

HOUSE BILL REPORT

ESSB 5699

As Reported by House Committee On:
Natural Resources, Ecology & Parks
Appropriations

Title: An act relating to preventing and controlling aquatic invasive species and algae.

Brief Description: Preventing and controlling aquatic invasive species and algae.

Sponsors: Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Oke, Jacobsen, Spanel, Doumit, Kline, Rockefeller and Rasmussen).

Brief History:

Committee Activity:

Natural Resources, Ecology & Parks: 3/22/05, 3/24/05 [DPA];
Appropriations: 3/29/05, 3/31/05 [DPA(NREP)].

**Brief Summary of Engrossed Substitute Bill
(As Amended by House Committee)**

- Increases additional vessel registration fees by \$3 and deposits these moneys in three new dedicated accounts for aquatic invasive species prevention and enforcement, and freshwater aquatic algae control.
- Directs the Washington Department of Fish and Wildlife and the Washington State Patrol to inspect watercraft and trailers and implement an aquatic invasive species early detection and rapid response plan.

HOUSE COMMITTEE ON NATURAL RESOURCES, ECOLOGY & PARKS

Majority Report: Do pass as amended. Signed by 10 members: Representatives B. Sullivan, Chair; Upthegrove, Vice Chair; Buck, Ranking Minority Member; Kretz, Assistant Ranking Minority Member; Blake, DeBolt, Dickerson, Hunt, Orcutt and Williams.

Staff: Jeff Olsen (786-7157).

Background:

Aquatic nuisance species, such as zebra mussels, European green crab, Chinese mitten crab, spartina, and hydrilla, can threaten the ecological integrity of Washington's marine and freshwater resources. The Washington Department of Fish and Wildlife (WDFW) has

authority to manage aquatic nuisance species and is charged with tracking and proposing solutions to manage these species.

The 2000 Washington Legislature created the Aquatic Nuisance Species Committee (Committee) and charged it with fostering state, federal, tribal, and private cooperation on aquatic nuisance species issues. Legislation in 2002 directed the WDFW to create a rapid response plan in cooperation with the Committee and other state agencies involved in invasive species management. The Director of the WDFW and the Chief of the Washington State Patrol (WSP) were directed to develop a plan to inspect watercraft entering the state to prevent the introduction of invasive aquatic species.

Certain recreational vessels are required to obtain a vessel registration from the Department of Licensing for a \$10.50 annual fee. In addition to the registration fee, an additional \$2 is collected annually and deposited in the Derelict Vessel Removal Account.

A boat trailer is subject to a \$30 annual vehicle license fee. In addition to the license fee, there is a \$3 additional charge that is directed to the Freshwater Aquatic Weeds Account. Funds in the Freshwater Aquatic Weeds Account may be appropriated to the Department of Ecology, with two-thirds of the funds to be issued as grants to local governments and tribes to prevent, remove, or manage freshwater aquatic weeds.

Summary of Amended Bill:

Vessel registration fees are increased \$3, increasing the annual total vessel registration and additional fees from \$12.50 to \$15.50. Of the additional \$3 fee, \$1.50 is deposited in the Aquatic Invasive Species Prevention Account, \$1 is deposited in the Freshwater Aquatic Algae Control Account, and 50 cents is deposited in the Aquatic Invasive Species Enforcement Account. The fee increase expires June 30, 2012.

The Aquatic Invasive Species Prevention Account may be appropriated to the WDFW to develop an Aquatic Invasive Species Prevention Program for recreational watercraft. Funds from the account must be expended as follows:

1. to inspect watercraft, watercraft trailers, and outboard motors at selected boat launching sites;
2. to educate general law enforcement officers on how to enforce state laws relating to preventing the spread of aquatic invasive species;
3. to evaluate and survey the risk posed by marine recreational watercraft in spreading aquatic invasive species into Washington waters;
4. to evaluate the risk posed by float planes in spreading aquatic invasive species into Washington waters; and
5. to implement an aquatic invasive species early detection and rapid response plan.

The WDFW must provide training to WSP employees working at port of entry weigh stations on how to inspect recreational watercraft for the presence of zebra mussels and other aquatic

invasive species. The WDFW must also work cooperatively with the WSP to set up random check stations to inspect watercraft at areas of high boating activity.

The Freshwater Aquatic Algae Control Account may be appropriated to the Department of Ecology to develop a Freshwater Aquatic Algae Control Program. Moneys may be used for grants to cities, counties, tribes, special purpose districts, and state agencies to manage excessive freshwater algae. Grant funding must be prioritized for the treatment of lakes in which harmful algal bloom have occurred within the past three years. Moneys may also be used to provide technical assistance to applicants and the public aquatic algae control.

The Aquatic Invasive Species Enforcement Account may be appropriated to the WSP to develop an Aquatic Invasive Species Enforcement Program for recreational watercraft. Funds from the account must be expended to inspect recreational watercraft that are required to stop at port of entry weigh stations managed by the WSP. The watercraft must be inspected for the presence of zebra mussels and other aquatic invasive species. In addition, funds may be used to establish random check stations, in conjunction with the WDFW, to inspect watercraft in areas of high boating activity.

The WDFW and the WSP shall submit a biennial report to the appropriate legislative committees by December 1, 2007, describing the actions taken along with suggestions for improvements.

Amended Bill Compared to Engrossed Substitute Bill:

Grant funding that is provided for the management of freshwater aquatic algae is prioritized to lakes that have experienced harmful algal blooms within the past three years.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Invasive species are a serious concern, and Washington needs to take action to prevent damage to the economy and the environment. Other states that have implemented prevention programs have been successful in keeping problems in check. Float planes are another pathway for invasive species, and this bill provides funding to address this concern. A stable source of funding is necessary to address these problems. While there is an expiration date in the bill of 2012, the invasive species problems will not go away. However, an expiration date allows for an evaluation of the program. Prevention is much cheaper than responding to a threat once an invasive species is established.

Testimony Against: None.

Persons Testifying: Senator Oke, prime sponsor; Scott Smith, Washington Department of Fish and Wildlife; and Fran McNair, Department of Natural Resources.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Natural Resources, Ecology & Parks. Signed by 27 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Bailey, Buri, Clements, Cody, Conway, Darneille, Dunshee, Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Miloscia, Priest, Schual-Berke, Talcott and Walsh.

Minority Report: Without recommendation. Signed by 1 member: Representative Pearson.

Staff: Alicia Paatsch (786-7178).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Natural Resources, Ecology & Parks:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: None.

Testimony Against: None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.