

**ESSB 5324** - H COMM AMD

By Committee on Agriculture & Natural Resources

ADOPTED 04/12/2013

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 90.03 RCW  
4 to read as follows:

5 (1) A county, city, town, water-sewer district, or flood control  
6 zone district constructing, improving, operating, or maintaining storm  
7 water control facilities under chapter 35.67, 35.92, 36.89, 36.94,  
8 57.08, or 86.15 RCW that include storm water retention ponds, also  
9 known as wet ponds, wet retention ponds, or wet extended detention  
10 ponds, as part of a storm water control facility for which the primary  
11 function of the pond is to detain storm water, must:

12 (a) Consider and to the extent possible consistent with department  
13 design guidelines, and without compromising the intended function of  
14 the storm water retention pond, construct storm water retention ponds  
15 to maintain and control vegetation to minimize mosquito propagation;

16 (b) Consult with the local mosquito control district, where  
17 established, in the development of construction plans that include  
18 storm water retention ponds; and

19 (c) Provide for maintenance and control of vegetation growth in  
20 storm water retention ponds to reduce mosquito habitat and inhibit  
21 mosquito propagation without compromising the intended function of a  
22 storm water retention pond.

23 (2) A county, city, town, water-sewer district, or flood control  
24 zone district operating or maintaining storm water control facilities  
25 must, except where mosquito control districts are established, when  
26 notified by the department of health or a local health jurisdiction of  
27 the positive identification of west nile virus or other mosquito-borne  
28 human disease viruses in mosquitoes, birds, or mammals, including  
29 humans, consult with the department of health or a mosquito control  
30 district concerning which integrated pest management strategies, as

1 defined under chapter 17.15 RCW, for mosquito control or abatement in  
2 storm water retention ponds would be most effective to prevent the  
3 spread of the disease.

4 (3) Where a mosquito control district is established, when notified  
5 by the department of health or a local health jurisdiction of the  
6 positive identification of west nile virus or other mosquito-borne  
7 human disease viruses in mosquitoes, birds, or mammals, including  
8 humans, the mosquito control district is responsible for mosquito  
9 control or abatement in storm water retention ponds."

10 Correct the title.

EFFECT: Clarifies that maintenance and control of vegetation  
growth needs to be conducted without compromising the utility of storm  
water retention ponds.

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