
SENATE BILL 5388

State of Washington

54th Legislature

1995 Regular Session

By Senators Swecker, Haugen, Oke, Sutherland, Owen, Morton, Hochstatter, Snyder, Winsley and Roach

Read first time 01/23/95. Referred to Committee on Natural Resources.

1 AN ACT Relating to salmon enhancement projects for public
2 fisheries; amending RCW 75.08.420, 75.08.430, and 75.50.110; and adding
3 new sections to chapter 75.50 RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the recreational,
6 commercial, and Indian tribal fisheries for salmon may be improved by
7 the authorization of nonprofit production of salmon by regional
8 fisheries enhancement groups on an expanded scale. Efforts of the
9 nonprofit regional enhancement groups have been very rewarding and they
10 have shown the capability of conducting larger scale enhancement
11 activities. The primary constraint for further development of
12 nonprofit regional enhancement projects has been a lack of funding and
13 a lack of clear, legislative direction to the department. The
14 legislature recognizes the need for additional funding resources and
15 for statutory encouragement to achieve the full development of the
16 potential of the regional groups during a time when salmon runs are in
17 dire need of enhancement.

1 NEW SECTION. **Sec. 2.** Regional fisheries enhancement groups shall
2 be issued permits by the department for the purpose of constructing and
3 operating large-scale salmon enhancement projects in freshwater,
4 estuarine, and marine waters of the state. Large-scale projects shall
5 be located for the primary purpose of increasing salmon harvest in
6 recreational, commercial, and treaty Indian fisheries. Enhancement
7 sites that are located in marine waters or are located lower in
8 watersheds are preferable to enhancement sites that are located high in
9 watersheds, due to higher survival rates of salmon released in the
10 former locations.

11 The department shall work with the regional fisheries enhancement
12 groups to identify sites that will have minimal adverse impact upon
13 naturally spawning salmonids and that will provide maximum survival of
14 released salmon and maximum contribution to the public fisheries.
15 Sites shall be located in such a manner as to allow for an efficient
16 cost-recovery harvest of the returning salmon for the sole purpose of
17 providing a funding source for continued enhancement activities. The
18 department shall identify at least one large-scale salmon enhancement
19 site that will facilitate cost recovery within the boundaries of each
20 regional fisheries enhancement group.

21 The department shall allow the use of innovative management
22 approaches that encourage the development of selective public fisheries
23 on the salmon that are produced by large-scale salmon enhancement
24 projects operated by regional fisheries enhancement groups.

25 NEW SECTION. **Sec. 3.** The department shall issue the necessary
26 permits for the conduct of cost-recovery sales of surplus salmon and
27 salmon eggs by regional fisheries enhancement groups. The revenue from
28 surplus salmon and salmon eggs sales shall be placed in the regional
29 fisheries enhancement group account for the sole use of the regional
30 group which generated the specific revenue.

31 Cost-recovery operations shall be conducted to allow for obtaining
32 sufficient broodstock to fully operate the enhancement project, and to
33 provide the highest benefit in terms of revenue production. Sales of
34 viable salmon eggs shall be permitted only in cases where all other
35 public fisheries enhancement-related uses of the eggs are fulfilled
36 beforehand. Surplus salmon and salmon eggs from regional fisheries
37 enhancement groups shall be sold through a bidding system to the
38 highest qualified bidder. The bidding for surplus salmon from regional

1 fisheries enhancement group projects shall be conducted by the
2 department of general administration.

3 NEW SECTION. **Sec. 4.** The department shall administer a program
4 for start-up loans to regional fisheries enhancement groups in order to
5 fund large-scale enhancement projects. The loans shall feature
6 deferred payback, which will provide a six to ten-year deferral period
7 depending on the nature of the project funded. No enhancement project
8 shall be funded that does not have the potential to provide payback
9 revenue from the sale of returning surplus salmon or salmon parts.

10 The department shall propose legislation for the funding and
11 administration of the start-up loan program, on or before January 1,
12 1996, to the house of representatives and senate natural resources
13 committees.

14 **Sec. 5.** RCW 75.08.420 and 1989 c 336 s 3 are each amended to read
15 as follows:

16 The director may contract with cooperatives or private
17 aquaculturists for the purchase of quality salmon smolts for release
18 into public waters if all department fish rearing facilities are
19 operating at full capacity. The intent of cooperative and private
20 sector contracting is to explore the opportunities of cooperatively
21 producing more salmon for the public fisheries without incurring
22 additional capital expense for the department.

23 Regional fisheries enhancement groups may purchase quality salmon
24 smolts from private aquaculturists for enhancement projects approved by
25 the department.

26 **Sec. 6.** RCW 75.08.430 and 1989 c 336 s 4 are each amended to read
27 as follows:

28 If the director elects to contract with cooperatives or private
29 aquaculturists for the purpose of purchasing quality salmon smolts,
30 contracting shall be done by a competitive bid process. In awarding
31 contracts to private contractors, the director shall give preference to
32 nonprofit corporations, such as regional fisheries enhancement groups.
33 The director shall establish the criteria for the contract, which shall
34 include but not be limited to species, size of smolt, stock
35 composition, quantity, quality, rearing location, release location, and
36 other pertinent factors.

1 **Sec. 7.** RCW 75.50.110 and 1990 c 58 s 4 are each amended to read
2 as follows:

3 A regional fisheries enhancement group advisory board is
4 established to make recommendations to the director. The advisory
5 board shall make recommendations regarding regional enhancement group
6 rearing project proposals and funding of those proposals. The members
7 shall be appointed by the director and consist of two commercial
8 fishing representatives, two recreational fishing representatives, and
9 three at-large positions. The advisory board membership shall include
10 two members serving ex officio to be nominated, one through the
11 Northwest Indian fisheries commission, and one through the Columbia
12 river intertribal fish commission.

13 The department may use account funds to provide agency assistance
14 to the groups. The level of account funds used by the department shall
15 be determined by the director after review and recommendation by the
16 regional fisheries enhancement group advisory board and shall not
17 exceed twenty percent of annual contributions to the account.

18 The regional fisheries enhancement group advisory board shall
19 expand the role of the regional fisheries enhancement group program to
20 encourage the development of large-scale enhancement projects that
21 incorporate cost recovery. Such projects are to be located in areas
22 that maximize contribution to the public fisheries and provide for
23 harvest of surplus salmon and salmon eggs that are suited to recovery
24 of the project's costs.

25 NEW SECTION. **Sec. 8.** Sections 1 through 4 of this act are each
26 added to chapter 75.50 RCW.

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