
HOUSE BILL 2554

State of Washington

56th Legislature

2000 Regular Session

By Representatives Anderson, Regala, Linville, Doumit, Buck and Rockefeller

Read first time 01/17/2000. Referred to Committee on Natural Resources.

1 AN ACT Relating to marine finfish aquaculture; and adding a new
2 chapter to Title 75 RCW.

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

4 NEW SECTION. **Sec. 1.** Aquaculture net pen facilities in Washington
5 state have accidentally released Atlantic salmon into Puget Sound.
6 Similar accidents in Canada have resulted in the successful spawning of
7 Atlantic salmon in indigenous habitat. These events raise concern
8 about the effect of escaped nonnative species on native runs of salmon
9 declared threatened or endangered under the federal endangered species
10 act. It is necessary to minimize the impact of escapes through the
11 implementation of state-wide prevention measures. Until such
12 prevention measures are implemented, it is prudent to prohibit the
13 expansion of salmon net pens.

14 NEW SECTION. **Sec. 2.** The definitions in this section apply
15 throughout this chapter unless the context clearly requires otherwise.

16 (1) "Aquaculture" has the same meaning as defined in RCW 15.85.020.

17 (2) "Aquatic farmer" has the same meaning as defined in RCW
18 15.85.020.

1 (3) "Private sector cultured aquatic products" has the same meaning
2 as defined in RCW 15.85.020.

3 NEW SECTION. **Sec. 3.** The director shall develop, implement,
4 administer, and enforce rules to include the following elements:

5 (1) Provisions for the prevention of escapes of cultured marine
6 finfish aquaculture products from enclosures, net pens, raceways,
7 ponds, or other rearing vessels;

8 (2) Provisions for the determination of appropriate species,
9 stocks, and races of marine finfish aquaculture products allowed to be
10 cultured at specific locations and sites;

11 (3) Provisions for the development and implementation of management
12 plans to facilitate the most rapid recapture of live marine finfish
13 aquaculture products that have escaped from enclosures, net pens,
14 raceways, ponds, or other rearing vessels, and to prevent the spread or
15 permanent escape of these products. The director shall take all
16 actions necessary to coordinate these provisions with local tribal
17 fishing managers and with the north of Falcon process, if necessary;

18 (4) Provisions for the eradication of those cultured marine finfish
19 aquaculture products that have escaped from enclosures, net pens,
20 raceways, ponds, or other rearing vessels found spawning in state
21 waters. The director shall take all actions necessary to coordinate
22 these provisions with local tribal fishing managers and with the north
23 of Falcon process, if necessary;

24 (5) Provisions for the development of management practices based on
25 the latest available science, to include:

26 (a) Reclamation standards and requirements including bonding, if
27 the director determines it necessary, to ensure cleanup of sites both
28 during operation and at the time of site closure;

29 (b) Procedures and funding methods for observers and unannounced
30 inspections on a regular basis to determine conformity with law and the
31 rules of the department relating to the operation of net pen
32 facilities; and

33 (c) Operating procedures at marine finfish aquaculture facilities
34 to prevent the escape of marine finfish;

35 (6) Provisions for the development of an Atlantic salmon watch
36 program similar to the one in operation in British Columbia, Canada.
37 The program must provide for the monitoring of escapes of Atlantic
38 salmon from marine aquaculture facilities, monitor the occurrence of

1 naturally produced Atlantic salmon, determine the impact of Atlantic
2 salmon on naturally produced and cultured finfish stocks, provide a
3 focal point for consolidation of scientific information, and provide a
4 forum for interaction and education of the public;

5 (7) Provisions for the development of an education program to
6 assist marine finfish aquaculture facilities to operate in an
7 environmentally sound manner.

8 NEW SECTION. **Sec. 4.** There is a moratorium on the creation of
9 new, or the expansion of existing, marine finfish aquaculture
10 facilities until the legislature determines that the provisions of
11 section 3 of this act have been established.

12 NEW SECTION. **Sec. 5.** Compliance with the programs in this chapter
13 by marine finfish aquaculture operators is deemed to be a provision of
14 all future fish transport permits issued by the department. Marine
15 finfish aquaculture operators may contract with the department or other
16 state agencies to implement the programs and requirements in this
17 chapter.

18 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute
19 a new chapter in Title 75 RCW.

--- END ---