

<https://www.courthousenews.com/first-bill-to-help-save-orcas-passed-in-washington-state/>

First Bill to Help Save Orcas Passed in Washington State

April 11, 2019 **KARINA BROWN**

[Facebook](#) [Twitter](#) [Email](#)

An adult female Southern Resident killer whale known as J16 swims with her calf (J50) in September 2015. (NOAA Fisheries/Vancouver Aquarium via AP, File)

(CN) – The first in a series of bills intended to help prevent the extinction of Southern Resident killer whales is headed to the desk of Washington state Gov. Jay Inslee. The measure, which Inslee requested, would protect habitat for the Chinook salmon the whales eat.

[Southern Resident killer whales](#) live in the inland coastal waters near Seattle. Suffering from a lack of their main source of food – threatened Chinook salmon – as well as toxic home waters and a cacophony of ship noise that dampens their ability to hunt and communicate, their population has reached a 30-year low of 74 whales.

Inslee convened a task force in March 2018 to guide state action to prevent the whales' extinction. The task force issued its first-year [recommendations](#) this past November. The following month, Inslee proposed over \$1 billion in state funding to implement the recommendations and asked the Legislature to [introduce bills](#) where necessary to accomplish task force recommendations. [House Bill 1579](#) is the first of a suite of such bills to pass the Legislature, clearing the state Senate on Wednesday night and now awaiting Inslee's

signature. The bill encourages the catch of non-native fish that eat young Chinook salmon as they swim toward the ocean and compete for habitat in Washington's rivers and estuaries, and increases catch limits for bass, channel catfish and walleye. Fishermen will now be required to get a license to catch freshwater smelt, which Chinook eat.

The bill also gives the state an extra tool to regulate projects that could harm fish, increasing fines for violating hydraulic permits on construction projects that “use, divert, obstruct or change the natural flow or bed of any of the salt or fresh waters of the state.” The Washington Department of Fish & Wildlife will be able to issue fines up to \$10,000 per violation, and order work stopped on projects found to be in violation if their proponents refuse to comply with the department's technical guidance.

For landowners who refuse to comply with stop work orders, the department can disapprove future projects for one year or until fines are paid and the project in question complies with the state's hydraulic code – whichever is longer.

Sophia Ressler, staff attorney and Washington wildlife advocate with the Center for Biological Diversity, said the bill is an important step toward protecting Chinook salmon. But Ressler said additional actions are necessary, particularly the management of ocean fisheries off the coast of Washington state which are not currently regulated to account for the dietary needs of Southern Resident killer whales – an issue the group [sued](#) the federal government over April 4. Changing the calculation of ocean fisheries to include orca is one topic on the agenda at this week's meeting of the Pacific Fisheries Management Council.

“Everything that we can do, we should be doing,” Ressler said in a phone interview. “Obviously these orcas are starving right now. We know one of the reasons they are starving is because they don’t have enough prey available. The Chinook habitat this bill protects is critical habitat for an endangered species.

“Whatever we can do to protect that habitat and make sure salmon are having the easiest possible time reproducing and surviving is vital,” she added. “But this isn’t a situation where we only need to do one thing and the problem is solved. We need to do every possible thing.”