

CPW Supports the Mussel-Free Colorado Act



HB18-1008: SUPPORTING HEALTHY WATERS IN COLORADO

Why do we need a mussel-free Colorado?

Zebra and quagga mussels are not native to the nation's rivers, lakes and reservoirs and are considered our most serious aquatic nuisance species (ANS) threat. Adult infestations harm aquatic ecosystems and fisheries by disrupting the food web and outcompeting native species. They cause enormous problems for water infrastructure used for municipal, agriculture and industrial purposes by attaching to, clogging and impairing water storage, treatment and distribution systems.

Eradicating an adult mussel infestation in an open water body is nearly impossible. Controlling infestations becomes a permanent and expensive part of normal operations post invasion. For example, the Metropolitan Water District of Southern California will spend \$10–15 million annually in operations and maintenance costs to address quagga mussel infestation in its Colorado River Aqueduct and terminal reservoirs.

To avoid these damaging and costly control operations in perpetuity, Colorado has implemented an effective prevention program to stop mussel introduction by inspecting watercraft before they enter our waters and ensuring that users clean, drain and dry watercraft.

A mandatory watercraft inspection and decontamination (WID) program is Colorado's answer to prevent introduction. Inspections are effective because mussels can move overland great distances by attaching to watercraft and as microscopic larvae hidden in water on board. As a headwater State, there are

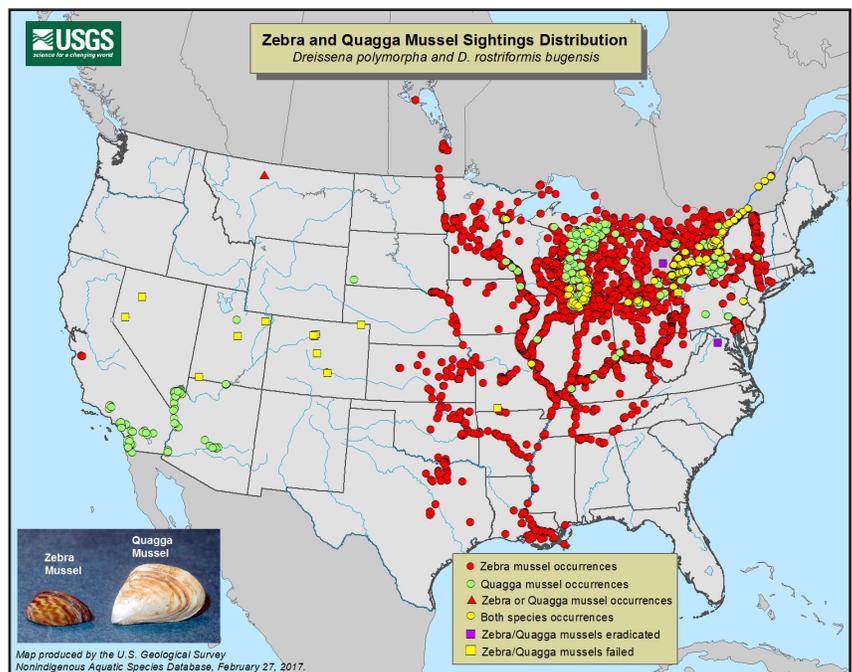
no mussels upstream of Colorado that could naturally spread. Therefore, we are managing the most common vector of movement into our state, as that's the only way Colorado's waters can become infested.



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Threats to Colorado Waters

Invasion of mussels from out-of-state waters continues to be a threat, and will likely increase.



- Almost all states to the east of Colorado have a zebra or quagga mussel infestation. The closest is Cedar Bluff Reservoir which is only 150 miles from our border in Kansas.
- The southwest US has many widespread infestations including Lake Powell, Lake Mead, Lake Mohave, and Lake Havasu, which are all frequented by Colorado boaters.
- Without mandatory WID prevention in place, western states such as AZ, KS, NE, OK, and TX, along with eastern states, continue to lose waters to invasive mussels each year.



Are Invasive Mussels Really Being Moved by Watercraft?

In 2017, Colorado inspectors intercepted 26 boats infested with adult mussels coming in from out of state—a new record. Colorado has intercepted a total of 144 boats infested with adult mussels since the ANS Program began in 2008.



Can Mussels Survive in Colorado?

Colorado Parks and Wildlife has collected data from 177 reservoirs over five years in collaboration with Colorado Department of Public Health and Environment. Together, they have compared over 281,000 data points to peer-reviewed scientific literature and performed detailed analysis related to the habitat requirements and thresholds for zebra and quagga mussels.

The results of those studies are clear—mussels can survive and reproduce in ALL Colorado waters.

Colorado's ANS Program is in Jeopardy

The Colorado ANS Program was authorized by the Colorado Legislature in 2008 utilizing severance tax funds. CPW has leveraged those funds with federal and local grants to fund the ANS Program since inception. However, severance tax is a fluctuating source and federal funds have been reduced in recent years. Additionally, in April 2016, the Colorado Supreme Court ruling in *BP Am. v Colorado Department of Revenue* drastically reduced severance tax availability.

The Colorado General Assembly provided funding to the ANS Program through SB17-259 which will help fund the 2018 boating season, but long-term funding for the program is uncertain.

The Mussel-Free Colorado Act

- This bill provides a stable funding source of \$2.4 million for the ANS program in 2019 and beyond by requiring boats to purchase an ANS stamp.
 - Colorado resident boats: \$25
 - Non-resident boats: \$50
- Continues Tier 2 Severance Tax appropriations, when available, to cover the remainder of the \$4.5–\$5 million annual cost of ANS program implementation.
- Increases fines for ANS related violations.
 - Raises the fine for unlawful boat launches without inspection from \$50 to \$100.
 - Raises the fine for knowing importation of ANS into the state from \$150 to \$500 for a first offense.
- Allows CPW to charge labor/costs incurred to store and decontaminate intercepted vessels.
- Encourages federal partners to take responsibility for ANS inspection funding at their reservoirs.



Sustainable funding for the ANS Program is essential to protect our waters and water infrastructure from irreversible invasion!



For questions about the bill, please contact Doug Vilsack, DNR Legislative Liaison at douglas.vilsack@state.co.us or 720-456-8956.