

# Washington State Sued over Termination of Salmon Farming Lease

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- As previously reported on this [blog](#) last month, Washington State Department of Natural Resources (DNR) announced the termination of Cooke Aquaculture Pacific's Port Angeles net pen lease for salmon farming. Canadian-based Cooke Aquaculture (Cooke) filed a lawsuit in Clallam County Superior Court on January 4, 2018, claiming that the decision to terminate the lease was based on erroneous and outdated information about the condition of the facility, and that closing the net pen operations will result in the loss of jobs.
- As background, DNR approved the transfer of the lease to Cooke in 2016 when it purchased Icicle Seafoods. Since the Commissioner of Public Lands at that time "raised no concerns or objections to the manner in which Cooke's predecessor company was managing the leased aquatic area," the announcement to terminate the lease came as a surprise, stated Cooke in a [press release](#).
- Cooke representatives would like to meet with the current Commissioner of Public Lands, Hilary Franz, to discuss the basis for DNR's decision to terminate the Port Angeles net pen operations. However, Cooke Vice President for Public Relations Joel Richardson explained, "While we regret the need to file suit before meeting with the Commissioner, we were required to do so in order to protect the company's legal rights." Hilary Franz issued a [statement](#) on January 5 that stated, in part, "The basis for terminating Cooke Aquaculture's lease at its Port Angeles facility was made clear to the company and the public. My team will vigorously defend the termination against this meritless lawsuit."
- The day after Cooke filed the lawsuit, a bill to address the escape of nonnative fish populations—such as farmed salmon—was introduced in the Washington legislation. [HB 2418](#) would implement a moratorium on new or extensions of leases for net pens for at least two years until a new review and certification process is developed. The review would determine how to protect: the health and safety of Washington waters and marine ecosystems, Pacific salmon health and habitat, and tribal treaty fishing rights. After the moratorium ended, new permits would not be issued unless it could be determined that there would not be any negative impact to those areas.
- In a [press release](#) about the bill, Rep, Mike Chapman (D-Port Angeles) stated, "None of us

want to have Atlantic salmon farmed in our waters, but immediately pulling the rug out from under businesses who have contracts is going to result in immediate litigation and at a huge cost to taxpayers. Instead of picking winners and losers, this bill lets businesses determine their best course of action while the state keeps our waters protected.”

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