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**SENATE BILL 6148**

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**State of Washington                      54th Legislature                      1996 Regular Session**

**By Senators Swecker and Snyder**

Read first time 01/08/96. Referred to Committee on Natural Resources.

1            AN ACT Relating to aquaculture; amending RCW 79.90.495; adding new  
2 sections to chapter 15.85 RCW; adding a new section to chapter 79.96  
3 RCW; and making an appropriation.

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

5            NEW SECTION.    **Sec. 1.**    The legislature finds that the state of  
6 Washington contains many potential aquaculture sites in marine and  
7 brackish waters that are suitable for production of salmonid fish for  
8 a wide variety of uses. These sites offer a range of opportunities for  
9 increasing public fisheries, restoring depressed runs, producing  
10 profits for private aquaculture, providing opportunities for Indian  
11 tribal enterprises, funding fish culture activities of nonprofit  
12 fisheries enhancement groups, and providing release and recapture  
13 facilities. The best interests of the citizens of the state are served  
14 by encouraging the development of active aquaculture programs in these  
15 terminal areas.

16            NEW SECTION.    **Sec. 2.**    (1) The terminal area aquaculture siting  
17 advisory board is created. The governor must appoint the following  
18 members:

1 (a) One person representing the fish and wildlife commission;  
2 (b) One person representing the department of ecology;  
3 (c) One person representing the department of community, trade, and  
4 economic development;

5 (d) One person representing the department of agriculture; and

6 (e) One person representing the regional fisheries enhancement  
7 group advisory board.

8 (2) The commissioner of public lands must appoint the following  
9 member: One person representing the department of natural resources.

10 (3) The Northwest Indian fisheries commission must appoint the  
11 following members:

12 (a) One person representing Puget Sound tribes; and

13 (b) One person representing coastal tribes.

14 (4) The Washington fish growers association must appoint the  
15 following members:

16 (a) One person representing pen rearing aquaculture; and

17 (b) One person representing smolt growers.

18 (5) Salmon for Washington must appoint the following member: One  
19 person representing the commercial fishing industry.

20 (6) The Northwest sportfishing industry association must appoint  
21 the following member: One person representing sportfishing interests.

22 (7) The Washington public ports association must appoint the  
23 following member: One person representing the public ports of  
24 Washington.

25 (8) The Washington environmental council must appoint the following  
26 member: One person representing environmental protection.

27 Each member of the terminal area aquaculture siting advisory board  
28 serves an indeterminate term to be determined by the appointing  
29 authority. The board elects a chair from among its membership.

30 The department of agriculture must staff the advisory board  
31 utilizing existing staff and resources.

32 NEW SECTION. **Sec. 3.** The terminal area aquaculture siting  
33 advisory board must assess the terminal areas of the state to identify  
34 recommended sites for a wide variety of aquaculture alternatives.  
35 Local conditions are to be evaluated to determine the best potential  
36 uses of a variety of sites that will enable successful aquaculture  
37 development. The board must identify specific sites for terminal area

1 aquaculture. The board uses the following factors to develop their  
2 recommendations:

3 (1) Providing public benefits;

4 (2) Reduction of environmental impact;

5 (3) Minimization of conflicts with area property owners;

6 (4) Potential for improving public fisheries;

7 (5) Compatibility with regional fisheries enhancement group  
8 operations and goals, including revenue production;

9 (6) Indian tribal development opportunities;

10 (7) Potential for release and recapture programs;

11 (8) Compatibility with department of ecology aquaculture siting  
12 standards;

13 (9) Utilization of abandoned aquaculture sites;

14 (10) The success of aquaculture experiences from other areas, such  
15 as Alaska nonprofit aquaculture corporations; and

16 (11) Restoration of naturally spawning stocks.

17 NEW SECTION. **Sec. 4.** The terminal area aquaculture advisory  
18 siting board must prepare a listing of aquaculture assets of the state  
19 that must include an analysis of at least ten terminal areas that are  
20 recommended for aquaculture development. The aquaculture asset listing  
21 must be prepared on or before December 31, 1996, and revised each year  
22 thereafter. The report must be presented to the governor, appropriate  
23 legislative committees, and to other interested entities.

24 **Sec. 5.** RCW 79.90.495 and 1984 c 221 s 10 are each amended to read  
25 as follows:

26 If state-owned aquatic lands are used for aquaculture production or  
27 harvesting, rents and fees shall be established through competitive  
28 bidding or negotiation. The department must develop a schedule for  
29 reduced aquatic land lease rates for aquaculture projects that produce  
30 a public benefit. The reduction in lease rate must be proportional to  
31 the level of public benefit that is produced by the project.  
32 Aquaculture projects that are designed to produce only public benefits  
33 pay no aquatic land lease payments.

34 NEW SECTION. **Sec. 6.** A new section is added to chapter 79.96 RCW  
35 to read as follows:

1       The department of natural resources must provide to the terminal  
2 area aquaculture siting board a listing of potential sites for terminal  
3 area aquaculture development on an annual basis. The department of  
4 natural resources must utilize the department of ecology siting  
5 standards and other pertinent information in selecting potential  
6 aquaculture sites.

7       NEW SECTION.   **Sec. 7.** The sum of twenty thousand dollars, or as  
8 must thereof as may be necessary, is appropriated for the biennium  
9 ending June 30, 1997, from the general fund to the department of  
10 natural resources for the purposes of section 6 of this act.

11       NEW SECTION.   **Sec. 8.** Sections 1 through 4 of this act are each  
12 added to chapter 15.85 RCW.

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