

**TESTIMONY OF**  
**JIM KLARKE**  
**SOUTHERN CALIFORNIA MARINE ASSOCIATION**  
**BEFORE THE**  
**SUBCOMMITTEE ON WATER & POWER, COMMITTEE ON NATURAL RESOURCES**  
**UNITED STATES HOUSE OF REPRESENTATIVES**

**JUNE 24, 2008**

Good Morning Madam Chairman and Members of Subcommittee. Thank you for the opportunity to testify before the Subcommittee on Water & Power on the important issue of quagga mussels and identifying appropriate, reasonable and effective solutions to minimizing their spread in America's waterways. I am pleased to testify today on behalf of the Southern California Marine Association, and my testimony will focus on real-world examples of response strategies to the threat of a quagga mussel infestation, the economic and social threat that aquatic invasive species pose to the recreational boating community, the marine industry, to healthy and viable ecosystems, and the risk that overreaction and ill-advised measures, such as boating bans and lake closures can have on local communities.

The Southern California Marine Association (SCMA) represents over 600 marine manufacturers, dealers, affiliates, and service industries. All are involved in the business of getting people out on the water to enjoy our natural resources.

Recreational boating is a popular American pastime, with almost 73 million boaters nationwide. The recreational boating industry is a major consumer goods industry and substantial contributor to the nation's economy with direct expenditures on recreational marine products and services of over \$39.5 billion in 2006 alone. Indirect spending by recreational boaters adds another \$68.492 billion to the economy with a total economic impact of boating totaling \$108 billion annually. Spending by recreational boaters is responsible for 990,000 U.S. jobs.<sup>1</sup>

As an organization that represents the recreational marine industry in California, SCMA and its partners understand well the need to take aggressive action to prevent the spread of aquatic invasive species (AIS), such as the quagga mussel, which cause harm to fisheries and ecosystems and damages boats and boating equipment. Just as clean water and healthy fisheries are essential to the continued viability of boating and angling, so is public access to premier water bodies and water recreation sites. I am here today to discuss the increasingly problematic trend of outright, immediate and potentially permanent boating bans on important lakes in California and elsewhere, and the substantial challenges this trend, if not reversed, may have on boating and outdoor recreation.

---

<sup>1</sup> National Marine Manufacturers Association Statistical Abstract (Chicago: NMMA, 2007).

Recently, we have seen fear take the place of reasoned effective response to the threat of AIS with communities moving to completely prohibit the ability of recreational boaters to bring their boats to inland lakes and waters in an attempt to thwart the spread of aquatic invasive species. These actions will have an immediate and serious negative economic impact on the boating industry and the local communities. Most importantly, they are resulting in citizens losing the resources and recreation facilities that their tax dollars paid to put in place, all because of the fear of the spread of AIS.

Although I am most familiar with the experience of the recreational marine industry in California with respect to the quagga mussel threat, it is important to recognize that this is not a California-only issue. As you know, the question of aquatic invasive species (AIS) has wide impacts in the U.S., from the Great Lakes states to Colorado and Idaho and Arizona and Nevada. The California lesson so far provides important insights that can be brought to bear on control and prevention of AIS across the nation.

The threat of Quagga Mussels into the California Freshwater System provides us with a great opportunity to work together and find both a preventative and containment solution to this problem. In California, freshwater lakes and reservoirs are, in many cases, considered multi-use bodies of water. Utilized and managed for public use and as a source of drinking water, many are also premier recreational boating, fishing, and waterskiing sites and an important source of revenue for local municipalities, parks departments, municipal drinking water authorities, and other governmental or local authorities.

At the end of the day, management of these waters is based on public utility usage, but we should not forget the important cultural and socioeconomic impacts that recreation—and particularly boating and fishing—brings to these water bodies. While the threat of quagga mussels is real and of serious concern to boaters and anglers, it must be noted, as the California Department of Fish & Game (DFG) has indicated, that no infestation of the quagga mussel is due to any boat launching with the veliger aboard. In fact, the infestation is due to Colorado River water carrying the mussel downstream to other lakes. According to DFG, the quagga were first detected in California in January 2007, in Lake Havasu on the Colorado River. Later, they were found in two California water systems using Colorado River water, the Metropolitan Water District of Southern California (MWD) and the San Diego County Water Authority.<sup>2</sup>

That is not to understate the importance of properly educating boaters and anglers about what they can do to prevent the spread of invasive species—we certainly have an important role to play. But we cannot allow boaters to be banned from lakes and recreation sites, particularly when other measures to prevent the spread of quagga mussels are readily available.

The National Park Service (NPS) in May of 2007 proposed a Quagga / Zebra Mussel Infestation Prevention and Planning Guide.<sup>3</sup> This comprehensive report outlines guidelines for preplanning, initial response, extended response and long term plans. It includes protocols for education,

---

<sup>2</sup> California Dept. of Fish & Game. "Boaters Asked to Help Stop Spread of Quagga Mussel: Boating recreation is at risk." August 31, 2007. <http://www.dfg.ca.gov/news/news07/07064.html>.

<sup>3</sup> National Park Service, U.S. Dept. of Interior. *Quagga/Zebra Mussel Infestation Prevention and Response Planning Guide*. Natural Resources Program Center, Fort Collins Colorado. May 2007.

decontamination of boats, enforcement and risk assessment. In looking over this 43 page document I can find no rationale or presentation regarding the closure of any body of water due to this infestation. In California, Department of Fish and Game outlines in Section 2031 of the Fish and Game Code a clear plan for prevention and decontamination for California Waters facing Quagga Mussel infestation. No where does it state as an option the closure of a body of water due to invasive species. The California Science Advisory Panel in its May 2007 recommendations to the California Incident Command, proposed a series of measures which could help prevent, contain and eradicate the quagga mussel from California water bodies. At no point in its report does the Advisory Panel recommend closures for lakes that have not been infested.<sup>4</sup>

On the contrary, the Advisory Panel recommends for un-infested “destination waters” in California that state and local governmental agencies, lake operators, and users work cooperatively to ensure that boats are inspected and cleaned prior to entry. The Advisory Panel, DFG and NPS recommendations emphasize and approach of robust pre-entry watercraft inspection. And yet, many lake managers and water boards now, faced with the threat of a quagga mussel contamination, are increasingly seeing closures as the option of first resort. We must work to change this mindset and pursue a proven course of education and outreach, robust inspection protocols, cooperation with the recreational community, and continuous monitoring for invasive species.

Current California law requires that water authorities work cooperatively with the Department of Fish and Game and other state agencies to develop a monitoring plan, a plan to avoid contamination of the Lake, and if an infestation does occur an approved plan to address it in a scientifically sound manner with the specific required elements included in Section 2301(d) of the Fish and Game Code of California.<sup>5</sup>

It is critical to the success of any invasive species eradication effort that all relevant parties work in concert to implement scientifically sound measures with an eye toward ensuring that the public is not unnecessarily burdened. In Santa Barbara County, for example, the Cachuma Lake Recreation Area was recently at risk of closure. Cachuma Lake presents an interesting and complex management challenge—operated by the Cachuma Operations and Maintenance Board with water rights transferred to it by the U.S. Bureau of Reclamation, the Cachuma Lake Recreation Area is actually managed by the Santa Barbara County Parks Department.

Although the local water district made a strong effort to close the lake to recreational boats, this important recreation site was kept open—albeit with increased restrictions—because of the strong policies and leadership of the Santa Barbara County Parks Department. The Parks Department, which had taken an early and proactive stance to protect the Lake from a quagga mussel infestation opted for an approach that utilizes its recreation constituents and organizations like SCMA to further expand ongoing outreach and education initiatives in lieu of a closure. The SB Parks Department also pursues an array of preventative measures that substantially mitigate the risk of a quagga contamination, including robust watercraft inspection protocols, partnerships

---

<sup>4</sup> California Science Advisory Panel. *California's Response to the Zebra/Quagga Mussel Invasion in the West*. Prepared for the California Incident Command. May 2007.

<sup>5</sup> Section 2301(d)(1) of the Fish and Game Code.

with state and federal agencies with extensive institutional and operational experience for additional training, and the installation of decontamination facilities. Users of lakes have a strong desire to work cooperatively with water authorities and agencies proactively to protect the resource from a quagga mussel infestation.

California DFG has also developed strong detection and decontamination, including “Watercraft Decontamination Training” courses, portable watercraft decontamination kits, and monitoring that includes dive teams and other assessment techniques. But, like state resource agencies everywhere, money is tight. We believe Congress should move forward on legislation to provide a consistent revenue stream for aquatic invasive species prevention and management to state resources agencies. These agencies and local water authorities must also identify creative financing solutions to generate sufficient revenues to make decontamination stations available for at-risk waters. In any case, there are clearly less restrictive alternatives than barring boaters and anglers from lakes that can be used to mitigate the threat of a quagga mussel invasion. A closure should be the option of last resort, not the first.

We face a serious set of issues right now in the marine industry. Some call it a perfect storm of bad economic conditions. If we are to retain a strong, primarily American recreational marine industry, we need to prevent the creation of barriers—and the perception of barriers—that make it difficult for consumers and make the notion that buying a boat seem like a bad idea. It is part of what I call a Severe Outdoor Recreational Disorder. All of us have memories of being in the outdoors, fishing, wakeboarding, or just enjoying the solitude and rejuvenation that recreational boating provides. Working together we can assure that we along with future generations continue to enjoy these activities and that the marine industry that supports them can thrive.

When you look at funding analysis and the many private/public coalitions that can be used to work on this issue there is only opportunity for solution. Federal agencies continue to take steps to prevent and control the spread of aquatic invasive species. Federal agencies including the EPA continue to serve on National Invasive Species Councils. Federal Interagency Task Force has created a Federal Aquatic Invasive Species Rapid Response Subcommittee to serve as a central point of contact for information and activities related to invasive species. EPA along with NOAA and the US Geological Survey leads an interagency effort to develop and test a bioeconomic approach to estimating economic impact of invasive species.

Education and outreach continues to be the most important way to share with State and local governments. Industry leaders such as the Southern California Marine Association along with the National Marine Manufacturers Association provide the grass roots knowledge and outreach needed to reach recreational boaters, anglers and other users of California's Waterways. The U.S. Fish & Wildlife Service runs an important education and outreach campaign called Stop Aquatic Hitchhikers, which should be promoted across the country.

The recent efforts to effectively ban boating demonstrate the need for strong, comprehensive federal, state, and local invasive species partnerships that are based on sound science and are focused on results rather than fear. Communities who are facing an AIS threat need to be able to turn to experts for advice and immediately put in place commonsense methods to protect against the spread of AIS.

We look forward to working with you as we believe it is only through a concerted effort can we protect our resources and prevent the unnecessary closure of our lakes and water bodies to recreational boaters and anglers.

Thank you again for the opportunity to testify before you today, and I would be happy to answer any questions you may have.