
SENATE BILL 6198

State of Washington

55th Legislature

1998 Regular Session

By Senators Fraser, Swecker, Spanel, Haugen and Rasmussen

Read first time 01/13/98. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to fish hatchery operational policy; and adding a
2 new chapter to Title 75 RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) The state of Washington has more, and more productive, fish
6 hatcheries than any similar region in the world.

7 (2) Over three hundred million hatchery salmonids are produced in
8 Washington annually.

9 (3) A large and diverse system of tribal and federal fish
10 hatcheries operate within the state.

11 (4) Hatcheries were built and are now operated to offset
12 destruction of wild salmonid stocks caused by habitat degradation,
13 overfishing, and other human activities.

14 (5) Because hatcheries must not be operated in a manner that
15 further reduces wild salmonid stocks, hatchery programs must coordinate
16 efforts and alter the operation of specific fish hatcheries to provide
17 targeted fishery benefits while not adversely affecting wild salmonids.

1 (6) Active management of hatchery technology may assist in the
2 recovery of wild salmonids and may complement habitat restoration
3 efforts.

4 (7) Federal listing of salmonid stocks as threatened and endangered
5 species adds urgency to the need for hatchery improvements.

6 (8) It is vital to assess how hatcheries may be utilized in order
7 to make their operation more compatible with threatened and endangered
8 salmonid recovery.

9 (9) Fishery benefits generated by hatcheries must be continued and
10 improved, and commitments made to produce hatchery fish in fulfillment
11 of treaty Indian fishing rights must be honored.

12 (10) A more active hatchery management approach is necessary to
13 achieve these goals.

14 NEW SECTION. **Sec. 2.** As used in this chapter:

15 (1) "Broodstock" means those adult salmonids destined to be the
16 parents of a particular stock or of a smaller group of fish.

17 (2) "Captive broodstock" means salmonids reared from the egg stage
18 to adulthood in a captive hatchery environment.

19 (3) "Critical stock" means a stock of fish whose production levels
20 are so low that permanent damage to the stock has already occurred or
21 is likely to occur.

22 (4) "Depressed stock" means a stock of fish whose production is
23 below expected levels, based on available habitat and natural
24 variations in survival levels, but above levels at which permanent
25 damage to the stock is likely to occur.

26 (5) "Disease certification" means a process in which statistically
27 valid biological samples are taken from a fish stock for the purpose of
28 determining the presence of disease organisms.

29 (6) "Evolutionary significant unit" means fish stocks that are
30 grouped into one unit, are of similar genetic identity, and have a high
31 likelihood of interbreeding.

32 (7) "Genetic identity" means the genetic description of a fish
33 stock.

34 (8) "Hatchery production" means the spawning, incubation, hatching,
35 or rearing of fish in a hatchery or other artificial production
36 facility, including, but not limited to spawning channels, egg
37 incubation boxes, or net pens.

1 (9) "Mass marking" means the conspicuous external marking of a
2 large number of hatchery-origin salmonids to identify them for harvest
3 in a mixed-stock fishery while providing protection to unmarked
4 salmonids in that fishery.

5 (10) "Mixed stock fishery" means a fishery that catches fish from
6 more than one stock.

7 (11) "Net pen" means a net enclosure within a lake or marine area
8 for rearing of salmonids.

9 (12) "Remote site incubator" means an artificial box in a remote
10 watershed site for incubation of fish eggs.

11 (13) "Salmonid" means a member of the taxonomic family Salmonidae,
12 which includes all species of salmon, trout, char, whitefish, and
13 grayling.

14 (14) "Stock" means a subunit of a fish species, frequently
15 delineated by run-timing, river of origin, or other identifier which
16 discourages fish from spawning in a different place at the same time or
17 in the same place at a different time.

18 (15) "Supplementation" means the use of hatchery production to
19 maintain or increase natural production of a stock while maintaining
20 the stock's long-term fitness and while holding ecological and genetic
21 effects upon the stock within specified biological limits.

22 NEW SECTION. **Sec. 3.** A hatchery practices advisory committee is
23 created and shall consist of the following members:

24 (1) One person to represent the hatchery program of the department
25 of fish and wildlife to be selected by the fish and wildlife
26 commission;

27 (2) One person to represent western Washington treaty Indian tribes
28 to be selected by the governor;

29 (3) One person to represent eastern Washington treaty Indian tribes
30 to be selected by the governor;

31 (4) One person to represent the federal government to be selected
32 by the governor from a list of candidates submitted by the secretary of
33 the interior and the secretary of commerce;

34 (5) The governor or a person appointed by the governor to represent
35 the governor;

36 (6) One person to represent the Northwest power planning council to
37 be appointed by the governor;

1 (7) Two people to represent Washington state institutions of higher
2 education to be appointed by the governor;

3 (8) One person to represent recreational fishing interests to be
4 appointed by the governor. This person shall not have a financial
5 interest in the recreational fishing industry;

6 (9) One person to represent the salmon charter boat industry to be
7 appointed by the governor;

8 (10) One person to represent the salmon commercial fishing industry
9 to be appointed by the governor;

10 (11) One person to represent environmental protection advocates to
11 be appointed by the governor;

12 (12) One person to represent fish and wildlife cooperative groups
13 authorized under chapter 75.52 RCW to be appointed by the governor;

14 (13) One person to represent regional fisheries enhancement groups
15 authorized under chapter 75.50 RCW to be appointed by the governor;

16 (14) One person to represent the nontreaty Indian tribes of
17 Washington to be appointed by the governor;

18 (15) The director of the department of fish and wildlife or a
19 representative designated by the director; and

20 (16) As many members of the fish and wildlife commission as the
21 commission may choose to designate.

22 The function of the hatchery practices advisory committee is to
23 recommend to the fish and wildlife commission an operational policy for
24 the hatchery program of the department of fish and wildlife. The
25 hatchery practices advisory committee shall ensure that the operational
26 policy contains the objectives of coordinating the operation of fish
27 hatcheries with tribal and federal fish hatchery programs, developing
28 programs that are more compatible with endangered species act
29 objectives, and continuing and expanding opportunities for fishery
30 benefits produced by hatchery salmonids. The operational policy shall
31 ensure that the extinction of evolutionary significant units of
32 salmonids does not occur, that salmonid stocks are not reduced to
33 critical levels, and that wild or naturally spawning salmonid stocks
34 are consistently managed to achieve annual net gains in abundance.

35 The hatchery practices advisory committee shall monitor the
36 operation of the hatchery division of the department of fish and
37 wildlife to ensure compliance with the operational policy and shall
38 report periodically to the fish and wildlife commission. To obtain the
39 benefits of scientific expertise, the hatchery practices advisory

1 committee may at its discretion appoint experts in the field of
2 salmonid genetics and thus create a salmonid genetics board.

3 NEW SECTION. **Sec. 4.** The hatchery practices advisory committee
4 shall conduct a review of the transplantation of salmonids to determine
5 if state, tribal, and federal hatchery operations may comply more
6 closely with the endangered species act, may reduce the risk of
7 deleterious stock transfers, may minimize dissemination of fish
8 pathogens, and may facilitate the recovery of wild salmonids. The
9 hatchery practices advisory committee shall consider policies for
10 increased genetic testing and disease certification and shall include
11 in the hatchery practices operational policy any recommendation for
12 change in transplantation policy.

13 The hatchery practices advisory committee shall review each new
14 project application for the hatchery production of salmonids, including
15 the projects proposed by cooperative and regional fisheries enhancement
16 groups on a case-by-case basis. Each new project application shall be
17 forwarded to the director of fish and wildlife with the advisory
18 committee's recommendation for approval, denial, or modification.

19 NEW SECTION. **Sec. 5.** The hatchery practices advisory committee
20 shall make recommendations for the acceptable quantity and genetic
21 composition of hatchery salmonids which will be allowed to spawn
22 naturally in each evolutionary significant unit or watershed.
23 Standards shall be based upon the degree of threat that each hatchery
24 stock poses to naturally spawning stocks and may be based upon the
25 findings of the salmonid genetics board. In cases where hatchery
26 stocks show excessive straying into natural spawning areas, the
27 hatchery practices advisory committee shall make recommendations to
28 reduce the amount that hatchery fish are spawning in natural spawning
29 areas, recommendations which may include technological solutions or
30 reductions in hatchery production.

31 NEW SECTION. **Sec. 6.** Members of the hatchery practices advisory
32 committee shall be reimbursed for travel expenses as provided in RCW
33 43.03.050 and 43.03.060.

1 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
2 a new chapter in Title 75 RCW.

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