

Invasive Plants Council
Tuesday February 9, 2010
2 pm, Valley Laboratory
Windsor, CT

Council members present: Mary Musgrave, Les Mehrhoff, Bill Hyatt, Paul Larson, Lou Magnarelli, David Sutherland

Others present: Donna Ellis, Nancy Murray, Logan Senack, John Blasiak, Dick Shaffer

1. Musgrave called the meeting to order at 2:14 pm.

2. Recap of voting on 12/8/09 minutes

Musgrave detailed the process by which the minutes for 12/8/09 were approved with corrections via email vote between the 1/12/10 meeting and the 2/9/10 meeting.

3. The minutes for the 1/12/10 meeting were reviewed

Mehrhoff requested that the statement attributed to him on page 2 (“... in Maine, boat sticker revenues are applied ...”) be modified to not be attributed to him directly, as he did not recall saying it. Larson moved (second: Hyatt) to accept the minutes as corrected. **The Council decided to approve the 1/12/10 minutes as corrected.**

4. Annual report distribution

The remaining 17 copies of the annual report were mailed with cover letters from Musgrave on Jan 19, 2010. The report is also now available online at the CIWPG website: www.hort.uconn.edu/cipwg/ipc.html.

5. CNLA reaction to the barberry cultivar proposal

Larson presented a proposal phasing out the sale of high seed-producing barberry cultivars to the Connecticut Nursery and Landscape Association (CNLA) after it was discussed at the Jan. 11 IPC meeting. The proposal involved voluntarily removing from sale 8-10 cultivars of Japanese barberry (*Berberis thunbergii*) known to produce high numbers of seeds. The CNLA board reviewed and endorsed the proposal unanimously. The larger growers will meet around the beginning of March to discuss the issue further. Larson reported that Dr. Brand (UConn) is working to develop a formula to better quantify invasiveness. The formula would take into account the age of the plants, seed production, seedling vigor, etc. to calculate the potential for invasiveness and is being viewed by USDA as a possible example for future work.

Musgrave thanked Larson for bringing up the proposal so promptly to CNLA.

6. Nomenclatural standards used in plant taxonomy

Mehrhoff distributed a list of suggested sources for a nomenclatural standard. The list included the accessibility and type of each publication (cost, book vs. internet database,

etc.). Mehrhoff recommended that the Council consider using the USDA PLANTS database as a source of the accepted scientific name for each species and suggested that someone, possibly at DEP, maintain a list of synonymy in case scientific names changed. The group discussed the reasoning behind adopting a nomenclatural standard. Blasiak expressed concern that it might be difficult to come to an agreement regarding identification of species if different sources were used. Blasiak also asked what would happen if one species were split into two species on the list by taxonomists, and expressed concern that changing the list to reflect future taxonomic changes would be legislatively difficult. The Council discussed these issues.

David Sutherland arrived at 2:50 pm.

Magnarelli expressed concern about adopting a nomenclatural standard because any name changes would have to go through the legislative process each time they were changed.

Murray stated that it would be very important to maintain a list of synonyms to reduce possible confusion regarding the species on the list.

Musgrave suggested that the issue might be resolved by simply referencing the USDA PLANTS database as the source that had been used when the list was developed. Mehrhoff will report back at the meeting following the March meeting regarding whether or not the names used in the original legislation still match the names used in USDA PLANTS.

7. Nomenclature and the Council's charge

Murray updated the group on the status of *Myriophyllum propium*, an aquatic species being sold in nurseries that does not appear in the scientific literature and which resembles *Myriophyllum aquaticum*, a CT banned and invasive plant. Researchers at UConn and at the Connecticut Agricultural Experiment Station (CAES) plan to continue conducting DNA tests in an attempt to determine what species the plant actually is. Murray noted that the plant may be a cultivar. It may also be a native species or something that is mislabeled. The results of the research will likely not be available for several months. CAES has posted an advisory on its website, warning that the species closely resembles known invasive plants and may become invasive in Connecticut.

The group discussed the word “cultivar” in legislation. Mehrhoff noted that in Massachusetts, the invasive plant list includes all of the synonyms, subspecies, varieties, cultivars, and forms of a species. Blasiak asked if this meant that all cultivars of all species on the list would be banned. Mehrhoff noted that in Massachusetts, cultivars that are scientifically demonstrated to be non-invasive or sterile can be removed from the list. Blasiak asked how the issue of Japanese bittersweet would be addressed, because of its potential for hybridization and cross-pollination. Blasiak expressed concern that this restriction would stifle development of non-invasive cultivars. Mehrhoff responded that cultivars demonstrated through peer-reviewed science to be non-invasive could be removed from the invasive list. Blasiak asked for clarification of the review process.

Musgrave asked if the list could be taken out of the legislation and given to the Invasive Plant Council so that it could be amended and updated as needed. Hyatt responded that the work produced by the Council would be a policy document, which doesn't have the same legal standing as a state statute or regulation by a state agency.

Magnarelli noted that there may be some concern that having UConn and CAES conduct research on *M. propium* may seem to be a duplication of effort. Magnarelli stressed that independent reproducibility of scientific results is important, and that having both UConn and CAES test samples is not a duplication of effort.

The Council decided to return to the nomenclature issue at the meeting following the March meeting.

8. Status of legislative efforts

Hyatt reported on the status of the enforcement of CT General Statute Sec. 15-180, the law regarding the prohibition of the transport of aquatic plants on boats and boat trailers. DEP has concluded that the misdemeanor can be changed to a mail-in violation (similar to an infraction) so that it can be enforced effectively. The change can be made in as little as three weeks by the Judges of the Superior Court. DEP has requested this change. DEP also recommends that Sec. 22a-381d (prohibited actions concerning certain invasive plants) be added to the list of violations enforceable by Conservation Officers in Sec. 26-6. This would allow the state Environmental Conservation (EnCon) Police to enforce the law regarding the sale of banned invasive plants in nurseries and pet stores as well, with the assistance of experts who can identify invasive plants. Hyatt suggested that the Council also recommend the change.

Hyatt clarified that Lake Authority patrolmen do not have the authority to enforce Sec. 15-180 at a boat launch. State police, EnCon police, and municipal police do have the authority to enforce the law. Lake Waramaug Lake Authority state troopers and municipal officers can already enforce this law because they are state troopers and municipal officers. The Council discussed making the recommendation for this legislative change.

Sutherland noted that the request for the \$80,000-\$100,000 bare-bones budget could be added to the request for the change in enforcement of Sec. 15-180, or could be approached separately. Sutherland recommended including only the change in enforcement in the recommendation for the legislative change.

The group discussed submitting testimony in support of the budget funding, and Musgrave agreed to deliver the testimony at the hearing on Feb. 17, 2010. The Connecticut Invasive Plant Working Group (CIPWG) will also send out an announcement alerting the public to the hearing.

9. Disposal of invasives (municipal waste streams)

The group discussed the needs for the appropriate disposal of invasives. The group noted that much of Connecticut's waste is disposed of in trash-to-energy plants and that this may be the best way to deal with invasive plants and seeds. Bridgeport incinerators may need a

special permit for the disposal of some types of material. Musgrave will to invite Karen Weeks (CNLA) to the next meeting to discuss different plant disposal ideas.

The Council will discuss the disposal of invasives at the March meeting.

10. Other old or new business

There was no additional old or new business discussed.

11. Next meeting

Tuesday, March 9, 2010, 2-4 pm, Valley Lab, Windsor.*

12. Adjournment

Sutherland moved (second: Hyatt) to adjourn the meeting. **The Council decided to adjourn at 4:10 pm.**

**Follow-up note (added 2/18/10)*

Location change: The next meeting will take place in room G8A of the Department of Agriculture Building in Hartford (165 Capitol Ave), from 2-4 pm on March. 9, 2010. -LS