

SENATE BILL REPORT

SB 5315

As Reported By Senate Committee On:
Natural Resources, Parks & Recreation, February 11, 1999

Title: An act relating to aquatic nuisance species.

Brief Description: Creating the aquatic nuisance species coordination committee.

Sponsors: Senators Jacobsen, Oke and Winsley.

Brief History:

Committee Activity: Natural Resources, Parks & Recreation: 2/4/99, 2/11/99 [DPS-WM].
Ways & Means: 2/23/99.

SENATE COMMITTEE ON NATURAL RESOURCES, PARKS & RECREATION

Majority Report: That Substitute Senate Bill No. 5315 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Jacobsen, Chair; T. Sheldon, Vice Chair; Hargrove, Morton, Oke, Rossi, Snyder, Spanel and Stevens.

Staff: Vic Moon (786-7469)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Kari Guy (786-7437)

Background: Population increases, more rapid means of transportation and other factors have contributed to a dramatic increase in the accidental introduction of nonnative species throughout the world. The introduction of new species can have unpredictable and often negative impacts. Aquatic plants and animals that are especially destructive when introduced into new areas are referred to as aquatic nuisance species.

Aquatic nuisance species, such as zebra mussels, European green crab, Chinese mitten crab, spartina, and hydrilla, can seriously threaten the ecological integrity of Washington's marine and freshwater resources. Aquatic nuisance species can have significant negative impacts on the economic, social, and public health conditions in the state. Often these species have few natural controls in their new habitat and can spread rapidly, destroying native plant and animal habitat and reducing recreational opportunities. Often the introduction of such species lowers property values, clogs waterways, and impacts both irrigation and power generation negatively.

Congress has authorized \$4 million annually to fund the implementation of state management plans to minimize the environmental and economic damage caused by aquatic nuisance

species. In recent years, only a small portion of these funds, about \$200,000, has been made available to the states.

Summary of Substitute Bill: Aquatic nuisance species are a serious problem that threaten the ecological integrity of the state's marine and freshwater resources. To minimize the environmental and economic risks, specific programs that either prevent the introduction of the species or aid in eliminating infestations are necessary.

Aquatic nuisance species— means a nonnative aquatic plant or animal specie that threaten the diversity or the abundance of native species, that damage the ecological stability of infested waters, and could have an impact on commercial, agriculture, or recreational activities dependent on state waters. Aquatic plants are listed by the State Noxious Weed Control Board. Aquatic animals are classified as aquatic nuisance species by the Fish and Wildlife Commission.

An Aquatic Nuisance Species Coordinating Committee is created consisting of representatives from the Department of Fish and Wildlife; the Department of Ecology; Agriculture; Natural Resources; the State Patrol; the State Noxious Week Control Board; the Washington Public Ports Association; the Washington Sea Grant Program; the United States Fish and Wildlife Service; and the federal Environmental Protection Agency. One person representing the tribes of Washington is also invited to participate in the committee. The representative from the Department of Fish and Wildlife chairs the committee. The committee periodically revises the State Aquatic Nuisance Species Management Plan, prepares a zebra mussel containment plan, prepares a programmatic environmental impact statement for the zebra mussel containment plan, designs a monitoring program for early detection of zebra mussel introductions and provides early response plans for other aquatic nuisance species. The committee must design a zebra mussel inspection program for large boats being hauled by commercial carriers and design a voluntary inspection program for small boats entering Washington. The committee must design an aquatic species education program, establish a list of advisors and seek recommendations regarding all of the duties of the committee. The committee must advise member agencies on the use of funds available for nuisance species activities. The committee must prepare a report for the Legislature by December 1, 2001.

The Department of Ecology must investigate the risk of introductions of nonnative aquatic species through the discharge of ballast water and prepare recommendations to the Legislature. The Department of Ecology inspects vessels and sample ballast water to determine whether the vessel's ballast water poses a measurable risk of introducing nonnative aquatic species. The Department of Agriculture inspects licensed nurseries and may require the destruction of infested aquatic plants. The State Patrol inspects boats entering the state at a port of entry for the purpose of detecting zebra mussels and preventing the introduction of zebra mussels into Washington. The Department of Fish and Wildlife is authorized to adopt rules defining approved decontamination methods for boats. The director of Fish and Wildlife determines that aquatic animal species threaten the diversity or abundance of a native species and may request the designation of the nuisance specie as part of the process established by the Washington State Fish and Wildlife Commission.

If specific funding for the Department of Ecology is not provided, its authority under this act is null and void.

Substitute Bill Compared to Original Bill: The substitute clarifies the Department of Agriculture's authority concerning control of invasive species. The Washington Public Ports Association is added to the committee. Null and void sections relating to the Department of Agriculture and the State Patrol are removed.

Appropriation: None.

Fiscal Note: Available in part; no Department of Ecology section.

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

Testimony For: Invasive species such as the green crab, the mitten crab and zebra mussels need to be controlled before they spread and cause serious environmental and economic damage.

Testimony Against: None.

Testified: PRO: Lisa Lantz, State Noxious Weed Control Board; Mary Toohey, WA State Department of Agriculture; Jeff Fishel, Department of Ecology; Scott Smith, Department of Fish and Wildlife; Roberta Gunn, Puget Soundkeeper Alliance; Harry Hutchins, Puget Sound Steamship Operators Association.