

HOUSE BILL REPORT

HB 1698

As Passed House:
February 28, 2011

Title: An act relating to recreational fishing opportunities.

Brief Description: Improving recreational fishing opportunities in Puget Sound and Lake Washington.

Sponsors: Representatives Lytton, Morris, Van De Wege, Blake and Lias; by request of Department of Fish and Wildlife.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/8/11, 2/15/11 [DP].

Floor Activity:

Passed House: 2/28/11, 88-9.

Brief Summary of Bill

- Changes requirements and administration of the Puget Sound Recreational Salmon and Marine Fish Enhancement Program with the stated intent to improve recreational fishing opportunities.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 13 members: Representatives Blake, Chair; Stanford, Vice Chair; Chandler, Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Dunshee, Hinkle, Kretz, Lytton, Orcutt, Pettigrew, Rolfes and Van De Wege.

Staff: Parker Howell (786-5793) and Jason Callahan (786-7117).

Background:

Citing dwindling recreational fishing opportunities for salmon and marine bottomfish in the Puget Sound, Washington created the Puget Sound Recreational Salmon and Marine Fish

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Enhancement Program (Program) to improve recreational fishing through various means in 1993.

Department Responsibilities.

The Program requires the Washington Department of Fish and Wildlife (Department) to develop a short-term program of hatchery-based salmon enhancement using freshwater pond sites for the final rearing phase and to solicit support from cooperative projects, regional enhancement groups, and other organizations. The Department must conduct comprehensive research on resident and migratory salmon production opportunities, marine bottomfish production limitations, and methods for artificial propagation of marine bottomfish.

The Department's long-term responsibilities include fully implementing enhancement efforts for Puget Sound and Hood Canal resident salmon and marine bottomfish, identifying opportunities to reestablish salmon runs into areas where they no longer exist, and encouraging naturally spawning salmon populations to develop to their fullest extent. The Department also must fully use hatchery programs to improve recreational fishing.

Improving Fishing.

The Program calls for the Department to develop new locations for freshwater rearing of delayed-release Chinook salmon, with a goal to increase production and planting of delayed-release salmon to 3 million fish per year by 2000. In addition, the Department must:

- coordinate with the Department of Ecology and local governments to streamline the siting process for new enhancement projects and work with the Legislature to develop statutory changes enabling fast processing and granting of permits;
- develop a public-awareness program emphasizing economic benefits of the Program;
- increase efforts to document the effects of predators on fish resources and explore opportunities to convince the federal government to amend federal law to allow for balanced management of predators, and to work with the U.S. Fish and Wildlife Service to control predatory birds;
- invite Indian tribal fishing interests and non-Indian commercial fishing groups to help develop plans for selective fisheries targeting hatchery-produced fish and minimizing catch of naturally spawned fish;
- initiate talks on the feasibility of altering rearing programs at hatcheries run by the Department to achieve higher survival and greater production of Chinook and Coho salmon;
- coordinate the sport fishing program with the wild stock initiative to ensure the programs are compatible;
- develop plans for increased recreational access to salmon and marine fish resources, including proposals for new boat launching ramps and pier fishing access; and
- contract with private consultants, aquatic farms, or construction firms to achieve the highest benefit-to-cost ratio for recreational fishing projects.

Marine Bottomfish Programs.

The Department must research, develop methods, and implement programs for the artificial rearing and release of marine bottomfish species, with primary emphasis on lingcod, halibut, rockfish, and Pacific cod because of their importance in the recreational fishery. The Department also must research to evaluate improved enhancement techniques, hooking

mortality rates, methods of mass marking, improvement of catch models, and sources of marine bottomfish mortality as applied to real-world recreational fishing needs.

Assistance from Nondepartmental Sources.

The Department must seek recommendations from people who are experts on planning and operation of programs for enhancement of recreational fisheries and fully use the expertise of the University of Washington College of Fisheries (now known as the School of Aquatic and Fishery Sciences) and the Washington Sea Grant to develop research and enhancement programs.

Oversight Committee.

The Program is overseen by a seven-member oversight committee (Committee) consisting of members representing sport fishing organizations and is administered by a coordinator (Coordinator).

Account.

A portion of each saltwater and combination fishing license fee is deposited into the Recreational Fisheries Enhancement Account for use on Program projects.

Audit.

The State Auditor's Office released an audit in 2010 of the Department's delayed-release Chinook salmon program, concluding that the Department does not meet the statutory goal to release 3 million delayed-release Chinook annually because of factors including limited hatchery capacity, water quality problems, and discontinuation of saltwater net pens.

Summary of Bill:

Department Responsibilities.

The Department and the Committee must adaptively manage the Program to maximize benefits to the Puget Sound recreational fishery, consistent with available revenue, Fish and Wildlife Commission (Commission) policies, tribal co-manager agreements, and limitations of the Endangered Species Act. The Department's responsibilities are changed, and they include: using a program of hatchery-based salmon enhancement and soliciting support from cooperative projects, regional enhancement groups, and others to improve fishing; conducting comprehensive research on salmon and marine bottomfish production limitations and methods for artificially propagating depleted marine bottomfish; and facilitating continued fishing opportunity improvement as measured by angler trips expended.

The Coordinator must assist the Committee in developing recommendations for goals and objectives to assess the effectiveness of the Program. The Director of the Department (Director) and the Committee must work together to approve goals and objectives, report to the Commission on goals, reach consensus regarding Program activities and expenditures, and make a joint report to the Legislature.

Improving Fishing.

The Department must use artificial rearing of salmon to improve fishing. It must seek to develop and implement methods to increase recreational angling opportunities, by means such as:

- using salmon artificial rearing techniques;
- optimally using hatchery salmon through expanded recreational mark-selective fisheries;
- utilizing recreational salmon and marine fish enhancement program funds for catch monitoring;
- considering new catch-and-release recreational fisheries using gear and methods known to minimize hooking mortality; and
- providing public information about angling opportunities and fishing methods.

Marine Bottomfish Programs.

The Department may research and implement programs for artificial rearing and release of bottomfish species. A primary emphasis must be on marine bottomfish species of importance in the recreational fishery. The Department may use artificial habitats to restore and mitigate degraded rockfish habitats and enhance recreational opportunities.

Assistance from Nondepartmental Sources.

The Department may seek recommendations from outside sources, such as the University of Washington.

Provisions Repealed.

Provisions are repealed relating to: (1) freshwater rearing of delayed-release Chinook salmon; (2) additional research by the Department into information that can be applied to real-world recreational fishing needs; (3) siting processes for enhancement projects; (4) public awareness of the Program; (5) management of predators; (6) participation by fishing interests in plans that target hatchery-produced fish; (7) coordination of sport fishing programs with wild stock initiatives; (8) increased recreational access to salmon and marine fish resources; and (9) contracting with private entities to reduce costs of recreational fishing projects.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The bill is a result of the recent audit and the Joint Legislative Audit and Review Committee (JLARC) recommendations, as well as the need to update statutory language to reflect changes in fisheries science. The 2010 audit cited concerns about releasing millions of artificially raised fish on wild fish protected by the federal Endangered Species Act, returns from the yearling program, and reduced capacity within facilities to rear fish for a full year. The JLARC report found regulations regarding fish aquaculture are not in line with Department policy. Formulating these changes was not an easy process. The Committee worked with Department staff to remain committed to the original legislative findings while producing a bill that would be supported by the Department and the recreational-fishing community. The changes will hold the Department accountable.

The bill moves the Program away from an output-based goal of fish released by the Department to an outcome-based goal of increasing angler trips so that the fish produced actually contribute to fisheries, especially recreational fisheries. The goal is to improve recreational fishing and to drive more angler trips and economic benefits to the region. The Program already contributes to the fishing opportunities of tens of thousands of anglers annually and contributes millions of dollars to the economy. This bill is mostly about the rearing strategies and species of salmon that the Department is rearing. The Department wants flexibility to adjust away from yearling releases and to look at species other than Chinook salmon.

(Opposed) None.

Persons Testifying: Representative Lytton, prime sponsor; Clint Muns, Puget Sound Recreational Fisheries Enhancement Oversight Committee; and Steve Thiesfeld, Washington Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: None.