

SSB 5324 - S AMD 137
By Senator Honeyford

ADOPTED 03/08/2013

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 facilities to
15 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.

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

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10 On page 1, line 2 of the title, after "ponds;" strike the remainder
11 of the title and insert "and adding a new section to chapter 90.03
12 RCW."

EFFECT: Requires a county, city, town, water-sewer district, or
flood control district to:

(1) Consider, and to the extent possible use, the department of
ecology's design guidelines for constructing storm water retention
ponds to inhibit mosquito propagation; and

(2) Consult with the department of health or mosquito control
district about the most effective strategy to prevent west nile virus,
when notified of the disease.

Provides that where established, mosquito control districts are
responsible for mosquito control in storm water retention ponds when
notified of west nile virus.

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