

SENATE BILL REPORT

SHB 2293

As Passed Senate, February 23, 2024

Title: An act relating to studying the effects of avian predation of salmon.

Brief Description: Studying the effects of avian predation of salmon.

Sponsors: House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Wilcox, Chapman, Kretz, Dent, Barkis and Barnard).

Brief History: Passed House: 2/12/24, 97-0.

Committee Activity: Agriculture, Water, Natural Resources & Parks: 2/15/24, 2/19/24 [DP].

Floor Activity: Passed Senate: 2/23/24, 47-0.

Brief Summary of Bill

- Creates an Avian Salmon Predation Work Group to identify avian species contributing to predation of threatened and endangered juvenile salmon and identify remedies.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Majority Report: Do pass.

Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Muzzall, Ranking Member; Short, Stanford, Wagoner and Warnick.

Staff: Jeff Olsen (786-7428)

Background: The Washington Department of Fish and Wildlife (DFW) acts to preserve, protect, perpetuate, and manage Washington's wildlife, food fish, game fish, and shellfish. DFW must conserve fish and wildlife resources in a manner seeking to maintain the

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economic well-being and stability of the state's fishery resources. Several species of salmon are listed as either threatened or endangered under the federal Endangered Species Act (ESA).

The ESA, administered by the United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS), regulates protections for threatened and endangered species. The USFWS is primarily responsible for terrestrial and freshwater species, while the NMFS is primarily responsible for marine wildlife and anadromous fish.

Summary of Bill: DFW must convene an Avian Salmon Predation Work Group (Work Group). The Work Group is required to identify all avian species that predate on juvenile salmon, determine whether those species are adversely impacting the recovery of any threatened or endangered salmon, and identify remedies. The Work Group is required to report to the Legislature and DFW by June 30, 2025. The Work Group expires on July 1, 2026.

The Work Group consists of:

- five members from federally recognized Indian tribes with fishing rights in Washington;
- one member each from the: DFW; USFWS; United States Army Corps of Engineers; NMFS West Coast Region; Oregon Department of Fish and Wildlife; and Puget Sound Partnership;
- two members each representing: recreational fishers; and commercial fishers; and
- one member each representing: a salmon conservation organization; and an avian conservation organization.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: Washington has spent millions of dollars on salmon habitat recovery and hatcheries, while avian predation has not been controlled. There needs to be additional science and review of the impacts and possible solutions, including non-lethal changes. There have been avian predation issues in the Columbia River, including recently with the Astoria bridge. We know that marine survival of certain species have decreased significantly since the 1990s. There are many factors impacting marine survival including stormwater, pinnipeds, and other factors. We need to bring science to the issue, propose management if needed. The work group must have the flexibility to look at the problem broadly.

CON: The language in the bill is too broad. There should be relevant experts from the groups that are identified in the bill. There should be an academic expert on the work group, someone that is not biased by agency mandates. The human modified environment and other types of predations should be considered. Hatchery releases trigger predation events.

Persons Testifying: PRO: Representative J.T. Wilcox, Prime Sponsor; Bill Sharp, Confederated Tribes and Bands of the Yakama Nation; David Troutt, Nisqually Indian Tribe.

CON: David Moskowitz, The Conservation Angler.

Persons Signed In To Testify But Not Testifying: No one.