
SENATE BILL 5198

State of Washington**53rd Legislature****1993 Regular Session****By** Senators Sutherland, Owen and Bauer

Read first time 01/15/93. Referred to Committee on Natural Resources.

1 AN ACT Relating to wild salmon; adding new sections to chapter
2 75.50 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature declares that the state has
5 a vital interest in the preservation of wild salmon and finds that they
6 are a precious natural resource that must be preserved for future
7 generations to appreciate.

8 The legislature further finds that the future of many wild salmon
9 runs is in jeopardy as evidenced by the current listing of Snake river
10 sockeye salmon and chinook salmon under the federal endangered species
11 act, the pending petitions to list additional wild salmon under the
12 federal endangered species act, and the recent report by the American
13 fisheries society identifying numerous additional runs of wild salmon
14 that are weak or threatened, or in danger of extinction.

15 Wild salmon are spawned in freshwater streams, migrate to the
16 waters of the Pacific Ocean and, in response to their anadromous cycle,
17 return as mature fish to their natal, freshwater streams to spawn and
18 perpetuate the species. Guaranteeing safe passage for returning wild
19 salmon to their natal waters is critical to their preservation.

1 Recognizing that salmon stocks and races are commingled in the
2 waters of the Pacific Ocean, the marine waters of the state, and
3 certain waters of the Columbia river, it is declared necessary to
4 prohibit all types of nonselective harvesting by all persons in these
5 waters in order to guarantee wild salmon safe passage through these
6 waters as they return to their natal waters.

7 NEW SECTION. **Sec. 2.** Notwithstanding any other grant of
8 authority, the director shall not authorize, agree to, or allow any
9 person to harvest or take, either directly or indirectly, any wild coho
10 salmon (*oncorhynchus kisutch*), any wild chinook salmon (*oncorhynchus*
11 *tshawytscha*), or any species of wild salmon listed under the federal
12 endangered species act while they are within the waters of the Pacific
13 Ocean, the marine waters of the state, the concurrent waters of the
14 Columbia river, or the waters of the Columbia river up to and including
15 its confluence with the waters of the Snake river. However, nothing in
16 this section shall preclude or prevent the director from authorizing
17 fisheries in these waters for other runs or types of salmon.

18 NEW SECTION. **Sec. 3.** The enforcement of section 2 of this act
19 shall take effect January 1, 1998. The department shall mark all coho
20 salmon and chinook salmon produced in facilities and hatcheries
21 operated by or authorized by the department beginning January 1, 1995.

22 The department shall immediately implement a program to mark, in a
23 conspicuous manner that is easily observable on the exterior of the
24 fish, all coho salmon and chinook salmon produced in facilities and
25 hatcheries operated by or authorized by the department. The purpose of
26 the marking is to allow for the immediate, external identification of
27 these fish. The department shall also work with all other persons
28 producing coho salmon and chinook salmon for release into the waters of
29 the state to coordinate a similar marking of all the coho salmon and
30 chinook salmon they release into the waters of the state.

31 The department shall not reduce the quantity of coho salmon and
32 chinook salmon produced in hatcheries or facilities operated by the
33 department below the annual quantity being produced as of the effective
34 date of this act, unless it is scientifically proven that a specific
35 production level at a specific facility is resulting in reduced salmon
36 runs.

1 NEW SECTION. **Sec. 4.** Sections 2 and 3 of this act are each added
2 to chapter 75.50 RCW.

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