Background
The State Aquatic Nuisance Species (ANS) Act was signed into law May 2008. The Act defines ANS as exotic or nonnative aquatic wildlife or any plant species that have been determined to pose a significant threat to the aquatic resources or water infrastructure of the state. The Parks Board passed regulations required by the Act on February 20, 2009 and updated them since that time. The regulations require mandatory watercraft inspection, and if necessary, decontamination of all boats coming from out of state, leaving waters with known ANS and boats entering high-risk waters where inspections are required by the managing entity. The focus of the program is to prevent zebra and quagga mussels and other ANS from infesting Colorado’s water resources and threatening our water storage and distribution systems for municipal, industrial and agricultural use. The Colorado ANS Program is highly effective and a model which other states across the nation are learning from.

Program Goal and Successes
The goal of the program is to protect the state’s natural resources, outdoor recreation and water supply infrastructure through the prevention of new introductions of costly invasive species, such as zebra or quagga mussels, in Colorado. Western states such as Arizona, Kansas, Nebraska, Oklahoma, South Dakota, and Texas, do not have mandatory ANS prevention programs and continue to become infested with zebra or quagga mussels. Colorado has prevented the introduction of these awful invasive species due to the diligent efforts of watercraft inspection and decontamination staff, as well as monitoring, education and enforcement actions.

There has never been an adult zebra or quagga mussel found in Colorado. Pueblo Reservoir was de-listed in January 2017 following 5 years of negative detections. All other reservoirs that initially tested positive in 2008 were de-listed in 2014 after 5 years of negative testing. CPW’s ANS Program has worked to stop the continued inoculation of our waters to invasive mussels being introduced by recreational watercraft.

Sampling and Monitoring
Sampling and monitoring is a key component to the success of the ANS Program. CPW has sampled 584 “at-risk” waters over the last decade and it was through this sampling program that invasive mussel larvae were first detected in Colorado. While CPW ANS staff monitors the state’s public waters for numerous invasive plant and animal species, the focus of sampling is on early detection of zebra and quagga mussels. There are three sampling protocols that target the three life cycles of mussels. CPW also documents native aquatic plants, mollusks and crayfish while performing monitoring activities for invasive species.

Information and Outreach
CPW and its partner agencies have implemented a comprehensive, multi-faceted invasive species public education campaign. Accomplishments include distribution of tens of thousands of printed rack cards, brochures, handouts, DVDs and posted signage at offices, boat ramps and other public access points. Additionally, a media relations campaign has been launched using web, radio, print and television.

Working Together: Watercraft Inspection and Decontamination (WID)
Watercraft inspection and decontamination is a requirement of the ANS Act and continues to be a key component in preventing the spread of ANS into and within Colorado. CPW coordinates the vast network of WID stations that are operated by CPW, the National Park Service, Larimer County, various municipalities and private industry locations. In total, the state has collectively performed over 4.9 million inspections and 119,814 decontaminations since 2008.
Green Mountain Reservoir

In August 2017, the U.S. Bureau of Reclamation (BOR) detected zebra mussels in Green Mountain Reservoir. The specimen were genetically confirmed to be zebra mussels by an independent lab for CPW. Rapid Response was initiated by CPW and begun immediately among the multi-jurisdictional partnership. Green Mountain is now listed as “suspect” for zebra mussels and containment is ongoing. Resources are needed for infrastructure, security and staffing to prevent the spread through watercraft. Green Mountain Reservoir within Summit County is owned by the BOR as part of the Upper Colorado River Collection System, and is managed for recreation by the White River National Forest. There were no detections in either 2018 or 2019. If there are no detections in 2020, the reservoir will be de-listed in 2021 per regional standards.

Mussel Boat Interceptions

Infested mussel boat interceptions continue to skyrocket each year. In total there have been 281 watercraft intercepted with adult zebra or quagga mussels attached since the ANS program began. In 2019, CPW intercepted 86 watercraft infested with zebra or quagga mussels coming in from out of state. In 2018, the state intercepted 51 and in 2017 the state intercepted 26 infested watercraft. This exponential growth in infested boat interceptions is directly related to the growing threat invasive species pose to water infrastructure, natural resources and outdoor recreation. The majority of the intercepted vessels were coming from Lake Powell, the State of Arizona or the Great Lakes. All boats were decontaminated to ensure all mussels were dead, and no mussels were visibly attached.

Operating and Financials

The Supreme Court ruling in case 13SC996 significantly reduced the source fund for the ANS Program (Tier II Severance Tax) as appropriated in the ANS Act. A broad stakeholder effort was called upon to raise funds and determine long term solutions.

CPW redirected agency cash and a USFWS Motorboat Colorado Grant to pay for the 2017 boating season, along with over $1M of partnership funds. The Colorado General Assembly provided funding to the ANS Program through SB17-259 and HB18-1338 to be leveraged with federal dollars and other sources to maintain the program over the 2018–2019 boating seasons.

In 2018, the Colorado General Assembly passed the Mussel Free Colorado Act (HB18-1008) to provide a new stable funding source through the creation of an ANS stamp for motorized boats and sailboats—$25 for in state residents and $50 for out of state visitors. The ANS Stamp will provide approximately $2.4M (50% of the need) annual funding to the ANS Program. The bill also increases fines for violations and allows CPW to recoup costs for decontamination of quarantined and impounded vessels.

Similar to the 2017 joint resolution on ANS which passed the State Legislature unanimously, the Mussel Free Colorado Act continues to encourage federal governments, specifically the Bureau of Reclamation, U.S. Forest Service and Army Corp of Engineers, to provide the other half of the needed funds for the ANS Program since many of the highest risk waters are federally owned or managed reservoirs.

2018 Water Resources Development Act

The 2018 Water Resources Development Act (S. 3021) was passed by the 115th Congress and signed into law last October. Section 1170 includes a provision which directs the U.S. Army Corps of Engineers to establish, operate, and maintain new or existing watercraft inspection stations to prevent the spread of aquatic invasive species in the Columbia, Upper Missouri, Upper Colorado, South Platte and Arizona (should be Arkansas) River Basins. The provision also authorizes the Army Corps to assist states with monitoring and rapid response efforts in the case of an infestation of zebra or quagga mussels.

An administrative solution in both the House and Senate is needed to correct the typo is Section 1170 from the nonexistent Arizona River Basin to the Senate’s intent of providing resources to the Arizona River Basin with its headwaters in Colorado. Urge the Army Corp to not delay appropriations or planning in the Upper Colorado or South Platte Basins while the Arizona/Arkansas Basin typo is corrected.

Support is needed to gain the fiscal appropriations as authorized in the bill.

The Stop the Spread of Invasive Mussels Act of 2019

Senator Bennet, along with Senator Daines and Senator Tester from Montana, introduced the Stop the Spread of Invasive Mussels Act of 2019. The bill authorizes the Secretary of Interior through the Commissioner of Reclamation to provide financial assistance to states or local governments for WID. The bill adds several federal agencies, such as the National Park Service, as a member of the ANS Task Force and provides authorization for all members of the ANS Task Force to conduct WID into and out of federal waters. The bill requires the ANS Task Force to report back on any regulatory changes necessary to implement WID prevention or containment. Finally, the bill corrects the typo in Section 1170 of S.3021 to authorize the Arkansas River Basin. Sponsorship and support is needed to pass this bill.

How You Can Help

- Contact U.S. Senators and Representatives, and the U.S. Army Corp of Engineers, and encourage them to secure an administrative solution to correct the typo in Section 1170 of S. 3021 (WRDA-2018) changing Arizona River Basin, which does not exist, to Arkansas River Basin, which was the intent of the Senate.
- Encourage Congressional delegates and the Army Corp of Engineers to provide fiscal appropriations under Section 1170 of S. 3021 for the Upper Colorado, South Platte and Arkansas River Basins. This funding will be used to provide cost share for WID staff, operations, infrastructure improvements, monitoring and rapid response.
- Support the passage of The Stop the Spread of Invasive Mussels Act of 2019.
- Urge the U.S. Bureau of Reclamation and the U.S. Forest Service to provide funding to CPW for WID staff, operations and improved infrastructure on waters under their ownership or recreational management.
- Inform municipal government, county commissioners, state legislators and federal congressional delegates of the potential economic and social impacts that could occur without ANS preventative measures.