

SENATE BILL 6007

State of Washington 60th Legislature 2007 Regular Session

By Senators Morton, Rasmussen, Shin and Hatfield

Read first time 02/13/2007. Referred to Committee on Agriculture & Rural Economic Development.

1 AN ACT Relating to protection of livestock; amending 2006 c 372 s
2 307 (uncodified); making an appropriation; and declaring an emergency.

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

4 **Sec. 1.** 2006 c 372 s 307 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

7	General Fund--State Appropriation (FY 2006)	\$46,692,000
8	General Fund--State Appropriation (FY 2007)	\$46,856,000
9	General Fund--Federal Appropriation	\$49,100,000
10	General Fund--Private/Local Appropriation	\$36,089,000
11	Off-Road Vehicle Account--State Appropriation	\$392,000
12	Aquatic Lands Enhancement Account--State	
13	Appropriation	\$5,820,000
14	Recreational Fisheries Enhancement--State	
15	Appropriation	\$3,753,000
16	Warm Water Game Fish Account--State Appropriation	\$2,904,000
17	Eastern Washington Pheasant Enhancement	
18	Account--State Appropriation	\$750,000
19	Wildlife Account--State Appropriation	\$61,946,000

1	Wildlife Account--Federal Appropriation	\$33,029,000
2	Wildlife Account--Private/Local Appropriation	\$10,386,000
3	Game Special Wildlife Account--State Appropriation	\$2,883,000
4	Game Special Wildlife Account--Federal Appropriation	\$8,863,000
5	Game Special Wildlife Account--Private/Local	
6	Appropriation	\$469,000
7	Public Safety and Education Account--State	
8	Appropriation	\$588,000
9	Environmental Excellence Account--State Appropriation	\$15,000
10	Regional Fisheries Salmonid Recovery	
11	Account--Federal Appropriation	\$2,755,000
12	Oil Spill Prevention Account--State Appropriation	\$1,043,000
13	Oyster Reserve Land Account--State Appropriation	\$411,000
14	Aquatic Invasive Species Prevention Account--State	
15	Appropriation	\$528,000
16	Pension Funding Stabilization Account--State	
17	Appropriation	\$248,000
18	TOTAL APPROPRIATION	\$315,520,000

19 The appropriations in this section are subject to the following
20 conditions and limitations:

21 (1) As described in section 129(7) of this act, the department
22 shall make recommendations and report on monitoring activities related
23 to salmon recovery.

24 (2) \$1,556,714 of the general fund--state appropriation for fiscal
25 year 2006 and \$1,556,713 of the general fund--state appropriation for
26 fiscal year 2007 are provided solely for the implementation of the
27 Puget Sound conservation and recovery plan and agency action items DFW-
28 01 through DFW-06, DFW-08 through DFW-12, and DFW-16.

29 (3) \$225,000 of the general fund--state appropriation for fiscal
30 year 2006 and \$225,000 of the general fund--state appropriation for
31 fiscal year 2007 are provided solely for the implementation of hatchery
32 reform recommendations defined by the hatchery scientific review group.

33 (4) The department shall support the activities of the aquatic
34 nuisance species coordination committee to foster state, federal,
35 tribal, and private cooperation on aquatic nuisance species issues.
36 The committee shall strive to prevent the introduction of nonnative
37 aquatic species and to minimize the spread of species that are
38 introduced.

1 (5) The department shall emphasize enforcement of laws related to
2 protection of fish habitat and the illegal harvest of salmon and
3 steelhead. Within the amount provided for the agency, the department
4 shall provide support to the department of health to enforce state
5 shellfish harvest laws.

6 (6) \$180,000 of the wildlife account--state appropriation is
7 provided solely to test deer and elk for chronic wasting disease and to
8 document the extent of swan lead poisoning. Of this amount, \$65,000 is
9 provided solely to document the extent of swan lead poisoning and to
10 begin environmental cleanup.

11 (7) The department shall provide quarterly status reports to the
12 office of financial management regarding the replacement of the
13 Washington interactive licensing system and the implementation of the
14 hydraulic permit management system.

15 (8) The department shall prepare a report detailing the hydraulic
16 permit approval program applications and project types. The department
17 shall coordinate with the office of financial management in determining
18 the contents of the report. At minimum, the report shall include
19 permits by applicant (name, state, local, federal, tribal entity,
20 etc.), project type (pamphlet, minor, medium, major, extension,
21 revision, etc.) and project location (county and water resource
22 inventory area). The department shall submit the report to the office
23 of financial management and legislative fiscal committees no later than
24 September 1, 2006.

25 (9) \$700,000 of the general fund--federal appropriation is provided
26 solely for environmental data quality and access projects in support of
27 state salmon recovery efforts. The department shall coordinate
28 planning and implementation of all activities with the department of
29 information services and the governor's salmon recovery office. The
30 department shall make certain that any activity using these funds is
31 consistent with recommendations to be submitted (per section 405,
32 chapter 488, Laws of 2005) in the joint report to the legislature and
33 office of financial management on December 1, 2006.

34 (10) \$100,000 of the general fund--state appropriation for fiscal
35 year 2006 and \$400,000 of the general fund--state appropriation for
36 fiscal year 2007 are provided solely for a state match to support the
37 Puget Sound nearshore partnership between the department and the U.S.
38 Army Corps of Engineers.

1 (11) \$72,000 of the state wildlife account--state appropriation is
2 provided solely to implement House Bill No. 1211 (multiple season big
3 game permit). If the bill is not enacted by June 30, 2005, the amount
4 provided in this section shall lapse.

5 (12) \$528,000 of the aquatic invasive species prevention account--
6 state appropriation is provided solely to implement Senate Bill No.
7 5699 (preventing and controlling aquatic invasive species and algae).
8 If the bill is not enacted by June 30, 2005, the amounts provided in
9 this subsection shall lapse.

10 (13) \$703,000 of the general fund--state appropriation for fiscal
11 year 2006 is provided solely to purchase six purse seine and three gill
12 net licenses to meet the provisions of the United States/Canada salmon
13 treaty.

14 (14) \$10,000 of the general fund--state appropriation for fiscal
15 year 2006 and \$10,000 of the general fund--state appropriation for
16 fiscal year 2007 are provided solely for chum salmon production at
17 Minter creek hatchery.

18 (15) \$45,000 of the general fund--federal appropriation for fiscal
19 year 2006 and \$45,000 of the general fund--federal appropriation for
20 fiscal year 2007 are provided solely for the management of Canada goose
21 seasons to increase the number of hunting days in southwest Washington.

22 (16) \$46,000 of the wildlife account--state appropriation is
23 provided solely to increase the number of courses providing the hunter
24 education training program created in RCW 77.32.155. The department
25 shall reduce the current backlog of applicants waiting to take the
26 training program and provide for a stable supply of training program
27 courses in order to avoid future backlogs.

28 (17) \$481,000 of the wildlife account--state appropriation is
29 provided solely to continued operation of the Naselle Hatchery during
30 the 2005-07 biennium. This will increase production by 3 million
31 Chinook, 1 million Coho, and 30,000 trout.

32 (18) \$223,000 of the wildlife account--state appropriation is
33 provided solely to implement Senate Bill No. 5227 (wildlife harvest
34 reports). If the bill is not enacted by June 30, 2005, the amount
35 provided in this subsection shall lapse.

36 (19) \$50,000 of the general fund--state appropriation for fiscal
37 year 2007 is provided solely for federal match funding for the control
38 of predators that damage livestock, crops, and property, of which

1 \$25,000 shall be immediately transferred to the United States animal
2 and plant health inspection service as state matching funds to conduct
3 an emergency aerial control program for addressing the predation of
4 baby calves by coyotes, without requiring a permit.

5 (20) \$85,000 of the general fund--state appropriation for fiscal
6 year 2007 is provided solely for the department to produce educational
7 materials discouraging activities that harm or disturb the spawning
8 beds of salmon and steelhead. Discouraged activities include, but are
9 not limited to, wading on spawning beds, driving motor vehicles on
10 spawning beds, use of high-powered jet or propeller-driven boats across
11 spawning beds, dragging anchors through spawning beds, digging or
12 removing gravel from spawning beds, or any other physical disturbance
13 capable of disturbing spawning fish or damaging or destroying nests of
14 incubating eggs.

15 (a) The educational materials produced by the department in
16 accordance with this subsection must include, at a minimum, brochures
17 that are to be disseminated to persons applying for fishing and boating
18 licenses statewide. The department must also distribute the brochures
19 widely to retail outlets that cater to outdoor recreation.

20 (b) The department shall work cooperatively with the tribal fishery
21 comanagers in the development of the educational materials under this
22 section.

23 (c) The department shall report to the legislature concerning the
24 effectiveness of this subsection after at least two spawning cycles of
25 salmon and steelhead have occurred.

26 (21) Within the amounts appropriated in this section, by December
27 1, 2006, the department shall:

28 (a) Submit a report detailing the reductions required by omnibus
29 appropriations acts since 1997 for activities supported by the state
30 wildlife fund; and

31 (b) Submit quarterly revenue and expenditure reports for the state
32 wildlife account based on current revenue forecasts to the office of
33 financial management and the fiscal committees of the legislature(~~(+~~
34 ~~and~~)).

35 (22) The department shall assist the office of regulatory
36 assistance in implementing activities consistent with the governor's
37 regulatory improvement program. The department shall support and

1 provide expertise to facilitate, coordinate, and simplify citizen and
2 business interactions so as to improve state regulatory processes
3 involving state, local, and federal stakeholders.

4 (23) \$408,000 of the general fund--state appropriation for fiscal
5 year 2006 is provided solely for fire suppression and remediation
6 activities on department lands and facilities that were impacted during
7 the 2005 fire season. Funding shall be used for seeding, planting
8 vegetation, fertilizing, weed control, and the establishment of water
9 bars and other erosion control measures.

10 (24) \$266,000 of the general fund--state appropriation for fiscal
11 year 2006 and \$214,000 of the state wildlife account--state
12 appropriation are provided solely for the continued operation of the
13 Nemah, Mossyrock, Omak, Colville, Arlington, and Columbia Basin
14 hatcheries during the 2005-07 biennium. Funding shall be used to
15 offset the increased cost of utilities, fuel, fish feed, and mitigation
16 obligations previously funded from local sources. The department shall
17 consult with the appropriate natural resource and fiscal committees of
18 the legislature prior to submitting a 2007-09 budget proposal that
19 changes current hatchery operations, production, and/or maintenance to
20 the office of financial management. Unless specifically authorized by
21 the legislature, the department shall not close any hatchery facility
22 currently in operation.

23 (25) \$43,000 of the general fund--state appropriation for fiscal
24 year 2007 is provided solely to implement Engrossed Substitute Senate
25 Bill No. 5385 (invasive species council). If the bill is not enacted
26 by June 30, 2006, the amount provided in this subsection shall lapse.

27 (26) \$76,000 of the general fund--state appropriation for fiscal
28 year 2007 is provided solely to pay for the added level of fishery
29 sampling and monitoring in the upper Columbia river area as required
30 under the endangered species act and federal court orders.

31 (27) \$50,000 of the general fund--state appropriation for fiscal
32 year 2007 is provided solely for an interagency working group scoping
33 of a study of the sinking of ships as dive attractions. The department
34 of fish and wildlife shall, as approved by the office of financial
35 management, enter into an interagency agreement with the department of
36 natural resources, the state parks and recreation commission, the
37 department of ecology, and the department of community, trade, and
38 economic development to delineate elements of this study. The

1 department of fish and wildlife shall report to the office of financial
2 management and the appropriate committees of the legislature no later
3 than November 15, 2006.

4 (28) \$500,000 of the general fund--state appropriation for fiscal
5 year 2007 is provided solely to increase fish production levels on a
6 statewide basis at state-operated fish hatcheries. By July 31, 2006,
7 the department shall submit to the appropriate policy and fiscal
8 committees of the legislature an implementation plan that outlines in
9 specific detail how the amount provided in this subsection will be
10 spent in order to increase fish production. The plan will include
11 production implementation timelines, increased production goals, by
12 species, at identified hatcheries that will receive financial
13 assistance, and the amount to be retained by the department for
14 administration and overhead costs, including the purchase of any new
15 equipment. By July 31, 2007, the department shall submit to the
16 appropriate policy and fiscal committees of the legislature a report
17 documenting the increased production levels, using fiscal year 2006 as
18 the base year for comparison purposes. If the department is unable to
19 produce the implementation plan by July 31, 2006, the amount provided
20 in this subsection shall lapse.

21 (29) \$75,000 of the general fund--state appropriation in fiscal
22 year 2007 is provided solely for the department to prevent impacts to
23 native species by controlling the nonnative nutria population in Skagit
24 county.

25 (30) \$100,000 of the general fund--state appropriation for fiscal
26 year 2007 is provided solely for the northwest straits commission to
27 remove lost and abandoned fishing nets and crab and shrimp pots that
28 may be dangerous to humans and that unintentionally trap and kill
29 endangered salmon and other aquatic species.

30 (31) \$4,000 of the wildlife account--state appropriation is
31 provided solely to implement House Bill No. 1210 (temporary fishing
32 license). If the bill is not enacted by June 30, 2005, the amount
33 provided in this subsection shall lapse.

34 (32) Within existing appropriations and utilizing all available
35 federal moneys allocated for the crab buy-back program, the department
36 shall develop and implement a crab buy-back program that allows
37 commercial crab fishers the opportunity to sell their licenses back to
38 the state and exit from the crabbing fishery. The department shall

1 report to the office of financial management and the appropriate fiscal
2 committees of the legislature its detailed implementation plan no later
3 than December 1, 2006.

4 (33) \$660,000 of the general fund--federal appropriation is
5 provided solely to initiate a review of the hydraulic project approval
6 permit rules and to undergo a public process for adoption of new or
7 revised rules that may be needed. Upon completion, the department shall
8 complete a habitat conservation plan for the hydraulic project approval
9 program, and shall seek legislative review prior to adoption of new or
10 revised rules.

11 (34) \$125,000 of the state wildlife account--state appropriation is
12 provided to implement Engrossed Senate Bill No. 5232 (turkey tags). If
13 the bill is not enacted by June 30, 2006, the amount provided in this
14 subsection shall lapse.

15 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
16 preservation of the public peace, health, or safety, or support of the
17 state government and its existing public institutions, and takes effect
18 immediately.

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