

SENATE BILL REPORT

SHB 1169

AS REPORTED BY COMMITTEE ON WAYS & MEANS, APRIL 5, 1993

Brief Description: Regulating marine finfish rearing facilities.

SPONSORS: House Committee on Fisheries & Wildlife (originally sponsored by Representatives King, Basich, Orr, Fuhrman, Chappell and Wood)

HOUSE COMMITTEE ON FISHERIES & WILDLIFE

HOUSE COMMITTEE ON APPROPRIATIONS

SENATE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass.

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

Staff: Erika Lim (786-7488)

Hearing Dates: March 22, 1993

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Rinehart, Chairman; Bauer, Bluechel, Cantu, Gaspard, Hargrove, Hochstatter, Jesernig, McDonald, Moyer, Niemi, Owen, Pelz, Quigley, L. Smith, Snyder, West, Williams, and Wojahn.

Staff: Michael Groesch (786-7715)

Hearing Dates: April 5, 1993

BACKGROUND:

There are approximately 14 floating commercial salt water net pen facilities in the state. Finfish are held in these net pens until they are large enough to release or sell.

Under the federal Clean Water Act, net pen facilities which produce over 20,000 pounds of fish a year must obtain waste discharge permits. The state Department of Ecology oversees this federal permitting process. The state Department of Ecology also oversees the state waste discharge permitting process. It issues a combined state and federal waste discharge permit to qualified facilities. There are currently no standards for the discharge of fish food or fish feces, the types of waste discharged from net pens.

SUMMARY:

The Department of Ecology is directed to adopt rules by October 31, 1994, setting criteria for allowable sediment impacts from net pens. The Department of Ecology is also directed to adopt rules by June 30, 1995, setting standards for waste discharges from net pens.

The Department of Ecology must approve or disapprove state discharge permit applications within 180 days unless more time is needed to comply with SEPA or with public participation requirements that the department may have adopted for the permitting process. The department must notify applicants immediately upon a determination or if SEPA requires that a determination cannot be made within 180 days.

The department may adopt rules to exempt net pens that do not require federal discharge permits from the state permitting requirements.

SUMMARY OF PROPOSED WAYS & MEANS AMENDMENT:

Enactment of the bill is made contingent upon funding in the omnibus budget act.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR (Natural Resources):

Directives to the Department of Ecology will ensure that the problem of net pen waste discharge will be addressed and that permits can then be issued.

TESTIMONY AGAINST (Natural Resources): None

TESTIFIED (Natural Resources): Rep. Dick King; Dan Swecker, Washington Fish Growers Assn. (pro); Cyreis Schmitt, Dept. of Fisheries (pro); Jim Krull, Dept. of Ecology (pro); John Woodring, Washington Fish Growers Assn.

TESTIMONY FOR (Ways & Means):

The Department of Fisheries' future costs relating to sediment monitoring are a result of federal regulations and not a consequence of this bill. Overall, the department's costs will be reduced since the bill allows the Department of Ecology to provide waste discharge permit exemptions for small facilities.

TESTIMONY AGAINST (Ways & Means): None

TESTIFIED (Ways & Means): Representative Dick King (pro); Dan Swecker, WA Fish Growers Assn. (pro)