
SUBSTITUTE SENATE BILL 6151

State of Washington

52nd Legislature

1992 Regular Session

By Senate Committee on Environment & Natural Resources (originally sponsored by Senators Barr, Anderson, Sutherland, Owen, Snyder, Hayner, Newhouse, Rasmussen, L. Smith, Bauer, Roach and Conner)

Read first time 02/07/92.

1 AN ACT Relating to harvest management of weak stocks of anadromous
2 fish; creating new sections; providing an expiration date; and
3 declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that declarations
6 by the federal government that species of anadromous fish are
7 threatened or endangered can cause severe disruption to the economic
8 health of the state and to a wide range of livelihoods of its citizens.
9 Significant economic and social impacts will be incurred by the listing
10 of a few fish stocks for which petitions have already been filed with
11 the federal government for listing certain species as threatened or
12 endangered.

13 The legislature finds that there are other species of anadromous
14 fish in rivers and streams throughout the state in a depressed

1 condition that have a significant potential to be petitioned for
2 threatened or endangered status. Several of the depressed runs are in
3 watercourses that do not have either hydroelectric or water withdrawal
4 projects situated on them.

5 The legislature finds that the public has invested several hundred
6 million dollars in the development and implementation of plans and has
7 adopted wide-ranging regulations to protect and enhance habitat for
8 anadromous fish and that these activities will in all likelihood
9 continue. However, the legislature finds that there are insufficient
10 mechanisms in place to assure that the significant current and future
11 investment of funds by the taxpaying and ratepaying public is protected
12 from overfishing of weak stocks in the mixed stock fishery. If an
13 effective means is not found to protect weak stocks from overharvest,
14 the benefits of this current investment and future investments are in
15 serious jeopardy.

16 The legislature finds it to be the policy of the federal government
17 that weak stocks be protected from being overharvested. In observance
18 of this policy, it is in the state's interest to develop a harvest
19 management policy that protects and strengthens weak stocks of fish
20 while maintaining the feasibility of a viable fishery on abundant
21 stocks.

22 NEW SECTION. **Sec. 2.** A committee shall be established to
23 carry out a study on ways to improve harvest management to increase the
24 returns of weak anadromous fish stocks. The committee shall be known
25 as the committee on harvest management of anadromous fish. The
26 committee, in consultation with other interested agencies,
27 organizations, and the public, shall investigate and evaluate options
28 of increasing the returns of adult spawners. The evaluation shall
29 include but not be limited to the following:

1 (1) Develop a policy for the harvest of anadromous fish in mixed
2 stock fisheries, while protecting weak stocks;

3 (2) Develop a policy to encourage harvest of anadromous fish in
4 situations where stocks are segregated or otherwise identifiable and
5 harvest of weak stocks is unlikely;

6 (3) Develop a policy for attainment of escapement goals;

7 (4) Review, evaluate, and augment the harvest management options
8 recommended by the Northwest power planning council;

9 (5) Evaluate which of the alternative harvest management options
10 allows the achievement of the spawning goal with the minimum effect on
11 the harvest of abundant stocks; and

12 (6) Develop recommendations for any needed changes in laws, rules,
13 policies, and programs to facilitate harvest management changes to
14 increase the return of weak stock fish.

15 NEW SECTION. **Sec. 3.** (1) The committee created in section 2
16 of this act shall consist of the following voting members:

17 (a) Four members of the house of representatives, appointed by the
18 speaker, two from each major political party;

19 (b) Four members of the senate, appointed by the president of the
20 senate, two from each major political party;

21 (c) One individual representing the commercial fishing industry;

22 (d) One individual representing sports fishing interests;

23 (e) One individual representing the commercial charter boat
24 industry;

25 (f) One individual representing Indian tribes;

26 (g) One member appointed by the governor to represent the
27 department of fisheries;

28 (h) One member appointed by the governor to represent the
29 department of wildlife;

1 (i) One individual representing hydro-based public electric
2 utilities;

3 (j) One individual representing forestry interests;

4 (k) One individual representing irrigated agriculture;

5 (l) One individual representing commercial water borne commerce;

6 (m) One individual representing industries heavily dependent on
7 electricity; and

8 (n) One individual representing public water utilities who obtain
9 water from surface waters.

10 (2) The twelve individuals listed in subsection (1)(c) through (n)
11 of this section who are not legislators shall be appointed by the
12 speaker of the house of representatives and the president of the
13 senate. Whenever possible, each interest group listed in subsection
14 (1)(c) through (n) of this section shall attempt to identify one
15 nominee as an interest group representative. Any nominations for
16 appointments to fill positions on the committee listed in subsection
17 (1)(c) through (n) of this section shall be submitted to either the
18 chief clerk of the house of representatives or the secretary of the
19 senate no later than fifteen calendar days after the effective date of
20 this section. From the nominations, the speaker of the house of
21 representatives and the president of the senate shall appoint people
22 from various regions of the state. Appointments to the committee shall
23 be completed within thirty calendar days after the effective date of
24 this section.

25 (3) Members of the committee shall serve without compensation. A
26 member representing a state agency shall be reimbursed, by his or her
27 employing agency or office, for travel expenses in accordance with RCW
28 43.03.050 and 43.03.060. Members of the committee who are members of
29 the legislature shall be reimbursed as provided in chapter 44.04 RCW.
30 All other members of the committee shall be reimbursed by the secretary

1 of the senate or the chief clerk of the house of representatives, or by
2 both jointly, as provided in RCW 43.03.050 and 43.03.060.

3 (4) At the initial meeting of the committee, the members of the
4 committee shall elect a chair from among themselves. The chair shall
5 preside over the meetings of the committee. The committee may organize
6 itself into subcommittees as necessary to carry out the study described
7 in section 2 of this act.

8 (5) The committee shall hold public meetings to inform the public
9 about the study, and to receive public comment on a draft report of its
10 findings and recommendations.

11 (6) The committee shall submit its recommendations in its final
12 report.

13 (7) The committee shall submit a written report of its findings and
14 recommendations to the legislature no later than December 31, 1992.
15 State agencies shall seriously consider the recommendations developed
16 by the committee that can be implemented without additional
17 legislation.

18 (8) The committee shall expire December 31, 1992.

19 NEW SECTION. **Sec. 4.** The committee created in section 2 of
20 this act shall be provided staff support by the senate and the house of
21 representatives.

22 NEW SECTION. **Sec. 5.** Sections 2 through 4 of this act shall
23 expire June 30, 1993.

24 NEW SECTION. **Sec. 6.** For the purposes of sections 1 and 2 of
25 this act, "anadromous fish" means those species of fish, commonly
26 referred to as salmon and steelhead, that spend a portion of their life
27 cycle in saltwater.

1 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and shall take
4 effect immediately.