
**Agriculture & Natural Resources
Committee**

HB 1951

Brief Description: Regarding the operation and management of salmonid hatcheries.

Sponsors: Representatives Finn, Short, Takko, Walsh, Blake, Johnson, McCune, Pearson, Williams and Van De Wege.

Brief Summary of Bill

- Directs the Washington Department of Fish and Wildlife to establish a program that uses public-private partnerships for the continued operation and management of state-owned salmonid hatcheries now closed or scheduled for closure during the 2009-2011 biennium.

Hearing Date: 2/10/09

Staff: Anna Jackson (786-7190)

Background:

Fish hatcheries have operated in Washington for more than a century, beginning with one hatchery on the Kalama River in 1895. The Washington Department of Fish and Wildlife (Department) currently operates 88 hatcheries throughout the state. Seven salmon hatcheries, however, are proposed for closure in the Governor's 2009-2011 Omnibus Operating Budget, including the Colville, Omak, Arlington, Mossyrock, McKernan, Bellingham, and Palmer Ponds hatcheries.

Summary of Bill:

The Department is directed to establish a program that uses public-private partnerships for the continued operation and management of state-owned salmonid hatcheries now closed or scheduled for closure during the 2009-2011 biennium. To implement the program, 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.

Department must approve applications from private sector partners to manage and operate selected salmonid hatcheries until the Department chooses to resume sole management and operation. The application process must be accelerated for any hatchery currently in operation to ensure ongoing salmon production.

Selection of private sector partners

The Department must develop and apply criteria identifying the appropriateness of a potential private sector partner. The criteria must attempt to ensure that the private sector partner has a long-range business plan. If the partnership agreement is for more than two years, the criteria must include a provision requiring the private partner to be qualified under section 501(c)(3) of the Internal Revenue Code, or meet an equivalent level of organizational legitimacy. The Department must prioritize partnership applications that maximize resumption or continuation of existing hatchery production.

Contents of partnership agreements

All partnership agreements must ensure that the Department maintain full authority and oversight of the selected hatcheries. In addition, partnership agreements may not adversely affect existing state laws, agency rules, hatchery management policy involving species listed under the federal Endangered Species Act, or any applicable tribal hatchery management policy. Finally, all partnership agreements must contain a provision requiring the private sector partner to hold the Department and the State harmless for any civil liability arising from the private partner's participation in the agreement.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.