HB

38

<TARGET><BILL>HB 38</BILL><SUBJECT>HB
38</SUBJECT><COMM>SSTA29</COMM></TARGET>

Alaska State Legislature

State Capitol Room 102
Juneau, Alaska 99801-1182
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REPRESENTATIVE PAUL SEATON
Rep.Paul.Seaton@akleg.gov

MEMORANDUM

FROM: Representative Paul Seaton

TO: Senator Bill Stoltze, Chairman
State Affairs Committee

DATE: March 25, 2016

RE: Scheduling Request for House Bill 38

We respectfully request that House Bill 38, Aquatic Invasive Species, be scheduled in the State Affairs Committee at your earliest possible convenience.

HB 38 will provide the Alaska Department of Fish and Game (ADF&G) with the statutory authority to swiftly address outbreaks of aquatic invasive species such as Dvex. It allows for expedited review of plans for dealing with invasive species, and directs ADF&G staff to prioritize eradication of the invasive species.

Please find the following documents attached:

- HB38 Sponsor Statement
- HB38 Sectional Analysis
- HB38 Legislation - ver E
- HB38 Explanation of Changes
- HB38 Legislation - ver A
- HB38 Fiscal Note-DEC-SWM-02-05-16
- HB38 Fiscal Note-DEC-SWM-04-03-15
- HB38 Fiscal Note-DED-WQ-02-05-16
- HB38 Fiscal Note-DEC-WQ-04-03-15
- HB38 Fiscal Note-DFG-SFD-04-11-15
- HB38 Fiscal Note-DFG-SFD-01-29-16

- HB38 Fiscal Note-DNR-PMC-04-06-11
- HB38 Fiscal Note-DNR-PMC-04-06-15
- HB38 Letter of Support - Kenai Peninsula Borough
- HB38 Letter of Support - Alaska Committee for Noxious and Invasive Plant Management
- HB38 Letter of Support - Alaska SeaLife Center
- HB38 Letter of Support - Wasilla Soil & Water Conservation District
- HB38 Supporting Document - KCAW, Sitka

We will need a PowerPoint set-up. We have not identified witnesses yet.

Thank you for your consideration of this request.

Staff contact: Poppy Benson, 465-2689; poppy.benson@akleg.gov

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REPRESENTATIVE PAUL SEATON
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Sponsor Statement

CSHB 38

Didemnum vexillumis (Dvex), also known as Sea Vomit, is an aggressive tunicate invader that grows rapidly and has few known natural predators. It creates metabolic toxins that help it smother substrates and other organisms to create monoculture infestations from intertidal, subtidal to deep sea habitats. As demonstrated in a recent infestation in Whiting Harbor near Sitka, the rapid spread of Dvex is a threat to the mariculture industry, commercial fisheries and ecosystem integrity.

HB 38 provides the Alaska Department of Fish and Game (ADF&G) with the statutory authority, and a fund, to swiftly address outbreaks of aquatic invasive species such as Dvex.

HB 38 gives ADF&G the authority to use chemical, biological, mechanical, or physical methods to deal with the outbreak. It allows for expedited review of plans for dealing with invasive species, and directs ADF&G staff to prioritize eradication of the invasive species over other management issues for a specific area.

HB 38 specifies that affected private property owners shall be considered, but still allows responding agencies to be held harmless for damages caused by their invasive species treatment. Impacts to native species shall be minimized if possible.

Sea Vomit and other aquatic invasive species have the potential to seriously impact our lucrative commercial fishing, mariculture, and recreational fishing industries. HB 38 gives Alaska the tools to rapidly combat this threat.

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CSHB 38 Sectional Analysis
Version29-LS0226\H

Please note that a sectional analysis of a bill or resolution should not be considered an authoritative interpretation of the measure itself.
The legislation is the best statement of its contents.

Section 1. – Amends AS 16.05 Fish and Game Code and Definitions by adding a new section giving new authority and direction to the Department of Fish and Game to respond to aquatic species invasions.

a. Consistent with applicable laws, allows for use of chemical, biological, mechanical or physical methods in responding to aquatic invasives.
b. Gives the Department of Fish and Game permission to apply for suspension of or exemption of environmental regulations in responding to invasions of aquatic species.
c. Gives the Department direction to prioritize the response over other activities they manage such as opening or closing a season.
d. Directs each state department, agency and institution to cooperate with the lead agency in responding to an invasion.
e. Hold harmless language for the state and employees shall be included on all state leases and permits for actions under this section that affect private property of the lessee.
f. Directs the department to respond to freshwater invasive species in a manner that has the least harm to noninvasive fish.
g. Directs the department to give reasonable notice to affected property owners and consider the potential effects of the response on private property.
h. Establishes an invasive species response fund within the general fund. Money appropriated to the fund does not lapse.
i. Defines aquatic invasive species as those species that are introduced to an environment they are not native to and whose introduction is likely to cause economic or environmental harm.

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REPRESENTATIVE PAUL SEATON
Rep.Paul.Seaton@akleg.gov

CSHB 38 Explanation of Changes
Version A to Version E
Version29-LS0226\E

This bill was revised to delete the rapid response and management plan for addressing incipient populations of aquatic invasive species. The bill was renumbered and sections changed accordingly.

Page 1 Version A
Line

1 Title – changed to delete "rapid"

6 - 13 Delete Section 1 (a) regarding establishment of rapid response plans

14 Section 1 (b) Delete "under the rapid response and management plan established under (a) of this section".

Page 2 Version A

8 Section 1 (d) Delete "Rapid"

14 - 16 Section 1 (e) becomes 1(d) with new language added to clarify that all departments shall cooperate with whichever department has the lead for a particular invasive species.

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version:	CSHB 38(RES)
Fiscal Note Number:	1
(H) Publish Date:	4/13/2015

Identifier: HB38-DEC-WQ-04-03-15
Title: AQUATIC INVASIVE SPECIES
Sponsor: SEATON
Requester: House Resources Committee

Department: Department of Environmental Conservation
Appropriation: Water
Allocation: Water Quality
OMB Component Number: 2062

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	**FY 2016**	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Fund Source (Operating Only)

None							
Total	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							

Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: Michelle Hale, Director — Phone: (907)465-5135
Division: Water — Date: 01/22/2015 08:00 AM
Approved By: Alice Edwards, Deputy Commissioner — Date: 04/03/2015
Agency: Department of Environmental Conservation

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

Analysis

Analysis/Assumptions:
HB 38 establishes a fund for the response to aquatic invasive species and develops a procedure for responding to and controlling aquatic invasive species. As written, HB 38 has no fiscal impact on the Department of Environmental Conservation, Division of Water. Current Division of Water staff could absorb the amount of time required to cooperate with the Department of Fish and Game in establishing the plan and responding to invasive species.

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version:	CSHB 38(RES)
Fiscal Note Number:	2
(H) Publish Date:	4/13/2015

Identifier: HB038-DEC-SWM-04-03-15
Title: AQUATIC INVASIVE SPECIES
Sponsor: SEATON
Requester: House Resources Committee

Department: Department of Environmental Conservation
Appropriation: Environmental Health
Allocation: Solid Waste Management
OMB Component Number: 2344

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	**FY 2016**	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Fund Source (Operating Only)

None							
Total	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							

Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: Elaine Busse Floyd, Director — Phone: (907)269-7644
Division: Environmental Health — Date: 04/03/2015 10:00 AM
Approved By: Alice Edwards, Deputy Commissioner — Date: 04/03/15
Agency: Department of Environmental Conservation

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

Analysis

Analysis/Assumptions:
HB 38 establishes a fund for the response to aquatic invasive species and develops a procedure for responding to and controlling aquatic invasive species. As written, HB 38 has no fiscal impact on the Department of Environmental Conservation, Division of Environmental Health. Current Division of Environmental Health staff could absorb the amount of time required to cooperate with the Department of Fish and Game in establishing the plan and responding to invasive species.

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version:	CSHB 38(RES)
Fiscal Note Number:	3
(H) Publish Date:	4/13/2015

Identifier: HB038CS(RES)-DFG-SFD-04-11-15
Title: AQUATIC INVASIVE SPECIES
Sponsor: SEATON
Requester: House Resources Committee

Department: Department of Fish and Game
Appropriation: Sport Fisheries
Allocation: Sport Fisheries
OMB Component Number: 464

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	**FY 2016**	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
Fund Source (Operating Only)							
None							
Total	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
Positions							
Full-time							
Part-time							
Temporary							
Change in Revenues							

Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Deleted the provisions regarding the establishment of rapid response management plans for addressing incipient populations of aquatic invasive species.

Prepared By:	Thomas Brookover, Acting Director	Phone:	(907)267-2150
Division:	Division of Sport Fish	Date:	04/11/2015 12:00 PM
Approved By:	Sunny Haight, Administrative Services Director	Date:	04/11/15
Agency:	Fish and Game		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

Analysis

House Bill 38 would provide statutory authority and guidance to the Alaska Department of Fish and Game regarding response to and control of incipient populations of aquatic invasive species. It also establishes an aquatic invasive species fund to pay for aquatic invasive species response efforts. As written, HB 38 has no fiscal impact on the department. Current staff in the Division of Sport Fish could absorb the amount of time required to cooperate with other agencies in responding to invasive species.

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version:	CSHB 38(RES)
Fiscal Note Number:	4
(H) Publish Date:	4/13/2015

Identifier: HB038-DNR-PMC-4-6-15
Title: AQUATIC INVASIVE SPECIES
Sponsor: SEATON
Requester: House Resources

Department: Department of Natural Resources
Appropriation: Agriculture
Allocation: North Latitude Plant Material Center
OMB Component Number: 2204

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	**FY 2016**	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
Fund Source (Operating Only)							
None							
Total	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
Positions							
Full-time							
Part-time							
Temporary							
Change in Revenues							

Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed? N/A

Why this fiscal note differs from previous version:

Initial version

Prepared By: Franci Havemeister, Director — Phone: (907)761-3867
Division: Division of Agriculture — Date: 04/06/2015 09:00 PM
Approved By: Mark Myers, Commissioner — Date: 04/06/15
Agency: Department of Natural Resources

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

Analysis

HB 38 establishes a new section in AS Sec. 16.05 that directs the Department of Fish & Game (DF&G), the Department of Environmental Conservation (DEC), the Department of Natural Resources (DNR), and other state, federal, public and private entities to establish a rapid response management plan for addressing incipient populations of aquatic invasive species. This bill directs agency coordination and cooperation in rapid response prioritization, planning, implementation, and permitting.

DNR, in a memorandum of understanding with both DF&G and DEC, is the management and coordinative authority for freshwater aquatic invasive plants. DNR derives authority for the regulation and management of invasive plants from AS Sec.03.05.010, Sec 03.05.027, and Sec. 44.37.030.

This fiscal note does not include costs for plan implementation, rapid response to and management of an aquatic invasive species. Examples of costs for an implemented eradication project on the Kenai Peninsula across 3 lakes (total of approx. 700 acres treated across 3 years) is approximately $600.0.

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	CSHB 38(RES)
Fiscal Note Number:	5
(H) Publish Date:	3/18/2016

Identifier: HB038CS(RES)-DEC-WQ-02-05-16
Title: AQUATIC INVASIVE SPECIES
Sponsor: SEATON
Requester: HOUSE RULES COMMITTEE

Department: Department of Environmental Conservation
Appropriation: Water
Allocation: Water Quality
OMB Component Number: 2062

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	**FY 2017**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Fund Source (Operating Only)

None							
Total	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							

Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Updated for the 2016 legislative session.

Prepared By: Michelle Hale, Director — Phone: (907)465-5135
Division: Water — Date: 02/05/2016 03:15 PM
Approved By: Alice Edwards, Deputy Commissioner — Date: 02/05/16
Agency: Environmental Conservation

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

Analysis

Analysis/Assumptions:

HB 38 establishes a fund for the response to aquatic invasive species and develops a procedure for responding to and controlling aquatic invasive species. As written, HB 38 has no fiscal impact on the Department of Environmental Conservation, Division of Water. Current Division of Water staff could absorb the amount of time required to cooperate with the Department of Fish and Game in responding to invasive species.

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	CSHB 38(RES)
Fiscal Note Number:	6
(H) Publish Date:	3/18/2016

Identifier: HB038CS(RES)-DEC-SWM-02-05-16
Title: AQUATIC INVASIVE SPECIES
Sponsor: SEATON
Requester: HOUSE RULES COMMITTEE

Department: Department of Environmental Conservation
Appropriation: Environmental Health
Allocation: Solid Waste Management
OMB Component Number: 2344

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	**FY 2017**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
Fund Source (Operating Only)							
None							
Total	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
Positions							
Full-time							
Part-time							
Temporary							
Change in Revenues							

Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Updated for the 2016 legislative session.

Prepared By: Bob Blankenburg, Acting Director — Phone: (907)269-7690
Division: Environmental Health — Date: 02/05/2016 01:30 PM
Approved By: Alice Edwards, Deputy Commissioner — Date: 02/05/16
Agency: Environmental Conservation

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

Analysis

Analysis/Assumptions:

HB 38 establishes a fund for the response to aquatic invasive species and develops a procedure for responding to and controlling aquatic invasive species. As written, HB 38 has no fiscal impact on the Department of Environmental Conservation, Division of Environmental Health. Current Division of Environmental Health staff could absorb the amount of time required to cooperate with the Department of Fish and Game in responding to invasive species.

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	CSHB 38(RES)
Fiscal Note Number:	7
(H) Publish Date:	3/18/2016

Identifier: HB038CS(RES)-DFG-SFD-01-29-16
Title: AQUATIC INVASIVE SPECIES
Sponsor: SEATON
Requester: House Resource Committee

Department: Department of Fish and Game
Appropriation: Sport Fisheries
Allocation: Sport Fisheries
OMB Component Number: 464

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	**FY 2017**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Fund Source (Operating Only)

None							
Total	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							

Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Updated previous fiscal note to new template format for 2nd session and FY'17.

Prepared By: Thomas Brookover, Director — Phone: (907)267-2150
Division: Division of Sport Fish — Date: 01/29/2016 11:00 AM
Approved By: Kevin Brooks, Deputy Commissioner — Date: 01/29/16
Agency: Fish and Game

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

Analysis

House Bill 38 would provide statutory authority and guidance to the Alaska Department of Fish and Game regarding response to and control of incipient populations of aquatic invasive species. It also establishes an aquatic invasive species fund to pay for aquatic invasive species response efforts. As written, HB 38 has no fiscal impact on the department. Current staff in the Division of Sport Fish could absorb the amount of time required to cooperate with other agencies in responding to invasive species.

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version:	CSHB 38(RES)
Fiscal Note Number:	8
(H) Publish Date:	3/18/2016

Identifier: HB038-DNR-PMC-2-5-16
Title: AQUATIC INVASIVE SPECIES
Sponsor: SEATON
Requester: House Rules Committee

Department: Department of Natural Resources
Appropriation: Agriculture
Allocation: North Latitude Plant Material Center
OMB Component Number: 2204

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017 Appropriation Requested	Included in Governor's FY2017 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	**FY 2017**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Fund Source (Operating Only)

None							
Total	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							

Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed? N/A

Why this fiscal note differs from previous version:

This modifies the 2015 version to reflect the 2016 Legislative Session.

Prepared By: Robert Carter, Acting Director — Phone: (907)745-8127
Division: Division of Agriculture — Date: 02/05/2016 12:00 AM
Approved By: Mark Myers, Commissioner — Date: 02/05/16
Agency: Department of Natural Resources

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

Analysis

HB 38 establishes a new section in AS Sec. 16.05 that directs the Department of Fish & Game (DF&G), the Department of Environmental Conservation (DEC), the Department of Natural Resources (DNR), and other state, federal, public and private entities to establish a rapid response management plan for addressing incipient populations of aquatic invasive species. This bill directs agency coordination and cooperation in rapid response prioritization, planning, implementation, and permitting.

DNR, in a memorandum of understanding with both DF&G and DEC, is the management and coordinative authority for freshwater aquatic invasive plants. DNR derives authority for the regulation and management of invasive plants from AS Sec.03.05.010, Sec 03.05.027, and Sec. 44.37.030.

This fiscal note does not include costs for plan implementation, rapid response to and management of an aquatic invasive species. Examples of costs for an implemented eradication project on the Kenai Peninsula across 3 lakes (total of approx. 700 acres treated across 3 years) is approximately $600.0.

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MIKE NAVARRE
BOROUGH MAYOR

April 7, 2015

Representative Paul Seaton
State Capitol-Room 102
Juneau, AK 99801

Representative Seaton,

I am writing to offer my strong support for HB 38, which relates to the response to and control of aquatic invasive species in Alaska.

The Kenai Peninsula Borough — with its economic foundation of tourism, commercial fishing and sport fishing — is a district defined by the health of its waters. Invasive marine organisms have the potential to be a threat on Peninsula beaches as well as to oyster farms, hatchery operations, fishing equipment, and sport, subsistence and commercially harvestable species.

This Act will allow the Alaska Department of Fish and Game (ADF&G) to swiftly respond to outbreaks of aquatic invasives that threaten Alaskan waters. It includes provisions that require noticing of affected private property owners, while also streamlining the process by which monies can be appropriated to eradication efforts.

Responding to invasive species in the waters becomes much more expensive as species establish; rapid response capabilities allow actions to be more quickly directed and cost effective. Often, experts in a scientific field recognize invasive species and their potential impacts long before public concerns grow to a level which initiates response. It is imperative to have solid science and consistent management to determine the appropriate actions to protect Alaskan waters and to avoid consequences that could bring about economic distress to those who depend upon the seas and rivers for their livelihoods.

I wholeheartedly support the establishment of legislation and fund allocation mechanisms which allow rapid response to provide for containment, eradication, and monitoring activities of high priority aquatic invasive species.

Sincerely,

Mike Navarre
Mayor

Louie Flora

From: District Manager <distmgr@wasillaswcd.org>
Sent: Tuesday, March 26, 2013 11:39 AM
Cc: Rep Bill Stoltze; Rep. Eric Feige; Rep. Paul Seaton; Rep. Mark Neuman; Rep.Lynn.Gattis@ak.leg.gov
Subject: HB 89

Chuck Kaucic
District Manager
Wasilla Soil & Water Conservation District
(907) 357-4563, ext. 103

Greetings from sunny Wasilla!

The Wasilla Soil and Water Conservation District (WSWCD) Board of Supervisors wish to inform you of their unanimous support for HB 89 Aquatic Invasive Species Control. WSWCD has worked with various Federal, State, and local agencies and other partners to survey 25 lakess within the 1+million acre district boundaries .WE are well aware of the potential negative impact that aquatic invasives can have on salmon and other fishery stocks.

Thanks for sponsoring this legislation.

Cheers! CK

ALASKA COMMITTEE FOR NOXIOUS & INVASIVE PLANT MANAGEMENT

January 15th, 2014
28th Legislature (2013-2014)

Representatives Bill Stoltze and Alan Austerman
Finance Committee Co-chairs
State of Alaska Legislative Offices
State Capitol Rooms 515, 505
Juneau, Alaska 99801

RE: CSHB89 - An Act relating to the rapid response to, and control of, aquatic invasive species and establishing the aquatic invasive species response fund - Referred to Finance on May 14th, 2013

Dear Representatives Stoltze and Austerman,

On behalf of the Alaska Committee for Noxious and Invasive Plant Management (CNIPM) I write to encourage the passage of House Bill 89.

House Bill 89, which would mandate a response coordinated by the Alaska Departments of Fish and Game (ADF&G), Environmental Conservation (ADEC) and Natural Resources (DNR) to aquatic invasive species, represents an important step toward developing rapid response capabilities for priority invasive species in Alaska. The CNIPM board commends the introduction of this bill by Representative Paul Seaton and its subsequent reference to Finance. We urge the House Finance Committee to hear this bill and vote to move it forward – remembering that its predecessor, HB365, was passed by the House with 37 "Yeas" on April 11, 2012.

Alaska is at a critical point with respect to aquatic invasive species. Currently, two species, the colonial tunicate *Didemnum vexillum* and the perennial waterweed, *Elodea* sp. pose considerable threat to our state's marine and freshwater systems. *Didemnum vexillum* encrusts marine infrastructure and resident biota to drastically alter benthic habitats and potentially impact mariculture as well as shell and ground fisheries. The single known infestation discovered offshore from Sitka represents a dramatic and concerning 1,000 km range extension along the western coastline of North America.

While less than 20 non-native marine species have been documented in Alaskan waters, *Elodea* is the first non-native, submerged freshwater plant to be recorded in state. Through its aggressive growth, this perennial plant modifies flow and sedimentation rates in freshwater habitats, thus degrading the quality of spawning habitat for anadromous fish. The known distribution of *Elodea* is currently restricted to approximately 16 lakes and rivers in Anchorage, Fairbanks, Cordova and the Kenai Peninsula. However, several of the infested lakes accommodate float planes, which are potential vectors of introduction for *Elodea* to pristine waterbodies across the state, and with the exception of the Anchorage-area lakes, all infestations fall within the watersheds of the world-class Copper, Kenai or Yukon River fisheries.

Alaska's commitment to invasive species funding is disproportionately low relative to federal levels. A recent study by UAA's Institute of Social and Economic Research (ISER) showed that from 2007-2011, 84% of invasive species funding for Alaska was provided by the federal government; the State of Alaska provided only 5%. Of an average annual expenditure of $5.8 million for this same time period, only 10% of funding was directed towards the management of invasive marine species and freshwater plants. Based on this distribution of funding in the context of recent invasive species introductions, the study recommends that state government adopt a larger role in invasive species management.

It is our professional opinion that the type and level of response to aquatic invasive species in Alaska taken over the next few years holds high-stake implications for the ecological health of our waters and the manifold subsistence, commercial and recreational activities they support. House Bill 89 would

ALASKA COMMITTEE FOR NOXIOUS & INVASIVE PLANT MANAGEMENT

facilitate the type of rapid, strategic and coordinated response necessary for the extirpation of *Didemnum vexillum* and *Elodea* from Alaska. As stewards of our Great Land, we urge you to support this crucial natural resource protection.

Please do not hesitate to contact us for further information or assistance.

Sincerely,

Lindsey Flagstad

Vice Chair, Alaska Committee for Noxious & Invasive Plant Management
7344 Potter Heights Drive
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Alaska SeaLife Center
windows to the sea

April 6, 2015

Representatives Benjamin Nageak and David Talerico
House Resources Committee Co-Chairs
State of Alaska Legislative Offices
State Capitol Rooms 126 and 104
Juneau AK 99801

RE: CSHB 38 – An act relating to the response to, and control of, aquatic invasive species and establishing the aquatic invasive species response fund

Dear Representatives Nageak and Talerico:

I write to encourage the passage of House Bill 38 to allow rapid response and coordination in the event of an outbreak of an aquatic invasive species in Alaska.

The mission of the Alaska SeaLife Center is to generate and share scientific knowledge to promote understanding and stewardship of Alaska's marine ecosystems. Within this mission, the Center has taken a strong interest in marine invasive species, taking a scientific approach to monitoring for potential "invaders." We monitor for several invasive species in the nearshore waters of Resurrection Bay near Seward, and are relieved that none have been identified to date.

However, the aggressive tunicate *Didemnum vexillum* (DVex) has been found in Whiting Harbor near Sitka, and could spread rapidly, becoming a threat to fisheries and the greater ecosystem. Marine debris from the 2011 Japanese tsunami has reached U.S. shores containing live organisms native to Japan but unseen in American waters. The invasive potential of these species is unknown. While Alaska's waters appear to be pristine, we cannot ignore that very real threats may have already reached our remote beaches.

HB 38 would provide the authority and the tools needed for the Alaska Department of Fish and Game to react quickly in the event of an outbreak to protect Alaska's marine ecosystems. In this case, where prevention is not really an option, being prepared for rapid respond is of utmost importance.

Thank you for your attention to this issue, and your support of HB 38.

Sincerely,

Tara L. Riemer, Ph.D.
President and CEO

cc: Representative Paul Seaton

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Looking for solutions to Sitka's sea squirt invasion

Robert Woolsey, KCAW, Sitka Alaska

SITKA, ALASKA. Researchers from several state and national organizations have stepped up their efforts to contain an invasive sea squirt that has colonized Sitka's Whiting Harbor. "D-vex," as the organism is commonly called, coats both the sea floor and man-made structures in a thick mat that is inhospitable to any life caught below it. An oyster farm in Whiting has been particularly hard hit.

Dvex (Didemnum vexillum) was discovered last summer in Sitka during a citizen-science project called "Bioblitz," a collaboration between the University of Alaska, the Smithsonian Institution, ADF&G, USF&W, the Sitka Tribe, and the Sitka Sound Science Center. This summer, researchers have returned to Sitka to try and learn if Dvex has spread outside of Whiting.

Over the past several days, teams of Bioblitz volunteers placed over 200 test plates in intertidal areas along the road system.

Linda McCann, with the Smithsonian Environmental Research Center, heads the project. KCAW's Robert Woolsey caught up with her on the Samson barge dock. McCann, UAS biology professor Marnie Chapman, and US Fish & Wildlife invasive species specialist Kimberly Holzer, were patiently setting test plates amid the din of rock-loading operations for Sitka's airport expansion.

"So we're out here right now deploying some collecting devices. This is a really high-tech piece of scientific equipment. You can write about it – a piece of plastic attached to a brick. This was designed because we know Dvex and other invasive species commonly settle on artificial, or manmade, substrate. This will fit under a microscope quite easily, we can take it on and off. So it hangs like this at approximately a meter below the surface of the water, and we'll leave it out for three months. We're coming back in September and we'll hopefully find that it's not at any of these other sites. During the Bioblitz we had volunteers out surveying a lot of the sites that we're doing today, and they didn't find it. But, you can only see so far down from a dock. This will allow us to see what's subtidal."

KCAW – "What's the next step for an invasive like this? Is there a strategy for reducing it or eliminating it that anybody is even discussing at this point?"

McCann – "Absolutely. The first step, as we saw it, was to document where it already was, because we can't effectively manage or eradicate anything if we don't know the extent of the infestation. So we've been focused on that this year. And also drafting potential plans and options for any kind of management that we might pursue. The next step is to figure out what we can do to get rid of it. So this trip we initiated an experiment out in Whiting Harbor where we tested different kinds of eradication methods including acetic acid, or vinegar; bleach, or chlorine; low dissolved oxygen, basically starving the animal of oxygen; drying it out, or dessicating it; and fresh water. So a lot of these things have been tried in different parts of the world to varying degrees of success. We're trying to find out where the threshold is: Where is the line where you get 100-percent mortality of Dvex? A lot of the literature suggests that you can kill 80-percent of it, but we want to kill all of it. So we want to find where that line is."

With over 200 test plates in the water at 11 locations around Sitka, the hanging bricks are not hard to find. Each is also marked with a large, yellow plastic plate identifying it as the property of the Smithsonian. If the test plates are disturbed, scientists could lose valuable information about the spread of Dvex.

Currently, there is no statutory authority for the state to close waters to prevent the spread of invasive marine organisms. The agencies attempting to contain the infestation are asking for the voluntary cooperation of the public to keep vessels out of Whiting Harbor. Dvex easily fragments, and can be spread easily on an anchor, boat hull, or the sole of a boot.

Raven Radio Foundation Inc., June 30, 2011