

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Tuesday, February 06, 2018

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Rice, Vice Chairman Den Hartog, Senators Patrick, Bayer, Guthrie, Thayn, Harris, Foreman, Jordan

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Rice** called the meeting of the Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

MINUTES APPROVAL: **Senator Jordon** moved to approve the Minutes of January 25, 2018. Seconded by **Senator Bayer**. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Patrick** moved to approve the Minutes of January 30, 2018. Seconded by **Senator Bayer**. The motion carried by **voice vote**.

RS 26009 **Relating to Poisonous Plants. Senator Heider**, stated several animals died on the fringes of the forest from eating the Japanese Yew plant last winter. Ann Bates, Executive Director of the Idaho Nursery and Landscape Association, gave legislation input of control measures; her suggestions include educating the public on the awareness of these plants as toxic and forbidding the specification of the plants in landscape where livestock and wildlife would come in contact with them. There could be labeling, not only for the Japanese Yew, but for other toxic plants to make people aware of the responsibility they have to keep them away from areas that could result in death to animals.

This bill would direct the Idaho State Department of Agriculture (ISDA) to make a public outreach to any person or entity that offers any poisonous plants for sale. They shall be required to conspicuously adhere a red label to the container of the plant, measuring a minimum eight inches by eight inches, with the word "poison" appearing in black. This would not prohibit customers from buying the plant; it would simply make them aware that this particular plant is a poisonous plant.

MOTION: **Senator Patrick** moved to print **RS 26009**. Seconded by **Senator Harris**. The motion carried by **voice vote**.

PRESENTATION: Invasive Species Program. Lloyd Knight, Administrator, Division of Plant Industries, ISDA said during the 2017 Legislative Session there was much discussion concerning the Invasive Species Program (ISP). ISDA received clear direction in four areas related to the program: 1) budget; 2) staffing; 3) regional coordination; and 4) station operation. Prior to the 2017 Legislative Session, the ISP operated on \$1.4 million per year, which was revenue from the Invasive Species Sticker. The 2017 Legislature added \$3.1 million in ongoing General Fund appropriation, \$1 million in one-time federal fund authority from a grant from the United States Army Corps of Engineers, and appropriated \$171,000 for Idaho State Police support for the program. There was direction for three new inspection stations, plus 24-hour operations at Cotterell on Interstate 84, and 4 full-time positions. ISDA has put in a request for the calendar year 2019 to U.S. Army Corps of Engineers to reauthorize the \$1 million grant.

The new positions for the ISP were welcome as ISP has expanded operations Statewide. With the addition of these new positions, ISDA reorganized within the group. Under statewide management and support there are two new section managers: Nic Zurfluh as the section manager for ISP, and Jeremy Varley as the section manager for Noxious Weeds.

Interagency coordination was instituted by the Governor's executive order reauthorizing the Idaho Invasive Species Council. The executive order directs the Council to coordinate between private industry, local, tribal, state, and federal agencies focus on prevention and control. It directed the Council to meet twice a year. In addition to the agencies outlined in the executive order, there are other individuals who participate. As such, there is a wide variety of stakeholders from across the spectrum.

Regional coordination has been a part of the ISP and ISDA staff placed special emphasis on it this year. There are added groups ISDA is interfacing with this year. Western Governors Association and ISDA participated in an assessment of the ISP at Lake Mead which developed some new contacts. Conference calls with counterparts around the region focused on the technical aspects of the program.

Nic Zurfluh, Section Manager, ISP, stated ISDA operates 18 inspection stations throughout the State and each station has a law enforcement component. ISDA has a new agreement with the Bear Lake Regional Commission supporting two watercraft inspection stations in Utah. The Bear Lake solution offered the opportunity for Idaho to pool their efforts on the Idaho border and reallocate them to the Utah Inspection Station to be more efficient in watercraft inspections. **Mr. Zurfluh** expanded on other Inspection Station Cooperators throughout the State (Attachment 1). Through a partnership with Idaho Transportation Department and the Port of Entry staff, the staff focuses on large, commercially fouled boats which are the highest risk.

There were 93,000 inspections performed in 2017, 31 watercraft had mussels in various degrees, and 2 watercraft had live, viable mussels. Of the two boats found with live mussels, 1 was destined to Alberta, Canada and the other to Twin Lakes, Idaho.

Chairman Rice asked where were these two boats coming from and which stations found the live mussels. **Mr. Zurfluh** answered that the boat going to Alberta, Canada was from Lake Havasu; the Highway 93 Jackpot Station found the mussels. The second boat was destined to Twin Lakes, Idaho and was stopped at the Cedar Station. Of the remaining 29 boats with various stages of mussels, 7 were destined to Idaho, 11 were going to Washington, 4 to Oregon, 4 to Montana, 2 to Alberta, and 3 to British Columbia. The total number of watercraft that had weeds were 525. This is a continuing threat, as Idaho sees weed expansion throughout the water bodies in Idaho and the United States. Their stations perform clean, drain, and dry on boats fouled with weeds at the check stations. They perform hot washes on the boat to reduce risk. There is a 97 percent compliance rate when the stations request to hot wash a boat. The two watercraft inspection stations by Henry Lake, Highway 87 and Highway 20, are hot washing a very large amount of boats.

Each inspection station is truly unique; some stations inspect only a few boats a year, while others inspect several thousand. **Mr. Zurfluh** cited that Jackpot inspects a few thousand boats a year. The high risk demographic that they experience on Highway 93 are much different than those they see at Hutter. When watercraft are stopped at a station, they are asked three key questions: 1) Where are you from?; 2) Where are you going?; and 3) Where have you been boating before you came to Idaho?

The answer data is then plotted on a United States map. The data shows that people are traveling to and through Idaho from every corner of North America. Another question the stations ask is, "where was your boat in the last thirty days?" Mussels can survive out of the water for this period of time. They also tracked the data of mussel fouled boats from 2009 to 2017 and large portions of the watercraft are coming from the Lower Colorado drainage.

Vice Chairman Den Hartog asked what inspections the stations perform when watercraft are leaving the Lower Colorado Basin waterways. **Mr. Zurfluh** replied it depends on the water body. At the source water body there are a series of inspections, decontaminations, and pre-notifications to the destination states. For example; at Lake Mead when boats are pulling out of the water body the watercraft go through a series of inspections dependant on the length of time the watercraft has been moored in the water. If the watercraft has been in the water a long period of time, it will be referred to a decontamination station and that will be recorded on an inspection form. This will generate a pre-notification document that will be sent to neighboring states where the watercraft is destined.

Mr. Zurfluh continued the presentation with an explanation of the accumulation of their inspection data. He pointed out that the form has a time stamp which generates information for when to open and close stations. There is an early bump of watercraft from the "snowbird" demographic in spring; ISDA will open up some stations next week to capture these boats. There is a later bump in data in the summer for the recreational boater.

ISDA operated the first nighttime inspection stations in 2017 season at Cotterell (I-84 W). ISDA's cooperator was West Cassia Soil and Water Conservation District. The station received good support from the Idaho State Police and Port of Entry for security of the station, increased lighting and electronic message board. It was opened from July 21 to October 1, 2018. **Mr. Zurfluh** explained the data that was collected from this station along with plans for ISDA inspection program for 2018 (Attachment 1).

Mr. Zurfluh concluded with an update on the status of Montana. In October 2016, mussel veilgers were identified at Tiber Reservoir with a category of suspect for Quagga Mussels. At Canyon Ferry Reservoir, they found one single veilger that appeared to be Quagga or Zebra Mussel under a microscope. Because the mussel was not confirmed, the water body was categorized as inconclusive. These categories released an Invasive Species Emergency Declaration by Governor Bullock of Montana and established an instant command team. The team has been disbanded and Montana is now in implementation mode for their operations. Montana expanded their prevention and containment measures and **Mr. Zurfluh** detailed these measures. Montana has had no veilger or adults that have been found in Tiber or Canyon Ferry Reservoir in 2017.

ISDA staff performed 905 early detection monitoring in 2017. ISDA initiates sampling in the summer when the water temperatures reach spawning conditions. ISDA staff perform multiple samplings every two weeks, throughout the season, to capture the best picture of the status of the particular water body. All water bodies are classified by risk; if it is a critical water body, it needs a higher level of monitoring, such as C.J. Strike, Brownlee, and Lake Pend Oreille. They have two-week turnaround for these samples, which is the key to early detection.

Senator Patrick asked if ISDA gives this presentation to the Resources and Environment Committee. **Mr. Zurfluh** answered that they do not present this information to the Resources and Environment Committee. **Senator Patrick** stated this is extremely important information for the Agricultural Affairs Committee, but even more so for the fisheries of the Columbia River Basin as well as the recreational boaters.

Senator Harris asked **Mr. Zurfluh** to expand on the level of cooperation from local law enforcement in the support of the check stations. **Mr. Zurfluh** replied that ISDA has great cooperation through various levels of law enforcement throughout the State. One of the key cooperators this season was the Bonner County Sheriff's Department at the three Bonner County Stations which increased compliance and security at that site.

Senator Guthrie asked: 1) where the operators look for mussels on a watercraft, and 2) how long is a boat detained at the check stations. **Mr. Zurfluh** explained that the check station inspectors are trained to look for very small mussels, they look in cavities, and very hard places. For boats that came from a mussel fouled water body, the inspectors will request a hot wash. How long watercraft will be detained at a station depends on where the watercraft has come from, the body of water where it has been moored, and destination. The typical inspection lasts 3 to 5 minutes for the local Idaho boater. If the boat is from out-of-state, large, and they are coming from a fouled water body, they could be detained up to 20 minutes or more.

PRESENTATION: Noxious Weeds. **Jeremey Varley**, Section Manager, Noxious Weeds, ISDA, said there have been some staffing changes in the Noxious Weed Department and have implemented taking time for outreach to the weed superintendents, as well as the Cooperative Weed Management Areas (CWMA). The primary program for terrestrial weeds is the Cooperative Weed Management Area cost share grant. A CWMA can be made up of a single or multiple counties, multiple jurisdictions, and multiple states. In 2017, \$1.1 million was awarded along with a contribution from the CWMA of \$4 million, these dollars resulted in over 180,000 acres of noxious weeds being treated and 1.2 million acres being inventoried. In 2018, \$1.5 million was available, and an additional \$180,000 was received in federal funds, for projects to improve greater sage grouse habitat. Approximately 30 CWMAs have applied for funds of \$1.6 million in requests and all these will be reviewed by a committee of their peers, along with ISDA staff, to make sure they would be a qualified activity.

Changes are occurring in the CWMA cost share to make improvements. There are several challenges facing the program; one is measuring success. When you talk about weeds, it is hard measure success when you have to revisit a treated area of weeds. The easiest way they have found to measure success is to require all CWMAs submit mapping data, which illustrates what is going on in the State and where the dollars are spent. This ultimately measures the agencies project performance plus gives them information to report to their local commissions.

Mr. Varley continued with a detailed 2017 aquatic noxious weeds update with all populations trending downward through their control efforts. (Attachment 1). Invasive Species and Noxious Weeds rely heavily on education. The Invasive Species of Idaho website has been created to provide the public with resources and information. ISDA has created four main campaign slogans tailored for specific outreach groups: 1) "Clean, Drain, and Dry, for Invasive Species Quagga Mussel; 2) "Know" what you grow, targeting gardeners; 3) "Don't let it loose," Invasive Species for pets being released into the environment; and 4) "Knock It Off," outdoorsmen for noxious weeds.

ADJOURNED: There being no further business, **Chairman Rice** adjourned the meeting at 9:07 a.m.

Senator Rice
Chair

Carol Deis
Secretary