

**RCW 76.06.130 Exotic forest insect or disease control—  
Department's authority and duties—Declaration of forest health  
emergency.** The department is authorized to contribute resources and  
expertise to assist the department of agriculture in control or  
eradication efforts authorized under chapter 17.24 RCW in order to  
protect forestlands of the state.

If either the department of agriculture has not taken action  
under chapter 17.24 RCW or the commissioner finds that additional  
efforts are required to control or prevent an outbreak of an exotic  
forest insect or disease which has not become so habituated that it  
can no longer be eradicated and that poses an imminent danger of  
damage to the forested environment by threatening the diversity,  
abundance, and survivability of native tree species, or both, the  
commissioner may declare a forest health emergency.

Upon declaration of a forest health emergency, the department  
must delineate the area at risk and determine the most appropriate  
integrated pest management methods to control the outbreak, in  
consultation with other interested agencies, affected tribes, and  
affected forestland owners. The department must notify affected  
forestland owners of its intent to conduct control operations.

Upon declaration of a forest health emergency by the  
commissioner, the department is authorized to enter into agreements  
with forestland owners, companies, individuals, tribal entities, and  
federal, state, and local agencies to accomplish control of exotic  
forest insects or diseases on any affected forestlands using such  
funds as have been, or may be, made available.

The department must proceed with the control of the exotic forest  
insects or diseases on affected nonfederal and nontribal forestlands  
with or without the cooperation of the owner. The department may  
reimburse cooperating forestland owners and agencies for actual cost  
of equipment, labor, and materials utilized in cooperative exotic  
forest insect or disease control projects, as agreed to by the  
department.

A forest health emergency no longer exists when the department  
finds that the exotic forest insect or disease has been controlled or  
eradicated, that the imminent threat no longer exists, or that there  
is no longer good likelihood of effective control.

Nothing under this chapter diminishes the authority and  
responsibility of the department of agriculture under chapter 17.24  
RCW. [2003 c 314 s 3.]

**Findings—2003 c 314:** See note following RCW 17.24.220.