
SUBSTITUTE SENATE BILL 5120

State of Washington

55th Legislature

1997 Regular Session

By Senate Committee on Natural Resources & Parks (originally sponsored by Senator Morton)

Read first time 02/03/97.

1 AN ACT Relating to fish enhancement with remote site incubators;
2 adding a new chapter to Title 75 RCW; and creating new sections.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that trout and salmon
5 population levels are greatly below the carrying capacity of many state
6 waters, and that reintroduction of both trout and salmon can be often
7 accomplished with the use of remote site incubators. Remote site
8 incubators have been shown to be a cost-effective means of bypassing
9 the early period of high mortality that is often experienced by
10 salmonid eggs that are naturally spawned. In addition, remote site
11 incubators provide an efficient method for reintroduction of fish into
12 areas that are not fully seeded by natural spawn. The technology for
13 remote site incubators is well developed, and their application is
14 easily accomplished in a wide variety of habitat by persons with a
15 moderate level of training.

16 It is a goal of the remote site incubator program to assist
17 reestablishment of sustainable fish populations in a wide variety of
18 waters so that the populations may become naturally spawning in many
19 cases. In other cases, primarily where spawning conditions are not

1 optimal or where numbers of spawners are chronically low, the goal of
2 the remote site incubator program is to become a cost-effective long-
3 term solution for restoration of fish populations.

4 Another goal of the remote site incubator program is to provide a
5 means of utilizing excess or surplus salmonid eggs which in the past
6 would have been destroyed or not used in a way that would have rebuilt
7 fish populations.

8 NEW SECTION. **Sec. 2.** The fish and wildlife commission shall
9 instruct the director to employ existing fish management employees of
10 the department to identify potential sites throughout the state and
11 potential fish species for each site that are suitable for remote site
12 incubators.

13 The initial selection of sites is to be completed by July 1, 1998.
14 Thereafter the site selection list is to be updated at least on an
15 annual basis.

16 NEW SECTION. **Sec. 3.** The director shall dedicate existing
17 employees of the fish and wildlife construction crew to the
18 responsibility of constructing, and in some cases installing and
19 maintaining, remote site incubators. The director shall purchase
20 commercially available remote site incubators in cases in which it
21 would be more economical to purchase remote site incubators rather than
22 to build them with the construction crew.

23 NEW SECTION. **Sec. 4.** The director shall reassign a minimum of
24 three existing staff for the purpose of coordinating the remote site
25 incubator program throughout the state. Remote site incubator
26 coordinators shall make annual reports to the fish and wildlife
27 commission on the progress of the program.

28 NEW SECTION. **Sec. 5.** The fish and wildlife commission shall
29 appoint a remote site incubator advisory group for the purpose of
30 advising the commission on administration of the program to achieve the
31 greatest amount of benefits. The advisory group shall consist of one
32 member representing each of the following groups:

- 33 (1) Commercial fishers;
34 (2) Recreational fishers;
35 (3) Resort or marina owners;

- 1 (4) Boat manufacturers; and
- 2 (5) Fishing gear manufacturers.

3 NEW SECTION. **Sec. 6.** The director shall fully involve volunteer
4 efforts in the remote site incubator program through the regional
5 fisheries enhancement groups; the cooperative project program; private
6 nonprofit groups, such as the long live the kings organization; treaty
7 Indian tribes; and interested individuals.

8 NEW SECTION. **Sec. 7.** Neither the fish and wildlife commission nor
9 the director may authorize the destruction, sale, transfer to other
10 entities, or donation of any salmonid eggs that are in a nondiseased
11 condition without approval of the remote site incubator advisory group.
12 Every effort must be made to utilize salmonid eggs in remote site
13 incubators when they are not allocated for other fish culture uses.

14 Neither the fish and wildlife commission nor the director may
15 authorize the destruction, sale, transfer to other entities, or
16 donation of female salmon or trout that contain viable eggs without
17 approval of the remote site incubator advisory group. Every effort
18 must be made to utilize salmonid eggs in remote site incubators when
19 the eggs would otherwise be sold or donated while contained within the
20 female salmon or trout.

21 NEW SECTION. **Sec. 8.** The director may purchase or accept as a
22 gift to the state viable salmonid eggs from private fish farmers for
23 purposes of stocking remote site incubators and for the stocking of all
24 public waters.

25 NEW SECTION. **Sec. 9.** The director shall contact the treaty Indian
26 tribes, the federal fish and wildlife service, and the state fish
27 management agencies of Oregon and Idaho for the purpose of obtaining
28 donations of viable salmonid eggs for stocking remote site incubators.

29 NEW SECTION. **Sec. 10.** The director shall approve remote site
30 incubator projects unless it violates the wild salmonid policy, or is
31 a direct threat to the salmonid resource. The director may prioritize
32 remote site incubator locations within regional enhancement areas.

1 NEW SECTION. **Sec. 11.** The director shall direct the warm water
2 fish enhancement program of the department to investigate ways for
3 applying the remote site incubator technology to the production of warm
4 water fish. The remote site incubator advisory group must be advised
5 of any potential uses of remote site incubators for warm water fish
6 enhancement.

7 NEW SECTION. **Sec. 12.** The director of fish and wildlife and the
8 secretary of the department of corrections shall jointly investigate
9 the potential of producing remote site incubators through the prison
10 industries program of the department of corrections, and they shall
11 jointly report their finding to the natural resources committees of the
12 house of representatives and the senate by December 1, 1998.

13 NEW SECTION. **Sec. 13.** Sections 2 through 11 of this act shall
14 constitute a new chapter in Title 75 RCW.

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