

**Topic:** PNW Regional Forester Approves theAIS Enforcement Order April 1, 2016

**The Point:** The Pacific Northwest Regional Forester of the USDA Forest Service (USFS) has approved a region-wide law enforcement order authorizing USFS Law Enforcement Officers (LEOs) and Forest Protection Officers (FPOs) to enforce two regulations (CFRs) prohibiting possessing and transporting aquatic invasive species (AIS) on USFS lands.

**Background:** AIS are one of the most significant threats to Pacific Northwest aquatic ecosystems and the economies that depend upon them. For example:

* The invasion of nonnative fish can replace native fish populations we are responsible to sustain and restore.
* The invasion of zebra or quagga mussels can foul hydroelectric facilities, costing millions of dollars annually to control.
* The invasion of nonnative milfoil can clog water diversions and ditches farmers rely upon for water delivery.

October 2011, the Regional Forester signed the Regional Aquatic Invasive Species Management Plan. The plan goals are to:

* Prevent new introductions of AIS into waters of the Region.
* Limit the spread of established populations of AIS into uninfested waters.
* Provide a cooperative environment that encourages coordinated activities among all affected parties throughout the Region.

**AIS Order:** The key to the success of the Regional AIS Plan is collaboration and education. Outreach is an important tool to prevent and limit AIS and develop a cooperative environment. USFS LEOs, FPOs, State Conservation Officers, and other agency field staff are positioned to provide the level of education and enforcement necessary to bring awareness to this issue. They often encounter concentrations of people near water such as in campgrounds or boat ramps, and are best able to provide the appropriate level of information and education to the public. The recent authorization to enforce the CFRs that prohibit AIS transport on USFS lands enables LEOs to engage in this issue. The two CFRs prohibit possessing and transporting animals (36 CFR 261.58 (s)) and plants (36 CFR 261.58 (t)). They are consistent with AIS laws in the states of OR and WA.

**Summary:** USFS LEOs and FPOs are now authorized to use 36 CFR 261.58 (s) and (t) to enforce the prohibition of the transport of animals and plants on USFS lands. This is an important tool the USFS now has to protect aquatic and riparian ecosystems from AIS.

**Contacts:** James Capurso, PhD, Regional Fisheries Biologist, 503-808-2847

Jeff Roundy, Patrol Commander, 360-891-5277

Kimberly Conley, Fisheries Biologist, 503-808-2654

**Attachment:** AIS Law Enforcement Order Decision Notice and FONSI