

**SSB 5597 - H AMD 659**

By Representative Blake

**ADOPTED 04/16/2019**

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

3 "NEW SECTION. **Sec. 1.** (1)(a) The legislature finds that forest  
4 managers, state agencies, and the broader community share an interest  
5 in minimizing human and environmental exposure to herbicides.  
6 Forestland owners have made significant gains in the protection of  
7 riparian and wetland areas along the state's waterways, as well as  
8 protecting the health and safety of the public and forest workers,  
9 through a combination of scientific advancements, ongoing education  
10 and training, improved technologies, and proper monitoring and  
11 regulation under the forests and fish statute and the associated  
12 forest practices rules.

13 (b) The legislature further finds that while the use of  
14 herbicides is an important tool to the timber industry, the use of  
15 chemicals should be integrated within a broader pest management  
16 approach. The legislature finds that the research, development, and  
17 feasibility of nontraditional control methods, along with methods  
18 already in use, could result in a more integrated pest management  
19 approach for forest management.

20 (2) This section expires December 31, 2020.

21 NEW SECTION. **Sec. 2.** (1) A work group on the aerial application  
22 of herbicides on state and private forestlands is established to  
23 review all existing best management practices and, if necessary,  
24 develop recommendations for improving the best management practices  
25 for aerial application of herbicides on state and private  
26 forestlands, including the criteria to be used in evaluating best  
27 management practices.

28 (2) The work group shall:

29 (a) Review the roles of all management and regulatory agencies in  
30 approving herbicides for use and application on forestlands in  
31 Washington and review existing state and federal programs, policies,

1 and regulations concerning aerial application of herbicides on  
2 forestlands;

3 (b) Review current herbicide application technology in the state  
4 and throughout the nation to increase herbicide application accuracy  
5 and other best management practices to minimize drift and exposure of  
6 humans, fish, and wildlife as well impact on drinking water, surface  
7 waters, and wetland areas;

8 (c) Review research, reports, and data from government agencies,  
9 research institutions, nongovernmental organizations, and landowners  
10 regarding the most frequently used herbicides in forest practices, to  
11 inform the development and update of strategies related to herbicides  
12 management on forestlands; and

13 (d) Develop recommendations, if appropriate, for managing working  
14 forestlands through an integrated pest management approach that  
15 combines traditional chemical and other vegetative control methods as  
16 well as other silvicultural practices to protect resource values from  
17 pests, while minimizing the effect on nontarget species as well as  
18 ensuring the protection of public safety and human health, while  
19 still offering effective control that is economically feasible on a  
20 commercial forestry scale. Recommendations must consider the  
21 toxicity, mobility, and bioaccumulation of any proposed alternatives  
22 as compared to traditional operations.

23 (3) (a) The work group is composed of:

24 (i) One member and one alternate from each of the two largest  
25 caucuses in the senate, who must be appointed by the majority leader  
26 and minority leader of the senate;

27 (ii) One member and one alternate from each of the two largest  
28 caucuses in the house of representatives, who must be appointed by  
29 the speaker and minority leader of the house of representatives;

30 (iii) One senior level management representative from each of the  
31 following agencies:

32 (A) The department of agriculture;

33 (B) The department of health;

34 (C) The department of natural resources;

35 (D) The department of fish and wildlife; and

36 (E) The department of ecology;

37 (iv) One representative of Washington State University pesticide  
38 safety education program;

39 (v) One representative from the Pacific Northwest agricultural  
40 safety and health center at the University of Washington; and

1 (vi) Representatives from the following groups, appointed by the  
2 consensus of the cochairs:

3 (A) Two industrial forestland owners with one from the west of  
4 the crest of the Cascade mountains and one from east of the crest of  
5 the Cascade mountains;

6 (B) One representative of small forestland owners;

7 (C) One representative of large-scale organic farming;

8 (D) One representative of aerial applicators;

9 (E) Three representatives of environmental or community  
10 interests;

11 (F) One representative with expertise in noxious weed control;  
12 and

13 (G) One representative with pesticide registrant expertise in  
14 forest herbicides.

15 (b) Representatives of Washington tribes that are involved in  
16 timber production must be invited to participate on the work group.

17 (c) If a member has not been designated for a position set forth  
18 in this section, that position may not be counted for purposes of  
19 determining a quorum.

20 (4) The work group must be cochaired by one representative each  
21 from the department of agriculture and the department of natural  
22 resources.

23 (5) Staff support for the members of the work group must be  
24 provided by the departments of natural resources and agriculture.

25 (6) Legislative members of the work group are reimbursed for  
26 travel expenses in accordance with RCW 44.04.120. Nonlegislative  
27 members of the work group are not entitled to be reimbursed for  
28 travel expenses if they are elected officials or are participating on  
29 behalf of an employer, governmental entity, or other organization.  
30 Any reimbursement for nonlegislative members is subject to chapter  
31 43.03 RCW.

32 (7) The work group shall provide a report that includes any  
33 findings, recommendations, and draft legislation, to the governor and  
34 the legislature consistent with RCW 43.01.036, by December 31, 2019.

35 (8) This section expires December 31, 2020."

36 Correct the title.

EFFECT: Makes the following changes to the work group in the  
underlying bill:

(1) Removes language specifying that the work group is a legislative work group.

(2) Adds one industrial forestland owner to the work group and specifies that one must be from the east side of the Cascades and the other from the west side of the Cascades.

(3) Adds a representative from Pacific Northwest Agricultural Safety and Health Center at the University of Washington to the work group.

(4) Removes language providing for additional members of the work group representing any other interest deemed important to providing information.

(5) Specifies that the work group must be chaired by representatives from the Department of Agriculture and the Department of Natural Resources.

(6) Provides that the departments of Natural Resources and Agriculture must provide staff support for the work group.

(7) Removes the requirement that the work group report to the Forest Practices Board.

(8) Changes the due date of the report to December 31, 2019, and extends the expiration date of the work group to December 31, 2020, instead of December 31, 2019.

(9) Specifies that legislative members may be reimbursed for expenses related to their participation in the work group.

(10) Deletes the provision requiring nonlegislative members to be reimbursed in the same manner as part-time boards and commissions, and provides that any reimbursement for nonlegislative members is subject to general provisions regarding state expenses.

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