CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1309

Chapter 87, Laws of 2025

69th Legislature
2025 Regular Session

BOTTOM CULTURE SHELLFISH FARMING—IMPACTS OF BURROWING SHRIMP—RESEARCH

EFFECTIVE DATE: July 27, 2025

Passed by the House March 10, 2025
Yeas 94 Nays 1

LAURIE JINKINS

Speaker of the House of Representatives

Passed by the Senate April 9, 2025
Yeas 48 Nays 1

DENNY HECK

President of the Senate

Approved April 21, 2025 9:32 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1309** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 21, 2025

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 1309

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By House Appropriations (originally sponsored by Representatives McEntire, Bernbaum, Griffey, Tharinger, Couture, Walsh, Simmons, Ormsby, Schmick, and Nance)

READ FIRST TIME 02/28/25.

AN ACT Relating to addressing the impacts of burrowing shrimp on bottom culture shellfish farming through integrated pest management research; adding new sections to chapter 15.85 RCW; creating a new section; and providing expiration dates.

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

NEW SECTION. **Sec. 1.** (1) The legislature finds that in 2014, shellfish growers were dealt a significant setback when they lost their primary tool for controlling burrowing shrimp infestations in coastal estuaries. Burrowing shrimp in high densities pose a significant threat to shellfish farming operations and the surrounding aquatic ecosystem, causing damage to shellfish growing areas, negatively impacting productivity, and eliminating the growth of native eelgrass which provides essential habitat for salmonids and Dungeness crab, among other species.

(2) In addition, the legislature finds that since 1963, a control method developed in collaboration with the Washington state department of fish and wildlife had been effectively utilized. However, the phased-out use of carbaryl and the denial of a permit to use imidacloprid by the Washington state department of ecology left growers without crucial pest control measures. Burrowing shrimp infestations on shellfish grounds has led to a reduction in growing

operations due to the absence of an effective control tool, and despite persistent efforts a viable alternative remains elusive.

(3) To address this ongoing crisis, the legislature intends to continue the current collaboration and research efforts and create a program within the Washington state department of agriculture to coordinate research into new and innovative control methods for burrowing shrimp infestations.

(4) This section expires July 1, 2035.

NEW SECTION. **Sec. 2.** A new section is added to chapter 15.85 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department of agriculture shall administer an integrated pest management research program that focuses on addressing the impacts of burrowing shrimp on bottom culture shellfish farming. The program must work towards the following objectives:

(a) Support and recommend funding for research efforts focused on enhancing the resilience and productivity of shellfish farming and the marine ecosystem in the face of burrowing shrimp infestations.

(b) Facilitate and enhance collaboration between researchers, shellfish farmers, regulatory agencies, and relevant stakeholders to ensure permanent, practical, and effective solutions.

(2) To accomplish its objectives, the program must do the following:

(a) Solicit researchers with expertise in marine biology, agriculture, ecology, engineering, and related fields to submit proposals for burrowing shrimp control research projects.

(b) Identify and provide ground for controlled research that explores diverse control methods.

(c) Identify funding mechanisms for future equipment needs based on tool and technology development.

(d) Provide permitting assistance for shellfish growers to use identified control methods.

(3) The governing board created in section 3 of this act is responsible for reviewing research proposals, ensuring transparency and accountability in implementing the program, and guiding the department of agriculture on the expenditure of research grant funds.

(4) Research expenditures may only be spent on projects that support control of burrowing shrimp in Willapa Bay and Grays Harbor.

Any control method that has been demonstrated as ineffective in past studies is not eligible for funding.

(5) This section expires July 1, 2035.

NEW SECTION. **Sec. 3.** A new section is added to chapter 15.85 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the director of the department of agriculture, in collaboration with legislators representing legislative districts that border the Pacific Ocean and an association that supports oyster growers in the Willapa Bay and Grays Harbor region, shall establish a governing board consisting of representatives from the following entities to oversee the research program established in section 2 of this act:

(a) One member each from the departments of agriculture, ecology, natural resources, fish and wildlife, and commerce, and the state conservation commission;

(b) Five shellfish growers of varying sizes located in the Willapa Bay and Grays Harbor region;

(c) Two shellfish processors located in the Willapa Bay and Grays Harbor region;

(d) Shoalwater Bay Indian tribe;

(e) The executive director of an association supporting oyster growers in the Willapa Bay and Grays Harbor region;

(f) One member representing a nonprofit organization that develops and disseminates scientific and technical shellfish-related environmental and health and safety information; and

(g) One member from an ecosystem-based management collaborative in the Willapa Bay and Grays Harbor area, to serve in an ex officio capacity.

(2) The governing board must identify an objective and effective facilitator to moderate meetings and serve as an additional ex officio member.

(3) Members of the governing board must have a clear stake or vested interest in the preservation and sustainability of the shellfish industry, be knowledgeable about the impacts of burrowing shrimp on shellfish farming, and have a special interest in identifying tools to control burrowing shrimp with an emphasis on bottom culture shellfish farming.

(4) The governing board must meet at least quarterly and implement discussion parameters to ensure productive and efficient meetings that focus on bottom culture shellfish farming in coastal estuaries. The governing board must establish a consensus decision-making process whereby the participants develop and decide on proposals with the goal of achieving broad acceptance. In the absence of consensus on any proposal before the governing board, the proposal may be approved by a simple majority of appointed governing board members.

(5) Governing board members are eligible for reimbursement for subsistence, lodging, and travel expenses incurred in the performance of their duties pursuant to RCW 43.03.050.

(6) This section expires July 1, 2035.

Passed by the House March 10, 2025.
Passed by the Senate April 9, 2025.
Approved by the Governor April 21, 2025.
Filed in Office of Secretary of State April 21, 2025.

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