

HOUSE BILL REPORT

SSB 6553

As Passed House - Amended:

March 6, 2002

Title: An act relating to invasive aquatic species.

Brief Description: Enhancing regulatory capabilities to prevent invasive aquatic species.

Sponsors: By Senate Committee on Natural Resources, Parks & Shorelines (originally sponsored by Senators Poulsen, Oke and Regala; by request of Governor Locke).

Brief History:

Committee Activity:

Natural Resources: 2/20/02, 2/26/02 [DP].

Floor Activity:

Passed House - Amended: 3/6/02, 93-0.

Brief Summary of Substitute Bill (As Amended by House)

- Directs the Department of Fish and Wildlife to develop an aquatic nuisance species rapid response plan.
- Authorizes Department of Fish and Wildlife enforcement officers to inspect watercraft for aquatic nuisance species.
- Creates various fish and wildlife code violations related to invasive aquatic animal species.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass. Signed by 11 members: Representatives Doumit, Chair; Rockefeller, Vice Chair; Sump, Ranking Minority Member; Buck, Eickmeyer, Ericksen, Jackley, McDermott, Orcutt, Pearson and Upthegrove.

Staff: Jason Callahan (786-7117).

Background:

The Legislature has in the past recognized the risks posed by the introduction of aquatic

nuisance species. Several of these species are currently found in Washington's waters. These species include both flora, such as the smooth cordgrass (*Spartina*), and fauna, such as the European green crab.

Both specific and general measures have been taken by Washington to combat aquatic nuisance species. The Department of Fish and Wildlife (department) has been generally given jurisdiction over aquatic nuisance species, and is charged with tracking and proposing solutions to zebra mussel and European green crab infestations. In addition, the department has been charged with implementing the state's ballast water discharge program.

The 2000 state Legislature created the Aquatic Nuisance Species Committee (committee) and charged it with fostering state, federal, tribal, and private cooperation on aquatic nuisance species issues. The committee is charged with various duties, including the revision of the state's aquatic nuisance species management plan, making recommendations to the state noxious weed control board, and coordinating education and research. In the committee's 2002 report to the Legislature, it recommend several measures to combat aquatic nuisance species. Included in these recommendations are developing a rapid response plan and enhancing public outreach and education.

Summary of Amended Bill:

The Legislature recognizes that the potential economic and environmental damage that can occur from the introduction of the invasive aquatic species is serious, and increased public awareness of invasive aquatic species is a benefit to the state.

The director of the Department of Fish and Wildlife must create a rapid response plan in cooperation with the Aquatic Nuisance Species Committee and the other state agencies involved in invasive species management. The director of the Department of Fish and Wildlife and the chief of the State Patrol must jointly develop a plan to inspect watercraft entering the state to prevent the introduction of invasive aquatic species. The plan must be provided to the Legislature by December 2003. The Fish and Wildlife Commission is given authority to classify non-native aquatic animal species in various categories related to their danger to the environment. The commission is given the authority to designate by rule state waters that are infested if the director of the Department of Fish and Wildlife determines that the waters contain a prohibited aquatic animal species. The commission may also develop a work plan to eradicate native aquatic species that threaten human health.

Persons may not possess, import, purchase, sell, propagate, or transport prohibited aquatic animal species in the state. Exceptions are allowed for identifying a species or reporting the presence of a species, for possessing a prohibited species while in the process of removing it from watercraft or equipment in the manner specified by the

department, or to take the species and return it to the water from which it came. A gross misdemeanor penalty is established.

Ballast water is excluded from the act.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a first step toward improving the state's responses and coordination in dealing with invasive aquatic species. The risk of invasive species infestations is severe. These non-native organisms can cause economic damage from clogging dams to destroying fisheries. The state needs to address the infestations already here as well as the species that may be on the way. The additional authority and enforcement provided for in this bill will allow Washington to remain a leader in combating threats to its marine ecosystems by non-native invasive species.

Testimony Against: None.

Testified: Ron Shultz, Governor's Office; and Morris Barker, Department of Fish and Wildlife.