

FINAL BILL REPORT

ESHB 1286

PARTIAL VETO

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Synopsis as Enacted

Brief Description: Providing hatchery origin salmon eggs in order to replenish fish runs.

Sponsors: By House Committee on Natural Resources (originally sponsored by Representatives Lisk, Grant, Sump, Cox, Doumit, G. Chandler, Mulliken, Mielke, Clements, Lambert, Hankins, Pflug, Dunn, B. Chandler, Buck, Cairnes, Pennington, Boldt, Hatfield, Delvin, Armstrong, Skinner, Alexander, Kessler, Pearson, D. Schmidt, Anderson, Rockefeller and Esser).

House Committee on Natural Resources

Senate Committee on Natural Resources, Parks & Shorelines

Background:

The Department of Fish and Wildlife may sell or transfer surplus salmon eggs from stocks that are not suitable for salmon rehabilitation or enhancement in the state. The department is required, however, to give a high priority to private contractors who will rear and release smolts into public waters when making surplus salmon eggs available. The department may also authorize the sale of surplus salmon eggs by cooperative projects. Tribes, other volunteer groups, and other governmental hatcheries outside the state are not provided a priority opportunity to obtain surplus salmon eggs.

Summary:

The Department of Fish and Wildlife (DFW) is prohibited from destroying salmon that originated from a hatchery for the purpose of destroying viable eggs that would otherwise be useful for replenishing fish runs as determined by the department and Indian tribes with treaty fishing rights. Surplus salmon eggs may only be sold by the DFW after the salmon harvest on surplus salmon has been maximized by both commercial and recreational fishers.

If the state determines that there are surplus salmon eggs, these eggs must be provided to these groups in the following order of priority: 1) voluntary groups that have entered into a cooperative agreement with the department for salmon culture programs under the supervision of the department; 2) regional fisheries enhancement groups for salmon culture programs under the supervision of the department; 3) salmon culture programs requested by lead entities and approved by the Salmon Recovery Funding Board; 4) hatcheries of federally approved tribes within the state; and 5) governmental hatcheries

in Washington, Oregon, and Idaho. Providing eggs to these groups is given priority over making salmon eggs available to private contractors for the purpose of contract rearing to release smolts into public waters. The priority list established for distributing surplus eggs does not apply when there is a shortfall in the supply of eggs. If a group on the priority list requests viable eggs from the DFW, the DFW must include the request within the brood stock document prepared for review by the regional offices.

The Fish and Wildlife Commission is required to adopt rules that contain directives for allowing more hatchery salmon to spawn naturally in areas where progeny of hatchery fish have spawned, including outplanting of adult fish, in order to increase the number of viable salmon eggs and restore healthy fish runs. The rules must also contain protocols for brood stock handling, including the outplanting of adult fish, spawning, incubation, rearing and release, as well as a prioritized schedule for implementing these provisions.

The DFW must conduct annual workshops in each administrative region that has fish stocks listed as threatened or endangered under the federal Endangered Species Act to help volunteers with egg rearing, share information on successful volunteer projects within the state, and provide basic training on monitoring appropriate for volunteers to conduct.

The DFW is directed to prepare an annual surplus salmon report and include it as part of the biennial state of the salmon report by the Governor. The report must include information on requests for viable salmon eggs and a brief explanation for each denial of a request. The report must contain information on the number and estimated weight of surplus salmon and steelhead and a description of the disposition of the adult carcasses.

Votes on Final Passage:

House 94 0
Senate 48 0 (Senate amended)
House (House refused to concur)
Senate 43 0 (Senate amended)
House 93 0 (House concurred)

Effective: July 22, 2001

Partial Veto Summary: The Governor vetoed the emergency clause.