

SENATE BILL REPORT

SSB 5166

As Amended by House, April 8, 2015

Title: An act relating to the management of forage fish resources.

Brief Description: Concerning the management of forage fish resources.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Rolfes, Ranker and Hasegawa).

Brief History:

Committee Activity: Natural Resources & Parks: 1/21/15, 2/04/15 [DP-WM, DNP, w/oRec].

Ways & Means: 2/17/15, 2/23/15 [DPS, w/oRec].

Passed Senate: 3/03/15, 45-4.

Passed House: 4/08/15, 93-4.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Pearson, Chair; Dansel, Vice Chair; Hewitt, McAuliffe and Warnick.

Minority Report: Do not pass.

Signed by Senator Chase.

Minority Report: That it be referred without recommendation.

Signed by Senator Hatfield, Ranking Minority Member.

Staff: Bonnie Kim (786-7316)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5166 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey, Billig, Conway, Fraser, Hasegawa, Hatfield, Hewitt, Kohl-Welles, O'Ban, Padden, Parlette, Rolfes, Schoesler and Warnick.

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.

Minority Report: That it be referred without recommendation.

Signed by Senators Becker and Brown.

Staff: Sherry McNamara (786-7402)

Background: The Washington Department of Fish and Wildlife (WDFW), among other duties, must protect and manage fish and wildlife by establishing the time, place, manner, and methods used to harvest or enjoy fish and wildlife. Generally a recreational license is required to hunt, fish, or take wildlife or seaweed. A recreational fishing or shellfish license is not required, however, for carp, smelt, and crawfish, and a hunting license is not required for bullfrogs.

WDFW describes forage fish as a variety of small schooling fish that serve as food for many species of fish, birds, and marine mammals. Several forage fish species are fished recreationally and commercially in Washington. Forage fish species present in state waters include the northern anchovy, pacific sand lance – also known as candlefish, pacific herring, pacific sardine, and a variety of smelt species.

Summary of Substitute Bill: WDFW and the Department of Natural Resources must collaborate to conduct a survey of surf smelt and sand lance spawning grounds throughout the Puget Sound, including the Strait of Juan de Fuca. The habitat survey must be completed and accessible by the public by June 30, 2017. To the extent possible, the survey should be conducted using veterans conservation corps crews.

Also by June 30, 2017, WDFW must conduct a mid-water trawl survey throughout the Puget Sound to evaluate the prevalence of adults of all species of forage fish. WDFW must integrate survey results into existing Puget Sound ecosystem assessments to assist in managing and conserving forage fish species and the species that prey on them.

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 (Natural Resources & Parks): PRO: Science almost always indicates that the decline of forage fish is a major cause in the decline of marine mammal populations and damages the ecosystem. The protection and recovery of forage fish is a top priority for Audubon Washington because they provide an energy-rich food source for larger fish and marine birds, and bird populations are in decline. There is a large decline in fish populations but we lack data the surveys would provide to understand the reasons for the decline. WDFW does not currently have a method to keep track of smelt fisheries. The habitat survey began in 2012 for the south Sound. The mid-water trawl survey would supply important data related to WDFW's fishery management plan. Forage fish spawn near beaches and the surveys would allow for planning coastal conservation efforts for the biggest impact. DNR and WDFW have previously conducted beach spawning surveys through the

Puget Sound Veterans Corps. DNR would support an amendment granting flexibility to hire veterans through either the Puget Sound Veteran's Corps or the Veterans Conservation Corps. The surveys would provide critical information on forage fish populations in the Puget Sound. Understanding forage fish populations and spawning is key to understanding current pressures. The mid-water trawl survey should be funded adequately for dedicated ship time, skilled staff, and much effort.

OTHER: The new license requirement to take smelt is agreeable because most anglers already have a recreational fishing license. The mid-water trawl survey should be extended to the Columbia River. Any funds expended for the surveys should be used for stock evaluation.

Persons Testifying (Natural Resources & Parks): PRO: Senator Rolfes, prime sponsor; Trina Bayard, Audubon WA; Bruce Wishart, Sound Action; Dayv Lowry, Timothy Quinn, WDFW; Kyle Murphy, DNR; Jeff Parsons, Puget Sound Partnership.

OTHER: Scott Sigmon, Coastal Conservation Assn.; Carl Burke, Fish NW, NW Sportsfishing Industry Assn., Puget Sound Anglers.

Staff Summary of Public Testimony on Original Bill (Ways & Means): PRO: WDFW does not have the best science or research available to provide the data necessary to determine the status of forage fish and the reasons for the state's large decline in fish populations. During the past two decades there has been a large growth of fish farms. The demand for forage fish to feed these farmed fish is insatiable. The loss of forage fish is risking the health of our salmon and steelhead. Money spent on conducting these surveys is well spent. This bill is a good investment and critical for our local economies.

Persons Testifying (Ways & Means): PRO: Senator Rolfes, prime sponsor; Scott Sigmon, Coastal Conservation Assn.; Carl Burke, Fish NW, NW Sportsfishing Industry Assn., Puget Sound Anglers; Randy Neatherlin, Mason County Commissioner; Phillip Dionne, WDFW, Research Scientist.

House Amendment(s): Provides legislative intent for DNR and WDFW to complete the spawning grounds survey with funds specifically appropriated from the state's capital budget for the 2015-17 biennium and adds an expiration date.