

# HOUSE BILL REPORT

## HB 2504

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**As Reported by House Committee On:**  
Rural Development, Agriculture, & Natural Resources

**Title:** An act relating to creating the southwest Washington salmon restoration act.

**Brief Description:** Creating the southwest Washington salmon restoration act.

**Sponsors:** Representatives Walsh and Blake.

**Brief History:**

**Committee Activity:**

Rural Development, Agriculture, & Natural Resources: 1/21/20, 1/28/20 [DPS].

**Brief Summary of Substitute Bill**

- Requires the Department of Fish and Wildlife to work with the appropriate federal agencies and tribal co-managers to ensure that hatchery production in certain counties is equal to or greater than the annual average production over the past 20 years.

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### HOUSE COMMITTEE ON RURAL DEVELOPMENT, AGRICULTURE, & NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Blake, Chair; Shewmake, Vice Chair; Chandler, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Fitzgibbon, Kretz, Lekanoff, Orcutt, Schmick and Walsh.

**Minority Report:** Without recommendation. Signed by 2 members: Representatives Chapman and Ramos.

**Staff:** Rebecca Lewis (786-7339).

**Background:**

The Department of Fish and Wildlife (WDFW) is responsible for managing the state's fish and wildlife resources, and for establishing basic rules and regulations governing the time,

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place, manner, and methods used to harvest or enjoy fish and wildlife. As a part of its management responsibility, the WDFW operates approximately 80 hatchery facilities throughout the state. About 75 percent of facilities raise salmon or steelhead, and 25 percent rear trout and other game fish. Salmon and steelhead are managed in cooperation with the federal government, treaty tribes, Canada, and other states through several forums.

The 1974 federal court case *United States v. Washington*, commonly referred to as the Boldt Decision, re-affirmed tribal rights to harvest salmon and steelhead and established treaty tribes as co-managers of Washington fisheries.

Salmon and steelhead hatchery programs operating in regions with populations listed under the Endangered Species Act (ESA) must be evaluated and permitted through the federal government to ensure consistency with the ESA. The National Oceanic and Atmospheric Administration Fisheries Service oversees the ESA for salmon and steelhead. The ESA provides different permitting processes depending on the hatchery operator and the federal listing designation.

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#### **Summary of Substitute Bill:**

The Department of Fish and Wildlife (WDFW) must ensure that fish production in Grays Harbor, Pacific, Mason, and Wahkiakum county hatcheries is equal to or greater than the annual average each hatchery has produced in the last 20 years. The WDFW must work with the appropriate federal agencies and tribal co-managers in making adjustments to hatchery production levels. This act may be known and cited as the "Southwest Washington Salmon Restoration Act."

#### **Substitute Bill Compared to Original Bill:**

The substitute bill specifies that the Department of Fish and Wildlife must work with the appropriate federal agencies and tribal co-managers in meeting the hatchery production levels in the underlying bill.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

#### **Staff Summary of Public Testimony:**

(In support) Over recent years, the four H's of harvest, hatchery production, hydropower, and habitat have been analyzed in relation to salmon recovery. There has been lots of work on habitat to increase salmon populations, and this bill focuses on hatchery production. This is a

narrow bill, locking hatchery production at 20-year averages in hatcheries in a few counties and will put pressure on federal agencies and other entities to support hatchery production. The Department of Fish and Wildlife (WDFW) works with the federal government and tribal co-managers to set hatchery production levels. The WDFW looks for opportunities to increase fish populations in order to provide more prey for orcas and more fishing opportunities for anglers. The WDFW is willing to work on an amendment to acknowledge the work done with other partners in salmon recovery.

(Opposed) None.

**Persons Testifying:** Representative Walsh, prime sponsor; and Eric Kinne, Department of Fish and Wildlife.

**Persons Signed In To Testify But Not Testifying:** None.