

SENATE BILL REPORT

SB 5412

As Passed Senate, March 3, 2009

Title: An act relating to controlling saltwater algae.

Brief Description: Controlling saltwater algae.

Sponsors: Senators Eide, McDermott, Honeyford, Keiser, Jacobsen and Shin.

Brief History:

Committee Activity: Environment, Water & Energy: 2/11/09, 2/13/09 [DP, w/oRec].
Passed Senate: 3/03/09, 31-16.

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Majority Report: Do pass.

Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Delvin, Fraser, Hatfield, Marr, Morton and Ranker.

Minority Report: That it be referred without recommendation.

Signed by Senator Honeyford, Ranking Minority Member.

Staff: Jan Odano (786-7486)

Background: In the Puget Sound, one of the most common forms of seaweed is “sea lettuce.” It is found in almost every nearshore habitat. Overabundance of sea lettuce and its subsequent die-off creates environmental and human health concerns. The decomposing plants in the water create low oxygen conditions, negatively affecting aquatic ecosystems and contributing to “dead zones” in which fish, other aquatic organisms, and plants cannot survive. On the beach, decomposing mats of seaweed accumulated along the shorelines suffocate clams, alter bird habitat, and can emit hydrogen sulfide gas, an odorous by-product of decomposition.

In 2008 the Legislature passed HB 3186, Beach Management Districts. This legislation allows cities and counties to create beach management districts in order to raise funds for the improvement and maintenance of beaches within their boundaries. However, the funding provided by the Legislature was vetoed.

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.

The vessel registration fees provide funding for derelict vessel removal, aquatic invasive species prevention, and freshwater aquatic algae control. The 2005 State Legislature created the Freshwater Aquatic Algae Control Account to provide grants to cities, counties, tribes, special purpose districts, and state agencies to manage excessive freshwater algae. This account is funded by a \$1 fee on the vessel registration.

Summary of Bill: A Saltwater Algae Control Account is created and is funded by \$0.25 from the annual vessel registration application fee. The amount deposited into the Freshwater Algae Control Account is changed from \$1 to \$0.75.

The Department of Ecology may use funds from the account to create a Saltwater Algae Control Grant Program. The grants must be used for capital and operating expenses to manage and study excessive saltwater algae growth with a focus on sea lettuce on Puget Sound beaches.

Ecology may award grants for saltwater algae research and control and for rapid response to emerging incidents and immediate restoration following algal incidents. Ecology may prospectively award grants for research or as reimbursement for rapid response or restoration activities.

Ecology must prioritize grants, when appropriate, to benefit marine waters with significant sea lettuce growth; potential grantees that are able to secure matching funds; and potential grantees that are recognized by the Puget Sound Partnership (Puget Sound partner) as consistently achieving outstanding progress implementing the 2020 Puget Sound Action Agenda. Ecology may only use the Puget Sound partner as a criteria for priority preference for entities eligible to be a Puget Sound partner. Those who are not eligible to be a Puget Sound partner must be accorded the same preference as a Puget Sound partner.

The saltwater algae control account expires June 30, 2012.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This will provide a dedicated funding source to address the issue of decaying seaweed on the beaches in Puget Sound. The redistribution of these funds is fair and equitable to use to address saltwater algae problems.

Persons Testifying: PRO: Senator Eide, prime sponsor; Michale McKasy, Kathy Filbert, City of Federal Way; Linda Koehmar, citizen.