

Aquatic invasive species bill introduced

By **RICHARD HANNERS** Whitefish Pilot | Posted: Wednesday, February 23, 2011 9:44 am

A bill toughening existing rules on aquatic invasive species was introduced in the Montana Legislature on Feb. 14 by Sen. Verdell Jackson, R-Kalispell.

Senate Bill 343 seeks to amend the state's Aquatic Invasive Species Act by allowing the Department of Agriculture and the Department of Fish, Wildlife and Parks to establish management areas, use quarantine measures, impound vessels for decontamination, and enforce these actions with misdemeanor or felony penalties.

Citing the threat of zebra and quagga mussels and milfoil to the state's rivers and lakes, and water storage, irrigation and hydroelectric systems, Jackson's bill has the backing of the Flathead Basin Commission and 50 co-sponsors, he said.

Whitefish Lake Institute director Mike Koopal has been part of a local effort to prevent the spread of invasive aquatic species to nearby lakes, including education, monitoring and proposing steps to ensure vessels are clean.

"The items under this bill are consistent with what other states are already doing to mitigate the threat of aquatic invasive species," Koopal said. "Montana and its neighbors all need to participate in adopting tougher standards to prevent or contain infestation. Not doing so will mean a higher back end cost of mitigation and control should these species become established."

The bill states that "as infestations of threatening invasive species move ever closer to Montana's borders, protecting Montana against these species is of utmost importance to the state economy, environment, recreational opportunities and human health for the benefit of all Montanans."

Invasive species include nonnative plant or animal species that "threaten the diversity or abundance of native species or the ecological stability of infested waters," the bill states.

Under the bill, the two state agencies would be responsible for maintaining a list of invasive species and water bodies in Montana that have become contaminated, and developing a strategic plan to prevent the spread of invasive species.

The first priority would be public awareness and education, but the departments also would have the authority to enforce quarantine measures that include mandatory inspections of the interiors of vessels and impoundment.

The departments would have the authority to close docks or boat ramps, prohibit the use of vessels in certain areas, set up check stations to address the movement of vessels from one area to another. Decontamination measures would include cleaning bilges, livewells, bait containers and other

equipment.

If the presence of an invasive species is detected during an inspection and the check station is not equipped to provide decontamination, the departments would have the authority to impound the vessel for up to 10 calendar days at the nearest designated facility. If the decontamination process is not completed within 10 calendar days, the vessel's owner or operator may reclaim the vessel.

Misdemeanor and felony penalties are provided in the bill for enforcement. Investigations and arrests could be made by peace officers or fish and game wardens.

Negligently violating the bill's provisions could be punished by a fine up to \$500. Purposely or knowingly violating the provisions could be punished by a fine up to \$1,000. Purposely or knowingly attempting to introduce an invasive species would be a felony punishable by up to two years in prison and a fine up to \$5,000. A civil penalty with a fine up to \$250 could be imposed on anyone who violated other provisions of the bill.