

**SSB 5597** - H COMM AMD

By Committee on Rural Development, Agriculture, & Natural Resources

**NOT 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 legislative work group on the aerial  
22 application of herbicides on state and private forestlands is  
23 established to review all existing best management practices and, if  
24 necessary, develop recommendations for improving the best management  
25 practices 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

1 Washington and review existing state and federal programs, policies,  
2 and regulations concerning aerial application of herbicides on  
3 forestlands;

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

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

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

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

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

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

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

33 (A) The department of agriculture;

34 (B) The department of health;

35 (C) The department of natural resources;

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

37 (E) The department of ecology;

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

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

3 (vi) Representatives from the following groups, appointed by the  
4 consensus of the cochairs:

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

8 (B) One representative of small forestland owners;

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

10 (D) One representative of aerial applicators;

11 (E) Three representatives of environmental or community  
12 interests;

13 (F) One representative with expertise in noxious weed control;  
14 and

15 (G) One representative with pesticide registrant expertise in  
16 forest herbicides.

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

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

22 (4) (a) One cochair of the work group must be a member of the  
23 majority caucus of one chamber of the legislature, and one cochair  
24 must be a member of the minority caucus of the other chamber of the  
25 legislature, as those caucuses existed as of the effective date of  
26 this section.

27 (b) The work group shall choose the cochairs from among its  
28 legislative membership. The legislator representing the majority  
29 caucus in the senate and the legislator representing the minority  
30 caucus in the house of representatives shall convene the initial  
31 meeting of the work group.

32 (5) The first meeting of the work group must take place by June  
33 30, 2019.

34 (6) Staff support for the legislative members of the work group  
35 must be provided by the departments of natural resources and  
36 agriculture.

37 (7) Nonlegislative members of the work group are not entitled to  
38 be reimbursed for travel expenses if they are elected officials or  
39 are participating on behalf of an employer, governmental entity, or  
40 other organization. Any other reimbursement for nonlegislative

1 members is subject to the limitations of class one groups under RCW  
2 43.03.220.

3 (8) The work group shall provide a report that includes any  
4 findings, recommendations, and draft legislation, to the governor and  
5 the legislature consistent with RCW 43.01.036, by November 10, 2019.

6 (9) This section expires December 31, 2020.

7 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
8 preservation of the public peace, health, or safety, or support of  
9 the state government and its existing public institutions, and takes  
10 effect immediately."

11 Correct the title.

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

(1) 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.

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

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

(4) Specifies that the work group shall choose the cochairs from  
its legislative membership and that the legislators representing the  
majority caucus in the Senate and the minority caucus in the House  
shall convene the initial meeting of the work group.

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

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

(7) Adds an emergency clause with an immediate effective date,  
requires the first meeting to take place no later than June 30, 2019,  
and extends the expiration date of the work group to December 31,  
2020, instead of December 31, 2019.

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