S-5404.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 6450**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Padden, Salomon, Warnick, and Short

AN ACT Relating to establishing the warm water fishing advisory group; and amending RCW 77.44.010 and 77.44.040.

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

**Sec.**  RCW 77.44.010 and 1998 c 191 s 39 are each amended to read as follows:

A warm water game fish enhancement program is created in the department. The enhancement program shall be designed to increase the opportunities to fish for and catch warm water game fish including: Largemouth black bass, smallmouth black bass, channel catfish, black crappie, white crappie, walleye, yellow perch, and tiger musky. The program shall be designed to use a practical applied approach to increasing and improving warm water fishing and the department must administer the program in consultation with the warm water fishing advisory group established in RCW 77.44.040 (6). The department shall use the funds available efficiently to ((~~assure~~)) ensure the greatest increase and improvement in the fishing for warm water fish at the ((~~lowest~~)) most efficient and effective cost. This approach shall involve the minimization of overhead and administrative costs and the maximization of productive in-the-field activities.

**Sec.**  RCW 77.44.040 and 1996 c 222 s 4 are each amended to read as follows:

(1) The goals of the warm water game fish enhancement program are to improve the fishing for warm water game fish using cost-effective management. ((~~Development~~)) These activities include habitat improvement in existing warm waters as well as potential development of new ponds and lakes ((~~shall be an~~)) that are important and integral parts of the program. The department shall work with the department of natural resources to coordinate the reclamation of surface mines and the development of warm water game fish ponds. Improvement of warm water fishing shall be coordinated with the protection and conservation of cold water fish populations. This shall be accomplished by carefully designing the warm water projects to have minimal adverse effects upon the cold water fish populations. ((~~New~~)) Habitat improvement and new pond and lake development should have beneficial effects upon wildlife due to the increase in lacustrine and wetland habitat that will accompany the improvement of warm water fish habitat. The department shall not develop projects that will increase the populations of undesirable or deleterious fish species such as carp, squawfish, walking catfish, and others.

(2) Fish culture programs shall be used in conditions where they will prove to be cost-effective, and may include the purchase of warm water fish from aquatic farmers defined in RCW 15.85.020. Consideration should be made for development of urban area enhancement of fishing opportunity for put-and-take species, such as channel catfish, that are amenable to production by low-cost fish culture methods. Fish culture shall also be used for stocking of high value species, such as walleye, largemouth bass, smallmouth bass, and tiger musky. Introduction of special genetic strains that show high potential for recreational fishing improvement, including Florida strain largemouth bass and striped bass, shall be considered.

(3) Transplantation and introduction of exotic warm water fish shall be carefully reviewed to assure that adverse effects to native fish and wildlife populations do not occur. This review shall include an analysis of consequences from disease and parasite introduction.

(4) Population management through the use of fish toxicants, including rotenone or derris root, shall be ((~~an integral~~)) a limited part of the warm water game fish enhancement program. However, any use of fish toxicants shall be subject to a thorough review to prevent adverse effects to cold water fish, desirable warm water fish, and other biota. Eradication of deleterious fish species shall be a goal of the program.

(5) Habitat improvement shall be a major aspect of the warm water game fish enhancement program. Habitat improvement opportunities shall be defined with scientific investigations, field surveys, and by using the extensive experience of other state management entities. Installation of cover, structure, water flow control structures, screens, spawning substrate, vegetation control, and other management techniques shall be fully used. The department shall work to gain access to privately owned waters that can be developed with habitat improvements to improve the warm water resource for public fishing.

(6) The department shall use the resources of cooperative groups to assist in the planning and implementation of the warm water game fish enhancement program. ((~~In the development of the program the~~)) The department shall administer the program in consultation with the warm water fishing advisory group created in this subsection and actively involve the organized fishing clubs ((~~that primarily fish for warm water fish~~)) and other warm water advocacy groups, both local and national, that are interested in growth and improvement of warm water fisheries and fishing opportunities. The department shall work with a designated representative chosen by the primary advocacy groups in Washington state in the formation of the first advisory group. The department and the representative shall cooperatively select advisory group members. Those representatives and all future replacements must be determined by the department and must include members from recognized recreational fishing and warm water advocacy groups and organizations regardless of political affiliation. Members shall provide equitable representation from the various geographic areas of the state where warm water fishing occurs. The advisory group must consist of no fewer than five and no more than nine members at any one time.

(7) The warm water fish enhancement program shall be cooperative between the department and private landowners; private landowners shall not be required to alter the uses of their private property to fulfill the purposes of the warm water fish enhancement program. The director shall not impose restrictions on the use of private property, or take private property, for the purpose of the warm water fish enhancement program.

**--- END ---**