

Basin Commission ends pilot program

By PATRICK REILLY
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The Flathead Basin Commission (FBC) has backed away from a pilot program it proposed to fund the fight against invasive mussels.

On Tuesday, the Commission's members voted unanimously to withdraw a petition they had set before the Montana Fish and Wildlife Commission in December. This petition aimed to meet a mandate, set in last year's H.B. 622, that the FBC "shall administer a pilot program within the Flathead basin...

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to enhance protections in the basin against invasive species."

To this end, the FBC asked the Fish and Wildlife Commission to require mussel inspections for all boats entering the Basin, and decontaminations for most motorized ones. The effort would have been funded by requiring local boaters to purchase stickers.

As the Daily Inter Lake has previously reported, the proposal has drawn

challenges from Montana Fish, Wildlife and Parks, which claims that the Commission can't obligate boaters to purchase stickers. Meanwhile, Upper Columbia Conservation Commission director Lori Curtis recently described the program as another "layer of confusion" for boaters.

"The legislators called us to do something, [and] we were trying to fulfill that, but there were lots of issues that were brought up with it," said Jack Potter, FBC member and former Chief of Science and Resources Management for Glacier

National Park, at Tuesday's meeting.

Jim Simpson, representing the Lake County Conservation District, then motioned to withdraw the rule.

The Department of Natural Resources and Conservation's Mark Bostrom, one of the FBC's ex-officio commissioners, acknowledged H.B. 622's legal mandate, but argued that the body had already met it. "If you look at the exact words of the pilot program" provision in the law, "it does say that the Flathead Basin Commission shall establish a pilot program. I

also believe that they have, through the years."

He pointed out that H.B. 622 said that the Commission "may" undertake various steps, like selling boat stickers and tracking vessels, as part of that program. "Those are optional pieces of the pilot program," he argued.

Robin Stenkraus, executive director of the Flathead Lakers and not a member of the FBC, voiced disappointment with the situation. She argued that, as H.B. 622 worked its way through the legislature in 2017, state agencies hadn't

adequately warned lawmakers of its legal flaws. In her view, the region is now entering the 2018 boating season "without adequate protection." Over the past few months, several officials involved with the AIS fight have called for more resources to catch mussel-fouled boats.

Despite these concerns, the Commission unanimously voted to withdraw the petition. This decision doesn't leave the Basin defenseless. Kate Wilson with the Department of Natural Resources and Conservation pointed out that all of the region's

inspection stations will be open again next year, one of the busiest, on Highway 93 in Ravall, will open March 16. And Montana Fish, Wildlife and Parks is preparing its own rule that will require all incoming boats to be inspected.

Looking ahead, the motion also states that the commission would "reassess FBC's focus on aquatic invasive species in the basin."

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