

Invasive Plants Council
Tuesday, January 12, 2010
2 pm, Department of Agriculture Bldg.
Hartford, CT

Council members present: Mary Musgrave, Dave Goodwin, Bill Hyatt, Paul Larson, Lou Magnarelli, Tom McGowan, Les Mehrhoff, Philip Prelli, David Sutherland

Others present: John Blasiak, Donna Ellis, Nancy Murray

1. Musgrave called the meeting to order at 2:00 pm.

2. The minutes from the 12/08/09 meeting were reviewed. Prelli moved (second: Larson) to approve the minutes. Hyatt did not attend the December meeting and suggested that he circulate comments about the minutes electronically for the Council to review. Prelli moved (second: Mehrhoff) to table passage of the minutes pending the addition of Hyatt's comments via email. **The group decided to approve the 12/08/09 minutes via email before the next meeting.**

3. Musgrave expressed appreciation to Prelli for the use of the office space and parking for today's Council meeting.

4. Annual report distribution

Musgrave informed the Council that more than 80 copies of the Annual Report were produced and distributed. Logan Senack distributed the reports on December 18, prior to the due date. Musgrave will send copies of the report to heads of Legislative Committees, accompanied by a personal letter that she will write which will include specific comments such as a request for operating costs to support the Connecticut Invasive Plant Coordinator and educational materials on invasive plants. Musgrave expressed her appreciation to the group for all the work they did to put the report together. The report was produced at the University of Connecticut and Council members commented on how well the report came out. Prelli suggested circulating the report electronically, and Magnarelli responded that some hard copies are required by the Legislative Office Building and the State Library. Senack is working on posting the Annual Report on the Connecticut Invasive Plant Working Group (CIPWG) website.

5. Barberry cultivar seed production differences

Tom McGowan arrived at 2:10 pm.

Musgrave circulated Mark Brand's presentation from a previous Council meeting and asked the group how they should proceed with the data. Dr. Brand is now in the third year of data collection for approximately 45 cultivars of Japanese Barberry (*Berberis thunbergii*) and soon will be able to make recommendations of where the drop-off point would be regarding the invasiveness of the cultivars. He would like to have input from the nursery industry and the Council on this issue. Larson commented on the data and where the cultivars could be divided to separate those that are more invasive (i.e., more seeds produced per plant) from those that are less invasive. He recommended that the Council wait until the fall in order to make a more informed decision once the third year

of data are collected this season and the full dataset can be examined. In the interim, Larson suggested that 8 to 10 cultivars already identified as high seed producers be discussed at the Connecticut Nursery and Landscape Association's (CNLA) annual meeting, to be held the next day on January 13, and that the growers voluntarily phase out production of said cultivars, similarly to what was done with porcelain berry and autumn olive in the past. If CNLA members endorse the recommendation, one year of production will be eliminated. Larson and Goodwin will present this recommendation at the annual meeting.

Goodwin discussed other research Dr. Brand is conducting to develop sterile cultivars of Japanese Barberry, which may coincide with the nursery industry's phase-out of production. Larson commented that of the 6 cultivars widely grown with high seed production, 3 have a good substitute already available to use as an alternative. Larson feels that the industry needs to learn to live with fewer cultivars and the public needs to accept changes with alternative cultivars being available.

The group continued with discussion of this topic and the option of addressing the issue on a cultivar by cultivar basis versus looking at the plant from a species level. Magnarelli commented that it would be a good move forward if the industry was willing to take out plants that are questionable regarding their invasiveness and replace them with less invasive alternatives. Larson commented that the focus should be on positive results and successes.

David Sutherland joined the group at 2:33 pm.

Prelli moved (second: Magnarelli) that we endorse our Council members to approach the nursery industry to try to phase out production of 8 to 10 cultivars of Japanese Barberry on a trial basis. The motion carried unanimously.

6. Invasive plant boat inspection enforcement

Hyatt reviewed discussions from previous Council meetings regarding the recommendation of the group that CT DEP should change the misdemeanor for Sec. 15-180 to an infraction (see October 13 and November 12, 2009 minutes). He stated that DEP has had internal discussions on how to enforce CGS 22a 381d, with a decision to enforce via civil action. Section 22a 381d will be added to the list of statutes enforced by DEP enforcement officers and that with the assistance of biologists, the officers will contact experts to accompany them to sites to do the enforcement (note: for Sec. 15-180, any plant is prohibited so officers do not need to be accompanied by experts). Hyatt said that the DEP strongly supports efforts to do voluntary monitoring but that the agency cannot expand Lake Authority enforcement. Lake Authority personnel currently have limited enforcement (only when a boat is in the water. Before and after a boat is in the water (when it is on a trailer), violations would be motor vehicle violations and as such would come under the jurisdiction of a police officer.

The group discussed enforcement of invasive plant legislation, particularly when boats come out of the water covered with aquatic vegetation. A question was raised to look at other states and what they do to address this issue. Mehrhoff mentioned that in Maine, boat sticker revenues are collected. In Maine, law enforcement officers inspect vessels.

McGowan expressed appreciation to Hyatt and DEP for addressing this important issue. He and Hyatt will further discuss the Lake Authority enforcement program. While DEP will pursue legislation so that DEP enforcement officers can enforce the invasive plant legislation, the Council would need to take action to change the Sec. 15-180 misdemeanor to an infraction. Sutherland will help with this. McGowan moved (second: Musgrave) to express appreciation to DEP to take steps for conservation officers to enforce invasive plant statutes. The motion carried unanimously.

7. Legislative strategy for 2010; minimum budget concept, etc.

The group revisited the bare-bones or minimum budget concept. Sutherland stated that the Council hopes to maintain a budget of \$100,000 per year and that they should ask the Environment Committee to introduce a bill to that effect. Magnarelli commented that this information should be included in Musgrave's letter which will accompany the Annual Report given to the Environment Committee. Funding levels were discussed to continue to support Logan Senack's salary and fringe benefits as the CT Invasive Plant Coordinator. The remaining funds would support ongoing invasive plant education and enforcement, as well as emergency responses to new invasives. Prior to the February Council meeting, Sutherland will help with contacting the Environment Committee to introduce a bill.

8. Disposal of invasives (municipal waste streams)

The group discussed various ways that invasive plants are disposed of once they are removed from a property to minimize further spread via seeds or plant parts. Regulations differ from town to town regarding disposal of plant material in landfills or incinerators. Council members asked if stickers could be generated to put on bags designating the plant material as invasives and to be disposed of properly. Other suggestions were to contract with businesses that could be contacted to pick up and properly dispose of (incinerate) invasive plant material. The group decided to revisit this topic at the next meeting.

9. Other old or new business

-Murray is working on the *Myriophyllum* identification issue and will be contacting Don Les at the University of Connecticut to conduct DNA analysis.

-Mehrhoff requested that the Council bring in experts to discuss and clarify definitions of species, cultivars, and varieties.

-Mehrhoff also mentioned that the next CIPWG invasive plant symposium will be held on October 14, 2010 and that DEP had donated \$2,000 to support the previous symposium in 2008, which was attended by 400 people. He requested that DEP consider supporting the 2010 symposium.

-Mehrhoff volunteered to put a table together of nomenclatural standards for invasive plants to be discussed at a future meeting.

8. The next meeting is scheduled for February 9, 2010 at 2:00 p.m. at the Valley Laboratory in Windsor.

9. McGowan moved (second: Mehrhoff) to adjourn the meeting. The Council decided to adjourn at 3:42 pm.
