

# Concise Explanatory Statement

## WAC 246-282-990, Shellfish fees



The Department of Health (Department) received the following summarized comments during the formal comment period:

- Harvest of shellfish is a vital cultural and economic activity for Washington State.
- The industry values the program and recognizes that there are costs to run a program. However, the fees are excessive and will have negative impacts on the entire industry, including small businesses and Tribes.
- This will require businesses to impose costs on consumers and may make shellfish unaffordable for consumers.
- Some businesses may not renew their licenses under the current proposed increases.
- Some small businesses may have to close.
- Fees will discourage new growers from starting and will burden existing growers.
- WA state's fees are already highest in country. Provided a comparison of the proposed fees to other states.
- Look at other states with a robust shellfish aquaculture industry that could possibly be modeled and adopted in Washington.
- Disconnect between fees, effectiveness, and efficiency of service.
- Questions about the industry benefit versus public good.
- Concerns that some services are not necessary.
- No benefit to industry or return on investment.
- There are 165 flawed harvest sites.
- Suggests a new category for the smallest growers.
- Thinks the export certificate fee is too high – it will stifle exports. Suggests adding a volume discount.
- Wants fees based on actual time, not based on position description percentages.
- Why not start with a 25% increase instead of 50%?

Note: The Department withdrew the CR-101 and CR-102 and stopped rulemaking. The 2024 Legislature passed a budget proviso for a third-party consultant to study the commercial shellfish regulatory program and make recommendations on fees. The budget proviso prohibits the Department from increasing commercial shellfish fees during fiscal year 2025.



CES WSR 24-08-079 and WSR 24-08-079A  
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