

## AFWA Invasives Species Committee – notes March 6, 2019

Chair Eric Sutton (FL), Vice Chair Kim Bogenschutz (IA)

41 attendees

### AFWA Updates

**Mark Humpert (AFWA) – Recovering America’s Wildlife Act (RAWA) update** – legislation is in its 3<sup>rd</sup> congress, hoping to introduce in the House soon, bill language has changed a bit, it’s gotten good support from the natural resource committee and has broad support so it may bypass the committee stop and go directly to the floor, currently working on senate bill- we need co-sponsors as soon as possible

Is there latitude to apply RAWA funding to invasives? Yes, they are explicitly included re: impacts to SGCN

AFWA is working on Priya Nanjappa’s replacement who staffed this committee. Science staff at AFWA are funded through federal funding so AFWA is working with those partners to secure funding.

**Devin DeMario (AFWA) – legislation update** - last session – water resource development act (Title 1 of America’s Water Infrastructure Act) – signed by President. Funding was included for invasive species research, especially zebra mussels and Asian carp, and water craft inspections stations

Water Resources Development Act (WRDA) is up for reauthorization in 2020, invasive species should be included in this legislation. Timeline for reauthorization is every 2 years and is generally bi-partisan. AFWA is pulling together a WRDA working group – contact Devin DeMario if you are interested in being part of the working group.

Vessel Incidental Discharge Act (VIDA): framework for ballast water discharge (for vessels over 75 ft), has been in last 4 congresses and a hot topic, last session it passed in the Coast Guard package. It was not as damaging language as originally proposed but still preempts any state authority re: ballast discharge which could lead to more introduction of invasive species. The bill does provide for state consultation and the ability to petition for more stringent rules. The Western Governors Association (WGA) is developing a webinar on the impacts of bill (possibly for delivery in May). If there are challenges for states working with the Coast Guard on this issue, please contact Devin DeMario.

This session – Invasive species are a priority for Senator Barrasso (WY-R), he is sponsor of the Wildlife Innovation and Longevity Driver Act (WILD) (S-268) – A bill to reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the management of invasive species, and the protection of endangered species, to amend the Marine Turtle Conservation Act of 2004 to modify the protections provided by that Act, and for other purposes.

## AFWA Invasives Species Committee – notes March 6, 2019

Fish and Wildlife Coordination Act (FWCA) amendment – (to protect fish and wildlife when federal actions results in the control or modification of a natural stream or body of water. FWCA authorizes the Secretaries of Agriculture and Commerce to provide assistance to Federal and State agencies in order to protect and increase the supply of wildlife and wildlife resources, as well as to study the effects of domestic sewage, trade wastes, and other pollution on wildlife. The Act's purposes are to recognize the vital contribution of U.S. wildlife resources, and their increasing public interest and significance. FWCA requires that wildlife conservation be given equal consideration to other features of water-resource development programs through planning, development, maintenance and coordination of wildlife conservation and rehabilitation.) The Act helps prevent invasive species, directs federal agencies to consult with state and local govt, has a focus on projects on invasive species prevention, and consultation with states even if on federal lands – it was folded into SB 47 LANDS bill and passed. Linger questions on how it will be implemented. Bill requires 75% of funds to be spent on on-the ground implementation. Most of NPS funding for invasive species is for on the ground work and can go beyond park boundaries.

Public Water Supply Invasives Species Compliance Act of 2019 – Sponsor Representative Gohmert (TX-R). This bill exempts certain water transfers between public water supplies in Texas, Arkansas, and Louisiana from prohibitions on illegal trade of plants and wildlife. Specifically, the prohibitions do not apply to covered water transfers containing a prohibited species if (1) the species are present in both public water supplies before the transfer and the water is transferred directly between them; or (2) the water is transferred in a closed conveyance system, such as a pipe system, and sent directly to treatment facilities where the species will be destroyed. This could be used as model elsewhere in future

States conservation agencies may not have authority over some or all invasive species (that may be in the state's department of agriculture) – this may be hindering progress on collaboration for the prevention of invasive species.

Lacey Act Title 18 (strict liability) – changes have potential impacts on management of invasive species – AFWA reached out to state conservation agency attorneys on this issue but did not get a lot of feedback, the focus has shifted to more robust frameworks being built at the state level. This is a big deal in Florida and possibly other states which relied on Lacey as umbrella coverage on transfer of injurious species – states are now having to fill holes and taking a lot of work to get species on injurious species list

Caroline Murphy (TWS) – is interested in creating a working group to model state level legislation and revising the Lacey Act – interested in exploring funding mechanisms for risk screening, need a separate track to deal with wildlife diseases, Invasive Species Fish and Wildlife Prevention Act.

What can states do right now re: Lacey Act?

## AFWA Invasives Species Committee – notes March 6, 2019

Is there a legally recognized definition yes- but not one that everyone agrees on.  
Lacey uses injurious wildlife terminology

Feral equids in the west are considered invasive species – there is no solution in sight

States have used the Lacey Act in the past with salmonids to prevent transfer of disease pathogens – same approach being used with salamanders – injurious disease vector (bsal)

Dividing 2 issues (importation/transport and disease) may be easier to move legislation forward separately.

There are numerous definitions regarding invasive species – we need to be careful about the context of terms and review legislations to ensure consistency in terminology

AFWA review of Senator Gillibrand bill (Invasive Fish and Wildlife Prevention Act) – AFWA will want full approval of Invasive Species Committee members before supporting

Does Devin have a list of IS related legislation? Yes, summary

Need to work with other committees that intersect on interstate transport (e.g. LE)

Need something on AFWA website (legislation updates, working group info)

How can we maximize the AFWA website for communication re invasive species?

States are increasing communication with their state departments of agriculture – state departments of agriculture often have authority over some invasive species – ex: transfer of species (aquaculture) across state lines – we could potentially partner with National Association of State Departments of Agriculture (NASDA). It is different in every state in who manages plants, wildlife, inverts, fish, etc. We need a matrix of what that looks like across the country. Priya had started that and produced state fact sheets, though a final product may not have been produced – it's hard to keep up as legislation changes quickly.

- Action item for new AFWA Invasive Species Committee staffer
- Is this framework on invasive species .gov? We need to know not just authorities but also need to build relationships with state departments of agriculture on invasive species issues

America's Water Infrastructure Act of 2018 (S. 3021) passed October 2018 – Section 1108 -to address the spread and impacts of aquatic invasive species, the Secretary shall undertake research on the management and eradication of aquatic invasive species, including Asian carp and zebra mussels and Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment

## AFWA Invasives Species Committee – notes March 6, 2019

and Public Works of the Senate a report recommending a plan to address the spread and impacts of aquatic invasive species.

### Partner updates

**David Hoskins (USFW)** – FY 19 budget up slightly, now \$167 million. Task Force: new strategic plan 2020 -2024, report for congress, the next mtg is May 7-9 Lake Tahoe, 6 regional panels, working with PIJAC, comments on revised website; don't let it loose campaign, BMPs for AIS, quagga mussels continue to be problem, ecological risk screenings – 900+ now posted, 340 in the works, by end of fiscal year. Pace of screenings- stepped up in last 18 months. If you have comments on screenings let David know.

### Elaine Leslie (NPS)

- Budget for NPS has remained flat for the most part: QZM-\$2m to a slight bump of \$3m..directly to parks especially Lake Mead, Glen Canyon and Glacier; WNS-\$2m directly to ~50 parks for detection, surveillance and ed/outreach
- After four years of data gathering and assessment, the NPS is standing up an invasive animal program and hired a coordinator to compliment invasive vegetation program
- Held Hawaii invasive animal prioritization workshop to be able to align resources with priorities: mosquitoes, feral and free ranging cats, ungulate spp, mongoose
- Continue to work with State, USFWS, USGS and parks (Everglades, Biscayne and Big Cypress) on invasive herp issues.
- NPS engaged in Sec Orders including migrations and corridors-encourage all to include invasive species-habitat restoration into conversations
- NPS is hosting a feral and free ranging cat workshop this month in DC as a phase 1 approach to moving the needle on the issue.
- Olympic goat (non native) removals underway...transrelocations and direct reduction. This is also in the planning stages at Grand Teton
- Now that we have hired a coordinator, NPS will return to engagement in feral swine activities

Is concerned about proposal to adding bat issues to Priya's replacement position – managing invasive species issues is enough

Department of Interior National Invasive Species Council (NISC), - no update, Hillary Smith coalescing, have work plans, articulating needs re: funding, Elaine can share work plan, Mark Humpert involved, this is a federal agency only task force, states can't participate because of Federal Advisory Committee Act (FACA) issues; Mark Humpert (as an AFWA employee) is involved and can bring forth state concerns. DOI looks to this AFWA committee for guidance,

## AFWA Invasives Species Committee – notes March 6, 2019

Invasive Species Advisory Committee (ISAC)- met last week - looking for input on key questions – deadline of March 15 – emerging issues, coordinating, not from committee – from states can comment individually

**Cindy Tam (USGS)** – On March 6, 2019 the USGS confirmed that larvae from the invasive Asian grass carp have been found for the first time in the Great Lakes watershed <https://www.usgs.gov/news/newly-hatched-invasive-grass-carp-found-maumee-river-ohio>. Research continues using carbon dioxide for control, the ANS alert system includes maps now

**Mike Ielmini (USDA)** – Samantha Simon is new invasive species coordinator, USFS – active management executive order can be applied to invasive species, Farm Bill include invasive species insect and disease vector work and has international components of invasive species research, WildSpotter <https://wildspotter.org/> is helping map invasive species observations; protocols to reduce transfer of invasive species via water transfer during wildfire control have been developed

APHIS- feral swine monitoring, disease, control started in 2014 and is focused on states with high populations, using genetics to understand movement (significant movement via vehicles); as the economic value of feral swine hunting is becoming more widely known, the opportunities to control spread is decreasing and it is becoming harder to get the message out on impacts of feral swine

**Western Weed Action Plan (Ken Meyer)** – summit was held in 2015, #1 recommendation was to develop a weed action plan, is not prescriptive, open ended on who should implement, is housed on Western Association of State Departments of Agriculture (WASDA) website, going back to WAFWA in July with the plan, is requesting AFWA Invasive Species Committee to consider a letter of support of the plan, has support of all states involved. Who will implement? Template for any organization to pick up and implement.

Committee vote: motion – moved by Andrew Cushing (Utah), John Lott (South Dakota) 2<sup>nd</sup>, all in favor

**Bill Whitacre (Western Governors Association (WGA))**- WGA hosted a meeting on invasive species in December in Hawaii, <http://westgov.org/news/watch-livestream-biosecurity-and-invasive-species-initiative-workshop-in-hawaii/>

Also focusing on invasive species data management improvement, see: [http://westgov.org/images/editor/WGA\\_Invasive\\_Species\\_Data\\_Protocol.pdf](http://westgov.org/images/editor/WGA_Invasive_Species_Data_Protocol.pdf)

**Wildlife Forever** (add to future partner update list) – continue effort on education and outreach re: clean drain dry campaign; developing messaging tools on engaging public on clean drain and dry, using WildSpotter program

## **AFWA Invasives Species Committee – notes March 6, 2019**

Kim Bogenschutz (IA)– The State ANS Management Plan grant program was authorized by the Nonindigenous Aquatic Nuisance Species Prevention and Control Act of 1990 and reauthorized by the National Invasive Species Act of 1996. The authorization states that \$4 million is to be appropriated each fiscal year for grants that are administered by the US Fish and Wildlife Service. Funding has been appropriated at \$2 million in recent years, giving each of the 44 approved state management plans about \$45,000 each year. The Mississippi Interstate Cooperative Resource Association (MICRA) visited congressional offices in February and requested that funding for state management plans be appropriated at the authorized \$4 million or increased to \$4.4 million so that each state management plan would be eligible for about \$100,000 in grant funds.

**Invasive Species Spotlight Presentation** – Elizabeth Brown – (Colorado Parks and Wildlife): Status Update of the Quagga Zebra Action Plan and Building Consensus Final Report

### **Committee discussion**

TWS – putting out video on impacts of western burros and feral horses

Jon Sjoberg (NV) – suggestion for future committee meeting discussion – what is the role for AFWA in helping how invasive species funding is pursued and how it's distributed; funding for invasive species is currently fractured and could be managed more effectively for states. What are the main invasive species revenue sources and expenditures?

Devin DeMario (AFWA) – if states are submitting any invasive species related appropriation requests, please let Devin know about them

National Marine Manufacturers Association (NMMA) – policy position on AIS, video series, if have a good AIS stories send to NMMA

Utah – conversation how to engage private business owners in combatting – perhaps can use case studies for next mtg

### **Action Items:**

Shorter term:

AFWA WRDA working group - contact Devin

Feedback to Devin re: Lacey change impact, any challenges –

Form working group – interstate transfer of injurious species

Devin to pull together summary of invasive species related legislation and distribute to Committee.

## **AFWA Invasives Species Committee – notes March 6, 2019**

Kim/Ann– send out ISAC comment request to committee members (deadline is March 15) - DONE

Revise weed plan into resolution – need to go to AFWA resolution committee for Sept mtg, – send comments to Kim, Eric and Ann by April 6, vote on support to move resolution forward electronically by June 1.

Future Vision of AFWA Invasives Species Committee – send thoughts to Eric by June 1

WGA webinar in May

Elizabeth Brown to send out federal policy doc to committee

Longer term:

Develop language/model template for states to use for consistency

Find state facts sheet re regulatory authority at AFWA (state authorities – WL, ag, etc.)