

6722

Sponsor(s): Senators T. Sheldon and Winsley

Brief Description: Mitigating the effects of the aquatic herbicide general permit required as the result of a recent court decision.

SB 6722 - DIGEST

Finds that the recent federal court of appeals decision in *Headwaters, Inc. v. Talent Irrigation District*, 243 F.3rd 526 (9th Cir. 2001) imposes a duty to obtain a national pollutant discharge elimination system permit under the clean water act for the application of herbicides to irrigation canals. This duty is also extended to other individuals and organizations that apply herbicides to other waters, where no duty existed before the *Talent* decision.

Finds that the costs associated with the issuance of the general permit now required by the department of ecology as a result of the federal decision is unfairly burdensome to the affected individuals and organizations.

Declares an intent to reduce the burden of the federal decision on those individuals and organizations.