

SENATE BILL REPORT

SB 5547

As of March 14, 2013

Title: An act relating to addressing ocean acidification by taking action on the recommendations of the governor's blue ribbon panel on ocean acidification.

Brief Description: Addressing ocean acidification by taking action on the recommendations of the governor's blue ribbon panel on ocean acidification.

Sponsors: Senators Ranker, Litzow, Shin and Kline.

Brief History:

Committee Activity: Energy, Environment & Telecommunications: 2/13/13.

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Staff: Jan Odano (786-7486)

Background: Ocean acidification is the term given to the changes in seawater chemistry resulting from the world's oceans absorbing carbon dioxide (CO₂). The ocean absorbs approximately 25 percent of the CO₂ released into the atmosphere. According to the U.S. Environmental Protection Agency, since the beginning of the Industrial Revolution with the rise of burning fossils fuels and changes to land uses activities, it is estimated that the ocean surface acidity has increased by 30 percent.

Ocean acidification slows the development of coral reefs, which provide food and shelter for marine life. Organisms such as clams, oysters, and crabs are threatened by ocean acidification by its interference with their ability to form shells or skeletons.

Former Governor Gregoire created the Washington State Blue Ribbon Panel (Panel) on Ocean Acidification. The Panel was charged with developing recommendations to address ocean acidification by reviewing the current scientific knowledge and identifying needed research and monitoring to increase scientific understanding and improve resource management.

The Panel convened in February 2012 and submitted its report named Ocean Acidification: From Knowledge to Action – Washington State's Strategic Response, in November 2012. The Panel found that the marine waters off the coast of Washington State and Puget Sound are vulnerable to ocean acidification. The marine waters are impacted by the deposition of

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CO₂ on the surface waters and upwelling of deep waters rich in naturally occurring CO₂ from biological processes. Runoff of nutrients from land uses and other human activity as well as in flows of fresh water that is naturally lower in pH than seawater affect the acidity of Washington's marine waters. In addition, the Panel reported that clams, oysters, mussels, scallops, crab, and shrimp are an important part of Washington's shellfish industry. The Panel estimates that shellfish aquaculture provides at least 300 jobs and \$270 million to Washington's economy. The wild and hatchery-based seafood industry generates 42,000 jobs and contributes at least \$1.7 billion to the state's economy.

The Panel outlined a comprehensive strategy in the report. The strategy is based on the following main points:

- reduce emissions of CO₂;
- reduce local land-based contributions to ocean acidification;
- increase our ability to adapt to and remediate the impacts of ocean acidification;
- invest in Washington's ability to monitor and investigate the causes and effects of ocean acidification;
- inform, educate, and engage stakeholders, the public, and decision-makers in responding to ocean acidification; and
- maintain a sustainable and coordinated focus on ocean acidification at all levels of government.

Former Governor Gregoire submitted a proposed 2013-15 budget that would provide \$3.31 million to the University of Washington (UW), the Department of Ecology (Ecology), and the Department of Natural Resources to begin implementing the Panel's recommendations.

The Growth Management Act (GMA) requires cities and counties to prepare comprehensive plans to address issues such as suburban sprawl, environmental protection, open space and recreation, economic development, and shoreline management. Under GMA, it is not appropriate to extend urban governmental services to rural areas except when necessary to protect basic public health and the environment.

Summary of Bill: The Washington Marine Resources Protection Council (Council) is created within the Office of the Governor. The membership is specified. The Council's duties are to advise the Governor on protection and conservation of ocean resource policies. The Council must: coordinate implementation of measures to mitigate the impacts of ocean acidification; advance the state's ocean and Puget Sound resources policies in national, regional, and west coast multistate forums; and provide a public forum for the discussion of ocean and Puget Sound resources.

In addition, the Council must coordinate state agencies' and local governments' implementation of the Panel's recommendations and other mitigation measures to ocean acidification. The state agencies must work within their existing authorities to implement the recommendations. State agencies and the Council may enter into interagency agreements to assign employees to assist the Council. The Council may form technical or scientific committees to help with its duties.

The Council must work with Ecology to review the state's surface water quality standards to determine if numeric standards for pollutants or parameters associated with ocean acidification should be used.

Under GMA planning requirements, extending urban governmental services is appropriate when necessary to reduce acidifying runoff to marine waters when recommended by Ecology in consultation with the Council.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: Yes.

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

Staff Summary of Public Testimony: PRO: Ocean acidification is a serious problem and the biggest threat to the region. It has already impacted the shellfish industry. There have been huge losses and dramatic effects. The Panel had great deliberations on the subject matter and its policy recommendations are a good way to move forward. The state needs to be proactive and determine its future direction. This covers all issues needed to address conflicts between the various interest groups.

CON: There are concerns with creating another new council, and new bureaucracy to integrate with other agencies. This bill duplicates workgroups already existing with other agencies. There needs to be a representative from business and agriculture on the council. This creates cost drivers for small businesses.

OTHER: Ocean acidification will dramatically affect businesses on the coast. The coastal needs are different than Puget Sound. The coastal needs are buried. There needs to be clarification of the roles and responsibilities.

Persons Testifying: PRO: Jim Jesernig, Pacific Coast Shellfish Growers; Bill Robinson, The Nature Conservancy; Michele Culver, Dept. of Fish and Wildlife; Jody Kennedy, Surfrider Foundation; Bruce Wishart, People for Puget Sound, WA Environmental Council; Miguel Perez, Climate Solutions; Bill Dewey, Taylor Shellfish; Margaret Shepherd, UW.

CON: Brandon Houskeeper, Assn. of WA Business; Dick Sheldon, Northern Oyster; Tom Davis, WA Farm Bureau.

OTHER: Dale Beasley, Columbia River Crab Fishermen's Assn.