

Oregon and Washington Dreissenid Exercise



Rapid Response Working Group
December 11, 2013



Objectives



- ▶ State and federal permitting processes associated with a potential management action
- ▶ Conduct scenario exercises for both states
- ▶ Create a list of *action* items and associated timelines to address any unresolved issues and to further advance the ability of Oregon and Washington to respond to an introduction of invasive Dreissenids.

Agenda

- ▶ Oregon Permitting Processes
- ▶ Washington Permitting Processes
- ▶ Federal Overview of ESA issues
- ▶ Breakout Sessions - State Water Body Scenarios
 - ▶ <http://geo.psmfc.org/apps/rrwg/>
 - ▶ EPA to the rescue! (if need be)
 - ▶ Other federal partners assisting each breakout
- ▶ Advancing our efforts through shared understanding and creation of *action* items



Oregon and Washington Water Bodies

▶ Washington

- ▶ American Lake
- ▶ Banks Lake
- ▶ Columbia River - Lake Wanapum/Squilchuck State Park, Crescent Bar Recreation Area
- ▶ Snake River - Lake Sacajawea/Charbonneau Park
- ▶ Lake Washington - Ship Canal/Fisherman's Terminal

▶ Oregon

- ▶ Prineville Reservoir
- ▶ Wallowa Lake
- ▶ Lake Billy Chinook (Sinutsus)
- ▶ Port of Arlington (Columbia River)

State Breakout Sessions - Making the Dominoes Fall . . .

- ▶ Chart a course, in a linear fashion, for each action you would take upon notification that live mussels have been introduced to your respective selected water bodies.
 - ▶ Who is THE lead agency, and what key first steps will you take?
 - ▶ Rapid Response Plan notifications
 - ▶ Given the characteristics of the water body
 - ▶ What are some likely management options to consider (chemical, rates of application, e.g.)?
 - ▶ If the water body has ESA-listed fish . . .



Lessons Learned

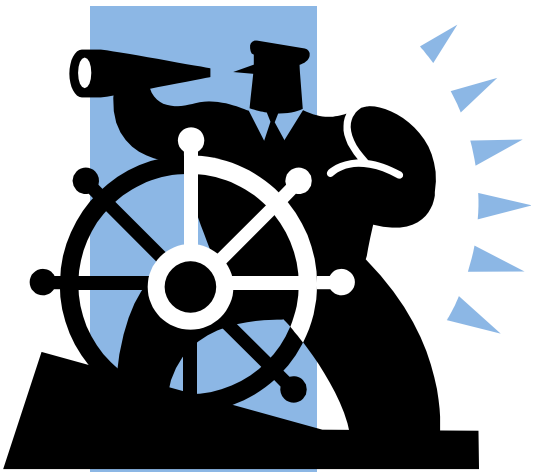
- ▶ At the end of the day:
 - ▶ Share lessons learned by walking through each scenario
 - ▶ Better understand what OR and WA can do to prepare
 - ▶ Know the players and the processes to obtain necessary permits
 - ▶ Play a critical leadership role to protect the Pacific Northwest and its natural resources



Preventing an invasion

Building a Regional Defense against Quagga and Zebra Mussels

Navigating the federal and state permitting processes in Oregon and Washington



Navigating the federal and state permitting processes in Oregon and Washington

- ▶ Not all states are created equal!
 - ▶ Know your state and federal partners and their permitting and management authorities
- ▶ Stay tuned for new chemical registrations:
 - ▶ Zequanox label allows for all "in-pipe" (industrial/commercial) uses and the proposed expanded label includes allowance for use anywhere that zebra/quagga mussels occur, including direct application into water bodies. The amended label and additional data supporting those uses was submitted to the Microbial Pesticides Branch at EPA back in the end of May. It is pending approval in March 2014 . . . Expecting risk assessment in January, followed by some fine-tuning of labeling language prior to the March registration due date.
- ▶ Beg, borrow, and steal from states that have dealt with live mussels in water bodies
 - ▶ *Quagga and zebra mussel eradication and control techniques* (California)
- ▶ Ask what you can do in preparation for these invasives. . . .

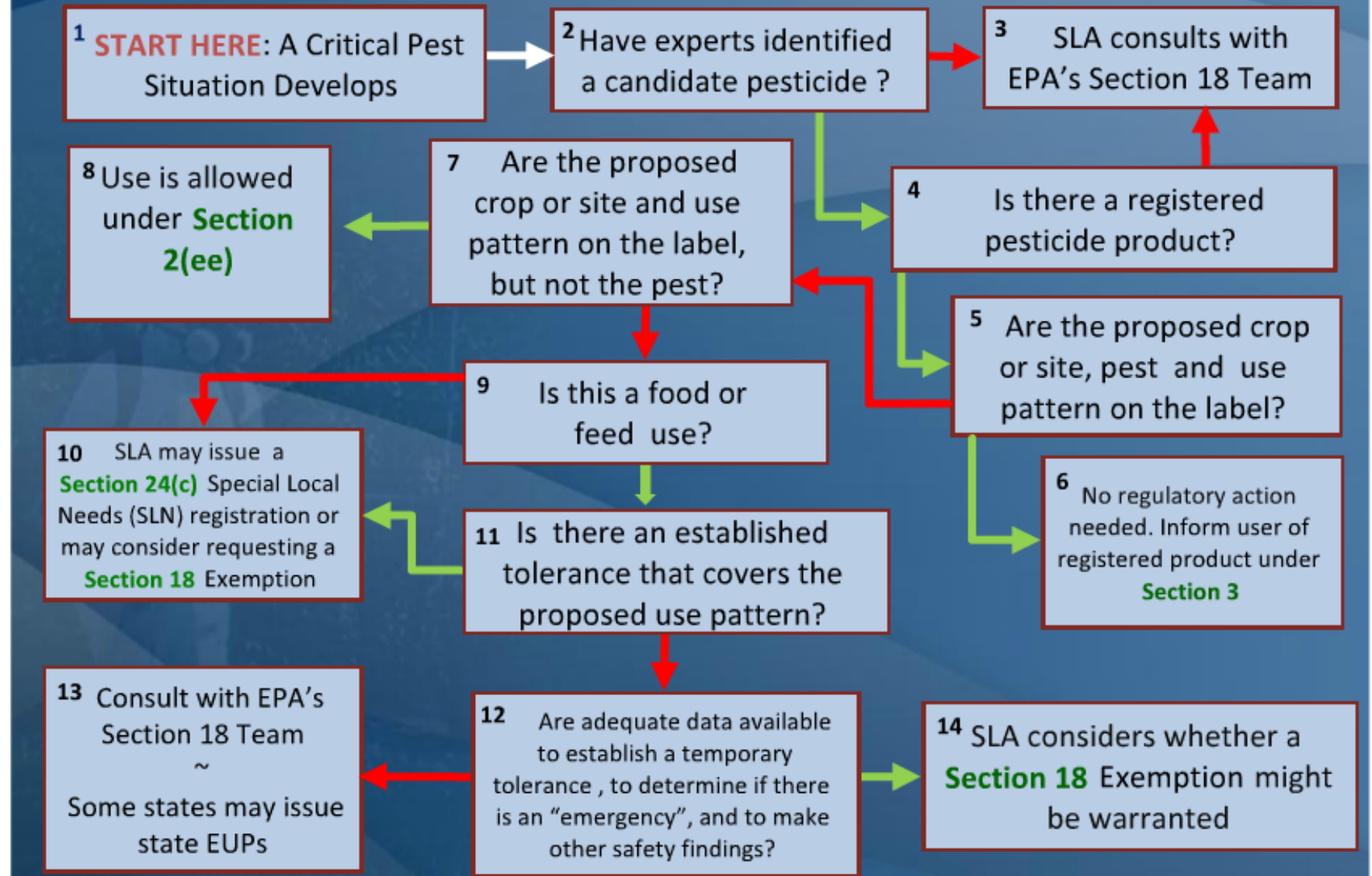
The nuts and bolts

- ▶ Discharges of pesticides to waters of the states require **NPDES permits**
- ▶ **EPA authorizes the states of OR and Wa** to administer NPDES permits
- ▶ Epa registers all pesticides under the federal insecticide, fungicide, and rodenticide act of 1979 (**fifra**), which assures pesticides are properly labeled and will not cause harm to the environment if used in accordance with label
- ▶ **Section 3 fifra** - means epa has reviewed and approved information and uses on product label
- ▶ **Section 24(c) fifra** - allows states to grant registrations for additional uses of a product to meet local needs - for sites already listed on the label
- ▶ **Section 18** - states may petition epa for section 18 emergency exemption from full section 3 registration - temporarily expands the terms of the pesticide label to include additional emergency uses - users must obtain directions from lead agency

EPA Decision tree

Decision Tree: What Options are Available to Address Critical Pest Situations?

Green arrow = "yes" response; Red arrow = "no" response



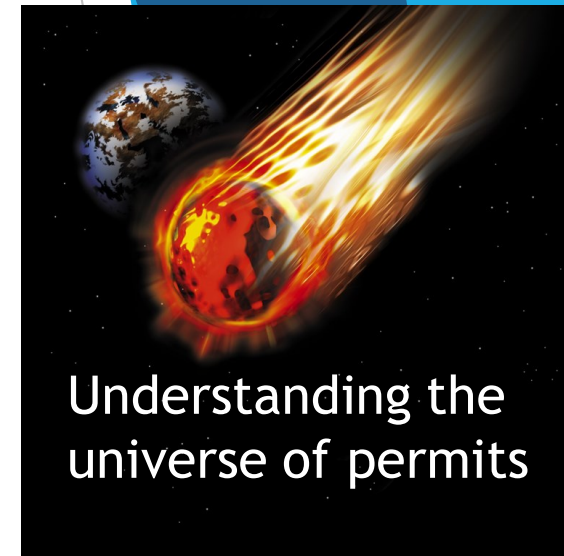
- ▶ Every state is different

- ▶ Oregon

- ▶ On all lands other than tribal lands, invasive mussel control can occur exclusively under an Oregon state permit.
 - ▶ On tribal lands, an epa permit is needed.

- ▶ Washington

- ▶ On all lands other than federal and tribal lands, control can occur exclusively under a Washington state permit.
 - ▶ On federal and tribal lands, dirk is asking legal staff if the state permit covers these lands. If yes, then NMFS and USFWS have been involved in permit development that includes restrictions for es.



Section 3 - Registered control products

- ▶ Oregon - Lo Temp Sanitizer is not registered in Oregon. One supplemental registration for Sanibrom Biocide label exists in Oregon. Supplemental distributor registrations noted by *.
- ▶ Washington - has 21 products with section 3 label registration for control of mussels, plus **supplemental distributor registrations.**
- ▶ IDAHO - has 21 products with Section 3 label registration for control of mussels, and one label for one Special Local Need that was granted for use in Idaho (NATRIX).

7000
Accu-Tab SI Calcium Hypochlorate
Anthium Dioxide
High Strength Sodium Hypochlorite EP
Lo Temp Sanitizer
Spectrus OX109
Spectrus OX1201
Zequanox
Acti-Brom 1318
Aquabrom
Bromide Plus*
Chemtreat CL-41
Chlorine Liquefied Gas Under Pressure
Formula 318
K-Brom 40
Liquibrom 4000*
Multibrom Liquid
Sanibrom 40 Biocide*
Sodium Hypochlorite - 12.5 Bacticide
Sterileclean Sodium Hypochlorite 12.5
Nalco H150M