

STATEMENT OF  
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BEFORE THE  
SENATE SUBCOMMITTEE ON WATER AND WILDLIFE  
ON S. 2530,  
“PROTECTING LAKES AGAINST QUAGGAS ACT OF 2014” OR “AS THE PLAQ ACT OF 2014”

**July 16, 2014**

Thank you Chairman Cardin, Ranking Member Boozman and members of the Committee, for the opportunity to provide the Nevada Department of Wildlife’s views on S. 2530, The Protecting Lakes Against Quaggas Act of 2014, introduced by Senator Dean Heller on June 25, 2014. The Nevada Department of Wildlife fully supports the legislation to add the genus *Dreissena*, specifically quagga mussels, to the national list of invasive species covered under the Lacey Act. In addition, the Department supports the exclusion of the listing on the operation of public water systems, water conveyances, storage and distribution facilities noted in the Act.

The State of Nevada has both quagga infested waters and quagga free waters and therefore must face the issue of quagga mussel infestation from a unique perspective. Nevada had the first documented population in the United States west of the Rocky Mountains in Lake Mead, and containment of this threat to the waters in which it presently exists requires creative and adaptive strategies. Additionally, in order to provide, and protect priceless national resources such as the Lake Tahoe Basin, we must maintain its quagga free status.

**Introduction**

Quagga and zebra mussels cause significant ecological and economical harm in the United States. The transport and introduction of aquatic invasive species into un-infected waters requires shared responsibility at both the federal and state level. In 2011, Nevada enacted the Nevada Aquatic Invasive Species Act (A.B. 167) that established provisions protecting the waters of the State from aquatic invasive species. Established in the language were provisions providing The Nevada Department of Wildlife with the necessary authority to prohibit the transport of quagga and zebra mussels within the State. Other states have established similar language. At the federal level, zebra mussels are currently listed as a prohibited species under the Lacey Act making the transport across state borders illegal. However, quagga mussels are excluded from coverage under Title 18 US Code because they were not previously recognized as a distinct species of Dressinid mussels.

Quagga mussels are one of the greatest aquatic invasive species threats to waters of the western states. For the Columbia River Basin, a 2010 Independent Economic Analysis Board report estimates that roughly \$100 million annually would be required to maintain infrastructure operations for irrigation, fish passage and propagation, navigation and other Columbia-Snake river functions in response to an invasive mussel invasion. Such infestations have occurred in the Great Lakes and other eastern waterways, as well as the southwestern part of the country. In another western state study, the invasion of quagga mussels into

the Lake Tahoe Basin could devastate Tahoe's fragile ecosystem and native fisheries, impact boats and recreation areas, and could cost the Tahoe Basin more than \$20 million dollars annually.

In 2007, quagga mussels were discovered in Lake Mead and are believed to have been introduced there by the movement of an infested watercraft trailered from the Great Lakes region. Since their discovery at Lake Mead, the mussels have spread throughout the lower Colorado River system including Federal and State water supply networks. Currently, there are no feasible eradication methods available; however, when the states and federal government work together, we have increased capability for preventing the movement and introduction of these invaders into un-infected waters.

In 2013, in a joint effort between Lake Mead National Recreation Area (LMNRA), the U.S. Fish and Wildlife Service and the Nevada Department of Wildlife, a prevention program was developed to assist in preventing quagga contaminated watercraft from exiting the Park. Although still in its infancy, the program has provided the public with no-charge decontaminations for fouled watercraft moving to other states and un-infected waters. The LMNRA Project has struggled with long-term federal funding and exists on a year to year basis. Regardless of funding issues, the program is a prime example of the State of Nevada and agencies within the federal government working together to prevent the spread of quagga mussels into un-infected waterways. However, current Federal law, because of the exclusion of quagga mussels, does not provide adequate regulatory authority to assist the states in situations when a watercraft owner knowingly ignores decontamination stations and other state-level requirements, and transports quagga mussels across state lines. Further, the provisions of S. 2530 will significantly aid collaborative efforts between State and Federal partners when addressing invasive species issues on federal lands such as units of the National Park Service.

## **Conclusion**

The Nevada Department of Wildlife supports the Act entitled "Protecting Lakes Against Quaggas Act of 2014". This legislation is also supported by the Western Governors Association, Tahoe Regional Planning Agency, National Wildlife Federation, Pacific States Marine Fisheries Commission, Northwest Power and Conservation Council, Irrigation and Electrical Districts' Association of Arizona, and the National Environmental Coalition on Invasive Species. The wide array of supporters indicates this legislation is both necessary and warranted from an economic and natural resource management perspective.

The Act will assist the states by strengthening the federal government's authority in preventing the interstate transport of quagga mussels and providing increased opportunity for federal and state collaboration. Nine western states, in addition to Hawaii and Alaska, currently are free of quagga mussels and numerous lakes and reservoirs exist in all western states that have not been infected. It is imperative that federal and state authority coexist where interstate boundaries are concerned to develop comprehensive containment strategies and help prevent the spread of quagga mussels into un-infected waters.

Mr. Chairman and members of the committee, thank you for the opportunity to testify on this legislation. I would be happy to answer any questions.