
SUBSTITUTE SENATE BILL 5742

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Environmental Quality & Water Resources
(originally sponsored by Senators Morton, T. Sheldon, Swecker, Oke,
Honeyford, Winsley, Stevens, Finkbeiner, Hochstatter, Horn, Benton,
Long, Rossi, Deccio, Sellar, Sheahan and Eide)

Read first time 02/26/1999.

1 AN ACT Relating to the eradication of Eurasian water milfoil;
2 adding a new section to chapter 90.48 RCW; making appropriations; and
3 declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.48 RCW
6 to read as follows:

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

15 (2) Before applying 2,4-D, the government entity shall provide
16 twenty-one days' notice to the department of ecology, the department of
17 fish and wildlife, the department of agriculture, and the department of
18 health, notify all lake residents, post notices of the intent to treat
19 weeds at all public access points before making such treatment, and

1 place informational buoys around the treatment area. The department of
2 fish and wildlife may impose timing restrictions on the use of 2,4-D to
3 protect salmon and other fish and wildlife.

4 (3) The department shall enter into grant agreements with
5 government entities by March 1st of each year. In awarding grants
6 under this section, the department shall give priority funding
7 consideration based on:

8 (a) Lakes with public access;

9 (b) Lakes with a first surveyed occurrence of milfoil in the lake
10 or requiring spot treatment of milfoil remaining after the application
11 of other control measures; and

12 (c) The applicant's readiness to proceed immediately after the
13 grant award.

14 (4) The grant agreements may include reporting requirements, an
15 assessment of the treatment method, timelines, and a fund disbursement
16 schedule based on agreed project milestones.

17 (5) Government entities using this section to apply 2,4-D, may
18 apply for funds from the freshwater aquatic weeds account consistent
19 with the freshwater aquatic weeds management program as provided in RCW
20 43.21A.660.

21 (6) Government entities using this section shall consider
22 development of long-term control strategies for eradication and control
23 of the Eurasian water milfoil.

24 (7) For the purpose of this section, "government entity" includes
25 cities, counties, state agencies, tribes, special purpose districts,
26 and county weed boards.

27 NEW SECTION. **Sec. 2.** (1) The sum of one hundred seventy-five
28 thousand dollars, or as much thereof as may be necessary, is
29 appropriated for the fiscal year ending June 30, 2000, from the general
30 fund to the department of ecology for the purposes of the Eurasian
31 milfoil projects. Up to three percent of the total amount may be used
32 by the department to cover administrative costs.

33 (2) The sum of one hundred seventy-five thousand dollars, or as
34 much thereof as may be necessary, is appropriated for the fiscal year
35 ending June 30, 2001, from the general fund to the department of
36 ecology for the purposes of the Eurasian milfoil projects. Up to three
37 percent of the total amount may be used by the department to cover
38 administrative costs.

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

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