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**SUBSTITUTE HOUSE BILL 2626**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** House Committee on Fisheries & Wildlife (originally sponsored by Representatives R. King, May, Orr, Rust, Belcher, Fraser, Hochstatter, Horn, Morris, R. Meyers, Basich, Jones, Sheldon, Leonard, Franklin, Zellinsky, Valle, Pruitt, O'Brien, Nelson, Bowman, Brough, Jacobsen, Haugen, Rasmussen and J. Kohl)

Read first time 02/07/92.

1 AN ACT Relating to wild stocks of salmonids; amending RCW  
2 75.30.120; and creating new sections.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that wild stocks  
5 of salmonids in the state of Washington are in a state of decline.  
6 Stocks of salmon on the Columbia river are proposed for listing as  
7 threatened and endangered, the Snake river sockeye has been officially  
8 listed as endangered, and the American fisheries society has indicated  
9 that there are two hundred fourteen other stocks of salmonids in the  
10 Pacific Northwest that are in decline or possibly extinct. Many of  
11 these are within Puget Sound or the coast, and therefore are not within  
12 the jurisdiction of the Northwest power planning council. The  
13 legislature recognizes that to lose these wild stocks would be  
14 detrimental to the genetic integrity of the fisheries resource and the

1 economy, and will represent the loss of a vital component of  
2 Washington's aquatic ecosystems. The legislature further finds that to  
3 postpone the recovery of stocks that are on the decline but that are  
4 not yet listed as threatened or endangered is short-sighted, and that  
5 it will be less costly to act now to save this important resource.

6 NEW SECTION. **Sec. 2.** (1) The departments of fisheries and  
7 wildlife shall establish a wild salmonid review and inventory team  
8 consisting of fisheries biologists and geneticists. The purpose of the  
9 team shall be to review and inventory the status of wild salmonid  
10 stocks outside of the Columbia river basin. The departments shall  
11 invite representatives of the Northwest Indian fisheries commission and  
12 other affected Indian tribes and the national marine fisheries service  
13 to participate on the team.

14 (2) By June 30, 1993, the review and inventory team shall:

15 (a) Develop a meaningful definition of stock. The definition shall  
16 be formulated to allow preservation of genetic integrity of the wild  
17 salmonid resource and to avoid future federal listings under the  
18 endangered species act. The team shall consider the national marine  
19 fisheries service's species definition as well as the American  
20 fisheries society definition of stock;

21 (b) Determine the status of all wild salmonid stocks in Washington  
22 outside the Columbia river basin; and

23 (c) Outline a process for developing a recovery plan and objectives  
24 for each wild salmonid stock.

25 (3) By June 30, 1993, the review and inventory team shall provide  
26 stock status reports and a recovery plan process to the appropriate  
27 legislative committees.

28 (4) This section shall expire January 1, 1994.

1        NEW SECTION.    **Sec. 3.**        By January 1, 1993, the department of  
2 wildlife shall implement experimental captive broodstock programs on a  
3 coastal river to be selected by the department, for wild sea-run  
4 cutthroat trout. Existing facilities shall be used where possible.

5        NEW SECTION.    **Sec. 4.**        By December 31, 1992, the department of  
6 fisheries shall determine the cost of marking all hatchery fish at all  
7 department of fisheries operated hatchery facilities, and report to the  
8 legislature by that date.

9        **Sec. 5.**    RCW 75.30.120 and 1983 1st ex.s. c 46 s 146 are each  
10 amended to read as follows:

11        (1) A commercial salmon fishing license issued under RCW 75.28.110  
12 or salmon delivery permit issued under RCW 75.28.113 may be issued only  
13 to a vessel:

14        (a) Which held a state commercial salmon fishing license or salmon  
15 delivery permit during the previous year or had transferred to the  
16 vessel such a license, and has not subsequently transferred the license  
17 or permit to another vessel; and

18        (b) From which food fish were caught and landed in this state or in  
19 another state during the previous year as documented by a valid fish  
20 receiving document.

21        Where the failure to obtain the license or permit during the  
22 previous year was the result of a license or permit suspension, the  
23 vessel may qualify for a license or permit by establishing that the  
24 vessel held such a license or permit during the last year in which the  
25 license or permit was not suspended.

26        (2) The director may waive the landing requirement of subsection  
27 (1)(b) of this section if:

1 (a) The vessel to which an otherwise valid license is transferred  
2 has not had the opportunity to have caught and landed salmon; and

3 (b) The intent of the commercial salmon vessel limitation program  
4 established under this section is not violated.

5 (3) The director shall exercise his or her authority under  
6 subsection (2) of this section to accomplish the goals of the Northwest  
7 power planning council's phase two amendment to its fish and wildlife  
8 program, dated December 11, 1991, concerning a temporary commercial  
9 salmon fishing license leasing program. The director may adopt rules  
10 to accomplish the goals of the leasing program.

11 (4) Commercial salmon fishing licenses and salmon delivery permits  
12 are transferable.