

JAY INSLEE
Governor



STATE OF WASHINGTON
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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

also linked to the decline of Southern Residents. Key sources of contamination in storm water runoff remain to be addressed and the potential for a catastrophic oil spill continues to threaten Southern Residents and the entire ecosystem of Puget Sound. In addition, increased boat and ship traffic has caused greater underwater noise that interferes with Southern Resident critical feeding and communication;

WHEREAS, both swift near-term actions and effective long-term actions are necessary to recover these iconic and endangered animals. Essential recovery actions that are described in both United States and Canadian federal plans and federally approved regional plans must be implemented through close coordination with all of our partners including state, local, tribal, and Canadian governmental entities and other private sector partners to be successful;

NOW THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the power vested in me by the Constitution and statutes of the state of Washington do hereby order and direct as follows:

Implement Immediate Actions to Benefit Southern Resident Killer Whales

Within existing resources, I ask the following state agencies, in consultation with the appropriate local governments, federal agencies, and tribal governments, to conduct the immediate actions listed below to further the purpose of this Executive Order.

- Washington Department of Fish and Wildlife (WDFW) with review from the Governor’s Salmon Recovery Office (GSRO) and the Puget Sound Partnership (PSP)—By July 31, 2018, identify the highest priority areas and watersheds for Southern Resident prey in order to focus or adjust, as needed, restoration, protection, incentives, hatcheries, harvest levels, and passage policies and programs.
- WDFW and Washington State Parks and Recreation Commission (WSPRC)—By April 30, 2018, develop implementation plans for increased enforcement, outreach and education of vessel regulations as well as enforcement of Chinook fisheries regulations in areas frequented by orcas.
- Washington State Department of Ecology (Ecology)—By April 30, 2018, create a curriculum to improve and increase the number of trainings for vessels in the whale watching industry to become “vessels of opportunity” to assist in the event of an oil spill.
- Washington State Department of Transportation (WSDOT)—By May 31, 2018, develop strategies for quieting state ferries in areas most important to Southern Residents.
- WDFW—By April 30, 2018, review and amend, as needed, 2018 recreational and commercial fishing regulations prioritizing protection of key areas and fish runs for Southern Resident recovery. I will also ask our tribal co-managers, and international and federal fisheries managers to work directly with WDFW and its Commission in developing recommendations for implementing this action.
- WDFW—By April 30, 2018, explore options and develop a proposal to alter fish food used in state hatcheries to limit the amount of Polychlorinated Biphenyls (PCBs) in Southern Resident prey.

- PSP, WDFW, GSRO—By December 15, 2018, demonstrate how Chinook recovery projects benefit Southern Resident recovery, beginning in the 2018 grant round, for the Pacific Coast Salmon Recovery Fund, the Puget Sound Acquisition and Restoration Program, the Estuary and Salmon Restoration program and the Washington Coastal Restoration Initiative.
- PSP, WDFW, GSRO, WSPRC, Washington State Department of Licensing (DOL)—By July 1, 2018, prioritize existing outreach resources to support Southern Resident recovery. Collaborate with the Governor’s Office to develop a public education program and identify needed resources.
- Ecology—By July 31, 2018, develop criteria to prioritize financial assistance beginning in the 2019-21 biennium for storm water projects that benefit Southern Resident recovery.

Establishment of the Southern Resident Killer Whale Task Force

A Southern Resident Killer Whale Task Force is hereby created to identify, prioritize, and support the implementation of a longer term action plan needed for the recovery of Southern Residents and necessary to secure a healthy and sustained population for the future. The plan shall include actions needed to make significant progress in addressing all three of the identified threats to Southern Residents. The Task Force should monitor and evaluate the immediate actions undertaken by state agencies and build upon the progress and effectiveness of that work when developing longer term actions. Where available and applicable, the Task Force should build upon existing state, regional and federal plans.

Members of the Task Force will include directors or their senior designees from the Washington Departments of Agriculture, Commerce, Ecology, Health, and Transportation, as well as the Puget Sound Partnership, the Governor’s Office of Indian Affairs, the Recreation and Conservation Office, and the Governor’s Salmon Recovery Office. I also invite the Department of Fish & Wildlife and its Commission, the Department of Natural Resources, and the Washington State Parks and Recreation Commission to participate on the Task Force as members in full.

I will separately invite representatives of appropriate federal, tribal, and local governments, the private sector and the non-profit sector, to participate in the Task Force. I will invite each Washington legislative caucus to appoint a member to participate in the Task Force.

I shall appoint co-chairs and convene the Southern Resident Killer Whale Task Force (Task Force) beginning in April 2018.

The Task Force shall work with all levels of government and other partners to identify needed policies and programs, recommend priority actions to support recovery efforts, highlight budget needs, and recommend any legislation needed to support this Executive Order. The Task Force shall coordinate their work with appropriate representatives of the Government of Canada, the Province of British Columbia, and the states of Oregon, California, Idaho, and Alaska.

The Task Force shall prepare a comprehensive report and recommendations for recovering Southern Residents, with a full draft due by October 1, 2018, and a final report by November 1, 2018. The report should detail ongoing and new actions that will address all of the major threats

to Southern Residents, including prey availability, legacy and ongoing toxic contaminants, and disturbance from noise and vessel traffic. A second report outlining the progress made, lessons learned, and outstanding needs shall be completed by October 1, 2019. With the submission of its second report, the Task Force shall dissolve.

I direct the Puget Sound Partnership and ask the Department of Fish and Wildlife to organize the necessary agency experts and staff to support the work of the Task Force. The Governor's Policy Office and the Office of Financial Management will provide assistance and guidance to the lead agencies as needed to ensure the success of the Task Force.

The Governor's Office will work with both the State Legislature and State Congressional delegation to solicit their early and ongoing advice and guidance.

The Southern Resident Killer Whale Task Force shall conduct its business in an open, transparent manner, and its meetings will be open to the public.

Signed and sealed with the official seal of the state of Washington on this 14th day of March, 2018, at Olympia, Washington.

By:

/s/

Jay Inslee
Governor

BY THE GOVERNOR:

/s/

Secretary of State