
SENATE BILL 6385

State of Washington

52nd Legislature

1992 Regular Session

By Senators Sutherland, Owen, Oke and Barr

Read first time 01/28/92. Referred to Committee on Environment & Natural Resources.

1 AN ACT Relating to wild salmon; adding new sections to chapter
2 75.50 RCW; creating a new section; and providing for submission of this
3 act to a vote of the people.

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

5 NEW SECTION. **Sec. 1.** The legislature declares that the state
6 has a vital interest in the preservation of wild salmon and finds that
7 they are a precious natural resource that must be preserved for future
8 generations to appreciate.

9 The legislature further finds that the future of many wild salmon
10 runs is in jeopardy as evidenced by the current listing of Snake river
11 sockeye salmon under the federal endangered species act, the pending
12 petitions to list additional wild salmon under the federal endangered
13 species act, and the recent report by the American fisheries society

1 identifying numerous additional runs of wild salmon that are weak or
2 threatened, or in danger of extinction.

3 Wild salmon are spawned in freshwater streams, migrate to the
4 waters of the Pacific Ocean and, in response to their anadromous cycle,
5 return as mature fish to their natal, freshwater streams to spawn and
6 perpetuate the species. Guaranteeing safe passage for returning wild
7 salmon to their natal waters is critical to their preservation.

8 Recognizing that salmon stocks and races are commingled in the
9 waters of the Pacific Ocean, the marine waters of the state, and
10 certain waters of the Columbia river, it is declared necessary to
11 prohibit all types of nonselective harvesting by all persons in these
12 waters in order to guarantee wild salmon safe passage through these
13 waters as they return to their natal waters.

14 NEW SECTION. **Sec. 2.** Notwithstanding any other grant of
15 authority, the director shall not authorize, agree to, or allow any
16 person to harvest or take, either directly or indirectly, any wild coho
17 salmon (*oncorhynchus kisutch*), any wild chinook salmon (*oncorhynchus*
18 *tshawytscha*), or any species of wild salmon listed under the federal
19 endangered species act while they are within the waters of the Pacific
20 Ocean, the marine waters of the state, the concurrent waters of the
21 Columbia river, or the waters of the Columbia river up to and including
22 its confluence with the waters of the Snake river. However, nothing in
23 this section shall preclude or prevent the director from authorizing
24 fisheries in these waters for other runs or types of salmon.

25 NEW SECTION. **Sec. 3.** The enforcement of section 2 of this act
26 shall take effect January 1, 1997. The department shall mark all coho
27 salmon and chinook salmon produced in facilities and hatcheries
28 operated by or authorized by the department beginning January 1, 1994.

1 The department shall immediately implement a program to mark, in a
2 conspicuous manner that is easily observable on the exterior of the
3 fish, all coho salmon and chinook salmon produced in facilities and
4 hatcheries operated by or authorized by the department. The purpose of
5 the marking is to allow for the immediate, external identification of
6 these fish. The department shall also work with all other persons
7 producing coho salmon and chinook salmon for release into the waters of
8 the state to coordinate a similar marking of all the coho salmon and
9 chinook salmon they release into the waters of the state.

10 The department shall not reduce the quantity of coho salmon and
11 chinook salmon produced in hatcheries or facilities operated by the
12 department below the annual quantity being produced as of the effective
13 date of this act, unless it is scientifically proven that a specific
14 production level at a specific facility is resulting in reduced salmon
15 runs.

16 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act are each
17 added to chapter 75.50 RCW.

18 NEW SECTION. **Sec. 5.** This act shall be submitted to the
19 people for their adoption and ratification, or rejection, at the next
20 succeeding general election to be held in this state, in accordance
21 with Article II, section 1 of the state Constitution, as amended, and
22 the laws adopted to facilitate the operation thereof. If approved,
23 this act shall take effect immediately upon certification of the
24 election.