
Select Committee on Puget Sound

HB 1595

Brief Description: Expanding the protection of shellfish in Puget Sound.

Sponsors: Representatives Appleton, Jarrett, Hunt and Lantz.

Brief Summary of Bill

- Requires the creation of shellfish protection districts and shellfish protection programs for sub-tidal areas containing shellfish, and for shellfish areas at risk of becoming non-fishable.
- Appropriates funds to pay for the creation of the new shellfish protection districts and shellfish protection programs.

Hearing Date: 2/14/07

Staff: Karen Rogers (786-7388).

Background:

The Department of Health (DOH) issues licenses to commercial shellfish operations and certifies shellfish harvest sites. The commercial harvest of shellfish must be from a growing area that is classified as "approved" or "conditionally approved" according to provisions of the National Shellfish Sanitation Program Model Ordinance. Shellfish growing areas that the DOH classifies as "restricted" may be harvested, but only under certain circumstances. Shellfish growing areas that the DOH classifies as "prohibited" may not be harvested either commercially or recreationally.

County legislative authorities (county authorities) are required to create shellfish protection districts and establish shellfish protection programs within 180 days after the DOH closes or downgrades the classification of a tidal shellfish growing area due to nonpoint-source pollution. To date, 12 districts exist, and eight have resulted in classification upgrades and re-openings.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Legislative authorities for the twelve counties surrounding Puget Sound (i.e. Clallam, Island, Jefferson, King, Kitsap, Mason, Pierce, San Juan, Skagit, Snohomish, Thurston, and Whatcom) must establish additional shellfish protection districts and shellfish protection programs than currently exist whenever (1) point-source pollution threatens shellfish-area water quality in tidal shellfish-growing areas, (2) point-source or nonpoint-source pollution threatens water quality in sub-tidal areas, or (3) the DOH determines a shellfish area to be a "shellfish area of concern."

"Shellfish area of concern," which this bill defines, is an area that is currently compliant with existing DOH health standards, but have declining water quality and are at risk of becoming non-fishable.

For those counties that need additional time to establish a taxing or fee district, or a funding account or source to pay for the creation of the additional shellfish protection districts and shellfish protection programs, up to two 30-day extensions are allowed. Furthermore, county legislative authorities are required to implement the shellfish protection programs within 60 days after establishment of the shellfish protection districts and programs.

Funding is provided.

Appropriation: The sum of \$1,000,000 from the aquatic lands enhancement account.

Fiscal Note: Requested on January 29, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.