

1 **ESSB 5424** - H AMD TO H APP COMM AMD (5424-S.E AMH APP H2672.1)**0237**
2 **ADOPTED 04/16/99**

3 By Representative

4 On page 1, line 9 of the amendment, after of- insert nuisance
5 and-

6 On page 1, line 10 of the amendment, after these- insert
7 nuisance and-

8 On page 1, line 11 of the amendment, after shorelines- insert
9 and other areas-

10 On page 1, line 12 of the amendment, after lakes.- insert Algae
11 can generate health and safety conditions dangerous to fish, wildlife,
12 and humans. The current environmental impact statement is causing
13 difficulty in responding to environmentally damaging weed and algae
14 problems.-

15 On page 1, line 14 of the amendment, after controlling- insert
16 nuisance and-

17 On page 1, line 14 of the amendment, after weeds- insert and
18 algae-

19 On page 1, beginning on line 23 of the amendment, insert (1)-

20 On page 1, line 28 of the amendment, after available.- insert the
21 following:

22 (2) For the 1999 treatment season, the department shall permit by
23 May 15, 1999, municipal experimental application of herbicides such as
24 hydrothol 191 for algae control in lakes managed under chapter 90.24
25 RCW. If experimental use is determined to be ineffective, then the
26 department shall within fourteen days consult with other state,
27 federal, and local agencies and interested parties, and may permit the
28 use of copper sulfate. The Washington institute for public policy
29 shall contract for a study on the lake-wide effectiveness of any

1 herbicide used under this subsection. Prior to issuing the contract
2 for the study, the institute for public policy shall determine the
3 parameters of the study in consultation with licensed applicators who
4 have recent experience treating the lake and with the nonprofit
5 corporation that participated in centennial clean water fund phase one
6 lake management studies for the lake. The parameters must include
7 measurement of the lake-wide effectiveness of the application of the
8 herbicide in maintaining beneficial uses of the lake, including any
9 uses designated under state or federal water quality standards. The
10 effectiveness of the application shall be determined by objective
11 criteria such as turbidity of the water, the effectiveness in killing
12 algae, any harm to fish or wildlife, any risk to human health, or other
13 criteria developed by the institute. The results of the study shall be
14 reported to the appropriate legislative committees by December 1, 1999.
15 A general fund appropriation in the amount of \$35,000 is provided to
16 the Washington institute for public policy for fiscal year 1999 for the
17 study required under this subsection.-

18 On page 2, line 23 of the amendment, after dioxin- insert in
19 excess of the standard allowed by the United States environmental
20 protection agency. Sampling protocols and analysis used by the
21 department under this section must be consistent with those used by the
22 United States environmental protection agency for testing this product-

23 On page 3, after line 4 of the amendment, insert the following:

1 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately.-

EFFECT: Authorizes the experimental use of hydrothol 191 during
the 1999 treatment season to control algae in certain lakes. If
the use of this herbicide is ineffective, then the Department of
Ecology may permit the use of copper sulfate after consulting with
federal, state, and local agencies as well as interested parties.
The Washington Institute for Public Policy is directed to contract
for a study on the effectiveness of any herbicide used on the
lake. A general fund appropriation in the amount of \$35,000 is
provided for the study. The Department of Ecology may prohibit
the use of aquatic 2,4-D if it exceeds the standard for dioxin

5424-S.E AMH LYNC 19

established by EPA. An emergency clause is added.