

# HOUSE BILL REPORT

## HB 1319

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**As Reported By House Committee On:**  
Natural Resources

**Title:** An act relating to increasing anadromous fish runs in the Elwha river.

**Brief Description:** Increasing anadromous fish runs in the Elwha river.

**Sponsors:** Representatives Buck, Sheldon, Pennington, Kessler, Schoesler, Regala, Johnson, Mielke and Morris.

**Brief History:**

**Committee Activity:**

Natural Resources: 2/7/97, 3/5/97 [DPS].

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### 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; Alexander; Anderson; Chandler; Hatfield; Pennington and Sheldon.

**Staff:** Rick Anderson (786-7114).

**Background:** The Elwha and Glines Canyon dams on the Elwha River were constructed the early 1900s without fish passage facilities. Anadromous fish are currently present only in the lower 4.9 miles of the river. The Elwha dam is located at river mile 4.9 and the Glines Canyon dam is located 8.5 miles upstream from the Elwha dam. An estimated 90 percent of the habitat for anadromous fish was lost with the construction of the two dams.

Congress passed the Elwha River Ecosystem and Fisheries Restoration Act in 1992. The act directed the Department of Interior to study the best method to fully restore the native Elwha fish runs. The department's report identified dam removal as the best method for full restoration. A subsequent environmental impact statement analyzed various ways to remove the dams and identified a preferred alternative. The environmental impact statement estimated the cost of preferred alternative to be \$113 million dollars. Congress has not appropriated funds to implement dam removal.

**Summary of Substitute Bill:** The department is directed to work with the Lower Elwha Klallam Tribe and the federal resource agencies to refine and implement short-term actions to preserve and increase existing salmon stocks. The department is also directed to work with these entities to develop short- and long-term actions to reintroduce native salmon above river mile 4.9.

The sum of \$295,000 is appropriated to the Department of Fish and Wildlife. Of this appropriation, \$195,000 is to fund three projects to improve salmon habitat and reduce mortality for salmon below river mile 4.9 and \$100,000 is to develop an action plan to reintroduce native salmon above river mile 4.9. The plan is a contingency measure to prepare for the possibility that the Elwha dam will not be removed. The contingency plan must identify specific actions and timelines necessary to reintroduce salmon above river mile 4.9. The department must submit the plan to the Legislature by June 30, 1998.

**Substitute Bill Compared to Original Bill:** The original bill appropriated \$500,000 to develop and implement a plan to reintroduce native salmon above river mile 4.9. The substitute bill appropriates \$295,000 to benefit existing salmon stocks below river mile 4.9 and to prepare a contingency plan for reintroduction of native salmon above river mile 4.9.

**Appropriation:** The sum of \$295,000 is appropriated for the biennium ending June 30, 1999.

**Fiscal Note:** Not requested.

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

**Testimony For:** The purpose of this bill is let the federal government know that it is time to lead, follow, or get out of the way with respect to the two dams on the Elwha River. Spending over \$100 million on one river is not a good idea given the impending salmon listings under the Endangered Species Act. This bill provides a much simpler and cheaper alternative to reintroducing native salmon above river mile 4.9. Dam removal is impractical given the amount of sediment that has been deposited behind the dams. The existing dams can be modified to facilitate fish passage.

**Testimony Against:** Reintroduction above river mile 4.9 cannot be successful if the dams remain. The dams cannot be modified to allow for fish passage. Chinook and chum salmon will not be able to successfully navigate the lake behind the dam. There will be high mortality associated with passing the dams. Fish passage facilities are the responsibility of the dam owners. The bill does not provide enough funds to reintroduce salmon above river mile 4.9. Any available funds should be spent on

improving the existing native stocks below river mile 4.9. Developing existing cold water wells to reduce temperatures in the lower river and improving habitat of lower river will do most to help existing native salmon stocks.

**Testified:** Representative Jim Buck, prime sponsor; Ed Tuttle, Mark Chastain, and Buck Adamir, Rescue Elwha Area Lakes (all in favor); Orville Campbell, James River/Daishowa America; Patrick Crain and Michael Q. Langland, Lower Elwha Tribe; Polly Dyer, self; Tim McNulty, Olympic Parks Associates; Harry Lydiard, Elwha Citizens Advisory Committee; Diane Ellison self and Ellison Timber & Property; Shawn Cantrell, Friends of the Earth; Bill Robinson, Trout Unlimited (all opposed); and Bill Tweit and Dave Gufier, Washington Department of Fish and Wildlife.