

# HOUSE BILL REPORT

## HB 1654

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**As Reported by House Committee On:**  
Agriculture & Natural Resources  
General Government & Information Technology

**Title:** An act relating to controlling noxious weeds while still supporting pollen-rich forage plant communities for honey bees.

**Brief Description:** Controlling noxious weeds while still supporting pollen-rich forage plant communities for honey bees.

**Sponsors:** Representatives Peterson, Lytton, Fitzgibbon, Blake and Walkinshaw.

**Brief History:**

**Committee Activity:**

Agriculture & Natural Resources: 2/4/15, 2/12/15 [DPS];  
General Government & Information Technology: 2/20/15, 2/24/15 [DP2S(w/o sub AGNR)].

**Brief Summary of Second Substitute Bill**

- Commissions a pilot project by the Noxious Weed Control Board that evaluates the advantages of replacing pollen-rich and nectar-rich noxious weeds with forage plants that can produce similar levels of pollen to support honey bee populations.
- Requires state agencies, as part their mandate to control noxious weeds on the land they manage, and when conducting planned projects, to give preference to replacing pollen-rich and nectar-rich noxious weeds with native pollinator-friendly forage plants when deemed appropriate by the agency and its targeted resource management goals.

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### HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Blake, Chair; Lytton, Vice Chair; Buys, Ranking Minority Member; Chandler, Dunshee, Hurst, Pettigrew, Stanford and Van De Wege.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Do not pass. Signed by 4 members: Representatives Dent, Assistant Ranking Minority Member; Kretz, Orcutt and Schmick.

**Staff:** Jason Callahan (786-7117).

**Background:**

Noxious Weeds.

A noxious weed is a plant that, when established, is highly destructive, competitive, or difficult to control. The state maintains an active list of noxious weeds present in Washington and categorizes the plants on the list into one of three categories. These categories are designated as class A, class B, and class C.

Class A weeds are those noxious weeds that are not native to Washington and are of limited distribution or are unrecorded in Washington yet could cause a serious threat if established. Class B weeds are non-native plants that are of limited distribution in a region of the state but that could cause a serious threat in that region. Class C weeds are all other noxious weeds.

Noxious weeds are identified and listed by the State Noxious Weed Control Board (Weed Board). The Weed Board is required to adopt a statewide noxious weed list at least once a year following a public hearing. Once a state noxious weed list is adopted, county noxious weed control boards must select weeds identified on the state list for inclusion on the local noxious weed list for that county. Each county is empowered to have a noxious weed control board within its jurisdiction.

Once a weed is included on a county's weed list, certain responsibilities apply to landowners within that county. Landowners are responsible for eradicating all class A weeds as well as controlling the spread of class B and class C weeds listed on the county list. The enforcement of violations of these duties is the responsibility of the county weed boards.

All state agencies are required to control noxious weeds on lands that they manage. This weed control must be done through integrated pest management practices outlined in plans developed in cooperation with county noxious weed control boards.

Honey Bees.

The 2013 Legislature directed the Washington State Department of Agriculture (WSDA) to convene a work group to address challenges facing the honey bee industry and to develop a report outlining solutions that bolster the use of Washington honey bees to pollinate tree fruits, berries, and seeds. The WSDA delivered the required report on December 12, 2014. In the report, bee forage and bee nutrition was identified as one of four main issues affecting honey bee health. The report concluded that access to diverse pollen and nectar sources, provided through access to diverse forage habitat, is essential for honey bees to properly meet their protein, carbohydrate, and other nutritional needs.

The report went on to cite the loss of forage to weed control as one of the challenges facing honey bees in their search for adequately diverse forage. Of the 142 plants listed as noxious

weeds, at least 27 of them are identified in the report as plants that provide valuable bee forage.

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### **Summary of Substitute Bill:**

#### Pilot Project.

The Weed Board is directed to conduct a pilot project that evaluates the advantages of replacing pollen-rich noxious weeds with native forage plants that can produce similar levels of pollen and nectar to support honeybee populations. In developing the pilot project, the Weed Board must seek to maximize the dual public benefits of reducing noxious weeds and maintaining access to pollen forage for honey bees and apiarists.

The Weed Board must, as part of the pilot project, coordinate only with state or federal public land managers to provide plant starts, seed packs, and other goods or services necessary to replace noxious weeds with native plants or non-native plants that are not invasive.

The Weed Board must report the findings from the pilot project to the Legislature by October 31, 2016. The report must include an assessment of acceptance by land managers and the apiary industry, a cost/benefit analysis around using plant replacement to decrease noxious weeds and increase bee forage, and any other recommendations for extending the pilot project or implementing the lessons learned through the pilot project.

#### State Land Management.

As part of the mandate for state agencies to control noxious weeds on the land they manage, state agencies must, when conducting planned projects, give preference to replacing pollen-rich and nectar-rich noxious weeds with native pollinator-friendly forage plants when deemed appropriate by the agency and its targeted resource management goals.

### **Substitute Bill Compared to Original Bill:**

The substitute bill requires the Weed Board to include pilot project partners in both eastern and western Washington, limits the pilot project participants to public land managers only, allows non-native plants to be an element of the pilot project as long as they are non-invasive, and changes the mandate on state agencies to only include the replacement of weeds with pollen-rich plants when it is part of an existing planned project and when it is deemed appropriate by the agency.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The production of local honey is a growing part of the Washington economy and the state has seen an increase in interest in urban beekeeping. Bees are also important to the state's tree fruit industry. Bees have long suffered from a lack of forage and bee-friendly state land management would be a help. Washington's short growing season makes access to nutritional food sources critical for honey bee health. There are lots of landowners interested in participating in the pilot project.

Weed control is very successful in Washington; so successful that large swaths of land have been made devoid of any bee forage. Beekeepers and the Weed Board could easily find each other in conflict, but that is not the case. The Weed Board has done some work for apiarists, including outreach regarding bee-friendly weed control, providing education materials, promoting awareness about pollinator conservation, and helping landowners control weeds while supporting bees. The pilot project would build on and maximize these efforts.

(Neutral) The Weed Board has done some work for apiarists, including outreach regarding bee-friendly weed control, providing education materials, promoting awareness about pollinator conservation, and helping landowners control weeds while supporting bees. The pilot project would build on and maximize these efforts. It is always good to remind state agencies that they have the responsibility to control weeds on the lands they manage. The costs reported by the state agencies to control weeds in a bee-friendly manner seems exaggerated.

(Opposed) None.

**Persons Testifying:** (In support) Representative Peterson, prime sponsor; Tim Hiatt, and Mark Emrich, Washington State Beekeepers Association.

(Neutral) Alison Halperin, Washington State Noxious Weed Control Board.

**Persons Signed In To Testify But Not Testifying:** None.

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**HOUSE COMMITTEE ON GENERAL GOVERNMENT & INFORMATION  
TECHNOLOGY**

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Agriculture & Natural Resources. Signed by 7 members: Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe, Morris and Takko.

**Staff:** Dan Jones (786-7118).

**Summary of Recommendation of Committee On General Government & Information Technology Compared to Recommendation of Committee On Agriculture & Natural Resources:**

The second substitute bill requires the Noxious Weed Control Board's pilot project report to include three tools that may be used by land managers who are replacing noxious weeds with bee-friendly alternatives, as well as an assessment scale to rate the usefulness of these tools. These tools include a list of suitable pollen-rich forage plant alternatives to noxious weeds, a list of potential seed and plant start suppliers, and a matrix with guidelines for land managers who are replacing noxious weeds or creating new forage patches.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Second Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This bill addresses some of the unintended consequences of noxious weed control. Bees have been under siege for several years from different sources, one of which is lack of forage. Many noxious weeds have pollen that is important for bees, and when people replace noxious weeds with forage-friendly species for the bees, that are so important for agricultural production, everyone wins. The pilot project would focus on federal and state lands, allowing public land managers to set a good example. The project would complement the Noxious Weed Board's ongoing outreach with private landowners, educating the public about the importance of pollinators and issues of colony collapse.

(Opposed) None.

**Persons Testifying:** Representative Peterson, prime sponsor; Alison Halpern, Washington State Noxious Weed Board; and Tim Hiatt, Washington State Beekeepers Association.

**Persons Signed In To Testify But Not Testifying:** None.