



ASSOCIATION *of*
FISH & WILDLIFE
AGENCIES

Invasive Species Committee
Important Elements of Invasive Species Legislation
(A LIVING DOCUMENT - March 27, 2008)

National (Federal) invasive species legislation should:

Address several main categories: Institutional Framework/Implementation; Collaboration and Coordination among the Federal Government and the States; Research and Monitoring; Screening and Risk Assessment; Rapid Response and Control, and Information/Education/Outreach. (Establish Funding sources, with examples)

Address all invasive species issues (aquatic and terrestrial, plant, pathogen, invertebrate and vertebrate).

Identify adequate funding mechanisms, and fully appropriate existing authorizations, to initiate, continue and/or expand efforts to prevent and control invasive species.

Establish a dedicated trust or funding source for invasive species emergencies, including Rapid Response. (Roll forward accounts)

Identify the importation, exportation, transportation, possession and sale of prohibited species as illegal without a permit with the exception of permits for prohibited species issued for collection and scientific research.

Include ballast water regulations that are both mandatory and inclusive of all commercial vessels capable of carrying ballast, regardless of their ballast conditions. There should be no exemption for commercial vessels declaring no ballast on board when entering areas that ballast and deballast before exiting the U.S. Exclusive Economic Zone.

Note: Ballast water issues will require careful attention. The National Marine Manufacturers Association (NMMA) is working hard to secure legislation that would exempt recreational vessels from future EPA regulations regarding ballast water and certain other discharges. The Association of Fish and Wildlife Agencies supports NMMA's efforts on this particular issue, including the Recreational Boating Act of 2007 (HR2550, S2067).

Support the identification of commercial vectors and pathways of invasive species other than ballast water (e.g., aquaculture, plant nurseries) and development of best management practices to deal with these vectors and pathways.

National invasive species legislation should not conflict with or affect the state wildlife agencies' authority and management of resident fish and wildlife species (including introduced species) under their jurisdiction.

Language option 1 – Nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the states to manage, control, or regulate resident fish and wildlife under state law or regulations.

Language option 2 – Nothing in this Act shall be construed to diminish or enlarge the responsibility of any state for the management of fish and wildlife.

Presented to and accepted by Directors

March 2008