

SENATE BILL REPORT

SHB 1309

As of March 13, 2025

Title: An act relating to addressing the impacts of burrowing shrimp on bottom culture shellfish farming through integrated pest management research.

Brief Description: Addressing the impacts of burrowing shrimp on bottom culture shellfish farming through integrated pest management research.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives McEntire, Bernbaum, Griffey, Tharinger, Couture, Walsh, Simmons, Ormsby, Schmick and Nance).

Brief History: Passed House: 3/10/25, 94-1.

Committee Activity: Agriculture & Natural Resources: 3/17/25.

Brief Summary of Bill

- Directs the Washington State Department of Agriculture to establish an integrated pest management research program to address the impacts of burrowing shrimp on bottom culture shellfish farming in Willapa Bay and Grays Harbor.

SENATE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Staff: Jeff Olsen (786-7428)

Background: The Washington State Department of Agriculture (WSDA) administers the state Pesticide Control Act and Pesticide Application Act. WSDA's activities under both acts include adopting rules requiring the registration and restricted use of pesticides, testing and certifying pesticide applicators, issuing handler and worker pesticide training documentation, and providing technical assistance to pesticide applicators and workers.

The federal Clean Water Act establishes the National Pollutant Discharge Elimination

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System (NPDES), which regulates discharges of pollutants to surface waters. In Washington, NPDES permitting authority is delegated to the state, allowing the Department of Ecology (Ecology) to issue NPDES permits. In addition to delegated NPDES permitting authority, state law provides Ecology with parallel authority to regulate discharges to state waters.

In 2018, Ecology denied a request by shellfish growers to use the pesticide imidacloprid on shellfish beds to control burrowing shrimp in Willapa Bay and Grays Harbor. In 2019, Ecology and the Willapa-Grays Harbor Oyster Growers Association signed a settlement agreement to study and monitor the impacts of burrowing shrimp on commercial oyster and clam harvesting in Willapa Bay and Grays Harbor. In the 2023-25 operating budget, WSDA received \$2 million from the Model Toxics Control Account for research on a suitable replacement for the insecticide imidacloprid to address the impacts of burrowing shrimp on shellfish cultivation in Willapa Bay and Grays Harbor.

Summary of Bill: WSDA must establish and administer an Integrated Pest Management Research Program (Program) that focuses on addressing the impacts of burrowing shrimp on bottom culture shellfish farming. The Program must work towards the following objectives:

- 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; and
- facilitate and enhance collaboration between researchers, shellfish farmers, regulatory agencies, and relevant stakeholders to ensure permanent, practical, and effective solutions.

To accomplish its objectives, the Program must:

- solicit researchers with expertise in marine biology, agriculture, ecology, engineering, and related fields to submit proposals for burrowing shrimp control research projects;
- identify and provide ground for controlled research that explores diverse control methods;
- identify funding mechanisms for future equipment needs based on tool and technology development; and
- provide permitting assistance for shellfish growers to use identified control methods.

WSDA, in collaboration with legislators representing districts that border the Pacific Ocean and an association that supports oyster growers in Willapa Bay and Grays Harbor, must establish a governing board to oversee the Program. The governing board shall consist of representatives from the following:

- one member each from WSDA, Ecology, Department of Natural Resources, Department of Fish and Wildlife, Washington Department of Commerce, and the State Conservation Commission;
- five shellfish growers of varying sizes located in the Willapa Bay and Grays Harbor region;

- two shellfish processors located in the Willapa Bay and Grays Harbor region;
- Shoalwater Bay Indian Tribe;
- the executive director of an association supporting oyster growers in the Willapa Bay and Grays Harbor region;
- one member representing a nonprofit organization that develops and disseminates scientific and technical shellfish-related environmental and health and safety information; and
- one member from an ecosystem-based management collaborative in the Willapa Bay and Grays Harbor area, to serve in an ex officio capacity.

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. The governing board must meet at least quarterly and members are eligible for reimbursement for subsistence, lodging, and travel expenses incurred in the performance of their duties.

The Program and the governing board expire July 1, 2035.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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