



STATE OF IDAHO

DEPARTMENT OF AGRICULTURE

C.L. "BUTCH" OTTER
Governor
CELIA R. GOULD
Director

October 15, 2016

The Honorable Thomas Dayley
Idaho House of Representatives
Sent Via Email

Dear Representative Dayley,

I appreciate the opportunity to provide some additional information about the Idaho State Department of Agriculture's (ISDA) Invasive Species Program. As always, we have worked to ensure the ISDA is available as a technical resource to the Idaho Legislature, and this letter serves to answer the questions you posed to me and reiterates in writing much of what Lloyd Knight, Administrator for Plant Industries, has provided to the Invasive Species Interim Working Group. I have included your questions and statements in bold with my answer below each question.

ISDA works to ensure the Invasive Species Program—and all of our programs—are effective, accountable, data-driven, and consistent with our authority. We are meeting those goals.

You will see a few common themes in our answers. First, the ISDA is a policy implementer, not a policymaker. Secondly, you have posed some questions about ISDA's existing authority. ISDA's authority is multi-faceted and may be sufficient as it relates to some of your questions. However, please bear in mind that we may be only one cog in the system needed to address a particular vision. Some questions may need to be posed to other agencies or groups about their authority and also how they prioritize all the duties in their purview.

What I am providing to you today is just a snapshot of the program. Our invasive species control efforts have advanced over the years to account for data, resources or other changes. Perhaps most notably, our personnel structure has evolved to have more of a boots-on-the-ground approach. The Invasive Species Program is not just an outreach and education effort as some previous ISDA positions emphasized—it's also a regulatory program. It takes vision to outline a program like this, but then you need good staff to get it off the ground and get the work done. That's what we're doing, and we always welcome input in that effort.

Finally, I would also encourage those who are interested in this issue to reach out to our agency anytime. My door is always open, and I am proud to show off the work of my dedicated staff.

Sincerely,

A handwritten signature in blue ink that reads "Celia R. Gould".

Celia Gould
Director

ISDA Responses to Questions from Representative Tom Dayley for Invasive Species Interim Working Group

Staffing

1. Is the staffing adequate to operate the current (and any anticipated changes) in the invasive species program?

- a. We have built the Invasive Species Program on the best available data, and we dovetail that information with statutory duties as well as resources, including personnel. We know that there is discussion outside the agency regarding some proposed changes to the program, but without further definition we can't outline any definitive needs for additional staffing. All that said, it should be noted that our agency has long approached our efforts with the understanding that programs are rarely assigned to any executive branch agency with additional staff or overhead with which to operate new programs. In fact, the Invasive Species Program was not sent to our agency with new positions attached. We identified a program area that was best suited to accomplish the task and we have had to adjust staffing levels and administrative support for the program in order to accomplish these responsibilities and other duties within the department and division. We have worked hard to achieve both efficiency and effectiveness in our operations. Where program activities were largely defined to a short season of a few months when the program began in 2009, we have now expanded efforts to an eight-month season of field activities and four months of reports and planning. We are fortunate to have a dedicated and experienced staff. It would be inappropriate for me to request additional staffing outside of the budget process required for executive branch agencies.
- b. As was presented to the committee in August, the Noxious Weeds and Invasive Species Section is currently staffed by six full time employees and as many as 100 seasonal temporary employees. In addition, our agency contracts with local cooperating agencies for the operation of watercraft inspection stations. The field operation season of watercraft inspection and monitoring runs from February through October, leaving November through February for most office work, including planning, paperwork, hiring, and purchasing.

2. How does this staffing and program compare to staffing and programs in comparable programs in other states such as Wyoming, Utah, and Montana?

- a. Listed below are the titles and number of staff for those states. However, we should point out that we are not intimately familiar with the organization and duties of these respective programs and employees. We don't know how they are structured or how they strategically operate. As such, comparing these states with Idaho may be comparing "apples to oranges".
- b. Montana – 6.5 full time staff, up to 62 temporary inspection staff
- c. Wyoming – 1 full-time coordinator; 5 contract (non-permanent) 12-month specialists; 3 contract (non-permanent) 9-month specialists; 43 contract (non-permanent) 5-month technicians
- d. Utah – Full-time: 1 AIS coordinator, 8 AIS biologists, 1 AIS law enforcement officer, 1 outreach employee; Seasonal (watercraft inspection): 65 technicians with UDWR, 50 seasonal technicians with State Parks; some law enforcement funded by AIS dollars

3. How does this staffing compare to other programs at ISDA? Specific numbers

- a. Obviously, the comparison of the Invasive Species Program with other programs within the agency is not an “apples to apples” comparison. Throughout the agency you will see some programs operating with one or two people, while others will have numerous staff. Work is mission and authority driven with widely varying degrees. Where the Invasive Species Program’s watercraft inspection operations are seasonal, other programs have consistent activity throughout the entire year. Within the Division of Plant Industries, the Field Services group has 16 full-time employees across the state, including investigators and support staff. This group of employees is responsible for implementing activities across more than a dozen primary program areas. In addition, the Feed & Fertilizer Program has four full-time employees and the Pest Detection Program has two. Seasonal temporary employees are necessary in all programs within the Division in order to meet seasonal workload in field inspection, pest survey, grasshopper control, and hops inspection during the harvest season.
 - b. With regards to the staffing levels in other programs within the agency:
 - i. Division of Administration (fiscal, human resources, and IT): 22 full-time employees
 - ii. Bureau of Agricultural Labs: 22 full-time employees
 - iii. Division of Agricultural Inspections: 39 full-time employees
 - iv. Division of Agricultural Resources: 23 full-time employees
 - v. Division of Animal Industries: 28 full-time employees
 - vi. Market Development: 8 full-time employees
 - vii. Division of Plant Industries: 33 full-time employees
- 4. What are the other duties of the ISDA invasive species staff? How much time on each?**
- a. As was explained by the division administrator at the August meeting, the invasive species and noxious weeds program activities are integrated within the same section, as they have been since the Invasive Species Act was approved by the Legislature in 2008. The staff in this section includes a Section Manager, Agriculture Program Manager, Agriculture Program Specialists (2), Technician, and GIS Analyst Sr. These positions are classified according to the duties performed, and are not unique or specific to either the noxious weeds or invasive species program in particular.
 - b. The duties and key responsibilities are outlined for each position through both their position description and the daily direction of agency and division administration. The staff within the section work exclusively within the invasive species and noxious weeds programs. The positions are budgeted within the General Fund and the Invasive Species Fund.
- 5. How is the time allocated to the individuals and managed in the individual program budgets?**
- a. As has been mentioned previously, the Noxious Weeds and Invasive Species Programs are integrated within the same section. Positions are budgeted from the General Fund (noxious weeds and invasive species overhead) and the Invasive Species Fund. Day to day duties are assigned based on the workload to be met, and these activities are seamless between the two programs. For example, a staff member may be in the field on a given day or week and perform invasive species veliger sampling, aquatic weeds surveys, and watercraft inspection station supervision within the same day or week. These duties are assigned based on the need within the geographic area in which the staff member

operates based on the work that needs done. We assign these tasks with an eye towards efficiency for that staff member's time and a focus on responsible and sound stewardship of taxpayer dollars. This allows us to remain nimble, best leverage resources and realize efficiencies. Many of these duties overlap and they aren't assigned or analyzed to quantify a balance between "noxious weeds duties" and "invasive species duties". For our full-time staff, decisions on workload are relatively seamless.

- b. For seasonal temporary staff, duties are usually more defined to a particular program area. Generally, temporary staff are assigned to a particular watercraft inspection station, hydrilla control, or a roving inspection station or something else specific. In these cases, their time is assigned and paid for out of the particular fund assigned to that activity.

Operations

1. **Please provide some details regarding the reported 60 noxious weed agreements such as: how they relate to invasive species, entities involved, federal, state, local, irrigation districts, are they part of the strategic plan, how are they managed?**
 - a. Cooperative agreements are for specific activities or purposes. An agreement with a Cooperative Weed Management Area for the distribution of weed cost share monies is just for that purpose. Weed cost share agreements will be specific to state funds or federal funds, so some CWMA's will have two contracts – one for state funds and one for federal funds. In the same way, an agreement with a county or soil and water conservation district for the operation of a watercraft inspection station is just for that purpose. Agreements for weeds cost share agreements are with the CWMA, with funds distributed through a county or some other legally recognized entity that then distributes funds on behalf of the CWMA.
 - b. Funding decisions for agreements are specific to the fund assigned to that particular activity. Weeds cost share monies are used for weeds cost share agreements. Invasive species funds are used for watercraft check station agreements. General Fund appropriation for aquatic weed prevention and control have been used for some watercraft inspection activities in areas where prevention strategies for aquatic weed movement includes watercraft inspection. For example, watercraft check stations have been in place to inspect for milfoil movement since before the invasive species check stations were put in place in 2009. Watercraft inspection agreements are usually with soil water conversation districts or counties. It should be noted that when we inspect watercraft, we not only inspect for mussels (invasive species), but also for aquatic noxious weeds. We do this at all stations because of the importance of catching all significant threats. It is also important to be efficient and take advantage the captive audience when we have them at a station.
 - c. As to the strategic plan, it is but one guiding document that influences our activities. As a regulatory agency, our primary authority and direction comes from the statutes and rules related to our agency. The strategic plan obviously identifies some priorities and points of interest, but our primary direction will always be the direction of the Legislature and the Governor through statutes, rules, and budgets approved by those entities. The strategic plan is not a daily recipe or direction for our activities that supersedes any other direction or available resources.

- 2. Could policy changes improve ISDA ability to initiate agreements with local entities such as irrigation districts, cities, counties, law enforcement, non-government entities?**
 - a. There are several places within the statutes related to the department and specific programs that provide broad authority to the Director of the ISDA to enter into cooperative agreements with entities outside of the department. As stated earlier, my authority as ISDA Director is established. Decisions on when cooperative agreements are used and with whom those agreements are signed are decisions based upon the activity to be completed and the resources needed to accomplish that activity.
- 3. Is the staffing sufficient to manage the current and or anticipated future agreements?**
 - a. This is a difficult question to answer, as it assumes we know all of the "anticipated future agreements" that are possible. It is more appropriate to answer this question by stressing that our agency will do its best to meet any direction to our agency by the Legislature or Governor with the resources assigned to us. Implementing any requirement of our agency requires dedicated and efficient staff.
- 4. How is reporting done and payments made in these programs?**
 - a. Each agreement – regardless of program activities or funding – includes specific terms for distribution of funds and reporting. A sample agreement is provided. You will note the agreement outlines a first distribution of funds, followed by a requirement for the submission of ledgers for expenses before additional distributions are authorized. Each ledger is reviewed to ensure that all expenses that are claimed are allowed under the agreement or cost share handbook (in the case of weeds cost share funds). Once ledgers are reviewed and accepted, the payment is made from ISDA to the cooperators.
- 5. Have there been issues with providing payments from ISDA under contracts with outside entities?**
 - a. Without knowing the specifics of your question, I can relay that problems in the processing of payments are usually related to the timing of submitted ledgers and payment requests back to ISDA. We strive to process payments quickly and as soon as ledgers are reviewed and approved. Especially with new cooperating agencies or agencies, there can be some mistakes in the submission of reports and payment requests to the ISDA. We work through these issues with the cooperating agency in order to ensure that payments are sent in a timely manner so that they can meet their obligations to their employees and vendors. For noxious weed cost share agreements, the details of reporting and ledger submission are outlined in detail prior to submission of funding requests. For all agreements, the process for submitting ledgers and requests for payment distribution are outlined within the agreements. In addition, we instituted a training for management and fiscal staff for cooperators with watercraft inspection agreements.
- 6. Have there been any issues causing delays or negative impacts to Boise or field operations of these programs?**
 - a. Again, without specifics, I would just reiterate that we strive to complete our required tasks and obligations in a timely manner. As with any program or agency, there are times when the workload and demands are significant, and our folks work hard to fulfill all of our obligations.
- 7. What were the qualifications used for the new Invasive Species Coordinator?**
 - a. As outlined above, the program has evolved and we have a number of positions within the Noxious Weeds and Invasive Species Section, including a Section Manager,

Agriculture Program Manager, Agriculture Program Specialists, GIS Analyst, and Technician. There is not a personnel classification for an "Invasive Species Coordinator." There was a time when such a position was identified specifically in the 2006 Executive Order on Invasive Species or the Invasive Species Strategic Plan. However, as the programs are administered under ISDA statutes with ISDA staff, the Director assigns tasks and workload to staff. There is no separate position for "Invasive Species Coordinator". Staff are assigned duties related to program operation and coordination with local, state, and federal agencies based on workload and expertise for any given situation. In most cases, coordination or policy representation for the agency at a statewide or regional level is by either the division administrator or agriculture program manager. The program manager has been staffing the Invasive Species Council.

- 8. What is the overall operational structure of the program; Invasive species coordinator, noxious weeds coordinator? And how does this structure fit in the Plant Industries Division and the Department?**
 - a. An organizational chart is attached. The organizational structure positions are outlined above. These programs are managed and facilitated within a Section of the Division of Plant Industries. The chain of command is very simple – Director to Administrator to Section Manager to the rest of the program staff.
- 9. The Plant Industries Division Administrator indicated there had been division, department and governor-level pressure on federal agencies regarding funding and operation of these programs in Idaho and other states. Please provide copies of all written, electronic and other contact information from Idaho to the federal agencies and the response from those agencies.**
 - a. Please see the enclosed documents.
- 10. During the August 30, 2016 meeting, ISDA indicated work had begun on the renewal of the Strategic Plan that expires at the end of 2016. Please outline who has been involved in this process and some of the updates, new ideas being discussed to update the plan, and any necessary policy changes.**
 - a. The Strategic Plan has been discussed with the Idaho Invasive Species Council at the last three meetings of the Council – Feb. 6, 2015, Oct. 21, 2015, and March 18, 2016. In each of these meetings, ISDA staff reviewed progress on objectives and overall activity and asked for input from Council members as to any proposed changes to the Plan prior to renewal. We have not yet received any recommendations. In addition, Don Kemner (IDFG) reported at the October 2015 meeting that he was working with the Idaho Weed Coordinating Committee (IWCC), who said they didn't see a need to take a lead on any changes to the plan. Since then, the IWCC met on Sept. 29, 2016 and directed their members to review the plan again to ensure that no additional changes are necessary. The plan is on the agenda for a November meeting of the Idaho Invasive Species Council. If there are not any substantive changes, the plan will likely be renewed as it currently stands.
- 11. Will a report to the legislature be a part of the strategic plan?**
 - a. We are always available to provide a report to the Legislature at the request of any interested committee or leadership.
- 12. Is the Idaho Invasive Species Council (IISC) authorization current?**
 - a. To our knowledge, Executive Order 2010-14 does not have a defined expiration date.

13. Has the IISC met its major responsibility to provide policy and planning recommendations?

- a. The Council meets at least twice a year, as required by the Executive Order, and reviews plans and reports from program staff and provides input and suggestions at that time. In addition, the Council is provided with regular updates throughout the watercraft inspection season.

14. What is the anticipated role of the IISC in the creation of the strategic plan?

- a. When the strategic plan was made a joint strategy for both noxious weeds and invasive species, it was a joint effort of the Idaho Invasive Species Council and the Idaho Weed Coordinating Committee to draft and finalize. We have approached both groups again to provide any input regarding proposed changes to the strategy. We have not yet received any proposed changes. The council will have an opportunity to vote on the strategy at a future meeting.

15. Provide the anticipated structure and plans for use of the WRRDA funds including how the regional cooperation will be enhanced.

- a. As has been explained in previous Working Group meetings, we are awaiting final guidelines from the Army Corps of Engineers regarding the distribution of these funds and related requirements. Without specific details from them, we really can't pre-decide specific activities utilizing these funds. Our agency has participated in a number of meetings and conversations with Army Corps regional staff and the other programs and cooperating agencies in the region. We have provided a great deal of detail regarding our current watercraft inspection program, including operation costs and strategies.

16. What cost share programs have been proposed and how many are now being utilized with local entities to promote and encourage invasive species prevention programs?

- a. If the question is what cost share programs have been proposed by ISDA with state funds, the cooperative agreements for the statewide aquatic invasive species prevention and noxious weeds cost share programs were outlined above. Each of these agreements – whether to distribute weeds cost share funds or facilitate watercraft inspection – are utilized to promote and encourage program activities, including prevention. These agreements cover the distribution and expenditure of all of our appropriated funds and there are over 70 agreements in place this year. When additional funds were appropriated for this fiscal year, new agreements were initiated with law enforcement agencies in order to accomplish law enforcement efforts. But without additional funding, we do not have funding or plans for additional agreements.

17. What cooperative initiatives have been initiated and are currently functioning with the various Idaho Tribes? Has this involved prevention and education?

- a. We do not currently have any cooperative agreements with any specific tribes. However, our staff does coordinate and interact with tribes when there are specific local issues to address. For example, our staff has worked with the Shoshone-Paiute Tribe to provide training and guidance related to aquatic invasive species monitoring in their local waterbodies. In another example, our staff has worked with the Coeur d'Alene Tribe on projects related to the eradication of Eurasian watermilfoil and aquatic invasive species. We have discovered that productive coordination does not always require formal agreements or the exchange of funds.

18. Outline ISDA work with other state and federal agencies to improve education and enforcement.

- a. Because ISDA has worked with multiple partners for many years, it would be quite lengthy to document every instance of coordination with our various state and federal partners to improve education and enforcement. However, here are just some highlights that we have not already discussed in this document or in other presentations to the Working Group.
- b. From the first days of the program in 2009, we have participated in several formal and informal coordination efforts. Obviously, our efforts are related to those areas where we have statutory authority, specifically in the areas of watercraft inspection and regulation of the movement of invasive species. ISDA does not have authority in the enforcement of the invasive species sticker. Through the Invasive Species Council and the Idaho Weed Coordinating Committee, we have a formal relationship with a wide range of local, state, and federal agencies. Through the noxious weeds cost share review committee, we utilize the expertise and experience of a broad cross section of local, state, and federal partners in providing important review and recommendations related to the noxious weed cost share program. The most important recommendations from this group are related to education and eradication strategies related to noxious weeds. Finally, our agency participates in regular communication with state and federal partners within Idaho and the western U.S. as well as Canadian provinces. This includes formal participation in the Western Regional Panel and the Columbia River Basin team. These groups include state and federal agencies that are active in education and enforcement of invasive species statutes across the country. This has resulted in the development of a network of invasive species programs that regularly communicate the movement of fouled watercraft and that coordinate on inspection and education strategies.
- c. Perhaps as important as our emphasis on collaboration with partners have been our efforts to hold partners—specifically federal agencies and groups—accountable when their efforts could be improved. Enclosed you will see much of the correspondence done in that effort.

19. There has been extensive discussion regarding the operation of the boat inspection stations. Please discuss in more detail: all issues regarding the stations such as staffing, hours of operation, contractor issues, and the enforcement process.

- a. The operation of watercraft inspection stations is outlined best by the Training Manual, which is attached. This includes instruction to inspectors and managers about the inspection process, data collection, and other operating protocols. In addition, those cooperators that operate stations for ISDA under a cooperative agreement have additional requirements that are outlined in that agreement. An example agreement is attached.
- b. There are a number of challenges and issues around any field operation for any agency or program, including watercraft inspection. The most significant challenge is related to labor. In many of our stations – operated by either the agency or cooperators – finding enough people to fill out shifts is extremely difficult. For example, we were not able to find enough employees to fill out every hour of operation at the Cotterell station this season. This is consistent with challenges in finding enough labor in that area for field inspection and other programs. Changes to benefit qualifications and overtime laws also present challenges from a budget perspective. Since the inception of the program, we

- face the same challenges as others in the public and private sector that hire seasonal labor in that these employees are all leaving employment at some point in the season for school, other seasonal employment, or other personal reasons. When this happens, the recruiting and training process begins again.
- c. We are fortunate to work with an exceptional group of contractors. These agencies are essential to the success of our operations for the very reasons such field operations are a challenge for us. Most importantly, they are local. They are familiar with places and people on a local level that make things work. They know those that might be looking for seasonal employment, they are familiar with local law enforcement, and they know who to call when equipment needs serviced. These agencies are familiar with the recordkeeping requirements for contracts such as ISDA cooperative agreements, and they understand timelines and requirements relative to hiring seasonal employees. We do keep in communication with our cooperators to stay ahead of any potential issues, and work with them to get issues corrected quickly. The cooperating agencies handle their own personnel issues when they arise, which is much more efficient than our agency trying to manage such issues from Boise or another field office that may be several hours away from the inspection station.
 - d. Details regarding hours of operation and staffing levels are largely outlined as a requirement by our agency in the cooperative agreement in an effort to keep operations between stations consistent. We work with the cooperator on a number of other specific aspects of their station, including signage, storage, and other support equipment. In most cases, we rely on the cooperator to source this equipment with the cost of such infrastructure built into the daily rate. In some cases, it may be more efficient or cost effective for our agency to be responsible for those pieces. In each case, we work with the cooperator to identify which of us is responsible based on the specific local need of the station and our respective ability to provide that piece of equipment.
 - e. The response process for fouled watercraft is attached. This is the same process for all stations, and it reinforces the importance of having full-time agency staff and administration involved in the process of approving specific regulatory actions. Because we are a regulatory agency with specific duties and responsibilities, this process is important and necessary.

20. Is there a need for additional law enforcement support to help with compliance? Is there a need for additional coordination authority?

- a. As outlined above, there is adequate coordination authority. The noxious weeds and invasive species statutes provide broad coordination authority to the Directory of the agency.
- b. Our agency has enjoyed a productive relationship with partner agencies since the beginning of the program, including state and local law enforcement agencies. We have trained marine deputies, state troopers, and port of entry staff in identifying high risk or fouled watercraft. In addition, we rely exclusively on local law enforcement to assist in the quarantine of fouled watercraft for the purposes of decontamination and drying of these watercraft.
- c. Idaho Code provides broad authority for law enforcement agencies to assist with the aquatic invasive species prevention and enforcement efforts. When we are able to coordinate with these agencies to utilize their assistance, it is during situations where law

enforcement agencies are uniquely suited to complete. However, we understand that there are a number of statutory requirements on those agencies, and they face the same issues with regards to funding and managing staff workloads that all other agencies do. Certainly, additional law enforcement assistance is helpful. But we believe strongly that it is not the job of one state agency to tell another agency how to prioritize its efforts.

21. How do we make sure boats first registered in Idaho are adequately inspected, particularly those coming from mussel contaminated waters?

- a. Our current prevention strategy focuses primarily on the interdiction of watercraft entering the state from infested waters at our roadside inspection stations. Those stations are staged seasonally when the movement of these high risk watercraft is most likely and when that same watercraft are most likely to have recently been in infested waters. This risk based strategy provides us with the greatest opportunity to interdict these watercrafts before they launch. In addition to our inspection stations, we do reach out to marinas, marine dealers, and mechanics in Idaho to educate them on the risk that watercraft from infested waterbodies present to the state in order to encourage them to let us know when such watercraft are brought to their facilities in order to allow for inspection and decontamination when necessary prior to launch in Idaho waters. These collaborations have proven successful, especially in parts of the state where the most movement of watercraft from outside Idaho occurs.
- b. It should be noted that there is not a requirement for inspection prior to registration of a watercraft in Idaho, and there is not a requirement in statute that every Idaho watercraft be inspected. The statute does include a prohibition on the transport of invasive species, and there is a requirement on those transporting vessels to submit to an inspection when they pass an inspection station.

22. How do the inspection stations notify ISDA in the event a boat with mussels is found? Have there been problems in this process?

- a. Please see the enclosed Fouled Boat Protocol.
- b. Each ISDA operated station, including those operated under a cooperative agreement with a third party, are linked with ISDA program staff in several ways. First, each station is equipped with mobile internet access and a tablet computer that is capable of updating the central data system in real time. The tablet computer includes a specific email address unique to the station as well as the ability to run the data application for watercraft inspection. In addition, all stations have phone service and a list of agency program contacts. Communication protocols are clearly outlined during the training process, and stations know the requirements for communication with the agency in the event a watercraft is found to be carrying aquatic invasive species, specifically quagga and zebra mussels. Finally, ISDA full-time staff visit each station regularly throughout the inspection season.
- c. In broad terms, that communication process is as follows: During the inspection process, inspectors take down relevant contact information for each watercraft. When mussels are identified, the inspectors use the tablets to take photographs of the finding and email them to the Boise office. They then contact program staff to discuss the observation, including an assessment on the viability of the finding. ISDA can only require a Hold Order and decontamination when the mussels are viable (alive). If program staff determine from the description and the photographs that the organism is viable, a Hold

Order will be drafted by program staff, signed by the Director, and emailed to the station. Concurrently, local law enforcement is called to assist in presenting the Hold Order and escorting the watercraft to the local impound yard. At this point, ISDA would be control of the watercraft through the decontamination and release process, which the statute allows to take up to 30 days.

- d. Problems around this process are largely focused on that time while proper identification of the finding and its viability. Generally, there is not law enforcement present during this period of time and aside from the inspectors, there is no support to keep the person responsible for the watercraft on site. If the situation becomes heated, there is no support there for the inspectors. This may leave inspectors with disgruntled and unhappy boat owners or haulers. We recognize that watercraft inspection is an inconvenience for boaters, which is a primary reason why our strategy directs these stations to the borders of the state where we are most likely to inspect watercraft entering Idaho that have been to infested waterbodies, rather than try to inspect watercraft that have never left the state. We consciously considered the boating public when we set up this strategy, knowing that recreation is a significant revenue generator in Idaho.

23. Please suggest legislative action that could help strengthen the program by filling gaps or more effectively meeting the needs of the program.

- a. It's the job of every agency to use resources effectively and efficiently to build the best programs possible with available tools. As with any ISDA program, we rely on outside input to inform the agency on needed policy or budget changes. We depend on that input coming in the form of legislation, Governor directive or critical mass among stakeholders who request ISDA to seek funding or legislative changes through our approved Executive Branch process. That's what happened during the 2016 Session when legislators expressed intent related to additional funding as well as some programmatic changes. We implemented those changes through the one-time additional appropriation as well as spending down our fund balance. However permanent changes to the program were not memorialized during the 2016 Session, and ISDA will finish spending down the invasive species fund in early 2017. We will look to legislators, stakeholders and the Governor to determine what tools—as well as details of policy changes if they are needed—are appropriated to the ISDA to actuate the Invasive Species Program.

Budget

During the meeting on August 30, you mentioned the milfoil and invasive budgets were used cooperatively. I would like to have a detailed breakdown as to how this is done such as how staff time is allocated, how program costs are allocated. As I mentioned at the meeting, during my visit with Ray Houston of the Legislative Services Office regarding the program budget items, he indicated he would work with the Department to get this information. It is my understanding this is happening and Mr. Houston will be reporting to the Working Group regarding his findings. If this report does not contain the following please provide this information.

1. **Review the revenue and expenditure for the program since the beginning.**
 - a. This has been provided to the Working Group by Mr. Houston.
2. **What are the sticker compliance rate for in-state and out-of-state on motorized and non-motorized watercraft?**

- a. This is a question better directed to the Idaho Department of Parks and Recreation or local law enforcement, as they are the agency that directly handles and enforces the Idaho Invasive Species Sticker. They can better address this question directly.
- 3. Is there a need to address the compliance rate?**
 - a. This is a question better directed to the Idaho Department of Parks and Recreation or local law enforcement. They deal with the sticker and sticker compliance directly.
- 4. Does ISDA need additional authority or is help needed to facilitate the necessary cooperative efforts with Idaho Department of Parks and Recreation and or Idaho Department of Fish and Game regarding enforcement, compliance or other issues?**
 - a. The ISDA Director has broad authority to cooperate with local, state, and federal agencies or private entities. It is important to remember, however, that each agency has specific duties and responsibilities that result from defined statutory authority or fiscal appropriation. Each agency must also prioritize those obligations.
- 5. Is there a need for an FTE to actively pursue and or manage state/outside funding?**
 - a. We believe that we currently have adequate infrastructure to manage funding and resources assigned to our agency in these program areas as we are currently implementing them.
- 6. There was an indication that some dollars have been offered by federal agencies but declined by Idaho. Please provide a list of all the agencies and the amounts available and either declined or not requested amounts.**
 - a. To our knowledge, the only available federal funding that our agency has not applied for are funds through the US Fish and Wildlife Service under the title of "ANS Plan Funds". As the Working Group has now heard from Bob Kibler, approximately \$25,000 in federal funds were available each year. Early on in the availability of the funds, there were a series of regional meetings between state programs and federal agencies during which states were demanding some level of control over the movement of watercraft from federally controlled infested waterbodies on the lower Colorado River. During that time, we were having extremely limited success in getting federal agencies to make the investment of resources and effort that would be needed to contain the spread of quagga/zebra mussels. When the ANS Plan monies became available, Idaho applied and received these funds for a couple of years, but then communicated to USFWS that we would prefer they directed those monies to the federal waterbodies or to other states that would be able to utilize the funds to effectively control this high risk movement of watercraft. At the time, Idaho was the only program in the region that was funded at a level sufficient to perform statewide operations and we felt like there was – and is – a more beneficial use of these funds if they can be directed to the source. It seems appropriate to invest these funds where they can do the most good.
- 7. Has the ISDA attempted to provide input regarding the allocation and use of WRRDA funds?**
 - a. ISDA has participated in conference calls and in-person meetings with Army Corps regional staff, program staff from the four state area, and partners from the Pacific States Marine Fisheries Commission and PNWER. Through this participation, we have answered requests for detailed background information about how our program operates and examples of how we might utilize this funding. In addition, we facilitated a tour by Army Corps staff of the ISDA inspection station at Heutter. It should be noted that we

have answered every request of us by the Army Corps, and are now awaiting final guidelines for the WRRDA funding so that all the states can apply for these funds. The Corps has yet to identify the agency that will facilitate the grants for them, and the guidance will tell us important information about match requirements and program restrictions.

- 8. What efforts have been made (working with the Department of Parks and Recreation) to improve income (sticker sales) to the invasive species fund?**
 - a. From the beginning of the sticker program, we have worked with IDPR on providing information regarding IS program activities for the promotion of the sticker and to provide important information to constituents about how the funds are used. At our stations, we provide information about where and how to buy stickers. We do remember that the sticker is an IDPR program, and they are responsible for vendors, remittance of funds, and distribution of stickers. As with any collaborative effort between agencies, we make a point to "stay in our lane" and we focus on the regulatory activities related to the program, for which we have a clear mandate and authority.

Regional involvement

During August 30, 2016 meeting, the Idaho program was mentioned as a model program.

- 1. What are some examples of ISDA's role in providing leadership in the west in recent years?**
 - a. ISDA's program has been a bellwether and model for other states. Since 2009, when we began building the comprehensive program that you see today, we have tried to provide our experience and strategies to those that have requested them. We recognize that each state has statutes and budgets that are unique. Agencies have authorities and resources that differ from their neighboring states, and we can't instruct other states how to do their job. We work to fulfill our statutory obligation to protect Idaho's resources to the best of our ability. In turn, we hope and expect that the jurisdictions with whom we work do the same thing. Only then can we ensure that the entire region is protected adequately. But each state and federal agency has to identify the resources and authority available to them to achieve their specific objectives.
- 2. Are there specific cooperative projects where ISDA has been involved?**
 - a. The ISDA has proven that it can uniquely and effectively leverage work product and relationships with our partners to accomplish shared goals. Quite simply, we view our efforts in total as a cooperative project. We interact on a regular basis with local, state, and federal partners. We exchange information. We problem-solve together. Not all of these have formal cooperative agreement attached to them, but we don't believe they need to in order to succeed. We have cooperative, productive relationships with our fellow agencies that respect the real boundaries of authority and resources. For a specific example, we have ongoing communication through the Western Regional Panel and Columbia River Basin team with the U.S. Fish and Wildlife Service, NOAA, EPA, and other agencies about the permitting or other planning necessary to ensure that we have the proper tools available if we ever identified an infested water body in the state.
- 3. Are there specific regional and federal forums where ISDA has attended and provided input such as WRP, PNNWER, Western Association of Fish and Wildlife Agencies?**

- a. We participate in meetings of the Western Regional Panel and Columbia River Basin
 - b. Team. We have participated in PNWER panels and meetings. However, these meetings can divert resources away from field efforts due to cost and travel associated with most of the meetings. In addition, while AIS may be just one topic at a PNWER meeting, it may be the sole topic at other conferences which may be less travel-heavy. We have not participated in WAFWA meetings, but we do coordinate with Idaho Department of Fish and Game staff that represent Idaho at these meetings. There are also regular conference calls and meetings such as Building Consensus and a group of western invasive species program managers that discuss issues regularly. For each meeting that requires travel, we review agendas for relevance and urgency to the Idaho program and identify if Idaho needs to be represented and who is best to represent our program. If we attend, it is usually the division administrator, program manager, or both. We consider cost and workload before we finalize plans.
- 4. What specifically has been done and is being done to find and clean high risk boats before they reach the Idaho border, particularly from other infected states such as Nevada and Utah?**
- a. At the Bear Lake meeting, the Working Group heard a detailed description of Utah's activities from members of their program staff. That description is indicative of the efforts we are benefitting from by state programs in Utah and Nevada specifically, and where the federal agencies – the U.S. Fish and Wildlife Service and National Park Service – have made very little progress in providing any real containment of watercraft leaving federally managed infested waterbodies. Currently, we receive notification from Utah and Nevada when they identify watercraft leaving those known infested waterbodies in their respective state. This notification is essential, as it allows us to make contact with those bringing watercraft back to Idaho so that we can ensure watercraft are clean prior to launch.

Development

- 1. What are the ongoing initiatives to improve the invasive species program?**
 - a. Aside from changes directed by the Governor or Legislature, our primary driver for change or revision is always data. We review operations and results continually in an effort to improve the efficiency and effectiveness of our operations. Our program generates a significant amount of data that is reviewed at the end of each operational year in order to better strategize operations in the next year. This information provides a picture of boater movement that did not and would not exist without compiling it through our watercraft inspection program. Changes may be made to operational hours or locations, and decisions are made based on data, experience, and available resources. So, improvements to any program within our agency are driven by a continual evaluation of our operations – including successes and failures – and interaction with stakeholders and cooperators. Our decisions are also fiscally responsible to taxpayers and stakeholders in the program.
- 2. What is the emergency response plan if mussels are found in Idaho waters?**
 - a. Enclosed you will find a copy of the Rapid Response Plan. From the beginning of our program, we have had a Rapid Response Plan in place. The plan was initially drafted in November 2009, and it is a supplement to the Columbia River Basin Rapid Response

- Plan. In very basic terms, the plan outlines a response timeline that includes verification of initial survey results, initial notifications, surveys to define the extent of an infestation, external communications, efforts to prevent further spread, control measures, and defining mussel detections. Idaho is a party to the *Columbia River Basin Interagency Invasive Species Response Plan: Zebra Mussels and Other Dreissenid Species*. This larger plan outlines in more detail that roles and responsibilities of agencies across the Columbia Basin, as well as steps for response and communication.
- b. We have participated in a number of meetings and exercises around the region about rapid response. This has resulted in conversations at a regional level with U.S. Fish and Wildlife Service, EPA, and state departments of environmental quality about what treatment tools may be available for use. This includes a review of possible permits or regulatory approvals that would need to be completed in the event of an introduction of quagga or zebra mussels. The tools available and the regulatory hurdles necessary to utilize those tools are going to be very site and situation specific. To be sure, the tools to treat quagga and zebra mussels are limited. There are chemical options that have been experimented with in North America, with limited success. Infestations in Idaho waterbodies would be extremely complicated, given the significance of our river run reservoirs, endangered species issues, and permit requirements for chemicals that may or may not be labeled for that particular treatment. As such, our conversations and planning have focused on the process that we will have to go through in order to make any kind of application so that we can get regulatory approval for a particular situation. Obviously, the input and cooperation of the responsible management entities of waterbodies will also be essential. The range of agencies responsible for management across the state ranges from federal agencies to private utilities to water delivery agencies or companies. Each waterbody will present unique challenges and opportunities that will have to be reviewed and met on a case by case basis. Our Rapid Response Plan outlines steps for communication and interaction, realizing that the details around each waterbody will be unique to that waterbody and not something that can be planned for on a statewide basis.
- 3. What parties, government and private sector have been informed of the potential impacts of mussel introduction into Idaho?**
- a. The outreach effort regarding the potential impact of quagga and zebra mussels have been ongoing since at least the first introductions in the lower Colorado, and our program has discussed these potential impacts with stakeholders since the program initiated our activities in 2009. The potential impacts are known across the various stakeholders within the state of Idaho.
- 4. What is the ongoing education and training program to prepare for any potential emergency response?**
- a. It is important to note that an overarching theme of the Rapid Response Plan is the effort to communicate what we know, when we know it. The Plan focuses on verifying findings through monitoring and confirming results. That process, in concert with potential emergency response for each waterbody unique to that waterbody, is different from a response process that can be trained for like a response to an earthquake or other natural disaster. However even those efforts don't include every possible specific decision point or detail. Instead, emergency planners use defined responsibilities, authority, who will be

responsible for carrying out the responsibilities, communication plans, etc. The rest has to be tailored to the specific incident when/where it happens, but you focus on having a good system to respond. If mussels are found in a particular waterbody, we will work closely with managers and users of the waterbody to delineate the extent of an infestation, containment of further spread, and identification of possible treatment options. We recognize that in Idaho, it is very rare that any one agency or entity controls all management or access on a waterbody. Instead, we recognize that there are multiple interests or managers that contribute to the management of a waterbody. For example, our review of our agency authorities does tell us that we do not have overarching authority to "shut down" waterbodies to watercraft use or movement. However, if a waterbody was identified as infested, our agency would have the authority to require inspection or decontamination of watercraft leaving that waterbody.

- b. To reiterate – the regulatory situation around each waterbody is unique to each waterbody. When an infestation is confirmed, our plan focuses on communication with the responsible entities and local and statewide stakeholders. We will work with those directly affected and invested to identify appropriate control and treatment strategies for that individual waterbody.

5. Have there been any regional rapid response initiatives, what are the results and what is Idaho's anticipated role?

- a. We have participated in regional exercises and meetings, and the results of those discussions are very similar to Idaho's plan. We participated in the development and continual review of the *Columbia River Basin Interagency Plan*.

6. What is Idaho's rapid response plan?

- a. Idaho Rapid Response Plan: A copy of the Rapid Response for Early Detection of Mussels plan has been enclosed for your reference. Specifically, the plan has seven objectives:
 - i. Verify
 - ii. Make initial notifications
 - iii. Activate appropriate organizations elements of the Columbia River Basin Interagency Response Plan
 - iv. Define extent of infestation
 - v. Establish external communications system
 - vi. Prevent further spread
 - vii. Initiate available/relevant control measures
- b. Columbia River Basin Interagency Plan, which can be viewed here: http://100thmeridian.org/ActionTeams/Columbia/CRB_Dreissenid_Rapid_Response_Plan_September_19_2011.pdf
- c. Idaho Dreissenid Mussel Contingency Plan
- d. A detailed description of the plan has been outlined in the questions above.

Research

1. What is ISDA doing to support the University of Idaho research activities?

- a. We encourage the University of Idaho's research activities, but have not focused our fiscal resources in that direction. We have focused our resources on outreach and education and our prevention programs.

- 2. What work is being done regarding survivability of mussel veliger such as in boat ballast water or residual engine water?**
 - a. We know that there is work underway at the University of Idaho. Detailed questions on their work are better directed to those responsible for that work.
- 3. Are our current decontamination procedures adequate particularly for units such as wakeboards?**
 - a. Invasive species programs across the country struggle with having the right set of decontamination practices for each and every type of watercraft that might be presented. To this day, the most widely recognized and used tool is hot water (140°) utilizing a pressure washer to wash all external surfaces of the trailer and watercraft. That same hot water is used to flush internal plumbing and the lower unit of motors. This includes a flush of ballast tanks on wake boats. These do pose a unique challenge, and when presented with such a watercraft, we ensure that the tanks are drained and, if possible, we flush with hot water or bleach. The most important thing we do with high risk watercraft is to ensure they are clean, drained, and dry. This decontamination effort is made easier by authorities at the infested waterbodies ensuring that watercraft meet this standard when they leave infested waterbodies.
- 4. In your view, how can we improve research in Idaho, with federal entities and other states?**
 - a. As with any research on any particular issue, a dedication of significant funds and focus is needed. We have not invested Idaho program funds because, quite simply, we don't feel we have the funds or focus to drive that research. We spend every dollar appropriated by the Legislature on the most pressing issue in our view and that of our stakeholders, preventing the spread of aquatic invasive species through the movement of watercraft. Significant investment is needed by federal entities, in part because they "own" the infested waterbodies in the lower Colorado River that are the source of most of the high risk watercraft that threaten Idaho's resources, but also because that broad federal involvement could help identify the proper activities that can best be performed to ensure no interstate spread of invasive species from one state to another. In simpler terms, once Idaho sees a high risk or fouled watercraft, the risk of spread has already been realized. The research and the activity should occur at the source.
- 5. Is there any ongoing research for ways to deal with infestations if they occur? Is Idaho involved?**
 - a. In the same vein as the question above, there is some research into treatment strategies but Idaho's involvement is negligible. These efforts have significant cost, which is money that, at least in Idaho, has been prioritized on prevention and inspection efforts. A new treatment strategy for zebra mussels has been attempted in Lake Winnipeg (Manitoba, Canada) but was unsuccessful, and a strong population still exists. The challenges in treating Lake Winnipeg are not unlike the challenges that we would face in Idaho – large waterbodies with a significant amount of water movement and activities.