

# House Bill 3156

Sponsored by Representatives HELM, OWENS

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Columbia River Commercial Gillnet Buyback Fund.

Directs State Fish and Wildlife Commission to establish Columbia River gillnet vessel permit buyback program. Prohibits commission from taking certain actions with respect to Columbia River fisheries when compared to restrictions in place from 2017 to 2020.

Eliminates lottery for Columbia River gillnet vessel permits.

## A BILL FOR AN ACT

1  
2 Relating to Columbia River fisheries; creating new provisions; amending ORS 508.778; and repealing  
3 ORS 508.792.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Sections 2 to 4 of this 2023 Act are added to and made a part of the com-**  
6 **mercial fishing laws.**

7 **SECTION 2. (1) The Columbia River Commercial Gillnet Buyback Fund is established in**  
8 **the State Treasury, separate and distinct from the General Fund. Interest earned by the**  
9 **Columbia River Commercial Gillnet Buyback Fund shall be credited to the fund. The fund**  
10 **consists of:**

11 (a) **Moneys appropriated or otherwise transferred to the fund by the Legislative Assem-**  
12 **bly;**

13 (b) **Moneys received from federal, state or private sources;**

14 (c) **Amounts donated to the fund; and**

15 (d) **Other amounts deposited in the fund from any source.**

16 (2) **Moneys in the fund are continuously appropriated to the State Department of Fish**  
17 **and Wildlife for the purpose of carrying out the provisions of section 3 of this 2023 Act.**

18 **SECTION 3. (1) As used in this section and section 4 of this 2023 Act:**

19 (a) **“Active permit” means a Columbia River gillnet vessel permit used for one or more**  
20 **Columbia River salmon landings in any calendar year from 2015 to 2022.**

21 (b) **“Columbia River gillnet vessel permit” means a permit required by ORS 508.775.**

22 (c) **“Inactive permit” means a Columbia River gillnet vessel permit not used for Columbia**  
23 **River salmon landings in any calendar year from 2015 to 2022.**

24 (2) **The State Fish and Wildlife Commission shall establish a Columbia River gillnet vessel**  
25 **permit buyback and fishery transition program. The purposes of the program are to:**

26 (a) **Reduce the number of Columbia River gillnet vessel permits;**

27 (b) **Transition nontribal commercial gillnet fisheries out of the mainstem Columbia River;**  
28 **and**

29 (c) **Benefit the conservation of wild Columbia River salmon and steelhead populations.**

30 (3) **The program shall provide for the voluntary purchase of Columbia River gillnet vessel**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 permits from permit holders by the State Department of Fish and Wildlife. Subject to the  
2 availability of moneys in the Columbia River Commercial Gillnet Buyback Fund established  
3 under section 1 of this 2023 Act, the department shall:

4 (a) Solicit offers from Columbia River gillnet vessel permit holders who wish to partic-  
5 ipate in the program;

6 (b) Rank offers according to price and 2015 to 2022 average annual Columbia River salmon  
7 gillnet landings;

8 (c) Purchase permits based on the lowest price per average annual landings first;

9 (d) Purchase all active permits before purchasing inactive permits; and

10 (e) Accept offers of no more than \$20,000 for inactive permits.

11 (4) The department shall retire all permits purchased under subsection (3) of this section.

12 (5) A permit holder that participates in the program under this section is not eligible to  
13 hold a Columbia River gillnet vessel permit after the date on which the department pur-  
14 chases a permit from the permit holder under subsection (3) of this section.

15 (6) The commission may adopt rules as necessary to implement this section.

16 **SECTION 4.** (1) In managing Columbia River salmon fisheries, the State Fish and Wildlife  
17 Commission may not adopt rules that, when compared to regulatory restrictions in place  
18 from 2017 to 2020:

19 (a) Expand the areas and seasons where nontribal gillnets are permitted in the mainstem  
20 lower Columbia River; or

21 (b) Increase the fishery impacts or share of salmon allocated to nontribal commercial  
22 fisheries.

23 (2) The State Department of Fish and Wildlife shall calculate the reduced impact to  
24 fisheries as a result of the purchase of Columbia River gillnet vessel permits under section  
25 3 of this 2023 Act and reserve those impacts for, in a manner consistent with fishery man-  
26 agement agreements between this state and federally recognized Indian tribes:

27 (a) Conservation through increased wild salmonid escapement; or

28 (b) Mark-selective fisheries capable of harvesting surplus hatchery-reared salmon where  
29 needed to meet federal genetic protection requirements for wild salmon populations.

30 (3) The commission shall reduce the share of salmon allocated to Columbia River gillnet  
31 fishing in the mainstem Columbia River in proportion to the reduction to the gillnet fleet  
32 achieved through the purchase of permits under section 3 of this 2023 Act.

33 (4) Nothing in this section affects tribal treaty rights or any fishery management agree-  
34 ment between this state and a federally recognized Indian tribe.

35 **SECTION 5.** ORS 508.792 is repealed.

36 **SECTION 6.** ORS 508.778 is amended to read:

37 508.778. *[Except as provided in ORS 508.792,]* On or after the effective date of this 2023 Act,  
38 *[no]* new vessel permits *[shall]* **may not** be issued.