

SENATE BILL REPORT

HB 1168

AS REPORTED BY COMMITTEE ON NATURAL RESOURCES, APRIL 2, 1993

Brief Description: Leasing beds of tidal waters.

SPONSORS: Representatives King, Chappell, Basich, Orr, Fuhrman, Flemming, Springer and Wood

HOUSE COMMITTEE ON FISHERIES & WILDLIFE

SENATE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass as amended.

Signed by Senators Owen, Chairman; Amondson, Erwin, Franklin, Oke, Sellar, and Snyder.

Minority Report: Do not pass.

Signed by Senator Haugen.

Staff: Vic Moon (786-7469)

Hearing Dates: March 31, 1993; April 2, 1993

BACKGROUND:

The Department of Natural Resources (DNR) manages two million acres of state-owned aquatic lands. Aquatic or submerged lands include tidally influenced lands such as tidelands and bedlands, as well as the beds and shores of navigable freshwater bodies. These aquatic lands were granted to Washington State by the federal government in 1889. Almost 45,000 acres of tidelands have been sold by the state to private individuals for commercial cultivation of oysters and clams.

Oysters, clams, mussels, scallops, shrimp and other species located on state-owned aquatic lands fall under the department's management jurisdiction. The department is authorized to lease aquatic lands for cultivating oysters, clams or other edible shellfish, or for other aquaculture use. Commercial oyster and clam cultivation and harvesting is authorized by the department on approximately 4,450 acres of state-owned aquatic lands. The maximum lease length is established by statute and is ten years. Currently, DNR has 163 leases for all types of aquaculture. Under the existing ten-year limit, the department renews 25 to 30 leases per year.

SUMMARY:

The maximum lease length for an aquatic lands lease for the purposes of planting and cultivating oyster beds, cultivating

clams or other edible shellfish, or other aquaculture use is extended from 10 to 30 years.

SUMMARY OF PROPOSED SENATE AMENDMENT:

Both the initial lease period and subsequent lease renewals are extended from ten years to up to 30 years. The 40-acre lease area limit is repealed.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Longer lease periods are needed so aquatic farmers can get financing for projects.

TESTIMONY AGAINST:

Net-pen leases should not be extended since they cause pollution and are not a proper use of aquatic tidelands.

TESTIFIED: Ann Morgan, DNR (pro); Bill Taylor, oyster growers (pro); Dan Swecker, Washington Fish Growers Association (pro); Margaret Johnson (con)