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HOUSE BILL 2666

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State of Washington

66th Legislature

2020 Regular Session

By Representatives McCaslin, Blake, Dent, Ryu, Chandler, and Young

1 AN ACT Relating to establishing the warm water fishing advisory  
2 group; and amending RCW 77.44.010 and 77.44.040.

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

4 **Sec. 1.** RCW 77.44.010 and 1998 c 191 s 39 are each amended to  
5 read as follows:

6 A warm water game fish enhancement program is created in the  
7 department. The enhancement program shall be designed to increase the  
8 opportunities to fish for and catch warm water game fish including:  
9 Largemouth black bass, smallmouth black bass, channel catfish, black  
10 crappie, white crappie, walleye, yellow perch, and tiger musky. The  
11 program shall be designed to use a practical applied approach to  
12 increasing and improving warm water fishing and the department must  
13 administer the program in consultation with the warm water fishing  
14 advisory group established in RCW 77.44.040 (6). The department shall  
15 use the funds available efficiently to (~~assure~~) ensure the greatest  
16 increase and improvement in the fishing for warm water fish at the  
17 (~~lowest~~) most efficient and effective cost. This approach shall  
18 involve the minimization of overhead and administrative costs and the  
19 maximization of productive in-the-field activities.

1       **Sec. 2.** RCW 77.44.040 and 1996 c 222 s 4 are each amended to  
2 read as follows:

3       (1) The goals of the warm water game fish enhancement program are  
4 to improve the fishing for warm water game fish using cost-effective  
5 management. ~~((Development))~~ These activities include habitat  
6 improvement in existing warm waters as well as potential development  
7 of new ponds and lakes ~~((shall be an))~~ that are important and  
8 integral parts of the program. The department shall work with the  
9 department of natural resources to coordinate the reclamation of  
10 surface mines and the development of warm water game fish ponds.  
11 Improvement of warm water fishing shall be coordinated with the  
12 protection and conservation of cold water fish populations. This  
13 shall be accomplished by carefully designing the warm water projects  
14 to have minimal adverse effects upon the cold water fish populations.  
15 ~~((New))~~ Habitat improvement and new pond and lake development should  
16 have beneficial effects upon wildlife due to the increase in  
17 lacustrine and wetland habitat that will accompany the improvement of  
18 warm water fish habitat. The department shall not develop projects  
19 that will increase the populations of undesirable or deleterious fish  
20 species such as carp, squawfish, walking catfish, and others.

21       (2) Fish culture programs shall be used in conditions where they  
22 will prove to be cost-effective, and may include the purchase of warm  
23 water fish from aquatic farmers defined in RCW 15.85.020.  
24 Consideration should be made for development of urban area  
25 enhancement of fishing opportunity for put-and-take species, such as  
26 channel catfish, that are amenable to production by low-cost fish  
27 culture methods. Fish culture shall also be used for stocking of high  
28 value species, such as walleye, largemouth bass, smallmouth bass, and  
29 tiger musky. Introduction of special genetic strains that show high  
30 potential for recreational fishing improvement, including Florida  
31 strain largemouth bass and striped bass, shall be considered.

32       (3) Transplantation and introduction of exotic warm water fish  
33 shall be carefully reviewed to assure that adverse effects to native  
34 fish and wildlife populations do not occur. This review shall include  
35 an analysis of consequences from disease and parasite introduction.

36       (4) Population management through the use of fish toxicants,  
37 including rotenone or derris root, shall be ~~((an integral))~~ a limited  
38 part of the warm water game fish enhancement program. However, any  
39 use of fish toxicants shall be subject to a thorough review to  
40 prevent adverse effects to cold water fish, desirable warm water

1 fish, and other biota. Eradication of deleterious fish species shall  
2 be a goal of the program.

3 (5) Habitat improvement shall be a major aspect of the warm water  
4 game fish enhancement program. Habitat improvement opportunities  
5 shall be defined with scientific investigations, field surveys, and  
6 by using the extensive experience of other state management entities.  
7 Installation of cover, structure, water flow control structures,  
8 screens, spawning substrate, vegetation control, and other management  
9 techniques shall be fully used. The department shall work to gain  
10 access to privately owned waters that can be developed with habitat  
11 improvements to improve the warm water resource for public fishing.

12 (6) The department shall use the resources of cooperative groups  
13 to assist in the planning and implementation of the warm water game  
14 fish enhancement program. ~~((In the development of the program the))~~  
15 The department shall administer the program in consultation with the  
16 warm water fishing advisory group created in this subsection and  
17 actively involve the organized fishing clubs ~~((that primarily fish~~  
18 ~~for warm water fish))~~ and other warm water advocacy groups, both  
19 local and national, that are interested in growth and improvement of  
20 warm water fisheries and fishing opportunities. The department shall  
21 work with a designated representative chosen by the primary advocacy  
22 groups in Washington state in the formation of the first advisory  
23 group. The department and the representative shall cooperatively  
24 select advisory group members. Those representatives and all future  
25 replacements must be determined by the department and must include  
26 members from recognized recreational fishing and warm water advocacy  
27 groups and organizations regardless of political affiliation. Members  
28 shall provide equitable representation from the various geographic  
29 areas of the state where warm water fishing occurs. The advisory  
30 group must consist of no fewer than five and no more than nine  
31 members at any one time.

32 (7) The warm water fish enhancement program shall be cooperative  
33 between the department and private landowners; private landowners  
34 shall not be required to alter the uses of their private property to  
35 fulfill the purposes of the warm water fish enhancement program. The  
36 director shall not impose restrictions on the use of private  
37 property, or take private property, for the purpose of the warm water  
38 fish enhancement program.

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