



Washington Fish and Wildlife Commission

Special Hatchery Workshops

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Today

- Southern Resident Orca Task Force
- Recommendations & Progress
- WDFW Role and Engagement

2018 Gov Inslee Issued SRKW Executive Order 18-02

- Outlined problem and elevated issue
- Identified immediate recovery actions for state agencies
- Created the Southern Resident Killer Whale Task Force to develop recommendations

JAY INSLEE
Governor



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EXECUTIVE ORDER 18-02

SOUTHERN RESIDENT KILLER WHALE RECOVERY AND TASK FORCE

WHEREAS, Southern Resident Killer Whales (Southern Residents) are an iconic and treasured species in Washington and throughout the Pacific Northwest;

WHEREAS, Southern Residents are classified as endangered in Washington and surrounding waters, under the U.S. Endangered Species Act and in Canada under the Species at Risk Act;

WHEREAS, the population of Southern Residents has declined, from a high of 98 in 1995, to 76 today, which is the lowest number of Southern Residents in more than three decades. Recent science also indicates that many Southern Residents are in poor condition and are struggling to raise calves;

WHEREAS, if Southern Residents were to become extinct, we would suffer an unacceptable loss to our environment, economy, and way of life. We would also lose an essential component of our marine ecosystem and an indicator of the health of our waters;

WHEREAS, Southern Residents hold significant cultural value to native tribes and all Washingtonians;

WHEREAS, Southern Residents, through the whale watching industry alone, contribute as much as \$60 million to the local economy annually and provide hundreds of jobs to the Puget Sound region;

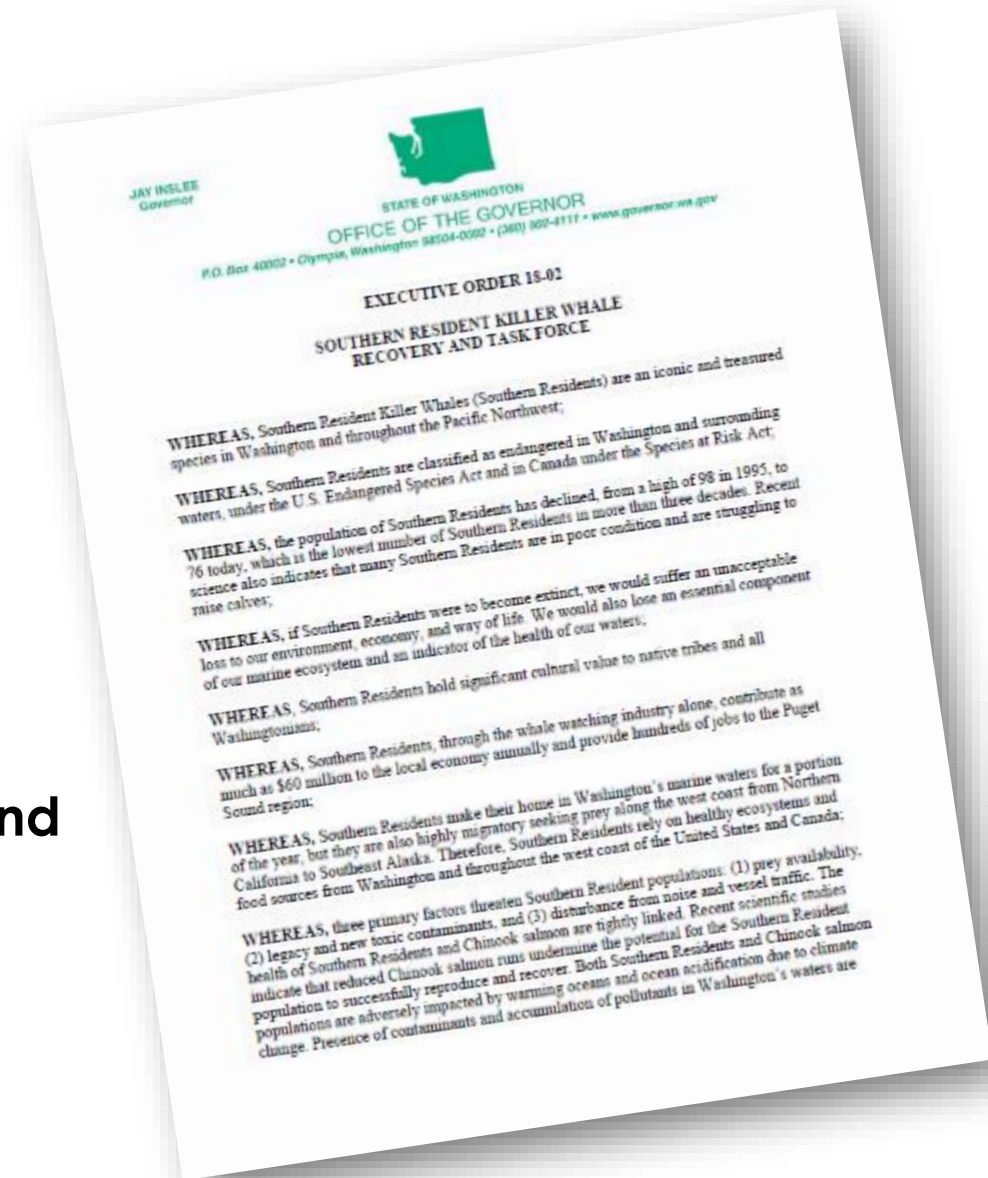
WHEREAS, Southern Residents make their home in Washington's marine waters for a portion of the year, but they are also highly migratory seeking prey along the west coast from Northern California to Southeast Alaska. Therefore, Southern Residents rely on healthy ecosystems and food sources from Washington and throughout the west coast of the United States and Canada;

WHEREAS, three primary factors threaten Southern Resident populations: (1) prey availability, (2) legacy and new toxic contaminants, and (3) disturbance from noise and vessel traffic. The health of Southern Residents and Chinook salmon are tightly linked. Recent scientific studies indicate that reduced Chinook salmon runs undermine the potential for the Southern Resident population to successfully reproduce and recover. Both Southern Residents and Chinook salmon populations are adversely impacted by warming oceans and ocean acidification due to climate change. Presence of contaminants and accumulation of pollutants in Washington's waters are

Executive Order 18-02

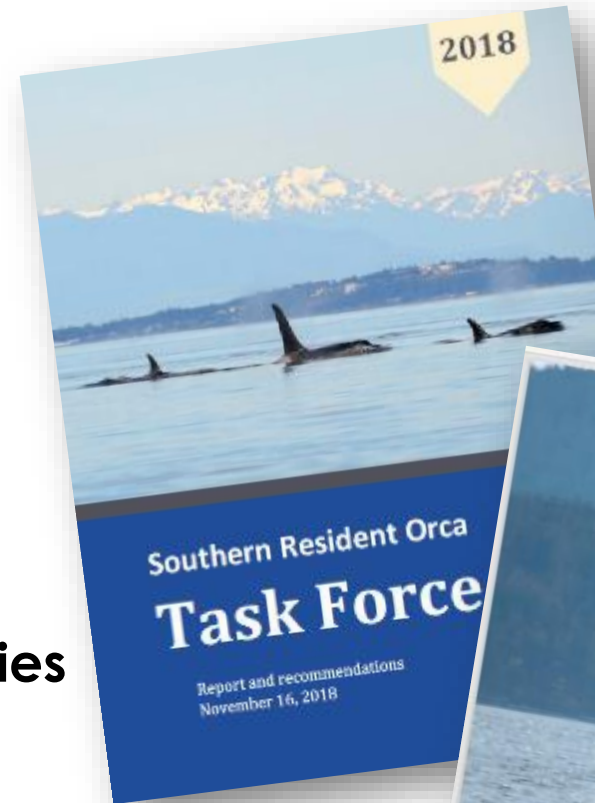
Immediate Actions

- Identify high priority prey areas to focus resources
- Increase enforcement and education
- Quiet ferries
- Demonstrate how Chinook recovery projects benefit SRKW
- **Prioritize outreach efforts to support SRKW**
- **Amend key fishing regulations to protect key areas and fish runs**
- **Limit PCBs in hatchery fish food**
- Develop criteria for stormwater projects that benefit SRKW



Orca Task Force

- **Multiple representatives to create recommendations including:**
 - Tribes
 - legislators
 - State, local and federal & Canadian agencies
 - non-profits
 - Business
- Extensive public comments
- 2 reports with Final Recommendations
- 3 Working Groups: Prey, Vessels, Contaminants



Three Working Groups

Prey, Contaminants, Vessels

- Working Group members included:
 - Tribes
 - legislators
 - State, local and federal & Canadian agencies
 - non-profits
 - Business
 - University scientists
 - Canadian entities



49 Orca Task Force Recommendations



The Washington State Governor's Southern Resident Killer
RECOMMENDATIONS FOR ORCA
www.governor.wa.gov/sites/default/files/OrcaTaskForce_FinalReportandRecommendations_11.07.19.pdf

1 Significantly increase investment in restoration and acquisition of habitat in areas where Chinook stocks meet benefit Southern Resident orcas.	2 Immediately fund acquisition and restoration of nearshore habitat to increase the abundance of forage fish for salmon subsistence.	3 Apply and enforce laws that protect habitat.	4 Immediately strengthen protection of Chinook and forage fish habitat through legislation that enforces existing statutes, agency rulemaking and/or agency policy.	5 Direct investments to encourage voluntary actions to protect habitat.	6 Significantly increase hatchery production and programs to benefit Southern Resident areas consistent with sustainable forage and habitat management, a science based, recovery plan and the Endangered Species Act. Hatchery increases need to be done in concert with significantly increased habitat protection and restoration measures.	7 Prepare an implementation strategy to maximize action on areas above existing plans, increasing prey availability for Southern Resident orcas.
8 Increase investment to benefit Chinook for nearshore habitat.	9 Establish a comprehensive process to restore nearshore habitat.	10 Support habitat implementation and funding of the 2008-20 Pacific Salmon Treaty.	11 Reduce Chinook bycatch in West Coast commercial fisheries.	12 Direct the appropriate agencies to work with tribes and National Oceanic and Atmospheric Administration to determine if targeted habitat work and sea lion protection is a driving factor for Chinook or Puget Sound and along marine mammal coast and increase habitat management actions.	13 Support authorization and other actions to more effectively manage proposed production of salmon in the Columbia River.	14 Reduce populations of sensitive predatory fish species that prey upon or compete with Chinook.
15 Monitor forage fish populations to inform decisions on harvest and management actions that provide for sufficient foodstocks to support increased abundance of Chinook.	16 Support the Puget Sound cooperative sampling program as a Chinook and forage fish management tool.	17 Establish a statewide "for-wild" bubble for small vessels and commercial whale watching vessels within half a nautical mile of Southern Resident orcas.	18 Establish a limited entry whale-watching permit system for commercial whale watching vessels and commercial kayak groups in the inland waters of Washington state to increase abundance and provide refuge opportunities for the orcas.	19 Create an annual Orca Protection Statement for all recreational boaters to ensure all boaters are educated on how to avoid boating impacts to orcas.	20 Increase enforcement capacity and fully enforce regulations on small vessels to provide protection for Southern Resident orcas.	21 Discourage the use of water skiers and underwater divers within 1 kilometer of orcas.
22 Improve shipping noise-reduction initiatives and monitoring programs, coordinating with Canadian and U.S. authorities.	23 Reduce noise from the Washington state ferries by accelerating the transition to quieter and more fuel-efficient vessels and implementing other strategies to reduce ferry noise when Southern Residents are present.	24 Reduce the threat of illegal Puget Sound to the survival of Southern Residents.	25 Coordinate with the Navy's 2019 to discuss regulation of noise and disturbance affecting Southern Resident orcas from military exercises and Navy assets.	26 Revise chapter 77.12.140 RCW to increase the buffer to 400 yards behind the orcas.	27 Increase the number of enforcement personnel to ensure compliance with regulations regarding capacity where possible impacts to orcas.	28 Increase the number of enforcement personnel to ensure compliance with regulations regarding capacity where possible impacts to orcas.
29 Accelerate the implementation of the ban on government agencies to state purchase products and make information available online for other purchasers.	30 Identify priorities and take action on chemicals that impact orcas and their prey.	31 Reduce stormwater threats and accelerate clean-up of illegal dumpsites to orcas.	32 Improve effectiveness, implementation and enforcement of National Pollutant Discharge Elimination System permits to address direct threats to Southern Resident orcas and their prey.	33 Increase monitoring of local tributaries to marine waters, create and deploy adaptive management strategies to reduce threats to orcas and their prey.	34 Provide adequate funding for implementation and enforcement of regulations to reduce threats to orcas and their prey.	35 Conduct research, science and monitoring to inform decision-making on habitat management and actions to recover Southern Resident orcas.
36 Monitor progress of implementation and identify needed animal services.	37 Protect against regulatory gaps in the federal and state waters.	38 Establish a baseline for water quality necessary to protect water quality.	39 Update a baseline Puget Sound Discharge System permit to be advanced wastewater treatment to wastewater treatment plants by 2022.	40 Better align existing permit programs with habitat restoration activities and explore new ways to achieve the necessary stringent water quality reductions.	FUND, MONITOR, ADAPT	
41 Use aggressive, comprehensive and sustained action to reduce human-caused greenhouse gas emissions, with the goal of achieving net-zero emissions by 2050.	42 Increase Washington's ability to absorb, reduce, renewable and offset greenhouse gas emissions.	43 Mitigate the impact of a changing climate by conserving and increasing riparian habitat and freshwater flows.	44 Expand the Governor's Maritime Blue Corps of work and provide funding to implement the plan.	45 Identify and mitigate increased threats to Southern Resident orcas, consistent with the plan to conserve and increase riparian habitat and freshwater flows.	46 FUTURE GROWTH Identify and implement policies, incentives and investments to support economic growth and job creation while protecting and restoring habitat and water quality.	47 Conduct a comprehensive environmental review and take action to minimize potential whale-watching risk and other noise posed by the growing number and distribution of boat traffic and water taxis in Southern Resident orca habitat.

MORE SALMON

LESS NOISE AND DISTURBANCE

LESS POLLUTION

ADDRESS CLIMATE

FUTURE GROWTH



Life After the Task Force

- Task Force sunset after submitting final report to Governor
- 2021 - Orca Recovery Coordinator-Governor's Salmon Recovery Office
- State Agencies
- Coordination with Tribes
- Working Groups & Partners
- Monitoring with PSP
- SRKW Intergovernmental Workgroup
- Budgets, Policy, Activities, Actions
- www.orca.wa.gov



Progress



Budgets to Support Orca Recovery

- **2019-21** **\$700 Million**
- **2021-23** **\$800 Million**
- **2022** Supplemental **\$376 Million**
- **2023-25** **\$1.2 Billion**

Note: Funding does not reflect Department of Transportation culvert injunction for fish passage or electrification of ferries



Goal 1:
Increase
Chinook
abundance.



Prey Progress Highlights:

- Increased Habitat programs and overall funding
- SRKW prey stock prioritization
- PST habitat implementation
- Salmon Strategy Update, workplan and funding
- Focus on increased prey base, including hatchery production



Prey Legislative Progress

- **SB 5273:** Least impactful shoreline armoring
- **HB 1661:** Kelp and Eelgrass Conservation
- **HB 1382:** Permit streamlining bill
- **SB 5381:** Fish passage project streamlining
- **2SHB 1579:** Increase Chinook and other orca prey abundance.
- **HB 1700:** Derelict Vessel Removal
- **SB 5104:** Surveying Puget Sound marine shoreline



Goal 2:
Decrease
vessel and
noise
disturbances.



Vessels Progress Highlights:

- Quiet Sound
- Oil Response
- Distance and speed
- Be Whale Wise
- New distance rules of 1000 yards in 2025
- Implement and streamline Commercial Whale Watching Rules



Vessels Legislative Progress

- **2SSB 5577:** Reduce vessel noise and disturbance.
- **SB 5918:** Whale watching guidelines in boating safety education program.
- **ESB 5330:** Commercial whale watching
- **SB 5371:** Protect SRKW from vessels set distance at 1000 yards
- **5747:** Statewide Oil Spill Plan
- **1691:** Financial responsibility for oil spills
- **ESHB 1578:** Oil transportation safety.



Goal 3:
Reduce
exposure of
orcas and their
prey to
contaminants.



Contaminants Progress:

- Puget Sound General Nutrient Permit
- Toxics in Fish Implementation Strategy
- Chemicals of Emerging Concern priorities
- Puget Sound Toxic Clean up
- Stormwater retrofits (6PPDE)



Photo courtesy of Erin Gless

Legislative Progress- Contaminants:

- **HB 1047:** Safer Products –chemicals in cosmetics
- **SSB 5135:** Toxic pollution prevention
- **HB 1085:** Reduce plastic pollution
- **SB 5369:** Reassess standards for PCBs
- **SSB 5433:** Removal of derelict aquatic structures



Goal 4 : Funding and Accountability

- Track implementation of Task Force recommendations
- Share information with public
- Support the use of the PSP's science framework for the SRKW vital sign



Goal 5 : Climate Change

Goal 6: Population Growth

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- Continue to support funding for monitoring in Puget Sound so we can understand the impacts of climate change and ocean acidification.
 - Support climate resilient solutions to benefit SRKW, salmon, and overburdened communities
 - Policies, incentives and regulations result in net ecological gain



Legislative Progress- Climate & Growth

- **HB 1138, 1170, 1181:** Climate change response
- **SB 5126:** Climate Commitment Act
- **HB 1091:** Clean fuels standard
- **HB 1117:** Salmon and GMA



Looking Forward

Continue work with legislature, agencies, tribes, and partners to:

- Support habitat work and increase of prey
- Decrease vessel disturbance
- Continue contaminant clean up and prevention
- Monitor Progress and Accountability



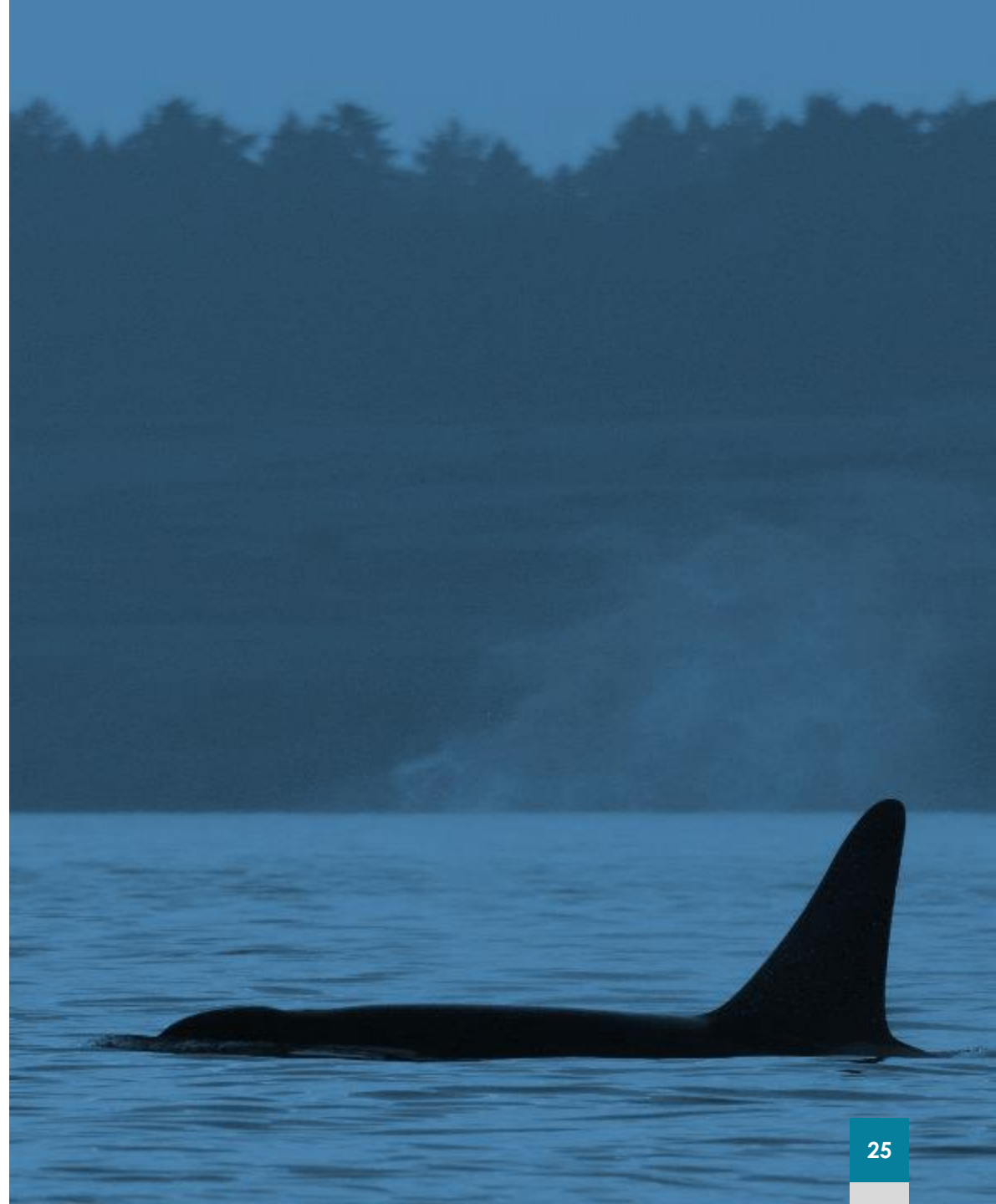


WDFW Engagement



WDFW Highlights for Vessels

- Regulate commercial whale watching
- Adaptive management reports
- New distance law
- Education and Outreach – Be Whale Wise
- Increased enforcement





ADOPTED in ESSB 5371

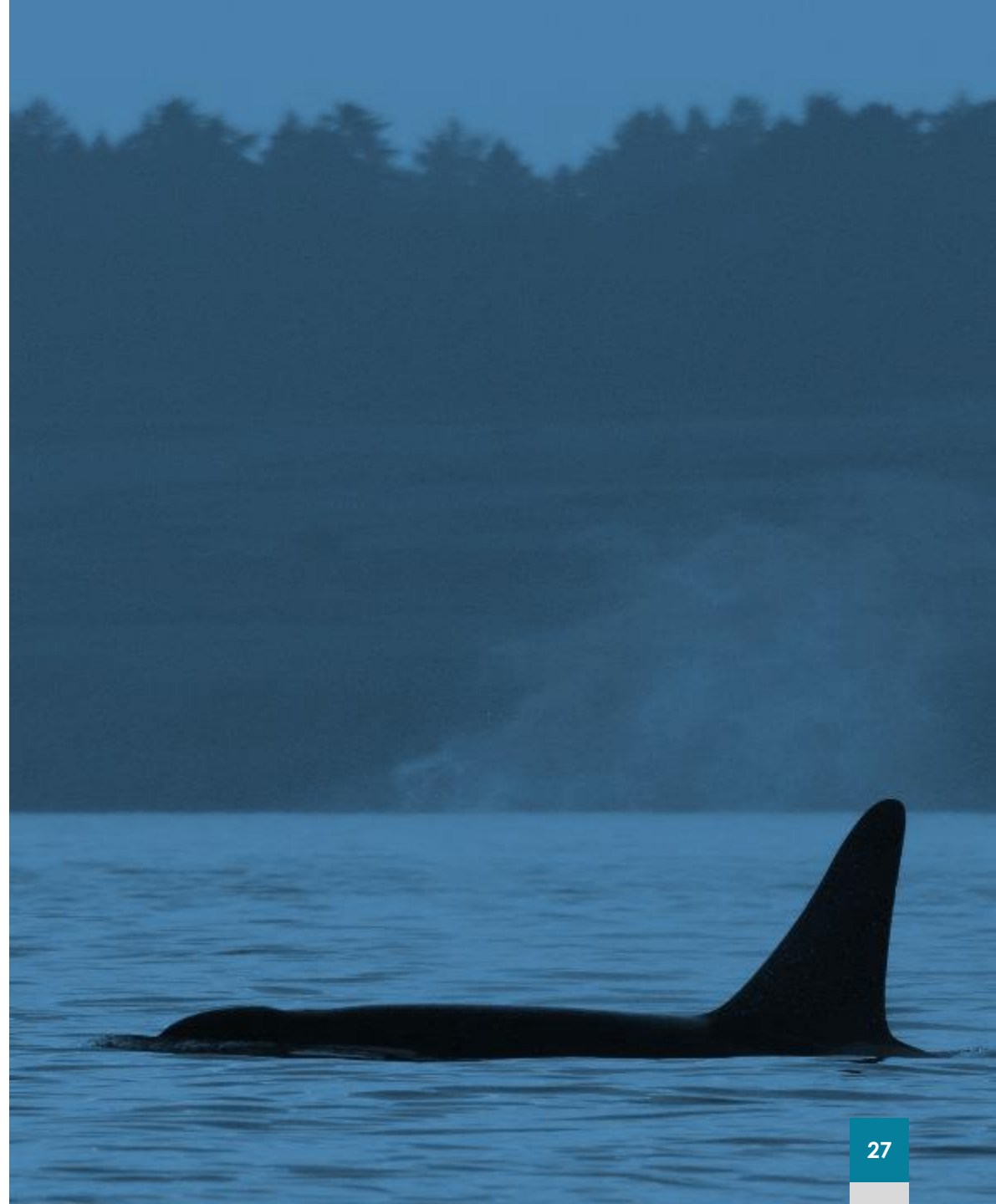
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Vessels Implementation:

- Promote early adoption of 1000 yard setback (-2025)
- Update and Promote Be Whale Wise campaign and messaging and expand outreach – Opportunity: Orca Regulation Communications Advisory Group (ORCA Group)
- Coordinate with NOAA and Canada on evolving regulations aimed at protecting SRKW from vessel impacts.

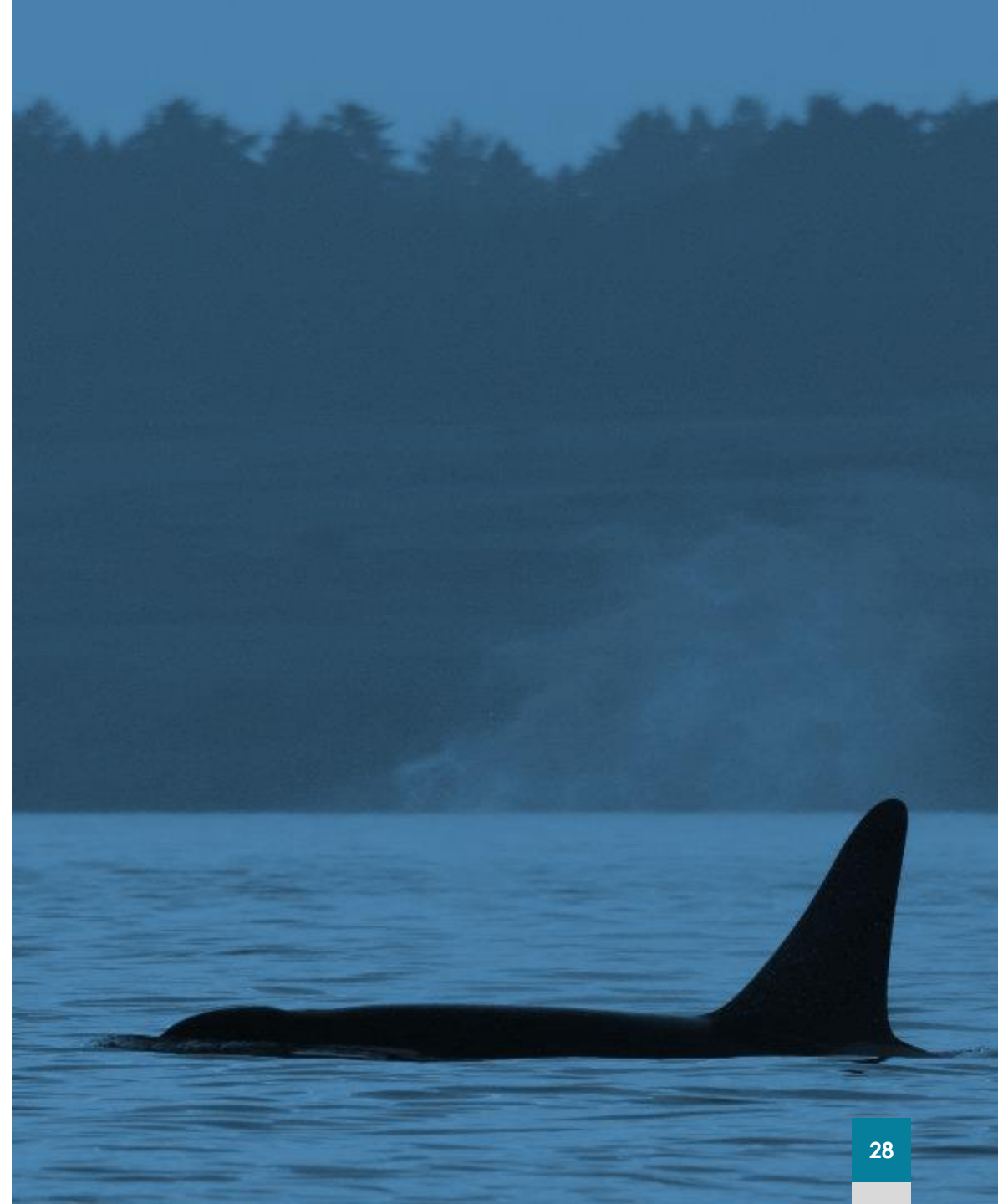
WDFW Highlights for Contaminants

- Track Chemicals of Emerging Concern in the food web
- Identify location and source
- Monitoring polychlorinated biphenyls (PCB) with Department of Ecology
- Oil Spill prevention and response



WDFW Highlights for Prey

- Prey Prioritization for SRKW
 - Fisheries management
 - Habitat projects, including fish passage
- Regulation
 - Strengthen HPA
- Enforcement and education – vessels and harvest
- Habitat restoration and acquisition
- Predation
 - Warm water fish
 - Pinnipeds
- **Hatchery Recommendation**



Orca task force related budget: Prey and hatchery

- **2019-21** **\$700 Million**
 - 57% to Prey (\$400 m)
 - <5% Hatcheries: \$32.7 million
- **2021-23** **\$800 Million**
 - 60% to Prey (\$460 m)
 - 7% Hatcheries: \$57.3 million
- **2022 Supplemental** **\$376 Million**
 - 33% to Prey (\$125 m)
 - <3% Hatcheries: \$10.5 million
- **2023-25** **\$1.2 Billion**
 - 43% to Prey (\$521 m)
 - <1% Hatcheries \$3.5 million



Note: Funding does not reflect Department of Transportation culvert injunction for fish passage or electrification of ferries

Orca Task Force Recommendation #6

Hatcheries: Provide additional Chinook through increased hatchery production

- **Significantly increase hatchery production and programs to benefit Southern Resident orcas consistent with sustainable fisheries and stock management, available habitat, recovery plans and the Endangered Species Act.**
- **Hatchery increases need to be done in concert with significantly increased habitat protection and restoration measures.**



Hatchery Recommendation Implementation Details from Report



- Align with Co-Managers & ESA and Recovery Requirements
- Manage increases consistent with available habitat & improved habitat to enable survival of hatchery and wild fish stocks
- Conduct ongoing adaptive management & 5-yr comprehensive reviews
- Invest in science and hatchery pilot programs to increase size and survival, adjust run timing to benefit orca, and reduce competition with wild fish.

Thank you

