

HOUSE BILL REPORT

HB 1455

*As Reported By House Committee on:
Fisheries & Wildlife*

Title: An act relating to seaweed.

Brief Description: Regulating seaweed harvesting.

Sponsor(s): Representatives Haugen, Wilson, Zellinsky,
R. King, Spanel, R. Meyers, Leonard and Orr.

Brief History:

Reported by House Committee on:
Fisheries & Wildlife, March 1, 1991, DPS;
Fisheries & Wildlife, January 31, 1992, DPS(FW)-A.

**HOUSE COMMITTEE ON
FISHERIES & WILDLIFE**

Majority Report: *Do pass as amended.* Signed by 7 members:
Representatives R. King, Chair; Morris, Vice Chair; Fuhrman,
Assistant Ranking Minority Member; G. Cole; Haugen; Orr; and
Spanel.

Staff: Keitlyn Watson (786-7310).

Background:

CLASSIFICATION OF MARINE AQUATIC PLANTS

Marine aquatic plants in Washington include seaweed, eelgrass, and 600 other species. Over 500 species of seaweed exist in Washington's waters. Most are attached to the substrate, but some are free-floating.

IMPORTANCE OF MARINE AQUATIC PLANTS

As components of the ecosystem, marine aquatic plants are important as primary producers, as habitat, and as contributors to wave hydrodynamics.

As an economic commodity, seaweed is a food used in Japan, Indonesia, and other Asian countries, and by native cultures in the Pacific Northwest. Liquid seaweed extracts are used as soil additives and plant foods. Pharmaceutical products such as agar and carrageenan are produced from seaweed extracts. Phycocolloids are derived from seaweeds. These

substances are used in food and industrial products to make them smooth.

MANAGEMENT OF MARINE AQUATIC PLANTS

Ownership of bedlands and shorelands of tidal areas and freshwater areas was granted to Washington at statehood. Since then, 60 percent of the marine shorelands have been sold to private landowners. About 1400 miles of shorelands and all submerged bedlands are still owned by the state, with the Department of Natural Resources as proprietor. Most of the state-owned intertidal areas are along the Straits of Juan de Fuca and the outer coast, which supports most intertidal seaweed.

Tidelands within the boundaries of parks managed by the State Parks and Recreation Commission are owned and managed in one of several ways. In most cases, the State Parks and Recreation Commission owns and manages these tidelands. In some cases, the Department of Natural Resources owns and manages the tidelands. In some, the Department of Natural Resources owns the tidelands and leases the management to state parks.

Marine aquatic plants attached to state-owned aquatic lands are the property of the state Department of Natural Resources or the State Parks and Recreation Commission, depending on tideland ownership. Marine aquatic plants attached to private tidelands are the property of the private landowner.

REGULATION OF HARVEST

The regulation of marine aquatic plant harvest varies depending on tideland control.

The Department of Natural Resources regulates the harvest of seaweed for personal use on state-owned aquatic lands. An individual may receive a permit from the Department of Natural Resources to take up to 50 pounds annually. The Department of Natural Resources currently has in place a moratorium on commercial harvest of seaweed. Enforcement of the taking of valuable materials from state-owned aquatic lands is the responsibility of law enforcement officers. Violations are a criminal offense.

The Department of Fisheries regulates marine aquatic plant harvest indirectly as a component of habitat through its permitting processes. Time, place, and manner of marine aquatic plant harvest is not regulated independently of its direct impact on a fishery.

Summary of Amended Bill: The maximum daily wet weight harvest or possession of seaweed for personal use from all private and state tidelands and state bedlands is 10 pounds per person. A violation of this limit is a misdemeanor. All law enforcement officers, including fisheries patrol officers, may enforce this law.

The departments of Fisheries and Natural Resources and the State Parks and Recreation Commission are directed to explore the possibility of private funding for marine aquatic plant research.

Amended Bill Compared to Substitute Bill: The substitute bill directs the Department of Natural Resources to regulate harvest of marine aquatic plants on state-owned aquatic lands. The amended bill regulates seaweed harvest on private and state tidelands and state bedlands.

The substitute bill requires the Department of Natural Resources to classify and regulate marine aquatic plants for personal and commercial use. The amended bill sets the harvest limit of seaweed for personal use at 10 pounds per person per day, wet weight.

The substitute bill makes a violation of rules adopted by the Department of Natural Resources an infraction for personal use harvest and a gross misdemeanor for commercial use harvest. The amended bill makes a violation of the personal use harvest limit a misdemeanor.

The amended bill adds a provision that the Department of Fisheries, Department of Natural Resources and the State Parks and Recreation Commission explore the possibility of private funding for marine aquatic plant research.

Fiscal Note: Not requested.

Effective Date of Substitute Bill as Amended: Ninety days after adjournment of the session in which the bill is passed.

Testimony For: (Testimony received on proposed substitute was substantially addressed in striking amendment passed by the committee.) The concept is a good one. It would work if the provisions of the bill were made more simple to administer.

Testimony Against: (Testimony received on proposed substitute was substantially addressed in striking amendment passed by the committee.) Enforcement of existing regulations will resolve the issue of excessive seaweed harvest. The Department of Fisheries does not have the

capability to absorb the additional program that would be required by this bill.

Witnesses: Judith Freeman and Dayna Matthews, Department of Fisheries (opposes); and Stan Biles, Department of Natural Resources (in favor).