

# FINAL BILL REPORT

## ESSB 5303

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Synopsis as Enacted

**Brief Description:** Concerning aquatic invasive species management.

**Sponsors:** Senate Committee on Natural Resources & Parks (originally sponsored by Senators Honeyford, Rolfes, Chase, Hawkins, Warnick, Bailey and Ranker; by request of Department of Fish and Wildlife).

**Senate Committee on Natural Resources & Parks**  
**Senate Committee on Ways & Means**  
**House Committee on Appropriations**  
**House Committee on Agriculture & Natural Resources**

**Background:** Department of Fish and Wildlife's (DFW) Invasive Species Authority in General. Statute designates DFW as the state's lead agency for managing many types of invasive species, both aquatic and terrestrial. Subject to the availability of funding, DFW may conduct activities to include the following:

- monitoring and responding to infestations;
- conducting education and outreach; and
- providing technical assistance or other support to government entities and private groups.

Aquatic Invasive Species (AIS) Inspections and Decontamination. Statute requires certain vessels and equipment to meet AIS documentation requirements, which includes transportable personal property such as watercraft, watercraft-related equipment, float planes, fish tanker trucks, irrigation equipment, and fishing gear. DFW is required to implement this requirement by rule, including identifying allowable certificate of inspection forms and the type of conveyances to which the requirement applies.

Anyone using an aquatic conveyance must clean and drain the conveyance after use on a water body or property. This includes removal of visible aquatic plants, animals, other organisms, and water from the water body.

DFW may establish mandatory check stations for the inspection of watercraft. A person stopped at a check station must allow inspection for AIS and clean and drain requirements, and follow any clean and drain or decontamination orders given.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Ballast Water Requirements. Generally, vessels of 300 gross tons or more must meet requirements for ballast water including reporting and management standards.

**Summary:** Establishes AIS Permitting Requirements for Vessels and Aquatic Conveyances.

A person must obtain an AIS prevention permit before:

- placing or operating a seaplane or vessel that is registered out of state in Washington waters; or
- commercially transporting certain seaplanes or vessels into or through the state.

Failure to possess a permit when required is an infraction. Permit exemptions are established including for transportation of new vessels and certain seaplanes and vessels in shared boundary waters.

An AIS prevention permit is \$20 and is valid for one year. Funds must be deposited in the AIS management account.

Establishes Biofouling Requirements. The owner of a vessel required to meet state ballast water requirements must also meet standards for biofouling, relating to the accumulation of aquatic organisms on a vessel. DFW must adopt by rule standards and requirements for the release of biofouling, which must be established in consultation with a collaborative forum including regulated industries and potentially affected stakeholders. The rules must:

- ensure that biofouling poses a minimal risk;
- be based on best available technology; and
- where practical and appropriate, be consistent with federal standards and requirements.

Makes Other AIS-Related Changes.

- authorizes appropriations from the AIS management account for a grant program to fund activities such as managing AIS at a local level, developing AIS rapid response agreements, and conducting innovative research that supports on the ground efforts;
- specifies ballast water and biofouling rulemaking authority for DFW; and
- defines terms.

**Votes on Final Passage:**

Senate 48 0

First Special Session

Senate 45 0

Third Special Session

Senate 49 0

House 94 0

**Effective:** October 19, 2017  
July 1, 2019 (Section 104)