
SENATE BILL 5078

State of Washington **53rd Legislature** **1993 Regular Session**

By Senators Owen, Oke, Sheldon, McDonald, Sutherland and Erwin

Read first time 01/12/93. Referred to Committee on Natural Resources.

1 AN ACT Relating to Hood Canal fisheries; adding a new section to
2 Title 77 RCW; and adding a new chapter to Title 75 RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that anadromous salmon
5 and trout runs have greatly declined in the Hood Canal region. In
6 particular, Hood Canal origin naturally spawning coho salmon stocks
7 have required cutbacks on intercepting fisheries in order to assure
8 their survival. These cutbacks have seriously decreased the
9 opportunities for salmon fishing in Washington coastal, Straits of Juan
10 de Fuca, and Puget Sound areas. Restoration of naturally spawning coho
11 salmon and all other anadromous fish runs in Hood Canal would greatly
12 benefit Hood Canal fisheries and many other Washington state fisheries.

13 The objective of this chapter and section 8 of this act is to
14 improve the survival of all wild stocks of anadromous salmon and trout
15 that originate in Hood Canal. It is important to assure that every
16 stock of anadromous salmonid is able to sustain a healthy population
17 that meets or exceeds spawning escapement goals.

1 NEW SECTION. **Sec. 2.** The department shall investigate the
2 opportunities for salmonid habitat improvement in Hood Canal
3 tributaries. Specific emphasis shall be placed on determining the
4 limiting factors on salmonid natural spawning and rearing success.
5 Corrective elements shall be identified, such as, but not limited to,
6 stream blockages to fish migration, causes of gravel bed siltation,
7 inadequate stream flows, insufficient spawners, poaching, predation,
8 lack of proper rearing habitat, and human-caused watershed alterations.
9 The department shall prepare estimates of the necessary funding for
10 habitat restoration on Hood Canal tributaries and shall submit them
11 periodically, as needed, to the proper legislative committees.

12 NEW SECTION. **Sec. 3.** The department shall modify the methods of
13 commercial salmon fishing that are allowed in Hood Canal waters in
14 order to achieve full escapement of naturally spawning salmonids, while
15 fully harvesting hatchery stocks. Selective harvest methods shall be
16 evaluated in order to determine which currently available technologies
17 are feasible, or if new methods are needed

18 Lethal capture methods, such as gill nets, are prohibited.

19 Fishing methods that have a potential to be used selectively, such
20 as purse seines, fish wheels, and traps may be approved for use by the
21 department.

22 The department may approve experimental commercial fishing gear for
23 testing as a selective harvest method.

24 Commencing in the 1995 fishing season, only the commercial fishing
25 methods proven to guarantee no harm to naturally spawning salmonids
26 shall be allowed for use in Hood Canal waters.

27 NEW SECTION. **Sec. 4.** Nothing in this chapter or section 8 of this
28 act shall be construed as affecting any existing treaty Indian fishing
29 right. The department is instructed to cooperate with Indian tribes in
30 order to achieve the purposes of this chapter and section 8 of this
31 act.

32 NEW SECTION. **Sec. 5.** The department shall investigate the
33 feasibility of conspicuous external marking of all hatchery chinook and
34 coho salmon produced in Hood Canal rearing facilities. The objective
35 of marking all hatchery chinook and coho salmon is to provide for

1 enhanced catch and release fisheries where hatchery fish are retained
2 for consumption and wild fish are released unharmed.

3 NEW SECTION. **Sec. 6.** Wild stocks of salmon and trout may benefit
4 from technological approaches that supplement weak populations with
5 hatchery-produced fish of the correct genetic stocks. Both the
6 department of fisheries and the department of wildlife shall identify
7 weak stocks that may benefit from human assistance.

8 NEW SECTION. **Sec. 7.** The department shall work in cooperation
9 with the national marine fisheries service and the department of
10 wildlife to assess the need for sea mammal control measures to assure
11 survival of wild salmonids and to achieve a proper ecological balance
12 between marine mammals and weak naturally spawning salmonids.

13 NEW SECTION. **Sec. 8.** A new section is added to Title 77 RCW to
14 read as follows:

15 The steelhead trout and sea-run cutthroat trout stocks of Hood
16 Canal have considerable potential for increased populations. Selective
17 harvest methods applied in commercial salmon fisheries will increase
18 the escapement of anadromous trout and improve their survival.

19 Additional efforts are necessary to improve Hood Canal anadromous
20 trout fisheries. The department shall review the anadromous trout
21 programs on Hood Canal and identify areas where stocks can be enhanced
22 to improve fisheries.

23 NEW SECTION. **Sec. 9.** Sections 1 through 7 of this act shall
24 constitute a new chapter in Title 75 RCW.

25 NEW SECTION. **Sec. 10.** If any provision of this act or its
26 application to any person or circumstance is held invalid, the
27 remainder of the act or the application of the provision to other
28 persons or circumstances is not affected.

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