

RIVERS AND HARBORS ACT OF 1958, AS AMENDED

WATERCRAFT INSPECTION & DECONTAMINATION, MONITORING, AND RAPID RESPONSE

Prepared by Jonas Grundman
For Columbia River Basin AIS Team Meeting
Updated June 5, 2023

"The views, opinions and findings contained in this report are those of the author(s) and should not be construed as an official Department of the Army position, policy or decision, unless so designated by other official documentation."



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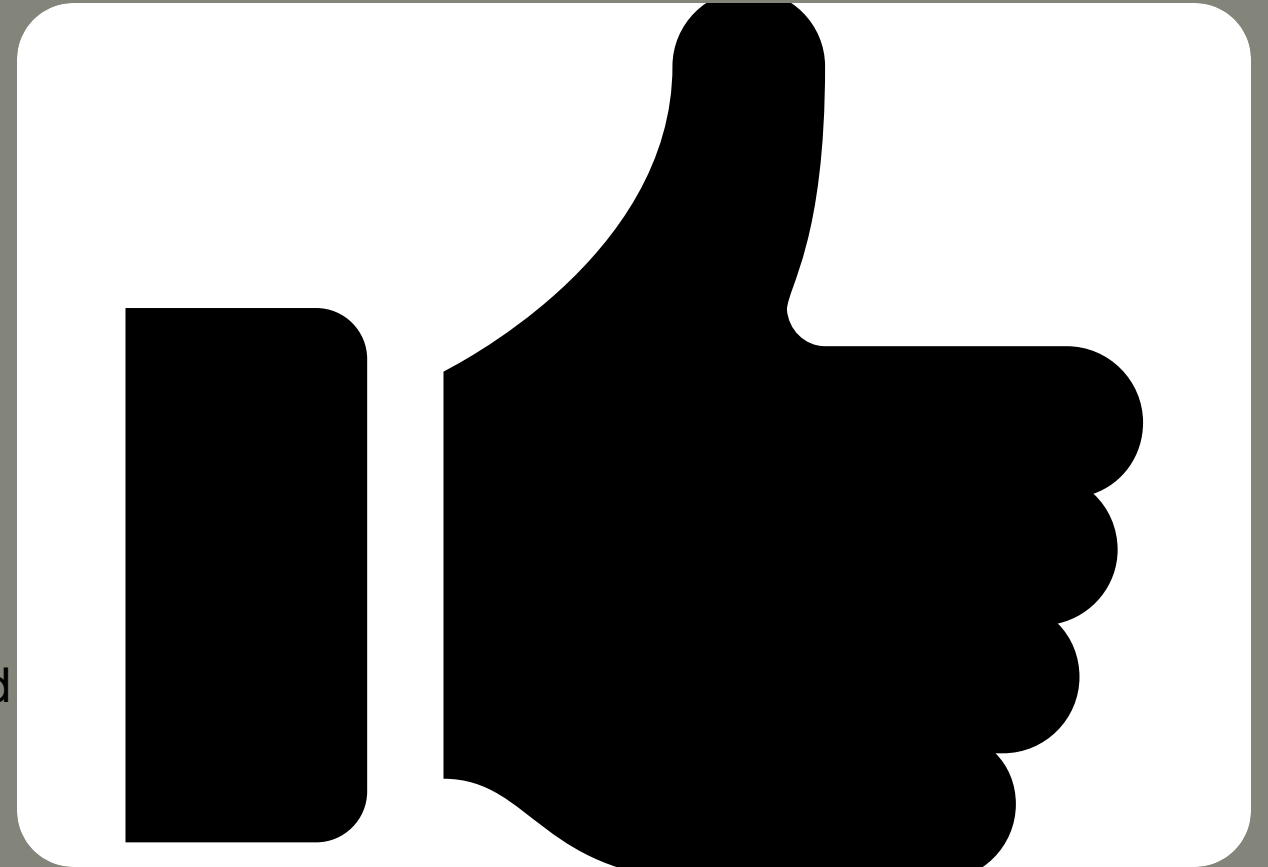
Stephen Phillips - Pacific States Marine Fishery
Commission

Everyone on the USACE's Invasive Species
Leadership Team

All our Lead District team members

All the State AIS Coordinators within each Authorized
Basin

And everyone I may have missed or overlooked!



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PRESENTATION OVERVIEW

- **The Basics...**
- **A Very Brief Legislative History of the Aquatic Plant Control Program...**
- **Current Status of the Program...**
- **Questions & (maybe) Answers!...**



BOTTOM LINE(S) UPFRONT

- AIS create significant issues for water resource infrastructure, ecosystems, and public recreation (all USACE missions).
- Zebra/Quagga Mussels spread via recreational boat traffic
- Prevention is Best = Watercraft Inspections Stations, Rapid Response, and Monitoring
- Prior to 2014: USACE lacked authority to support regional prevention efforts off USACE property
- Authorities expanded significantly with WRDA(s) 2018 & 2020



THE BASICS

Rivers and Harbors Act of 1958, as amended



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RIVERS AND HARBORS ACT...

Section 104 of the Rivers and Harbors Act, as amended WRDA 2022

33 United States Code §610 – Control of aquatic plant control growths

(a) In general

(1) In general

There is hereby authorized a comprehensive program to provide for prevention, control, and progressive eradication of noxious aquatic plant growths and aquatic invasive species from the navigable waters, tributary streams, connecting channels, and other allied waters of the United States, in the combined interest of navigation, flood control, drainage, agriculture, fish and wildlife conservation, public health, and related purposes, including continued research for development of the most effective and economic control measures, to be administered by the Chief of Engineers, under the direction of the Secretary of the Army, in cooperation with other Federal and State agencies.



RIVERS AND HARBORS ACT...

- (d) (1) (A) Watercraft Inspection and Decontamination Stations

In carrying out this section, the Secretary shall establish (as applicable), operate, and maintain new or existing watercraft inspection and decontamination stations—

- (i) To protect the Columbia River Basin;
- (ii) To protect the Upper Missouri River Basin;
- (iii) To protect the Upper Colorado River Basin and the South Platte and Arkansas River Basins;
- (iv) To protect the Russian River Basin, California; and
- (v) To protect basins and watersheds that adjoin an international border between the United States and Canada.”



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RIVERS AND HARBORS ACT...

- (d) (1) (C)

- **(C) Rapid response**

- The Secretary shall assist States within the areas described in subparagraph (A) with rapid response to any aquatic invasive species, including quagga or zebra mussel, infestation.

- (d) (2) Cost Share

- The non-Federal share of the cost of constructing, operating, and maintaining watercraft inspection and decontamination stations described in paragraph (1) (including personnel costs) shall be—

- (A) 50 percent; and

- (B) Provided by the State or local governmental entity in which such inspection station is located.



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WHAT IS A WATERCRAFT INSPECTION STATION?

- Any location where watercraft are officially inspected for the presence of AIS to prevent their introduction into new waters.
 - Along major transportation routes or near high use boat launch
 - Could be a permanent, temporary, or roving
 - Might include the ability to decontaminate watercraft or direct infected boats to an appropriate location for cleaning
- Typically run by State Gov't Agencies or Local Gov't Entities
 - Someone w/ jurisdictional authority to enforce AIS regulations
 - May be supported by law enforcement
 - May be staffed by contractors or volunteers
- Most are Mandatory



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LEGISLATIVE HISTORY (FUNDING): 2014 – TODAY

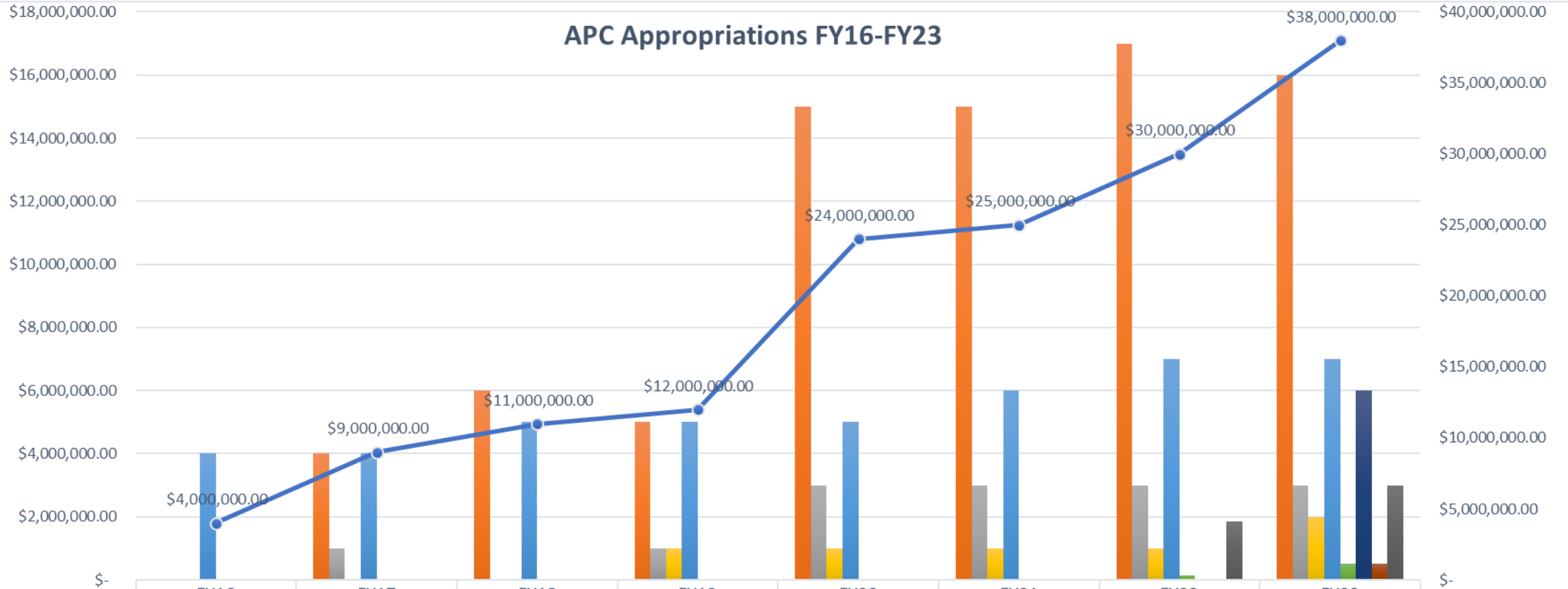
Congressional Authorizations by Basin (WISP)

WRDA YEAR	PROGRAM AUTHORIZATION		
2014	Total – \$20M	CRB - \$20M	
2016	Total - \$20M	CRB - \$20M	
2018	Total - \$90M	CRB - \$30M UMRB - \$30M UCRB, SPRB, ARP - \$30M	
2020	Total - \$130M	CRB - \$30M UMRB - \$30M UCRB, SPRB, ARP - \$30M	RRB - \$30M US-CA Border – \$10M
2022	Total - \$130M	CRB - \$30M UMRB - \$30M UCRB, SPRB, ARP - \$30M	RRB - \$30M US-CA Border – \$10M



APC Appropriations FY16-FY23

Sub program Appropriation



Total APC Program Appropriation

	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23
WID & RR		\$4,000,000.00	\$6,000,000.00	\$5,000,000.00	\$15,000,000.00	\$15,000,000.00	\$17,000,000.00	\$16,000,000.00
Monitoring		\$1,000,000.00	\$-	\$1,000,000.00	\$3,000,000.00	\$3,000,000.00	\$3,000,000.00	\$3,000,000.00
Flowering Rush				\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$2,000,000.00
R&D of Aquatic Plants	\$4,000,000.00	\$4,000,000.00	\$5,000,000.00	\$5,000,000.00	\$5,000,000.00	\$6,000,000.00	\$7,000,000.00	\$7,000,000.00
Sec. 509 WRDA 2020							\$150,000.00	\$500,000.00
CT Hydrilla								\$6,000,000.00
MRB Carp Barriers								\$500,000.00
Remaining	\$-	\$-	\$-	\$-	\$-	\$-	\$1,850,000.00	\$3,000,000.00
Total APC Approp	\$4,000,000.00	\$9,000,000.00	\$11,000,000.00	\$12,000,000.00	\$24,000,000.00	\$25,000,000.00	\$30,000,000.00	\$38,000,000.00

CURRENT STATUS AND EFFORTS

Rivers and Harbors Act of 1958, as amended – Watercraft Inspection and Decontamination Station Cost-share Program.



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HISTORY & CURRENT STATUS OF AUTHORIZED BASINS

WRDA 2014 - Columbia River Basin (i)

- Active program for WA, OR, MT, ID, WY, & NV

WRDA 2018 - Upper Missouri (ii), South Platte (iii), Upper Colorado Basins (iii)

- Letter Reports & NEPA w/ HQ for Approval(s)
- Finalization anticipated July 2023
- Next Steps: Project Agreements, Annual Work Plans, Execution

WRDA 2018 - Arkansas River Basin (iii)

- Letter Report & NEPA in 1st Draft Stage
- Next Steps: Formal Planning Process Reviews

WRDA 2020 - Russian River Basin (iv)

- Letter Report in DQC w/ NWW & SPN (Lead District)
- Incorporating lessons learned from other documents

WRDA 2020 - U.S. & Canada Border Region (v)

- Initiating 1st steps for international cost-share (MOU)
- Beginning study process for Midwest Region (WI, MN,...)
- Scoping additional potential uses of the authority.



APC-WID: U.S. CANADA BORDER REGION, MIDWEST

(a) Watercraft inspection and decontamination stations

(1) In general

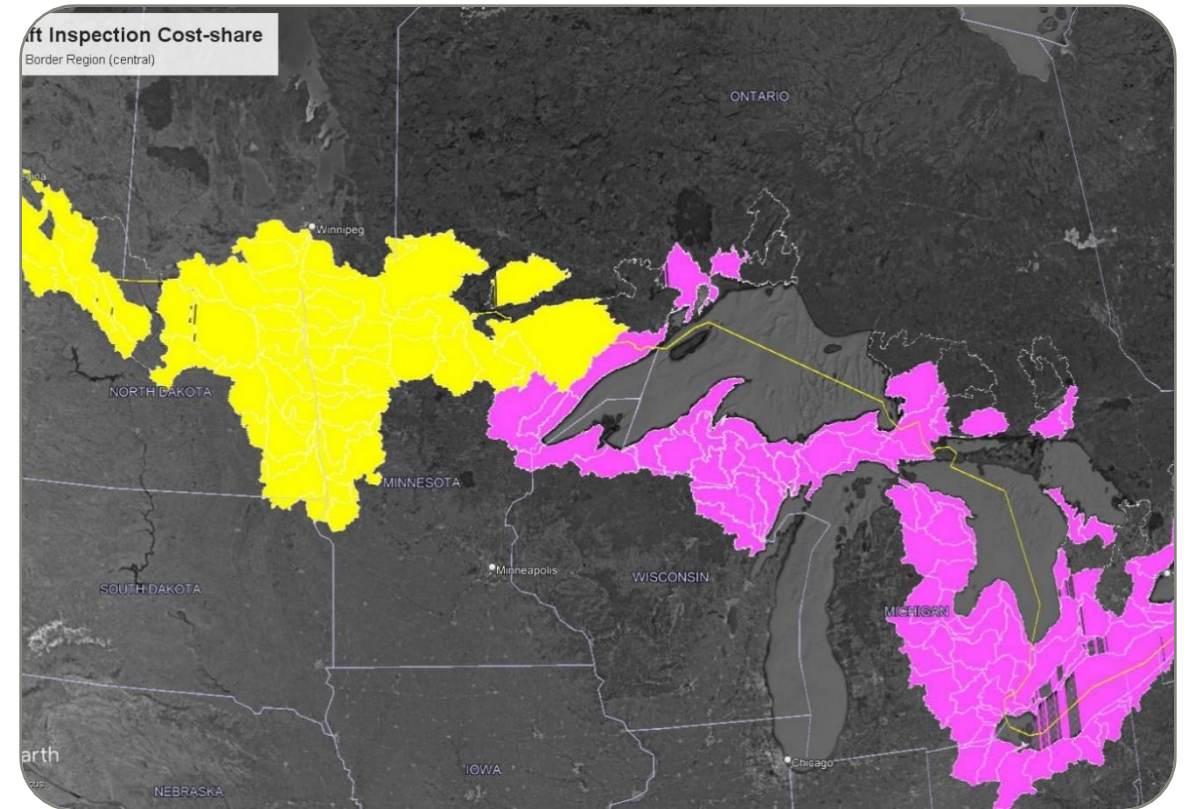
(A) Watercraft Inspection and Decontamination Stations

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(A) Locations. – The Secretary shall place watercraft inspection and decontamination stations under subparagraph (A) at locations with the highest likelihood of preventing the spread of aquatic invasive species into and out of waters of the United States, as determined by the Secretary in consultation with the Governors and entities described in paragraph (3).

Note: Map is illustrative of HUC8 basins that intersect or are adjacent to the U.S. – Canada Border in the Midwest. Cost-shared efforts are not limited to those areas. Guidance provides that USACE may cost-share anywhere within a State, provided there is reasonable justification that it helps prevent the spread into, or out of, that basin.



IN SUMMARY...

Expanding program authorized within 16 states (and counting!) to protect the nation from the impacts of Aquatic Invasive Species.

Cost-share Partnership between USACE and a Non-Federal Interest to prevent the spread of AIS into and out of waters of the United States.

Bolsters non-federal AIS prevention programs by providing reimbursements to NFS for work completed under the agreement – thereby protecting USACE & other Federal projects and missions.



OTHER REGIONAL APC EFFORTS...

Rivers and Harbors Act of 1958, as amended through WRDA 2022



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OTHER APC EFFORTS...

Flowering Rush Control in PNW

Active Cost-share Agreements with MT, ID, and WA

Primary NFS: PSMFC

FY23 estimated cost-share of ~500k

Northern Pike Control / Management

Early scoping stages for Northern Pike Control in WA

Steps

1. Project Scoping & Initiation
2. Draft Letter Report & NEPA Documents
3. USACE Planning Process & Public Reviews
4. USACE Approval
5. Project Partnership Agreement
6. Annual Work Plan
7. Program Execution & Reimbursements

ETA - Spring of 2024*

