

# Chapter 220-140 WAC

## REGIONAL FISHERIES ENHANCEMENT GROUPS

### WAC

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**WAC 220-140-001 Purpose.** The purpose of this section is to establish regional fisheries enhancement groups, adopt procedures for the implementation of enhancement projects, and provide for accountability.

[Statutory Authority: 1989 c 426 and RCW 75.08.080. WSR 90-04-026 (Order 90-06), § 220-140-001, filed 1/30/90, effective 3/2/90.]

**WAC 220-140-010 Definitions.** The following definitions apply to this chapter:

(1) "Regional fisheries enhancement group" or "group" means a nonprofit association established in compliance with Title 24 RCW, representing diverse interests, and which will work together within a predesignated area for the express purpose of enhancing salmon production and habitat in that area.

(2) "Regional fisheries enhancement group's project surplus viable salmon eggs" means those viable salmon eggs that are surplus to both the needs of the department and other public entities within the state and to the group itself. The priority for use of viable salmon eggs is as established in chapter 220-74 WAC.

[Statutory Authority: RCW 75.50.100 and 75.52.035. WSR 98-02-017 (Order 97-245), § 220-140-010, filed 12/30/97, effective 1/30/98. Statutory Authority: 1989 c 426 and RCW 75.08.080. WSR 90-04-026 (Order 90-06), § 220-140-010, filed 1/30/90, effective 3/2/90.]

**WAC 220-140-020 Description of regional fisheries enhancement groups.** The following geographical areas define regions in which groups have been formed, and established as provided for in this chapter, such groups are eligible to make funding requests through the department. There shall be one group per region.

### Region 1: Nooksack Salmon Enhancement Association

Includes most of WRIA 1: The major watershed is the Nooksack River. This region also includes nearshore habitat and other watersheds located from the Canada-U.S. border south to Oyster Creek in Samish Bay and also watersheds flowing from Whatcom County to the Fraser River.

### Region 2: Skagit Fisheries Enhancement Group

Includes WRIs 2, 3 and 4, and parts of 1 and 6: The major watersheds are the Skagit and Samish rivers. This region also includes nearshore habitat and other watersheds located from Samish Bay, south of Oyster Creek, south to and including, Penn Cove on Whidbey Island, out to and including, the San Juan Islands.

### Region 3: Stilly-Snohomish Fisheries Enhancement Task Force

Includes WRIs 5 and 7 and parts of 6 and 8: The major watersheds are the Stillaguamish and Snohomish rivers. This region also includes nearshore habitat and other watersheds located south of Penn Cove on Whidbey Island, including Camano Island; the mainland south to the Edmonds ferry dock.

### Region 4: Mid-Sound Salmon Enhancement Group

Includes WRIs 8 and 9 and part of 15: The major watersheds are those entering Lake Washington and the Green/Duwamish River. This region also includes nearshore habitat and other watersheds located from the Edmonds ferry dock south to Brown's Point, across to the north side of Gig Harbor, and north around Foulweather Bluff down to the Hood Canal Bridge.

### Region 5: South Puget Sound Salmon Enhancement Group

Includes WRIs 10, 11, 12 and 13 and parts of 14 and 15: The major watersheds are the Puyallup, Nisqually, and Deschutes rivers. This region also includes nearshore habitat and other watersheds draining into Puget Sound south of a line between Brown's Point and the north side of the entrance to Gig Harbor.

### Region 6: Hood Canal Salmon Enhancement Group

Includes WRIA 16 and parts of 14, 15 and 17: Major watersheds include the Skokomish, Hamma Hamma, Duckabush, Dosewallips, and Quilcene rivers. This region also includes nearshore habitat and other watersheds located in Hood Canal south of the Hood Canal Bridge.

### Region 7: North Olympic Salmon Coalition

Includes WRIs 18 and 19 and part of 17: Major watersheds include the Dungeness, Elwha, Lyre, Pysht, Clallam, and Hoko rivers. This region also includes nearshore habitat and other watersheds located north and west of the Hood Canal Bridge, to Cape Flattery.

**Region 8: Pacific Coast Salmon Coalition**

Includes WRIAs 20 and 21: Major watersheds include the Sooes, Ozette, Quillayute, Hoh, Queets, and Quinault rivers. This region also includes nearshore habitat and other watersheds entering directly into the Pacific Ocean between Cape Flattery and the north side of Grays Harbor.

**Region 9: Chehalis Basin Fisheries Task Force**

Includes WRIAs 22 and 23: Major watersheds include the Humptulips, Hoquiam, Wishkah, Johns and Chehalis rivers. This region also includes nearshore habitat within, and other watersheds flowing into Grays Harbor.

**Region 10: Willapa Bay Regional Fisheries Enhancement Group**

Includes most of WRIA 24: Major watersheds include the North, Willapa, Palix, Nemah, Bear, Long Island and Naselle rivers. This region also includes nearshore habitat within, and other watersheds flowing into Willapa Bay.

**Region 11: Lower Columbia Fish Enhancement Group**

Includes WRIAs 25, 26, 27 and 28 and parts of 24 and 29: Major watersheds include the Chinook, Grays, Elochoman, Cowlitz, Kalama, Lewis, and Washougal rivers. This region also includes Columbia River habitat and other watersheds entering the Washington side of the Columbia River below Bonneville Dam.

**Region 12: Mid-Columbia Regional Fisheries Enhancement Group**

Includes WRIAs 30, 31, 37, 38, 39 and 40 and most of 29: Major watersheds include the Little White Salmon, White Salmon, Wind, Yakima, and Klickitat rivers. This region also includes Columbia River habitat and other watersheds entering the Columbia River from the north and west above Bonneville Dam, up to Rock Island Dam.

**Region 13: Tri-State Steelheaders Regional Fisheries Enhancement Group**

Includes WRIAs 32, 33 and 35 and parts of 34 and 36: Major watersheds include the Snake and Walla Walla rivers. This region also includes Columbia River habitat and other watersheds entering the Columbia River from the east between McNary Dam and the Interstate 182 Bridge at Richland.

**Region 14: Upper Columbia Regional Fisheries Enhancement Group**

Includes WRIAs 44, 45, 46, 47, 48, 49, 50, 51 and 52: Major watersheds include the Wenatchee, Entiat, Methow, Okanogan and San Poil rivers. This region also includes Columbia River habitat and other watersheds entering the Columbia River above Rock Island Dam up to and including the San Poil watershed.

[Statutory Authority: RCW 77.12.047. WSR 01-17-074 (Order 01-172), § 220-140-020, filed 8/16/01, effective 9/16/01; WSR 00-20-040 (Order 00-200), § 220-140-020, filed 9/28/00, effective 10/29/00. Statutory Authority: 1989 c 426 and RCW 75.08.080. WSR 90-04-026 (Order 90-06), § 220-140-020, filed 1/30/90, effective 3/2/90.]

**WAC 220-140-030 Establishing a group.** (1) In order to establish a regional fisheries enhancement group, inter-

ested parties must make application through the department. In order to qualify to establish a group, interested parties must:

- (a) Identify which geographic region the interested parties live in.
- (b) Identify the interested parties, including addresses.
- (c) Identify a representative who will work with the department on the initial application.
- (d) Agree to form a nonprofit corporation, registered with the secretary of state of the state of Washington.
- (e) Agree to periodic audits by the department, or its representative.

(2) The department will provide coordination and technical assistance to facilitate the application by prospective groups to be fisheries regional enhancement groups. The department shall provide a format and guidelines which any prospective group may use to make initial application. An initial application will be reviewed by the regional enhancement task force within thirty days, and notice will be given in writing of any omissions or errors and corrective action will be discussed with the group representative. The prospective group will be given thirty days for correction and resubmission of the application.

(3) The goal shall be one prospective group per region, and a department coordinator shall seek reconciliation of competing interests, but in the event two or more prospective groups make application, the department may request a representative of each group to meet with the regional enhancement task force and make a presentation addressing why that group should be the fisheries regional enhancement group for the region. The regional fisheries task force shall recommend to the director which group shall be selected as the regional fisheries enhancement group. The criteria to be considered when choosing from among competing groups shall include, but not be limited to:

- (a) Representation of diverse interests within the group.
- (b) The intentions of the group regarding salmon production, salmon habitat protection, and salmon habitat enhancement.
- (c) The inclusion of an educational component within the group's planning process.
- (d) Group plans to provide accountability for both salmon production and fiscal matters.
- (e) The expected level of voluntary contributions to and voluntary participation in group projects.

(4) Upon selection of the prospective group, the department will provide guidance and assistance with the articles of incorporation and establishment as a 501 (C)(3) organization.

(5) After approval as a group, incorporation, and initial 501 (C)(3) application, one-twelfth of the start up funds provided for in section 9, chapter 426, Laws of 1989, will be made available, as needed, to each group for start up costs, other than incorporation costs, or start up projects. Distribution of start up funds for start up costs or start up projects will be made by the director, based on review and recommendation by the regional enhancement task force. After January 1, 1991, uncommitted start up funds may be distributed by the director to established groups for start up projects, based on review and recommendation of the regional enhancement task force.

[Statutory Authority: 1989 c 426 and RCW 75.08.080. WSR 90-04-026 (Order 90-06), § 220-140-030, filed 1/30/90, effective 3/2/90.]

**WAC 220-140-040 Project funds from the sale of surplus salmon carcasses and eggs.** (1) Regional fisheries enhancement groups whose projects produce surplus salmon carcasses and eggs may request that the department sell such surplus, providing the following conditions are met:

(a) Salmon must be returning to a department approved group facility (hatchery, trap or weir);

(b) An approved and current salmon rearing project must be on file with the department;

(c) The department must declare that a surplus exists beyond the needs of the department, tribes, other public entities, and group project requirements; and

(d) Use of funds generated by such sale will be approved by the regional fisheries enhancement group advisory board and the department, using the same procedure as established for handling moneys allocated from the regional fisheries enhancement group account.

(2) The department may sell the surplus salmon carcasses, nonviable eggs and viable eggs of a group project. Surplus viable salmon eggs shall be sold by the department as prescribed in chapter 220-74 WAC, Surplus salmon eggs. A group may not sell any salmon products resulting from its activities.

(3) All money received by the department from the sale of group surplus salmon carcasses, nonviable eggs and viable eggs shall be placed into the regional fisheries enhancement group account and used solely to fund the expenses of approved activities for the group that developed the project.

(4) All money received by the department from the sale of surplus salmon carcasses, nonviable eggs and viable eggs returning to state funded hatcheries shall be placed into the general regional fisheries enhancement group account. Eighty percent of this money will be distributed equally to each of the twelve groups and twenty percent will be used by the department to administer the program.

(5) All fish produced from an approved group project are intended for release into state waters. Live fish will not be transported from a group project without prior written approval of the department.

(6) Surplus carcasses from salmon returning to a group project may be seeded into and along streams if a plan to do so has been preapproved and coordinated by the department.

[Statutory Authority: RCW 75.50.100 and 75.52.035. WSR 98-02-017 (Order 97-245), § 220-140-040, filed 12/30/97, effective 1/30/98.]

**WAC 220-140-050 Funding the regional fisheries enhancement group account.** The department shall deposit into the regional fisheries enhancement group account the sum of \$297,500 during fiscal year 2000, based on 297,500 food fish anglers. Beginning in fiscal year 2001, and each year thereafter, the deposit into the regional fisheries enhancement group account shall be adjusted annually to reflect the actual number of license holders fishing for food fish based on an annual survey from the previous license year conducted by the department beginning with the April 1, 1999, to March 31, 2000, license year survey. Additional deposits to the regional fisheries enhancement group account will be made pursuant to RCW 75.50.100.

[Statutory Authority: RCW 77.32.440. WSR 99-17-096 (Order 99-128), § 220-140-050, filed 8/17/99, effective 9/17/99. Statutory Authority: RCW 75.54.140 and 75.32.370. WSR 99-02-040 (Order 98-263), § 220-140-050, filed 12/31/98, effective 1/1/99.]