

SENATE BILL 5014

State of Washington

52nd Legislature

1991 Regular Session

By Senators Metcalf, Snyder, Oke, Thorsness, Rasmussen, Conner and Hansen

Read first time January 14, 1991. Referred to Committee on Environment and Natural Resources.

1 AN ACT Relating to enhancement of recreational fishing for coho
2 salmon; amending RCW 75.08.230; adding new sections to chapter 75.50
3 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature recognizes that there is
6 a need to provide for greater fishing success for recreational salmon
7 fishers. Coho salmon are a prime recreational salmon species that can
8 be easily propagated with fish culture practices and that can be
9 produced with a cost-effective program. The legislature wishes to
10 produce more coho salmon for recreational fisheries with the aid of
11 regional fisheries enhancement groups and fund the program with
12 revenues generated from surplus salmon carcass and egg sales.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 75.50 RCW
2 to read as follows:

3 The director shall approve floating pen project applications from
4 regional fisheries enhancement groups that meet the following criteria:

5 (1) Pens shall be located at existing piers, such as: Fishing
6 piers, ferry docks, marinas, or other existing waterfront developments;

7 (2) Coho salmon eggs shall be provided by the department and shall
8 be of suitable stock for the project region;

9 (3) Production of coho salmon smolts shall be contracted with
10 private for-profit aquaculture businesses;

11 (4) The department shall administer the contracting and set the
12 standards for the coho smolts, as to quality and health specifications;

13 (5) Coho smolts are to be as large as practical when entering
14 saltwater, and preferably shall be cared for in relatively warm spring
15 or ground water to achieve maximum smolt size of .25 to .33 of a pound
16 each;

17 (6) Pens may be located in any marine, brackish, or fresh waters of
18 the state;

19 (7) Within available funding all regional enhancement groups shall
20 be encouraged to participate;

21 (8) Coho reared in the pens shall not be released into marine or
22 estuarine waters until small juvenile salmon, such as pink, chum, or
23 chinook fry have cleared the area of the release site, generally in
24 June, in order to minimize predation on other salmon species;

25 (9) Feeding of the salmon while in pens shall be conducted by
26 volunteers as much as possible;

27 (10) Interpretive signs shall be placed on the project to inform
28 people about the purpose and goals of the project;

29 (11) Experimental salmon food vending machines shall be tested to
30 allow visitors to purchase food with coins and feed the pen-reared

1 salmon. Funds generated by this activity shall be used by the regional
2 enhancement groups for the pen-reared coho project;

3 (12) Pens shall be constructed with a maximum of donated materials,
4 such as log floats, walkways, and netting;

5 (13) Each pen shall be adequately covered to prevent predation from
6 birds, seals, otters, and other fish predators;

7 (14) The department shall fund the purchase of nets, floats,
8 mooring lines, or other supplies necessary to operate the program,
9 which shall be donated to the regional enhancement groups;

10 (15) Fish food shall be provided by the department and shall be the
11 best quality to assure maximum success of the program; and

12 (16) Release size of the smolts from the pens into saltwater shall
13 be as large as possible to assure maximum survival rates.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 75.50 RCW
15 to read as follows:

16 The director shall evaluate the establishment of more liberal
17 recreational coho bag limit rules in areas where coho will be
18 predominantly originated from regional group pen culture projects.

19 NEW SECTION. **Sec. 4.** A new section is added to chapter 75.50 RCW
20 to read as follows:

21 The legislature declares that the increase in coho salmon within
22 the waters of the state is in the best interest of all of the people of
23 the state, and that improvement of coho salmon resources is a
24 state-wide interest.

25 Salmon net pen sites established under section 2 of this act shall
26 not be located in such a way as to alter the natural condition of the
27 shorelines of the state. The director shall make certain that coho
28 salmon pens are located adjacent to existing marine structures, such as

1 ferry docks, marinas, fishing piers, or other existing waterfront
2 developments.

3 The director shall work with the director of the department of
4 ecology and local government entities to obtain the necessary permits
5 for the coho salmon pens.

6 **Sec. 5.** RCW 75.08.230 and 1989 c 176 s 4 are each amended to read
7 as follows:

8 (1) Except as provided in this section, state and county officers
9 receiving the following moneys shall deposit them in the state general
10 fund:

11 (a) The sale of licenses required under this title;

12 (b) The sale of property seized or confiscated under this title;

13 (c) Fines and forfeitures collected under this title;

14 (d) The sale of real or personal property held for department
15 purposes;

16 (e) Rentals or concessions of the department;

17 (f) Moneys received for damages to food fish, shellfish or
18 department property; and

19 (g) Gifts.

20 (2) The director shall make weekly remittances to the state
21 treasurer of moneys collected by the department.

22 (3) All fines and forfeitures collected or assessed by a district
23 court for a violation of this title or rule of the director shall be
24 remitted as provided in chapter 3.62 RCW.

25 (4) Proceeds from the sale of food fish or shellfish taken in test
26 fishing conducted by the department, to the extent that these proceeds
27 exceed the estimates in the budget approved by the legislature, may be
28 allocated as unanticipated receipts under RCW 43.79.270 to reimburse

1 the department for unanticipated costs for test fishing operations in
2 excess of the allowance in the budget approved by the legislature.

3 (5) Proceeds from the sale of salmon and salmon eggs by the
4 department, to the extent these proceeds exceed estimates in the budget
5 approved by the legislature, may be allocated as unanticipated receipts
6 under RCW 43.79.270. Allocations under this subsection shall be made
7 only for hatchery operations partially or wholly financed by sources
8 other than state general revenues or for purposes of processing human
9 consumable salmon for disposal.

10 (6) Proceeds from the sale of salmon and salmon eggs by the
11 department not allocated as unanticipated receipts under this section
12 shall be placed in the regional fisheries enhancement group account
13 created in RCW 75.50.100 for the purposes of section 2 of this act.

14 (7) Moneys received by the director under RCW 75.08.045, to the
15 extent these moneys exceed estimates in the budget approved by the
16 legislature, may be allocated as unanticipated receipts under RCW
17 43.79.270. Allocations under this subsection shall be made only for
18 the specific purpose for which the moneys were received, unless the
19 moneys were received in settlement of a claim for damages to food fish
20 or shellfish, in which case the moneys may be expended for the
21 conservation of these resources.

22 ((+7)) (8) Proceeds from the sale of herring spawn on kelp permits
23 by the department, to the extent those proceeds exceed estimates in the
24 budget approved by the legislature, may be allocated as unanticipated
25 receipts under RCW 43.79.270. Allocations under this subsection shall
26 be made only for herring management, enhancement, and enforcement.