

SENATE BILL REPORT

SB 6509

As of February 2, 2020

Title: An act relating to increasing the abundance of salmonids in Washington waters.

Brief Description: Increasing the abundance of salmonids in Washington waters.

Sponsors: Senators Rivers, Van De Wege, Short, Ericksen, Hasegawa and Wilson, L.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/30/20.

Brief Summary of Bill

- Directs the Washington Department of Fish and Wildlife to implement a pilot program to build and operate a financially self-supporting fish hatchery in partnership with nonprofit or private organizations at the port of Bellingham.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Jeff Olsen (786-7428)

Background: The Washington Department of Fish and Wildlife (WDFW) operates hatchery facilities throughout the state. WDFW may enter into agreements with partners for the continued operation and management of state-owned salmonid hatcheries located in the Hood Canal Basin. WDFW must accept and review applications from potential partners to manage and operate selected salmonid hatcheries.

Alaska lawmakers authorized private nonprofit corporations to operate salmon hatcheries to rehabilitate the state's depressed salmon fishery in the mid-1970's. According to the Alaska Department of Fish and Game, the hatcheries may use broodstock from wild salmon for production and sell a portion of their returns to pay for operations. Commercial salmon fishermen in Southeast Alaska, Prince William Sound, Cook Inlet, and Kodiak formed regional aquaculture associations to operate hatcheries. Fishermen in these regions pay a self-imposed tax on their landings that help fund the operation of the associations. Other independent private nonprofit corporations, such as the Valdez Fisheries Development

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.

Association, the Douglas Island Pink and Chum Corporation in Juneau, and Armstrong Keta, Inc. on south Baranof Island, also built and operate hatcheries.

Summary of Bill: WDFW shall implement a pilot program to emulate the fish hatchery policies of the state of Alaska with regard to salmon. WDFW may pursue opportunities for partnerships with nonprofit and private organizations to build and operate state-approved fish hatcheries, either independently or in cooperation with WDFW. The objective of the pilot program is to evaluate the development of a system of fish hatcheries that will be financially self-supporting over the long term. WDFW may work with a nonprofit organization devoted to restoring salmon abundance within Marine Area 7 to determine the feasibility of a pilot hatchery at the port of Bellingham. The pilot hatchery may use remote release sites in northern Puget Sound.

WDFW may enter into contracts to produce technical studies and reports necessary to carry out the pilot program, and must consult with governments, agencies, tribes, and other similar entities as appropriate. The Legislature intends to appropriate additional monies in future biennia as necessary to ensure completion of the salmon hatchery authorized in the pilot program.

WDFW must submit a report to the Legislature providing recommendations for legislation related to the state hatchery program that would be necessary to satisfy the state's salmon recovery goals in an efficient and fiscally sustainable manner. The report must include options for privatization, public-private partnerships, and enhancing contributions of salmon for harvesting opportunities and is due to the Legislature by December 1, 2020.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The approach is an innovative solution to bring more fish for orcas, and increase salmon production statewide. While fisheries management in Washington is different than Alaska, including the Boldt decision and endangered species act listings, those concerns can be addressed and the model can also work here. After visiting a state-of-the-art hatchery in Alaska, the idea is to bring that successful approach to hatcheries here to Washington. In Alaska, they use a portion of the value of the fish to pay for the hatchery. Washington does not have sufficient funding to pay for all of their hatchery plans. This approach could be a valuable opportunity for public-private partnerships to help meet the needs of salmon recovery. The benefits of this project include providing food for orcas and other marine mammals, increased fishing opportunities for tribal and non-tribal commercial fisherman, as well as sport anglers.

CON: Treaties are the supreme law of the land. Hatchery fish are treaty fish, and they are what the tribe have left to rely on for food, subsistence, and ceremonial purposes. Tribes are familiar with the model, but do not support it for several reasons including impacts to treaty

fishing rights and co-management, a shortage of broodstock, concern with water rights, and competition with existing hatchery proposals. Proponents should help secure funding and support the current co-manger agreed upon ten-year plan that is the most cost effective and ready to implement. Under U.S. v. Washington, the management plan states that tribes must agree to changes in the hatchery system. This approach would make an already complex system more complex. We should improve the system we have before investing in an approach that is likely not going to work.

OTHER: What makes it complicated is the Endangered Species Act and the complicated legal status with tribal co-managers. The study should be broadened to determine if the approach works or does not work in Washington. WDFW is interested in increasing hatchery production, especially chinook. WDFW sees critical challenges in applying the Alaska cost share model here in Washington. Washington has 15 salmon and steelhead populations that are listed as endangered or threatened. Washington also shares the salmon harvest with 20 treaty tribes in Western Washington who hold legal right to 50 percent percent of the catch. In addition, WDFW must balance the state share of the catch between recreational and commercial fishers. WDFW is interested in scoping the idea along with other tribal co-managers to see if the approach is feasible.

Persons Testifying: PRO: Senator Ann Rivers, Prime Sponsor; Jim Parsons, General Manager, Cooke Aquaculture Pacific; Jack Field, NW Aquaculture Alliance; Mike Hogan, Port of Bellingham.

CON: Lisa Wilson, Lummi Nation Councilmember; Justin Parker, Northwest Indian Fisheries Commission.

OTHER: Tom McBride, WDFW; Eric Kinne, Hatchery Operations, WDFW.

Persons Signed In To Testify But Not Testifying: No one.