

# SENATE BILL REPORT

## EHB 2478

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As of February 22, 2016

**Title:** An act relating to supporting agricultural production, including that of apiarists, through the preservation of forage for pollinators.

**Brief Description:** Supporting agricultural production, including that of apiarists, through the preservation of forage for pollinators.

**Sponsors:** Representatives Peterson, Stambaugh, Buys, Dent, Gregerson, Riccelli, Orwall, Stanford, Blake, Sawyer, Tharinger, Fitzgibbon, Walkinshaw, Tarleton, McBride, Moscoso, Bergquist, Pollet, S. Hunt, Goodman and Wilcox.

**Brief History:** Passed House: 2/10/16, 96-1.

**Committee Activity:** Agriculture, Water & Rural Economic Development: 2/18/16.

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### SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

**Staff:** Diane Smith (786-7410)

**Background:** Noxious Weeds. A noxious weed is a plant that, when established, is highly destructive, competitive, or difficult to control by cultural or chemical practices.

Noxious weeds are identified and listed by the Washington 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 the 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. 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.

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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.*

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. WSDA delivered the required report on December 12, 2014.

In the report, bee forage and bee nutrition were identified as one of the 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.

Washington Conservation Corps. The Washington Conservation Corps (Corps) is a program that provides fee-for-service youth work crews for projects that address defined goals. The Corps is administered as a partnership with the Washington Department of Fish and Wildlife (WDFW), the Department of Natural Resources (DNR), and the State Parks and Recreation Commission (State Parks), along with other agencies and nonprofit organizations. Each agency is responsible for recruiting staff and Corps members, executing agreements that allow the Corps crews to work, applying for and accepting grant funding, and prioritizing projects.

**Summary of 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, or non-native and non-invasive forage plants, that can produce similar levels of seasonally balanced pollen and nectar to support honey bee populations.

The goal of the pilot project is to develop optional guidance and best practices for landowners and land managers. In developing the pilot project, the Weed Board must seek to maximize the dual public benefits of reducing noxious weeds and supporting agricultural production through access to pollen-rich and nectar-rich forage for honey bees and other pollinators.

The Weed Board may choose to coordinate with the Washington State Conservation Commission or individual conservation districts if coordination would be beneficial; however, it must coordinate with any applicable county level weed boards.

The Weed Board must, as part of the pilot project, coordinate with willing landowners 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 may also work with willing landowners and local noxious weed control boards to create new seasonally balanced forage patches.

Priority participation in the pilot project must be given to interested private landowners located in areas of the state where the dual public benefits of the pilot project can be maximized. In addition to private landowners, public land managers may also be selected for

participation. Pilot project partners should be located in both Eastern and Western Washington.

The Weed Board must report the findings from the pilot project to the Legislature by October 31, 2020. The report must include a list of suitable pollen-rich forage plants that are alternatives to noxious weeds, a list of plant suppliers, guidelines for replacing noxious weeds, an assessment scale that rates the usefulness of various approaches, and any other recommendations for extending the pilot project or implementing the lessons learned through the pilot project.

The pilot project expires June 30, 2021.

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.

This directive also applies to projects undertaken by the Corps.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: This bill was fixed over the interim with input from Eastern Washington. It is now appropriate to small and large agricultural producers. It is an important bill because one of every three bites we take is dependent on pollinators. The state weed board distributed 68,000 flower-bee-seed (Bee-U-Tify) packets last year. The bill allows continuation of this program and expansion into a pilot to customize guidelines for effective pollinator forage. Encouraging the appropriate native or noninvasive for the given field is essential.

**Persons Testifying:** PRO: Representative Peterson, prime sponsor; Alison Halpern, WA State Noxious Weed Control Board; Tim Hiatt, Washington State Beekeepers Assn.

**Persons Signed In To Testify But Not Testifying:** No one.