

## MINUTES

Invasive Plants Council  
Tuesday, February 8, 2011  
2 pm, Dept. of Agriculture  
Hartford, CT

**Council members present:** Bill Hyatt, George Krivda (for Steve Reviczky), Paul Larson, Tom McGowan, Steve Reviczky, David Sutherland

**Others present:** Pat Bresnahan, Donna Ellis, Bob Heffernan, Nancy Murray, Logan Senack

**1. Hyatt called the meeting to order at 2:11 pm.**

**2. The minutes for the 1/11/11 meeting were reviewed.** Larson noted two non-substantive typographical errors. McGowan moved (second: Larson) to approve the minutes as corrected. **The group decided to approve the minutes with the corrections.**

### **3. IPANE representative to IPC**

Hyatt distributed copies of the letter sent from the Council to Senate Minority Leader McKinney requesting that the Senator appoint Dr. John Silander as the Invasive Plant Atlas of New England (IPANE) representative to the Invasive Plants Council and to appoint Dr. Bob Capers as the proxy representative.

Hyatt also distributed copies of the letter sent to Governor Malloy's office requesting that the Governor reappoint Tom McGowan of the Lake Waramaug Task Force as the Governor's representative to the Invasive Plants Council.

Hyatt reported that responses are not expected until after mid-February.

### **4. ANS meeting update (Murray) and DEP update**

- Murray provided an update of the Aquatic Nuisance Species (ANS) project. DEP submitted a request for the 2011 US Fish and Wildlife Service (US FWS) ANS funds. Funding declines yearly but is \$28,000-29,000 per year at this point. The priority of this funding is to continue to support Aquatic Nuisance Species Coordinator Pat Bresnahan.

- Murray also reported that DEP has been awarded \$26,000 from the US FWS for zebra mussel work. \$20,000 will be used for survey work.

- The Bantam Lake project report is almost complete, although small edits on the final report are needed.

- Bresnahan reported that the ANS group is working on rescheduling the meeting that was cancelled due to weather to review listing criteria, listed species, review spread vectors, and begin discussing early detection and rapid response. No date has been determined yet but will be communicated when it is finalized.

- Murray reported that Senack had organized a discussion of a web-accessible invasive species database program called the Early Detection and Distribution Mapping System (EDDMapS). The meeting, which took place earlier in the day, was held to discuss how the EDDMapS program could be used to organize early detection efforts in the state and how it would coordinate with existing efforts, such as IPANE.

- Hyatt was notified by the DEP Commissioner's office that Les Mehrhoff would be nominated for a lifetime achievement award from the U.S. Environmental Protection Agency (US EPA). Murray and DEP staff drafted the nomination. The Commissioner asked for letters of support from other states and from other nongovernmental organizations. McGowan added that Senator Roraback may be able to work on an Official Citation from the Connecticut General Assembly. Hyatt asked if Senator Roraback would be willing to write a letter to EPA in support of Mehrhoff's nomination. Sutherland offered to contact Sen. Roraback to determine if he would be willing to write a letter of support.

## **5. Legislative briefing update**

Hyatt asked if the group would be prepared to hold a legislative briefing in March or at all. Sutherland suggested it would be important to have a specific request in mind if the group was going to ask legislators for their time. The group discussed the topic.

McGowan asked about the status of the Invasive Plant Coordinator position. Hyatt responded that the position was funded through the end of the fiscal year and that the highest priority was to use any funds that become available toward the last quarter to support the position in the future, but noted that the issue was a big unknown with no way at this point to determine chances of funding.

Hyatt asked Sutherland and Reviczky if they thought there was any chance of getting funding from the legislature for \$80,000-90,000 to support the position and whether legislators would be available this time of year to attend a briefing on the activities of the Invasive Plants Council (IPC). Sutherland, Reviczky and the group discussed whether legislators would have time and decided it was not likely. Hyatt suggested preparing something for January 2012 as a legislative briefing. The group decided that January 2012 would be a potential future date.

Hyatt distributed an Office of Legislative Research Report that was prepared in response to a question about DEPs activities regarding efforts against invasive aquatic plants. Hyatt reported that the document was very incomplete and was missing information. DEP will submit additional information.

*Reviczky left the room at 2:36 pm.*

*Reviczky returned at 2:37 pm.*

## **6. Process of determining proxies for voting and quorum**

The group discussed the possibility of determining proxies for members who are unable to attend a meeting. Hyatt reported that DEP's legislative liaison indicated that the wording used in the CT General Statutes is interpreted to mean that the Commissioners of state agencies listed as

Council members may have the specific ability to designate others as proxies, but that the other appointed members of the Council do not appear to have the same authority. Hyatt asked if the group would like to discuss this issue further, especially as it relates to meeting quorums. Larson clarified that if an individual member wanted to be reappointed with a proxy, the member would have to be appointed with a specific person in mind and would not have the authority to appoint whomever. McGowan said that this change would be acceptable to him, and added that it makes sense to have a proxy available as a backup. Hyatt asked that anyone who needed to discuss proxy attendance to contact him and have a specific individual in mind.

## **7. Invasive Plant Coordinator updates**

### Mail-order/internet sales

Senack updated the group on the mail-order/internet sales issue. DEP plans to draft a letter that could be sent to specific companies, asking them not to ship prohibited plants into Connecticut. Senack asked if Heffernan and Larson could provide input on the contents of the letter and possibly assist with developing a list of wholesalers and retailers that may sell prohibited plants. Larson suggested that out-of-state wholesalers were not likely to be a problem as they would sell only to nurseries in Connecticut, which should be aware of the laws regarding the sale of banned plants, but thought that out-of-state retailers that ship directly to customers would definitely be of concern. Heffernan agreed and suggested that wholesalers are already very aware of CT laws on invasive plants and added that if a CT retailer was selling the plant to customers in Connecticut, the retailer would be the one responsible for those prohibited sales. Heffernan noted that a lot of education and outreach has already gone into this issue and that while more could always be done, the majority of wholesalers already know about the law. He added that the biggest problem is plants that are shipped directly to consumers.

McGowan asked about educational efforts and whether or not other states had reciprocal laws for dealing with prohibited species. Hyatt noted that the situation may have some similarities with addressing fish diseases and the transport of fish across state lines and may benefit from regional collaboration.

Heffernan suggested that the Council ask for help from the Federated Garden Clubs of Connecticut for information on where people are buying plants over the internet. Ellis suggested that if it is individual consumers who are making the decision to order invasives via mail-order, that additional education and outreach is important, but added that it seems that people are starting to get the message. Hyatt asked Senack if he could look into contacting the garden clubs.

### Disposal of invasives document

Senack reported that the disposal of invasives document meant to assist homeowners with the safe disposal of invasive plants is still under review and is not yet ready to share with the Council. Senack aims to have the document ready for review by the March meeting.

## **8. Discussion of possible IPC action items for 2011**

Hyatt asked the group to discuss several possible action items for 2011:

Establish a database of people selling invasive plants- Senack could begin assimilating information about who is selling invasive plants that are banned or not banned. Murray added that Heffernan and she have been working well together to address issues that arise from invasive plant sales in the state. There were no objections to proceeding with this project.

Provide training for municipalities- Hyatt suggested that DEP could offer a program or workshop for municipalities free of charge to discuss the removal of invasive plants and replacement with natives. Pete Picone, a DEP wildlife biologist, works with native plants and invasive species and may be available to deliver a sample presentation on this topic for the next meeting of the IPC in March. The workshop for municipalities could take place at Sessions Woods Wildlife Management Area, where demonstration areas and teaching facilities already exist.

Establish subcommittee and proceed on addressing cultivars  
Silander/Capers may be the logical people to take this up once appointed and if they are willing.

Develop approach for monitoring and enforcement of CT Gen. Statute 22a-381d  
Currently, The Connecticut Agricultural Experiment Station (CAES) is responsible for plant pest inspections, the Department of Agriculture (DOAG) inspects pet shops, and DEP has enforcement authority for CT General Statute 22a-381d. Hyatt suggested it would be beneficial to have the three agencies coordinate on this issue.

Discuss advantages/disadvantages to moving prohibited invasive plant list from statutes to regulations

The group briefly discussed if doing this would allow greater ability to take species off the list or add species to the list without needing a change in the statutes by the legislature. The group also discussed whether this change would require concurrence between DEP and IPC to change the invasive species list.

Hyatt asked for additional thoughts, ideas, and concepts. McGowan stated that he would support anything that would lead to more effective coordination among agencies.

Sutherland cautioned that given the budget situation, good projects might still be ignored. Sutherland asked if some future funding would be needed for ANS projects or if the ANS project funding from the US Fish and Wildlife Service would be sufficient to cover the project.

*Krivda arrived at 3:06 pm and replaced Reviczky. Reviczky left the room at 3:07 pm.*

Murray noted that the ANS funding currently received as a federal grant allows Bresnahan to work part time on ANS issues and is extremely valuable.

Hyatt reported that since initial discussions two years ago, there was still the possibility of attempting to develop a boat sticker program similar to the program Maine uses, where boaters purchase stickers with their boating registration and the funds are directly used for invasive

aquatic plant issues. Murray expressed concerns about proposing new fees when license fees for boaters, hunters, etc. were also raised recently. Hyatt added that another possibility was that any funds from fines or Supplemental Environmental Project (SEP) awards could be put into an account to fund invasive plant activities, including terrestrial plants. McGowan noted that the invasive plant program would not survive without a funding source and asked if it would be helpful to ask for funding anyway, despite the low probability of success. He also asked what the ANS program is doing for funds. Murray reported that Bresnahan and Senack are always looking for funds, and added that DEP is looking into whether the sources of current ANS funding can be increased over time. Currently, funding from these sources decreases over time. McGowan asked for information on what other states do to fund their invasive programs. Bresnahan and Murray said a report could be developed by September.

Hyatt noted that funding appears to be an item to keep including on the list of topics to discuss for the year. McGowan agreed. Sutherland suggested that a request for a specific dedicated fund might be taken more seriously.

Krivda asked if boats are the main source of spread for invasive aquatic species, and if so, noted that it would make sense to have the boat use fund related to invasive species efforts. Murray and Hyatt reported that boats and human activities are the main source of spread, although some spread may occur by other means (wildlife, floods, etc.). Hyatt noted that other states use funds from boat sticker sales, and there may also be other funding opportunities.

Sutherland asked if there was any recent news about sterile plant cultivar development at UConn. Ellis reported that she had heard Dr. Mark Brand recently comment that he estimated sterile plants were about five years away and are still in the research phase. Dr. Yi Li at UConn is also working on developing sterile cultivars using a different approach, but Ellis had no update on the timeline for his research.

Hyatt asked the group for input on whether DEP should hold a training session for municipalities focused on the replanting and restoration of areas after invasive plant control work takes place. The group discussed who would be invited to a training session and noted that it would be important to invite town Conservation Commissions and possibly highway departments, public works staff, and others. McGowan stressed the need to make sure a program like this was cost effective, to be sure it was having a positive impact and suggested that the local Conservation Districts would also be important relevant groups. Senack added that garden clubs may also be interested in this information.

Hyatt asked if the group felt there was a need to discuss the advantages and disadvantages of recommending that the invasive plant list be moved from the state statutes to regulation. The group briefly discussed the topic and whether having the list in regulation might enable more timely changes to the list without the need for the legislature to change the invasive plant law.

Krivda suggested that if there was agreement with the IPC on a non-controversial topic relating to invasive plants, having the list in regulation instead of in statute might allow for more adaptability when changes needed to be made. Hyatt recapped previous discussions suggesting that that regulation be given to DEP, in concurrence with the Council. Heffernan indicated that

the Connecticut Nursery and Landscape Association (CNLA) would be opposed to the Commissioner of DEP having the authority to change the regulation without the Invasive Plants Council's approval. Hyatt agreed that IPC concurrence should be required. Heffernan indicated that CAES could also be given the authority to regulate plants but noted that Dr. Louis Magnarelli, Director of CAES, had indicated that it may not be appropriate for that agency.

#### **9. Old/new business**

Murray and Ellis updated the group on the status of bamboo in Connecticut. Both Murray and Ellis reported receiving multiple calls from a landowner in Seymour concerned about the impact of bamboo on her property and in the state. Murray reported receiving a large information packet from the homeowner with information about the bamboo situation, and Ellis indicated that other additional information had been sent this week. Ellis reported that there were also PowerPoint slides and photographs of affected areas and that the landowner had done a lot of research. Ellis and Murray suggested some of the occurrences may warrant further follow up. Hyatt summarized the action the Council had taken last year in response to a request to examine this species from the Attorney General's office. The group discussed the issue. If further Council action is required after the additional information is reviewed and a field investigation takes place (if needed), Murray, Ellis and Senack will report back to the IPC with an update.

Heffernan reported that the Connecticut Nursery and Landscape Association (CNLA) Winter Symposium had a very well-attended workshop on bamboo that included information about control.

#### **10. Adjournment**

Sutherland moved (second: McGowan) to adjourn the meeting. **The Council decided to adjourn at 3:38 pm.**

The next meeting is scheduled for March 8, 2011.