

HOUSE BILL REPORT

SB 5778

As Reported by House Committee On:
Puget Sound, Select

Title: An act relating to implementation of shellfish protection programs.

Brief Description: Concerning shellfish protection programs.

Sponsors: Senators Fraser, Rockefeller, Poulsen and Kline; by request of Department of Health.

Brief History:

Committee Activity:

Select Committee on Puget Sound: 3/28/07 [DP].

Brief Summary of Bill

- Requires a county legislative authority to initiate implementation of a shellfish protection program within 60 days after establishment of the shellfish protection program.
- Requires the county legislative authority to submit an annual report describing the status and progress of the shellfish protection program.

HOUSE SELECT COMMITTEE ON PUGET SOUND

Majority Report: Do pass. Signed by 5 members: Representatives Upthegrove, Chair; Eickmeyer, Vice Chair; Rolfes, Vice Chair; O'Brien and Springer.

Minority Report: Do not pass. Signed by 3 members: Representatives Sump, Ranking Minority Member; Walsh, Assistant Ranking Minority Member and Pearson.

Staff: Karen Rogers (786-7388).

Background:

The Department of Health (DOH) issues licenses to commercial shellfish operators 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

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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 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:

County legislative authorities that are required to create shellfish protection districts and establish shellfish protection programs must initiate implementation of these shellfish protection programs within 60 days after they are established. County legislative authorities are also required to consult with the regulating state agencies, submit a copy of their shellfish protection programs to those same agencies, and submit an annual report to the DOH that describes the status and progress of the programs.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) County legislative authorities should be required to begin implementation of shellfish protection programs within 60 days after shellfish protection plans are in place.

Engrossed Second Substitute House Bill 1595 is preferable; however, both bills are acceptable. Passage of a bill addressing implementation of shellfish protection programs is desired, and it is better that Senate Bill 5778 be passed without amendments so that the bill goes directly to the Governor for adoption.

(Opposed) None.

Persons Testifying: Kathleen Drew, Office of the Governor; Gregg Grunenfelder, Department of Health; and Jim Jesernig, Pacific Coast Shellfish Growers.

Persons Signed In To Testify But Not Testifying: None.