SENATE BILL 5567

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State of Washington   **57th Legislature**   **2001 Regular Session**

By Senators Jacobsen and Oke

Read first time 01/26/2001.   Referred to Committee on Natural Resources, Parks & Shorelines.

1   AN ACT Relating to the regulation of marine fin fish aquaculture by
2 the department of fish and wildlife; and adding a new chapter to Title
3 77 RCW.

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

5   NEW SECTION. **Sec. 1.**   Marine aquaculture net pen facilities in
6 Washington state have accidentally released Atlantic salmon into Puget
7 Sound. Similar accidents in Canada have resulted in the successful
8 spawning of Atlantic salmon in indigenous habitat. These events raise
9 concern about the effect of escaped nonnative species on native fish
10 stocks. It is necessary to minimize escapes through the implementation
11 of statewide prevention measures.

12   NEW SECTION. **Sec. 2.**   For the purposes of this chapter, "marine
13 aquatic farming location" means a complete complex that may be composed
14 of various marine enclosures, net pens, or other rearing vessels, food
15 handling facilities, or other facilities related to the rearing of
16 Atlantic salmon or other fin fish in marine waters. A marine aquatic
17 farming location is distinguished from the individual facilities that
18 collectively compose the location.

1   NEW SECTION. **Sec. 3.** The director, in cooperation with the marine
 2   fin fish aquatic farmers, shall develop, implement, administer, and
 3   enforce rules to include the following elements:
 4   (1) Provisions for the prevention of escapes of cultured marine fin
 5   fish aquaculture products from enclosures, net pens, or other rearing
 6   vessels;
 7   (2) Provisions for the development and implementation of management
 8   plans to facilitate the most rapid recapture of live marine fin fish
 9   aquaculture products that have escaped from enclosures, net pens, or
10   other rearing vessels, and to prevent the spread or permanent escape of
11   these products;
12   (3) Provisions for the development of management practices based on
13   the latest available science, to include:
14   (a) Procedures for inspections of marine aquatic farming locations
15   on a regular basis to determine conformity with law and the rules of
16   the department relating to the operation of marine aquatic farming
17   locations; and
18   (b) Operating procedures at marine aquatic farming locations to
19   prevent the escape of marine fin fish, to include the use of net
20   antifoulants;
21   (4) Provisions for the eradication of those cultured marine fin
22   fish aquaculture products that have escaped from enclosures, net pens,
23   or other rearing vessels found spawning in state waters;
24   (5) Provisions for the determination of appropriate species,
25   stocks, and races of marine fin fish aquaculture products allowed to be
26   cultured at specific locations and sites;
27   (6) Provisions for the development of an Atlantic salmon watch
28   program similar to the one in operation in British Columbia, Canada.
29   The program must provide for the monitoring of escapes of Atlantic
30   salmon from marine aquatic farming locations, monitor the occurrence of
31   naturally produced Atlantic salmon, determine the impact of Atlantic
32   salmon on naturally produced and cultured fin fish stocks, provide a
33   focal point for consolidation of scientific information, and provide a
34   forum for interaction and education of the public; and
35   (7) Provisions for the development of an education program to
36   assist marine aquatic farmers so that they operate in an
37   environmentally sound manner.

1   <u>NEW SECTION.</u> **Sec. 4.** Rules to implement this act shall be adopted
2 by March 1, 2002. The director shall provide a written report to the
3 legislature by January 1, 2002, on the progress of rule development.

4   <u>NEW SECTION.</u> **Sec. 5.** Sections 1 through 4 of this act constitute
5 a new chapter in Title 77 RCW.

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