish and Wildlife was contacted by members of the commercial fishing industry who expressed an interest in increasing the number of unspecified crewmember (so called John Doe) licenses an individual commercial fishing license holder could obtain annually. Prior to this rulemaking, the number of unspecified crewmember licenses was set in statute at two per commercial fishing license holder. This statute authorizes (RCW 77.65.610(3)) the Fish and Wildlife Commission to increase the number of these licenses beyond two, as needed. The department understands that larger commercial fishing vessels often have four or more crewmembers on board in order to safely operate and may need to replace crewmembers during the fishing season, sometimes on short notice. Based on the department's review of the regulatory needs, the increase in these licenses does not apply to non-salmon landing licensees fishing for albacore tuna.

2. Reasons for adopting the rule:

Adoption of the rule was needed to increase the number of unspecified crewmember licenses from two to four. This change accommodates the needs identified by the commercial fishing interests to promote flexibility in crew staffing. By being able to purchase and use up to four John Doe crewmember licenses, vessel operators will have more flexibility to backfill crew vacancies and remain fully staffed, which further serves the safety of crew engaged in commercial fishing activities.

Differences between the text of the proposed rule and the text of the rule as adopted:

None.

3. Summary of comments and WDFW response and consideration for the comments:

In total three comment were received during the rule-making comment period, all were supportive of the rule change. One of these comments was received in verbal testimony during the Fish and Wildlife Commissions June 24 public meeting.