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**SENATE BILL 6488**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senators Rolfes, Saldaña, and Van De Wege

Read first time 01/17/20. Referred to Committee on Agriculture, Water, Natural Resources & Parks.

1 AN ACT Relating to aerial herbicides in forestlands; adding a new  
2 section to chapter 76.09 RCW; creating new sections; and declaring an  
3 emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature, through the enactment of  
6 Substitute Senate Bill No. 5597 (chapter 355, Laws of 2019), created  
7 the work group on aerial application of herbicides on state and  
8 private forestlands and directed a report back to the legislature  
9 with recommendations for any improvements to best management  
10 practices in herbicide application and nonchemical alternatives in  
11 vegetation management. The legislature intends by this act to adopt  
12 several of those recommendations appropriate for codification into  
13 the state's forest practices act.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 76.09  
15 RCW to read as follows:

16 (1) The department, in consultation with the University of  
17 Washington, Washington State University, and the United States forest  
18 service, shall continue to evaluate and conduct trials of nonchemical  
19 vegetation management strategies. When possible, this should be  
20 completed using existing research cooperatives.

1 (2) The board shall develop interpretive guidance to clarify  
2 adjacent property buffer rules, including provisions for the board  
3 manual and the forest practices illustrated document that explain the  
4 buffer rules for the protection of private property, including  
5 adjacent residential and agricultural properties. The board must also  
6 update the manual to include best management practices and technical  
7 guidance consistent with current forest practices rules including,  
8 but not limited to, equipment, weather conditions, communicating best  
9 management practices to neighbors, signage, and information about  
10 alternatives to herbicides.

11 (3) The department must improve the herbicide application signage  
12 information included in the manual and forest practices illustrated  
13 document to reflect improvements to the legally required posting. The  
14 department must require that emergency contact information be  
15 included on the signage.

16 (4) Within existing resources, the department must work with the  
17 departments of agriculture, labor and industries, health, and  
18 ecology, as well as local health jurisdictions and the state poison  
19 center, and consult with nongovernmental stakeholders to evaluate  
20 pesticide investigation rules and processes. By October 1, 2020, the  
21 work group must report back to the legislature with any recommended  
22 changes, including how complaints should be reported and ensuring  
23 that complaints are properly referred.

24 (5) The board must include herbicide applications into the  
25 biennial forest practices rules revisions regarding compliance  
26 monitoring sampling.

27 NEW SECTION. **Sec. 3.** By September 30, 2020, the departments of  
28 agriculture and natural resources must provide recommendations to the  
29 appropriate committees of the senate and house of representatives on  
30 the categorical exemptions and other thresholds relating to analysis  
31 under chapter 43.21C RCW of forest practices permit applications that  
32 include the aerial application of herbicides, including any  
33 recommendations for statutory or administrative revisions to the  
34 thresholds.

35 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
36 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes  
2 effect immediately.

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