

SENATE BILL REPORT

SB 5551

As of February 5, 2015

Title: An act relating to salmon recovery project funds.

Brief Description: Concerning salmon recovery project funds.

Sponsors: Senators Pearson, Hatfield and Chase.

Brief History:

Committee Activity: Natural Resources & Parks: 2/05/15.

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Staff: Bonnie Kim (786-7316)

Background: In 1999 the Legislature created the Salmon Recovery Funding Board (board) to provide grants to protect or restore salmon habitat, including projects relating to fish passage, diversions, in-stream habitat improvement, and land acquisition. The board is composed of five citizens appointed by the Governor and five state agency directors.

The board administers two grant programs for salmon recovery work: general salmon recovery grants, and Puget Sound acquisition and restoration grants. The grant process is an open, public process. Local and regional citizen groups develop plans and solicit projects. Those projects are evaluated by local scientific panels and community groups, reviewed by regional organizations, and sent to the board for funding consideration.

Summary of Bill: The board may not award funds, including grants or loans, for any project or activity if the project sponsor has, within ten calendar years prior to the date of the grant application, brought any legal action before any court or administrative tribunal against the state relating to hatchery facility operations.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

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.

Staff Summary of Public Testimony: PRO: This bill ties in with SJM 8007 and a committee work session in July 2014, and the fact that the state remains vulnerable to lawsuits. If we are going to recover salmon, we should not do it by lawsuit. It is unethical and hypocritical to take millions of dollars for salmon habitat recovery from the state but sue the state over hatchery issues rather than working with the us to resolve the problems.

CON: In 2002 the Wild Fish Conservancy sued the Washington Department of Fish and Wildlife (WDFW) for operating hatcheries without federally required permits. WDFW promised to get the permits as part of a settlement. We sued again in 2012 because WDFW still did not have the permits to operate its hatcheries. We work to preserve and protect wild fish populations. We have conducted over 50 habitat recovery projects over the last 16 years. First Amendment rights are very important. This bill threatens our basic rights. I oppose this bill because it represents an unwise policy in targeting a specific group who voices an opinion that the Legislature disagrees with. The Washington Constitution guarantees its citizens access to courts. This bill restricts a constitutional right by restricting access to funding. This bill is selective censorship. We should encourage our citizens to question and support our fisheries. We need to keep investing in habitat restoration so wild fish can reproduce for free.

Persons Testifying: PRO: Senator Pearson, prime sponsor.

CON: Jamie Glasgow, Adrian Tuohy, Wyatt Golding, Kurt Beardslee, Wild Fish Conservancy; Shane Anderson, citizen.