

2 SSB 5424 - S AMD - 170

3 By Senators Morton, Fraser and Winsley

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5 On page 2, after line 8, insert the following:

6 "NEW SECTION. **Sec. 3.** A new section is added to chapter 90.48 RCW  
7 to read as follows:

8 (1) A government entity seeking to control a limited infestation of  
9 Eurasian water milfoil may use the pesticide 2,4-D to treat the milfoil  
10 infestation, without obtaining a permit under RCW 90.48.445, if the  
11 milfoil infestation is either recently documented or remaining after  
12 the application of other control measures, and is limited to twenty  
13 percent or less of the littoral zone of the lake. Any pesticide  
14 application made under this section must be made according to all label  
15 requirements for the product and must meet the public notice  
16 requirements of subsection (2) of this section.

17 (2) Before applying 2,4-D, the government entity shall: (a)  
18 Provide at least twenty-one days' notice to the department of ecology,  
19 the department of fish and wildlife, the department of agriculture, the  
20 department of health, and all lake residents; (b) post notices of the  
21 intent to apply 2,4-D at all public access points; and (c) place  
22 informational buoys around the treatment area.

23 (3) The department of fish and wildlife may impose timing  
24 restrictions on the use of 2,4-D to protect salmon and other fish and  
25 wildlife.

26 (4) Government entities using this section to apply 2,4-D may apply  
27 for funds from the freshwater aquatic weeds account consistent with the  
28 freshwater aquatic weeds management program as provided in RCW  
29 43.21A.660.

30 (5) Government entities using this section shall consider  
31 development of long-term control strategies for eradication and control  
32 of the Eurasian water milfoil.

33 (6) For the purpose of this section, "government entities" includes  
34 cities, counties, state agencies, tribes, special purpose districts,  
35 and county weed boards."

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4 On page 1, line 1 of the title, after "adding" strike "a new  
5 section" and insert "new sections"

EFFECT: Government entities are granted limited authority to use the pesticide 2,4-D to treat an initial infestation of Eurasian water milfoil.

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