

SENATE BILL REPORT

ESHB 1286

As Reported By Senate Committee On:
Natural Resources, Parks & Shorelines, March 28, 2001

Title: An act relating to the use of viable salmon eggs.

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).

Brief History:

Committee Activity: Natural Resources, Parks & Shorelines: 3/28/01 [DPA].

SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & SHORELINES

Majority Report: Do pass as amended.

Signed by Senators Jacobsen, Chair; Spanel, Vice Chair; Hargrove, Morton, Oke, Snyder and Stevens.

Staff: Ross Antipa (786-7413)

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 of Amended Bill: 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 working together in a collaborative manner.

If the state determines that there are surplus fish eggs, these eggs must be provided to these groups in the following order of priority: 1) hatcheries of federally approved tribes within the state; 2) voluntary groups that have entered into a cooperative agreement with the department for salmon culture programs under the supervision of the department; 3) regional fisheries enhancement groups for salmon culture programs under the supervision of the department; 4) governmental hatcheries in Washington, Oregon, and Idaho; and 5) salmon culture programs requested by lead entities and approved by the Salmon Recovery Funding Board. These groups are 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 protocols on brood stock handling, allowing more hatchery salmon to spawn naturally, including outplanting of adult fish, in order to increase the number of viable salmon eggs and restore healthy fish runs. 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.

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, in order 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 include 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.

Amended Bill Compared to Substitute Bill: The department will work with the treaty Indian tribes to assess the usefulness of surplus hatchery salmon for propagation purposes. The Fish and Wildlife Commission will develop protocols for the handling of brook stock, outplanting of surplus hatchery fish, spawning, incubation, rearing, and release of hatchery origin fish. A listing of infrastructure needs is included in the annual surplus salmon report.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: Hatchery origin salmon can be useful to assist in replenishing naturally spawning populations in the correct circumstances. Destruction of hatchery origin salmon should only occur after all possible uses for them have been explored.

Testimony Against: None.

Testified: Senator Bob Morton (pro); Jim Scott, Tim Smith, WDFW (pro w/amend.); Bill Stauffacher, Washington PUD Assn. (concerns).