

INVASIVE PLANTS COUNCIL

Fourth Annual Report

December 12 , 2006

The Honorable William Finch
State of Connecticut Senate
Legislative Office Building, Room 3200
Hartford, CT 06106

The Honorable Richard Roy
State of Connecticut
House of Representatives
Legislative Office Building, Room 3201
Hartford, CT 06106

Dear Senator Finch, Representative Roy, and other members of the Environment Committee:

As Chairman of the Invasive Plants Council, I respectfully submit this letter and attachments for the fourth annual report on activities conducted during 2006. This Council was established pursuant to PA03-136, as amended by PA04-203. The Council was charged with developing and conducting initiatives to educate the public about the problems created by invasive plants in lakes, forests and other natural habitats; recommending ways of controlling their spread; making information available; annually publishing and updating a list of invasive or potentially invasive plants; and supporting state agencies in conducting research into invasive plant control, including the development of new non-invasive plant varieties and methods for controlling existing species.

The Council

The Council consists of 9 members representing government, the nursery industry, scientists, and environmental groups (see attachment #1). Although the views of the membership differ on certain issues, there continues to be a willingness to find solutions to problems and to work constructively. The Council has met 8 times since the third annual report dated February 1, 2006. See attachment #2 for the approved minutes for 7 meetings. The minutes for the December 12, 2006 meeting are not yet approved.

Department of Environmental Protection (DEP) Deputy Commissioner David K. Leff was Council Chairman until his retirement in March 2006. I am the Director of The Connecticut Agricultural Experiment Station and served as Vice Chairman until the October 10, 2006 Council meeting. At that meeting, I was elected Chairman and agreed to serve in this capacity until June 30, 2007. At the November 21, 2006 Council meeting, Mr. F. Philip Prelli (Commissioner of Agriculture) was elected Vice Chairman. Mr. Edward Parker of DEP

has been representing this agency at Council meetings. No other changes in membership have occurred since our last annual report.

The Council acknowledges the assistance given by Ms. Jill Carr of the DEP for coordinating meeting arrangements, contacting Council members, and taking detailed minutes. All Council members greatly appreciate Ms. Carr's dedication and the extra effort she gave to our administrative responsibilities. Even though her assignment to the Council has ended, she continues to assist by providing information on past meetings. Her duties have been assumed by Mr. David Sutherland, a Council member who volunteered to take minutes, until a new arrangement is made. Council members agreed that it is best not to have a Council member taking minutes. During the first year, staff from the Environment Committee served in that role. We would request that the Environment Committee consider again providing staff to take minutes and distribute them to all interested parties.

Council Activities

Similar to last year, the Council devoted most of its time discussing proposed legislation and finding ways to secure financial support to fund a program to manage aquatic and terrestrial invasive plants. There is strong public interest in the eradication of these unwanted plants, but Council members also recognize the needs for research and public education. House bill #5808 did not prevail in the last, short legislative session and, consequently, there are no state funds to support the Council's program initiatives.

Discussions continued on (1) whether or not municipalities should have authority to regulate invasive plants; (2) if plant parts should be used in commerce; (3) the degree of invasiveness in plant cultivars such as Japanese barberry; and (4) the future direction of the Council if financial resources for an effective state invasive plant program are not secured. It is the consensus of the group that there should be a 5-year municipal pre-emption on adopting ordinances on banning plants, that plant parts of already banned plants should also be subjected to the existing laws prohibiting the sale and movement of said materials, that research continue to determine relative invasiveness of plant cultivars; and that legislation be re-introduced in the Connecticut legislature to correct technical problems with the current law and to seek funding.

Chairman David Leff sent official notification of legislation on invasive plants to Connecticut state agencies, departments, and institutions (see attachment #3). Eighty-six persons were contacted and received specific information on Section 4 of Public Act No. 03-136. There were no responses to this mailing.

At its September 14, 2006 meeting, Senator Andrew Roraback, Representative Mary Fritz, Representative Clark Chapin, and Ms. Jillian Spikes (on behalf of Representative Denise Merrill), attended the Council meeting at the invitation of Council Chairman Dr. Louis Magnarelli. The purpose of this meeting was to discuss the future direction of the Council and to set goals for the upcoming legislative session. These legislators recognized the value of the Council as a resource and were very supportive.

Over several Council meetings, members reviewed current legislation, agreed on technical changes that were needed, and discussed funding needs at length. After considerable debate, it was decided that an updated budget be submitted for this legislative session for consideration.

The Council heard the following presentations by invited guests:

1. William Hyatt, Director of DEP Inland Fisheries Division, on Connecticut's Aquatic Nuisance Species Management Plan.
2. Laura Reid, from "Fishmart", on the pet industry's position on invasive plants.

Recommendations to the General Assembly

Funding is requested to control invasive terrestrial and aquatic plants. If approved, funds should be directed to the Council and be administered by the DEP.

Budgetary Needs (see attachment #4 for justifications)

1. DEP Invasive Plant Coordinator	\$ 90,000
2. Early Detection and Rapid Response	\$125,000
3. Education and Outreach	\$ 65,000
4. DOA & CAES Inspections of Pet Stores, Nurseries, and Garden Centers	\$ 30,000
5. Administration	\$ 15,000
6. Grants to Municipalities, Lake Associations, Land Trusts, etc. for Control of Species on Public Accessible Lands and Waters	<u>\$175,000</u>
TOTAL	\$500,000

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 (recommendation made in 2004 and 2005).
2. Authorize The Connecticut Agricultural Experiment Station to inspect for the sale of banned invasive plants at nurseries and other locations the agency already inspects under Chapter 426 (recommendation made in 2004 and 2005).
3. Authorize DEP Environmental Conservation Police to enforce invasive plant laws.

Suggested Plant Regulation Changes

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 (recommendation also made in 2004 and 2005).

2. Modify the word “move” in Section 8(a) of PA03-136 to ensure that removal of listed invasives for eradication, research or educational purposes is not subject to the sanction of the law (recommendation also made in 2004 and 2005).
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 PA03-136 and PA04-203 (recommendation also made in 2005).
4. Reinstate the prohibition on municipal regulation of the sale or purchase of invasive plants through October 1, 2012 (recommendation also made in 2005).

Overview of Current Activities and Needs in Connecticut

There is strong public interest and concern about invasive plants in terrestrial and aquatic habitats. The impact of invasive plants is identified as a critical threat to flora and fauna in Connecticut’s Comprehensive Wildlife Conservation Strategy. However, this is a national issue in that invasive plants also have been identified by all states and US territories as a key threat in their conservation wildlife strategies.

Costs for correcting invasive plant problems are high and potential impact on the environment is great as these unwanted plants crowd out native species. For example, the Nature Conservancy has spent \$23,000 over 3 years to remove Oriental bittersweet, Japanese barberry, and purple loosestrife from 5 sites along the lower Connecticut River. The Conservancy dedicated another \$630,000 over 3 years to control phragmites on 315 acres in the same region. The estimated cost of a 3-year program needed to eradicate curly leaved pondweed from Lake Waramaug is over \$110,000; residents and officials in the bordering Towns of Warren, Washington, and Kent are attempting to raise these funds. There are hundreds of other invasive plant infestations that municipalities, lake associations, and the Conservancy and other land trusts need to address, but funding is a serious constraint. In short, many existing problems can still be corrected because infestations are in early stages. As time progresses and invasive plants spread, the costs for remedial action will be greater.

There have been some efforts to educate the public and to eradicate invasive plants, but programs are not well coordinated at the state level or sufficiently funded. The DEP continues to work on controlling phragmites, water chestnut, and other plant species and responds to public inquiries the best they can. Progress continues on the Connecticut Aquatic Nuisance species plan, and if approved by the US Fish and Wildlife Service, there would be opportunities to obtain some federal funds. The Connecticut Agricultural Experiment Station receives federal funds to survey lakes and ponds and to assess different control methods. Researchers at the University of Connecticut are evaluating cultivars for degree of invasiveness. Moreover, there have been symposia and other educational programs conducted by the Connecticut Invasive Plant Working Group. However, relatively few staff members are assigned to these programs, and the needs for public education and control of invasive plants throughout most of the state are extensive.

Although there have been some positive results in educating the public, controlling invasive plants in limited settings, and conducting research, there are some fundamental shortcomings that need to be corrected. Coordination and better planning are needed in

program design and delivery of services. Many more stakeholders need to be reached. The current approach by separate agencies and institutions is having limited overall impact on solving problems. A common database of information should be developed for statewide use. Further, the magnitude of invasive plant problems in terrestrial and aquatic habitats has clearly increased beyond the scope of current resources. Early detection and rapid response are of paramount importance in preserving water quality in lakes and ponds and biodiversity in terrestrial settings. Council members are requesting that funds be allocated by the General Assembly to enable state residents to better address current problems.

As in the past, the Council is available to answer questions and provide advice as needed. The members will continue to meet and make recommendations to legislators. However, it will be difficult to make significant progress without some financial support. Please feel free to call me at (203) 974-8440 if you have questions. Thank you.

Sincerely,

Louis A. Magnarelli
Chairman

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Enclosures

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