

MINUTES
JOINT MEETING

**HOUSE ENVIRONMENT, ENERGY & TECHNOLOGY COMMITTEE
SENATE RESOURCES & ENVIRONMENT COMMITTEE**

DATE: Wednesday, February 22, 2017

TIME: 1:30 P.M.

PLACE: Lincoln Auditorium

MEMBERS: Chairman Raybould, Vice Chairman Thompson, Representatives Hartgen, Vander Woude, Anderson, Anderst, Mendive, Trujillo, Chaney, Nate, Cheatham, Horman, Malek, Moon, Smith, Scott, Jordan, Rubel

Chairman Bair, Vice Chairman Vick, Senators Siddoway, Brackett, Heider, Bayer, Johnson, Stennett, Jordan(17)

**ABSENT/
EXCUSED:** Rep. Vander Woude, Rep. Trujillo, and Rep. Malek.

GUESTS: Sharon Kiefer, Idaho Department of Fish and Game (IDFG); Jim Fredericks, IDFG; Dave Parrish, IDFG; Andrew Smyth, Idaho Department of Lands (IDL); Jason Laney, IDL; Tanner Beymer, Wittmeyer Associates; Mitch Whitmill, Jefferson County Weed/Invasives; Mitch Coats, Food Producers of Idaho; Greg Casey, Veritas Advisors; Dustin Miller, OSC; Rayola Jacobsen, RJ Consulting; Rialin Flores, CVI; Will Hart, ICUA; Braden Jensen, Idaho Farm Bureau; Amber Christofferson, DFM; Tom Wolf, Idaho State Department of Agriculture (ISDA); Cecilia R. Gould, ISDA; Lloyd Knight, ISDA; Neil Colwell, Avista Cop.; Pat Care, ITD.

Chairman Bair called the meeting to order at 1:33 p.m.

Nate Fisher, Board President, Idaho Council on Industry and Environment, stated invasive species in our waterways are a major issue for Idaho, and he introduced and welcomed **Jesse Taylor** to address the issue.

Jesse Taylor, Bear Lake Watch, Inc. (BLWI), explained that BLWI is not an environmental group, but a group of people who have summer homes on Bear Lake which is located on the border of Utah and Idaho. Since 2006, BLWI has been concerned about invasive species devastating Bear Lake's ecosystem by reducing the plankton upon which the Cisco, Mackinaw and Cutthroat fish population feed. Mr. Taylor earned a level 3 decontamination certification for decontaminating boats because decontaminating all boats coming out of the water is a big problem, and Idaho has funded operating stations at Bear Lake to ensure decontamination. Mr. Taylor held a legislative rendezvous at Bear Lake to get legislators from Utah and Idaho to start talking to one another about these efforts, he and **Eric Anderson** met with the Utah Legislature regarding boat decontamination, and BLWI hosted the Invasive Species Task Force in Bear Lake last summer.

Rep. Gestrin, Co-Chair, Idaho Invasive Task Force (IITF), stated IITF's focus is on the threat in Idaho of Quagga/Zebra Mussels and current and potential prevention efforts. The cost of eradicating Quagga/Zebra Mussel infestations is approximately \$94 million a year. Idaho has 16 watercraft inspection stations that operate dawn to dusk February through October.

Rep. Gestrin reviewed IITF's meeting history, membership makeup, and a brief history of the Quagga/Zebra mussel infestation in the United States. The IITF found that waterfront inspection station operation time should be increased and irrigation districts should regulate waters under their purview. They recommended: 1) the Legislature provide for an infraction violation and a fine for bypassing a watercraft inspection; 2) operation times for inspection stations at Bear Lake, Cedars, Cotterel, Franklin, Hwy 93 and Malad be extended to 24-hour operation, funded with \$4 million in General Funds; 3) adoption of a joint memorial encouraging the federal government to continue engagement in prevention efforts; 4) sale of invasive species stickers by the Department of Park and Recreation at all watercraft inspection stations; 5) continuation by the ISDA of invasive species training for Port of Entry inspectors; 6) an increase of out-of-state boat registration costs to \$30; 7) any Legislative eradication program should foster cooperation between the states and federal government regarding inspections and enforcement.

In response to committee question on what Utah and Montana have been doing to combat Quagga Mussel invasion, **Rep. Gestrin** replied that Montana appropriated \$10 million for the next 2 years and put a coordinator in the Governor's Office to oversee Quagga Mussel prevention/eradication, and Utah has been diligent. Utah has a check station at Logan, Idaho has a check station on Bear Lake, and they should coordinate and share resources. He further replied to questions stating that prevention efforts should be our focus, since efforts to eradicate invasive species have not been great. Upon committee inquiry, Rep. Gestrin informed committee members that approximately \$60,000 is generated by the sale of out-of-state tags, and that the majority of boaters in Idaho never leave the state and pose no risk.

Sen. Harris, said the Idaho Joint Finance and Appropriations Committee (JFAC) just approved a supplemental appropriation for \$700,000 for the ISDA to get three new inspection stations up and running to begin implementation of the check station program from now until June 30, 2017. The three stations are slotted to be on State Highway 3 near Rose Lake, US Highway 12 near Lolo, and Highway 15 coming out of Montana, and will bring the total to 18 stations. Difficulties for ISDA arise from providing security for the stations in the dark if they run extended hours and in finding people to man the stations. It is anticipated Idaho will receive \$1.2 million from boat registrations next year, and proposed legislation plans to increase out-of-state boater registrations from \$20 to \$30, which is about \$125,000 for the program. **S 1068** meets the recommendations of IITF and would amend The Invasive Species Act by adding an Office of Invasive Species Policy within the Office of Species Conservation. This position would coordinate all state departments to address the Quagga Mussel program and, without taking anything away from the ISDA, would be answerable to the Governor. The bill also expands the role of the ISDA in developing and administering an early detection and rapid response protocol in Idaho.

In response to committee questions, **Sen. Harris** stated that having someone from the Office of Species Conservation reporting directly to the Governor would make the process more responsive and effective even though the ISDA has done a great job.

Matt Morrison, Pacific Northwest Economic Region (PNWER), examined the costs of a Quagga Mussel infestation in our region, and said, based upon the Pacific Northwest being a hydropower economy, it would cost half a billion dollars a year for the length of a lifetime and the lifetime of the next generation. The situation is urgent because Quagga Mussels have now been found in the PNWER region in Montana. The Montana Governor declared an environmental emergency, and set up an incident command system that came up with specific recommendations on January 20, 2017. Mr. Morrison emphasized that Canyon Ferry, where Quagga Mussel larva was found in Montana, is only 50 miles from the Continental Divide, and from there, they can flow into the Columbia and become unstoppable. Matt Morrison commented on economic impacts to Idaho and other PNWER states and sources of federal funding. Mr. Morrison introduced **Matt Walcott** who appeared telephonically.

Matt Walcott, Montana Incident Commander in MT, explained the Tiber Reservoir had three positive samples and a positive alert by a mussel sniffing dog, so they have a good confidence level there is an adult Quagga Mussel population in the Tiber Reservoir. Canyon Ferry had two positive dog sniffing alerts and one suspect sample taken, so they are treating it like it has mussels and setting up task forces to deal with control and containment issues. They put a restriction on Canyon Ferry and Tiber Reservoirs to limit the removal of boats on the water without prior approval of Fish, Wildlife and Parks even though it is late in the year and the water is cold.

Task force teams were formed around the issues of the draw down of the Tiber Reservoir, looking into other control measures, sampling and monitoring, education and outreach, economic impacts, and they set up a scientific advisory team. The task forces came up with these recommendations: 1) use restrictions, closure and decontamination as a prevention tool at infested water bodies; 2) expand the watercraft inspection program and increase watercraft inspection stations from 17 to 34, as well as days/hours of operation; 3) expand the AIS monitoring program to increase field sampling and monitoring capacity to more than 1,500 samples at 206 water bodies and increase the speed of processing; 4) strengthen management of the aquatic invasive species program, secure program funding, enhance existing staffing, identify needs and increase education. They stood up a fire wall on the Continental Divide, and every one of the paved Continental Divide crossings will now have an inspection station, with inspection stations increasing from 13 to 34 this coming season with expanded time and hours.

New rules were implemented that all boats using Canyon Ferry or Tiber Reservoirs are to be decontaminated after use unless they agree by affidavit to use a local boat sticker and not use their boat anywhere else. Montana also implemented an inspection-before-launch rule for all boats entering Montana and, regardless of origin, crossing the Continental Divide. On January 16, 2017 the Legislature approved the recommendations, authorized funding of \$11 million, guaranteed by state funding, for the next two years and a program staff of 130 employees. Montana is hoping to leverage federal 50% match funding, so Montana legislators have reached out to the Department of the Interior and the Bureau of Reclamation. Both Canyon Ferry and Tiber Reservoirs are Bureau of Reclamation facilities. Montana's Legislature is also sending out letters to all federal agencies connected with Quagga Mussel prevention and eradication.

In response to committee questions, **Mr. Morrison** said that the Northwest Power Planning Council has been supportive of this issue, but they have declined to set up a regional advisory committee like the Army Corp of Engineers asked.

Mr. Walcott responded to committee questions by explaining that finding control measures using natural means such as natural predators of Quagga Mussels have not been successful, and not preventing or eradicating Quagga Mussels has caused such problems as destruction of the wall eye fishery in St. Clair and the requirement that shoes be worn to swim on Chicago beaches to protect people's feet from Quagga Mussels.

Lloyd Knight, Administrator, Plant Industries Division, Idaho State Department of Agriculture, presented a brief history dating back to 2006 of Quagga Mussel prevention efforts, as well as provided information on program funding, authorities and staffing. The supplemental appropriation JFAC approved funded the creation of three new FTPs. The roadside inspection stations keep hours from dawn to dusk, and adding three new stations were the reason for the addition of three new FTPs.

The heart of what they do is cooperate with other agencies and entities, and they have dozens of cooperative agreements with seven soil and water conservation districts and six local law enforcement agencies. They deal with the Department of Environmental Quality, the Tribes in Idaho and the US Army Corp of Engineers on cooperative sampling efforts across the state, have right-of-way permits with the Idaho Department of Transportation, and are involved with the Western Regional Panel Columbia River Basin Team Building Consensus Subcommittee, PNWER, Army Corp of Engineers and Idaho Invasive Species Council. In 2016, ISDA performed 89,390 water craft inspections from 5,200 US zip codes, hot washed 1,093 water craft, found other invasive species contamination on 480 water craft and 1,200 boats visited infested water bodies in 2016, with only 19 boats infested, and one boat being viable for mussels which was held under a mandatory quarantine. Mr. Knight reviewed traffic patterns and boating destinations in Idaho and the northwest, advising that Idaho is a pass through state that gets boats passing through to Canada.

In response to committee questions, **Mr. Knight**, stated that Idaho took 9,000 samples from Idaho waters in 2016.

ADJOURN:

There being no further business to come before the committee, the meeting adjourned at 3:00 p.m.

Representative Raybould
Chair

Lorrie Byerly
Secretary