L. P3 : and : kook

## INVASIVE PLANTS COUNCIL

## THIRD ANNUAL REPORT

February 1, 2006



The Honorable William Finch State of Connecticut Senate Legislative Office Building Hartford, CT 06106

The Honorable Richard Roy State of Connecticut House of Representatives Legislative Office Building Hartford, CT 06106

Dear Senator Finch and Representative Roy:

This letter with attachments constitutes the third annual report of the Invasive Plants Council established pursuant to PA 03-136, as amended by PA 04-203.

#### The Council

The nine-member Council, which includes representatives of government, the nursery industry, scientists and environmental groups (see Attachment #1) has met eight times since the second annual report dated February 1, 2005. Department of Environmental Protection Deputy Commissioner David K. Leff has continued as Chairman. Dr. Louis Magnarelli, Director of the Connecticut Agricultural Experiment Station has remained Vice Chairman. The only change in Council membership was the addition of Department of Agriculture Commissioner F. Philip Prelli who succeeded former Commissioner Bruce Gresczyk.

The Council wishes to thank Jill Carr of the Department of Environmental Protection for applying her considerable administrative skills to the work of the Council, including taking minutes.

## Council Activities

The Council deliberated on a variety of issues regarding invasive plants management (see Minutes, Attachment #2). However, the need for, and means of funding an on-going program to control such plants dominated the meetings. While other matters were discussed and recommendations made, the Council feels that significant progress in identification, control, eradication, research, and public education of invasive plants will require a substantial funding commitment to a carefully thought out program.

Among the non-fiscal issues receiving the most attention from the Council were the need for public education pamphlets, whether or not municipalities should have authority to regulate invasive plants, the use of plant parts in commerce, the relative invasiveness of plant cultivars, further plant bans, and the Department of Environmental Protection's development of an Aquatic Nuisance Species Plan pursuant to Federal law.



The Council, through its Chairman, testified on two bills before the General Assembly's Environment Committee: HB 6254, An Act Concerning a Ban on the Sale of Brazilian Elodea, and SB 590, An Act Concerning Revisions to the Invasive Plant Provisions. The former bill was duplicative of existing law and did not make it out of the Environment Committee. The latter included several recommendations of the Council, but also expanded municipal authority to adopt invasive plant ordinances, within specific time frames. The provision on municipal ordinances was a subject of disagreement among Council Members. Ultimately, the bill passed the Senate with an amendment, but never came for a vote in the House. The Chairman also testified that the Council was interested in increasing boat registration fees to fund invasive plant work. That suggestion did not meet with interest from Environment Committee members.

## The Council heard the following presentations:

- \* Eleanor Mariani, DEP Boating Division, on state boat registration fees and on boating fees in Maine and New Hampshire to fund invasive plant work (See attachment #3).
- \* Bob Heffernan, Connecticut Green Industries, on plant parts used in the floral trade.
- \* Dr. Greg Bugbee, Connecticut Agricultural Experiment Station, on his lake and pond survey for invasive plants.
- \* Wayne Mezitt, Chairman, Weston Nurseries, Weston, Massachusetts, on how his state deals with cultivars.
- \* Brad Mitchell, Director, Regulatory Services, Massachusetts Department of Agricultural Resources, on the extensive plant ban list and phase in of bans in Massachusetts.

## Council Procedure on Cultivars and Plant Bans

The Council adopted a procedure regarding the 15 remaining species listed as invasive, but not included on the prohibited list under PA 04-203 (see attachment #4). The principal elements in this procedure are as follows:

- 1. Each remaining species will be discussed and voted on individually based on its own merits
- Any species for which research is being conducted to determine the invasiveness of cultivars will not be discussed regarding potential prohibition until the research is completed.

## RECOMMENDATIONS TO THE GENERAL ASSEMBLY

#### **Funding for Control of Invasive Plants**

| dgetary Needs (see Attachment #5 for details)          |  |   |
|--|--|---|
| DEP Invasive Plant Coordinator                         |  | \$ 80,000   |
| Early Detection and Rapid Response                     |  | \$125,000   |
| - · ·  |  | \$ 60,000   |
|  |  | \$ 20,000   |
| Administration   |  | \$ 15,000   |
| Grants to municipalities, lake associations, land trus | sts,   |   |
| etc. for control of species on publicly accessible     |  |   |
| land and waters.                                       |  | \$ <u>174,000</u>   |
| •  | TOTAL  | <u>\$474,000</u>  |
|  | Early Detection and Rapid Response Education and Outreach DOA & CAES Inspectors Administration Grants to municipalities, lake associations, land trus etc. for control of species on publicly accessible | DEP Invasive Plant Coordinator Early Detection and Rapid Response Education and Outreach DOA & CAES Inspectors Administration Grants to municipalities, lake associations, land trusts, etc. for control of species on publicly accessible land and waters. |

## Revenue Sources

- 1. Fee on plant sale locations (wholesale and retail)
  - Non profit and less than \$10,000 in sales \$25

## Greater than \$10,000 in sales - \$55

 Revenue estimated: (based on 3,200 large outlets and 500 non-profit & small outlets).

\$150,000

2. Increase in boat registration fees

- Fee graduated based on vessel length, but with the amount at \$2 per vessel if it were equally distributed.
- \$224,000 • Revenue estimated: (based on 112,000 registered vessels).

3. General Fund

• An appropriation of: TOTAL REVENUES \$100,000 \$474,000

#### Enforcement

- 1. Authorize the Department of Agriculture to inspect for banned invasive plants in pet shops and at other locations already inspected by the Department of Agriculture and to enforce invasive plant laws during these inspections.\*
- 2. Authorize the Connecticut Agricultural Experiment Station to inspect for the sale of banned invasive plants at nurseries and other locations the Station already inspects under Chapter 426.\*
- 3. Authorize DEP Environmental Conservation Police to enforce invasive plant laws.

#### Plant Regulation

- 1. Remove Pistia stratiotes (water lettuce) from the ban provisions of PA 04-203 because it will not survive the winter and is therefore not invasive.\*
- 2. In Section 8(a) of PA 03-136 delete the word "move" to ensure that removal of listed invasives for eradication, research or educational purposes is not subject to the sanction of the law.\*
- 3. Ban the sale or use in commerce of any flowering or fruiting plant parts of any plant on the banned list set forth in PA 03-136 and PA 04-203.
- 4. Reinstate the prohibition on municipal regulation of the sale or purchase of invasive plants through October 1, 2011.

#### Next Steps

As awareness of Invasive Plants among Connecticut citizens continues to rise, so has interest in taking action. The Department of Environmental Protection has continued to work on control of phragmites, water chestnut and other species and provided technical advice to municipalities and others. DEP will also continue to conduct aquatic plant surveys at state access lakes and ponds.

<sup>\*</sup>Recommendations also made in 2004

<sup>\*</sup>Recommendations also made in 2004.

These surveys provide significant information on the distribution of aquatic invasive plants and provide a mechanism for early detection of invasive species (i.e., water chestnut). The Connecticut Aquatic Nuisance Species Plan is expected to be approved by the U.S. Fish and Wildlife Service in 2006 and will make CT eligible for some federal funds. The Connecticut Agricultural Experiment Station has been engaged in inventory of aquatic nuisance species, control measures and increasing public awareness. The Connecticut Invasive Plant Working Group contacted the Department of Transportation for assistance in control of Mile-a Minute Vine. However, efforts have been limited since they are funded with the scarce resources allocated to other existing programs. Research on invasive plants continues at the University of Connecticut, focusing on determining the invasiveness of cultivars. The Connecticut Invasive Plant Working Group continues to conduct invasive plant symposia and other educational programs statewide.

The Council believes that if substantial progress is to be made in dealing with invasive plant species it will take a well planned, coordinated and comprehensive effort. To do so will require funding. The Council urges the General Assembly to fund the budget called for in this report. Doing so will not only focus the efforts of state government, but also enable the state to leverage the work on-going by non-profits such as The Nature Conservancy, lake associations, municipalities like Redding and Mansfield, and academic institutions such as the University of Connecticut's Invasive Plant Atlas of New England (IPANE) and the Connecticut Invasive Plant Working Group.

The Council appreciates the Environment Committee's and the General Assembly's interest in invasive plants. We stand ready to provide any assistance you require.

David K. Leff Chairman

DKL/jmc

## INVASIVE PLANTS COUNCIL MEMBERSHIP NOVEMBER 2005

Mr. David K. Leff (Chair)
Deputy Commissioner
Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127
David.leff@po.state.ct.us
860-424-3005

Dr. Louis Magnarelli (Co-Chair)
Connecticut Agricultural Experiment Station
123 Huntington Street
P.O. Box 1106
New Haven, CT 06504-1106
203-974-8440
louis.magnarelli@po.state.ct.us

Mr. David Goodwin 149 Schroback Road Plymouth, CT 06782 W: 860-635-5500, x721 daveg@millane.com

Mr. F. Philip Prelli
Commissioner
Department of Agriculture
165 Capitol Avenue
Room G-29
Hartford, CT 06106
Philip.prelli@po.state.ct.us
Virginia.Crooms@po.state.ct.us
860-713-2500

Mr. Paul Larson Sprucedale Gardens 20 East Quasset Road Woodstock, CT 06281 Pjlarson.clan@juno.com 860-974-0045 Mr. Tom McGowan, Exec. Director Lake Waramaug Task Force, Inc. 59 Beach Street Litchfield, CT 06759 tajmcgowan@yahoo.com 860-567-0555

Leslie J. Mehrhoff, Ph.D.
Director, Invasive Plant Atlas of
New England
George Safford Torrey Herbarium
University of Connecticut
Box U-43
75 North Eagleville Road
Storrs, CT 06269-3043
vasculum@uconnvm.uconn.edu
860-486-5708

Dr. Mary Musgrave
Professor and Head,
Department of Plant Science
University of Connecticut
1376 Storrs Road, Unit 4067
Storrs, CT 06269
mary.musgrave@uconn.edu
860-486-2925

Mr. David Sutherland The Nature Conservancy 55 High Street Middletown, CT 06457 dsutherland@tnc.org 860-344-0716, x-317

## Invasive Plants Council Meeting Tuesday, January 18, 2005 Minutes

A regular meeting of the Invasive Plants Council was held on Tuesday, January 18, 2005. David Leff, Chairman, called the meeting to order at 1:30 p.m. in the Holcombe Conference Room of the Department of Environmental Protection on 79 Elm Street, Hartford, Connecticut.

Present:

Six members of the Council were present: Dr. Leslie Mehrhoff, Mr. Paul Larson, Mr. David Sutherland, Mr. David Goodwin, Dr. Mary Musgrave and Chairman David Leff. These members constitute a quorum.

Absent:

Three members were absent: Dr. Louis Magnarelli, Commissioner Bruce Gresczyk and Mr. Tom McGowan

Minutes

Approved

The minutes of the November 8, 2004, regular meeting were read and approved.

Report of

The Chairman:

Chairman Leff reported that Mr. Michael Bloom, Clerk of the Environment Committee, would no longer be providing assistance to the Council. However, Senator Andrea Stillman will consider offering the service of the newly appointed clerk for the Council's meeting needs. The Senator will speak with the clerk and report back to Chairman Leff.

Review of the Annual Report

Chairman Leff opened up discussion on the Annual Report – Legislation last year changed the due date for this year's annual report to February 1, 2005. Although all subsequent due dates will be due on January 1.

Chairman Leff welcomed any comments or edits to the Annual Report.

Dr. Mehrhoff commented that on the second page some blanks need to be filled in. Mark Sellew is Prides Corner Farms. Second, part way down the page where it says, "Several field sites in Mansfield and surrounding towns include" it is Mansfield and Tolland.

Mr. Goodwin pointed out the two nurseries on the fieldtrip were Robert Bakers Companies and Imperial Nurseries.

Mr. Sutherland pointed out under Council Activities on the first page PA 03-136, to include PA 04-203.

Chairman Leff concurred and asked for additional recommendations.

Dr. Mehrhoff discussed the plant Pistia as not one that was recommended to be proposed for banning but had been banned by the legislation. Dr. Mehrhoff recommended that be taken off the list. Dr. Mehrhoff explained to the council Pista stratiotes, which is commonly known as Water Lettuce. Number 16 on the list.

Chairman Leff stated that would be the first of our new set of recommendations.

Mr. Goodwin asked how the Council should emphasize funding and remarked how Pennsylvania put out a pamphlet for public education. Mr. Goodwin emphasized the need to push that along driving the public education because that will change the market.

Chairman Leff stated that since getting general fund money is impossible we need to look for other sources. The plant tax had been discussed but it was felt that the cost is greater than what it would be worth. Chairman Leff mentioned charging some kind of flat registration fee to anyone who sells plants, whether it is Stop and Shop or a nursery, anyone who sells plants at retail. It was felt that if you broaden the base, you would not have to charge a great deal to raise some significant money.

Mr. Goodwin mentioned a registration form for nurseries to sell plants.

Chairman Leff suggested something that would be somewhat modest in terms of dollar amount per individual outlet to raise a substantial amount of money. Administratively easier than a tax.

Dr. Musgrave remarked that conceptually it's essentially saying that the industry is the bad guy and if you look at it, it is the people who continue to buy the plants. If there is any bad guy that is the behavior we want to discourage by these pamphlets.

Chairman Leff disagreed. He felt there was a nexus between selling plants and the matters that have to be dealt with.

Discussion went on in some length explaining boater's fees and how that compares to invasives and who takes responsibility.

Dr. Mehrhoff felt it was making the nursery industry pay twice. He stated that it was unfair to just ask the nursery industry to pay.

Mr. Sutherland explained that in terms of the banning, the vast majority of plants that have been banned are not important economically. His interest in this was making progress on banning some of the further plants as were agreed by the Council that it was only one strategy and he felt it was not going to take care of the need for rapid response and new invasives. He remarked about using a sliding scale based on sales volume and plants. Also depending on the number of outlets making the fee small enough you wouldn't need a sliding scale. Mr. Sutherland felt Comr. Leff was right in the sense that there is a connection. He commented on industry expressing openness to the whole taxing idea simply because they wanted to do something positive instead of fighting these battles every year. Mr. Sutherland also commented that Comr. Leff's idea was significantly easier administratively. Mr. Sutherland expressed doubt about getting a special tax passed.

DEP's revolving fund was discussed.

Chairman Leff stated that there is not enough money in that fund due to other projects.

Mr. Larson asked if the Council was set up to receive grants.

Chairman Leff stated as a Council, no. The Council is not a corporate entity. It would have to go through UConn or DEP or the Agricultural Experiment Station something as an independent corporate existence.

Mr. Larson asked about co-sponsorship for something like that.

Chairman Leff agreed it could be done by working with an association or a nonprofit entity, something that has a regular existence.

Council discussed the co-sponsorship piece at some length as well as the boating fee and the emergency response element.

Dr. Mehrhoff suggested having someone from DEP give the Council a generic estimate on a pamphlet like Pennsylvania's. Dr Mehrhoff suggested that any money that can be set aside for rapid response is probably the most crucial thing the Council can do.

Mr. Larson stated that it is such an unknown and you can't quantify it.

Chairman Leff asked the group to get back on point and work on the report and come up with recommendations for the legislature. This year's recommendations are to get funding other than general fund money.

Mr. Goodwin suggested Council look at next steps enforcement, use of fines. Who has the authorization if there is a violation for plants that are banned being sold? Is it municipal police or state police? Should we look for clarification from the legislature?

Chairman Leff felt that the Council should look to its own resources. It was stated that the use of fines was complicated and will be very few, if any, under this legislation. A little more careful reading of that statute was recommended and perhaps advice from legal council. Chairman Leff suggested item 3, which talks about the boating fee and suggested if Council wanted to make that recommendation.

Mr. Sutherland asked to continue with Dr. Musgrave's and Dr. Mehrhoff's point that this looks like we are hitting the industry twice or punishing them specifically. He used the analogy of the hunting industry. For decades they imposed taxes and fees on themselves that are used to accomplish good conservation, benefiting lots of other people. The program was created in order to accomplish good conservation and it was their A number 1 funding source for a variety of conservation initiatives. It was implemented through government agencies to administer and to distribute the money. Mr. Sutherland suggested that this could be something that could be agreed to by industry.

Chairman Leff explains the Pitman Robertson excise tax and use of the funds.

Mr. Sutherland: At least from an administrative aspect it seems practical.

Council discussed the deadline for introducing bills and changes to existing legislation to the General Assembly. The estimated deadline was determined by using the date for the last long session, which was around February 14, 2003 for the Environment Committee. (Committee Bills).

Chairman Leff stated that as far as funding, it is really up to the Council what they want to do or not do. If we don't propose some kind of independent source of funding, it is simply not going to happen.

Chairman Leff addressed the Council asking if there were other recommendations.

Dr. Les Mehrhoff was asked to speak on the methodology for proposing new additions to the list (Guidelines for Submitting a Candidate Species for Council Review).

Dr. Mehrhoff stated that he asked people who would be submitting the guideline form to be familiar with the legislation and asked them for enough information so we can then take an attempt at looking at plants to include. The website will be included for easy access to the legislation.

Chairman Leff asked Council if they wanted to add this to the accomplishments. A motion was entertained to accept the Guidelines for Submitting a Candidate Species for Council review. All those in favor, David Goodwin accepted the motion and Paul Larson seconded the motion. The motion was carried.

Chairman Leff added the accomplishment and will attach it to the report to the legislature.

Chairman Leff asked if anyone wanted to propose any additional recommendations. No other recommendations were proposed.

Mr. Goodwin asked if Council should include their authorization of the Department of Agriculture to inspect for invasive plants at pet shops and to also include the Agricultural Experiment Station with the nursery inspection.

Chairman Leff agreed.

Mr. Goodwin suggested that it be worded for cultivation and sales.

Chairman Leff asked for other recommendation. Hearing no reply he asked if Council wanted to take the financial equation off the table as far as this report and making recommendations as a source for specific funding.

Mr. Sutherland asked that they discuss and fine tune taxes vs. registration at a later date.

Dr. Musgrave asked if there was a time bomb waiting within municipal exemptions that we need to discuss?

Mr. Larson commented that the deadline was October 5, 2005 and recommended that they be extended for an additional year so at least it is not until October 5 or 6 of 2006.

Chairman Leff asked for a consensus?

Mr. Sutherland remarked that he would vote against that particular one in the sense that again the banning that has been done so far. He felt that the Council wouldn't get at the plants that are most problematic. Talked about not hearing banning on a statewide basis. He was opposed to that recommendation.

Dr. Mehrhoff agreed with Mr. Sutherland

David Goodwin and Les Mehrhoff discussed the cultivar issue. Dr. Mehrhoff felt the council needed data to make a scientific based decision on the cultivar issue.

Chairman Leff suggested that the council discuss this issue at another meeting by scheduling it as a specific agenda item and to return to the issue before them, recommendations to the General Assembly.

Discussions continued on municipal rights to ban plant species.

Chairman Leff recommended an extension to the date in order to help the Council in achieving compromise on some other issues.

Mr. Sutherland felt it could be brought up at some other point if some of these other things are brought up. However, he didn't see very much prospect of these items being brought up in a progressive way in the future or a way that is actually going to get implemented.

Dr. Mehrhoff state that he didn't feel the nursery industry has done much in the way of compromise with the species that we have identified as the problematic species and agreed with Chairman Leff.

Dr. Mehrhoff expressed concern about a compromise coming to fruition because of the past year's progress.

Council discussed their workload over the past year.

Mr. Sutherland stated that he had to leave for another meeting but wondered if it is possible to say that the following two items were recommended by a 4 to 2 vote by the Council. He wanted the record to show that Dr. Mehrhoff and he did not agree with the municipal plant ban recommendation.

ATTACHMENT 3

ATTACHMENT 4

ATTACHMENT 5

Chairman Leff entertained a motion to extend the preemption of municipal regulations of plants bans to October 2006. The motion was accepted by Mr. Larson and second by Mr. Goodwin. 3 in favor 2 opposed and Chairman Leff abstained. Motion carried.

Mr. Sutherland commented that he is in favor of the report as it stands.

Chairman Leff entertained a motion to accept the report.

Dr. Mehrhoff moved to accept the report as written with the corrections and changes that were discussed at this meeting and sending it to the legislature.

Mr. Larson, second the motion. The motion carried.

## Future Meeting Agendas

Commissioner Leff moved on to the next agenda item - setting the Council's agenda for the coming months.

February 15 at 1:30 p.m. location to be determined. Agenda

- Fees/boating fees
- Plant Parts

Dr. Musgrave stated that she would like to see some people from the florist industry come in as advisers. It was decided by the Council to invite a wholesale florist supplier to act as a resource expert. Mr. Goodwin is going to invite someone from the industry to attend the February 15 meeting.

Dr Mehrhoff would like the discussion to be dealt with on a species by species approach.

Chairman Leff and Dr. Mehrhoff discussed viable vs. nonviable plant parts.

Dr Mehrhoff wanted a list developed of those species that are not a problem or a list of species that are a problem and to be done on a species by species basis.

Chairman Leff moved to the March meeting agenda. Meeting to be held on March 15 at 1:30 p.m. location to be determined.

Agenda

Cultivars

 Developing invasive control calendar and a list of consultants and contractors.

Chairman Leff and Council members discussed at length the issue of developing a control calendar and recommended experts as well as the legal aspect of developing such a list. It was suggested to possibly have outside groups come up with an actual list with the Council's endorsement. Agriculture Experiment Station may have an existing list.

Chairman Leff moved to the April meeting agenda Meeting to be held on April 12 at 1:30 p.m. location to be determined.

#### Agenda

- Enforcement
- Education issue

Mr. Larson suggested a discussion on the cost of developing a pamphlet for Connecticut. A pamphlet similar to what was used in Pennsylvania or Massachusetts' brochures.

Council discussed inviting educators in this field to discuss outreach and someone from the Extension Service who often deals with agricultural based business like nurseries and municipal officials.

These individual would attend as a resource.

## Old or New Business

Discussion of the Forum

Council discussed the low turnout of invasive species advocates and how the groups were not well represented. It was largely felt that the forum was well advertised.

Dr. Mehrhoff distributed information for an exhibit at Yale University by the Guild of Natural History Illustrators on invasive species and a lecture series scheduled on Mondays. Mike Donohue, the director of the Peabody Museum, has offered to host one of the council meetings at the museum. Dr. Mehrhoff, specifically noted Pimentel's lecture series on "Who Pays". The exhibit is scheduled for one year.

Chairman Leff distributed a few news articles to the council with regard to the Union of Concerned Scientist about invasives from the Student Conservation Association and a couple articles from the Hartford Courant about the Farmington River Watershed Association. A volunteer effort to remove invasives in a park in Avon. Chairman Leff would like to invite some of these folks to a Council meeting to hear from them as to what it is that they will be doing.

Meeting adjourned at 2:50 p.m.

Respectfully Submitted,

Lynn M. Tobin DEP

ATTACHMENT 3

ATTACHMENT 4

**ATTACHMENT 5** 

## Minutes of February 15, 2005

Regular Meeting

A regular meeting of the Invasive Plants Council was held on Tuesday, February 15, 2005. David Leff, Chairman, called the meeting to order at 1:34 p.m. in the Ensign Conference Room of the Department of Environmental Protection on 79 Elm Street, Hartford, Connecticut.

Present:

Nine members of the Council were present: Dr. Louis Magnarelli, Mr. David Goodwin, Mr. Bruce Gresczyk, Mr. Paul Larson, Mr. David K. Leff, Mr. Tom McGowan, Dr. Leslie J. Mehrhoff, Dr. Mary Musgrave and Mr. David Sutherland.

Absent:

No Absences

Minutes

Approved:

Minutes of the January 18 meeting were read and approved with minor corrections. Mr. Paul Larson made a motion to accept the minutes; the motion was seconded. Council was in favor with no opposing votes. Motion carried.

Report of

The Chairman:

Chairman stated to Council members that he would like to proceed with agenda item number seven and number five due to the possibility of his early departure from the Council meeting to attend a meeting with DEP Commissioner McCarthy at 3 p.m. Council members agreed.

Second Annual Invasive Plants Council Report was distributed to Council members.

Old/New Business:

Senator Stillman granted the time of Susan Driscoll, Clerk of the Environment Committee, to take the minutes for the Council's meetings.

Chairman reported to the Council what the potential cost would be to create an invasive plants pamphlet like the Pennsylvania brochure.

| QTY. | #100 Dull | # 100 Gloss    |
|------|-----------|----------------|
| 1000 | \$775.    | <b>\$77</b> 0. |
| 5000 | \$1120.   | \$1115.        |

10,000

\$1545.

\$1135.

No decision on producing the pamphlets was made.

Chairman Leff discussed his desire to testify on two proposed bills referred to the Environment Committee, an Act concerning eradication efforts for invasive plant species and an Act concerning a ban on the sale of Brazilian Eldea. Chairman Leff commented that this opportunity would also be used as a springboard to explain to the Environment Committee what the Council is doing and that it does exist. Much discussion took place on what would be discussed and presented to the Environment Committee. Dr. Mehrhoff will provide Chairman Leff a write-up on Phragmites for his testimony.

**Boating Fees:** 

Ms. Eleanor Mariani, Director of the DEP Boating Division, addressed the Council and gave a summary of Maine and New Hampshire's invasive species management strategies through boating fees. Ms. Mariani explained in detail how Maine and New Hampshire are in the front running for collecting boating fees annually and how they structured their fee schedules. Maine assesses boating fees through a Lake and River Protection Sticker Program. New Hampshire assesses its fees through boater registration. She discussed how the revenue is used and penalties are handled for each state.

Dr. Mehrhoff questioned if New Hampshire's lake monitoring program was funded through this program. Ms. Mariani will verify with New Hampshire.

Chairman Leff addressed Council and they discussed in detail how this strategy would benefit Connecticut. A lengthy discussion took place on a variety of aspects of dealing with many issue surrounding the boating fees and the boating community. Much emphasis was put on how Connecticut should collect fees and whether it would include both inland and marine vessels. Ms. Mariani offered to have DEP staff hand out brochures on clean lakes as an educational outreach to boaters.

Mr. McGowan made a motion to have the legislature consider acting on a boating fee to prevent the introduction and spread of aquatic invasive species similar to Maine and New Hampshire. The motion was seconded. Setting a \$5.00 fee increase to boaters through boater registration was up for discussion. Council agreed to the \$5.00 fee and the Chairman asked for a vote. All members were in favor with no opposing votes. Motion carried. Chairman Leff will contact Mr. Grant Westerson from the Connecticut Marine Trades Association to alert him of the decision.

Mr. Robert V, Heffernan, Executive Secretary, from the Connecticut Nursery & Landscape Association was invited by the Council to act as a resource expert with regard to the topic of using plant parts from banned plants. Mr. Heffernan discussed four specific plant species with the Council and their impact to the environment.

- Oriental bittersweet
- Phragmites -
- Purple loosestrife
- Star-of-Bethlehem

A discussion by the Council followed with regard to each species and the threat each species has on Connecticut's environment and the use of these plants by the florist industry verses the public. Mr. Heffernan stated that Bittersweet was used more commonly by the public and less by florists. Mr. Heffernan stated that public education is the biggest problem with bittersweet. Star-of-Bethlehem was not considered a big problem due to the way it was used by the florist industry. Council discussed the use of bittersweet by the florist industry and the seed longevity. Each plant was discussed in detail with regard to the viability of the seeds germinating. Dr. Mehrhoff said he will talk to experts about germination of Phragmites.

Chairman Leff turned the meeting over to Dr. Magnarelli at 2:50 p.m.

Mr. Heffernan and the Council members concluded their discussion on plant parts with a discussion of the florist industries process of freeze-drying plants.

Dr. Magnarelli asked Council members if there were any further comments. Hearing none, Dr. Magnarelli moved to the next item on the agenda.

# New/Old Business:

Dr. Mehrhoff addressed the Council with a name change from Phragmites Australis to subsb. Phragmites Australis.

Dr. Mehrhoff stated to Council that the Connecticut Invasive Work Group Steering Committee will be attending the Hartford Flower Show, which is scheduled soon. The Steering Committee would like to make copies of the official list of banned plants for their exhibit. The Steering Committee would also like to suggest to Council Members to have DEP, Agriculture and the Agricultural Experiment Station supply lists of banned plants to all essential and current groups and the legislation. Discussion of this mailing was heard and Mr. Heffernan and Commissioner Gresczyk agreed to mail the Invasive

**ATTACHMENT 3** 

**ATTACHMENT 4** 

**ATTACHMENT 5** 

Species Ban List and the legislation out to concerned groups. Mr. Heffernan agreed to mail to Green Industry organizations and Commissioner Gresczyk to seed, feed and fertilizer groups. Dr. Mehrhoff will put together a statement on behalf of the Council and Agriculture and the Agricultural Experiment Station and distribute it to the various organizations

Dr. Mehrhoff reminded the Council that an invitation from the Peabody Museum for a Council meeting was still open along with a tour of the invasive species exhibit. Council decided to wait until after the legislative session was over to hold a Council meeting at the museum.

Paul Larson made a motion to change the schedule for the Council's April meeting; the motion was seconded. Discussion by Council members to put April's agenda items off until May unless Chairman Leff would like to add them to the March meeting. All Council members were in favor with no opposing votes.

Dr. Magnarelli asked if there were any other comments. Hearing none, Mr. McGowan motioned to adjourn the meeting. The motion was seconded and all members were in favor with no opposing votes. Motion carried.

Adjournment:

Meeting adjourned at 3:12 p.m.

Respectfully Submitted

Lynn M. Tobin Department of Environmental Protection

## INVASIVE PLANT COUNCIL MEETING

## Minutes of May 10, 2005

Regular Meeting

A regular meeting of the Invasive Plants Council was held on Tuesday, May 10, 2005. David Leff, Chairman, called the meeting to order at 1:36 p.m. in the Ensign Conference Room of the Department of Environmental Protection on 79 Elm Street, Hartford, Connecticut.

Present:

Seven members of the Council were present: Mr. David K. Leff, Dr. Louis Magnarelli, Mr. David Goodwin, Mr. Paul Larson, Mr. Tom McGowan, Dr. Leslie J. Mehrhoff, and Dr. Mary Musgrave. These members constitute a quorum.

Absent:

Department of Agriculture and Mr. David Sutherland, The Nature Conservancy

Minutes Approved:

A motion was made by Mr. David Goodwin and seconded by Dr. Leslie Mehrhoff to accept the minutes with no edits or changes. Council Members unanimously voted in favor of the approval of the minutes by a voice vote with no opposing votes. Motion carried.

Legislation:

Council discussed at great length legislation (Substitute Senate Bill No. 590) An Act Concerning Revisions to the Invasive Plant Provisions. Some of the positive elements to the legislation included: plants to be moved for eradication, eliminates the ban on water lettuce, allows the Commissioner of Agriculture to inspect pet shops for invasive plants, allows the Director of the Agricultural Experiment Station to inspect nurseries for invasive plants. The Bill has pasted the Senate with an amendment to municipal ordinances with a limitation going into effect prior to May 16, 2006. The Bill is on the House Calendar.

Chairman Leff passed out informative handouts to Council Members:

- Town of Redding environmental initiative to control and replace invasive species on public and private land. Includes kick-off lecture on May 18. Speaker Peter Alden
- Mansfield's Park and Recreation Department sponsors for volunteers, every two weeks, work on invasive plants.
- National Geographic Article: attack of the alien invaders
- Draft Executive Summary for the Connecticut Aquatic Nuisance Species Management Plan by Bill Hyatt, Fisheries Director, DEP.

- Notification of Banned Plants that are being sold in pet stores.
   Need for a contact information on the notification sheet.
- Copy of the Senate Amendment and Legislative History

#### Plant Parts:

Review and discussion of plant parts was discussed in detail by Council Members.

- Oriental bittersweet Is not used widely by floral industry. Used more by the public
- Phragmites –Dr. Kristin Saltonstall, an expert in germination of Phragmites, felt that Phragmites plant parts would be a potential problem.
- Purple Loosestrife Floral industry does not use Purple Loosestrife. Public use is greater.
- Star-of-Bethlehem Was represented as being widely used in the floral industry. Council agreed using plant part was not a problem with this plant.

Council Members agreed that plant parts need to be covered by the law with the exception of Star-of-Bethlehem. Council also discussed whether Council wanted to include a ban on the plant parts, any use of them, or just in commercial use.

A motion was made by Mr. Tom McGowan and seconded by Dr. Leslie Mehrhoff to ban the sale or use in commerce of any flowering or fruiting plant parts of any plant on the banned list. A voice vote was taken. Two members abstained, two members opposed and three member voted in favor. **Motion Carried**.

#### **Boating Fees:**

Council discussed potential fees for funding invasive plant work through boating fees and/or registration fees by commercial plant vendors. Dr. Magnarelli will bring back data for the next Council meeting in June on the 300 to 350 registered plant vendors in Connecticut. Mr. Bob Heffernan, Executive Secretary, from the Connecticut Nursery & Landscape Association will bring back data on commercial groups for the June meeting. Council asked to have DEP look into boating fees in other states. At the February Council meeting it was noted that a comprehensive presentation was given by Ms Eleanor Mariani, Director of the DEP Boating Division explaining management strategies through boating fees for Maine and New Hampshire. However, Chairman Leff will contact staff and report back to Council at the June meeting.

## Budget:

Council briefly discussed budget issues. It was suggested to form a subcommittee to address Council budget. It was ultimately agreed by

Council Members to address this topic as an agenda item for the June 14, 2005, meeting for full Council discussion.

Cultivars:

Dr. Mehrhoff submitted a report to the Council entitled Cultivars and the Connecticut Invasive Species Laws. Dr. Mehrhoff led the Council in a step-by-step review of his report. There was a protracted discussion by all members of the Council on this topic. Mr. Goodwin specifically noted an article on cultivars that highlighted the state of Oregon. The Chairman asked Mr. Goodwin for a copy of the article and also inquired if Mr. Goodwin would contact someone in Oregon on why they do it differently and report back to the full Council. Mr. Goodwin agreed and will report to the Council. The Chairman stated that he would like to review Dr. Mehrhoff's report and to read the Oregon article. Council agreed that it would be useful to invite someone from Massachusetts to come to a Council meeting to discuss options with regard to cultivars. Mr. Goodwin agreed to invite Wayne Mezitt, past president of the ALA from Massachusetts to give a presentation on cultivars at the next Council meeting.

New/Old Business:

Dr. Magnarelli presented a new guide entitle *Invasive Aquatic Plants* in *Connecticut* to all Council Members. The Connecticut Agricultural Experiment Station published the booklet, which is gear to the general public in an effort to get volunteers to monitor the lakes. The guide was well received by all Council Members.

The next regular meeting of the Invasive Plant Council will be held on Tuesday, June 14, 2005, at 10:30 a.m., location to be determined. Agenda for the June 14 meeting will be as follows:

- Budget for Council
- Boating Fees
- Terrestrial Fees
- Cultivar Presentation

Adjournment:

A motion was made by Mr. Goodwin to adjourn the meeting and seconded by Mr. McGowan. Meeting adjourned at 3:12 p.m.

Respectfully Submitted

Lynn M. Tobin Department of Environmental Protection

## INVASIVE PLANT COUNCIL MEETING Minutes of June 14, 2005

## APPROVED BY COUNCIL

Regular Meeting

A regular meeting of the Invasive Plants Council was held on Tuesday, June 14, 2005. David Leff, Chairman, called the meeting to order at 10:32 a.m. in the Ensign Conference Room of the Department of Environmental Protection on 79 Elm Street, Hartford, Connecticut.

Attendees:

Nine members of the Council were present: Mr. David K. Leff, Dr. Louis Magnarelli, Mr. David Goodwin, Mr. F. Philip Prelli, Mr. Paul Larson, Mr. Tom McGowan, Dr. Leslie J. Mehrhoff, Dr. Mary Musgrave and Mr. David Sutherland.

David introduced the new Commissioner of the Department of Agriculture, Mr. F. Philip Prelli. Also, introduced Ms. Nancy Cohen of CT Public Radio. The following organizations were represented at the meeting: CT Agricultural Experiment Station; CT Invasive Plants Working Group; and

Audubon Society.

Absent:

No Absences.

Minutes Approved:

Minutes of the May 10, 2005, meeting were read and approved with minor editorial changes. Dr. Magnarelli made a motion to accept the minutes; Mr. David Goodwin seconded the motion. Council unanimously voted in favor by voice vote with no opposing votes. Motion carried.

Legislative Update:

Mr. Thomas Tyler, Legislative Liaison from the Department of Environmental Protection addressed Council Members with regard to Senate Bill 590 on invasive plant species. The Bill ultimately failed in the House and now leaves the state with current law, which is a moratorium until October 1, 2005.

Mr. Heffernan stated that the Green Industries was unhappy the Bill did not pass.

Chairman Leff stated that the Bill would have also included the authority of the Commissioner of Agriculture and the Experiment Station to enforce the invasive plant laws and that has failed as well.

Council discussed at great lengths what they have learned from this year's legislative process and what they could do differently for the next legislative session. Next year, propose same piece of legislation. Work with lake associations and The Nature Conservancy. Need a unified game plan in place before legislation begins in 2006. Tom Tyler to provide one page deadlines to Council before 2006 legislative session.

Council members are encouraged to e-mail Chairman Leff about how to proceed and look at issues thoroughly before the Legislative Session commences.

#### Aquatic Invasive Plants:

Mr. Greg Bugbee, from the Connecticut Agricultural Experiment Station gave a presentation on the Experiment Station's work on Aquatic Invasive Plants. The presentation's primary focus was on the management of lakes and ponds. Discussion topics included:

- Lake/Pond Survey sent to every town to complete. To date, approximately 70 towns have replied to the survey.
- Types of Invasive Plant Species
- Aquatic Plant Management
- · Out-reach Programs
- Publication A Guide to invasive Aquatic Plants in Connecticut
- Workshops for the Public that live around the lake/ponds
- Development of a web page All the work that has been done is posted on the web site: <a href="www.caes.state.ct.us/aquaticplants">www.caes.state.ct.us/aquaticplants</a>
- In the process of developing a database in cooperation with DEP's National Diversity Database with Nancy Murray. Information on plants will be posted for the public's use.

A lengthy question and answer session with Council members followed the conclusion of Mr. Bugbee's presentation. Discussion Topics included:

- Non-Invasive Plant Management
- Pesticide Application
- Volunteer Program/Training for Individuals to Identify Invasive Plants in Lakes and Ponds (CAES held 3 workshops for volunteer training.)
- Aquatic Funding and Criteria/benchmarks for the Funding
- Request for signage at each Boat Launch indicating the types of Invasive Plants in a particular lake or pond for Public Awareness

#### Cultivars:

Mr. Wayne Mezitt from the State Massachusetts addressed the Council members on Massachusetts' strategies, research, legislation and funding efforts with regard to dealing with cultivars and invasive plants. There was a discussion about the Horticulture Research Institute, which has provided private funding to the State of Massachusetts for research on cultivars.

Chairman Leff thanked Mr. Mezitt for his presentation and asked him to stay and join the Council members in further discussion of cultivars.

#### Hand-Outs:

Chairman Leff gave handouts to the Council Members on invasive species – Parade Magazine article Can They be Stopped? Dr. Magnarelli supplied a list of the nursery dealer's, which will help in thinking of our funding sources in terms of determining a fee or assessment. A handbill was distributed about the public meetings for the CT aquatic nuisance

species working group plan. Updated Council membership list. A summary of management strategies that had been handed out previously by DEP Boating staff and deals with aquatic species that shows Maine and New Hampshire impose boating fees. DEP Draft Funding Request for invasive plant project meant for a discussion piece only.

New Business:

Meetings – No meetings scheduled for July and August. Meetings will be scheduled for the first Tuesday of each month at 10:30 a.m. at the DEP Headquarters, conference room to be determined. Remaining meetings scheduled for 2005:

- September 6, 2005
- October 11, 2005
- November 1, 2005
- December 13, 2005

Mr. Goodwin motioned to table the agenda item on funding and fees until the next Council meeting on Tuesday, September 6, 2005. The Council voted unanimously by voice vote. Motion carried.

Mr. McGowan personally thanked the CAES representatives for their presentation because it is very important to CT. Asked Chair if he could meet with CAES as a follow up on a regular basis. The Chair agreed to this.

The Council deemed it could be more effective if each member met individually with legislator leaders and lake associations.

Adjournment:

Meeting adjourned at 12:10 p.m.

## INVASIVE PLANT COUNCIL MEETING Minutes of September 6, 2005

## Approved by Council

Regular Meeting

A regular meeting of the Invasive Plants Council was held on Tuesday, September 6, 2005. David Leff, Chairman, called the meeting to order at 10:32 a.m. in the Ensign Conference Room of the Department of Environmental Protection on 79 Elm Street, Hartford, Connecticut.

Attendees:

All members of the Council were present: Mr. David K. Leff, Dr. Louis Magnarelli, Mr. F. Philip Prelli, Mr. Paul Larson, Mr. Tom McGowan, Dr. Leslie J. Mehrhoff, Dr. Mary Musgrave and Mr. David Sutherland. The following organizations were represented at the meeting: CT Invasive Plants Working Group; CT Nurseryman Association and Audubon Society.

Absent:

No Absences.

Minutes
Approved:

Minutes of the June 15, 2005, meeting were read and approved with minor editorial changes. Chairman Leff motioned to accept the Minutes. Council unanimously voted in favor by voice vote with no opposing votes. Motion carried.

Council Issues:

Chairman David Leff noted important issues: funding, cultivars, plant parts and enforcement. Legislation last year did not pass. The Council needs to take action since invasive plants are a very significant issue among the public, as they are now aware of invasive species. Council needs to move forward over the next year. The Council will need to be prepared to make recommendations to the General Assembly. The upcoming legislative year will be a short session.

Commissioner Prelli noted since the upcoming legislative year will be a short session, he is not sure Invasive Plants will be a top priority during the Session. He would like to see the Council work on small piece(s) and do it correctly. Chairman David Leff agreed with Commissioner Prelli.

David Sutherland stated the Council should be able to come to some agreement before the General Assembly meets. Need to try to come to a consensus on few issues – starting today. Funding is important to push forward through the General Assembly.

Chairman David Leff feels the Council needs to revisit the enforcement issue and put forward a plan for approval by the General Assembly on this matter.

Chairman David Leff feels that funding will need to come from the industry or groups that have a stake in invasives, i.e., boating groups.

Chairman Leff noted that the Aquatic Nuisance Plan is coming to completion. The federal monies of approximately \$70,000 could be made

available. Per Nancy Murray there is a 25% match. Much discussion took place among the group about the proposed Invasive Plant Coordinator position. Proposed duties: Web site portal, rapid response, implementation of funding and coordination. Per Nancy Murray- she will make the Plan available on the website by November 1<sup>st</sup>, which will be distributed to the Council. She is working with the USFW Coordinators – it is critically important CT comes up with some funding for Invasive Plants Program.

There was much group discussion on staffing and coordination to track invasive plants and follow up on phone calls from public. Co-Chairman Magnarelli - CAES will need another staff person (as it is down one inspector due to layoffs). Now tracking where plants come through the system -the tracing part takes a lot of staff time. Commissioner Prelli stated that the Dept. of Agriculture needs dollars to do inspections. It is looking at employing another Animal Control Officer to help with pet shop inspections. The Council needs to address training costs and a staff overtime budget (most calls come in from the public on weekends). Also, need justification of any new hires or overtime for invasive plants issues. Per Chairman David Leff, DEP is down 9 Conservation Officers (which helps with enforcement). Chairman David Leff also noted that all agencies that are part of the Council, have the same problem because there is no line item within the agencies' budgets for invasive plant issues. Les Mehrhoff feels the Council needs to focus and prepare real budget information for the next Council meeting. Chairman David Leff said the Council couldn't move to the next level without devoting time to budget and funding sources. Council will need to seek a line item or dedicated source of funding from the legislature. David Sutherland suggested that Council develop a wish list for the legislature. Chairman David Leff feels Council needs to garner real funding for the Coordinator position. At the October 11th Council meeting be prepared to discuss budget and how to approach getting funding and the Massachusetts Proposed Prohibited Plant List.

General Discussion Tom McGowan asked about the Aquatic Nuisance Plan for Council Review. Nancy Murray suggested waiting until the next version comes out – probably in November. Tom McGowan spoke about success stories about organizations that do good work on eradication. Example: Bridgewater-Roxbury area. This eradication project was done by the Department of Transportation (DOT), including the right-of-way land and into private lands too. Tom McGowan suggested that a letter of commendation be sent to DOT. David Sutherland spoke about Congress' Transportation Bill that was just passed. Possibly using discretionary dollars from Connecticut's allotment for future eradication projects.

Commissioner Prelli mentioned differences between Massachusetts and Connecticut's Proposed Prohibited Plant List. How does the nurseries know when something is brought in over the line? Much discussion took place on this. Also, much discussion on infected plants took place too.

Cultivars:

David Goodwin to check with Oregon on how they do things on cultivars. Les Mehrhoff suggested the Council work with academic institutions to find out what research is being done on cultivars invasive species. Also, suggested using the research project(s) found and using that actual information and deadline dates - this way the Council will wait until the research is completed – lets not make them rush ahead with their project(s). Chairman David Leff requested that Council members e-mail by October 4th to Jill Carr "on whose doing what research into cultivars."

Mr. Brad Mitchell of the State of Massachusetts to attend the October 11th Council meeting to discuss the MA Proposed Prohibited Plant List.

Handouts:

Chairman Leff distributed handouts to Council Members & Attendees:

- Summary of State Invasive Species Management Strategies.
- Estimate of Companies/Organizations Selling Plants in CT.
- 3. Funding Requested for Invasive Plant Projects
- 4. 2<sup>nd</sup> New England Invasive Plant Summit Brochure.

Next Meeting:

October 11, 2005 at 10:30 a.m. in the Ensign Room at 79 Elm Street, Hartford, CT.

Adjournment:

Meeting adjourned at 12:10 p.m.

#### INVASIVE PLANT COUNCIL MEETING Minutes of October 11, 2005

#### Approved by Council

Regular Meeting

A regular meeting of the Invasive Plants Council was held on Tuesday, October 11, 2005. David Leff, Chairman, called the meeting to order at 10:32 a.m. in the Ensign Conference Room of the Department of Environmental Protection on 79 Elm Street, Hartford, Connecticut.

Attendees:

All members of the Council were present: Mr. David K. Leff, Dr. Louis Magnarelli, Mr. F. Philip Prelli, Mr. Paul Larson, Mr. David Goodwin, Mr. Tom McGowan, Dr. Leslie J. Mehrhoff, Dr. Mary Musgrave and Mr. David Sutherland.

The following organizations were represented at the meeting: Ct Invasive Plants Working Group, Ct Nurseryman Association and Audubon Society. Mr. Brad Mitchell attended on behalf of the State of Massachusetts. Ms. Nancy Cohen attended on behalf of CT Public Radio. Nancy Murray of the DEP.

Absent:

No Absences.

Minutes
Approved:

Minutes of the September 6, 2005, meeting were read and approved with minor editorial changes. Chairman Leff motioned to accept the Minutes. Council unanimously voted in favor by voice vote with no opposing votes. Motion carried.

Massachusetts Prohibited Plant List:

Mr. Brad Mitchell of the State of Massachusetts attended as a guest to give an overview of what Massachusetts is presently doing to handle cultivars. Massachusetts regulations are still in the comment period. He spoke in depth on invasive plants, where Massachusetts is heading on this issue and the Massachusetts Invasive Plant Advisory Group (MIPAG), which is made up of state agencies and private organizations. There are two (2) lists: the Federal Noxious Weed List and the lists done by MIPAG. Les Mehrhoff discussed the differences between the Connecticut and Massachusetts lists. Commissioner Prelli also looked at a New York list – there are differences between the three states. Les Mehrhoff stated that New York has a task force in place by the Governor to create a criteria list.

Potential Fees For Funding Invasives

Work:

Chairman Leff asked if there were any comments from members regarding funding requests for invasive plant projects. This subject has been brought up in past meetings. Nancy Murray suggested that a list be put together to justify staffing and funding (especially for new invaders.) More discussion took place between Chairman Leff, Commissioner Prelli, Dr. Magnarelli, and David Goodwin. Chairman Leff spoke about last year's legislation

(which did not pass) on using a portion of boating fees to help fund the Invasive Plants Council. There are 112,000 vessels registered in Connecticut. There was discussion about requesting the Appropriations Committee to consider funding by using an existing fund.

#### Cultivars:

Mr. Brad Mitchell stated that new cultivars need justification and need to prove to the state of Massachusetts why they should or should not be considered invasive. Les Mehrhoff reiterated the same. Various comments by Council members: the nursery industry has to be careful because some non-invasive cultivars are mislabeled; a tracking system is needed and a criterion is necessary. Council members, Commissioner Prelli, Les Mehrhoff and David Goodwin had further discussion on the subject of cultivars. David Goodwin said this really is a regional issue – not related to just Connecticut or Massachusetts. David Sutherland feels that it will be necessary to prioritize plants for eradication success.

# Other Old or New Business:

Again, much discussion between Council members took place on staffing needed for enforcement and eradication of invasive plants. Discussion took place on the jurisdiction differences between the CT Departments of Agriculture and Environmental Protection and the CT Agricultural Experiment Station; private landowners property; public perception of invasives; "2006" legislative package. Chairman Leff requested a write up from Co-Chairman Magnarelli and Commissioner Prelli on hiring, so this request can be submitted to the legislature.

Discussion took place about the possibility of inviting the Senate and House Chairs to a future Invasive Plants Council meeting. Chairman Leff wants to look at a spending plan to be finalized at next meeting.

Next meeting agenda: Funding and Legislation. Commissioner Prelli is to invite Dr. Sherman to next meeting.

**Next Meeting:** 

November 1, 2005 at 10:30 a.m. in the Ensign Room at 79 Elm Street, Hartford, CT.

Adjournment:

Meeting adjourned at 12:35 p.m.

Respectfully Submitted,

Jill Carr
Department of Environmental Protection

A regular meeting of the Invasive Plants Council was held on Tuesday, November 1, 2005. David Leff, Chairman, called the meeting to order at 10:40 a.m. in the Ensign Conference Room of the Department of Environmental Protection on 79 Elm Street, Hartford, Connecticut.

Attendees:

Members present: Mr. David K. Leff, Dr. Louis Magnarelli, Mr. David Goodwin, Commissioner F. Philip Prelli, Mr. Paul Larson, Dr. Les Mehrhoff.

The following attended the meeting: Donna Ellis on behalf of member, Dr. Mary Musgrave; Ms. Nancy Murray of the DEP; Bob Heffernan for Ct Nurseryman Association and Sandy Breslin for Audubon Society.

Absent:

Dr. Mary Musgrave; Mr. David Sutherland.

Minutes Approved:

Minutes of the October 11, 2005, 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.

Other Legislative Matters and Pre-emption:

Chairman Leff summarized last year's legislation that did not get passed by the General Assembly: to allow inspections by the Dept. of Agriculture; to allow inspections by the Ct Agricultural Experiment Station; to delete the word "move" from the banned practices; to remove water lettuce from the banned list; Council had voted back in May to ban the sale or use of commerce of any flowering or fruiting plant parts of the plant on the banned list; to allow the enforcement of the law by the DEP Environment Conservation Police. All these listed items are a consensus by members of the Council regarding non-fiscal legislation.

Chairman Leff, Commissioner Prelli and David Goodwin discussed about the municipal pre-emption. Chairman Leff brought up other subjects to discuss as potential for legislation: cultivars and town plant bans. David Goodwin said there should be a statewide plant ban list vs. town plant ban lists. Les Mehrhoff said that it would be more important to first discuss what we are going to do with cultivars. Chairman Leff feels that the Council can't discuss one without discussing the other issue. Maybe a compromise can be found. Bob Heffernan said that the Green Industry believes if you let the towns ban plants then it could make the Invasive Plants Council less authorative. Commissioner Prelli said it's important to say, "where the IPC group is coming from" and not let the outside say where the IPC Council is going. We know down the road we'll have to make compromises.

David Goodwin stated that IPC originally banned 87 plants; the majority of the Council said "yes" – let's talk about the pre-emption ban on its merit and talk about cultivars on it's merit. Chairman Leff said again that's reason for forging a compromise as a group.

Les Mehrhoff – did not vote on the original ban list because he feels species' votes should not be grouped as one. He feels each species should be voted on individually. Example: last year he did not think Star of Bethlehem should not be banned. The way it its now, if not agreeing with one species then must vote against all species. He thinks one statewide ban list is better than 169 different town lists. Again, separate, single issues would be better.

Commissioner Prelli sees the cultivars and pre-emption list as two diverse points. Chairman Leff thinks the issue of further bans and municipal pre-emption are less important than getting the five of six (last year's legislation) listed above passed and coming up with some dollars to do educational and rapid response work to deal with invasive plants. David Goodwin said where plants have been here for many years – let's look at later.

**Funding** 

Chairman Leff introduced again the previously discussed funding strategy. There are 112,000 vessels in CT: example: add \$1.00 to each registration = \$112,000 additional dollars. It could work in a gradual way by length of vessel. For perspective in Maine: resident sticker \$10.00; non-resident sticker: \$20.00. In New Hampshire: \$5.00 per registered vessel (for in-land waters). Bob Heffernan came up with 3,700 companies and retail outlets (500 represent non profits, i.e., schools, boy and girl scouts, etc.) selling plants. Previous discussions suggested using maybe a \$50 fee for outlets and maybe a \$25 fee for non-profits.

David Goodwin asked if there were ever any matching funds for the proposed fee. He said there does not appear to be any commitment from the legislature to help with funding. Chairman Leff said he was correct. Chairman Leff said it would be reasonable for dollars to come from boaters because of the need to deal with aquatic species and from plant sellers for terrestrial plants. It would then be reasonable to look to the General Assembly to come up with some funds since user groups are providing dollars. A flat fee assessment or registration fee would be easier to administer than a graduated one. Paul Larson reiterated the \$50 fee for wholesalers and \$25 to non-profits - based on the amount sold throughout the year. Another example of sellers: hardware stores that sell a few plants. Dr. Magnarelli said there will be some people who will not want to pay the \$50 fee - what kind of enforcement will there be? Who will do the chasing of violators? Will need to fine people who do not pay. Paul Larson stated the need to decide which department will be in charge or where fees will be deposited. It will be necessary to be able to move dollars to other state agencies, i.e., Department of Agriculture and CT Agriculture Experiment Station. Commissioner Prelli said IPC should be careful in writing the legislation/fees. Reminder, there are many small farm stands in Connecticut. Donna Ellis: Does the list include all of the Green Industry - either registered through the State or in on other lists, i.e., such as supermarkets, listed with the Department of Agriculture? Les Mehrhoff brought up pet stores. Commissioner Prelli said there are approximately 1,100 pet stores in CT -

but not all sell plants. There are a lot of aquarium stores that sell plants. There are also grain outlets too. Some pet stores only sell dogs and cats. Chairman Leff said not to make this too complex. Keep as simple as possible. Commissioner Prelli said to pass the legislation fee bill it may need go to many different committees and because of this it maybe better to put together as several bills. Chairman Leff wants to put together the principles or synopsis of the proposed bill. Let's try to put together a bill and invite the Environment Co-Chairs and ranking members to attend the next IPC meeting on 12/13/05 IPC.

Chairman Leff asked if there was a consensus on the boating fee. Discussion took place between Commissioner Prelli, Nancy Murray, Les Mehrhoff and David Goodwin. Les M. thinks extra funding beyond the administration monies, can help with educational funding. David Goodwin asked the question: average length of boats in salt water vs. fresh water? Chairman Leff said he didn't think that data were available. He has information on the length of boats. Dr. Magnarelli lost an inspector in last lay off - his staff is stretched thin. Commissioner Prelli suggested that provided we could come up with approximately \$285,000 - maybe ask Appropriations Committee for \$100,000 - then we can raise near \$300,000. Les Mehrhoff said better to go for high number of dollars and we will probably get something less. Chairman Leff does not want to risk losing any amount because right now we have zero dollars. Les Mehrhoff stated we use a lot of volunteers - so not really zero dollars. Commissioner Prelli said better chance to justify your baseline - plus niceties and necessities - that should be the approach we should use. We know we need \$300,000 - looking for commitment from legislature - \$100,00 will be more probable to receive.

Chairman Leff said that we need to make our case; this is going to be a hard sell – may take 2, 3 or 4 years to get request through. Even will be a hard sell to the boaters. Commissioner Prelli stated that legislators in the urban areas would not think this would be important.

Chairman Leff requested Nancy Murray to put together a revised budget and submit to him for distribution. Paul Larson stated the need to take a comprehensive approach that would include: boating fees and plant sales – then it may be approved.

Chairman Leff: we have consensus on the six before mentioned list of items: \$2.00 average surcharge from boating fees; \$50 surcharge for outlets to sell plants; \$25 surcharge for non-profits to sell plants. Asked if there was anything else for proposed legislation.

Chairman Leff noted a document sent in by Bob Heffernan had eight items and four of the items were part of the six items brought up today: preemption; added plants to the ban list; and budgetary authority. Only remaining item: standard for measurement of invasiveness.

Cultivars:

Les Mehrhoff proposed there be three lists as follows: 1) those species that IPC Council will not recommend as banned; 2) present on-going research of a particular specie: if told it will take 3 years for completion of research, then Council Members should agree to put that particular species' aside until said time research is completed; and 3) species where there is no research going

on: then the IPC Council may discuss and decide how to proceed with that species. There will be good checks and balances.

Dr. Magnarelli said it will take a long time for the cultivars issue to be completed because of lack of research data and time involved on it. He said the issue of pre-emption is immediate. He thinks in about another year, it will be too late to go back and correct the problems if these towns start passing individual plans. This should be under state control. The Federal government addressed the invasive plants issue in the USDA and decided they could not do it and it should fall under the states. Dr. Magnarelli went on record that it is a: "terrible mistake where we are on the pre-emption issue and it should be under state control." Once towns pass their ordinances it will be hard to take it back.

Les Mehrhoff is hopeful that the group that put together the St. Louis Code of Conduct will take on the responsibility of putting together the criteria for evaluation of cultivars. Chairman Leff appointed Les Mehrhoff and David Goodwin to be a subcommittee and put together recommendation in about two weeks and e-mail to the committee.

Commissioner Prelli's thoughts regarding pre-emption: unless we make this statewide, why do we need this Committee. A lot of great work done here, but we could lose a lot by next year. Chairman Leff cannot agree that it makes the Council less meaningful because there are a lot of other things involved. Chairman Leff would like to see the pre-emption issue settled once and for all.

Any Other Business:

None.

Next Meeting:

December 13, 2005 at 10:30 in the Ensign Room at 79 Elm Street, Hartford,

CT

Adjournment:

Meeting adjourned at 12:25 p.m.

Respectfully Submitted,

Jill Carr Office of Deputy Commissioner Leff Department of Environmental Protection

## INVASIVE PLANT COUNCIL MEETING Minutes of December 13, 2005

Approved by the 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 Nursery and Landscape 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 1/2 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 a \$2.00 average levy is adopted.

2) Wholesale and retail sellers of plants -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 to dealing with species in particularly sensitive habitats and limited areas those invasive species that are established such as Winged Euonymus and Japanese Barberry are unlikely to be completely eradicated. We should attempt to eradicate new invasions of invasive species as they are detected to prevent them from becoming established. This effort would require 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 residents 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 staff assistance for 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 can be a source of aquatic invasions. Inspectors could be further trained and to spot banned plants, such as cabomba. People are unaware that they are selling banned plants. Also, it is requested that the Department of Environmental Protection conservation officers be allowed to enforce the invasive species law because right now the State Police and local police are the only ones authorized 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 the sale or use in commerce of the flowering or fruiting parts of plants that are banned. Example: Asiatic Bittersweet is 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 comprised of 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 would help address issues that have not been considered yet. David Sutherland said to keep in mind 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 town has adopted its own ban list since the law went into effect on October 1<sup>st</sup>. 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 to 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 are 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 it 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. This plan 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 banned 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 there are volunteers removing the most volatile terrestrial right now, such as Mile-a-Minute vine.

Co-Chair Magnarelli: the CT Agricultural Experiment Station is doing a survey of lakes for aquatics invasive plants. The CAES has been experimenting with spot treatments of herbicides for control. There has been success in three lakes: Bashan Lake in East Haddam, Lake Quonnipaug in North Guilford and Graniss Lake 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) is 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 Longhorned 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 nursery industry will be greatly affected and it would not be able to compete in the region. Paul Larson: We need to address the standard of invasiveness of cultivars. Les Mehrhoff: Criteria are needed to evaluate 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 11<sup>th</sup>.

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 may be awarded \$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

# Summary of State Invasive Species Management Strategies

| State         | Fee Assessed By  | Year<br>Implemented   | Uses  | Penalties  | Comments  |
|---------------|--|---|---|--|---|
| Maine         | Annual Lake and River Protection sticker required for all motorized boats on inland waters- regardless of residency Resident Sticker: \$10 Non- Resident Sticker: \$20 Residency defined by boat, not boater | 2002  | New wardens New DEP specialists Training volunteers Education Managing infested sites Supporting local prevention projects Administration | No sticker – Civil violation, \$100 - \$250  Launching contaminated watercraft: Civil violation, \$500-\$5000  Operating in a quarantined area Civil violation, \$500- | Stickers available wherever boats registered or fishing licenses sold (1400 agents statewide) or online (five day delivery time, no charge for shipping   |
| New Hampshire | Registration – applies to residents only Per registered vessel: 1981: \$0.50 1998: \$2.00 2003: \$5.00   | fees<br>increased<br>and program<br>expanded in<br>1998 and<br>2003 | Lake and watershed studies Sampling Monitoring of exotic plants Control grants Benthic barrier supplies Education Administration          | Selling or failure to remove plants: Violation, Up to \$2,000.   | 2/3 of revenue intended for Milfoil and other exotic aquatic plant prevention activities, remainder for remediation research Jan 1, 2008: Date by which legislation must be shown to be effective, or laws sunset |

# Summary of State Invasive Species Management Strategies

| Comments            | 3,7,7,2   | re to intended for Milfoil and other exotic aquatic plant prevention activities, remainder for remediation research Jan 1, 2008: Date by which legislation must be shown to be effective, or laws          |
|---------------------|---|--|
| Penalties           | No sticker – Civil violation, \$100 - \$250  Launching contaminated watercraft: Civil violation, \$500-\$5000  Operating in a quarantined area Civil violation, \$500-\$5000  Fines may not be waived by courts | Selling or failure to remove plants: Violation, Up to \$2,000.   |
| Uses                | New wardens  New DEP specialists  Training volunteers  Education  Managing infested sites  Supporting local  prevention projects  Administration  | <ul> <li>Lake and watershed studies</li> <li>Sampling</li> <li>Monitoring of exotic plants</li> <li>Control grants</li> <li>Benthic barrier supplies</li> <li>Education</li> <li>Administration</li> </ul> |
| Year<br>Implemented | 2002  | fees<br>increased<br>and program<br>expanded in<br>1998 and<br>2003  |
| Fee Assessed By     | Annual Lake and River Protection sticker required for all motorized boats on inland waters- regardless of residency Resident Sticker: \$10 Non- Resident Sticker: \$20 Residency defined by boat, not boater    | Registration – applies to residents only Per registered vessel: 1981: \$0.50 1998: \$2.00 2003: \$5.00   |
| State               | Maine   | New Hampshire  |

Motion: In order to move forward with other issues of importance to the Invasive Plants Council while not avoiding the 15 remaining species that have not been considered for inclusion on the "prohibited" list (PA 04-203), I move the following (in 6 parts).

- That the 15 remaining species that are not prohibited according to PA 04-203 but are included on the list developed by PA 03-136 be dealt with individually. (None of the remaining 15 species can be lumped together for voting purposes.) Further, any species suggested for inclusion on prohibited list (PA 04-203) from this point on be subject to the same individual discussion and vote.
- 2. (Acknowledging that the level of invasiveness of certain cultivars currently in the horticultural trade is an issue of concern for all members of the Invasive Plants Council,) that a list be developed by Council members of current, funded, peer-reviewed scientific research\* being conducted by an acknowledged research institution that is focusing on the invasiveness of cultivars of listed species. The Council Chair, or his designee, should contact the researcher, ascertain the nature of the research, funding source for the research, and obtain a reasonable date by which time the researcher expects to have results of the investigation. The Council Chair will develop this list and share it with the council.
- 3. That any species on which research to determine the invasiveness of cultivar(s) of that species is/are currently being conducted should be exempt from further discussion about possible prohibition until the date given by the researcher and agreed upon by the Council is reached. (At that time, if the Council so chooses, discussion regarding specific species prohibitions should again be considered.)

4. Species not currently being studied as part of a peer-reviewed, funded research program are eligible for discussion about prohibitions at this point in time. (If research is not currently underway, we will not know anything more about the invasiveness next year or the year after.

If there are no cultivars of any of these 15 currently in the trade then the following is
moot and the prohibition of the species should be discussed when the council chooses. I
don't know if there are any.

6. If research shows a cultivar or cultivars of a species already on the "invasive lists" (PA 03-136) to be only somewhat invasive, then criteria for evaluating tolerable degrees of invasiveness for cultivars must developed or employed in order to evaluate the cultivar.

\* By research I mean research on the invasiveness of any currently available species or cultivars. This is not meant to include research on developing sterile or near-sterile cultivars. That is a very different issue. The research should specifically name cultivar or cultivars being studied not just the species name to which the cultivars belong. The researcher's name, contact information, species name(s), cultivar name(s) should be submitted to the chair and incorporated into the minutes as part of the public record.

For example USING MANUFACTURED DATES AND TIMES: Omithogalum umbellatum 'constant karma' by Les Mehrhoff at EEB, UCONN, 860-486-5708,

### FUNDING REQUESTED FOR INVASIVE PLANT PROJECTS

### 1) DEP Invasive Plant Program Coordinator

Need: DEP does not have a full time staff person dedicated to invasive plant issues. Currently, a few staff people from several different units have taken on various priority species, attempting to conduct surveys, and prepare and/or implement rapid response plans. The effectiveness of this approach has been limited at best. All/most of the proposed actions listed below cannot be undertaken without a dedicated staff person.

**DEP funding requested:** Highest Priority for funding: \$70,000 to \$80,000 annually to hire a DEP Invasive Plant Coordinator.

\*When the CT Aquatic Nuisance Species Management Plan is approved, we expect to be eligible to apply for and obtain a lump sum of money that has been targeted for hiring an Aquatic Nuisance Species (ANS) Program Coordinator. This anticipated funding would come available in October 2006. The ANS Coordinator would deal with aquatic nuisance plants, vertebrates and invertebrates. The proposed DEP Invasive Plant Coordinator would be responsible for both terrestrial plants and setting up the botanical component of a functional ANS program.

### 2) Early Detection/Rapid Response (ED/RR)

### Needs:

Early detection of invasive plants species involves both surveying for "newly discovered" invasive plants such as water chestnut, hydrilla, Brazilian elodea and Mile-a-minute vine, and investigating reports of new infestations and/or unusual/unidentified plants.DEP staff activities, along with the Invasive Plant Atlas of New England Project (IPANE) volunteers and CT Agricultural Experiment Station (CAES) aquatic plant work entails identifying potential suitable habitat for the invasives and conducting surveys for invasive species at appropriate time of the year. Results of these surveys should be submitted to IPANE. DEP also needs to develop a database that tracks observations, control actions taken, results of such management and associated costs.

Rapid response management plans need to be developed by botanical experts and resource management people for each "priority plant species". Proposed management/eradication actions would then need to be implemented and monitored. Eradication efforts can be time intensive. For example, water chestnut control efforts undertaken by DEP at a limited number of sites in 2004 required 32 days of staff field time and an additional 45 days by volunteers in the field.

### DEP funding requested:

\$10,000 - Creation of database to track species and start initial data entry.

\$15,000 Identify more volunteer monitors to do surveys in CT and train them in identification and reporting requirements. This should be a cooperative project with IPANE and CAES (for aquatics).

\$50,000-100,000 - Development and implementation of rapid response plans.

### 3) Education and Outreach

Need: Education and outreach will be a major tool in addressing the threats posed by invasive species. Both general and targeted Informational materials concerning the threats posed by invasive species, measures to prevent introductions of new species and spread of existing species, and methods to control/eradicate current established species need to be developed and distributed. Targeted groups for distribution of materials include high school students, nursery industry (including the water garden trade), aquarium and pet trade, landowners, land managers, municipalities, garden clubs, boaters and anglers.

DEP funding requested:

\$40,000 -To create, print and distribute brochures, signage and identification guides. \$10,000 -Hire contractors for research and design work. DEP technical staff would assist in preparation of materials for specific groups.

### Website Portal Development

Need: The draft CT ANS Plan recommends creating a centralized "portal" to all the relevant existing websites that provide information on invasive species. Use of a portal website will avoid duplication of efforts and help ensure better coordination with existing programs. The portal should include contact information for relevant programs and contact information for experts who are available for sample identification (including samples collected by the general public).

**DEP funding requested:**\$10,000 -Hire a consultant to work with DEP website staff to develop a portal site.