

# HOUSE BILL REPORT

## HB 1838

---

**As Reported by House Committee On:**  
Agriculture & Natural Resources  
General Government Appropriations

**Title:** An act relating to the creation of a raffle-only limited recreational rainbow trout fishery in Spirit Lake.

**Brief Description:** Creating a raffle-only limited recreational rainbow trout fishery in Spirit Lake.

**Sponsors:** Representatives Orcutt and Blake.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 2/10/09, 2/17/09 [DPS];  
General Government Appropriations: 2/25/09, 2/26/09 [DPS(AGNR)].

**Brief Summary of Substitute Bill**

- Authorizes a raffle-based limited rainbow trout fishery in Spirit Lake.

---

### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Blake, Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kretz, Liias, McCoy, Nelson, Ormsby, Pearson, Van De Wege and Warnick.

**Minority Report:** Do not pass. Signed by 1 member: Representative Jacks, Vice Chair.

**Staff:** Jason Callahan (786-7117)

**Background:**

Spirit Lake is located in the Mount St. Helens National Volcanic Monument, which is managed by the United States Forest Service (USFS). The lake is well within the blast zone of the volcano and was significantly affected by the eruption. Before the eruption, the

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Washington Department of Fish and Wildlife (WDFW) managed a rainbow trout fishery in Spirit Lake. Today, both the USFS and the WDFW conduct annual monitoring of rainbow trout that have returned to the lake.

The WDFW conducts raffles as a way to grant permission to hunt big game and turkeys during certain limited seasons. Licensed hunters may purchase a raffle ticket, but only raffle winners are permitted to participate in the limited season. Raffle tickets may not exceed \$25.

---

**Summary of Substitute Bill:**

The WDFW is authorized to establish a recreational rainbow trout fishery in Spirit Lake. The fishery must be limited in nature with permission to access the fishery based on a raffle distribution. The WDFW must establish procedures and requirements for the management of the fishery. These decisions include whether the fishery is to be catch-and-release only, what gear will be allowed, the open days for the fishery, catch reporting requirements designed to assist with population monitoring, and restrictions on transportation to and on Spirit Lake. The WDFW must coordinate with the USFS in designing, monitoring, and implementing the fishery.

The cost for entering the raffle is to be set by the Fish and Wildlife Commission but may not exceed \$25. Revenue generated from the raffle must be used first to reimburse the costs of conducting the raffle, followed by paying for the fishery itself and purchasing or renting any equipment necessary to facilitate the fishery. Any remaining revenue must be deposited into the State Wildlife Account.

**Substitute Bill Compared to Original Bill:**

The substitute bill adds raffles for securing access to trout fishing on Spirit Lake to the WDFW raffles exempted from the jurisdiction of the State Gambling Commission.

---

**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) Rainbow trout have been growing in the closed system of Spirit Lake since Mount St. Helens erupted in 1980. The fish have grown quite large but are starting to decline in size. The rainbow trout in Spirit Lake need to be managed to ensure a healthy population. A fishery in Spirit Lake will bring significant tourist money into the state, showcase

Washington's natural beauty, and help mitigate the loss of other fishing areas due to the conversion of forestland into other uses.

Despite the decrease in fish size, there is still a window within which Spirit Lake can be a world-class fishing destination. The only comparable rainbow trout fishery is in Alaska. A population sampling opportunity in Spirit Lake was one of the most memorable angling experiences in the memory of the participants. The scenery is beautiful and the overall experience is like no place on Earth. The lake is full of healthy and plentiful trophy rainbow trout.

Recreational fishing groups have worked with the WDFW for more than seven years to obtain access to Spirit Lake. Elk hunters enjoy access to the same part of the Mount St. Helens National Volcanic Monument, and their efforts are very helpful in managing the elk herd. Anglers should be able to play the same role in Spirit Lake, especially since the fishery would be consistent with the management plans of the USFS and the approved elk hunting access rules.

The bill is budget neutral and may even generate a few dollars for the WDFW.

(Opposed) None.

**Persons Testifying:** Representative Orcutt, prime sponsor; Roger Cox, Steve Cushing, Kemper Hall, and Jim Swatosh, Clark-Skamania Flyfishers Association; Craig Lynch, Vancouver Wildlife League; and Craig Burley, Washington Department of Fish and Wildlife.

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

---

## HOUSE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Darneille, Chair; Takko, Vice Chair; McCune, Ranking Minority Member; Hinkle, Assistant Ranking Minority Member; Armstrong, Blake, Dunshee, Hudgins, Kenney, Pedersen, Sells, Short, Van De Wege and Williams.

**Staff:** Owen Rowe (786-7391)

### **Summary of Recommendation of Committee On General Government Appropriations Compared to Recommendation of Committee On Agriculture & Natural Resources:**

No new changes were recommended.

**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) Nobody knows how the fish got back to Spirit Lake after the eruption of Mt. St. Helens, but they've grown to a pretty good size and their population has reached the carrying capacity of the lake. Opening a limited raffle fishery in Spirit Lake will be a good opportunity to fish for 20-inch trout. The harvest would be very limited in order to protect the resource. If this bill passes, the Department of Fish and Wildlife staff would escort eligible anglers to the lake to ensure that fishing gear is sterilized to protect the ecology of the lake. The fiscal note was based on a conservative estimate and revenues could likely be higher than those assumed in the note to the State Wildlife Account. This opportunity could catch on nationally and internationally.

(Opposed) None.

**Persons Testifying:** Tom Davis, Washington Department of Fish and Wildlife.

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