

INVASIVE PLANT COUNCIL MEETING
Minutes of December 13, 2005

Subject to Approval by Council

Regular Meeting

A regular meeting of the (IPC) was held on Tuesday, December 13, 2005. David Leff, Chairman, called the meeting to order at 2:03 p.m. in Room 310, State Capitol, Hartford, Connecticut.

Attendees: Members present: Chairman David K. Leff, Co-Chair, Dr. Louis Magnarelli, Commissioner F. Philip Prelli, Mr. David Goodwin, Mr. Paul Larson, Mr. Tom McGowan, Dr. Les Mehrhoff, Dr. Mary Musgrave and Mr. David Sutherland.

The following attended the meeting: State Representative Clark Chapin, Penny Sharp, Marie Lipski, Carey Rand for Nome Associates, Karen Weeks for the Kowalski Group, Donna Ellis of the University of Connecticut; Nancy Murray of the DEP; Bob Heffernan for Ct Nurseryman Association, Sandy Breslin for Audubon Society.

Absent: No absences.

**Introduction
Of Council:**

Chairman Leff introduced special guest State Representative Clark Chapin from the Environment Committee. There was a round table introduction of Council members and attendees. Chairman Leff gave a brief background description about the Council and its mission. According to Chairman Leff, the Council spent last 2 ½ years discussing various invasive plant issues having to do with aquatic and terrestrial species. The Council found that there are several needs. The State does not have a comprehensive and coordinated approach to deal with invasive species. At the same time, we find the public becoming increasingly aware of invasive species. Also, the public is coming to understand these issues and feeling that invasive species is having a direct impact on their lives, especially aquatic invasive species.

**Proposed
Revenue:**

Chairman Leff said at this juncture, the Council feels there is a need for funds to support invasive species. The Council would like to propose for the next legislative session revenue sources for these funds. The two principal ones are:

- 1) An increase in the boating registration fee (Council feels this would be a reasonable source of funds and administratively it would be very simple – no new mechanism needed) – this should raise approximately \$224,000, if \$2.00 levy.
- 2) Wholesale and retail nursery or plant products –there are approximately 3,200 companies and 500 non-profits and the Council is proposing a two tiered system. For the non-profits and those with sales under \$10,000, a fee of \$25. For those in excess of \$10,000, a fee of \$55. This would include, for example, Boy Scouts, a “Stop and Shop” or local hardware store not just a

retail nursery. It would be per outlet and the Council expects this to raise approximately \$150,000.

Needs for Funding:

Per Chairman Leff, the Council has put together a plan for funding future needs for the Council:

- 1) Coordinator at the Department of Environmental Protection; to coordinate all invasive species programs;
- 2) Early Detection and Rapid Response as the Council recognizes that except for dealing with species in particularly sensitive habitats and limited areas those that are established such as: Euonymus and Japanese Barberry are here to stay and we are not going to get rid of them. New invasions we should stop them before they become established. Requires surveying and hiring contractors to do the work once invasive species are detected.
- 3) Education and Outreach – everything from brochures for the public to recognize invasives; to educate them about the best kinds of plants to plant in their yard; to get the public to favor native species; development of a web site to coordinate information as a central clearing house for the public.
- 4) Additional Overtime for staff at the Department of Agriculture and the CT Agricultural Experiment Station. Both have responsibilities currently for inspections dealing with plants. Department of Agriculture regulates pet shops and they are a source of aquatic invasions. Inspectors could be further trained and spot banned plants, such as cabomba. A lot of times a company does not know they are selling banned plants. Also, to allow the Department of Environmental Protection conservation officers to enforce invasive species law because right now the State Police and local police are the only ones to enforce the law.
- 5) Council would like to see Water Lettuce removed from the banned plant list because it does not survive our winters.
- 6) Council would like to see a ban on sale or use in commerce of the flowering or fruiting parts of plants that are banned. Example: Asiatic Bittersweet banned as a plant but the law is not clear enough that sale of a wreath, which uses the fruiting part of the plant, is also banned.
- 7) Towns can authorize the ban of plants. (169 towns patchwork). The Council needs to look into this and decide and make a recommendation.
- 8) Cultivars. Both a scientific and policy complex issues.

Chairman Leff: the Council cannot proceed much further with the mission that the General Assembly assigned to them without some sort of funding.

Council Issues:

Commissioner Prelli discussed the proposal to request \$100,000 of additional monies from the General Assembly to add on to the amount that the Council is proposing to generate from other sources indicated above. Paul Larson felt that the proposed money from the legislature would bring more credence to

the program. Commissioner Prelli said that additional funding could address issues that have not been addressed yet. David Sutherland said to keep in mind is Rapid Response and the amount of money spent by towns and lake associations for eradication of invasive plants that have gotten established. Congresswoman Nancy Johnson got \$900,000 in federal monies over the last five years for invasives in the Connecticut, Massachusetts and New York border. Per Mr. Sutherland, every month or so we hear about a new invasive in New York or Ohio, etc. and worry about if it will reach Connecticut.

State Representative Chapin asked if the funding and needs proposals will come from each state agency or from the Council? Chairman Leff said that this request would be brought forward in the (IPC) Annual Report to the Environment Committee Chairs. Representative Chapin and Council discussed last year's Senate Bill 590, which was never passed. Representative Chapin asked if any towns has adopted its own ban list since the law went into effect on October 1st. David Sutherland did not know of any. Representative Chapin asked if the Council would prefer to have one statewide ban list and statute and not allow towns add to that? Chairman Leff said that the Council has not come to a final conclusion but hopefully will before the (IPC) Annual Report is to be submitted in January. The annual report will be considered at the next (IPC) meeting in January.

Nancy Murray has spoken with the state of New York and its legislature is appropriating One Million Dollars for the aquatic invasive species eradication grant program. Representative Chapin asked if other surrounding states doing the same? Chairman Leff stated that Maine and New Hampshire have established boating fees to pay for their invasive species program. Maine fee is now \$10.00. New Hampshire fee is \$5.00. Every boat registered in these two states pays that additional fee with the money going for controlling invasive species either through eradication or education. Representative Chapin asked if New York has any boating fees or boating registration going to invasive species program? Chairman Leff was not aware that New York's money is appropriated by boating fees. Commissioner Prelli said sounds like it is a straight appropriation. Representative Chapin would find surrounding state information helpful. Chairman Leff said the Council certainly could provide Representative Chapin with information about fees and invasive programs for the surrounding states.

Nancy Murray: CT in conjunction with Uconn's Sea Grant & DEP working on preparing an aquatic invasive species plan for the state. Will be going through DEP review and once approved by DEP, will go to the Governor's Office for approval. This will then give DEP \$70,000 so an Aquatic Nuisance Species Program Coordinator could be hired. Representative Chapin noted that there appears to be more emphasis on aquatic species. Chairman Leff said these are highly visible and are more noticed by the general public. Les Mehrhoff : aquatic species has had a constituency for a long time, i.e., lakes and ponds associations and many of these groups have banded together and set up their own early detection programs. He thinks there is an equal concern at the federal and state level in the northeast about terrestrial plants but they are not getting the same attention. At the terrestrial

plants level the early protection component is just not there. There should be an exchange program between the states. Chairman Leff said the most highly visible terrestrial species is Bittersweet. Les Mehrhoff said in New Milford that volunteers are removing the most volatile terrestrial right now, Mile-a-Minute vine.

Co-Chair Magnarelli: the CT Agricultural Experiment Station is doing a survey on lakes for aquatics invasive plants. The CAES has been experimenting with spot treatments of herbicides. There has been success in three lakes: Bashan Lake in East Haddam, Lake Quaniaug in North Guilford and Lake Graniss in East Haven.

David Goodwin: on the private side of the nursery trade – research dollars are starting to be funded nationally from private trade organizations or universities.

Tom McGowan: its impressive that many groups and volunteers give of their time and are doing such good work at no cost to the state and working together with the basic plant working groups. We are at the end of our line as an effective group. If the (IPC) had a staff person to report to the Council and the legislature on comprehensive day-to-day basis you would see as a progression the need and validity of additional funds to provide for eradication. Representative Chapin: are there numbers for what it costs the state of Connecticut in not addressing invasive issues? Economic numbers? Any indicators that the Council uses? David Sutherland: his organization (The Nature Conservancy) very concerned about the health of the forest. Most direct impacts are on aquatics. David Goodwin: its not just plant species, there are birds on the coast, Asian Long Horn Beetle; the legislature should look at the invasive species issue totally not just isolate plants – need to look at this as a whole comprehensive issue that impacts our environment and the nursery industry.

Paul Larson: Many on the (IPC) feel it is necessary to get the pre-emption back in. Representative Chapin: you can contact him directly if there are any questions or concerns. He will be talking with Senator Roraback and will await the (IPC) annual report. Chairman Leff: stated again that the IPC is at the end of its string without having funding.

Cultivars:

Les Mehrhoff: has put together 5-part motion to be electronically distributed to council members. (This draft motion is attached as reference). Commissioner Prelli: The industry will be greatly affected and it cannot compete in this state. Paul Larson: Not addressing standard of invasives. Les Mehrhoff: need criteria in developing cultivars. Again, we should be looking at the St. Louis Code of Conduct to make criteria. Will discuss at the next IPC meeting and to be made a motion at the next meeting.

Pre-Emption:

Chairman Leff: any consensus on the Council for recommendations to be made to the legislature? He opened this up to the members for discussion. David Sutherland: at this time cannot vote for a permanent pre-emption. He is waiting to see how the towns play out. Les Mehrhoff: once a list is developed and the Council knows roughly the time frame involved, maybe at

that time survey who is doing the research and the prohibition could be extended until research is done. Maybe pre-emption can be extended until both pre-emption and science research is completed. David Sutherland: for legal clarification, he agrees that it would be better to have a statewide approach. He said maybe the legislature could pass another pre-emption law. Les Mehrhoff said the following are already being studied and researched: Japanese Barberry, Burning Bush and Norway Maple. Les Mehrhoff: he will try to put together other research and have this for the next IPC meeting. Les Mehrhoff also asked other council members to bring any research they are aware of at the next IPC meeting. Co-Chairman Magnarelli: when the federal government passes authority back to the states it is generally never reversed. We are at a very critical time with towns having authority on plant bans. Probably will be very difficult to reverse town plant ban authorization. Commissioner Prelli: he agrees with Co-Chairman Magnarelli. For this Council to remain strong and vital, we need to get this authority back. Chairman Leff: pre-emption and cultivars will be discussed at the next IPC meeting.

Hand-Outs: Paul Larson distributed article from People and Places Magazine: Article: "Banning Plants Spurs Strong, Quick Reactions." Some of the letters submitted by the public to this article indicates ignorance or confusion the public may have on native invasive species and non-native invasive species. Chairman Leff: distributed Nature Conservancy Winter 2005 magazine: "Invasives Beware."

Miscellaneous: Commissioner Prelli: requested that the (IPC) Annual Report be put on the agenda for the next meeting.

2006 calendar: IPC meetings will be held the second Tuesday of the month at 2:00 p.m., with the exception of January – which will be held on January 11th.

Secretary of State's Annual Gender and Racial Report: Chairman Leff will complete on behalf of the Council.

Chairman Leff: in terms of funding, can information be provided to Representative Chapin for the surrounding states? Discussion took place between Council members.

Chairman Leff: for Representative Chapin's question: what it would cost the state by NOT doing anything? Penny Sharp: take volunteer hours and put that into dollars. Nancy Murray: the Appalachian Trail Monitors track their time and does an annual report at the end of the year.

Dr. Musgrave: noted that the University of Connecticut approved \$425,000 as a 3-state New England Invasive Center. She will send Chairman Leff information on this subject.

Minutes

Approved: Minutes of the 11/1/05 meeting were read and approved with minor editorial changes. Chairman Leff motioned to accept the Minutes. Dr. Magnarelli

seconded with minor changes. Council unanimously voted in favor by voice vote with no opposing votes. Motion carried.

Next Meeting: January 11, 2006 in the Ensign Room at 79 Elm Street, Hartford, CT.

Adjournment: Meeting adjourned at 3:32 p.m.

Respectfully Submitted,

Jill Carr
Office of Deputy Commissioner Leff
Department of Environmental Protection