

---

**Agriculture & Natural Resources  
Committee**

---

**HB 2260**

**Brief Description:** Prohibiting the spawning, incubation, and cultivation of Atlantic salmon in the marine waters regulated by the state.

**Sponsors:** Representatives MacEwen, Walsh, Eslick, Macri, Young, Kloba, Pollet and Stokesbary.

**Brief Summary of Bill**

- Prohibits the spawning, incubation, and cultivation of Atlantic salmon in marine waters regulated by the State of Washington.

**Hearing Date:** 1/18/18

**Staff:** Robert Hatfield (786-7117).

**Background:**

Atlantic Salmon.

Aquaculture is the process of growing, farming, or cultivating aquatic products in marine waters or freshwaters. These aquatic products include: plants, such as seaweed; shellfish, such as oysters; and finfish, such as Atlantic salmon (genus *Salmo*). The Washington State Department of Agriculture is directed by statute to provide state marketing support services for the private sector aquaculture industry.

Atlantic salmon are initially hatched and reared in a freshwater environment until they are ready for the marine environment, at which point they are transferred to net pens in marine waters, where they are held until reaching market size.

In Washington, Atlantic salmon are raised in floating commercial net pen facilities located at eight different locations in Puget Sound and the Strait of Juan de Fuca. All eight farms are sited

---

*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.*

on aquatic lands owned by the State of Washington and managed by the Department of Natural Resources.

State Regulation of Marine Finfish Aquaculture - Department of Ecology.

The federal Clean Water Act establishes the National Pollutant Discharge Elimination System (NPDES), which regulates discharges of pollutants to surface waters. In Washington, NPDES permitting authority is delegated to the state, allowing the Department of Ecology (Ecology) to issue NPDES permits. Wastewater discharge permits place limits on the quantity and type of contaminants that may be discharged.

Marine finfish farms that harvest more than 20,000 pounds of fish per year, or that feed more than 5,000 pounds of fish food per month, must obtain an NPDES permit from Ecology.

State Regulation of Marine Finfish Aquaculture - Department of Fish and Wildlife.

The Department of Fish and Wildlife (Fish and Wildlife) plays multiple roles with regard to aquaculture regulation. First, Fish and Wildlife is required to register each aquatic farm, and to maintain a database of aquatic farm registrations. Second, Fish and Wildlife issues live fish transport permits, which are required before transporting or stocking fish. Third, Fish and Wildlife administers an aquaculture permitting program, which addresses escape prevention, reporting, and recapture, among other topics. Fourth, Fish and Wildlife, along with the Department of Agriculture, has developed a disease inspection and control program for aquatic farmers.

Marine Finfish Aquaculture - Additional Guidelines.

The State of Washington (through the Departments of Agriculture, Ecology, and Fish and Wildlife, with assistance from the National Center for Coastal Ocean Science, the Northwest Indian Fisheries Commission, and the Port Gamble S'Klallam Tribe) has begun to research and prepare new guidelines for commercial salmon farms in Washington. The purpose of the guidelines is to build the state's knowledge about the commercial salmon farming industry, deliver science-based planning tools to regulators and industry, and contribute to protecting native Pacific salmon.

Marine Finfish Aquaculture - Accidental Releases.

Several accidental releases of Atlantic salmon have occurred in Washington over the years. These include escapes of approximately 107,000 Atlantic salmon in 1996, approximately 369,000 Atlantic salmon in 1997, approximately 115,000 Atlantic salmon in 1999, and approximately 160,000 Atlantic salmon from a Cypress Island net pen facility in August 2017.

**Summary of Bill:**

It is unlawful to spawn, incubate, or cultivate Atlantic salmon in the marine waters regulated by the state, including Puget Sound, the Strait of Juan de Fuca, and Hood Canal.

The Director of the Department of Fish and Wildlife is directed to adopt new marine finfish aquaculture rules that do not authorize or provide for the spawning, incubation, or cultivation of Atlantic salmon in the marine waters regulated by the state.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.