

SENATE BILL REPORT

2SHB 1118

As Reported by Senate Committee On:
Natural Resources & Parks, March 25, 2015

Title: An act relating to creating cost savings by providing administrative flexibility to the department of fish and wildlife in its implementation of Title 77 RCW while not directing any changes to resource management outcomes.

Brief Description: Creating cost savings by providing administrative flexibility to the department of fish and wildlife in its implementation of Title 77 RCW while not directing any changes to resource management outcomes.

Sponsors: House Committee on General Government & Information Technology (originally sponsored by Representative Blake).

Brief History: Passed House: 3/10/15, 63-35.

Committee Activity: Natural Resources & Parks: 3/18/15, 3/25/15 [DP, DNP].

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass.

Signed by Senators Pearson, Chair; Hatfield, Ranking Minority Member; Chase, Hewitt, McAuliffe and Warnick.

Minority Report: Do not pass.

Signed by Senator Dansel, Vice Chair.

Staff: Bonnie Kim (786-7316)

Background: The Washington Department of Fish and Wildlife (WDFW), under the direction of the Fish and Wildlife Commission (Commission), has the responsibility to preserve, protect, perpetuate, and manage Washington's wildlife, food fish, game fish, and shellfish. The primary direction to WDFW is codified across 27 chapters in Title 77 of the Revised Code of Washington and relates to issues such as enforcement, licenses, wildlife damage, and salmon recovery.

Summary of Bill: WDFW's enacting statutes regarding advisory committee, enforcement, fiscal, fish and shellfish, migratory bird stamps, mobile phone application, reporting, volunteer, and wildlife viewing issues are either amended or added as follows.

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.

Advisory Committee – Hunters and Fishers with Disabilities.

- The Commission may maintain the advisory committee with fewer than seven members and each member may serve for less than four years.
- The Commission is no longer required to report to the Legislature once every four years detailing the effectiveness of the advisory committee.

Enforcement.

- *Recreational Fishing.* The values assigned to fish and shellfish in the unlawful recreational fishing in the first degree statute are added to the definition of acting for a commercial purpose.
- *Shellfish.* The word "shellfish" is added to the phrase "fish or wildlife" in the species classification element of unlawful trafficking in fish, shellfish, or wildlife in the second degree.

Fiscal.

- *Recreation.* WDFW may enter into joint ventures with other agencies and organizations to generate revenue for providing public information and education on recreation – previously wildlife, hunting, and fishing only.
- *Mobile Phone Application.* WDFW may charge a fee for regulation and education pamphlets if they are provided via a mobile phone application.

Fish and Shellfish.

- *Fish Passage Barriers.* WDFW must keep its inventory of barriers "reasonably" current and update as the director determines funding allows, rather than annually.
- *Salmon Habitat.* If a limiting factors analysis shows insufficient intertidal salmon habitat, the Commission and county legislative authorities need not convene a task force but, rather, must work with stakeholders to review studies, completed assignments, draft a plan, and identify priority projects.
- *Salmon Fishery Resources.* The Commission will review and update regional policy statements as needed, rather than annually.
- *Salmon Remote Site Incubators.* The Commission may, rather than must, field test coho and chinook salmon remote site incubators. WDFW may, rather than must, develop and implement a remote site incubator program and may investigate use for production of warm water fish.
- *Rockfish Surveys.* WDFW need no longer use "new and existing technology" when conducting Puget Sound basin and coastal surveys to estimate rockfish and other groundfish populations.
- *Shellfish-on-site Sewage Grant Program.* Oyster reserve land account funds transferred for the shellfish-on-site sewage grant program to local governments in the Puget Sound must be distributed to priority areas identified as "areas of special concern" by rule in 2001.

Migratory Birds.

- Distinction is made between a migratory bird permit, needed to hunt migratory birds, and migratory bird artwork sold by WDFW.
- An existing distinction is dissolved between waterfowl permit sales, non-waterfowl migratory birds, and how the funds generated from those sales may be spent.

- WDFW may no longer produce migratory bird stamps in excess of those necessary and sell those stamps to the public.
- Removes brant from the definition of migratory waterfowl.

Mobile Phone Application.

- WDFW may develop a mobile phone application that provides the user with content such as licensing information, harvest recording and reporting, and access to regulations and information.
- If WDFW chooses to develop an application, then the agency may charge a fee for accessing the application. Monies must be deposited to the state wildlife account.

Pheasants.

- *Pheasant Activity Report.* WDFW need not submit an annual report to the Legislature regarding eastern Washington pheasant activities.
- *Land Purchase.* WDFW may use eastern Washington pheasant enhancement account funds to purchase land.

Reports.

- *Biennial Salmon Production Cost Report.* WDFW will report its cost of operating all state-funded salmon production facilities at full capacity only if requested by the Office of Financial Management.
- *Salmon Recovery.*
 - Two related salmon recovery reports by WDFW and the Recreation and Conservation Office (RCO) are merged into one report to be submitted by RCO.
 - The salmon recovery funding board need not provide the Legislature an annual list of proposed and ongoing projects.

Volunteers. WDFW need not undertake duties in the volunteer fish and wildlife enhancement program unless it deems it necessary.

Wildlife Viewing.

- *Management.* WDFW must manage wildlife programs in a manner promoting wildlife viewing only when it deems it appropriate.
- *Orcas.* WDFW should, but is no longer required to, attempt to reach the state's boating community to share information on responsible wildlife viewing guidelines to reduce the risk of disturbing southern resident orca whales.

Outdated Citations and References. A number of amendments update citations to amended statutes and names of science programs, such as the salmon stock inventory, and delete agency programs and taskforces no longer in existence, such as the Division of Purchasing and the Forum on Monitoring Salmon Recovery and Watershed Health.

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: None.

Persons Testifying: No one.

Persons Signed in to Testify But Not Testifying: No one.