

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2478

Chapter 44, Laws of 2016

64th Legislature
2016 Regular Session

PRESERVATION OF FORAGE PLANTS FOR POLLINATORS

EFFECTIVE DATE: 6/9/2016

Passed by the House March 7, 2016
Yeas 95 Nays 1

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 1, 2016
Yeas 47 Nays 0

BRAD OWEN

President of the Senate

Approved March 29, 2016 3:46 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 2478** as passed by House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 30, 2016

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2478

AS AMENDED BY THE SENATE

Passed Legislature - 2016 Regular Session

State of Washington **64th Legislature** **2016 Regular Session**

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

Read first time 01/13/16. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to supporting agricultural production, including
2 that of apiarists, through the preservation of forage for
3 pollinators; amending RCW 17.10.145; adding a new section to chapter
4 43.220 RCW; creating a new section; and providing an expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The state noxious weed control board
7 shall conduct a pilot project that evaluates the options, methods,
8 and costs of purposefully replacing pollen-rich and nectar-rich
9 noxious weeds, such as knapweeds and nonnative thistles, which are
10 productive forage plants for honey bees, with either native or
11 noninvasive, nonnative forage plants that can produce similar levels
12 of pollen and nectar with a similar bloom succession to support
13 populations of honey bees and other pollinators. The goal of the
14 pilot project is to develop optional guidance and best practices for
15 landowners and land managers faced with the removal of noxious weeds.
16 The pilot project must be developed to maximize the dual public
17 benefits of reducing noxious weeds in Washington and supporting
18 agricultural production through the maintenance of access to
19 seasonally balanced pollen-rich and nectar-rich plants for honey bees
20 and other pollinators.

1 (2)(a) In implementing the pilot project, the state noxious weed
2 control board must coordinate with willing landowners to provide
3 goods or services, such as plant starts and seed packs, necessary to
4 replace noxious weeds with either native or noninvasive, nonnative
5 plants or to create, in conjunction with noxious weed control
6 efforts, new seasonally balanced forage patches for honey bees and
7 other pollinators.

8 (b) Priority in participation in the pilot project must be given
9 to interested private landowners located in areas where the dual
10 benefits of the pilot project can be maximized. However, public
11 landowners or managers may also be considered for participation. No
12 landowner may be required to participate in the pilot project either
13 directly or as a condition of a permit or other governmental action.

14 (3) The implementation details of the pilot project required by
15 this section are at the sole discretion of the state noxious weed
16 control board, including the selection of pilot project partners and
17 participants. However, pilot project partners should be located in
18 both eastern and western Washington. The state noxious weed control
19 board:

20 (a) Shall coordinate with the county noxious weed control boards
21 in which pilot projects are located, unless the county does not have
22 a local noxious weed control board; and

23 (b) May coordinate with the state conservation commission or
24 individual conservation districts in the implementation of the pilot
25 project if the state noxious weed control board finds that
26 coordination would be beneficial.

27 (4) The state noxious weed control board must issue a report to
28 the legislature, consistent with RCW 43.01.036, that outlines the
29 successes and challenges of the pilot project, including the
30 development of the tools in this subsection. This report must be
31 presented by October 31, 2020, and include:

32 (a) A description of the following tools:

33 (i) A list of suitable pollen-rich forage plant alternatives to
34 noxious weeds, taking into account traits such as nectar and pollen
35 quality, bloom succession, growth requirements, and habitat type;

36 (ii) A list of seed and plant start suppliers that may be able to
37 provide pollen-rich forage plant alternatives to noxious weeds. The
38 list may only include suppliers who are willing to ensure the
39 identity and purity of seed through appropriate testing performed or
40 approved by the Washington state department of agriculture or by any

1 other agency authorized under the laws of any state, territory, or
2 possession that has standards and procedures approved by the United
3 States secretary of agriculture to ensure the identity and purity of
4 seed; and

5 (iii) A matrix, based on the pilot project, to provide guidelines
6 to landowners and land managers when replacing noxious weeds or
7 creating new pollen-rich forage patches;

8 (b) An assessment scale that may be used by landowners, land
9 managers, and the apiary industry to rate the usefulness of the tools
10 described in this subsection; and

11 (c) Any recommendations for extending the pilot project or using
12 the lessons learned as part of Washington's overall noxious weed
13 control strategy.

14 (5) This section expires June 30, 2021.

15 **Sec. 2.** RCW 17.10.145 and 1997 c 353 s 18 are each amended to
16 read as follows:

17 (1) All state agencies shall control noxious weeds on lands they
18 own, lease, or otherwise control through integrated pest management
19 practices. Agencies shall develop plans in cooperation with county
20 noxious weed control boards to control noxious weeds in accordance
21 with standards in this chapter.

22 (2) All state agencies' lands must comply with this chapter,
23 regardless of noxious weed control efforts on adjacent lands.

24 (3) While conducting planned projects to ensure compliance with
25 this chapter, all agencies must give preference, when deemed
26 appropriate by the acting agency for the project and targeted
27 resource management goals, to replacing pollen-rich or nectar-rich
28 noxious weeds with native forage plants that are beneficial for all
29 pollinators, including honey bees.

30 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.220
31 RCW to read as follows:

32 Any corps project that involves the removal of noxious weeds
33 must, when deemed appropriate for the project goals by the project
34 sponsor, include the planting of pollen-rich and nectar-rich native
35 plants to provide forage for all pollinators, including honey bees.

Passed by the House March 7, 2016.
Passed by the Senate March 1, 2016.
Approved by the Governor March 29, 2016.

Filed in Office of Secretary of State March 30, 2016.

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