

SENATE BILL REPORT

SB 5543

As Reported by Senate Committee On:
Natural Resources & Parks, February 21, 2013

Title: An act relating to state and private partnerships for managing salmonid hatcheries.

Brief Description: Regarding state and private partnerships for managing salmonid hatcheries.

Sponsors: Senators Hatfield and Shin.

Brief History:

Committee Activity: Natural Resources & Parks: 2/12/13, 2/21/13 [DPS].

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: That Substitute Senate Bill No. 5543 be substituted therefor, and the substitute bill do pass.

Signed by Senators Pearson, Chair; Smith, Vice Chair; Rolfes, Ranking Member; Hargrove, Hewitt, Kline and Parlette.

Staff: Curt Gavigan (786-7437)

Background: Role of the Department of Fish and Wildlife (DFW). DFW serves as manager of the state's fish and wildlife resources. Among other duties, DFW must protect and manage fish and wildlife including establishing the time, place, manner, and methods used to harvest or enjoy fish and wildlife.

DFW Hatcheries Generally. DFW operates approximately 80 hatchery facilities throughout the state, with about 75 percent of facilities raising salmon or steelhead and 25 percent rearing trout and other game fish.

Salmon Hatchery Partnership Agreements. Seven hatcheries were identified for closure in the Governor's proposed 2009-2011 Operating Budget. In 2009, the Legislature passed a bill that required DFW to establish a program to utilize partnerships to resume or continue operation of salmon hatcheries closed or scheduled for closure during the 2009-2011 biennium.

The legislation established provisions for these agreements including the following:

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- requirements for those wishing to partner with DFW, including that the partner has a long-range business plan;
- prioritization for applications that would maximize hatchery production; and
- requirements that partnership agreements be consistent with existing law and policy relating to hatchery management.

Summary of Bill (Recommended Substitute): The current scope of the authority to establish partnership agreements for salmon hatcheries is modified to allow such agreements to be used for salmon hatcheries located in the Hood Canal basin.

The long-range business plan required of partners may allow the partner to harvest hatchery chum salmon in a designated area as provided by DFW permit or rule of the Fish and Wildlife Commission. All chum salmon harvested must be sold at a price commensurate with the current market, with proceeds used to operate the hatchery.

In addition to a number of existing requirements, hatchery partnership agreements must be consistent with federally recognized tribal rights and require that partners give preference to retaining classified employees wherever possible.

DFW must provide a report to the Legislature by October 31, 2016, summarizing the actions taken to implement the hatchery partnership program and providing recommendations for the program.

EFFECT OF CHANGES MADE BY NATURAL RESOURCES & PARKS COMMITTEE (Recommended Substitute):

- Narrows the scope of the authority to enter into hatchery partnership agreements to hatcheries located in the Hood Canal basin.
- Specifies that hatchery partnership agreements must be consistent with federally recognized tribal rights.
- Specifies that hatchery partners must give preference to retaining classified employees wherever possible.
- Requires a report to the Legislature by October 31, 2016, summarizing the actions taken to implement the hatchery partnership program, as well as suggestions for future program refinement.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: This bill offers the state hatchery systems additional resources in order to prevent hatchery closures by allowing private partners the ability to harvest small amounts of fish. All stakeholders have agreed on substitute language after earlier negotiating.

OTHER: State hatchery systems need more resources to keep skilled classified employees working.

Persons Testifying: PRO: Tom Echols, Bob Kehoe, Purse Seine Vessel Owners Association; Kelly Cunningham, DFW.

OTHER: Matt Zuvich, WA Federation of State Employees.