



**Terri Kondeff**  
**Director**

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Senators NICHOLS, Zito, Semmelroth and,  
Representatives ANDRUS, Raymond, Mathias

**FROM:** Alli Olson - Legislative Drafting Attorney

**DATE:** November 06, 2025

**SUBJECT:** Temporary Rule

IDAPA 02.06.09 - Rules Governing Invasive Species and Noxious Weeds-Adoption of Temporary Rule - Docket No. 02-0609-2502

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. If you have any questions, please call Alli Olson at the Legislative Services Office at (208) 334-4845. Thank you.

Attachment: Temporary Rule

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Paul Headlee, Deputy Director   Matt Drake, Manager   Keith Bybee, Manager   April Renfro, Manager   Norma Clark, Manager  
Legislative Services Office   Research & Legislation   Budget & Policy Analysis   Legislative Audits   Information Technology

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**IDAPA 02 – DEPARTMENT OF AGRICULTURE**  
**02.06.09 – RULES GOVERNING INVASIVE SPECIES AND NOXIOUS WEEDS**  
**DOCKET NO. 02-0609-2502**  
**NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is October 24, 2025.

**AUTHORITY:** In compliance with [Sections 67-5226](#), Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to [Sections 22-1907](#), [22-2004](#), [22-2006](#), [22-2403](#), and [22-2412](#), Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

The purpose of this temporary rule is two-fold. First, to remove the previous prohibition of watercraft from the treatment area for Quagga mussel on the Snake River from Hansen Bridget to Pillar Falls.

Second, add Golden mussel to the Emergency Detection Rapid Response (EDRR) Invasive Species list. Golden mussel is an aggressive bivalve aquatic mussel that has been found in California water delivery systems. Infestations have already impacted on the delivery of water for irrigation and municipal use, and treatment efforts are already underway. Golden mussel presents significant challenges in potential spread and establishment beyond that found with the current quagga mussel infestation found in Idaho. Adding Golden mussel to the EDRR list ensures adequate legal authority for prevention and response efforts in Idaho.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to [Sections 67-5226\(1\)\(a\)](#) and [\(c\)](#), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Both changes deal with actions that require immediate action. The lifting of the ban on watercraft to the Snake River Quagga Mussel treatment area ensures that restrictions are not in place longer than necessary. The addition of Golden mussel to the EDRR list ensures the protection of public health and safety and ensures that the department can prevent and respond to infestations that would seriously impact the ability to deliver and utilize water in Idaho.

**FEE SUMMARY:** Pursuant to [Section 67-5226\(2\)](#), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

No fee is being imposed or changed because of this rulemaking.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rule, contact Lloyd Knight at (208)332-8615 or [lloyd.knight@isda.idaho.gov](mailto:lloyd.knight@isda.idaho.gov).

DATED this 24th day of October, 2025.

Lloyd B. Knight  
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THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 02-0609-2502  
(Only Those Sections With Amendments Are Shown.)

02.06.09 – RULES GOVERNING INVASIVE SPECIES AND NOXIOUS WEEDS

130. EARLY DETECTION AND RAPID RESPONSE AQUATIC INVERTEBRATE INVASIVE SPECIES.

01. **Statewide EDRR AIIS List.** If any of the species listed in the following table are found to occur in Idaho, they shall be reported to the Department immediately. Positive identification will be made by the Department or other qualified authority as approved by the Director. Subsections 130.02 through 130.05 are applicable to EDRR AIIS only and not to other invasive species listed in Sections 140 through 148.

Early Detection Rapid Response Aquatic Invertebrate Invasive Species (EDRR AIIS) List	
Common Name	Scientific Name
Quagga Mussel	<i>Dreissena bugensis</i>
Zebra Mussel	<i>Dreissena polymorpha</i>
<del>Golden Mussel</del>	<del><i>Limnoperna forunei</i></del>

(3-15-22)(10-24-25)T

02. **Transporting EDRR AIIS Over Public Roads.** No person may transport Equipment or any Conveyance containing EDRR AIIS over public roads within the state of Idaho without first being decontaminated. (3-15-22)

03. **Contaminated Conveyances in Idaho Waters.** No person may place any EDRR AIIS contaminated Equipment or Conveyance into any Water Body or Water Supply System in the state of Idaho. (3-15-22)

04. **Firefighting Equipment.** Precautions should be taken to prevent the introduction and spread of EDRR AIIS through firefighting activities. All firefighting agencies moving equipment into the state of Idaho shall follow protocols similar to the United States Forest Service decontamination protocols set forth in “Guide to Preventing Aquatic Invasive Species Transport by Wildland Fire Operations.” Those protocols can be viewed online at [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5373422.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5373422.pdf). (7-1-24)

05. **Construction and Road Building and Maintenance Equipment.** Construction and equipment used for road building and maintenance must be free of EDRR AIIS. If equipment that is being transported into the state of Idaho has been in an infested water body or water supply system within the preceding thirty (30) days, the equipment must be inspected in accordance with Section 132. The Department may require decontamination. (3-15-22)

(BREAK IN CONTINUITY OF SECTIONS)

135. SNAKE RIVER QUARANTINE.

ISDA has issued a quarantine of the Snake River from Hansen Bridge to the partial bridge structure at the bottom of Yingst Grade (known as “the Broken Bridge”, “Yingst Grade Bridge”, the “Old Interstate Bridge”), which is approximately one-half (1/2) mile upstream of Auger Falls to contain and treat quagga mussels. Launch of watercraft or other conveyances in this section is restricted to the hours when the watercraft inspection station at Centennial Waterfront Park is open, or other such stations that may be posted at other locations in the quarantine area. All watercraft and conveyances must be inspected and decontaminated by agency personnel or an assigned entity prior to launch and prior to exit from the water. This requirement applies to all motorized and non-motorized watercraft or other conveyances of any size, including paddle boards, kayaks, and water-exposed recreational gear. ~~Effective September 29, 2025, access to the river by watercraft or other conveyances of any size, including paddle boards, kayaks, and water-exposed recreation gear is prohibited between Hansen Bridge and Pillar Falls. The prohibition will remain in effect unless amended by the Director at the conclusion of the active treatment and dissipation period.~~

(9-29-25)T(10-24-25)T

136. -- 139. (RESERVED)

140. INVASIVE SPECIES - AQUATIC INVERTEBRATES.

INVASIVE SPECIES - AQUATIC INVERTEBRATES		
	Common Name	Scientific Name
01.	Zebra Mussel	<i>Dreissenia polymorpha</i>
02.	Quagga Mussel	<i>Dreissenia bugensis</i>
03.	New Zealand Mud Snail	<i>Potamopyrgus antipodarum</i>
04.	Red Claw Crayfish	<i>Cherax quadricarinatus</i>
05.	Yabby Crayfish	<i>Cherax albidus/C. destructor</i>
06.	Marone Crayfish	<i>Cherax tenuimanus</i>
07.	Marbled Crayfish	<i>Procambarus fallax f. virginalis</i>
08.	Rusty Crayfish	<i>Faxonius rusticus</i>
09.	Asian Clam	<i>Corbicula fluminea</i>
10.	Spiny Waterflea	<i>Bythotrephes cederstroemi</i>
11.	Fishhook Waterflea	<i>Cercopagis pengoi</i>
12.	Marmorkrebs	<i>Procambarus sp.</i>
13.	<u>Golden Mussel</u>	<u><i>Limnoperna forunei</i></u>

(3-15-22)(10-24-25)T