

BEFORE THE BOARD OF SUPERVISORS

of the

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION REQUESTING THE GOVERNOR DECLARE A STATEWIDE STATE OF EMERGENCY RESULTING FROM INFESTATION OF DREISSENIID MUSSELS INTO THE WATER BODIES OF THE STATE OF CALIFORNIA

The following Resolution is now offered and read:

WHEREAS, the Dreissenid Mussels (or Zebra and Quagga Mussels) are among the most devastating invasive species to invade North American fresh waters; and

WHEREAS, the Dreissenid Mussels first arrived from Europe in the 1980s and spread to many water bodies in the eastern and Midwestern United States and have now been found in several of the western states; and

WHEREAS, the arrival of Dreissenid Mussels in a region creates severe ecological and economic impacts because, once established, these mussels can clog water intake and delivery pipes, infest hydro power infrastructure, adhere to boats and pilings, foul recreational beaches and damage and forever change fisheries; and

WHEREAS, the Dreissenid Mussels have now infiltrated the State of California, having been found in San Diego County, Riverside County, San Bernardino County, San Benito County, Imperial County, and Orange County; and

WHEREAS, over eighty percent (80%) of the water used by farms, businesses, and the 38 million strong population of California originates in rural northern California counties making preventing the infestation of these headwaters of paramount importance; and

WHEREAS, efforts to date have not stopped the mussels' advance once in a water system. The primary methods of advancement between water systems is by water flow (connected waterways) and trailered watercraft (non-connected waterways), and that advance has not been stopped by present methods, only slowed; and

WHEREAS, although these mussels are making inexorable progress into the water bodies of California, there is still the opportunity to prevent significant damage if coordinated and extensive action is taken immediately. Without increased and immediate action, these mussels will cause irreparable ecological and economic damage to California water bodies and long-term costs could be in the billions; and

WHEREAS, while the County of San Luis Obispo is and will continue to take local action to prevent the infestation of these mussels in County of San Luis Obispo water bodies, including Lakes Nacimiento, Lopez, and Santa Margarita, a uniformly applied strategy of containment and prevention formulated at the State and Federal levels is necessary; and

WHEREAS, even counties in this State without recreational water bodies are at risk from the impacts of the destruction of water systems and the severe harm to the environment caused by these mussels; and

WHEREAS, both the State and Federal governments must provide the necessary enforcement authority and funding to all local jurisdictions in California for the implementation of such a strategy; and

WHEREAS, the Federal government has recognized the significant risks posed by the infestation and spread of invasive Dreissenid Mussels, and has, in fact, approved emergency efforts under the Environmental Protection Agency's (EPA's) Section 18 FIFRA Emergency Exemption permit to use *Pseudomonas fluorescens* CL 145A ("Zequanox") as a possible eradication means for Quagga Mussels in the Bureau of Reclamation's Davis Dam and nearby waters (lower Colorado River) in 2010.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the San Luis Obispo County Flood Control and Water Conservation District (District), State of California, as follows, that:

1. The District Board of Supervisors does hereby formally request the State of California to declare a statewide State of Emergency due to the infestation of Dreissenid Mussels into the water bodies of the State of California and that the Governor request a similar Presidential Proclamation.
2. The District Board of Supervisors requests that the State take the following action in furtherance of the prevention of Dreissenid Mussels into California water bodies:
 - a. Enact legislation to allow local jurisdictions the same enforcement powers and authority as the State Department of Fish and Game to tag and quarantine all watercraft which present a particular source of possible infestation, such as watercraft coming from out-of-state or coming from infested lakes and water bodies within the State of California.
 - b. Increase prevention funding through mechanisms such as enacting legislation to increase State Department of Motor Vehicles registration fees for all watercraft and adding fees to water distribution billings. Require that the monies accrued from such an increase be utilized solely and only for the prevention of Dreissenid Mussels in California water bodies.
 - c. Implement a statewide program which acknowledges watercraft as a vector for infestation, identifies and imposes a thirty-day quarantine on those watercraft which cannot be adequately decontaminated due to their configuration and/or type and which includes a long-range plan to achieve the goal of ultimately allowing only watercraft which can be classified as "vector-free" into any water bodies in the State of California.
 - d. Mandate that infested waterway owners/operators choosing to maintain recreational boating must decontaminate all watercraft prior to it leaving the area. Infested waterway owners/operators not implementing control/decontamination program should be mandated by the State Department of Fish and Game to close reservoir(s). The State should develop and implement a plan to prevent movement of watercraft from infested water ways to other areas.
 - e. Make a statewide tracking system (such as the Quagga Inspection Database) available to waterway owners/operators via a State initiative, which offers the tracking system to agencies at a low cost to encourage information sharing and

- tracking of vessel activities and quarantines. All quarantined vessels should be entered into the statewide tracking system, accessible by all agencies.
- f. Encourage collaboration among all local jurisdictions and the State Department of Fish and Game and include in the statewide program a mechanism whereby the local jurisdictions share not only in the enforcement authority of the Department of Fish and Game but all sources of funding as well.
 - g. Lead the effort to promote standardization and consistency amongst jurisdictions across the State, to better facilitate regional reciprocity amongst prevention and control programs throughout the State.
 - h. Maintain high mussel awareness and 24/7 coverage at all existing State border inspection stations. Establish inspection stations on major south to north roadways (e.g. US 101, 99, I-5, 395) with the State of California.
 - i. Include in the statewide program an aggressive educational component to ensure that the dangers of infestation by these mussels are well-understood by all who seek to enjoy and/or benefit from the water bodies of this State.

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Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel

By: *Patricia J. Jones*
Deputy County Counsel

Dated: 11/8/11

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STATE OF CALIFORNIA, }
County of San Luis Obispo, ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors of the San Luis Obispo County Flood Control and Water Conservation District, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 20 _____.

County Clerk and Ex-Officio Clerk of the Board
of Supervisors

(SEAL)

By _____
Deputy Clerk.