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ENGROSSED SUBSTITUTE SENATE BILL 6666

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State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Ecology & Parks (originally sponsored by Senators Winsley, Haugen, Fairley, Swecker, McDonald, Fraser, McAuliffe and Rasmussen)

Read first time 02/02/96.

1 AN ACT Relating to nuisance aquatic weeds; creating new sections;  
2 making an appropriation; providing an expiration date; and declaring an  
3 emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that Washington's  
6 lakes, particularly urban and suburban lakes, are experiencing  
7 pollution problems. There are frequent conflicts between shoreline  
8 property owners, who want a lake free of nuisance and noxious aquatic  
9 weeds for health, natural habitat, and recreation purposes, and local  
10 and state agencies, who are charged with protecting water quality and  
11 habitat quality in the lakes. Human-caused pollution and natural  
12 factors that cause the growth of the nuisance and noxious aquatic weeds  
13 in lakes often have diffuse sources and can create dangerous  
14 conditions.

15 NEW SECTION. **Sec. 2.** There is created a committee to develop a  
16 Washington state lake health plan. The lake health plan shall include,  
17 but not be limited to, the following elements:

1 (1) An overview of the science of lakes management in general, and  
2 aquatic weeds in particular, using peer-reviewed studies and prior  
3 completed environmental impact statements, where possible. This  
4 scientific overview should identify and critically evaluate the various  
5 methods and techniques available for lake restoration and weed  
6 management;

7 (2) An analysis of the existing federal and state statutes,  
8 regulations, and policies dealing with lakes management. The plan  
9 shall provide recommendations on how to eliminate conflicts and  
10 inconsistencies in these legal requirements;

11 (3) An assessment of, and recommendations addressing, the problems  
12 arising from overlapping state and local agency programs and  
13 procedures;

14 (4) Recommendations on sources of state and local funding for lakes  
15 management. The funding mechanisms should reflect a preference for  
16 local solutions, and on involving all of the contributors to a lake's  
17 pollution in the funding of lake management expenses; and

18 (5) A plan or program to provide public information and education  
19 concerning how to prevent lake pollution and improve lake health. The  
20 committee consists of the following members: One representative from  
21 each caucus of the senate, selected by the president of the senate; one  
22 representative from each caucus of the house of representatives,  
23 selected by the speaker of the house of representatives; the director  
24 or the director's designee from the departments of fish and wildlife,  
25 health, ecology, natural resources, and agriculture; one county  
26 government representative from a county on the east side of the state  
27 and one county government representative from a county on the west side  
28 of the state; one city government representative; three lakeside  
29 homeowners, including at least one representative from the Washington  
30 association of lake protection associations; and two academic  
31 specialists, one of whom must be a limnologist. The committee shall  
32 select a person to be the committee staff. The staff person selected  
33 must come from a public institute associated with a state institution  
34 of higher education. The committee shall submit a plan with statutory  
35 recommendations, if any, to the legislature by January 1, 1998.

36 NEW SECTION. **Sec. 3.** The department of ecology shall expedite  
37 consideration of requests for approval for the application of  
38 pesticides, including the use of herbicides such as copper sulfate or

1 diquat, to control nuisance and noxious weeds in lakes managed under  
2 chapter 90.24 RCW. Approval for the application of pesticides is  
3 subject to compliance with state and federal pesticide laws. The  
4 department of ecology shall condition the permits to ensure that  
5 migrating juvenile fish within the watershed are not significantly  
6 affected. The department of ecology may require applicators to provide  
7 reasonable notification to shoreline residents before application and  
8 to post signs describing swimming and fishing restrictions. The  
9 department of ecology may condition approval on a requirement that  
10 there will be sampling by the local health department to assess the  
11 biological effects of pesticide treatments. This section shall expire  
12 April 1, 1998.

13 NEW SECTION. **Sec. 4.** The sum of thirty thousand dollars, or as  
14 much thereof as may be necessary, is appropriated for the fiscal year  
15 ending June 30, 1997, from the general fund to the legislative budget  
16 committee, to contract with the selected state institution of higher  
17 education for the purposes of section 2 of this act.

18 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
19 preservation of the public peace, health, or safety, or support of the  
20 state government and its existing public institutions, and shall take  
21 effect immediately.

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