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**HOUSE BILL 1153**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Representatives Peterson, Fitzgibbon, Berry, Walen, Bateman, Goodman, Leavitt, Macri, Gregerson, Stonier, Pollet, and Fosse

AN ACT Relating to prohibiting octopus farming; and amending RCW 15.85.020.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 15.85.020 and 2003 c 39 s 7 are each amended to read as follows:

((~~Unless the context clearly requires otherwise, the~~)) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Aquaculture" means the process of growing, farming, or cultivating private sector cultured aquatic products in marine or fresh waters and includes management by an aquatic farmer.

(2) "Aquatic farmer" is a private sector person who commercially farms and manages the cultivating of private sector cultured aquatic products on the person's own land or on land in which the person has a present right of possession.

(3)(a) "Private sector cultured aquatic products" are native, nonnative, or hybrids of marine or freshwater plants and animals that are propagated, farmed, or cultivated on aquatic farms under the supervision and management of a private sector aquatic farmer or that are naturally set on aquatic farms which at the time of setting are under the active supervision and management of a private sector aquatic farmer. When produced under such supervision and management, private sector cultured aquatic products include, but are not limited to, the following plants and animals:

|  |  |
| --- | --- |
| **Scientific Name** | **Common Name** |
| Enteromorpha | green nori |
| Monostroma | awo-nori |
| Ulva | sea lettuce |
| Laminaria | konbu |
| Nereocystis | bull kelp |
| Porphyra | nori |
| Iridaea |  |
| Haliotis | abalone |
| Zhlamys | pink scallop |
| Hinnites | rock scallop |
| Tatinopecten | Japanese or weathervane scallop |
| Protothaca | native littleneck clam |
| Tapes | manila clam |
| Saxidomus | butter clam |
| Mytilus | mussels |
| Crassostrea | Pacific oysters |
| Ostrea | Olympia and European oysters |
| Pacifasticus | crayfish |
| Macrobrachium | freshwater prawn |
| Salmo and Salvelinus | trout, char, and Atlantic salmon |
| Oncorhynchus | salmon |
| Ictalurus | catfish |
| Cyprinus | carp |
| Acipenseridae | Sturgeon |

(b) Private sector cultured aquatic products do not include herring spawn on kelp and other products harvested under a herring spawn on kelp permit issued in accordance with RCW 77.70.210.

(c) Private sector cultured aquatic products do not include octopus and a person may not participate in octopus aquaculture in Washington.

(4) "Department" means the department of agriculture.

(5) "Director" means the director of agriculture.

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