
HOUSE BILL 1611

State of Washington 59th Legislature 2005 Regular Session

By Representatives B. Sullivan, Upthegrove, Williams, Chase,
Dickerson, Linville and McDermott

Read first time 01/31/2005. Referred to Committee on Natural
Resources, Ecology & Parks.

1 AN ACT Relating to creating an invasive species council; and adding
2 a new chapter to Title 77 RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) The land, water, and other resources of Washington are being
6 severely impacted by the invasion of an increasing number of harmful,
7 invasive plant, animal, and other species.

8 (2) These impacts are resulting in damage to Washington's
9 environment and causing economic hardships to public, private, and
10 tribal owners.

11 (3) The multitude of public and private organizations with an
12 interest in controlling and preventing the spread of harmful invasive
13 species in Washington need a mechanism for cooperation, communication,
14 collaboration, and developing a statewide plan of action to meet this
15 threat.

16 NEW SECTION. **Sec. 2.** (1) There is created in the office of the
17 governor the Washington invasive species council.

1 (2) The purpose of the Washington invasive species council is to
2 provide policy level direction, planning, and coordination for
3 combating harmful invasive species throughout the state and preventing
4 the introduction of others that may be potentially harmful.

5 (3) The Washington invasive species council is a joint effort
6 between local, tribal, state, and federal governments, as well as the
7 private sector and nongovernmental organizations. The purpose of the
8 Washington invasive species council is to foster cooperation,
9 communication, and coordinated approaches that support local, state,
10 and regional initiatives for the prevention and control of invasive
11 species, not to usurp the individual mission of any of its member
12 organizations or to duplicate effort. Existing statutory authorities
13 of state agencies participating in the Washington invasive species
14 council are not changed by this chapter.

15 (4) For the purposes of this chapter, "invasive species" include
16 nonnative organisms that cause economic or environmental harm and are
17 capable of spreading to new areas of the state. "Invasive species"
18 does not include domestic livestock, intentionally planted agronomic
19 crops, or nonharmful exotic organisms.

20 NEW SECTION. **Sec. 3.** (1) Membership in the Washington invasive
21 species council includes a representative from the following state
22 entities:

23 (a) The Washington state department of agriculture, represented by
24 the director or the director's designee;

25 (b) The Washington department of fish and wildlife, represented by
26 the director or the director's designee;

27 (c) The department of ecology, represented by the director or the
28 director's designee;

29 (d) The department of natural resources, represented by the
30 commissioner or the commissioner's designee;

31 (e) The department of transportation, represented by the secretary
32 of transportation or the secretary's designee;

33 (f) The University of Washington, appointed by the university
34 president;

35 (g) Washington State University, appointed by the university
36 president;

- 1 (h) The parks and recreation commission, represented by the
2 director or the director's designee;
- 3 (i) The Puget Sound water quality action team, represented by the
4 director or the director's designee;
- 5 (j) The department of community, trade, and economic development,
6 represented by the director or the director's designee;
- 7 (k) The Washington state patrol, represented by the chief of the
8 state patrol or the chief's designee;
- 9 (l) The aquatic nuisance species committee, appointed by the
10 committee;
- 11 (m) The Washington biodiversity council, appointed by the
12 biodiversity council;
- 13 (n) The conservation commission, appointed by the commission;
- 14 (o) The pesticide advisory board created in RCW 17.21.230,
15 appointed by the board; and
- 16 (p) The Washington state noxious weed control board, appointed by
17 the board.
- 18 (2) Representatives and members of the following federal entities
19 must be invited to participate in an ex officio capacity on the
20 Washington invasive species council:
- 21 (a) The United States forest service;
- 22 (b) The United States natural resource conservation service;
- 23 (c) The farm service agency;
- 24 (d) The animal and plant health inspection service;
- 25 (e) The United States bureau of land management;
- 26 (f) The United States bureau of reclamation;
- 27 (g) The United States geological survey;
- 28 (h) The United States fish and wildlife service;
- 29 (i) The United States national park service;
- 30 (j) The United States bureau of Indian affairs;
- 31 (k) The national oceanic and atmospheric administration;
- 32 (l) Washington sea grant;
- 33 (m) The United States environmental protection agency;
- 34 (n) The United States department of energy;
- 35 (o) The United States department of defense;
- 36 (p) The United States coast guard;
- 37 (q) The United States army corps of engineers; and
- 38 (r) Fort Lewis.

1 (3) Two representatives from tribes must be invited to participate
2 on the advisory panel, one representative of tribes on the west side of
3 the state, and one representative of tribes on the east side of the
4 state.

5 (4) A representative from each of the following local government
6 organizations must be invited to participate in an ex officio capacity
7 on the Washington invasive species council:

8 (a) The association of Washington cities;

9 (b) The Washington association of counties (one east side and one
10 west side); and

11 (c) The Washington association of state conservation districts.

12 Each organization shall select their representative.

13 (5) The governor must appoint representatives from private and
14 nongovernmental organizations. The organizations should have an
15 interest in the prevention and eradication of invasive species, and
16 participate on the Washington invasive species council in an ex officio
17 capacity. The governor shall make appointments based upon input from
18 the identified entities:

19 (a) Two members shall represent the agricultural industry;

20 (b) One member shall represent the nursery or landscape industry;

21 (c) One member shall represent aquatic conservation interests;

22 (d) One member shall represent land conservation interests;

23 (e) One member shall represent environmental conservation
24 interests;

25 (f) One member shall represent native vegetation interests;

26 (g) One member shall represent either wildlife or hunting and
27 fishing interests, or both;

28 (h) One member shall represent the pet/aquarium industry, or
29 zoological organizations;

30 (i) One member shall represent either the port or the shipping
31 industry, or both;

32 (j) One member from the shellfish industry;

33 (k) One member from the industrial forest landowners industry;

34 (l) One member from the nonindustrial forest landowners industry;

35 (m) One member representing the Pacific Northwest economic region;

36 and

37 (n) One member representing the aquaculture industry.

1 (6) Additional members may be added by consensus of the Washington
2 invasive species council. Any additional state agencies must be
3 represented by their director or the director's designee. Additional
4 members that represent private or nongovernmental organizations must be
5 appointed by the governor.

6 (7) Members identified in subsections (1) through (6) of this
7 section serve three-year terms. The governor or other appropriate
8 appointing authority may reappoint a member to more than one three-year
9 term.

10 (8) A representative of the governor's office must convene the
11 first organizational meeting of the Washington invasive species
12 council, and serve as chair until the Washington invasive species
13 council selects a chair. At the first organizational meeting of the
14 Washington invasive species council, the council shall adopt bylaws to
15 address issues including, but not limited to, method of voting,
16 schedule for meetings, and subcommittee structure.

17 NEW SECTION. **Sec. 4.** The Washington invasive species council's
18 goal shall be to:

19 (1) Minimize the effects of harmful invasive species on Washington
20 citizens and ensuring the economic and environmental well-being of the
21 state;

22 (2) Serve as a nonpartisan forum for identifying and understanding
23 invasive species issues from all perspectives;

24 (3) Serve as a nonpartisan forum for identifying and understanding
25 invasive species issues from all perspectives;

26 (4) Serve as a nonpartisan forum to facilitate the communication,
27 cooperation, and coordination of local, tribal, state, federal,
28 private, and nongovernmental entities for the prevention, control, and
29 management of nonnative invasive species;

30 (5) Take measures that will encourage prevention and control of
31 harmful invasive species and improve compliance with current
32 legislation regarding the introduction and control of invasive species;

33 (6) Coordinate a system for the early detection and eradication of
34 new invasive species;

35 (7) Consider ways to halt the spread of invasive species as well as
36 finding possible ways to bring current problems under control;

1 (8) Consider methods for data sharing, including control methods,
2 inventory, and monitoring of invasive species;

3 (9) Serve as an avenue for public outreach and raising public
4 awareness;

5 (10) Develop and implement a statewide invasive species strategic
6 plan as described in this chapter;

7 (11) Make recommendations for legislation as appropriate;

8 (12) Establish criteria for the prioritization of invasive species
9 response actions and projects; and

10 (13) Utilize the process described in subsection (9) of this
11 section, select at least one project per year from the strategic plan
12 for coordinated action by the Washington invasive species council
13 member entities.

14 NEW SECTION. **Sec. 5.** (1) The Washington invasive species council
15 shall develop and periodically update a statewide strategic plan for
16 addressing invasive species. The strategic plan should incorporate the
17 reports and activities of the aquatic nuisance species committee, the
18 biodiversity council, the state noxious weed control board, and other
19 appropriate reports. Each state department and agency named to the
20 Washington invasive species council shall conduct an evaluation of its
21 current statutory authorities, rules, and programs relevant to invasive
22 species control and include the evaluation in the strategic plan.

23 (2) The strategic plan must address the following elements, but the
24 Washington invasive species council may add other elements as it deems
25 necessary:

26 (a) Statewide coordination and intergovernmental cooperation;

27 (b) Prevention of new biological invasions through deliberate
28 import or introduction or through unintentional pathways;

29 (c) Inventory and monitoring of invasive species;

30 (d) Early detection of and rapid response to new invasions;

31 (e) Control, management, and eradication of established populations
32 of invasive species;

33 (f) Consideration of revegetation, reclamation, or restoration of
34 native species efforts following control, or eradication of invasive
35 species;

36 (g) Public education;

37 (h) Research; and

1 (i) Funding and resources available for invasive species
2 prevention, control, and management.

3 (3) Using the evaluation identified in subsection (1) of this
4 section, the Washington invasive species council must identify gaps in
5 statutory authority and deficiencies in implementation of existing
6 state law, and recommend changes.

7 (4) The strategic plan must be updated at least once every three
8 years following its initial development. The strategic plan must be
9 submitted to the governor and appropriate committees of the legislature
10 by January 15th of the applicable year. The Washington invasive
11 species council shall complete the first plan within two years of the
12 effective date of this section.

13 (5) Each state department and agency named to the Washington
14 invasive species council shall, consistent with state law, make best
15 efforts to implement elements of the completed plan that are applicable
16 to the department or agency.

17 (6) The Washington invasive species council shall submit an annual
18 report of its activities to the governor and the relevant policy
19 committees of the legislature on January 15, 2006, and provide an
20 annual report on its activities by January 15th each year thereafter.
21 The annual report must include an evaluation of progress made in the
22 preceding year to implement the state strategic plan.

23 NEW SECTION. **Sec. 6.** The Washington invasive species council may
24 establish advisory and technical committees that it considers necessary
25 to aid and advise the Washington invasive species council in the
26 performance of its functions. The committees may be continuing or
27 temporary committees. The Washington invasive species council shall
28 determine the representation, membership, terms, and organization of
29 the committees and appoint their members.

30 NEW SECTION. **Sec. 7.** The Washington invasive species council
31 account is created in the custody of the state treasurer. All receipts
32 from appropriations, gifts, grants, and donations must be deposited
33 into the account. Expenditures from the account may be used only for
34 grants and loans as described under this chapter and for other purposes
35 as authorized by this chapter. Only the chair of the Washington
36 invasive species council or the chair's designee may authorize

1 expenditures from the account. The account is subject to allotment
2 procedures under chapter 43.88 RCW, but an appropriation is not
3 required for expenditures.

4 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act constitute
5 a new chapter in Title 77 RCW.

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