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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

Prefiled 01/05/23. Read first time 01/09/23. Referred to Committee on Agriculture and Natural Resources.

1 AN ACT Relating to prohibiting octopus farming; and amending RCW  
2 15.85.020.

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

4 **Sec. 1.** RCW 15.85.020 and 2003 c 39 s 7 are each amended to read  
5 as follows:

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

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

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

16 (3) (a) "Private sector cultured aquatic products" are native,  
17 nonnative, or hybrids of marine or freshwater plants and animals that  
18 are propagated, farmed, or cultivated on aquatic farms under the  
19 supervision and management of a private sector aquatic farmer or that  
20 are naturally set on aquatic farms which at the time of setting are  
21 under the active supervision and management of a private sector

1 aquatic farmer. When produced under such supervision and management,  
2 private sector cultured aquatic products include, but are not limited  
3 to, the following plants and animals:

4	<b>Scientific Name</b>	<b>Common Name</b>
5	Enteromorpha	green nori
6	Monostroma	awo-nori
7	Ulva	sea lettuce
8	Laminaria	konbu
9	Nereocystis	bull kelp
10	Porphyra	nori
11	Iridaea	
12	Haliotis	abalone
13	Zhlamys	pink scallop
14	Hinnites	rock scallop
15	Tatinopecten	Japanese or weathervane
16		scallop
17	Protothaca	native littleneck clam
18	Tapes	manila clam
19	Saxidomus	butter clam
20	Mytilus	mussels
21	Crassostrea	Pacific oysters
22	Ostrea	Olympia and European oysters
23	Pacifasticus	crayfish
24	Macrobrachium	freshwater prawn
25	Salmo and Salvelinus	trout, char, and Atlantic salmon
26	Oncorhynchus	salmon
27	Ictalurus	catfish
28	Cyprinus	carp
29	Acipenseridae	Sturgeon

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

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

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

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

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