

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
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* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the Cedar River Municipal Watershed and amending the Secondary Use Policies, adopted by Ordinance 114632, to provide for the limited application of the herbicide imazapyr to treat invasive knotweed species.

Summary and background of the Legislation:

This legislation would amend a 1989 ordinance that banned herbicide use in the Cedar River Municipal Watershed and extend the authority described in ordinances from 2010, 2013, and 2015 that allowed limited application of the herbicide imazapyr to treat knotweed. Knotweed is an invasive species that is extremely harmful to native plants and aquatic habitats. This ordinance would allow for three additional years, through 2021, of limited spraying of the herbicide imazapyr within the municipal watershed, with the goal of eradicating the knotweed.

Background:

Seattle Public Utilities (SPU) has a policy of not using herbicides in the Cedar River Watershed. This policy was enacted in the 1980s, before there was widespread recognition of the damage certain invasive plants can do to ecosystems and water quality. Since that time, many invasive species have become severe ecological threats in the Pacific Northwest. Knotweed (*Polygonum x bohemicum*, *P. cuspidatum*, and *P. sachalinense*) is one such group of species. Knotweed poses the greatest risk of any invasive plant in the watershed. The plant takes over habitats near water, displacing native plant species, degrading habitat for salmon and other fish, and threatening water quality by destabilizing stream banks. Knotweed spreads rapidly downstream by flowing water and is nearly impossible to control by physical means alone. As a result, many organizations, including the Nature Conservancy and King County, use imazapyr to successfully control this noxious weed immediately adjacent to streams, lakes, and wetlands. The environmental risk posed by invasive species such as knotweed is widely accepted as far greater than that posed by imazapyr.

A study conducted by the Nature Conservancy found that if imazapyr enters the water column, it is very quickly photo-degraded by sunlight, with an average half-life of only two to five days. Imazapyr is of relatively low toxicity to birds, mammals, fish, and invertebrates, and a study by a Washington State University toxicologist found the risk to water quality to be nil. Imazapyr is used for knotweed control by SPU, King County, and Forterra in the lower Cedar River watershed (below the City's municipal watershed ownership boundary), and by most other land management agencies and organizations throughout Washington. This lower area of the watershed is not owned by the City of Seattle and is not subject to the same herbicide restrictions that the municipal watershed is. However, it is part of the same hydrographic watershed and is

directly impacted by how well knotweed is controlled upstream in the municipal watershed. Furthermore, control of knotweed on the Cedar River and its tributaries is required by law.

In 2010, 2013, and 2015, the City Council granted SPU the authority to use imazapyr to control knotweed in the Cedar River Watershed, each for three years. Herbicide use has declined every year since 2011, and the amount used to treat knotweed throughout the watershed reached a low of 0.4 ounces per acre treated in 2018. SPU is requesting a three-year extension, through 2021, of the authorization to apply imazapyr in the watershed to maximize the potential effectiveness of this treatment, avoid re-infestation of the areas treated, and work toward the goal of eradicating knotweed from the municipal watershed.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes No

Does the legislation have other financial impacts to the City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

The long-term implications of this legislation are a result of cost savings, not increased expenditures. This is explained in the answer below.

Is there financial cost or other impacts of *not* implementing the legislation?

Yes. Without this legislation, there is no effective control alternative. Covering knotweed with geotextile fabric has been tried but demonstrated to be ineffective on these large patches. It is also much costlier than the use of herbicides proposed under this legislation. The no action alternative was ruled out because the infested areas would continue to be sources of knotweed, undermining efforts by SPU and King County to control the plant in downstream areas, ultimately increasing the cost of control and/or resulting in substantial negative ecological impacts. Under a related but different program described in the Background section of this fiscal note, over \$1,000,000 has already been spent controlling knotweed with herbicide (allowed outside of the municipal watershed boundary) in these downstream areas, projects that would be put at risk if control of the knotweed in the municipal watershed is not continued.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

No.

b. Is a public hearing required for this legislation?

No.

c. Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?

No.

d. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

e. Does this legislation affect a piece of property?

No.

f. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

The legislation will not negatively impact vulnerable or historically disadvantaged communities.

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).

No.

List attachments/exhibits below: