
HOUSE BILL 1286

State of Washington

57th Legislature

2001 Regular Session

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

Read first time 01/23/2001. Referred to Committee on Natural Resources.

1 AN ACT Relating to the use of viable salmon eggs; amending RCW
2 77.95.210 and 77.95.270; and declaring an emergency.

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

4 **Sec. 1.** RCW 77.95.210 and 2000 c 107 s 11 are each amended to read
5 as follows:

6 (1) Except as provided in subsection (2) of this section, the
7 department may supply, at a reasonable charge, surplus salmon eggs
8 to a person for use in the cultivation of salmon. The department
9 shall not intentionally create a surplus of salmon to provide eggs
10 for sale. The department shall only sell salmon eggs from stocks
11 that are not suitable for salmon population rehabilitation or
12 enhancement in state waters in Washington.

13 (2) The department shall not destroy hatchery origin salmon for
14 the purposes of destroying viable eggs that would otherwise be
15 useful for propagation or salmon recovery purposes, as determined
16 by the department or federally approved tribes in Washington, for
17 replenishing fish runs. Eggs deemed surplus by the state must be
18 provided, in the following order of priority, to:

1 (a) Hatcheries of federally approved tribes in Washington to
2 whom eggs are moved, not sold, under the interlocal cooperation
3 act, chapter 39.34 RCW;

4 (b) Voluntary cooperative salmon culture programs under the
5 supervision of the department under chapter 77.100 RCW;

6 (c) Regional fisheries enhancement group salmon culture
7 programs under supervision of the department under this chapter;

8 (d) Governmental hatcheries in Washington, Oregon, and Idaho;

9 (e) Salmon culture programs requested by lead entities and
10 approved by the salmon funding recovery board under chapter 77.85
11 RCW.

12 (3) All sales or transfers shall be consistent with the
13 department's egg transfer and aquaculture disease control
14 regulations as now existing or hereafter amended. Prior to
15 department determination that eggs of a salmon stock are surplus
16 and available for sale, the department shall assess the
17 productivity of each watershed that is suitable for receiving
18 eggs.

19 **Sec. 2.** RCW 77.95.270 and 1989 c 336 s 6 are each amended to read
20 as follows:

21 Except as provided in RCW 77.95.210, the department may make
22 available to private contractors salmon eggs in excess of
23 department hatchery needs for the purpose of contract rearing to
24 release the smolts into public waters. However, providing salmon
25 eggs as specified in RCW 77.95.210(2) has the highest priority.
26 The priority of providing eggs surplus after meeting the
27 requirements of RCW 77.95.210(2) to contract rearing ((shall be))
28 is a higher priority than providing eggs to aquaculture purposes
29 ((which)) that are not destined for release into Washington public
30 waters.

31 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of
33 the state government and its existing public institutions, and
34 takes effect immediately.

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