

# HOUSE BILL REPORT

## ESHB 1389

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*As Passed Legislature*

**Title:** An act relating to aquatic plants.

**Brief Description:** Regulating aquatic plants.

**Sponsor(s):** By House Committee on Environmental Affairs  
(originally sponsored by Representatives Fraser, Winsley,  
Rust and Belcher).

**Brief History:**

Reported by House Committee on:  
Environmental Affairs, February 19, 1991, DPS;  
Revenue, February 28, 1991, DPS(ENA)-A;  
Passed House, March 19, 1991, 87-9;  
Amended by Senate;  
House concurred;  
Passed Legislature, 90-4.

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**HOUSE COMMITTEE ON  
ENVIRONMENTAL AFFAIRS**

**Majority Report:** *That Substitute House Bill No. 1389 be substituted therefor, and the substitute bill do pass.*  
Signed by 11 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; and Sprenkle.

**Minority Report:** *Do not pass.* Signed by 1 member:  
Representative D. Sommers.

**Staff:** Rick Anderson (786-7114).

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**HOUSE COMMITTEE ON  
REVENUE**

**Majority Report:** *The substitute bill by Committee on Environmental Affairs be substituted therefor and the substitute bill as amended by Committee on Revenue do pass.*  
Signed by 11 members: Representatives Wang, Chair; Fraser, Vice Chair; Wynne, Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Phillips; and Rust.

**Minority Report:** *Do not pass.* Signed by 1 member:  
Representative Van Luvan.

**Staff:** Robin Appleford (786-7093).

**Background:** Aquatic weeds are primarily non-native species of plants that cause damage through rapid, unchecked propagation. Well known examples include eurasian water milfoil and purple loosestrife.

Aquatic weeds pose a variety of problems in Washington lakes and rivers. Aquatic weeds affect water quality by promoting low dissolved oxygen and high alkalinity; these conditions are unfavorable to fish and other aquatic life. They cause expensive damage to power plants, irrigation equipment, and motors. Additionally, aquatic weeds can restrict swimming, boating, and other recreational opportunities.

Eurasian water milfoil is now present in the Pend Oreille, Okanagan, and the Columbia river systems. Several lakes in eastern and western Washington are infested with milfoil. Purple loosestrife is also known to be spreading, primarily in wetland areas.

Washington currently has a state milfoil program for the prevention, control, and eradication of the milfoil plant. Under the program, the U.S. Corps of Engineers provides approximately \$400,000 per year to the Department of Ecology. The department issues this money to local governments on a match basis. The program applies to milfoil only and is limited to navigable waters under the corps' jurisdiction. This requirement excludes many milfoil infested areas in the State. Federal milfoil dollars may be lost unless the Department of Ecology secures funds to pay for the state's administrative costs of the program.

Aquatic plant control is eligible to compete for funds under the clean water account under certain circumstances. To date, few aquatic control projects have been funded from this account.

Small personal trailers, such as boat trailers, under 2,000 pounds pay an annual license fee of \$3.25.

**Summary of Bill:** An annual \$3 dollar licensing surcharge is assessed on boat trailers.

An aquatic weeds account is created. The Department of Ecology is authorized to: 1) issue grants to local governments and state agencies to manage all types of aquatic weeds; 2) develop public education programs to prevent the spread of aquatic weeds; 3) provide technical

assistance to local governments and lake management districts; and 4) fund demonstration or pilot projects to manage aquatic weeds.

Grants issued to local governments and state agencies may be used on lakes, rivers, or streams where aquatic weeds are a problem. Lakes, rivers, or streams must have public boat launch as a condition of funding.

**Fiscal Note:** Requested February 20, 1991.

**Effective Date:** The bill contains an emergency clause and is effective immediately, except for Section 3, which is effective for vehicle registrations that expire August 31, 1992 and thereafter. However, the bill is null and void if not funded in the budget.

**Appropriation:** Yes.

**Testimony For:** (Environmental Affairs) Boat trailers are an appropriate funding source because boats help spread milfoil and other aquatic weeds. Local governments need additional funding to combat aquatic weeds. Public access should be provided on waters where public funds are used.

(Revenue) Same as Committee on Environmental Affairs.

**Testimony Against:** (Environmental Affairs) None.

(Revenue) None.

**Witnesses:** (Environmental Affairs) Representative John Wynne (pro); Jack Swanberg, Northwest Marine Trade Association (pro); Kathy Adams, Lakes Improvement Association and Washington Lakes Protection Association (pro); Tom Harmon, Washington Lakes Protection Association-Save Lake Sammamish (pro); and Elsie Sorgenfre, Lake Roesiger Citizens (pro).

(Revenue) Tom Clingman, Thurston County Public Works; Jeff Parsons, National Audubon Society; Jack Swanberg, Northwest Marine Trade; Chris Hedrick, Puget Sound Water Quality Authority; Kathy Hamel, Department of Ecology; Kathy Adams, Washington State Lakes Protection and Lakes Improvement Association; Rob Eddy, Department of Licensing; and Pam Madson, Department of Wildlife.