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December 5, 2019

The Honorable Michael Bennet  
United States Senate  
261 Russell Senate Office Building  
Washington, DC 20510

The Honorable Steve Daines  
United States Senate  
320 Hart Senate Office Building  
Washington DC 20510

Dear Senator Bennet and Senator Daines:

Western Governors commend you for introducing S. 2975, the Stop the Spread of Invasive Mussels Act of 2019. This bipartisan legislation would enable state and federal agencies to more effectively combat the spread of aquatic nuisance species (ANS) in western waters.

Western Governors have long been concerned by the threat that ANS pose to western ecosystems and economies. These concerns are articulated in Western Governors' Association (WGA) Policy Resolution [2019-06, Biosecurity and Invasive Species Management](#), as well as the recent WGA [Biosecurity and Invasive Species Initiative Special Report](#). Invasive quagga and zebra mussels are of particular interest, as these invaders annually result in millions of dollars in lost economic activity and cause significant environmental damage to waterbodies in the West. It is of paramount importance to prevent the spread of these species into uninfested waterways, including major headwaters and the Columbia River basin – the last major uninfested water system in the continental U.S.

The primary means by which these aquatic mussels spread is by traveling on the hulls and in the ballast tanks of boats leaving infested waterbodies. The application of effective inspection and decontamination practices as watercraft leave infested waters is the first line of defense against their proliferation.

Federal agencies have jurisdiction over several major infested waterbodies in the West, including Lake Mead, Lake Powell and Lake Havasu. The boat inspection and decontamination policies of the agencies managing infested waterbodies – the Bureau of Land Management (BLM), the Bureau of Reclamation (BOR), and the National Park Service (NPS) – are key to regional efforts to contain these species. These agencies operate several voluntary inspection and decontamination programs at these infested waterbodies, mostly at the request of, and in collaboration with, states. These programs are hampered, however, by a lack of clear statutory authority for federal agencies to manage all high-risk vessels (long-term slipped and moored watercraft) upon their departure from infested waterbodies under federal jurisdiction.

The containment of invasive quagga and zebra mussels at infested waters in the West depends upon the collaboration of federal, state and local agencies. Many state-led containment programs benefit from federal cooperation and funding, and state and federal agencies should be encouraged to sustain and expand these effective partnerships.

Western Governors' believe that to adequately protect the West from the movement of aquatic invasive species, federal agencies must be able to act as full partners in invasive species containment efforts and must have the funding and authorities necessary to contain invasive species within lands and waters under their jurisdiction. To this end, federal agencies, including


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BLM, BOR, and NPS, should be vested with clear authority to manage watercraft upon their departure from infested waterbodies under federal jurisdiction.


S. 2975 would add BLM, BOR, and NPS as members of the Aquatic Nuisance Species Task Force and grant all agencies on that Task Force the authority to conduct inspection and decontamination of watercraft and impound, quarantine, or otherwise prevent entry to limit the movement of aquatic nuisance species into and out of U.S. waters. It would also vest federal agencies with the clear authorities necessary to manage invasive species on lands and waters under their jurisdiction and help ensure that state and federal agencies are able to collaboratively protect the West from the spread of ANS.

Thank you for your efforts to address this critical issue. We look forward to working with you as S. 2975 moves through the legislative process.

Sincerely,



Doug Burgum  
Governor of North Dakota  
Chair, WGA



Kate Brown  
Governor of Oregon  
Vice Chair, WGA