



# Meeting Minutes - October 18, 2023

The meeting of the commission was called to order by Chairman Lew Pence at 1:01 pm.

Present:

**Commissioners**

Brent Reinke – Twin Falls County  
Ron Buhler – Gooding County

**Commission Members**

Lew Pence – Chair - Gooding  
Arlen Morgan – Jerome  
Bethany Muffley – Acting Ex Director  
Duane Turner – TF P&Z  
Dan Suhr - Jerome  
Kerry McMurray - Cassia

**Agency/Other**

Nic Zurfluh – ISDA – Boise  
Lloyd Knight – ISDA Dept Director - Boise  
Roger Morley – Jerome Commissioner - Retired

**Prospective Member**

Jason Parker – Tri Counties Nox Weed Dept

Lew Pence began the meeting at 1pm and asked if there were any changes or corrections to the minutes of the previous meeting. The minutes were approved with a motion made by Dan Suhr and seconded by Duane Turner.

Lew asked Bethany Muffley for the bills since the last meeting. Bethany indicated that bills include her compensation of \$1,100.00 from (\$550 per month for Sept and October) and along with mileage reimbursements for members who are present. Bethany also requested reimbursement for Plan printing to include binders (\$356.98), printing of documents from Jerome Printshop (\$619.42) the final balance for the website migration from Host Gator to Squarespace (\$380.42). A motion was made by Duane and seconded by Arlen Morgan to approve.

Lew asked if there had been any correspondence since the previous meeting and Bethany relayed interactions with Josh Johnson with ICL and having to reschedule his presentation to December or later. She also mentioned interactions with Lloyd Knight and Chanel Tewalt in relation to the Snake River Quagga crisis and indicated that our coordinated resource plan did come into play as a tool that was used to coordinate response actions within the five counties.

Lew introduced our guest speaker Nic Zurfluh, Bureau Chief of the ISDA Invasive Species and Noxious Weeds program. Nic relayed that he appreciated the invitation and then went on to acknowledge that the MSRWC has been a key stakeholder ally in invasive species and noxious weeds issues. Lloyd Knight (ISDA Deputy Director) who was joining the meeting virtually also expressed the same sentiment. Nic went on to give an update on the aggressive plan that ISDA had put in place over the last few weeks. He started briefly with ISDA's annual early detection monitoring program and explained that they have been taking samples targeted to detect veligers (microscopic larval form of invasive mussels) on a seasonal basis for the past 15 years. In August, the first quagga mussel veliger was detected by the Madi Patterson, ISDA Program Specialist out of the Twin Falls office. This initiated ISDA's rapid response plan which required that additional sampling be performed using different individuals (Nic and Lloyd) and

different nets to see if the results could be duplicated and verified (occurred in the first week of September). Microscopy from the lab that following Monday confirmed the genetics and presence of quagga mussels in the Mid Snake River. Results came in at 10am, and by 2pm, ISDA officials were sitting in the governor's office with all agency leads for the state and policy advisors discussing plans of attack. The first step was a need to get messaging out (media generation, press briefing, and a press conference (24 hours after result verification). That same day, ISDA had 20 staff members taking additional samples up and down the river in what are referred to as delimit surveys. The goal of the delimit surveys was to identify the exact location of the infestation (plume or indication of elevated veliger production) along with how far down river it extends. The initial focus was on Milner downstream to Bliss but crews extended those surveys up to American Falls. Zero detections were found from Milner all the way down to Twin Falls reservoir. A few were being picked up below Twin Falls Dam, and the main plume was identified below the island at the base of Shoshone Falls. At this point, divers were sent in to locate any adults (Bethany Muffley and Jeremy Varley) and in the limited time they were able to survey, Bethany found an adult which was one of the final confirmations needed to move confidently forward with treatment actions.

Nic backtracked a bit to explain that between he, Lloyd, and Chanel Tewalt (ISDA Director), the decision was made to run several management tracks at the same time. They formed a communications team (media, press releases, updates), an authority and policymaking team (run out of the governor's office), a containment team (waterbody closures and decontamination stations), the monitoring team (river surveys), and the treatment team. The treatment team was working hard behind the scenes by reviewing literature, product labels, permitting, EPA, etc. It was decided to run all these tracks at once because of lessons learned from other states where they had only ran one track at a time. ISDA did this to save time in the response and to take into account the decrease in water demands on the system as we went into winter months. With irrigation season winding down, the window of opportunity to perform a treatment was very short and ISDA did not want to wait. When delimit surveys and positive identification of an adult mussel in the water way were confirmed, this was when ISDA was able to switch gears from a hypothetical treatment plan into the execution of the treatment action. From here, they had slide deck meetings with commissioners and water resource professionals for discussions and to prepare for a potential treatment. County officials, water users, Governors Office, Idaho Power, USGS, BOR, IDFG, DEQ, EPA, etc., were all there for these discussions where the treatment plan was laid out. Nic relayed that they were really good discussions and that in the end, the proposed plan was identified as the best plan. From here, the information needed to be relayed to the public so this was achieved with media announcements, website updates, and the Town Hall meeting on the following Sunday (6 days after veliger confirmation). ISDA expected the Town Hall to produce some contention over the treatment plan, the discharging of chemicals to the water, and water body closures. Nic indicated that this was not the case and that there was thoughtful discussions and questions asked, but nothing indicating that the plan should not be executed. The treatment schedule consisted of 96 hours of active treatment, a 48 hour break, and then another 95 hours of active treatment. The concentration goal was one part per million of chelated copper (Natrix). This product was chosen because it is heavier than others and will sink to the bottom of the water column where mussels inhabit and it wants to naturally dissipate and spread on its own. Its also not as susceptible to hard water and calcium. The chemical was packaged and delivered from North Carolina. The logistics of getting the chemical here was intense because they needed enough product to get the treatment started, and be able to replenish chemical at the right time to keep concentrations where they were needed.

Nic went on to explain where and how chemical was injected into the river. He highlighted Idaho Power as a key player in the setting up and coordinating of suitable injections sites. He indicated on a map where all these locations were set up and also explained that some of ISDA's boats were airlifted by helicopter to allow them to be placed in areas to assist in chemical application between Pillar Falls and Shoshone Falls to keep concentrations where they needed to stay. Copper concentrations were monitored throughout. ISDA also monitored water 16 miles downstream to see how far chemical traveled as well as dilution along the way. Nic reported that baseline copper levels were detected at Buhl Bridge and also went on to say that copper is naturally occurring at a variance of .1 to .03 PPM. ISDA's treatment goal for impacted areas was to stay at 1PPM and no elevated levels were detected outside of expected areas. With all the monitoring that has been occurring, Nic relayed that the copper is moving out of the system, and it is doing what we thought it was going to do.

Questions were asked if there were adult mussels found above the main treatment area. Nic answered that positive veliger samples were taken above that location and were thought of as a potential false positive initially so that area was taken out of the original treatment plan. The area was resampled multiple times, and a few veligers were continually picked adding the area back into the treatment plan so that the rest of the effort would not be futile. This was in the pool located just below the Twin Falls Hydroelectric project. Another question was asked on what the time frame was between adult and veliger. Nic responded that the veligers that were detected in August were very small indicating that they were quite freshly spawned. The mussel identified by Bethany appeared to be two years old and may have just entered into reproduction age, sending out their first veligers which free float for up to 30 days before settling and growing into adult mussels (Nic indicated that this is not known for sure but it is theorized). Bethany went on to explain that mussels need a male and a female in close proximity to reproduce and that the mussel found was not THE mussel, but one of likely many. Nic also went on to explain that the mussel which was found was left in place and marked so that we could identify whether or not the treatment was successful. Within two days the byssal threads (structures used by mussels to attach to surfaces) were dissolved and the tissue inside the mussel was dead. Other mollusks including Asian clams, western ridge mussels, and a variety of snails were also placed in bags within the treatment area to observe effects. Mortality was reached on those as well indicating that the treatment was doing what it was supposed to do.

Brent Reinke asked about fish gathering around spring inlets. Nic indicated that there was a lot of fish mortality and that suckers were the first to show elevated levels of copper. Many fish were seeking out these spring inflows to escape the concentrations in the water. The next species hit were northern pike minnow then carp and sturgeon, but Nic indicated that large and small mouth bass and crayfish seemed to be the most resilient to the treatment. As fish were seeking out the springs, barriers were set up so that they could not escape from the treated water in fear that they could take veligers with them out of the treatment area.

Lew asked a question on how the veligers had been introduced and Nic speculated that it was most likely on some type of a watercraft, but said that ISDA would not be pointing fingers. This helped form the messaging delivered to the public which indicated that it didn't matter what type of watercraft it was, if it was in the Mid Snake River in the previous 30 days, it needed to be brought to a decontamination site to have it washed (for free). The main messaging did not want to make any one group feel like they were in trouble. The two decontamination sites were County West and the Visitor Center to make it as easy as possible for the public to come in and have this done. Nic also stated that veligers are super fragile so as

soon as they dry, they are likely dead. Adult mussels can live up to 30 days out of the water so the way ISDA washes vessels takes into account this 30 period.

Nic expressed that ISDA is moving from a sprint into a marathon as far as continual monitoring of the Mid Snake. ISDA could be looking at up to 5 years of surveillance and decontamination of exiting watercraft from Centennial and Shoshone Falls. He described the messaging needed, the buy in needed from the public, and the developing of efficient systems aimed at getting recreators in and out of the water quickly. Finding the balance may be tricky and he expects the first year will be a bit of a pain while this new reality is navigated. The hope is that over the years, the process will be more streamlined and easier for local recreators to stomach. Another question from the group asked if there was going to be follow-up treatment next year? Nic replied that there could be. It is talked about using a second and possibly third product that would be used to strengthen control and mitigate any resistance potential from the first treatment.

Lew asked if any other areas have had success in eliminating mussels once introduced? Nic answered that success in eradicating mussels once established is minimal but then went on to acknowledge that no other states have taken this aggressive of an approach, and so quickly after first discovery. Brent commented that the turnaround time by ISDA was remarkable. Nic relayed that several in state and out-of-state managers had an open invitation to come in and observe the treatment. He said there were representatives from all over the state as well as officials from British Columbia, Washington, Oregon, and others that stayed for a couple hours or up to several days to observe and report in the event that they would have to deal with the same thing.

Lew asked if there had been problems getting the financial resources to accomplish this activity? Nic ball parked over \$2 million on this project. He went on to explain that since 2017, they had a significant increase from the legislature in funds available for operations in both dedicated funds and though the invasive species sticker, along with spending authority to utilize large federal grants. He stated that between all these funding sources, it's about a \$5 million program. He mentioned that with the federal grants and matching state funds, the invasive species fund has been building as a rainy-day fund for use on something like this. Statute allows that ISDA can full \$5 million deficiency warrant. A emergency declaration was also made by the governor to allow them to access the emergency fund. Brent commented that this will be a good learning year for new legislators to experience what it will be like to not have a giant surplus in the budget.

Roger Morely asked a question on whether quagga mussels could impact the recharge program. Nic indicated that this question should go out to IDWR because they would be able to better answer this, but he did acknowledge that IDWR was present throughout this project and that they are thinking those things.

Lew thanked Nic for all the information he delivered and for the efforts being taken to protect the water resource. Lew addressed new business by highlighting all the work Bethany has taken on with this group and expressed his gratitude. He acknowledged that Bethany has suggested that it be time for the commission to find an executive director who has the time and understands the effort needed to be effective in the role and assume responsibilities. Dan Suhr introduced Roger Morely as a potential candidate for the position. Roger indicated that he was interested in taking the position and would be happy to work with Bethany to get him up to speed. Understanding that the executive committee will

need to meet in order to make a decision on appointments, Brent relayed that he would call a meeting to address the subject.

Other business was the distributing of Plans and getting them to respective counties. Plans were to be delivered to each county commissioner, each county planning and zoning, and one for the county offices. Members were asked to deliver these plans and then relay to Bethany on who received a copy so that when updates are made, these individuals can be contacted directly to update only the sections needed. This should save time and money in the future as updates are made.

Brent relayed an update on the water legislation authored by Paul Arrington. He said that the 4<sup>th</sup> Strawman as been broken up into two parts (A and B). A is being completed by the IDWR and B is being done by the Idaho Association of Counties. A is dealing with the authority of the Director of IDWR, the need for additional monitoring, and goes into the domestic well application process. B is dealing with the Local Planning Act, and it takes the elements of a strategic plan and breaks those elements down. They are trying to define what a subdivision is and how we would monitor it. They are also trying to identify pitfalls and how they can do a better job on the domestic side and on subdivisions. They understand that eventually they will have to add in considerations for septic and waste systems. There is a large push in Idaho to start looking at densities as far as impact. Property rights are big topics being considered. This topic segwayed into a statement that judges making decisions in cases like these need to be educated on water resource and water law issues. They need to understand the impacts based on their decisions.

Lew asked for any other business, hearing none, Dan gave the motion to adjourn, and Arlon seconded it. The meeting was adjourned at 2:55pm.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'Bethany Muffley', written in a cursive style.

Bethany Muffley, Executive Director (Acting)