

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 1499

Chapter 86, Laws of 2001

57th Legislature
2001 Regular Legislative Session

MARINE FIN FISH AQUACULTURE

EFFECTIVE DATE: 7/22/01

Passed by the House March 12, 2001
Yeas 94 Nays 0

FRANK CHOPP
Speaker of the House of
Representatives

CLYDE BALLARD
Speaker of the House of
Representatives

Passed by the Senate April 6, 2001
Yeas 46 Nays 0

BRAD OWEN
President of the Senate

Approved April 19, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1499** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 19, 2001 - 4:51 p.m.

Secretary of State
State of Washington

SECOND SUBSTITUTE HOUSE BILL 1499

Passed Legislature - 2001 Regular Session

State of Washington

57th Legislature

2001 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Jackley, Buck, Rockefeller, Eickmeyer, Sump, Doumit, Pennington and Dunn)

Read first time 03/08/2001. Referred to Committee on .

1 AN ACT Relating to the regulation of marine fin fish aquaculture by
2 the department of fish and wildlife; and adding a new chapter to Title
3 77 RCW.

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

5 NEW SECTION. **Sec. 1.** Marine aquaculture net pen facilities in
6 Washington state have accidentally released Atlantic salmon into Puget
7 Sound. It is necessary to minimize escapes through the implementation
8 of statewide prevention measures.

9 NEW SECTION. **Sec. 2.** For the purposes of this chapter, "marine
10 aquatic farming location" means a complete complex that may be composed
11 of various marine enclosures, net pens, or other rearing vessels, food
12 handling facilities, or other facilities related to the rearing of
13 Atlantic salmon or other fin fish in marine waters. A marine aquatic
14 farming location is distinguished from the individual facilities that
15 collectively compose the location.

16 NEW SECTION. **Sec. 3.** The director, in cooperation with the marine
17 fin fish aquatic farmers, shall develop proposed rules for the

1 implementation, administration, and enforcement of marine fin fish
2 aquaculture programs. In developing such proposed rules, the director
3 must use a negotiated rule-making process pursuant to RCW 34.05.310.
4 The proposed rules shall be submitted to the appropriate legislative
5 committees by January 1, 2002, to allow for legislative review of the
6 proposed rules. The proposed rules shall include the following
7 elements:

8 (1) Provisions for the prevention of escapes of cultured marine fin
9 fish aquaculture products from enclosures, net pens, or other rearing
10 vessels;

11 (2) Provisions for the development and implementation of management
12 plans to facilitate the most rapid recapture of live marine fin fish
13 aquaculture products that have escaped from enclosures, net pens, or
14 other rearing vessels, and to prevent the spread or permanent escape of
15 these products;

16 (3) Provisions for the development of management practices based on
17 the latest available science, to include:

18 (a) Procedures for inspections of marine aquatic farming locations
19 on a regular basis to determine conformity with law and the rules of
20 the department relating to the operation of marine aquatic farming
21 locations; and

22 (b) Operating procedures at marine aquatic farming locations to
23 prevent the escape of marine fin fish, to include the use of net
24 antifoulants;

25 (4) Provisions for the eradication of those cultured marine fin
26 fish aquaculture products that have escaped from enclosures, net pens,
27 or other rearing vessels found spawning in state waters;

28 (5) Provisions for the determination of appropriate species,
29 stocks, and races of marine fin fish aquaculture products allowed to be
30 cultured at specific locations and sites;

31 (6) Provisions for the development of an Atlantic salmon watch
32 program similar to the one in operation in British Columbia, Canada.
33 The program must provide for the monitoring of escapes of Atlantic
34 salmon from marine aquatic farming locations, monitor the occurrence of
35 naturally produced Atlantic salmon, determine the impact of Atlantic
36 salmon on naturally produced and cultured fin fish stocks, provide a
37 focal point for consolidation of scientific information, and provide a
38 forum for interaction and education of the public; and

1 (7) Provisions for the development of an education program to
2 assist marine aquatic farmers so that they operate in an
3 environmentally sound manner.

4 NEW SECTION. **Sec. 4.** Rules to implement this act shall be adopted
5 no sooner than thirty days following the end of the 2002 regular
6 legislative session. The director shall provide a written report to
7 the appropriate legislative committees by January 1, 2003, on the
8 progress of the program.

9 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
10 a new chapter in Title 77 RCW.

Passed the House March 12, 2001.

Passed the Senate April 6, 2001.

Approved by the Governor April 19, 2001.

Filed in Office of Secretary of State April 19, 2001.