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**HOUSE BILL 2417**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Blake, Walsh, Muri, Buys, and Appleton

AN ACT Relating to southern resident orca recovery; creating new sections; making an appropriation; and providing an expiration date.

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

NEW SECTION. **Sec.**  (1) The legislature finds that the population of orcas that inhabit Washington waters, commonly referred to as southern resident orcas, are a significant cultural and economic resource in the Pacific Northwest and their presence represents a key indicator of a healthy marine environment.

(2) The community of southern resident orcas consists of approximately seventy-six orcas, divided into subgroups, or pods, known as J, K, and L pods. In the spring and summer months, southern resident orcas travel primarily through the inland waters of Washington and British Columbia, a body of water sometimes referred to as the Salish Sea. In winter months, southern resident orcas are known to travel to the coastal waters of the Pacific Ocean between northern California and British Columbia, where they feed on runs of returning salmon. In particular, recent studies have shown that southern resident orcas spend a significant amount of the winter months in the vicinity of the mouth of the Columbia river. Although other populations of orcas may feed on multiple food sources, including marine mammals, southern resident orcas are unique in that their diet consists almost exclusively of salmon, primarily Chinook salmon.

(3) Unfortunately, the population of southern resident orcas is at its lowest level in more than three decades and seven southern resident orcas died in 2016 alone. Southern resident orcas are listed as an endangered species under both federal and state law, as well as under Canada's species at risk act. Recent deaths of southern resident orcas have been attributed to malnutrition and declining southern resident orca populations are believed to be due at least in part to declining salmon populations. Researchers have suggested that southern resident orcas need an abundant, widely available supply of salmon, especially Chinook salmon, throughout the year and throughout the extent of their range.

(4) The legislature finds that a thriving southern resident orca population depends on an abundant supply of salmon, especially Chinook salmon. In order to halt the decline and to begin the recovery of the southern resident orca population, the legislature further finds that it is necessary to enhance salmon populations in Washington by increasing the production of Chinook salmon and other salmon at state hatcheries.

NEW SECTION. **Sec.**  The sum of one million five hundred fifty thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2019, from the general fund to the department of fish and wildlife for the purposes of increasing hatchery production of Chinook salmon and other salmon by ten million fish per year, at the following state-operated hatcheries: Kalama falls, Beaver creek, Naselle, Humptulips, Skookumchuck, and Lake Aberdeen.

NEW SECTION. **Sec.**  (1) A legislative task force on the recovery of southern resident orcas is established. The purpose of the task force is to gather evidence and make recommendations regarding the recovery of southern resident orcas.

(2) The task force must consist of the following members:

(a) Two members from each of the two largest caucuses of the senate, appointed by the president of the senate;

(b) Two members from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(c) A representative from the department of ecology, appointed by the director of the department of ecology;

(d) A representative from the department of fish and wildlife, appointed by the director of the department of fish and wildlife;

(e) One representative from an organization dedicated to the conservation of southern resident orcas;

(f) One representative from an organization dedicated to the conservation of salmon;

(g) One representative from an organization representing businesses reliant on tourism related to southern resident orcas; and

(h) Representatives of two federally recognized Indian tribes, one invited by recommendation of the Northwest Indian fisheries commission, and one invited by recommendation of the Columbia river intertribal fish commission.

(3) One cochair of the task force must be a member of the largest caucus of the house of representatives, and one cochair must be a member of the largest caucus of the senate, as those caucuses existed as of the effective date of this section.

(4) The first meeting of the task force must occur by June 30, 2018.

(5) Staff support for the task force must be provided by the office of program research and senate committee services. The department of ecology and the department of fish and wildlife shall cooperate with the task force and provide information as the cochairs reasonably request.

(6) Within existing appropriations, the expenses of the operations of the task force, including the expenses associated with the task force's meetings, must be paid jointly and in equal amounts by the senate and the house of representatives. Task force expenditures are subject to approval by the house executive rules committee and the senate facility and operations committee. Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(7) By November 15, 2019, the joint legislative task force must make recommendations to the legislature.

(8) The joint legislative task force expires December 31, 2019.

(9) This section expires January 1, 2020.

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