

FINAL BILL REPORT

ESSB 5424

C 255 L 99

Synopsis as Enacted

Brief Description: Allowing the use of certain commercially approved herbicides for aquatic plant management.

Sponsors: Senate Committee on Environmental Quality & Water Resources (originally sponsored by Senators Winsley, Fraser, Honeyford, Hochstatter, Hale, McCaslin, West and Haugen).

Senate Committee on Environmental Quality & Water Resources

Senate Committee on Ways & Means

House Committee on Agriculture & Ecology

House Committee on Appropriations

Background: The Department of Ecology authorizes and guides the use of pesticides to control aquatic plants and weeds based on information in the 1992 Aquatic Plant Management Program Environmental Impact Statement (EIS). The EIS reviewed the aquatic plant control methods available at the time and recommended conditions or prohibitions to be placed on pesticide use. Since 1992, the Environmental Protection Agency has approved aquatic plant pesticides for commercial use, but the state has not had an instrument to review these products or evaluate new information relevant to pesticides evaluated in the 1992 EIS.

Summary: The Department of Ecology must update the final environmental impact statement completed in 1992 for the aquatic plant management program to reflect new information on herbicides evaluated in 1992 and new, commercially available herbicides. The department must maintain the currency of the information on herbicides and evaluate new herbicides as they become commercially available.

The experimental use of hydrothol 191 is authorized during the 1999 treatment season to control algae in certain lakes. If the use of this herbicide is ineffective, then the Department of Ecology may permit the use of copper sulfate after consulting with federal, state, and local agencies as well as interested parties. The Washington State Institute for Public Policy is directed to contract for a study on the effectiveness of any herbicide used on the lake. A general fund appropriation in the amount of \$35,000 is provided for the study.

Government entities are authorized to use the pesticide 2,4-D to treat an initial infestation of Eurasian water milfoil. If the entity complies with the pesticide label requirements and notifies lake residents of the intended pesticide use, the entity is exempt from the requirement of obtaining short-term water quality modification from the Department of Ecology. A 21-day notice is required to the Departments of Ecology, Health, Agriculture, and Fish and Wildlife prior to applying 2,4-D. The Department of Fish and Wildlife may impose timing restrictions on the use of 2,4-D to protect salmon and other fish and wildlife. The Department of Ecology may prohibit the use of aquatic 2,4-D if it exceeds the standard

for dioxin established by EPA. The use of funds from the freshwater aquatic weeds account for 2,4-D application is authorized.

Votes on Final Passage:

Senate	48	0	
House	65	30	(House amended)
Senate	44	0	(Senate concurred)

Effective: May 10, 1999