
SENATE BILL 5136

State of Washington

55th Legislature

1997 Regular Session

By Senators Hargrove, Oke, Snyder and Morton

Read first time 01/16/97. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to increasing anadromous fish runs in the Elwha
2 river; adding new sections to chapter 75.50 RCW; and making an
3 appropriation.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that restoration of
6 fish runs in the Elwha river has been hampered by disagreements over
7 removal of Aldwell and Glines Canyon dams. Regardless of the outcome
8 of the dam removal proposals, anadromous fish runs should be increased
9 by reintroduction of salmon and sea run trout into Elwha river
10 tributaries above Aldwell dam and below Glines Canyon dam, in order to
11 take advantage of unutilized natural rearing areas. Reintroduction of
12 these anadromous fish would speed up the restoration of native fish in
13 the Elwha river. Existing capital facilities are available for
14 assisting the outmigration of smolts that are produced by this
15 reintroduction program.

16 It is the intent of the legislature that the anadromous fish runs
17 of the Elwha river be increased and made more healthy at a low cost and
18 that future choices on dam removal or retention not be compromised.

1 NEW SECTION. **Sec. 2.** The department shall initiate a program for
2 timely reintroduction of anadromous fish into Elwha river tributaries
3 above Aldwell dam and below Glines Canyon dam. Early stages of the
4 program must rely on intensive methods for protection of the introduced
5 eggs and fry by utilization of the best technology for egg boxes,
6 remote site incubators, and other techniques to assure the maximum
7 survival of the reintroduced stock. Exclusively native Elwha river
8 fish stocks must be utilized for the reintroduction program. The
9 department shall work cooperatively with the lower Elwha Indian Tribe,
10 owners of Aldwell dam, regional fisheries enhancement groups,
11 cooperative groups, the national marine fisheries service, the fish and
12 wildlife service, Clallam county, and the city of Port Angeles to
13 achieve the goals of this program.

14 The department shall assess and deploy smolt outmigration
15 facilities at Aldwell dam in the first year and in subsequent years in
16 which smolts are expected to outmigrate as a result of the
17 reintroduction program.

18 NEW SECTION. **Sec. 3.** If the removal of Aldwell dam does not occur
19 by the time that adult anadromous fish are expected to return to the
20 Elwha river, the department shall make a two stage action plan for
21 returning adult salmon and sea run trout to the Elwha river tributaries
22 above Aldwell dam and below Glines Canyon dam. Phase 1 is the
23 selection of the best methods for capturing, trucking, and hauling
24 adult fish above the dam or for installing a fish ladder and must be
25 completed no more than two years from the time that the first adult
26 anadromous fish are expected to return under the program. Phase 2 is
27 the installation and operation of a permanent fish ladder for passage
28 of adult salmon and sea run trout over Aldwell dam. If the Aldwell dam
29 is not removed, the department shall request funds for fish ladder
30 construction from the legislature in a timely manner.

31 If Aldwell dam is removed, the department shall assess the need for
32 installation of a fish ladder at the rock sill at the current dam site
33 and shall make timely request for legislative appropriation if a ladder
34 is needed.

35 NEW SECTION. **Sec. 4.** Proposals or actions to remove or retain
36 Glines Canyon dam must not adversely affect, delay, or stop the

1 anadromous fish reintroduction program for Elwha river tributaries
2 between Aldwell dam and Glines Canyon dam.

3 NEW SECTION. **Sec. 5.** If the federal government desires to become
4 a cooperator in the program to reintroduce anadromous fish into Elwha
5 river tributaries between Aldwell dam and Glines Canyon dam, the
6 department shall seek an agreement for matching funds or other federal
7 assistance.

8 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are each
9 added to chapter 75.50 RCW.

10 NEW SECTION. **Sec. 7.** The sum of five hundred thousand dollars, or
11 as much thereof as may be necessary, is appropriated for the biennium
12 ending June 30, 1999, from the general fund to the department of fish
13 and wildlife for the purposes of planting fish or eggs into Elwha river
14 tributaries between Aldwell dam and Glines Canyon dam, construction of
15 or modification to smolt outmigration facilities on Aldwell dam, and
16 construction of upstream fish passage facilities at Aldwell dam.

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