

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

LAM:rmo  
Enclosures

INVASIVE PLANTS COUNCIL MEMBERSHIP  
DECEMBER 2006

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

Mr. David Goodwin  
149 Schroback Road  
Plymouth, CT 06782  
[david.goodwin@snet.net](mailto:david.goodwin@snet.net)

Mr. F. Philip Prelli, Commissioner  
Department of Agriculture  
165 Capitol Avenue  
Room G-219  
Hartford, CT 06106  
[philip.prelli@po.state.ct.us](mailto:philip.prelli@po.state.ct.us)  
[virginia.crooms@po.state.ct.us](mailto:virginia.crooms@po.state.ct.us)  
860-713-2500

Mr. Paul Larson  
Sprucedale Gardens  
20 East Quasset Road  
Woodstock, CT 06281  
[larsonclan@sbcglobal.net](mailto:larsonclan@sbcglobal.net)  
860-974-0045

Edward C. Parker  
Chief, Bureau of Natural Resources  
Department of Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127  
[edward.parker@po.state.ct.us](mailto:edward.parker@po.state.ct.us)  
860-424-3010

Mr. Tom McGowan, Exec. Director  
Lake Waramaug Task Force, Inc.  
59 Beach Street  
Litchfield, CT 06759  
[tajmcgowan@yahoo.com](mailto:tajmcgowan@yahoo.com)  
860-567-0555

Leslie J. Mehrhoff, Director  
Invasive Plant Atlas of New England  
University of Connecticut  
Box U-43  
75 North Eagleville Road  
Storrs, CT 06269-3043  
[les.mehrhoff@uconn.edu](mailto:les.mehrhoff@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](mailto:mary.musgrave@uconn.edu)  
860-486-2925

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

**INVASIVE PLANT COUNCIL MEETING**  
**Minutes of 1/11/06**

**Approved by the Council****Regular Meeting**

A regular meeting of the Invasive Plants Council (IPC) was held on Wednesday, January 11, 2006. David Leff, Chairman, called the meeting to order at 2:05 p.m. in the Ensign Room at DEP Headquarters, 79 Elm Street, Hartford, Connecticut.

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

The following attended this meeting: Karen Weeks of the Kowalski Group; Nancy Murray and Ken Metzler of DEP; Bob Heffernan of CT Nursery and Landscape Association; Donna Ellis of the University of Connecticut.

**Absent:** Dr. Mary Musgrave; Mr. David Sutherland.

**Comments on  
Annual Report:**

Chairman Leff opened the meeting with the annual report that was previously distributed to members for their review. He asked if members had any comments. Dr. Magnarelli commented that the CT Agricultural Experiment Station (CAES) is also involved with control measures. CAES is using spot treatments of 2-4-D. CAES has had success in three lakes. Commissioner Prelli: are we doing anything with municipal pre-emption and he stated that we have to make a statement on this in the annual report. Chairman Leff: we are looking right now what issues members want in the report. The report is set up to include Les Mehrhoff's resolution as it finally stands (which is attachment 4 of the annual report.) Chairman Leff went on to say if the Council were to do anything on pre-emption we would add a recommendation that the legislature change the laws to pre-empt municipalities from listing and banning plants. Discussion took place between members with suggestions for the report. Nancy Murray will send Jill Carr a sentence about hydrilla and the Aquatic Nuisance Species Management Plan. Both of these involve funding and the information will be added to the annual report. Chairman Leff received e-mails from members David Sutherland and Tom McGowan stating that the annual report looked fine and reflected their views. Chairman Leff: spoke with Tom Tyler and David Sutherland about finding legislators from both sides to sponsor a bill or get a bill before the Environment Committee and the two of them will be getting together to develop a strategy for this.

**Cultivars:** Les Mehrhoff's resolution was placed on the table for adoption. Les Mehrhoff made a Motion; Paul Larson seconded the Motion. Les Mehrhoff: the Council should develop a list and maintain the list of plants presently under research. These species will be off the table for discussion until such time the research is completed. It allows for states to be comparable. This

way the Council will not be developing policies on cultivars differently from other states. For species the Council is aware that research is on going, let science decide. Chairman Leff thanked Les Mehrhoff for his reasonable approach. Commissioner Prelli: if we get evidence that some of the cultivars are less problematic, it's important that the Council reverse its direction. Les Mehrhoff: agreed with Commissioner Prelli. Chairman Leff: Les Mehrhoff has said this all along; if new science evolves, the Council may want to reevaluate previous decisions. David Goodwin: if something comes out of the research that a cultivar is not a problem, then the Council should take it off the list. Nancy Murray: the procedure in the Aquatic Nuisance Species Management Plan requires them to look at the list annually. All those in favor of motion: **Motion carried unanimously.**

**Municipal  
Pre-Emption:**

Chairman Leff: the report is silent on the issue because the Council has not come to any resolution. We need to confront it. The Council can leave the report silent, the Council can endorse what happened by last year's legislation; the Council can recommend that the current situation be reversed and that towns be pre-empted. Commissioner Prelli recommends a Motion: to put a 5-year extension to the pre-emption. Les Mehrhoff said the 169 potential town lists is too large. David Goodwin: he agreed with Les Mehrhoff. As a business person, he does not believe a lot of towns will put together a ban list. If the Council keeps the towns' authority for plant bans – then the Invasive Plant Council has less authority. Motion to extend pre-emption for five years, until 10/1/2011: **Motion carried unanimously.**

**Vote on  
Annual Report:**

Chairman Leff: in the last Invasive Plants Council meeting, Representative Clark Chapin asked two questions: (1) What are other states doing for funding the invasive plants program? (2) What is it costing the state NOT to do something or what is it costing to control them right now because we do not have a comprehensive program on invasive plants? To question #1, Chairman Leff has asked Senator Andrew Roraback to request the Office of Legislative Research to check into this and provide a report. To question #2, Chairman Leff mentioned Tom McGowan's e-mail on Chesapeake Bay and Lake Champlain. Chairman Leff: its very expensive to treat lakes; many towns not doing this because of the costs. Chairman Leff asked Ken Metzler to put together the costs for needs to control. Tom McGowan will put together information. Donna Ellis handed out "Aquatic Nuisance Species Harm Northeast Region." Les Mehrhoff said there are a lot of volunteers that are part of the invasive plant controls. Commissioner Prelli: the Council should add in some estimates by outside service and volunteers used for invasives. Chairman Leff asked Ken Metzler to prepare volunteer dollars for legislative testimony.

Nancy Murray: Example: update on Silver Lake Project. Conference call was held to discuss costs – it will cost approximately \$200,00 for this one project. This particular project has a flowing system, so it is more costly. Right now, there is no funding from the state. She knows the town will be requesting dollars to fund this project.



More discussion took place by the members concerns on plants lists. Motion put on table to submit report to the General Assembly. **Motion carried unanimously**

**Approval of Minutes:**

Co-Chairman Magnarelli and Paul Larson requested editorial changes to the 12/13/05 minutes. Chairman Leff motioned to approve the minutes. Co-Chairman Magnarelli seconded the Motion.

**Old and New Business:**

Schedule for months of February, March and May 2006 Invasive Plants Council meetings distributed to Council members.

Chairman Leff: he will be inviting a representative from the pet industry to the next Invasive Plants Council meeting on 2/14/06.

Co-Chairman Magnarelli: The CAES spring publication of "Frontiers of Plant Science" has three articles on invasives. This publication will be mailed to 4,000 people on its mailing list and to over 400 foreign and United States libraries.

Donna Ellis: October 12, 2006 will be the next CT Working Plant Group meeting to be held at the Mountainside in Wallingford.

Chairman Leff: Motion to adjourn. David Goodwin seconded and meeting adjourned at 3:13 p.m.

Respectfully submitted,

Jill Carr  
Office of Deputy Commissioner Leff  
Department of Environmental Protection

**INVASIVE PLANT COUNCIL MEETING**  
**Minutes of 2/14/06**

**Approved by the Council**

**Regular Meeting**

A regular meeting of the Invasive Plants Council (IPC) was held on Tuesday, February 14, 2006. David Leff, Chairman, called the meeting to order at 2:11 p.m. in the Ensign Room at DEP Headquarters, 79 Elm Street, Hartford, Connecticut.

**Attendees:** All members were present: Chairman David K. Leff, Vice-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 this meeting: Nancy Murray and Ken Metzler of DEP; Bob Heffernan of CT Nursery and Landscape Association; Donna Ellis of the University of Connecticut and Laura Reid of fish mart.

**Introduction:** Council Members did round table introduction for attending guests.

**ANS Presentation** William Hyatt, Director of DEP Inland Fisheries Division did a power point presentation on the draft of Connecticut's Aquatic Nuisance Species Management Plan. He distributed to members a cover of the draft of Aquatic Nuisance Species Management Plan, along with a sheet indicating who has been involved in the Plan, and four pages of the summary of the Draft Report. Per Bill Hyatt, there will be some changes to the report. He also offered to attendees that if they would like to see the draft report its available by leaving name and address with him. Bill Hyatt explained the Plan was put together for Connecticut to qualify for federal funding through the Aquatic Nuisance Species Task Force. All states that have an approved Plan are eligible for assistance of up to 75% for the cost of implementing the Plan. At present, there are not a lot of dollars available. If the Plan is put in place, Connecticut could be looking at \$60,000 – 70,000. Bill Hyatt thinks there will be more money available 3,4, or 5 years down the road. DEP did not have staff resources to put together the Plan. It did apply for a grant through Sea Grant, which was able to contract out to the Institute of Water Resources of the University of Connecticut. Nancy Murray mentioned that there was also input in the Plan from the nursery and pet trades. The catalyst for the aquatic nuisance species management nationwide was introduction of Zebra Mussels in the Great Lakes in the 1980's. In the last 10 years 3 billion dollars have been spent on this species alone. Bill Hyatt and Nancy Murray described the Plan in detail throughout the presentation. Chairman Leff noted the differences between Connecticut's Aquatic Nuisance Species Management Plan because it is broader but more limited than the Invasive Plants Council jurisdiction because it is only dealing with aquatic and not terrestrial species. There are a lot of terrestrial species causing havoc. Dr. Magnarelli asked Bill Hyatt how fish are collected. Collection is mostly done by electro-fishing, per Bill Hyatt. DEP Inland Fisheries staff visits 30 to 40 lakes per year. A full state wide survey was done in the early 1990's. At that time, staff visited 500 lakes. Staff is doing this fish collecting at night and is seeing a lot of vegetation in the lakes. Bill Hyatt gave a brief

description of electro-fishing. Dr. Magnarelli asked Bill Hyatt if staff sees external parasites on the fish. Per Bill Hyatt they are seeing a mixture of flatworms and various grubs imbedded in the skin tissue and fins. In coastal streams they will see crustaceans.

Bill Hyatt and Nancy Murray spoke about Nancy possibly helping train staff to identify invasive plants. The use of volunteers from IPANE, Trout Unlimited, Audubon and The Nature Conservancy was discussed. Nancy Murray: further explained the ANS Plan and stated that the Plan is educational and clearly layed out. Nancy brought up the suggestion of bringing together ad hoc working volunteers.

Motion to endorse the report of Aquatic Nuisance Species Working Group – **Motion carried unanimously.**

Bill Hyatt mentioned there is a real concern with “didymo” an invasive Chrysophyte. It’s causing problems in Australia, New Zealand and western Rocky Mountain waters. New Zealand Mud Snail’s main mode of transportation is being carried on fishermen’s gear, wading shoes, waders, flies, and equipment. Three waters have been closed to all recreation use because the snail has been seen in these waters. Colorado is the closest waters to CT with this snail. – Per Bill Hyatt many trout fishermen travel from the west to east and they expect it to probably show up next in New York waters. Les Mehrhoff: suggested information be placed with the fishing license information about what people should and should not do when they are traveling to and from different areas or states. Chairman Leff: suggested another place to get the word out is through the DEP Anglers Guide.

### **Pet Industry**

Chairman Leff introduced Laura Reid from “fish mart.” Chairman Leff noted that some plants are available in pet stores. He wants to explore how the Council can work with the pet industry regarding getting the word out on the banned plants list and how to treat plants on the part of the industry and its customers. Laura Reid said she was part of the working group on the Aquatic Nuisance Management Plan. The pet industry is pro-active where it can be regarding invasive plants. Laura Reid distributed a brochure she developed entitled “Protect Your Pet, Preserve the Environment, Don’t Release Exotic Species.” Her store “Fish mart” is located in West Haven and is the largest wholesaler of tropical fish, reptiles and small animals to pet stores in the northeast. Wholesalers in the state need to be included in the pet shop list. If she receives information on plants she can include this in her monthly newsletter to retail pet shops she deals with. In the November 2005 minutes there was a comment that there are about 1,100 pet shops in Connecticut. This is not true – there are 125-140 pet shops in Connecticut. Also, noted in the November minutes, there were many aquarium shops that do not require a pet shop license. This number is also not true. To the best of Laura’s knowledge there are less than 5. These shops need to be added to the master pet shop list too. Laura Reid stated that it is very important that we educate the public. Chairman Leff asked if there is an industry wide newsletter or website – so we can get the word out? Laura Reid: there is no bonafide statewide pet shop organization. She suggests direct letters to

owners of pet shops. She thinks the direct approach is best because there is nothing at the state level to reach the entire industry. Les Mehrhoff: biggest problem with pet shops is the selling of ageria – because the stores sell it by another name, they claim they are not selling the plant ageria. Laura Reid will notify pet stores through her newsletter noting the common name of plants along with the Latin names. Les Mehrhoff thinks a lot of stores are not aware of the aquatic plants they are selling. Laura Reid will help distribute Les Mehrhoff's information, once it is completed. Laura Reid states that in the pet trade there are wholesalers who either deliver or sell to Connecticut. Laura Reid said the list should include wholesalers or retailers from outside of Connecticut that sell in Connecticut.

**Annual Report**

Invasive Plants Council Annual Report had been distributed to the Environment Committee Chairs and members. The report included all comments and concerns of the Invasive Plants Council from past meetings.

**Approval of Minutes:**

Minutes from the 1/11/06 meeting will be available at the next IPC meeting on 3/14/06.

**Legislative Strategy:**

Chairman Leff will be sending a letter to the Chairman and the ranking members of the Environment Committee asking them to raise a bill, which will embody all of the Invasive Plants Council's legislative proposals. David Sutherland suggested separating the appropriation issues from the other matters. Chairman Leff: many of the other items are dependent on the finance, so it may be best to keep together. Bob Heffernan thinks it should go in as one package. Commissioner Prelli agrees with Bob Heffernan because if separated out we could end up with fractured pieces. Bob Heffernan stated that the present proposal looks to the legislature as a comprehensive legislative strategy. Chairman Leff will wait for the public hearing. It is important to have a diverse group at the hearing - conservation groups, state agencies, municipalities concerned about its lakes. It is up to these groups to get together and talk about approaching legislators to move the bill out of the environment committee. Chairman Leff said there will be one public hearing and it will probably be at the latter part of March. Chairman Leff asked Tom McGowan about notice to municipalities with lakes. Commissioner Prelli said the IPC annual report should be sent to CCM & COST and some other non-profit organizations that had an interest. David Sutherland noted that any one living in Denise Merrill's district would do well to see her. Chairman Leff stated that once the proposed bill is moved out of the Environment Committee some key legislators to speak with are: Senator Harp of Appropriations Committee, Finance Committee and Speaker and Senate President Pro-Tempore. Initially, at the Environment Committee, it is important to have a broad based group in attendance. Commissioner Prelli suggested maybe raising the proposed bill in the Appropriations Committee first vs. Environment Committee. David Sutherland suggested to keep it in the Environment Committee. Bob Heffernan said to start with the Environment Committee and try for unanimous vote - this would be a huge message to the other Committees. Chairman Leff observed that information

really needs to be put together for the public hearing. The Office Legislative Research Report requested by Senator Roraback's report was noted. Ken Metzler provided information to the Chairman on what the Natural Resource Conservation Service believes are costs yearly in Connecticut- costs are in hundred thousands of dollars. Chairman Leff said what we lack most is how much municipalities and lake associations are investing. Chairman Leff said that such information will be very important for the public hearing.

Chairman Leff distributed a handout – an article by Pimental et al – regarding. ...Economic and environmental costs associated with alien-invasive species in the U.S. DEP's Wildlife Biologist, Peter Picone, sent this in.

**Old and**

**New Business:**

Chairman Leff re-distributed the Invasive Plants Council meeting schedule.

Nancy Murray thanked all attendees from the various groups that have been at the Invasive Plants Council meetings and all who have helped with the Aquatic Nuisance Species Management Plan.

Les Mehrhoff said we have to keep in mind trying to find out what research has been or is being done on cultivars. He will be breaking this down by current or recent research (see attached list entitled: Plants included on Invasive List but Not Considered for Regulations – as Exhibit "A") – Les asked members about plants on this list (one's he did not know) if they had cultivars in the trade:

Amur Maple – Yes	California Privet - ?
Water Hyacinth (?)	Moneywort – Yes
Porcelain Berry – (?)	Reed Canary Grass – Yes
Japanese Rose – Yes	Star of Bethlehem - ?
Burning Bush - Yes	

Chairman Leff: Motion to adjourn. Dr. Magnarelli seconded.

Respectfully submitted,  
Jill Carr, Office of Deputy Commissioner Leff

**INVASIVE PLANT COUNCIL MEETING**  
**Minutes of 3-14-06**

**Approved by the Council**

**Regular Meeting**

A regular meeting of the Invasive Plants Council (IPC) was held on Tuesday, March 14, 2006. David Leff, Chairman, called the meeting to order at 2:05 p.m. in the Ensign Room at DEP Headquarters, 79 Elm Street, Hartford, Connecticut.

**Attendees:** Chairman Leff, (Vice Chair) Dr. Louis Magnarelli, David Goodwin, Paul Larson, Tom McGowan, Les Mehrhoff, Dr. Mary Musgrave, David Sutherland.

**Other Attendees included:** Sandy Breslin of Audubon CT, Betty McLaughlin, CT Audubon, Nancy Murray of the Dept. of Environmental Protection and Donna Ellis of the University of Connecticut.

**Absent:** Commissioner Phil Prelli of the Department of Agriculture.

**Annual Report:**

Chairman Leff noted the Invasive Plants Council Annual Report distribution was completed. He has not seen any feedback from members of the Environment Committee, which was included in the distribution.

**Minutes:**

Chairman Leff distributed copies of the Minutes for January 11, 2006 and February 14, 2006 meetings, to members for review. Approval of these minutes will be taken up at the upcoming IPC meeting on May 9, 2006.

**Legislative Strategy:**

Chairman Leff stated that there are two bills authored by the Legislative Commissioner's Office and sent on to the Environment Committee. Neither bill represents anything that the Invasive Plants Council proposed in its annual report. House Bill #5451 would appropriate \$475,000 in General Funds for work to be done on invasive plants to the Department of Environmental Protection and HB #5808 appropriates the same dollar amount except it would be given directly to the Invasive Plants Council. Chairman Leff and David Sutherland stated that HB #5451 would not be going forward. HB #5808 will be heard on Friday, March 17<sup>th</sup>. The bill as it is being presented, does not include many of the recommendations made in the Invasive Plants Council Annual Report. A substitute bill was drafted by the Department of Environmental Protection and would be e-mailed to Council members before the March 17<sup>th</sup> public hearing. This substitute bill will be submitted to the Environment Committee as testimony. Chairman Leff urges each member of the council to appear and testify as individuals of their respective organizations. Chairman Leff stated it would be important for the Environment Committee to see the broad interest on this issue. David Sutherland discussed the "whys" and "how" on the legislative process for the proposed bill. This year the Environment Committee is hearing a vast amount of bills in the short session. Chairman Leff will submit a substitute bill as testimony at the March 17<sup>th</sup> hearing. Chairman Leff commenced a discussion between members on the possible scenario of the proposed bill

process. Portions of the discussion: the Environment Committee would vote out the bill and it will either send it to one of its sister committees, Finance or Appropriations Committee or it could send it to the floor for referral. David Sutherland suggested non-fiscal pieces of the proposed bill could be added to another bill. David Goodwin agreed with David Sutherland's suggestion to try to tie the bill to some other one. Les Mehrhoff asked if part of the bill could be taken out and be attached to other bills. David Sutherland again said yes, but it would be best to find a bill that is germane. David Sutherland mentioned an upcoming meeting that he and Sandy Breslin, Bob Heffernan, Betty McLaughlin will sit down with the new Chairman of the Environment Committee to discuss the pre-emption piece of the bill. David Sutherland said he is not sure he can get support for a 5-year pre-emption but may be able to get more support for a 2-year pre-emption. Donna Ellis heard if the bill is voted out of the Environment Committee and then it could be sent on to the Appropriations Committee and that it could die in that Committee in May. Les Mehrhoff asked if a letter would be worth writing in support of HB #5808. Betty McLaughlin said that it would be fine to do a letter of written testimony and be sure that 50 copies be made for the Environment Committee public hearing. Tom McGowan asked about the federal money – can it be matched elsewhere or will we lose it. Chairman Leff said if the Invasive Plants Council does not get the federal money the legislature could say “no” to any state dollars. More discussion between the members took place on what to expect at the Environment Committee Public Hearing on March 17<sup>th</sup>, i.e., how to prepare for the meeting, sign up for the hearing, etc. Betty McLaughlin recommended one spokesman for the Invasive Plants Council, given this is the Environment Committee's last meeting. David Sutherland disagreed with Betty's suggestion. Chairman Leff suggested that one-person come up at a time but be very brief (approximately 30 seconds) – state who you are and are in support of this bill. Chairman Leff said it is important that the Environment Committee see how diverse and how many people are interested in this issue. Chairman Leff asked how many members would be able to make the March 17<sup>th</sup> public hearing? Chairman Leff stated that the Council members and any of their colleagues attending this hearing could make a big difference. Tom McGowan was going to meet with the lake association groups before the public hearing. Chairman Leff noted that the Connecticut Marines Trade Association is aware of the Invasive Plants Council's proposal.

**Next Steps:**

Les Mehrhoff suggested that it is important (maybe make this a future agenda item) that as a Council we need to educate the legislators about invasive plants. Chairman Leff suggested possibly taking out several legislators for a field trip. Les Mehrhoff thought it be best if the legislators were brought to their own districts to visit local areas. Chairman Leff noted that it be important to show the legislators what is very impressive. David Goodwin mentioned that aquatic species is very impressive also. Chairman Leff said that the legislators are more impressed by the aquatic species than invasive terrestrial species. Les Mehrhoff stated that legislators need to hear from constituents, i.e., The Nature Conservancy, Audubon Ct, etc. Chairman Leff stated it would be wise as a next step to schedule some small field trips with legislators during the growing season.

Betty McLaughlin suggested developing a video to capture a larger audience on the invasive plant issue. Les Mehrhoff said to teach the public about the endangered species issue, several years ago they worked with CPTV and found it to be very beneficial. Chairman Leff suggested possible use of a graduate student to put together a video on invasive plants issue. Donna Ellis said the town of Redding presently is putting together a video on invasive plants. Members further discussed the use of videos, tapings and public service announcements to get the message out.

**Old**

**Business:**

Les Mehrhoff distributed a handout entitled “DID YOU KNOW – It is against Connecticut Law to sell these aquarium and water garden plants list.” This list will be put on the University of Connecticut website. This handout is good for the pet industry and stores.

**New**

**Business:**

Chairman Leff announced his retirement from state service to the Council members. He thanked members for all of their efforts. Dr. Louis Magnarelli will be the Acting Chairman of the Council on an interim basis. Dr. Magnarelli stated he will conduct the meetings for a while but as an agency head he cannot be the permanent Chairman because of the potential conflict of interest on legislative matters. Dr. Magnarelli stated another person would need to be appointed as Chairman so the Council can still be effective. Members thanked David Leff for his dedication during his tenure as Chairman. Dr. Magnarelli told Chairman Leff he did a great job and Les Mehrhoff wanted this noted in the minutes as a resolution. Chairman Leff was invited to come back any time to attend future Council meetings.

Chairman Leff: made a motion to adjourn. Seconded by David Goodwin.

Respectfully submitted,  
Jill Carr  
Office of Deputy Commissioner Leff



**INVASIVE PLANTS COUNCIL MEETING**  
**Minutes of 5-9-06**

**As Approved by the Council**

A regular meeting of the Invasive Plants Council (IPC) was held on Tuesday, May 9, 2006. Dr. Louis Magnarelli, Acting Chairman, called the meeting to order at 2:05 p.m. in the Ensign Room at DEP Headquarters, 79 Elm Street, Hartford, Connecticut.

**Attendees:** Acting Chairman Dr. Louis Magnarelli, Paul Larson, Tom McGowan, Les Mehrhoff, Dr. Mary Musgrave, David Sutherland and Ed Parker.

Dr. Magnarelli recognized DEP's Bureau Chief Ed Parker as a new member of the Council. Ed Parker was appointed by Commissioner Gina McCarthy to represent the Department of Environmental Protection.

**Other Attendees included:** Sandy Breslin of Audubon CT, Betty McLaughlin, CT Audubon, Ken Metzler and Nancy Murray of the Dept. of Environmental Protection, Donna Ellis of the University of Connecticut; Karen Weeks of the Kowalski Group; and Bob Heffernan of the CT Nurseryman's Association.

**Absent:** David Goodwin.

**Minutes:** Dr. Magnarelli distributed the minutes for January 11, February 14 and March 14, 2006 for Council approval.

**January 11, 2006 minutes:** approved by Dr. Magnarelli and **Motion to accept:** Dr. Mary Musgrave and **Seconded** by Commissioner Prelli, hence unanimous approval by the Council.

**February 14, 2006 minutes:** Per Dr. Magnarelli approved with two minor corrections. **Motion to accept:** Commissioner Prelli and **Seconded** by David Sutherland, hence unanimous approval by the Council.

**March 14, 2006 minutes:** Inquiry by David Sutherland regarding the meeting reference with Senator Andrea Stillman. Mr. Sutherland did not know why he would have said this. Council Prelli suggested we approve the minutes as long as Jill Carr will recheck the tape for the reference to Senator Stillman. **Motion to accept:** David Sutherland and **Seconded** by Paul Larson, hence unanimous approval by the Council.

**Status of  
HB 5808:**

Dr. Magnarelli tracked this bill through the process. He saw that the Environment Committee was very favorable on this bill. It went through committee activities and quite a few other steps and then the Amendment was passed, which stripped away the money from the bill. Also, the five year pre-emption was knocked down to one year and the wording that was in there was kept pretty much left as is to allow for the movement of the plants for

research and educational purposes, and the wording that the Dept. of Agriculture to inspect pet shops and the CT Agricultural Experiment Station to inspect the nurseries (all things the Council pretty much agreed on.) He did not know what happened to this bill and opened it up to the Council for discussion. David Sutherland spoke in full detail on the bill process. This bill was finally killed in the Senate. Commissioner Prelli feels that nothing can happen until next year's session. Les Mehrhoff feels that next year the Council needs to separate the dollar request from the other items that need to be accomplished by the Council, e.g., education, research effort and eradication, in order to receive approval by the legislature. Commissioner Prelli stated that it was not the intent of the Council to stop either education or eradication of the plants; he thought maybe minor or technical revisions can be made to the statutes; maybe put with a larger bill. He suggested that the Council speak with DEP's legislative liaison. Les Mehrhoff appreciated the suggestion and thought it was a good idea. Nancy Murray questioned what about dollars for next year – she addressed the question to David Sutherland. David Sutherland said it tough's and the Council will have to work hard at this. Commissioner Prelli said that the Council needs a "Champion" to step up and make this a higher priority. He said that money would always be an issue. If the Council really wants approval by the Appropriations Committee for next year – the three state agencies have to come forward and say this is important to each agency and approach the Governor's Office and try to get its support. These steps will be a beginning.

**Future  
Direction of  
The Council:**

Dr. Magnarelli said there are still a lot of issues that need to be addressed and asked members – "where are we going to go – we need a plan and some direction"- opening this up to the members for comments – where do you see the Council going and what do you want to achieve in the next year? He also said there are conservation issues that need to be addressed and money is going to be hard to get, so we are going to have to work without it and, fortunately, the University and CT Agricultural Experiment Station both have programs going on and each have some federal money they can use for aquatic invasive species work. He asked the members "where do you think we need to go?" David Sutherland spoke about how the Council came about. He said "early on" it made sense to expand the Council's scope, e.g., what should we be doing to educate people about invasives and what other strategies are there in addressing invasives. At this point, he is torn about what the Council should be doing – the Council has not progressed in two years on banning, although we did have discussions on the possible approach on cultivars. Les Mehrhoff reiterated to the Council that it has already agreed on the way it was going to approach some of the cultivars and its responsibility to the public. Some species are not banned on the first list because they are not cultivars or do not have research being done at this time and the Council does have the responsibility to take these on and talk about them. Then Les Mehrhoff mentioned that there is the whole issue of "what's happening on our landscape" with some of the species from which there are cultivars– most notably Burning Bush and Japanese Barberry that if we walk away from this issue then we are not doing justice to the people of the State of Connecticut. Les Mehrhoff is not ready to pack it in – he feels the Council

has a responsibility to come up with a strategic plan. Nancy Murray stated that the CT Aquatic Nuisance Species Plan would be distributed for department comment very soon. This Plan will establish the framework for what we need to do to establish rapid response and early detection. Once this Plan is approved by the Governor's Office, we hope to receive \$50,000 - \$70,000 for the hiring of an Invasive Species Coordinator. The dollars may be available in October 2007. Nancy Murray went on to say that part of the original funding attached to this year's legislation was to hire someone to work directly on terrestrial matters as well and to have a person in the Department of Environmental Protection to work on handling this issue. This is a very critical threat and one the greatest threats to endangered species in the state and in the nation. Nancy Murray is still working on a Rapid Response Plan for the Silvermine River and Hydrilla Infestation and feels once the Council starts seeing the costs for control – (she has received an estimate from the contractor for this project to be \$200,000 over a couple of years for eradication in the Silvermine River) people will start going to their legislators requesting monetary assistance. Up until now, we have not worked on a major project because volunteers have been very helpful in the invasive issue. Dr. Magnarelli requested Nancy Murray to continue to keep the Council up to date on the progress of the Plan and project(s).

Bob Heffernan attends meetings on behalf of the Green Industry. He explained that his mentor in public service was The Honorable Abe Ribicoff; he worked for Mr. Ribicoff for seven years before he retired. Mr. Ribicoff educated his staff that there are two rules for dealing with persons on the other side of the issue: 1) always respect your adversaries and be gracious because you may be working with them some day; 2) always keep your adversaries informed about your strategies – you may lose a few battles, but in the end you will win more. The Green Industries Board of Directors that I work for asked that I make some serious comments at today's meeting. The Green Industry feels that the "invasive plants movement" does not have a "green industry problem" but a public relations problem. The Council has spent six years working on the number two largest environmental problem and not a dime has been appropriated for it. When the legislature met on this bill – especially in the Appropriations Committee – Mr. Heffernan counted six lobbyists working the Appropriations Committee. He thought that the Green Industry, Dept. of Agriculture – maybe the rest of them were there – but he did not see them. The DEP Legislative Liaison and members of the Invasive Working Group – everyone should have been there to lobby for this money. Reality is that the 3 million people that make up the general public and their legislators do not see the urgency behind the invasive plants issue. The invasive plants movement has some work to do perhaps in cooperation with the green industry to convince the people of this state that this is the second largest environmental problem. Looking at the big picture history will show that the invasive plant movement in Connecticut made a strategic error in targeting and focusing most of its energies for the past six years on regulating, criminalizing and penalizing the economic green industry – these 48,000 people that did not cause the problem and should have been looked at as allies from the start – they felt they were a false target from the start. The invasive plant movement would have gone so much further by working to convince the public of the threat of invasive plants. The public is the real

target. The inability of convincing the legislature is a symptom of the bigger problem. To the question: “where do we go from here” – The Green Industry feels that two legislative defeats had weakened this Council in its recommendations. The Council appears to the legislature as stalemated and directionless. When you look at the big picture and the whole invasive plant problem, the municipal pre-emption seems to be a tiny piece that is holding up the big picture and the Council’s efforts. The pre-emption should not be used against the Green Industry again. If the invasive plant movement wants real progress in this effort, then it needs to let go of pre-emption as a weapon. From here on, the Green Industry will support legislation banning more plants if the bill permanently pre-empts plant banning at the local level. Conversely, if the Green Industry sees that the towns start to ban plants at the local level, we will oppose any bill that proposes plant bans at the state level. In the mind of the Green Industry, its either the state has the power to ban plants at the state level – but not both. For certain, we will all be losers if towns ban plants. All of us will lose any control. Think about the public relations problem, if plant bans at the local level begin to happen, it will force 48,000 people in the Green Industry to come out publicly with their doubts about the usefulness of plant bans. The local news media will have the steamed-local plant experts facing off with the steamed-off local environmental experts. Sadly, neither side will be the winner. It will probably take years for the invasive plant movement to recover and get back on track. It makes you wonder, if we cannot convince the state legislators, can we really succeed in convincing the local town councils. The bottom line is that the invasive plant movement has so much more to gain by working with the Green Industry at the state level. The Green Industry does expect that Dr. Brands’ research will probably show that some of our beloved cultivars are more invasive than its species. Then the Green Industry will come under intense scientific pressure to stop production. Mind you, not politics, but science that will force change that the invasive plant movement wants so badly. Looking ahead, the Green Industry urges our friends in the invasive plant movement to take a short period for deep assessment and reflection and they see two things: 1) continuing blindsiding that the Green Industry is the enemy and risking damage to the cause by piecemeal chaos of town plant bans or 2) focusing on strategies that will work to produce results, cooperating rather than criminalizing the Green Industry and focusing more on education and science. The Green Industry would much rather work with the Invasive Plants Council on #2.

Dr. Magnarelli requested any comments from Council members on Mr. Heffernan’s above remarks. Commissioner Prelli is not sure as a Council – what is our role? The Council lost two legislative battles and if we go back and lose for a third time, then we show that we do not have any strength at all. We need to make sure we have people on board ahead of time. Will it be worth our while to produce another piece of legislation to make it work or are we just spinning our wheels? The state agencies as members need to request dollars in each of its budgets for next year – will we get the money – probably not. Also, we need to emphasize to the Environment Committee that the members of the Invasive Plants Council are very frustrated right now. It appears that the legislators are happy with status quo – since we have lost two battles to date.

Dr. Magnarelli asked Commissioner Prelli: “what is the longevity of formed councils? Do they continue forever?” Commissioner Prelli said as long as legislators have an interest in what the council is about, then they are there. As soon as their interest dies off and they are not asking questions – you might as well not meet. Commissioner Prelli said some council’s are just on the books but not meeting. The Invasive Plants Council members spent a lot of time putting together last year’s report and a great piece of legislation and it did not generate any interest. Ed Parker used the example of the deer problem in the state – DEP tried for approximately ten years to do something in the state on deer management to no avail. Finally, the public in Fairfield County became fed up with the deer problem and local deer committees were formed, which was the spark to enable the DEP to get legislative changes that were needed. Prior to people in Fairfield County complaining about the deer problem, the general public and local elected officials were not weighing in that this was a problem. It was not because of the lack of science, energy to get something done or interest by the Department of Environmental Protection. It’s a pretty simple formula: Get the general public interested. Until we come up with some thoughts to get the public interested in the invasive issues, it will be extremely difficult for us to make any headway.

Betty McLaughlin said that as long as the public can purchase an invasive species at a nursery they never would understand the problems with invasive plants. She said nursery industry needs to educate the public. Ed Parker does agree that education and information to the public that has an environmental conscious. Some people just do not care as long as the invasive species is sold in the store. There really needs to be something to grab the public’s attention. Education needs to come from the government or the members sitting around this table to get the word out. Commissioner Prelli said that we need “science” to say which ones are invasives. Ed Parker agreed but also added that we need for “science” to say which ones are most invasive and damaging to our natural ecosystems. Donna Ellis, on behalf of Uconn and the CT Invasive Plants Working Group are really trying to educate the public (there will be a large symposium to be held in October.) The symposium will be geared to the “Green Industry.”

Tom McGowan spoke about the Environmental Committee legislative process. He was appalled at the process. The Committee scheduled the hearing in such a way that you could not put together a comprehensive presentation and make an impression. It appears that the real work goes on behind the scenes with the lobbyists. David Sutherland said that public hearings are really hard to predict. Tom McGowan thinks sooner or later a citizen group will be interested. He is very frustrated – not only because of the time and attention – he ought to be spending his time going to lake associations to tell them to contact their legislators regarding the aquatic problem.

Les Mehrhoff noted a lot of frustration around this table. He suggested that the Invasive Plants Council reconvenes to put together (not necessarily from a dollar point of view) a comprehensive education plan. Focus on what kind

of education needs to be done and educate the right people – include the general public and municipalities, not necessarily just the legislators. Maybe this will help bring the momentum back to the Council. Dr. Magnarelli said that he feels there is enough interest out there – but as a Council we need to come up with some clear-cut program objectives. The legislative side is very complicated and tough. Let’s think about this – he could see the Council wandering in the future and not making any forward progress. You really need to have forward movement.

**Future Meetings:**

**The Invasive Plants Council will not meet in June, July and August.**

The Invasive Plants Council will reconvene in September. Commissioner Prelli suggested that the Council invite the Chairmen of the Environment Committee at this meeting to see if they could move legislation next year. Let’s ask the Chairmen if it’s worth our while to work on legislation next year or should we just be working on education. We may need to change our direction. Dr. Magnarelli will send a letter of invitation to the Environment Committee Chairmen, Ranking Members and Senator Roraback. Dr. Magnarelli asked members to e-mail him about any request to invite legislators to September’s meeting. He will personally invite additional legislators to the meeting.

**Invasive Plants Council meeting dates for the remainder of 2006 through May 2007:** October 10<sup>th</sup>; November 14<sup>th</sup>; December 12<sup>th</sup>; January 9<sup>th</sup>; February 13<sup>th</sup>; March 13<sup>th</sup>; April 10<sup>th</sup>; and May 8<sup>th</sup>. All dates are scheduled to be held in the DEP, Ensign Room at 2:00 p.m.

**Old Business:**

Dr. Magnarelli again reminded members he will continue to serve as Acting Chair for the Council. By statute, he is the official plant regulator for the State of Connecticut and it is very difficult to keep them separate. Dr. Magnarelli will not be able to interact with legislators on issues because of a possible conflict of interest with his position as the Director of the CT Agricultural Experiment Station. The Invasive Plants Council will have to find a new Chair. Now that Deputy Commissioner David Leff retired, his Secretary, Jill Carr will be transitioning into another division. The Council will need to look for a new Secretary too. Dr. Magnarelli and Council members thanked Jill Carr for her hard work.

**New Business:**

Dr. Magnarelli noted there would be a retirement picnic to be held on June 17<sup>th</sup> at Rocky Neck State Park to honor David Leff.

Les Mehrhoff made a motion to adjourn. All in favor by the Council.

Respectfully submitted,  
Jill Carr  
Department of Environmental Protection

# INVASIVE PLANTS COUNCIL MEETING

## Minutes of 9/14/06

### As Approved by the Council

A regular meeting of the Invasive Plants Council (IPC) was held on Thursday, September 14, 2006. Dr. Louis Magnarelli, Acting Chairman, called the meeting to order at 2:20 p.m. in the Senate Caucus Room at the State Capitol, Hartford, Connecticut.

**Attendees:** Acting Chairman Dr. Louis Magnarelli, Paul Larson, Tom McGowan, Les Mehrhoff, Dr. Mary Musgrave, David Sutherland and Ed Parker.

**Other Attendees included:** Senator Andrew Roraback, State Representative Mary Fritz, State Representative Clark Chapin, Jillian Spikes on behalf of Representative Denise Merrill, Betty McLaughlin, CT Audubon, Jason Crisco (in place of Sandy Breslin of Audubon CT), Ken Metzler and Nancy Murray of the Dept. of Environmental Protection, Donna Ellis of the University of Connecticut; Linda Kowalski of the Kowalski Group & on behalf of CNLA, and Bob Heffernan of the CT Nursery and Landscape Association.

**Absent:** F. Philip Prelli, Commissioner of Dept. of Agriculture.

### **Approval of Minutes:**

Dr. Magnarelli distributed the May 9, 2006 minutes for Council approval. These minutes were accepted with minor edits. David Sutherland seconded. Paul Larson Motioned. Council passed the May 9, 2006 minutes.

### **Future Direction of The Council:**

Dr. Magnarelli expressed a concern about the direction of this Council. Right now, it will need a new Secretary and in the future, a new Chairman. His observation over a two-year period is that the Council members are a very dedicated group of individuals. He feels that the Council now is drifting and suggested that this group become an Advisory Committee. He asked the Council members for their suggestions, i.e., how to operate, how to still be effective.

Senator Roraback said that even though the Council right now is at an impasse, the “world and mother nature” is crying out for what this Council is doing. He thanked the members for their efforts.

Tom McGowan agreed with Dr. Magnarelli. He felt what is needed is a Statewide Coordinator. The states of Maine and New Hampshire each have one coordinator for Aquatic Species. Example of importance: right now Curly Leaf Pond Weed is in Lake Waramaug and also is at Lake Waramaug State Park too. This will hurt the economy. It will cost approximately \$110,000-\$140,000 for weed eradication, if it can be accomplished.

Representative Mary Fritz asked if Sterile Grass Carp could be used in milfoil eradication. Ed Parker said they did a study at Ball Pond and that this “Carp” was successful and this could be an inexpensive solution. But, this

only helps the milfoil solution. Ed Parker said the public needs education on invasives and that the Connecticut Legislature needs to be a driving force. Ed Parker feels that the Council should continue in its present role. He also said the invasive plants issue must be on the front page! He said DEP simply does not have resources and it is very frustrating when you know the end result.

Representative Mary Fritz asked if DEP's Commissioner, Gina McCarthy, would add the Invasive Plants Council as an agency budget line item? Ed Parker will ask Commissioner McCarthy.

Les Mehrhoff said the Council should stay in its present form. He felt there is an issue of habitat destruction in our state. He thought education was important too. He felt that the Invasive Plants Council should focus on education. He felt the "system" was working. Education would help the Council raise dollars. Nancy Murray stated that any dollars would have to include staff.

David Sutherland thinks the Council should stay in its present form. He felt that it had an important role to continue. He said that appropriated dollars is needed for eradication and rapid response. He also said that the Council should stay aware of the cultivar issue – but it does not need to be discussed at all Council meetings. Les Mehrhoff said the cultivar issue should be off the Invasive Plants Council table until more finite information is made available.

Dr. Mary Musgrave stated that the way the IPC legislation now exists on the books is flawed. She, as a member, is frustrated. She felt we need people to enforce and inspect invasives. She does not think the Council was formed for education. She agreed with Dr. Magnarelli's suggestion that the Council become an Advisory Committee.

David Goodwin said the Council needs support from the legislature otherwise he agrees with Dr. Magnarelli and Dr. Musgrave that it becomes an Advisory Committee. He also felt it needs help at the State level.

Representative Clark Chapin gained more knowledge on invasives when he met with the Council last year. He said that the questions he raised in last year's meeting were never answered. He went on to inform the Council members what happened with the proposed legislative bill. He said it was the request for fees – but again, he did not have any backup for support. He wanted to accomplish the task of moving the bill out of the Environment Committee and after he discussed this with both Chairs, he had to delete the piece on dollars. He did lobby for the legislation. He said some members of the Invasive Plants Council were working against what he was trying to accomplish. Representative Chapin is looking for guidance from the Council members and is frustrated and at a loss of where to take this.

Representative Mary Fritz said the Council has to be unified in its efforts to correct future legislation.

Paul Larson would be disappointed if the Council ended. Everyone put a lot of effort and time into this matter. He said there needs to be a focus on what issues the Council does agree on; this maybe a way to move forward.

David Goodwin understands Representative Chapin's frustration. Senator Roraback stated that as legislators, they need to know that any recommendations made from the Council have been done unanimously as a group.



Representative Mary Fritz said that there has to be agreement within the Council that whenever the majority makes a decision “that’s it.” She went on to discuss the two issues that Dr. Magnarelli brought up: replacement of a new Chair and a new Secretary. She said that the Council needs to begin thinking about a new Chair now. Much discussion took place from members about who will take over as the Chairman of the Council.

Dr. Magnarelli wants it known that the CT Agricultural Experiment Station (CAES) staff does not have the regulatory authority to order the destruction of banned plants. The CAES can give out copies of the law. The CAES staff can report a violation to the local police department. Dr. Magnarelli does not want to demonize the Nursery Industry because the growers have always cooperated when diseased plants needed to be destroyed. Dr. Magnarelli noted the handout by Donna Ellis for the CT Invasive Plant Working Group Symposium to be held on October 12<sup>th</sup> at the Mountainside Resort in Wallingford.

Senator Roraback said it is important to make the case of why the Invasive Plants Council needs funding. Example: Hydrilla is a large problem in the state and it is something we should be very scared about. Senator Roraback went on to say that the Invasive Plants Council needs to make a case to the legislators for funding of a budget. Think about making a case for a full-time coordinator in DEP. Let legislators know that this is a serious problem and merits a state budget.

Nancy Murray said that the Aquatic Nuisance Species Plan is going to DEP’s Commissioner and the Governor’s Office for approval. Once the Governor’s has approved this plan, it will make DEP eligible for some federal funds.

This Plan can easily be modified to address terrestrial species and invertebrates. This Plan could be used to coordinate all efforts and eliminate duplication of efforts – this Plan has good structure. If a Coordinator were in place in DEP, then there would be a good opportunity to show what the Invasive Plants Council can accomplish. The federal dollars could pay for a portion of the Coordinator position. There will still be a need to look to state legislators for approval of further funding.

Representative Mary Fritz told the Council Members to be prepared with the necessary information in early December. This way she, Senator Roraback and Representative Chapin can bring this information in a timely fashion to the Appropriations Committee.

Senator Roraback and Representatives Fritz and Chapin will attend another Invasive Plants Council meeting in either December or January. This will give the Council Members time to put together a proposed legislative bill.

Dr. Mary Musgrave said the states of Connecticut, Vermont and Maine received federal dollars earmarked through the USDA for the New England Invasive Plants Center, which is centered at the University of Connecticut. A specific goal of the center is to develop sterile alternatives for ornamental plants, education, and sterile cultivars. Representative Mary Fritz suggested that Dr. Musgrave plan on giving a slide show on what invasives are.

**Finding A  
Replacement  
Secretary:**

Dr. Magnarelli acknowledged Jill Carr's loyalty to the Council. Dr. Magnarelli will be writing a letter to Commissioner McCarthy, noting the above. It was suggested that the Co-Chairs for the Environment Committee be approached with a request for providing the Invasive Plants Council with a Secretary. Dr. Magnarelli stated that he invited by letter both Co-Chairs to attend today's meeting and they did not show up or even responded back to him. When Senator Roraback and Representatives Fritz and Chapin return in either December or January, he suggests that the Council Members request their help in getting the Environment Committee provide to a Secretary, as it has done in the past. Ed Parker said it is very hard to take minutes and engage in a meeting discussion and suggested that Dr. Magnarelli approach Commissioner Prelli to provide a Secretary. Paul Larson agreed with the Ed Parker because he has taken notes early on, when the Council began. Dr. Magnarelli again said that there are no resources and there is a reluctance to move forward. Example: the Council did not act on electing a new secretary today.

**Old/New Business:** October 10<sup>th</sup> meeting will be held in the Ensign Room. Dr. Magnarelli may look at another location to hold future meetings. The October meeting will be focused on the elements of proposed draft legislation. Ed Parker suggests canceling the October 10<sup>th</sup> as a meeting and come together as a working group, for both members and non-members. There was a general discussion that October 10<sup>th</sup> meeting could be a working group session only with no minutes being taken. Betty McLaughlin thought the working group is a good idea, but she stated to be sure that others outside of this meeting are aware of this. David Goodwin will take attendance at the October meeting. The October agenda will be sent out electronically to all groups.

November meeting date discussed – will be rescheduling the 11/14 meeting because Dr. Magnarelli has another conflict. Newly, proposed date is 11/21 in the DEP, Ensign Room.

**Motion to  
Adjourn:**

David Goodwin motioned. Les Mehrhoff seconded. Meeting adjourned at 4:05 p.m.

Respectfully submitted,  
Jill Carr  
Department of Environmental Protection

**Connecticut Invasive Plants Council**  
**October 10, 2006 meeting**  
**Minutes**

**Present:** Lou Magnarelli; Dave Goodwin; Mary Musgrave; Tom McGowan; Nancy Murray; David Sutherland; Les Mehrhoff

**Other Guests:** Betty McLaughlin; Bonnie Burr; Sandy Breslin; Donna Ellis; Rob Clapper; Karen Weeks

Lou Magnarelli called the meeting to order at approximately 2:10.

**Election of Officers** Magnarelli announced that he is willing to continue as Chair of the Council through the end of 2007 regular legislative session in June. He had spoken with Phil Prelli, who had agreed to serve as Vice Chair. David Sutherland volunteered to serve as Secretary for the next three months through the December 2006 meeting.

The group deferred voting on Prelli's selection as Vice Chair until he is present. Les Mehrhoff moved the nominations of Magnarelli and Sutherland as Chair and Secretary, Dave Goodwin seconded. All voted in favor.

Sutherland and Sandy Breslin and Bonnie Burr volunteered to speak with the Chairs of the Environment Committee to request that the committee provide staff to take and distribute minutes, as it did for the first year of the council's existence.

**9/14/06 Minutes** Goodwin moved acceptance of the minutes of the September 14<sup>th</sup> meeting, Mehrhoff seconded. All voted to accept the minutes as drafted.

**State Auditor** Magnarelli reported that a state auditor visited him to ask questions about the council's operations. Magnarelli has no indication of any problems other than an inquiry by the auditor as to why there is no designated lead agency for the council. The group agreed to discuss that issue at the next meeting.

**Annual Report** Magnarelli announced that he would begin drafting an annual report, which is due annually to the Environment Committee by January 1<sup>st</sup>.

**Legislation** The group discussed ways in which different components of our proposed legislation might be divided into different bills. Sutherland suggested combining any appropriation request with the preemption provision, stating that he is authorized to agree to a five-year preemption if it is accompanied by a significant appropriation. He suggested trying to insert the technical changes into an Environment Committee Minor Revisions bill, if that committee introduces such a bill this year to make relatively minor changes to environmental statutes. Mary Musgrave suggested that the provisions regarding inspections by the Department of Agriculture and the Connecticut Agricultural Experiment Station be included with the Appropriations request. It was agreed that Magnarelli and Prelli would discuss this.

Other changes discussed are included in the draft proposed legislation attached. The group will discuss these at the November meeting. Magnarelli will offer three dates, December 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup>, as dates for a Council meeting to which the legislators

**Connecticut Invasive Plants Council**  
**November 21, 2006**

**DRAFT Minutes**

Present:

Council Members: Paul Larson, Dave Goodwin, Mary Musgrave, Commissioner Phil Prelli, Les Mehrhoff, Ed Parker, Lou Magnarelli, David Sutherland, Tom McGowan

Others: Nancy Murray, Donna Ellis, Bob Heffernan, Karen Weeks, Carrie Rand

Chairman Magnarelli called the meeting to order at 2:05. He distributed a copy of a letter forwarded to him by Governor Rell's office. The letter was written by a Massachusetts resident concerning a problem with invasive plants at Lake Wonompscomic in Lakeville, Connecticut.

**October Minutes** The group discussed the minutes of the October meeting. Murray suggested a change to more accurately reflect her statements about the inappropriateness of a DEP account, which had been discussed at the meeting, as a vehicle for funding of Invasive plant initiatives. Goodwin moved adoption of the minutes with Murray's changes, Larson seconded, and the group approved them.

Prelli apologized for missing the previous meeting.

**December Meeting** Magnarelli noted that he had scheduled the December meeting for December 12<sup>th</sup> at 1:00, with December 14<sup>th</sup> as a snow date, and that he planned to invite several legislators. Mehrhoff suggested inviting the entire Environment Committee. Magnarelli noted that any member of the Council could invite any legislators. Prelli suggested that leaders of the Appropriations Committee be invited.

Prelli suggested that it would be easier for legislators to attend if the meeting were held at the Legislative Office Building. Sutherland agreed to request Room 2600 at the LOB for the meeting, and Magnarelli stated that he would invite several legislators once the meeting place was confirmed.

Parker noted that he would be out of state for the December meeting.

**Legislative Proposal** The group discussed its legislative proposals and whether they should be split into two or more bills for action by the General Assembly. Sutherland suggested that the five-year pre-emption of municipal sale bans and the appropriation request were not technical or minor in nature, and should be put together in one bill, with the other more minor changes in another bill. Prelli argued that putting the appropriation request with the pre-emption would cause such a bill to go to more committees and suggested that the pre-emption should be included with the other non-budgetary items. Sutherland objected, noting that he could support the pre-emption only if it were accompanied by the appropriation request. Other members of the council disagreed with this suggestion.

Several members expressed the need for the council to present a united position. Sutherland suggested that the Council vote on all of the proposals as a package and not take a position on how or whether they should be divided into different bills.

Parker suggested that the proposed program be funded by an appropriation, not by fees that were suggested last year. There was general agreement on that, although input from legislators may influence the council's position.

The budget for the proposed program was discussed, with changes agreed upon as follows:

	Old Proposal	New Proposal
DEP Invasive Plants Coordinator	\$ 80,000	\$ <b>90,000</b>
Early Detection/Rapid Response	\$ 125,000	\$ 125,000
Education and Outreach	\$ 60,000	\$ <b>65,000</b>
DoA and CAES Inspectors	\$ 20,000	\$ <b>30,000</b>
Administration	\$ 15,000	\$ 15,000
Grants to Municipalities, Groups	\$ 174,000	\$ <b>175,000</b>
<b>TOTAL</b>	<b>\$ 474,000</b>	<b>\$ 500,000</b>

Musgrave pointed out that all references to "invasive species" in the legislation should be changed to "invasive plants".

Prelli moved, and Mehrhoff seconded the motion, to adopt the legislative package with the changes noted. The groups unanimously approved.

**Annual Report** The group went over the draft Annual Report that Magnarelli had prepared. The budget for a proposed Invasive Plants program will be changed as above. Sutherland recommended that 1) there be a reference to the purpose of the council in the beginning of the report; 2) that wording be inserted noting that he has agreed to prepare minutes of the council until another arrangement can be made, and that the council should request that the Environment Committee again provide such service; 3) that language be inserted, with the examples of private expenditures on control, noting that there are hundreds of other infestations that towns and private groups need to address; and 4) other minor changes. He agreed to provide language on these to Magnarelli. Magnarelli will insert language describing Parker's role on the council.

Sutherland had to leave and Nancy Murray agreed to keep minutes, which follow, for the rest of the meeting

### **Old and New Business**

L. Mehrhoff circulated photos of a water hyacinth from a pond in East Hampton. The plants were removed early in the season. Later in the season, more plants were found in the same location. Mehrhoff suggested that the nursery industry label this and perhaps other similar plants with information saying that water garden plants should not be disposed in lakes and ponds as their introduction disrupts the natural habitat.

Mehrhoff also wants to work with others to create an educational brochure that can be distributed by pet stores and nurseries.

E. Parker informed the Council that the CT Aquatic Nuisance Species Management Plan has been given to Commissioner McCarthy for signature and should then be sent to Governor Rell for review and signature.

N. Murray shared information made available at the Northeast Aquatic Nuisance Species Panel meeting that the NY State draft report on invasive species and its 12 recommendations was used by stakeholders to make the case for the NY legislature to make \$1M available to NYSDEC in 2005 to get its invasive program up and running – mainly a grant program to help support local eradication / control efforts. That money was followed by an additional \$3.25M in 2006 and they are currently interviewing for grant management coordinator.

T. McGowan asked Chairperson Magnarelli for the plan for the Dec. 12 meeting. L. Magnarelli stated that he would distribute and summarize the proposed legislation including the requested budget. He would then request input from the legislators. T. McGowan said he could have people who do the actual control work to present information on costs to do control work. The Council decided to focus on the legislation; present a summary sheet of control costs that would be handed out.

A motion was made to appoint Commissioner P. Prelli as the Vice Chairman for the IPC. This motion was unanimously approved.

A motion was then made to adjourn the meeting and approved.

would be invited to discuss the proposed legislation and how it might be divided into components.

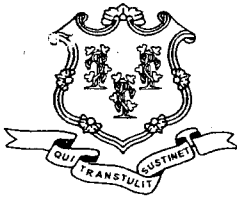
Musgrave pointed out that last year's bill analysis alternatively referred to "invasive species" and "invasive plants", and that it should be consistently "invasive plants"

**Funding Proposal** The group went over last year's funding request, and confirmed the components as still being necessary. There was discussion of requesting bonding for the grants portion of the proposal and seeing if such funding could be requested under an existing DEP bond program (which currently has no funding in it). Murray stated that that account addresses diverse lake studies, management and water quality issues and was not an appropriate place for invasive plant funding.

The group discussed the advantages and disadvantages of pursuing dedicated fees or appropriations to fund the program. The group agreed that for now, we would propose the program and the funding need and ask legislative supporters which funding source they would back.

Goodwin moved adjournment, Mehrhoff seconded. The meeting was adjourned at 3:45

**Next Meeting Dates:** November 21<sup>st</sup> 2:00; and *tentatively* December 12<sup>th</sup> at 2:00, although Magnarelli will offer December 12<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> to a few legislators to see which date works for them



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



March 6, 2006

SAMPLE LETTER SENT  
TO ALL AGENCY HEADS  
ON 3/9/06

Dr. Philip E. Austin  
President  
University of Connecticut  
Gulley Hall  
Storrs, CT 06268

Dear Dr. Austin:

This letter is being sent to all Connecticut state agencies, departments, and institutions as official notification of legislation on invasive plants. Attached please find the following documents:

- 1) Connecticut Invasive Plant List, January 2004
- 2) Public Act No. 03-136, "An Act Concerning Invasive Plants."
- 3) Public Act No. 04-203, "An Act Concerning Fines for Banned Invasive Plants."

Public Act 03-136 was signed by the Governor on June 26, 2003 and Public Act 04-203 was signed on May 21, 2004. As a result of the legislation, an Invasive Plants Council was formed which includes representatives of government, the nursery industry, scientists, and environmental groups. The Council's activities are described in Section 2 of Public Act 03-136. Annual reports are available from my office upon request.

Of particular interest to your agency is Section 4 of Public Act No. 03-136:

*"No state agency, department or institution shall purchase any plant listed as invasive or potentially invasive pursuant to section 3 of this act, provided nothing in this section shall be construed to prohibit such purchase if such purchase is necessary to honor a state contract in effect as of the date any such plant is listed as invasive or potentially invasive pursuant to section 3 of this act. Nothing in this section shall be construed to prohibit any state agency, department or institution from transporting any invasive or potentially invasive plant for educational or research purposes."*

The invasive and potentially invasive plants referenced in Section 4 are listed in the attached "Connecticut Invasive Plant List, January 2004." Invasive plant information can be found on the Connecticut Invasive Plant Working Group (CIPWG) website ([www.hort.uconn.edu/cipwg](http://www.hort.uconn.edu/cipwg)) and the Invasive Plant Atlas of New England (IPANE) website ([www.ipane.org](http://www.ipane.org)).

If you have any questions about the legislation or need further assistance, please contact me at (860) 424-3005 or via email at [david.leff@po.state.ct.us](mailto:david.leff@po.state.ct.us)

Sincerely,

David K. Leff  
Deputy Commissioner  
Chairman, Invasive Plants Council

DKL/de



## CONNECTICUT INVASIVE PLANT LIST JANUARY 2004

This is a list of species that have been determined by floristic analysis to be invasive or potentially invasive in the state of Connecticut, in accordance with PA 03-136. The Invasive Plants Council will generate a second list recommending restrictions on some of these plants. In developing the second list and particular restrictions, the Council will recognize the need to balance the detrimental effects of invasive plants with the agricultural and horticultural value of some of these plants, while still protecting the state's minimally managed habitats.

### CONNECTICUT INVASIVE PLANT LIST ( Produced by the Connecticut Invasive Plants Council ) Connecticut Public Act No. 03-136

*The Connecticut Invasive Plants Council encourages the use of non-invasive alternatives, particularly when planting near parks, natural areas, or other minimally managed habitats.*

<b>AQUATIC &amp; WETLAND PLANTS</b>			
<b>Species</b>	<b>Common name</b>	<b>Invasive</b>	<b>Potentially Invasive</b>
Butomus umbellatus L.	Flowering rush		X
Cabomba caroliniana A. Gray	Fanwort	X	
Callitriche stagnalis Scop.	Pond water-starwort		X
Egeria densa Planchon	Brazilian waterweed		X
†Eichhornia crassipes (Mart.) Solms	Common waterhyacinth		X
Hydrilla verticillata (L.f.) Royle	Hydrilla	X	
Iris pseudacorus L.	Yellow Iris	X	
Lythrum salicaria L.	Purple loosestrife	X	
Marsilea quadrifolia L.	European waterclover		X
Myosotis scorpioides L.	Forget-me-not	X	
Myriophyllum aquaticum (Vell.) Verdc.	Parrotfeather		X
Myriophyllum heterophyllum Michx.	Variable-leaf watermilfoil	X	
Myriophyllum spicatum L.	Eurasian watermilfoil	X	
Najas minor All.	Brittle water-nymph		X
Nelumbo lutea (Willd.) Pers.	American water lotus		X

†Nymphoides peltata (Gmel.) Kuntze	Yellow floating heart		X
†Pistia stratiotes L.	Water lettuce		X
Potamogeton crispus L.	Crispy-leaved pondweed	X	
Rorippa microphylla (Boenn. ex Reichenb.) Hyl. ex A. & D. Löve	Onerow yellowcress		X
Rorippa nasturtium-aquaticum (L.) Hayek	Watercress		X
†Salvinia molesta Mitchell complex	Giant salvinia		X
Trapa natans L.	Water chestnut	X	

### TREES

Species	Common name	Invasive	Potentially Invasive
Acer ginnala L.	Amur maple		X
*Acer platanoides L.	Norway maple	X	
Acer pseudoplatanus L.	Sycamore maple		X
Ailanthus altissima (Mill.) Swingle	Tree of heaven	X	
Paulownia tomentosa (Thunb.) Steudel	Princess tree		X
Populus alba L.	White poplar		X
*Robinia pseudo-acacia L.	Black locust	X	

### SHRUBS

Species	Common name	Invasive	Potentially Invasive
Amorpha fruticosa L.	False indigo		X
*Berberis thunbergii DC.	Japanese barberry	X	
Berberis vulgaris L.	Common barberry	X	
Elaeagnus angustifolia L.	Russian olive		X
Elaeagnus umbellata Thunb.	Autumn olive	X	
*Euonymus alatus (Thunb.) Sieb.	Winged euonymus	X	
Frangula alnus Mill.	Glossy	X	

	buckthorn		
Ligustrum obtusifolium Sieb. & Zucc.	Border privet		X
Ligustrum ovalifolium Hassk.	California privet		X
Ligustrum vulgare L.	European privet		X
Lonicera xbella Zabel	Bell's honeysuckle	X	
Lonicera maackii (Rupr.) Maxim.	Amur honeysuckle	X	
Lonicera morrowii A. Gray	Morrow's honeysuckle	X	
Lonicera tatarica L.	Tatarian honeysuckle		X
†Lonicera xylosteum L.	Dwarf honeysuckle		X
Rhamnus cathartica L.	Common buckthorn	X	
Rosa multiflora Thunb.	Multiflora rose	X	
*Rosa rugosa Thunb.	Rugosa rose		X
Rubus phoenicolasius Maxim.	Wineberry		X

### WOODY VINES

Species	Common name	Invasive	Potentially Invasive
*Ampelopsis brevipedunculata (Maxim.) Trautv.	Porcelainberry		X
Celastrus orbiculatus Thunb.	Oriental bittersweet	X	
*Lonicera japonica Thunb.	Japanese honeysuckle	X	
Pueraria montana (Lour.) Merr.	Kudzu		X

### HERBACEOUS PLANTS

Species	Common name	Invasive	Potentially Invasive
Aegopodium podagraria L.	Goutweed	X	
Alliaria petiolata (Bieb.) Cavara & Grande	Garlic mustard	X	
Cardamine impatiens L.	Narrowleaf	X	

	bittercress		
<i>Centaurea biebersteinii</i> DC.	Spotted knapweed	X	
<i>Cirsium arvense</i> (L.) Scop.	Canada thistle		X
<i>Cynanchum louiseae</i> Kartesz & Gandhi	Black swallowwort	X	
<i>Cynanchum rossicum</i> (Kleo.) Borhidi	Pale swallowwort	X	
<i>Datura stramonium</i> L.	Jimsonweed		X
<i>Elsholtzia ciliata</i> (Thunb.) Hylander	Crested late-summer mint		X
<i>Euphorbia cyparissias</i> L.	Cypress spurge		X
<i>Euphorbia esula</i> L.	Leafy spurge	X	
<i>Froelichia gracilis</i> (Hook.) Moq.	Slender snake cotton		X
<i>Glechoma hederacea</i> L.	Ground ivy		X
<i>Heracleum mantegazzianum</i> Sommier & Lavier	Giant hogweed		X
<i>Hesperis matronalis</i> L.	Dame's rocket	X	
<i>Humulus japonicus</i> Sieb. & Zucc.	Japanese hops		X
† <i>Impatiens glandulifera</i> Royle	Ornamental jewelweed		X
<i>Kochia scoparia</i> (L.) Schrader	Common kochia		X
<i>Lepidium latifolium</i> L.	Perennial pepperweed	X	
<i>Lychnis flos-cuculi</i> L.	Ragged robin		X
* <i>Lysimachia nummularia</i> L.	Moneywort		X
* <i>Lysimachia vulgaris</i> L.	Garden loosestrife		X
<i>Onopordum acanthium</i> L.	Scotch thistle		X
<i>Ornithogalum umbellatum</i> L.	Star-of-Bethlehem		X
<i>Polygonum caespitosum</i> Blume	Bristled knotweed		X
<i>Polygonum cuspidatum</i> Sieb. & Zucc.	Japanese knotweed	X	
<i>Polygonum perfoliatum</i> L.	Mile-a-minute vine	X	
<i>Polygonum sachalinense</i> F. Schmidt ex Maxim.	Giant knotweed		X
<i>Ranunculus ficaria</i> L.	Fig buttercup	X	
<i>Rumex acetosella</i> L.	Sheep sorrel		X
† <i>Senecio jacobaea</i> L.	Tansy ragwort		X

Silphium perfoliatum L.	Cup plant		X
Solanum dulcamara L.	Bittersweet nightshade		X
Tussilago farfara L.	Coltsfoot	X	
Valeriana officinalis L.	Garden heliotrope		X
<b>GRASSES AND GRASS-LIKE PLANTS</b>			
<b>Species</b>	<b>Common name</b>	<b>Invasive</b>	<b>Potentially Invasive</b>
Arthraxon hispidus (Thunb.) Makino	Hairy jointgrass		X
Bromus tectorum L.	Drooping brome- grass		X
†Carex kobomugi Owhi	Japanese sedge		X
Glyceria maxima (Hartman) Holmburg	Reed mannagrass		X
Microstegium vimineum (Trin.) A. Camus	Japanese stilt grass	X	
*Miscanthus sinensis Anderss.	Eulalia		X
Phalaris arundinacea L.	Reed canary grass	X	
Phragmites australis (Cav.) Trin.	Common reed	X	
Poa compressa L.	Canada bluegrass		X

\* An asterisk (\*) denotes that the species, although shown by scientific evaluation to be invasive, has cultivars that have not been evaluated for invasive characteristics. Further research may determine whether or not individual cultivars are potentially invasive. Cultivars are commercially available selections of a plant species that have been bred or selected for predictable, desirable attributes of horticultural value such as form (dwarf or weeping forms), foliage (variegated or colorful leaves), or flowering attributes (enhanced flower color or size).

† A dagger (†) indicates species that are not currently known to be naturalized in Connecticut but would likely become invasive here if they are found to persist in the state without cultivation.

January 2004



***Substitute Senate Bill No. 1046***

***Public Act No. 03-136***

***AN ACT CONCERNING INVASIVE PLANTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective from passage*) (a) There shall be an Invasive Plants Council which shall consist of the following members: (1) The Commissioner of Agriculture, or the commissioner's designee; (2) the Commissioner of Environmental Protection, or the commissioner's designee; (3) the director of the Connecticut Agricultural Experiment Station, or the director's designee; (4) the dean of the College of Agriculture and Natural Resources at The University of Connecticut, or the dean's designee; (5) a representative of Invasive Plant Atlas of New England appointed by the minority leader of the Senate; (6) one representative of a nonprofit environment association with a demonstrated knowledge of invasive plants appointed by the speaker of the House of Representatives; (7) one representative of a nonprofit association concerned with growers and retailers of plants and flowers appointed by the president pro tempore of the Senate; (8) one representative of a nonprofit association concerned with oceans, lakes and rivers appointed by the Governor; and (9) one representative from a company that grows or sells flowers and plants appointed by the minority leader of the House of Representatives.

(b) The council shall annually elect a chairperson from among its members who shall convene and preside over the council meetings. Such meetings shall be held at least twice per year. The council may create work groups as necessary.

Sec. 2. (NEW) (*Effective from passage*) (a) The Invasive Plants Council shall: (1) Develop and conduct a program to educate the general public and merchants and consumers of aquatic and land-based plants as to the problems associated with invasive plants; (2) make recommendations to control and abate the spread of invasive plants; (3) make available information regarding invasive plants available to any person or group who requests such information; (4) annually publish and periodically update a list of plants considered to be invasive or potentially invasive; and (5) support those state agencies charged with protecting the environment in conducting research into the control of invasive plants, including, but not limited to, the development of new varieties of plant species that do not harm the environment and methods of eradicating and managing existing species of invasive plants.

(b) The council may, with a two-thirds vote of its membership, make a recommendation to the joint standing committee of the General Assembly having cognizance of matters relating to the environment that the import or export, retail sale or wholesale and purchase of any plant listed as

an invasive plant or a potentially invasive plant pursuant to section 3 of this act be prohibited. In considering whether to make such recommendation, the council may consider: (1) The estimated dollar value of sales of said plant in the state; (2) the estimated costs associated with eradication of the plant in the state; (3) the potential effect of the plant on the environmental resources of the state or a region within the state; and (4) the estimated effect on property values in the state or a region of the state where said plant may propagate.

(c) The council may conduct or recommend research on the problem of invasive plants.

(d) The council may use such funds as may be available from federal, state or other sources and may enter into contracts to carry out the purposes of this section.

(e) The council shall report, in accordance with section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment on or before February 1, 2004, and on January first annually thereafter, concerning the council's accomplishments of the past year and recommendations for the upcoming year, including, but not limited to, recommendations to prohibit the import or export, retail sale or wholesale and purchase of any invasive or potentially invasive plant listed pursuant to section 3 of this act. In reporting recommendations to prohibit the import or export, retail sale or wholesale and purchase of any invasive or potentially invasive plant, the council shall also submit the names of any plant considered for such recommendation, information relating to any findings made pursuant to subsection (b) of this section and the vote of each council member on such recommendation.

Sec. 3. (NEW) (*Effective from passage*) (a) In publishing and updating the list of invasive plants required under section 2 of this act, the Invasive Plants Council shall determine that a plant possesses the following characteristics before it is included on such list: (1) Is nonindigenous to the state; (2) is naturalized or has the potential to become naturalized or occurring without the aid and benefit of cultivation in an area where the plant is nonindigenous; (3) under average conditions, the plant has the biological potential for rapid and widespread dispersion and establishment in the state or region within the state; (4) under average conditions, the plant has the biological potential for excessive dispersion over habitats of varying sizes that are similar or dissimilar to the site of the plant's introduction into the state; (5) under average conditions, the plant has the biological potential for existing in high numbers outside of habitats that are intensely managed; (6) occurs widely in a region of the state or a particular habitat within the state; (7) the plant has numerous individuals within many populations; (8) is able to out-compete other species in the same natural plant community; and (9) has the potential for rapid growth, high seed production and dissemination and establishment in natural plant communities.

(b) In publishing and updating the list of potentially invasive plants required under section 2 of this act, before including a plant on such list the Invasive Plants Council shall determine that a plant: (1) Possesses each of the characteristics set forth in subdivisions (1) to (5), inclusive, of subsection (a) of this section; and (2) possesses at least one of the characteristics set forth in subdivisions (6) to (9), inclusive, of subsection (a) of this section.

(c) Upon a finding that a plant meets the criteria for listing as an invasive plant under subsection (a) of this section, or as a potentially invasive plant under subsection (b) of this section, prior to listing such plant as invasive or potentially invasive, as applicable, the majority of the council's membership shall approve of such listing. On the request of two or more members of the council, the council shall hold a meeting, open to the public, not later than thirty days prior to the publication of the initial invasive plant list or the addition of any plant to the invasive plant list, as applicable.

(d) In listing a plant as invasive or potentially invasive, the council may make recommendations on how to discourage the sale and import of such plants in the state and identify alternative plants to the listed plant for growing purposes.

Sec. 4. (NEW) (*Effective from passage*) No state agency, department or institution shall purchase any plant listed as invasive or potentially invasive pursuant to section 3 of this act, provided nothing in this section shall be construed to prohibit such purchase if such purchase is necessary to honor a state contract in effect as of the date any such plant is listed as invasive or potentially invasive pursuant to section 3 of this act. Nothing in this section shall be construed to prohibit any state agency, department or institution from transporting any invasive or potentially invasive plant for educational or research purposes.

Sec. 5. Section 15-140e of the general statutes is amended by adding subsection (f) as follows (*Effective from passage*):

(NEW) (f) Any course in safe boating operation approved by the Commissioner of Environmental Protection, as described in subsection (b) of this section, shall include instruction on the proper means of: (1) Inspecting a vessel and trailers used for transporting such vessels for the presence of vegetation; and (2) properly disposing of such vegetation.

Sec. 6. (NEW) (*Effective from passage*) (a) No person shall transport a vessel, as defined in section 15-127 of the general statutes, or any trailer used to transport such vessel, in the state without first inspecting such vessel for the presence of vegetation and properly removing and disposing of any such vegetation from such vessel or trailer.

(b) Any person who violates the provisions of this section shall be fined not more than one hundred dollars for each such violation.

Sec. 7. Subsection (a) of section 26-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Conservation officers, special conservation officers and patrolmen appointed by the commissioner under authority of section 26-5, shall enforce the provisions of title 23 and this title and chapters 246, 247, 248, 255 and 268 and regulations adopted pursuant to such titles and chapters and sections 26-192c to 26-192h, inclusive, 22a-250, 29-28, 29-35, 29-38, 53-134, 53-190, 53-191, 53-194, 53-203, 53-204, 53-205, 53a-59 to 53a-64, inclusive, 53a-100 to 53a-117, inclusive, subsection (b) of section 53a-119b, 53a-122 to 53a-125, inclusive, 53a-130, 53a-133 to



53a-136, inclusive, 53a-147 to 53a-149, inclusive, 53a-157b, 53a-165 to 53a-167c, inclusive, 53a-171, 53a-181 to 53a-183a, inclusive, 54-33d, [and] 54-33e and section 6 of this act.

Sec. 8. (NEW) (*Effective from passage*) (a) Notwithstanding the provisions of any ordinance adopted by a municipality, no person shall import, move, sell, purchase, possess, cultivate or distribute any of the following invasive plants: (1) Curly leaved Pondweed (*Potamogeton crispus*); (2) fanwort (*Cabomba caroliniana*); (3) eurasian water milfoil (*Myriophyllum spicatum*); (4) variable water milfoil (*Myriophyllum heterophyllum*); (5) water chestnut (*Trapa natans*); (6) egeria (*Egeria densa*); and (7) hydrilla (*Hydrilla verticillata*). Any person who violates the provisions of this subsection shall be fined not more than one hundred dollars.

(b) From the effective date of this section until May 5, 2004, no municipality shall adopt any ordinance regarding the retail sale or purchase of any invasive plant.

Sec. 9. Subsection (b) of section 51-164n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Notwithstanding any provision of the general statutes, [to the contrary,] any person who is alleged to have committed (1) a violation under the provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-326g, subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-143b, 13a-247, 13a-253, subsection (f) of section 13b-42, section 13b-90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b, 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414, subsection (d) of section 14-12, section 14-20a, 14-27a, subsection (e) of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49, 14-50a, 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b, 14-67a, subsection (f) of section 14-80h, section 14-97a, section 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152, 14-153, 14-163b, a first violation as specified in subsection (f) of section 14-164i, section 14-219 specified in subsection (e) of said section, section 14-240, 14-249, 14-250, subsection (a), (b) or (c) of section 14-261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a, 14-278, 14-279, subsection (e) of section 14-283, section 14-291, 14-293b, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330, 14-332a, subdivision (1), (2) or (3) of section 14-386a, section 15-33, subsection (a) of section 15-115, section 16-256, 16-256e, 16a-15, 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137, 17b-407, 17b-451, 17b-734, subsection (b) of section 17b-736, 19a-30, 19a-33, 19a-39, 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265, 20-324e, subsection (a) of section 20-341, section 20-341i, 20-597, 20-608, 20-610, 21-30, 21-38, 21-39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26, 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63, 21a-77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-159, 21a-201, 21a-211, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-37, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326, 22-

342, subsection (b) or (e) of section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a, 22a-246, subsection (a) of section 22a-250, subsection (e) of section 22a-256h, section 22a-449, 22a-461, 23-37, 23-38, 23-46, 23-61b, subsection (a) or (b) of section 23-65, section 25-37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-109, 29-161a, 29-161b, 29-198, 29-210, 29-243, 29-277, 29-316, 29-318, 29-341, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a, 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b, 31-134, subsection (g) of section 31-273, section 31-288, 36a-787, 42-230, 45a-450, 45a-634, 45a-658, subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, subsection (a) or (b) of section 53-211, section 53-212a, 53-249a, 53-252, 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344, [or] 53-450 or subsection (a) of section 8 of this act, or (2) a violation under the provisions of chapter 268, or (3) a violation of any regulation adopted in accordance with the provisions of section 12-484, 12-487 or 13b-410, shall follow the procedures set forth in this section.

Approved June 26, 2003



*Substitute Senate Bill No. 547*

*Public Act No. 04-203*

***AN ACT CONCERNING FINES FOR BANNED INVASIVE PLANTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (e) of section 2 of public act 03-136 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) The council shall report, in accordance with section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment on or before February 1, [2004] 2005, and on January first annually thereafter, concerning the council's accomplishments of the past year and recommendations for the upcoming year, including, but not limited to, recommendations to prohibit the import or export, retail sale or wholesale and purchase of any invasive or potentially invasive plant listed pursuant to section 22a-381b. In reporting recommendations to prohibit the import or export, retail sale or wholesale and purchase of any invasive or potentially invasive plant, the council shall also submit the names of any plant considered for such recommendation, information relating to any findings made pursuant to subsection (b) of this section and the vote of each council member on such recommendation.

Sec. 2. Section 8 of public act 03-136 is repealed and the following is substituted in lieu thereof (*Effective October 1, 2004*):

(a) Notwithstanding the provisions of any ordinance adopted by a municipality, no person shall import, move, sell, purchase, [possess,] transplant, cultivate or distribute any of the following invasive plants: (1) Curly leaved Pondweed (*Potamogeton crispus*); (2) fanwort (*Cabomba caroliniana*); (3) eurasian water milfoil (*Myriophyllum spicatum*); (4) variable water milfoil (*Myriophyllum heterophyllum*); (5) water chestnut (*Trapa natans*); (6) egeria (*Egeria densa*); [and] (7) hydrilla (*Hydrilla verticillata*); [. Any person who violates the provisions of this subsection shall be fined not more than one hundred dollars. ] (8) common barberry (*Berberis vulgaris*); (9) autumn olive (*Elaeagnus umbellata*); (10) Bell's honeysuckle (*Lonicera xbella*); (11) amur honeysuckle (*Lonicera maackii*); (12) Morrow's honeysuckle (*Lonicera morrowii*); (13) common buckthorn (*Rhamnus cathartica*); (14) multiflora rose (*Rosa multiflora*); (15) Oriental bittersweet (*Celastrus orbiculatus*); (16) garlic mustard (*Alliaria petiolata*); (17) narrowleaf bittercress (*Cardamine impatiens*); (18) spotted knapweed (*Centaurea biebersteinii*); (19) black swallow-wort (*Cynanchum louiseae*); (20) pale swallow-wort (*Cynanchum rossicum*); (21) leafy spurge (*Euphorbia esula*); (22) Dame's rocket (*Hesperis matronalis*); (23) perennial pepperweed (*Lepidium latifolium*); (24) Japanese knotweed (*Polygonum cuspidatum*); (25) mile-a-minute vine (*Polygonum perfoliatum*); (26) fig buttercup (*Ranunculus ficaria*); (27) coltsfoot

(Tussilago farfara); (28) Japanese stilt grass (Microstegium vimineum); (29) common reed (Phragmites australis); (30) sycamore maple (Acer pseudoplatanus); (31) princess tree (Paulownia tomentosa); (32) white poplar (Populus alba); (33) false indigo (Amorpha fruticosa); (34) Russian olive (Eleagnus angustifolia); (35) wineberry (Rubus phoenicolasius); (36) kudzu (Pueraria montana); (37) Canada thistle (Cirsium arvense); (38) jimsonweed (Datura stramonium); (39) crested late-summer mint (Elsholtzia ciliata); (40) Cypress spurge (Euphorbia cyparissias); (41) slender snake cotton (Froelichia gracilis); (42) ground ivy (Glechoma hederacea); (43) giant hogweed (Heracleum mantegazzianum); (44) Japanese hops (Humulus japonicus); (45) ornamental jewelweed (Impatiens glandulifera); (46) common kochia (Kochia scoparia); (47) ragged robin (Lychnis flos-cuculi); (48) Scotch thistle (Onopordum acanthium); (49) bristle knotweed (Polygonum caespitosum); (50) giant knotweed (Polygonum sachalinense); (51) sheep sorrel (Rumex acetosella); (52) ragwort (Senecio jacobaea); (53) cup plant (Silphium perfoliatum); (54) bitterweet nightshade (Solanum dulcamara); (55) garden heliotrope (Valeriana officinalis); (56) hairy jointgrass (Arthraxon hispidus); (57) drooping brome-grass (Bromus tectorum); (58) Japanese sedge (Carex kobomugi); (59) reed managrass (Glyceria maxima); (60) Canada bluegrass (Poa compressa); and (61) tree of heaven (Ailanthus altissima).

(b) Notwithstanding the provisions of any ordinance adopted by a municipality, on or after October 1, 2005, no person shall import, move, sell, purchase, transplant, cultivate or distribute any of the following invasive plants: (1) Purple loosestrife (Lythrum salicaria); (2) forget-me-not (Myosotis scorpioides); (3) Japanese honeysuckle (Lonicera japonica); (4) goutweed (Aegopodium podagraia); (5) flowering rush (Butomus umbellatus); (6) pond water-starwort (Callitriche stagnalis); (7) European watercress (Marsilea quadrifolia); (8) parrotfeather (Myriophyllum aquaticum); (9) brittle water-nymph (Najas minor); (10) American water lotus (Nelumbo lutea); (11) yellow floating heart (Nymphoides peltata); (12) onerow yellowcress (Rorippa microphylla); (13) watercress (Rorippa nasturtium-aquaticum), except for watercress sold for human consumption without its reproductive structure; (14) giant salvinia (Salvinia molesta); (15) yellow iris (Iris pseudacorus); (16) water lettuce (Pistia stratiotes); (17) border privet (Ligustrum obtusifolium); (18) tatarian honeysuckle (Lonicera tatarica); (19) dwarf honeysuckle (Lonicera xylosteum); and (20) garden loosetrife (Lysimachia vulgaris).

[(b)] (c) From June 26, 2003, until [May 5, 2004] October 1, 2005, no municipality shall adopt any ordinance regarding the retail sale or purchase of any invasive plant.

(d) Any person who violates the provisions of this section shall be fined not more than one hundred dollars per plant.

Approved June 3, 2004

## Attachment #4

### 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 persons from several different units, who also have other work responsibilities, have taken on various priority species, attempting to conduct surveys, and prepare and/or implement rapid response plans. This has not been the most effective approach. Most of the proposed actions listed below cannot be undertaken without a dedicated staff person.

**Funding requested:** Highest Priority:  
\$90,000 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 should become available in 2007. The ANS Coordinator would focus on aquatic nuisance plants, vertebrates, and invertebrates, whereas 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 involves both surveying for “newly discovered” invasive plants such as water chestnut, hydrilla, Brazilian elodea, kudzu, and mile-a-minute vine, and investigating reports of new infestations and/or unusual/unidentified plants. Activities conducted by DEP staff members, the Invasive Plant Atlas of New England Project (IPANE) volunteers, and the CT Agricultural Experiment Station (CAES) researchers, are designed to identify potential suitable habitats for the invasive plants and to conduct surveys at appropriate times of the year. Results of these coordinated surveys should be submitted to IPANE. DEP also needs to develop a database that documents 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”. Some invasive plants have more impact on the environment than others. 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 databases to track species and start initial data entry.

\$15,000 – Recruit 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).

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

### **3) Education and Outreach**

**Need:** A well-organized outreach program will address the threats posed by invasive plants, measures to prevent introductions of new species and spread of existing species, and methods to control/eradicate current established species. Targeted groups for distribution of materials include students of all ages, the nursery industry (including the water garden trade), aquarium and pet trade, landowners, land managers, municipalities, garden clubs, boaters and anglers.

#### **DEP Funding Requested:**

\$45,000 – 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 the 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 plants. 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.

### **4) Inspections**

**Need:** The Department of Agriculture (DOA) and The Connecticut Agricultural Experiment Station (CAES) currently hold statutory responsibilities for inspecting pet stores, nurseries, and garden centers. Calls from state residents concerning the possible sale of invasive plants require agency responses, field visits, and enforcement. Follow-up visits to retail outlets and plant production facilities are likewise needed.

#### **Separate Agency Funds Requested:**

\$30,000 divided evenly for DOA and CAES is needed to cover costs for transportation and additional inspectors.

**5) DEP Administrative Costs:** \$15,000 – clerical assistance, managing financial systems, supplies, etc.

**6) Grants to municipalities, lake associations, and land trusts for control of invasive plants on public accessible lands and water:**

The Council is requesting \$175,000 to be used to control invasive plants. Review of proposals would be conducted by the Council with input by DEP personnel, and funds would be administered by the DEP.