

# Western Region ANS Action Plan

Based on results of the  
**ANS Regulations and Enforcement Workshop**  
Sun Valley, ID ♦ July 24, 2004

**March 16, 2006**



**International Association of Fish and Wildlife Agencies**



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## Table of Contents

Western Workshop

Implementation at Regional and National Levels

Priority Issues and Actions for the Western Region

Appendix A. ANS Workshop Participants

Appendix B. ANS Workshop Agenda

Appendix C. ANS Workshop Evaluation Results

Appendix D. Resolution Approved by WAFWA

Appendix E. IAFWA ANS Workshop News

Appendix F. Regional ANS Priorities

**Note:** *This action plan was developed based on the Southeast Region ANS Workshop held on July 24, 2004. This version of the action plan was completed in June 2005. It was edited for consistent formatting in March 2006.*

## **Western Workshop**

### **Workshop preparation**

The Project Team corresponded with 103 contacts in the Western region through preliminary online input to develop initial list of issues and prioritization. Thirty-one participants at a workshop on July 24, 2004, used this preliminary input to create a draft Western Region Action Plan for further electronic review by all contacts in the region.

### **Western workshop held**

On July 24, the Western ANS Regulation and Enforcement Workshop was convened in Sun Valley, Idaho, to discuss potential actions and strengthen ties between partners. Thirty-one participants represented 11 state and federal agencies, NGOs, universities and consultants. Participants are listed in Appendix A.

The purpose of this workshop was to: 1) confirm priority of issues; and 2) identify steps to draft an action plan to address priority issues. Actions could be undertaken by fish and wildlife and conservation law enforcement agencies at state and federal levels, and by associated governmental and NGOs, including WAFWA.

The workshop was a first step to identify and prioritize issues and enhancing partnerships. Results of the workshop discussions were provided electronically to all project contacts for additional comments and recommendations via online surveys.

The workshop agenda is provided in Appendix B.

### **Highest priority issues for immediate action**

The following issue areas are in priority order as indicated by online respondents and workshop participants. Additional issues and actions recommended through online input were folded into this list. Policy, regulation and law enforcement issues are combined.

Priority issues for the Western Region were to develop and coordinate:

1. Funding for state and regional ANS management programs (applies to both regulation/policy and law enforcement).
2. Training for law enforcement officers on species identification.
3. External organizations to promote ANS policy and agendas.
4. Screening and risk assessment tools.
5. Mechanisms for tracking and controlling internet sales.
6. Lists of contacts and protocols for rapid response.
7. Regional organizational structure to address ANS.
8. ANS lists between states; clarified definitions in regulation and policy approaches.
9. Effective, ongoing communication about federal ANS laws.

Prioritization gives a general sense of where limited resources can be targeted. It does not imply that other issues are unimportant or should not be addressed if adequate resources and interest are available.

## **Developing partnerships to address ANS concerns**

Representatives from the following organizations met with attendees at the workshop to discuss areas of interest:

- Pet Industry Joint Advisory Council (PIJAC)
- Western Governors Association (WGA)
- Western Regional Panel of the ANS Task Force
- IAFWA/Western Association of Fish and Wildlife Agencies (WAFWA)

## **Workshop evaluation**

Complete results for the post-workshop evaluation are provided in Appendix C.

Twenty out of 31 participants evaluated the workshop in writing or through an online survey. Eighty-nine percent felt that the workshop covered their major ANS concerns and issues. Several respondents indicated an interest in a workshop with more in-depth coverage of the issues, including biology and control of ANS, expanding knowledge of other agencies, research needs, effectiveness of outreach, risk assessments, and streamlined compliance to authorize immediate action on public land during rapid response procedures.

Participants described the workshop as a beneficial first step in enhancing coordination within the region. They rated the workshop's overall success towards launching a collective effort among western region states as 7.3 on a 10-point scale, with 10 as the highest score. They ranked the importance of state agencies in other regions attending similar regional ANS workshops as a 9.2 out of 10.

In the workshop evaluation, participants recommended several *next steps*:

- a. Develop state plans with specific actions and adequate funding.
- b. Reach consensus on priority actions for states.
- c. Create memoranda of understanding between border states.
- d. Distribute information generated in the workshop and providing information on a website.
- e. Bring recommendations to the WAFWA and Western Region ANS Panel.
- f. Encourage higher priority for ANS issues in staffing actions and dedication by attendees to follow-up.

They also identified additional partners for action plan development:

- a. Native American tribes.
- b. Federal agencies (e.g., National Park Service, Bureau of Land Management, USDA Forest Service, Department of Defense).
- c. Law enforcement.
- d. State agencies in California and Hawaii and fisheries representation from Colorado.
- e. Senior staff and directors in agencies and organizations.

Further efforts to develop the action plan for implementation involve identifying responsible entities and timelines for priority actions. Next steps may be undertaken by the WAFWA and other organizations within the region.

### **Development of the action plan and WAFWA resolution:**

*Action plan:* The IAFWA Project Team provided an initial draft of the Western ANS Action Plan to all parties named in the plan for review and revision [WHEN?]. After their review, the Action Plan will be distributed to the WAFWA members and other partners for additional review and action.

*WAFWA resolution:* Workshop participants drafted a summary of key ANS actions in the resolution “State Wildlife Agency Leadership for Aquatic Nuisance Species.” The draft was passed through several committees and upon approval, presented to the WAFWA directors and adopted at the business meeting.

The resolution is found in Appendix D.

## **Implementation at Regional and National Levels**

### **Coordinating nationally**

Although each regional workshop was independent of the others, the four regional action plans come to many of the same conclusions. The regions are setting similar top priorities and have an opportunity to work together through IAFWA to be more effective. Each region has a better chance of successfully addressing national-level issues if they coordinate as a group through the IAFWA and other national organizations, as appropriate.

### **Highest priorities**

All four regions ranked funding as the highest priority. Federal authority for addressing importation with screening and assessment tools also ranked high, in addition to coordinated ANS lists among the states. Most of the priorities are independent of each other, and few would suffer if another cannot be enacted. The exception to this is the funding priority. The regions have made it clear they do not have the staff and resources to take on new ANS tasks without increased funding.

A list of priority actions for each region is given in Appendix E.

## **Priority Issues and Actions for the Western Region**

This Western ANS Action Plan provides highest priority issues and actions for the region and describes mechanisms for further progress in addressing these pressing ANS management needs.

Prioritization gives a general sense of where limited resources may be targeted. It does not imply that other issues are unimportant or should not be addressed if adequate resources and interest are available. "Who" listed below shows the entity that would undertake a particular action.

### **ISSUE 1. Build funding through federal ANS program**

*Description:* Funding is needed for state and regional ANS management programs, including regulation, policy and law enforcement programs.

*Actions:*

- Research funding priorities.
- Increase user fees targeted to those are impacted (e.g., boat users).
- Develop grants.
- Tie to homeland security but when it was tried, it was called "mission creep
- Tax Internet users.
- Tax pet industry.
- Charge for transport permits. Bait dealers, private fish farms.
- Expand authority to use PR/DJ/WB funds.
- Expand who pays excise taxes.
- Redirect agency priorities.
- Power companies.
- Seek funding from NGOs.
- Civil penalties for violators.
- Criminal penalties for violators.
- Opportunity to expand funding when NAISA is currently up for reauthorization.
- Capture funds from tourism.
- Homeowners associations can tax themselves.
- Make sure we can show the product for the money being spent.
- Determine and express impacts on ecological and economical basis.
- Fee or tax issue.
- Develop cooperation of all involved agencies and external groups.
- Collaborate on projects, reduce redundancy.
- Develop wide variety of financial resources.
- Communicate economic value on prevention.
- Identify funding needs and how funds are used.
- Use volunteers better.
- Promote sense of stewardship.
- Develop in-kind and non-monetary opportunities.
- Maximize existing resources, crosses into education outreach.
- Constraint is FTW limitations for law enforcement.
- Apply user pay insurance risk funding model.
- Possible risk specific vectors present.
- Communicate potential harm that could result if ANS become established with specific sectors.
- Inspection program and fees.
- Needs to be tied to inflation.

- Need planning money.
- Open Wallop-Breaux funds for ANS cleaning stations and boat access.
- Industry-sponsored education and mass media campaigns.
- Holding industry accountable for what they sell (Cabela's).
- IAFWA-sponsored contractors.
- Pooling funds to build watershed partnerships.
- Shift burden of proof back to industries that deal in nonnative species.
- Two levels to emphasize:
  - WAFWA level to address funding, etc.
  - Local watershed level to involve multiple partners to support on-the-ground work.

*Funding partners:*

- NGOs.
- Industry.
- Angling and sports groups.
- State general fund appropriations.
- Additional or increased licensing.
- Penalties.
- Federal funding increase.
- International and North American funds.

**ISSUE 2. Develop law enforcement officer training on species identification**

*Description:* Training opportunities are needed for Western law enforcement officers to aid them on the front lines in identifying ANS.

*Actions:*

- Articulate importance to officers so that they spend more time on it.
- Basic training for the whole legal system on the species, including what to look for, what they look like etc. Audiences would include officers, district attorneys, state patrol, ports of entry, etc.
- Ensure that this is not an add on duty for officers, additional funding for FTEs is needed
- Possibly need inspection authority.
- State fish and wildlife agencies need to clarify stopping authority.
- Require those transporting sport boats/live fish to stop at ports of entry.
- Concern about automation, not even having to stop.
- Start with fish and wildlife agencies, departments of transportation.
- Regulation has to come from someone else.
- Develop an inspection sticker program like vehicle smog inspections and charge a fee through National Association of State Boating Law Administrators.
- Develop ways boat shops and marinas could take action.
- Educate marine deputies, parks and recreation staff, marinas, National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management, law enforcement officers, (TND is doing some) and recreation groups (e.g., River Rangers).
- Develop field manual on identification and handling procedures, etc.
- AMGFLEO build on Midwest self supporting fee.
- Get the law to educate legislature so they will enact legislation to tackle problem.
- State policies on what to do when ANS is discovered look at rapid response group's ideas.
- Work with outfitters and guides.

## Western Region ANS Regulation and Enforcement Action Plan

- Involve boating law administrators associations, U.S. Coast Guard.
- Develop consistent and standardized overall training program from start to finish then let each agency communicate it. Start with IAFWA and WAFWA, then get to states to adapt.
- Incorporate into check stations.
- Decontamination and quarantine issues.
- Disposal methods.
- Species identification and vectors.
- Method of transportation.
- Teach people to look for what is in sight.
- Develop agency resources such as the Washington Department of Fish and Wildlife video on enforcement training for zebra mussels, etc.
- Other enforcement education tools.
- Develop database that lists education resources.
- Emphasize importance of ANS enforcement.
- Enforcement authority.
- Training all fish and wildlife personnel and marine board personnel.
- Interpret existing rules; determine if new ones are needed.
- Understand marketing for species.
- Awareness of problem or potential problem.

### **ISSUE 3. Involve external organizations**

*Description:* Involve external organizations in promoting ANS policy and agendas.

*Actions:*

- Identify external grassroots and local organizations, such as watershed organizations, volunteers, lake associations, Watershed Enhancement Board (Oregon).
- Preliminary contact with external organization in early stages.
- Involve state and local police departments for local information (like in Washington).
- Marine surveyors.
- State insurance board.
- MV division and commercial haul regulations.
- Educate youth through programs such as Project Wild.
- PIJAC program "Habitatattitude" designed to reach pet owner, purveyor.
- Actively targeted messaging needed for pet owners, hikers, boaters.
- Travelers by reaching travel agents (Hawaii has a good example).
- Identify audiences based on pathways.
- Outreach like littering campaigns.
- Web tool to find state regulations with contacts (this is risky because it can change frequently).
- Need warning and replace laws.
- Go to refresh state agency and industry about applicability of "Animal" releases.
- Help people understand issues, continue education.
- PIJAC could develop a presentation that states can use to reach out to smaller aquarist groups (variety of canned presentations for speakers).
- Work with charter group, as an NGO that works with educating new immigrants, to educate all immigrants entering the U.S. on ANS issues.
- Need to address the "live food" markets. Got to be an enforcement network (see Illinois).



- Get standard terminology at states level (all levels).
- Get an agency to identify target outlets (magazines, airlines, sunset, home and garden).
- We need to give people reasonable alternatives (good guys/bad guys).
- Partnerships in strategy for detection “Central Reporting” (lay and professional).
- Need to focus on a critical few regional priorities.
- Involve SCUBA diving community as a target audience.
- Cross training crews to be early detectives.
- ANS could be addressed as biosecurity issue to raise importance of issue.

#### **ISSUE 4. Develop Screening and risk assessment tools**

*Description:* Partners need to develop screening and risk assessment tools for ANS identification and management.

*Actions:*

- Actions in different industries – need state agency participation.
- Triage and integrate ANS in other ecosystem management, such as CWCS.
- Difficulty of development clean list due to industry concerns.
- Lack of information on species and threats.
- Use media attention to motivate public/policy support for ANS regions.
- Creating different things by different groups (island, terrestrial aquatics, biocontrol working groups).
- Live food, aquarium trade, water gardening, ISAC, ANS, aquaculture/stocking.
- Need participation from states on group – using conference calls, little travel.
- Screening needs customized for specific activities.
- States may lose input vs. fed agencies.
- National process and clean species list.
- Case-by-case triage to integrate ANS with other issues such as the CWCP state SWG process.
- Identify groups of species and ecosystems where greatest threat exists.
- Prospects of a clean list long battle with industry short term.
- Identify groups of species and systems to prioritize within broad strategy to protect ecosystem.
- Shift burden of proof to industry, agriculture and aquaculture will be difficult.
- New species risk assessment by importers.
- Industry may help with screening list.
- Clean list of existing animals already in country.
- Similar to process of proof for new aquatic drugs.
- Have no information about some species.
- Defense mechanism for protecting areas not yet impacted.
- Build on momentum in concerns, including bioterrorism, Asian carp poised in Great Lakes political momentum, have public attention (flying carp, zebra mussels).
- Do not know what the threats are.
- Have to prioritize actions during total shift in approach.
- How to determine which new species a state is most concerned about:
  - Use CWS to identify ANS threats.
  - Need communication with CWS coordinators.
  - CWCS is in wildlife group not fisheries for some states.

- USGS and states gathered information on species we knew we didn't want but needs to translate into action (snakeheads fast, black carp slow action).
- Media attention may not match in importance of a species:
  - Need to use media attention to market the problem, such as use of names like snakehead fish.
- Risk assessment: prioritize pathways that represent threat.
- Ballast water moving into litigation will be tied with legal matters if not addressed.
- Constraints on international trade.
- Aquarium fishing industry less regulated shift to more temperate species – higher threat.
- Tropical fish in ID hot springs where people had to carry fish long distances.
- Debate of clean list vs. prohibited list.
- Research, research, research.
- Identify funding opportunities for screening and risk assessment tools.
- Examine appropriateness of using the Lacey Act as a federal tool.
- Determine the practicality of tools.

### **ISSUE 5. Develop tracking and controlling of Internet sales**

*Description:* Develop mechanisms for tracking and controlling Internet sales.

*Actions:*

- Use strategies from fish health.
- Computer search to find and communicate with Internet sales.
- Clarify who controls Internet sales.
- Not enough manpower to monitor and could be easily inundated.
- Mechanisms to self patrol (EBay users).
- Develop computer program to send educational message to users and sends a message to enforcement (fight computer problems with computers).
- Common carriers (e.g. Fed Ex) need to be alerted and make sure they know who to report potential violation. Appeal to their community service.
- Educate agencies/fisheries enforcement people – what to look for/be aware of.
- Work with larger vendors (i.e. Cabela's) so they know state specific requirements and who to contact and to tell the buyer what they need to do.
- Develop our own website at regional and national levels that contains requirements and links to states.
- Message on state Internet license sales that pops up when license is bought:
  - Same for boater registrations (hitchhiker message).
  - Boat dealers, motor dealers traders, Cabela's, Bass Pro, etc.
  - State fish and wildlife agency, tourism agency.
- Get a handle on how big the problem is. (Feds could study? Intel unit? NOAA?)
- Notice (hitchhiker program) on state tourism sites and signs.
- Provide links to ANS information.
- How to address the complexity of LE – interstate commerce issues.
- Federal funding for cyber wildlife crime (have tried, but shot down.)
- Involve I&E folks in our agencies.
- Need more wildlife inspectors (US FWA) and better educate them? There are very little interstate inspectors.
- Educate port of entries, state police.

- Develop a law, such that it would be unlawful to advertise prohibited species to sale over the Internet. Point of origin and point of destination.
  - Federal agencies (e.g., USFWS).
  - State fish and wildlife agencies.
  - Departments of agriculture.
  - Departments of commerce.
  - Drug Enforcement Agency or agency with broader authorities than USFWS (e.g. equivalent to action taken if someone is advertising cocaine over Internet).
- Reconcile “prohibited” species between states and nationally.
- Assistance from federal level needed.
- Target national marketing businesses.
- Unintentional species in shipment (packing material and water).
- Lab supply houses for education.
- Visual inspection may miss small life stages.
- Strategies and tools used for fish health/culture applicable to ANS (recommendations from fish pathologists).
- Computer technology to search out websites that are marketing ANS (Google/EBay search) or are contaminated with ANS (water).
- Follow by contacts to any online operator moving animals around.
- State develop comprehensive list of prohibited species for retailers (fed and state, plant and animal, etc.).
- Address intentional introductions.
- Increase restrictions on label on packaging and bill of lading.
- Labeling organisms that are for public sale.
- Incentives for pet traders to participate in stopping invasive.
- Increase penalties for intentional mislabeling.
- Reevaluate inspection for items for human consumption.
- Review state and federal law to determine adequacy.
- Coordination of agencies.

#### **ISSUE 6. Develop rapid response**

*Description:* Develop lists of contacts and protocols for rapid response.

*Actions:*

Priority actions identified were:

- WRP recommended state actions be implemented by state.
  - Larry Riley report to directors at WAFWA.
  - Resolution of WAFWA to IAFWA.
- Fish chiefs get more involved in passing NAISA.
- Move on dedicated funding for responding, includes pool of funding for responding.
- Each state comprehensive secure comprehensive state authority to take actions such as stopping introduction sources in route by intercepting pathways.

*Other actions:*

- Respond to detections on private property. (e.g. Snakeheads in private pond, caulerpa).
- Done on regional level and national level.
- Funding and research.
- Emergency funding for response actions.
- Player pays system.

## Western Region ANS Regulation and Enforcement Action Plan

- Identify authority for rapid response.
- Develop mechanism to pre-approve rapid responses actions.
- Identify players and authority in state, starting from bottom up for implementing rapid response.
- Emergency response plan; coordinate with FWS, contacted neighboring state; NGOs and local media to get word out; coast guard auxiliary.
- Legal mechanisms to stop and detain boats for vegetation or zebra mussels.
- constrained by legal authority, such as owners of private water must volunteer for eradication.
- Need information to identify pathways, survey boater to find out where they move boats.
- Avenue to communicate discoveries could include North American Law Enforcement Chiefs Association bulletin board with all 50 states, Protect Your Waters and the AFS list serve.
- Need staff designated to cover ANS (sort emails, etc.) does every day have a designated ANS contact.
- Need people on the ground to discover imports. More field people to detect ANS.
- Commercial aquaculture; private pond permitting staff – not enough inspectors other than where there is suspicion.
- Identify government office interest in having ANS coordinator to communicate.
- Detections needs trained field staff and volunteers.
- Train enforcement to identify ANS.
- Regulatory ability removed to Dept. Agriculture where there are too few inspectors.
- Legal mechanisms needed.
- Fines need to be more than a class C misdemeanor must with the crime and damage, similar to pollution clean up loss and reimbursement to state.
- Insurance to pay for cleanup after ANS spill.
- Fines and sentencing impact high enough if they are caught.
- Hold them responsible for damage to system.
- Public and social support for regulations needed, importance/awareness communicated.
- Need to do a better job of telling the public this is a huge issue.
- Take advantage to build registration process (e.g. Monkey pox in Wyoming) as momentum for public relations.
- Not taken seriously by the media.
- Maintaining and enhancing tools for response, including public response to rotenone and pesticides.
- May not have tools once it is in the water.
- How can we manage fish to moderate effects for ANS we cannot get rid of?
- More concerned with keeping what's not here out, because once it is here, not much to do except manage around them; can try to slow it down.
- Keep the unknowns unknown.
- Keeping them out is best chance for control.
- Do not know what the opposition will be until we try to have a clean list and regulations.
- Controversy may depend on species.
- More communication between states, help other states, worry about what is happening in other states, awareness of regional and national issues.
- West Governors' Association, FWS regional offices help.

## Western Region ANS Regulation and Enforcement Action Plan

- Emergency response plan.
- Legal mechanisms to detain boats for inspectors and removal; treatment with piscicide in private water.
- Avenue to communicate discoveries (law enforcement chiefs Association bulletin board).
- Need trained field inspectors to discover introductions/transport.
- Fines commensurate with impact; responsibility to pay damages on those who release organisms (pollute).
- Public and media recognition, support for tools (piscicides).
- Have a place for ambiguous issues to be resolved and acted on.
- Comprehensive ANS program with a robust early detection rapid response component.
- Predefine authorities and chain of command.
- Implement plans (not just write them).
- Resolve incident command structure for detection response.
- ANS authority in each state needs to be created and firm.
- Resolving notification protocols.
- Create an ANS management program.
- Assign authorities.
- Have an early detection plan and program.
- Pre-assign action obligations for detections.
- Explicitly build enforcement and inspection infrastructure.
- Pool of funding to draw upon once a detection is verified (avoid having to chase money after the fact).
- How to “sensitize” the management system to pay attention.
- Better coordinate existing contact lists for reporting ANS sightings.
- Construct risk assessment and pathways (vector) analysis.
- Divide contact list to ensure need to know folks get info. And those who take action have enough to do so.
- Resolve at national level and state level environmental law compliance and pre authorizations to act.
- Develop a strike plan or strike force to call upon.
- Need a call list for enforcement when a detection is found.
- Implement WRR model action items.
- Restate above in terms for director’s use.
- Cannot predict the next introduction, therefore need generic flow chart plans to give pathways for decision making.
- Need to add early detection component.
- Need “comprehensive” program.
- Need to devise “how to live with” an invasive component.
- Emphasize prevention.
- Control and containment then eradication first then containment.
- Think in terms of several lines of defense i.e. integrated management.
- Recommend forwarding WRP, recommended state actions to directors with request to send these onto governments.
- Needs to be responsive to regional specific needs.
- Rapid response will not work without robust early detection capacity.

- Need to integrate early detection rapid response in existing programs (i.e. enforcement) and add new capacity.
- Determine if this is new or old or is it defined by an existing plan.
- Rapid response means for now introductions.
- Protocols for rapid response to eradicate vs. control.
- Rapid response can include response for movements from a contaminated site.
- Control and containment actually means developing best management practices once an invasive is established.
- Need to know what is the current process when there is a new detection. Needs to be developed further.

### **ISSUE 7. Enhance regional organizational structure**

*Description:* Enhance regional organizational structure for addressing ANS.

*Actions:*

- Key priority is that every state designate a single person as their ANS coordinator and they have needed authority and tools necessary to take action.
- Western Governors' Association resolution is meant to address this need.
- Develop regional plan for addressing structure.
- Press for aquatic authorities to work together.
- Investigate other regional groups, send our message, get their response, etc.
- Provide consensus to Governors' Association.
- Invasive species councils (aquatic and terrestrial) pull in more agencies (AG).
- Support for out-of-state travel to ANS Panel from IAFWA grants.
- Communicate crisis to governors' office and staff at interagency level.
- Describe economics and public health risk.
- Move to creating model legislation for the states to use.
- Improve sub regional coordination inside WRP area.
- WAFWA needs to determine their role in the WGA resolution.
- Improve WRP visibility and muscle to be more competitive.
- Identify a "minimum" lists of action items each state should implement for the benefit of regional needs in WRP area shift to 8 ½ x 11 paper.
- Create a formal structure to ensure state to state consistency to met regional needs (e.g. consistent educational programs and regulations that compliment across states).
- Add this topic to WRPs next agency for discussion and take actions to explicitly improve regional organization structure.
- WRP get more active, generally, at passing resolutions and recommendations for specific issues.
- Because there is a gap in our capacity to improve regional organization structure (no regional authority, only fragmented state authority), emphasizes the need for a full time state ANS coordinator.
- WAFWA should support dedicated resources in each state, such as primary duty assignment to ANS.
- States are on ANS panel but may have travel restrictions or don't have time to commit.
- Good communication forum.
- Cap on PTEs by legislature; need Governor or legislative approval for ANS positions.
- States bottomed out financially.
- Funding is the issue.

- States taking responsibility on their own to address this new issue.
- Problem communicating crisis from agencies to the governor and public policy makers.
- General society doesn't see it as a big deal.
- Show economic benefits resulting from constraints on industries.
- Show public health risk.
- Need tools to communicate to lawmakers, policy makers and industry so they agree with regulation.
- Need staff, travel, and funds: out of state travel to panel.
- Multistate grant from IAFWA to fund state participation in ANS panel.
- Need to go beyond fishing/hunting revenue.
- Most states do not have ANS coordinators and state ANS management plans.
- Coordinators absorb additional duties/priorities.
- Fund positions through private sector from state Sportfish Restoration match (friends of waters, power plants, etc.), but this creates more "hassle" time.
- Resisted ANS plan development until having manpower.
- Partner with departments of agriculture.
- Examine if it is hurting ANS clout by keeping it separate from terrestrial.
- Statewide coordinator in governor's office.
- Higher priority and combine F&W with agriculture interests.
- Model and structure developed, including coordinators to address state agencies and regional coordination.
- NAISA funding implications.
- Regional efforts (Great Lakes, MICRA).

#### **ISSUE 8. Coordinate ANS lists and clarify definitions**

*Description:* Coordinate ANS lists between states and clarify definitions for regulation and policy.

*Actions:*

- Interstate compacts on introduction and stocking.
- Legal challenges.
- Federal penalties.
- Commissions adopt AFS introduced fish guidelines.
- Needs national effort to strongly encourage.
- Education.
- Encourage states to complete management plan.
- Identify regional management priorities through Western Regional Panel.
- Develop flyer to put in with registration for boats.
- Use trailer registration (WA Dept. of Ecology) for education outreach opportunity.
- Clean boat sticker (VT).
- Opportunities for funding education and outreach.
- Propagated fishing resource management symposium in San Antonio (Gary Carmichael, Vince Mudrack, other leaders in AFS directory).
- AFS update introduced fishing guidelines with standard definitions for "wild," "native."
- Develop a multistate grant symposium for new guidelines that address terminology problem in the profession.
- Integrate "naturalized" category.

- Denied importation and stocking of bluegill; his attorney pointed out problems in regulations.
- Need mechanism to allow another state to not stock in upstream waters that meets legal challenges (Montana, Idaho).
- How can one states laws apply in another state.
- Boundary water state has authority to prevent stocking by other state.
- Obligations for conservation don't stop at state lines.
- Multistate agreements on introduced fish.
- Commission approved management plans incorporate AFS introduced fish guidelines then use them to address other state actions.
- IAFWA assistance in telling states about compacts that can withstand legal challenge.
- Great Lakes Fisheries Commission as model for multistate agreements.
- MICRA to work on interjurisdictional fisheries; tagging of all paddlefish legal recourse for adhering to agreements.
- Agencies can work out agreements but legislatures must not all special interest to void agreements; governor backing.
- States can join a compact and subject themselves to.
- Commissions that set rules must understand and abide by interstate agreements.
- Develop legal remedies if one state's interests are different from other state (e.g., Arkansas and black carp).
- Rely on federal government or can states do some things (WY, MT, ID).
- Federal penalties imposed on interstate compacts.

#### **ISSUE 9. Understand status of federal ANS laws**

*Description:* Effective communication of ongoing status of Federal ANS laws.

*Actions:*

- Develop enforcement authority for Lacey Act.
- Determine enforcement allocation and federal authority dealing with interstate transport.

#### **Additional actions**

Additional actions were listed during a brainstorming exercise with the group. These actions are provided in no particular order within each of the prioritized issues.

Some additional actions that have taken place since the workshop include:

- To facilitate implementation, WAFWA sought a partnership with the Western Governors' Association (WGA) to convene an Aquatic Invasive Species Working Group to work toward the development and implementation of a comprehensive program to prevent the spread of aquatic invasive species in the water resources of the Western states (WGA Policy Resolution 04-11). Another policy resolution will be considered by Western Governors in June 2005 regarding invasive species. This Resolution will be very similar to 04-11 and continues to emphasis a region-wide approach and a leadership action plan for WGA.
- Western States Boating Administrators Association (WSBAA) and National Association of State Boating Law Administrators (NASBLA) joint meeting in Montana, May 2005. Scott Smith, Washington, met with that group to conduct a couple of hours of work regarding Aquatic Nuisance Species on May 24, 2005.
- Fisheries and Law Enforcement Chiefs in the Western region are planning a joint meeting to discuss implementation at the WAFWA conference in July 2005.



## Western Region ANS Regulation and Enforcement Action Plan

- Review of a bill in the U.S. Congress in 2005 that if passed without modification, would negate all the states' ballast water protection rules. If it is not resolved through attention from coastal states, the bill may generate further discussion and action by WAFWA during their July 2005 annual meeting.
- USDA Forest Service efforts to continue work clarifying rules language regarding use of piscicides to control ANS in western states.

## Appendix A. ANS Workshop Participants

<u>Contact</u>	<u>Agency</u>	<u>Phone</u>	<u>Program</u>
Leonard Ordway	Arizona Game and Fish Department	602-789-3307	Law Enforcement
Larry Riley	Arizona Game and Fish Department	602-789-3257	Fisheries
John Bredehoft	Colorado Division of Wildlife	303-291-7452	Law Enforcement
Mike Fraidenburg	Dynamic Solutions LLC	306-867-1140	Consultant
Jon Heggen	Idaho Department of Fish and Game	208-334-3136	Law Enforcement
Virgil Moore	Idaho Department of Fish and Game	208-334-3791	Fisheries
Fred Partridge	Idaho Department of Fish and Game	208-334-3791	ANS
Al Van Vooren	Idaho Department of Fish and Game	208-334-3791	Fisheries
Ann Potcher	IDFW	503-703-3245	Fisheries
Doug Nygren	Kansas Department of Wildlife and Parks	620-672-5911	Fisheries
Chris Hunter	Montana Department of Fish, Wildlife and Parks	406-444-2449	Fisheries
Rob Buonamici	Nevada Department of Wildlife	775-688-1530	Fisheries
Rich Haskins	Nevada Department of Wildlife	775-688-1530	Fisheries
Mike Sloane	New Mexico Department of Game and Fish	505-476-8055	Fisheries
Randy Scorby	Oregon State Police	541-523-5848	Law Enforcement
Marshall Meyers	PIJAC	202-452-1525	Pet Industry
Robyn Draheim	Portland State University	503-725-4994	University
Sebastian Hargrove	The Nature Conservancy	208-343-8826	NGO
Christine Jauhola	The Nature Conservancy	703-465-2947	NGO
Paul Chang	U.S. Fish and Wildlife Service	503-231-6125	Law Enforcement
Daniel H. Diggs	U.S. Fish and Wildlife Service	503-872-2763	Fisheries
Paul Heimowitz	U.S. Fish and Wildlife Service	503-872-2763	Fisheries
Mary Ellen Mueller	U.S. Fish and Wildlife Service	916-414-6464	Fisheries
Erin Williams	U.S. Fish and Wildlife Service	209-946-6400	Fisheries
Glen Contreras	USDA Forest Service	703-605-5286	Fisheries
Rudy Musclow	Utah Division of Wildlife Resources	801-538-4884	Law Enforcement
Randy Radant	Utah Division of Wildlife Resources	801-538-4760	Fisheries
Bruce Bjork	Washington Department of Fish and Wildlife	360-902-2373	Law Enforcement
Ross Fuller	Washington Department of Fish and Wildlife	360-802-2651	Fisheries
Scott Smith	Washington Department of Fish and Wildlife	360-902-2724	ANS
Mike Stone	Wyoming Game and Fish Department	307-777-4559	Fisheries

## Appendix B. ANS Workshop Agenda

- 8:30 Introduction, expectations, and desired outcomes
- Welcome from Western state agencies – Larry Riley
  - Introductions by participants and expectations for workshop
  - Discuss expectations and project follow-up
- 9:15 Background information and major issues (define the scope of the issues)
- Background for the project – Joe Starinchak
  - Injurious species listing process presentation (federal perspective) – Kari Duncan
- 10:00 Preliminary identification of issues – Gwen White
- Review guiding principles
  - Add or modify preliminary issues list
  - Define the charge for breakout sessions
- 10:30 Break (prioritize issues as a group to guide development of action items in breakouts)
- 10:45 Breakout: What regulatory and policy actions that would address these issues?
- 12:00 Lunch (on your own; facilitators will summarize discussion)
- 1:00 State and federal law enforcement presentation – Paul Chang, FWS Region 1 Deputy Special Agent in Charge, and Rich McDonald, FWS Region 2 Special Agent in Charge
- 1:30 Breakout: What enforcement actions that would address these issues?
- 2:15 Break
- 2:30 Group discussion: Reports from breakouts on high priority actions
- Prioritize actions as a whole group
  - Identify issues to be elevated
- 3:30 Action plan formulation
1. What issues need to be elevated and to whom do these issues need to be addressed?
  2. How can the Regional Association (WAFWA) organize to influence these issues?
  3. Who will be responsible for implementing these actions?
  4. Who will take the lead in articulating these issues to other decision-makers?
  5. What would motivate continued involvement in this process?
- 4:30 Adjourn – Reminder to complete online evaluation

## Appendix C. ANS Workshop Evaluation Results

*NOTE: There were 19-20 responses for all quantified questions below.*

### A. Regarding the topics covered at the workshop:

1. Did the topics discussed cover your major ANS concerns and issues?  
89.5% = yes, 5.3% = no, 5.3% = don't know/no opinion
2. Please list any issues you are concerned about related to ANS (biology, control, eradication, etc.) that were not discussed in the workshop:

Would like more workshops on the biology, control, and indication issues.
When discussing enforcement we need to find a way to fund enforcement on a state level.
Roles very fairly focused as it should be. But there is an opportunity to expand knowledge of other agencies, especially federal that can assist. There may be non-regulating agency ... BLM
Research needs, effectiveness of outreach, risk assessments...but as noted above, I didn't expect these types of issues to be addressed. (Note written from 1. Not overall, but definitely covered concerns/issues relative to intended scope on enforcement and regulatory issues.)
Rapid Response -- if we are truly committed to rapid response that can result in eradication then we need streamlined compliance to authorize immediate action on public land.
Intended purpose covered. We do need to share information on other issues.
I would like to see two things, I guess. Are there new, looming species that may not have a foothold here but we can expect, and second, I would be interested in status of species here now, where they are, and how and where they are expanding. I think of presentations I have seen from CDC concerning West Nile and how they tracked the appearance and subsequent spread over the US, with identification of vectors and the blossoming of the disease over several years. Maybe we might not have the information. I guess I am thinking of what is headed for Colorado borders.
How to tie this successfully to economic and biological security.
Enforcement is a limited topic but ties in well with the importance of prevention of new introduction.
Development of national or regional review panels to evaluate request for new introductions - funding from commercial sources, etc.
ANS is a part of Habitat puzzle. Focus on habitat with ANS.

### B. Regarding the materials used at the workshop:

3. Were the materials used at the conference:  
100% = adequate, 0% = inadequate, 0% = don't know / no opinion

4. Please list any other materials that could have been presented to workshop participants:

Success stories.
Informational handouts
Copy of CFR - or reference to Lacey Act. Where actual was.
1-2 page summary of Lacey Act/FWS LE

C. Presentations delivered at the workshop:

5. Please indicate if the following workshop presentations were useful and should be repeated at future regional ANS workshops:

a. History and background that lead to this project (FWS)

70% = useful (repeat it) 10% = not useful (skip it) 20% = don't know/no opin.

b. ANS issues identified by workshop participants prior to the workshop

90% = useful (repeat it) 0% = not useful (skip it) 10% = don't know /no opin.

c. USFWS injurious listing process (FWS)

79% = useful (repeat it) \_\_\_ not useful (skip it) 21% = don't know /no opin.

d. Informal explanation of FWS law enforcement jurisdiction

85% = useful (repeat it) 5% = not useful (skip it) 10% = don't know /no opin.

6. Was the overall amount of background information presented in the beginning of the workshop: 10% = too little 90% = just right 0% = too much

7. Please provide any suggestions about background information we should add or delete for the next regional ANS workshop:

Background information on Lacey Act; summary of each state's list of prohibited species.
More information to allow people to stress importance of invasion that can be taken to superiors.
I think you should focus on strategies for various issues raised, preferred alternatives, and how to fund efforts in tight times.
Continue to update and renew. Keep current.

D. Facilitation

8. Was the workshop's facilitation:

95% = adequate 5% = inadequate 0% = don't know / no opinion

9. Please provide any suggestions regarding facilitation that could improve future regional ANS workshops (agenda, discussion management, etc.):

Needed to be more proactive in subgroup membership to ensure diversity (e.g. one group was solely LE folks.)
Need to weigh if we really collected new and useful information. Did we spend our time in the most effective way possible? I don't have the answer, just the question.
More on roles and who is responsible for what.

I think you should have some Directors there. I would be interested in their perspectives on the problem, how they weigh this priority in with other priorities. Additionally, I was a bit leery of what would be presented as a result of the workshop. I hate to be listed as a participant and then have a result that states "we agreed to...", because I did not hear agreement on too much in relation to brain-stormed alternatives. I would like a voice in relation to any such statement if one were to be used.
Good job.
Brings law enforcement presentation to one of the first agenda items. Many in attendance don't know a lot of that information and I think it could benefit the discussion to hear information.
Additional direction/facilitation needed on breakout groups to guarantee addressing more points.

E. Attendance

10. Were the necessary people in attendance to meet goals

47% = yes    42% = no    2% = don't know/no opinion

11. If you answered "No" to the question above, please list who else, or which other agencies, should have been in attendance and how to reach them:

Tribes, other federal agencies (NPS) Reach via ANS coordinators with states, FWS, etc.
Needed more cross agency participation to address enforcement and more F&W from OR and CA.
More enforcement needed and other than
Missing states/Non-ANS people
Learning experience would be good for tribal, BLM, FS, DOD and other agencies.
Hawaii, California, Colorado?
Few Directors would have been nice, difficult at joint meetings.
California
As in 9, need some senior staff, including some Directors.

F. Next steps

12. What would be the most important next steps in the process, including state or regional actions?

Steps id in session are good start
State plans with specific actions and adequate funding to implement.
Reach consensus on priorities for states, perhaps some MOU's in regards to bordering states. Address funding issues, and prioritize preferred activities in regards to efforts.
Not one
Get information on website. Dedication by attendees to follow-up.
Generate list of brainstorm and distribute ASAP Ask people to send that list on to everyone.
Funding - directors priority

Establishing regional and national action priorities.
Encourage higher priority - (what goes away?) in staffing actions.
Distillation and follow thru
Direction from WAFWA.
Covered in workshop.
Bring these recommendations to WAFWA and WRP.

G. Overall Outcome:

13. On a scale of 1 to 10, how would you rate the workshop's overall *success towards launching collective efforts* among WAFWA states in addressing ANS issues:

\_\_\_ / 10 (score with 1 representing the lowest score and 10 being the highest)

Avg: 7.3  
Mode: 7.0  
Median: 7.0

14. On a scale of 1 to 10, please rank the *importance of state agencies in other regions attending similar regional ANS workshops*:

\_\_\_ / 10 (score with 1 representing the lowest score and 10 being the highest)

Avg: 9.2  
Mode: 10.0  
Median: 10.0

## Appendix D. Resolution Approved by WAFWA

### WESTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES

#### STATE WILDLIFE AGENCY LEADERSHIP FOR AQUATIC NUISANCE SPECIES

**WHEREAS**, the Western Association of Fish and Wildlife Agencies recognizes the authority and the leadership role of state fish and wildlife agencies in conserving wildlife and wildlife habitat within their states; and

**WHEREAS**, it is recognized that aquatic nuisance species can pose a significant threat to the aquatic wildlife and aquatic wildlife habitats of the western United States; and

**WHEREAS**, it is recognized that additional infrastructure and resources within each state fish and wildlife agency and within each state is needed to coordinate, plan and seek funding to address threats from aquatic nuisance species; and

**WHEREAS**, it is recognized that in order to achieve the desired security of our western aquatic wildlife and their habitats, it is necessary to employ new, consistent, and cooperative approaches among all of the western states; and

**WHEREAS**, the Western Regional Panel of the Aquatic Nuisance Species Task Force has offered its Recommendations on State Actions to Improve our Regional Capacity for Managing Aquatic Invasive Species (incorporated herein by reference); and

**WHEREAS**, the Western Governors' Association has offered its resolution regarding Undesirable Aquatic, Riparian, and Invasive Species (WGA Policy Resolution 04-11, incorporated herein by reference).

**NOW, THEREFORE, BE IT RESOLVED** that the Western Association of Fish and Wildlife Agencies encourages its member states to adopt the recommendations of the Western Regional Panel of the Aquatic Nuisance Species Task Force, including:

- Appointment of a state Aquatic Nuisance Species Coordinator;
- Establishment of state Aquatic Nuisance Species or Invasive Species Committees;
- Establishment of state Aquatic Nuisance Species Plans;
- Appointment of a representative from each state to the Western Regional Panel;
- Establishment of programs with additional resources to prevent the spread of unwanted aquatic nuisance species;
- Establishment of early detection and rapid response plans; and
- Establishment of authorities necessary to implement these programs and plans.

**BE IT FURTHER RESOLVED** that the Western Association of Fish and Wildlife Agencies requests of, and partner with, the Western Governors' Association to



## Western Region ANS Regulation and Enforcement Action Plan

convene an Aquatic Invasive Species Working Group to work toward the development and implementation of a comprehensive program to prevent the spread of aquatic invasive species in the water resources of the western states (as per WGA Policy Resolution 04-11).

Adopted in Convention  
Sun Valley, Idaho  
July 29, 2004

## Appendix E. IAFWA ANS Workshop News

### ***IAFWA ANS Communications Project News***

A national communications strategy to help states increase their capacity to prevent, control and regulate aquatic nuisance species

The strategy and newsletter are part  
of a Multistate Conservation Grant project coordinated by IAFWA

### ***IAFWA ANS Regulations and Enforcement Project goals***

**Who is involved:** This project involves IAFWA; its regional counterparts (Northeast, Midwest, Southeast and Western associations of fish and wildlife agencies); four pilot agencies (New Hampshire, Missouri, South Carolina, Arizona) and their partners; U.S. Fish and Wildlife Service.

**Project purpose:**

- To help the four associations develop policies and positions regarding ANS;
- To help states prioritize needs and coordinate regional ANS policy and law enforcement actions. Several approaches will be tested in the four pilot states.

**Project funding:** A 2003 Multistate Conservation Grant was awarded to IAFWA - Fisheries and Water Policy Committee for a 3-year project to address ANS communications issues.

**Project focus:** Communications strategies will address ANS within the four pilot states. It will help the regional associations and IAFWA develop a strong stance regarding ANS. Four workshops are set between now and October to assess ANS regulations and enforcement issues in each region.

**Who is helping:** Southwick Associates, D.J. Case & Associates, S.R. Enterprises, and Silvertip Productions will provide communications expertise for strategies and delivery tools.

### **August 2004**

**Western workshop news**

- 2nd ANS workshop: Western overview
- Western directors pass ANS resolution after workshop
- Thanks to Western partners for workshop support

**Upcoming ANS workshops, news, and calendar**

- Continuing the process in each region
- **RSVP NOW:** Northeastern directors schedule follow-up ANS workshop in September
- **RSVP NOW:** Southeast ANS regional workshop in October
- Calendar for regional ANS workshops
- ANS website and communications tools
- IAFWA ANS Communications Project Advisory Panel and Team
- Contact us

### ***2<sup>nd</sup> ANS workshop: Western overview***

On July 24, the IAFWA ANS Regulation and Enforcement Workshop convened in Sun Valley, Idaho. The Western regional meeting was the second of four workshops to develop regional assessments of ANS regulation and law enforcement issues to be addressed through enhanced coordination and communication. The workshop was held in conjunction with the Western Association of Fish and Wildlife Agencies Annual Meeting.

Thirty-one participants represented 11 states, USDA Forest Service, U.S. Fish and Wildlife Service, Portland State University, The Nature Conservancy, Pet Industry Joint Advisory Council, and others.

The workshop began with a project overview, including results of the IAFWA/USFWS survey conducted in 2002 to assess ANS issues in all states. Workshop participants reviewed issues and brainstormed a lengthy list of actions that states and WAFWA should consider. Much discussion centered on partners that can act regionally to address ANS.

This newsletter updates those who could not attend the workshop and provides a preview of activities for Southeast and Northeast workshop participants.

### **Developing partnerships to address ANS concerns**

Exciting partnership opportunities abound in the West. Key stakeholders and partners include:

- ✓ **Pet Industry Joint Advisory Council (PIJAC)** – *PIJAC is the world's largest pet trade association, representing all segments of the pet industry.*
- ✓ **Western Governors' Association (WGA)** – *WGA serves the governors of 18 states and three U.S. flag Pacific islands. WGA develops policy and carries out programs in areas of natural resources.*
- ✓ **Western Regional Panel of the ANS Task Force** – *ANS Task Force is an intergovernmental organization dedicated to preventing and controlling aquatic nuisance species, and implementing the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990. It is co-chaired by USFWS and National Oceanic and Atmospheric Administration.*
- ✓ **IAFWA/Western Association of Fish and Wildlife Agencies (WAFWA)**

**"Habitattitude:"** Marshall Meyers, executive vice president and general counsel for PIJAC, described a partnership campaign called "Habitattitude" that is currently in the development phase. The campaign would work through PIJAC and national retailers to educate buyers on risks of releasing aquarium pets into the environment. Meyers invited state agencies to review and promote the project. The project is patterned after the successful *Stop Aquatic Hitchhikers!* national campaign. For further



## Western Region ANS Regulation and Enforcement Action Plan

information, contact Marshall Meyers, [mmeyers@pijac.org](mailto:mmeyers@pijac.org), (202) 452-1525 or Joe Starinchak, [joe\\_starinchak@fws.gov](mailto:joe_starinchak@fws.gov), (703) 358-2018.

**WGA Resolution passed in June:** Scott Smith, aquatic invasive species coordinator, Washington Department of Fish and Wildlife, described the recent Undesirable Aquatic, Riparian and Invasive Species Resolution that the Western Governors' Association passed in June (WGA Policy Resolution 04-12; see [http://www.westgov.org/wga\\_all\\_resolutions.htm#Endangered](http://www.westgov.org/wga_all_resolutions.htm#Endangered))

The resolution outlines ANS issues and proposes formation of a working group. He recommended that Western states become familiar with the resolution and encourage governor's offices to provide support through coordinated agency involvement.

Smith also reviewed activities of the Western Regional Panel of the ANS Task Force and opportunities for collaboration with state agencies. For further information, contact Scott Smith, [smithsss@dfw.wa.gov](mailto:smithsss@dfw.wa.gov), (360) 902-2724.

**IAFWA support / CWCS process:** Eric Schwaab, IAFWA resource director, confirmed IAFWA's support to implement practical actions identified through these workshops in coordination with the four regional associations.

Schwaab also reminded the group that each state is working on a Comprehensive Wildlife Conservation Strategy that can address invasive species as a threat to species of greatest conservation need.

He encouraged fisheries and aquatic biologists to get involved immediately in current CWCS planning in each state to ensure that ANS issues are adequately recognized. For further information, contact Eric Schwaab, [eschwaab@iafwa.org](mailto:eschwaab@iafwa.org), (202) 624-7890.

### **ANS background and issue development**

#### **Lacey Act: Injurious Species Listing Process**

At the Western workshop, Joe Starinchak, outreach coordinator, USFWS Branch of Invasive Species, explained the federal listing process for restricted species under the Lacey Act:

- Injurious wildlife species (including offspring and eggs) are detrimental to: health and welfare of human beings; interests of forestry, agriculture and horticulture; and welfare and survival of wildlife.
- USFWS administers rule promulgation and enforcement.



## **STOP AQUATIC HITCHHIKERS!**

Prevent the transport of nuisance species.  
Clean all recreational equipment.

### **When you leave a body of water:**

- Remove any visible mud, plants, fish or animals before transporting equipment.
- Eliminate water from equipment before transporting.
- Clean and dry anything that comes into contact with water (boats, trailers, equipment, clothing, dogs, etc.).
- Never release plants, fish or animals into a body of water unless they came out of that body of water.



### **STOP AQUATIC HITCHHIKERS!**

Prevent the transport of nuisance species.  
Clean all recreational equipment.  
[www.StopAquaticHitchhikers.com](http://www.StopAquaticHitchhikers.com)



**ANS** Task Force

## Western Region ANS Regulation and Enforcement Action Plan

- Listing results in prohibitions against importation and interstate shipment.
- Mammals, birds, fish, mollusks, crustaceans, amphibians and reptiles may be listed; plants and insects are not covered.
- No emergency listing authority is provided, but interim rules can be established and enforced quickly.
- The listing process includes an evaluation with or without petition.
- A notice is published in the Federal Register requesting biological and economic information. State agencies and organizations are encouraged to provide this information to facilitate the risk assessment process.
- If data regarding injurious capacity supports listing, a proposed rule is developed and public input requested.
- Criteria for examination include impacts related to: release or escape; survival and establishment; spread; wildlife; threatened and endangered species; and human beings.
- Negative impacts are weighed against ability to prevent escape; eradication; management and control; recovery of disturbed systems; ecological benefits and other factors such as sterility. Species currently under evaluation include black carp, swamp eel, bighead carp and silver carp.
- Proactive risk assessments are in process to evaluate up to 80 taxa of fishes for potential impacts.

### **Introduction to state and federal law enforcement**

Paul Chang, deputy special agent in charge, USFWS Region 1, assisted by Rich McDonald, special agent in charge, USFWS Region 2, provided an overview of law enforcement and how state and federal agencies interact. Chang showed a video about the investigation and arrest of dealers who illegally sold snakehead fish in a fish market in California.

Workshop discussions ensued regarding the following issues:

- Federal agents can enforce state wildlife laws within the Lacey Act.
- Sentencing can include recovery of damages.
- Communicate through your state law enforcement officers to refer cases and information to federal agents if you suspect illegal activities.
- Budgets and limited resources require us to work together to get the most gain for the effort.
- ANS panels and states might need to provide additional training on ANS identification and impacts for law enforcement agents, state prosecutors and U.S. attorneys.

### **IAFWA Advisory Panel and Project Team**

#### Advisory Panel and IAFWA staff

Larry Riley (AZ), Chair  
Mike Stone (WY)  
Mike Conlin (IL)  
Gary Isbell (OH)  
Bill Reeves (TN)  
Judy Stokes (NH)  
Doug Hansen (SD, IAFWA)  
Eric Schwaab (IAFWA)  
Jen Mock (IAFWA)

#### Project Team

- Rob Southwick, Southwick Associates (*project administration, surveys*)
- Gwen White and Phil Seng, D.J. Case & Associates (*project managers, facilitators*)
- Jim Wentz, Silvertip Productions (*website*)
- Sharon Rushton, S.R. Enterprises (*communication materials*)
- Joe Starinchak, USFWS, Stop Aquatic Hitchhikers! (*advisory role*)

## Western Region ANS Regulation and Enforcement Action Plan

### **Workshop participants review issues and expand list of actions**

The issues below were identified in discussions with Western contacts including: state agency enforcement chiefs, fish chiefs, and ANS coordinators; nongovernmental organizations; IAFWA staff and federal agency staff. Participants confirmed these issues and developed a list of potential actions during discussion in breakout groups.

The workshop is a first step to identify and prioritize issues. Issues are listed in the priority order, as determined by workshop participants through online input:

#### Regulation, policy and law enforcement issues

1. Funding for state and regional ANS management programs (applies to both regulation/policy and law enforcement).
2. Law enforcement officer training for species identification.
3. Involve external organizations in promoting ANS policy and agendas.
4. Screening and risk assessment tools.
5. Develop mechanisms for tracking and controlling Internet sales.
6. Develop lists of contacts and protocols for rapid response.
7. Enhance regional organizational structure for addressing ANS.
8. Coordinate ANS lists between states and clarify definitions (nuisance, exotic, invasive) in regulation and policy approaches.
9. Effective communication of ongoing status of federal ANS laws.

Workshop participants generated actions under each of the nine issues. The group drafted a summary of key actions to develop a WAFWA resolution for consideration later in the week.

**FOR MORE INFORMATION:** Complete notes from workshop discussions, including a draft list of actions for top priority issues, are available upon request. Contact Gwen White, D.J. Case & Associates, [gwen@djcase.com](mailto:gwen@djcase.com), (317) 931-0908.

### ***Western directors pass post-workshop resolution***

Following the ANS Enforcement and Regulation Workshop, Western Association of Fish and Wildlife Agencies directors unanimously passed a resolution that was first reviewed by WAFWA fisheries chiefs, enforcement chiefs, inland and marine fisheries, and resolutions committees.

In the resolution, WAFWA encourages member states to adopt recommendations that the Western Regional Panel of the ANS Task Force made in July:

- ✓ Appoint a state aquatic nuisance species coordinator.
- ✓ Establish a state ANS or invasive species committee.
- ✓ Establish a state ANS management plan.
- ✓ Appoint a state representative to the Western Regional Panel.

## Western Region ANS Regulation and Enforcement Action Plan

- ✓ Establish programs with additional resources to address the spread of unwanted aquatic nuisance species.
- ✓ Establish early detection and rapid response plans.
- ✓ Establish authorities necessary to implement these programs and plans.

**Aquatic Invasive Species Working Group:** WAFWA directors resolved to partner with Western Governors' Association to convene an Aquatic Invasive Species Working Group. The goal is to prevent the spread of aquatic invasive species in Western states (as per WGA Policy Resolution 04-12).

Stay tuned for more information on how you can get involved!

### ***Thanks to Western partners for workshop support***

Many thanks go to partners who gave generously of their time, effort and financial resources to make the Western ANS Workshop a success:



- **Western Association of Fish and Wildlife Agencies** sponsored breaks.
- Thanks to **Virgil Moore** and **Larry Riley** (WAFWA fisheries), **Leonard Ordway** (WAFWA law enforcement) and **Eric Schwaab** (IAFWA) for identifying participants.
- We are also grateful to those who assisted with facilitation of breakout groups in Sun Valley, including **Michelle Beucler** (Idaho Fish and Game Department), **Robyn Draheim** (Portland State University), **Sarah Sanders** (D.J. Case & Associates) and **Mike Fraidenburg** (Dynamic Solutions).



### ***Continuing the process in each region***

Project leaders will develop the following steps:

- **Develop and implement communication and coordination plan:** The primary goal of the four regional workshops is developing region-specific plans to improve ANS program coordination and assign tasks to implement solutions. The ANS Project Team will produce a recommendations report after meeting that includes an assignment sheet listing solutions, tasks and recommendations.

***We encourage all organizations and agencies within the region to participate in the process even if representatives were unable to attend workshops.***

- **Recommendations for next steps:** After workshops have concluded and all regional participants have had an opportunity to contribute, the regional associations and IAFWA will discuss how to pursue participants' recommendations. Several IAFWA committees currently work on invasive species issues and can act on recommendations. The IAFWA

## Western Region ANS Regulation and Enforcement Action Plan

Project Team will provide basic follow-up services during the project's final year to ensure each agency meets its commitments made at the workshop.

- **Invite a broader spectrum of participants:** These workshops provide an opportunity to build more effective communication among fisheries management, law enforcement, ANS panels, environmental protection and nongovernmental organizations. Regional Associations and their partners can build on this experience to select and pursue implementation of actions.
- **Keep everyone involved:** Workshops and ensuing correspondence initiate a new and better ways of communicating among partners and states. After each workshop ANS Project Team members will send e-newsletters and develop communications tools to keep everyone updated and involved. *(See article below on website and communications tools.)*

### ***Northeast directors schedule follow-up workshop in September***

Northeast state agency directors have scheduled a follow-up meeting to the April ANS Regulations and Enforcement Workshop. The meeting will be held at the IAFWA Annual Meeting in Atlantic City, N.J., on September 29, 8:00 a.m. – 3:00 p.m., in Catalina 1 Room. The Invasive Species Advisory Working Group is scheduled to meet after this workshop at 3:00 p.m.

The workshop's primary purpose is to develop actions that address the priority issues generated at the first Northeast ANS workshop in Ocean City and expanded through online survey responses. Come to the meeting prepared to identify practical solutions for implementation, as well as entities that may be willing to take responsibility for these actions.

It will be valuable to have broad representation of states and nongovernmental organizations involved with ANS regulation and enforcement. Bob McDowell, New Jersey Division of Fish and Wildlife Director and NEAFWA Coordinator, has been working with directors to continue this work through further face-to-face meetings of directors, fisheries chiefs, enforcement chiefs and others who are interested in attending. Information from this second meeting will help provide additional direction on ANS regulation and enforcement issues in the region.

For more information or to RSVP, contact Gwen White, D.J. Case & Associates, [gwen@djcase.com](mailto:gwen@djcase.com), (317) 931-0908.



### ***Southeast ANS Workshop in October***

The next IAFWA ANS Regulation and Enforcement Workshop will be held in conjunction with the Southeast Association of Fish and Wildlife Association Annual Conference on **Saturday, October 30, in Hilton Head, S.C.**

Key agencies, partners and stakeholders are invited from fisheries management, law enforcement, conservation organizations, Gulf of Mexico ANS Panel, and others.

**Note: Make reservations early, as lodging facilities are filling up quickly.**

### ***Calendar for regional ANS workshops***

**September 29: Northeast ANS Workshop II;** IAFWA Annual Meeting, Atlantic City, N.J., 8:00 a.m. - 3:00 p.m., Catalina I Room (See article above "Directors schedule Northeastern")

**October 30: Southeast ANS Regulations and Enforcement Workshop;** SEAFWA Annual Conference, Hilton Head, S.C., 8:30 a.m. - 4:30 p.m. (See article above)

**December 12: Midwest ANS Regulations and Enforcement Workshop;** Midwest Fish and Wildlife Conference, Indianapolis, Ind., 8:30 a.m. - 4:30 p.m.

### ***ANS website and communications tools***

Proper interaction and communication is key to this effort. To facilitate communications, the ANS Project Team will:

- Initiate long-term contacts and feedback with participants.
- Provide updates through periodic newsletters.
- Use electronic surveys to receive comments before and after workshops.
- Create electronic copy of all documents to post to an ANS project website, ready in coming weeks. We will post meeting dates and locations; participant lists; meeting agendas, handouts, presentations, notes, and summaries; and an outline of process and outcomes.

Joe Starinchak, outreach coordinator at USFWS Branch of Invasive Species, and the ANS Task Force will assist with web-based information. The ANS Project Team will keep you posted regarding these communications tools.

### ***Contact Us***

**Newsletter questions:** For questions regarding this newsletter or to subscribe to the e-mail list, please contact: Jenny Peterson, project assistant, D.J. Case & Associates, [jenny@djcase.com](mailto:jenny@djcase.com), (574) 258-0100.

## Western Region ANS Regulation and Enforcement Action Plan

**Workshop RSVP and questions:** For additional information about the IAFWA ANS Regulations and Enforcement workshops or to RSVP, contact Gwen White, ANS Project Team, D.J. Case & Associates, (317) 931-0908, [gwen@djcase.com](mailto:gwen@djcase.com).

## Appendix F. Regional ANS Priorities

### Northeast Priorities

1. Funding
2. Regulated species lists
3. Internet sales and other shipments
4. Screening and risk assessment tools

### Western Priorities

1. Funding
2. Training on species identification
3. Involve external organizations
4. Screening and risk assessment tools
5. Internet sales and other shipments
6. Rapid response
7. Organizational structure
8. Regulated species lists
9. Understanding federal ANS laws

### Southeast Priorities

1. Funding
2. Regulated species lists
3. Enhance regulatory authority
4. Coordinate regional ANS management
5. Economic impact information
6. Detection and rapid response

### Midwest Priorities

1. Funding
2. Prevent new ANS introductions and spread (regulatory authority; screening and risk assessment)
3. Early detection and rapid response
4. Economic impact information
5. Understanding of federal ANS laws
6. Partnerships and cooperation
7. Model legislation and definitions
8. Internet sales and other shipments
9. Regulated species lists
10. Training on species identification
11. International cooperation
12. Control and management