

# HOUSE BILL REPORT

## HB 1423

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**As Reported by House Committee On:**  
Economic Development, Agriculture & Trade

**Title:** An act relating to controlling invasive knotweed.

**Brief Description:** Controlling invasive knotweed.

**Sponsors:** Representatives Curtis, Linville, Clibborn and Chase.

**Brief History:**

**Committee Activity:**

Economic Development, Agriculture & Trade: 2/18/05, 2/25/05 [DPS].

**Brief Summary of Substitute Bill**

- Establishes a statewide program in the Department of Agriculture for the control or containment of invasive knotweed and appropriates \$1 million for that purpose from the State General Fund for the 2005-07 biennium.

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### HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT, AGRICULTURE & TRADE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 21 members: Representatives Linville, Chair; Pettigrew, Vice Chair; Kristiansen, Ranking Minority Member; Blake, Buri, Chase, Clibborn, Condotta, Dunn, Haler, Holmquist, Kenney, Kilmer, Kretz, McCoy, Morrell, Newhouse, Quall, Strow, P. Sullivan and Wallace.

**Staff:** Meg Van Schoorl (786-7105).

**Background:**

Knotweed

Knotweed is an aggressive noxious weed that in recent years has appeared in hundreds of patches in the flood zones along rivers and creeks, roadside ditches, and beaches. Knotweed forms massive root clusters up to nine feet deep, and grows in dense stands that can reach 12 feet in height. Knotweed commonly spreads when its roots and stems are moved by waterways, floods or contaminated soil. It spreads quickly along riparian corridors in a downstream direction, shades out native plants and destroys habitat. There are four interrelated species of knotweed in Washington: Japanese, Giant, Bohemian, and Himalayan. All are listed on the Washington State Noxious Weed List as Class B, which is defined as noxious weeds that are not native to the state, that are of limited distribution or are unrecorded in a region of the state, and that pose a serious threat to that region.

## Knotweed Control Program at the Department of Agriculture

The Legislature appropriated \$500,000 from the State General Fund to the Department of Agriculture (Department) in 2004 for the control of Japanese knotweed in Southwest Washington. With these funds, the Department created a knotweed control program to:

- provide funding through interagency agreements and contracts for knotweed control in selected watersheds by six cooperators: the noxious weed control boards of Clark, Skamania, Pacific, and Lewis Counties; the Washington State Parks and Recreation Commission; and the Nature Conservancy. During the 2004 control season, the cooperators surveyed over 311 river miles and treated 326 acres of infestation;
- provide cooperators with public information materials and with all of the herbicide used for control treatments; and
- contract with the Washington State University (WSU) Mount Vernon Research and Extension Unit to evaluate the different treatment strategies used by the cooperators.

For 2005, the Department plans to continue working with cooperators in Southwest Washington to survey and treat watersheds. New proposals for funding for the 2005 control season will be accepted in April. The Department has requested that a proviso be added to the 2005 supplemental budget so that the program would be allowed to work outside of Southwest Washington. This geographic expansion would enable the program to assist with ongoing control programs in other parts of the state and to create control programs in Eastern Washington where knotweed is not well-established and can be eradicated.

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### **Summary of Substitute Bill:**

A statewide program is established within the Department for the control or containment of invasive knotweed. The program is intended to build upon the 2004 Japanese knotweed control pilot project conducted in Southwest Washington. The term "invasive knotweed" is defined to include four species including Japanese knotweed, Himalayan knotweed, Giant knotweed, and Bohemian knotweed as well as hybrids and crosses of those species.

The Department is provided \$500,000 annually from the State General Fund to enter into agreements with eligible entities for the purposes of this program. The \$500,000 annual appropriation in this bill is intended to be in addition to the \$500,000 per year contained in the Department's base budget for this purpose. Eligible entities include but are not limited to: state agencies, local governments, special purpose districts, Indian tribes and nonprofit organizations. The Department may use no more than 5 percent of the funds for agency administration.

The Department must submit a report to the Legislature by December 1, 2006. The report must be done within the dollars allowed for administration, and must focus on progress made and future recommendations for containing and controlling invasive knotweed under the program.

## **Substitute Bill Compared to Original Bill:**

The appropriation for the 05-07 biennium is \$1 million rather than \$2 million. The 5 percent cap on administration applies to agency administration rather than all costs of program administration.

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**Appropriation:** The sum of \$500,000 General Fund - State for Fiscal Year 2006 and \$500,000 General Fund - State for Fiscal Year 2007.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect on July 1, 2005.

**Testimony For:** We have four species of invasive knotweed in Washington. The World Conservation Union put invasive knotweed on its list of the top 100 of the world's worst alien invasive species. We need an overarching program for this weed because it occurs on such a wide landscape scale, across county lines, down river corridors. A fragmented approach won't work. The limited program we have had has already shown some success. This started as a grass roots effort. Contractors have found it coming up through drain fields, foundations, and heat ducts in homes. Invasive knotweed destroys native vegetation. Injecting the plant stalk with herbicides works by killing the root system. We can save endangered species by stopping the erosion along the shore banks caused by knotweed. These grant funds fill a void. The knotweed grows along 70 percent of the Hoh-Ozette Road. It has gotten out of control along the highway. The majority of national parks and forests are upstream, but Lake Ozette is downstream, so knotweed could encroach on this national park. Wildlife is an adversary. Beavers' actions to build dams out of it cause the knotweed to go into streams. We support injection of herbicides, but it is a sensitive issue in our area. We need supplies, protocol, oversight, community organization, and a volunteer labor pool to make this intensive injection system work. We have made progress at the WSU Mt. Vernon Research Center. If the money gets out on the ground, we will have a chance to eradicate knotweed. In Skamania County, we covered many acres this season and educated the public who don't understand how terrible the weed is. Knotweed is an enormous problem that needs to be resolved. Clallam County was excluded from the funding last year, and we are prepared to use it.

**Testimony Against:** None.

**Persons Testifying:** (In support) Representative Curtis, prime sponsor; Steve McGonigal, Washington State Noxious Weed Control Board; Tom Mielke; Ed Bowen; Tim Miller, Washington State University; Dan Groom, Skamania County Noxious Weed Board; Bill Robinson, The Nature Conservancy; Cathy Lucero, Clallam County Noxious Weed Control Board; Drew Kerr, King County Noxious Weeds; Phillip Burgess and Casey Gozart, Clark County Weed Management; Laurel Shiner, Whatcom County Weed Board; and Craig Lynch, Clark-Skamania Flyfishers.

**Persons Signed In To Testify But Not Testifying:** (In support with amendment) Mary Beth Lang and Mary Toohey, Washington State Department of Agriculture.