

# HOUSE BILL REPORT

## SSB 5056

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As Reported By House Committee On:  
Fisheries & Wildlife  
Appropriations

**Title:** An act relating to seaweed.

**Brief Description:** Regulating seaweed harvesting.

**Sponsors:** Senate Committee on Natural Resources (originally sponsored by Senator Haugen).

**Brief History:**

Reported by House Committee on:  
Fisheries & Wildlife, March 23, 1993, DPA;  
Appropriations, April 3, 1993, DPA(FW & APP).

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### HOUSE COMMITTEE ON FISHERIES & WILDLIFE

**Majority Report:** Do pass as amended. Signed by 7 members: Representatives King, Chair; Sehlin, Assistant Ranking Minority Member; Basich; Chappell; Foreman; Lemmon; and Scott.

**Staff:** Keitlyn Watson (786-7310).

**Background:** Marine aquatic plants in Washington include seaweed, eelgrass, and 600 other species. Over 500 species of seaweed alone exist in Washington's waters. Most are attached to the substrate, but some are free-floating.

Ownership of bedlands and tidelands was granted to Washington at the commencement of statehood. Since then, 60 percent of the tidelands have been sold to private landowners. About 1,400 miles of tidelands and all submerged bedlands are still owned by the state, with the Department of Natural Resources (DNR) as proprietor of most. The State Parks and Recreation Commission also owns some tidelands. Most of the state-owned intertidal areas are along the Strait of Juan de Fuca and the outer coast, which areas support a large part of the state's intertidal seaweed.

There is interest in harvesting seaweed for personal use, as well as commercially. The regulation of marine aquatic plant harvest varies depending on tideland control or ownership.

The DNR regulates the harvest of seaweed for personal use on state-owned aquatic lands, which include tidelands and bedlands. An individual may receive a permit from DNR to take up to 50 pounds annually. DNR currently has a moratorium on commercial harvest of seaweed. Enforcement of the taking of valuable materials from state-owned aquatic lands is the responsibility of law enforcement officers. Violation is a criminal offense.

The Department of Fisheries (WDF) regulates marine aquatic plant harvest indirectly as a component of habitat through its permitting process. Time, place, and manner of marine aquatic plant harvest are not regulated separately.

**Summary of Amended Bill:** The maximum daily wet weight harvest or possession of seaweed for personal use from all public and private tidelands and bedlands is 10 pounds per person. DNR and WDF may establish lower limits if necessary for conservation.

The DNR, in cooperation with WDF and interested parties, is directed to develop a process and budget for an inventory and management plan for all harvestable species of seaweed. The process and budget are to be submitted to the appropriate committees of the Legislature by December 31, 1993. Any state agency retains the authority to prevent harvest of any species of marine aquatic plant from lands under its control, ownership, or management.

**Amended Bill Compared to Substitute Bill:** The amendment 1) corrects a spelling error; 2) applies the seaweed harvest limit to all public lands rather than to state lands only; 3) removes the requirement that a seaweed management plan be developed, requiring instead the development of a process and budget for an inventory and management plan; and 4) removes the penalty provision for exceeding the 10 pound limit. The process and budget are to be developed with interested parties, and submitted to the appropriate committees of the Legislature by December 31, 1993.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Harvest of seaweed on public bedlands and public and private tidelands is uncontrolled, and is an imminent threat to the marine ecosystem. Seaweed is important habitat for marine life. Seaweed is a valuable commodity with many uses. Increasing numbers of Asian immigrants harvest seaweed in what appear to be great

quantities. Regulation, management and enforcement are needed.

**Testimony Against:** (On original bill -- Concerns are substantially addressed in the amendment.) There are problems with the requirement that the Department of Natural Resources develop a management plan: 1) Most of the seaweed harvest that occurs is not occurring on state-owned tidelands or bedlands, and the department can not regulate what happens on lands outside its control; and 2) A study is needed, for which the agency lacks funds, to determine impacts. Work needs to be done to educate recent Asian immigrants on issues relating to seaweed harvesting.

**Witnesses:** Senator Mary Margaret Haugen, prime sponsor (pro); Pat McElroy, Department of Natural Resources (con); and Cyreis Schmitt, Department of Fisheries (neutral. The Department of Fisheries is willing to work with Department of Natural Resources on a management plan).

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#### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass as amended by Committee on Fisheries & Wildlife as further amended by Committee on Appropriations. Signed by 24 members: Representatives Locke, Chair; Valle, Vice Chair; Silver, Ranking Minority Member; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dellwo; Dorn; Dunshee; Jacobsen; Lemmon; Linville; Peery; Rust; Sehlin; Sheahan; Sommers; Stevens; Talcott; Wang; Wineberry; and Wolfe.

**Minority Report:** Without recommendation. Signed by 1 member: Representative G. Fisher.

**Staff:** Susan Nakagawa (786-7145).

**Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Fisheries & Wildlife:** Language is added establishing a civil fine of \$100 for violating the limit on seaweed harvest. Clarifying language is added that defines marine aquatic plants to mean saltwater species.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Unregulated seaweed harvest has led to problems with trespassing on private property and potential

overharvest of a resource. An influx of Asian immigrants has led to a high harvest rate which threatens sensitive ecosystems.

**Testimony Against:** None.

**Witnesses:** Senator Mary Margaret Haugen, prime sponsor (pro); and Anne Morgan, Department of Natural Resources (pro).