

Wednesday, March 12, 2008

Lori Williams
NISC Executive Director
U.S. Department of the Interior, Office of the Secretary
National Invasive Species Council (OS/NISC)
1849 C Street, N.W.
Washington, DC 20240

Dear Ms. Williams:

The undersigned organizations greatly appreciate the opportunity to review the draft 2008-2012 National Invasive Species Management Plan. Our groups have come together with many others under the auspices of the Continental Dialogue on Non-Native Forest Insects and Diseases. The Continental Dialogue is a collaboration of diverse interests aimed at addressing the threat of non-native insects and diseases on America's forests. We agree that invasive species issues are in need of greater priority by federal agencies and greater resources will be needed to support those efforts.

The National Invasive Species Council (NISC) outlines five very important long-term Strategic Goals to pursue in its revised management plan. Each one of those goals is critical to success in combating invasive species and each one is worthy of attention during the next five years. We believe these five areas are appropriate issues for NISC to address. Without additional funding and greater agency commitment, however, the likelihood of achieving these tasks will be no greater than they were for the original plan.

After careful review of the plan we have developed comments in four areas:

1. A crosswalk of completed actions from the 2001 plan, those still in progress, those included in the 2001 plan but never initiated, and those included in the 2008 plan
2. Public education and awareness of invasive species
3. Three specific actions described in the 2008 Plan:
 - a. screening of deliberate imports,
 - b. coordinating invasive species responses with implementation of the National Environmental Policy Act (NEPA), and
 - c. development and adoption of a funding program to support vitally needed early detection and rapid response efforts.
4. Coordination of invasive species programs and expenditures to leverage resources

1. Crosswalk of Actions Between the 2001 and 2008 Plans

One key issue is that many of the proposed actions in the 2008 Plan were also in the original plan, which remains mostly unfinished. The 2008 plan states that an estimated 67% of the 2001 Plan's 57 action items (encompassing over 100 separate elements) have been completed or are in progress. A crosswalk of these completed actions, those still in progress, those included in the 2001 plan but never initiated, and those included in the 2008 plan would clarify progress on addressing the invasive species issue and ensure important actions unfinished from the 2001 plan are identified.

It would also be helpful for the 2008 plan to include an analysis of the effectiveness of the NISC, problems experienced in implementing the original plan, and specific recommendations for improvement. For example, was the slow progress a result of delays in establishing teams to be responsible for guiding implementation of the planned actions, the low priority given to implementation by the NISC and federal agencies, the lack of funding and staff responsible for doing the work, or the fact that the Council and plan were created by executive order and thus do not receive the same priority as programs that are legislatively mandated.

We therefore recommend the 2008 plan:

- develops a crosswalk of actions completed, those still in progress, those included in the 2001 plan but never initiated, and those included in the 2008 plan;
- establishes a transparent oversight mechanism for use by federal agencies in complying with Executive Order 13112 that periodically reports on what steps the departments or their agencies will take or have taken to implement the actions that are specifically called for in the national management plan;
- recommends amendments, if needed, of current legal authorities establishing the NISC to ensure the Council's ability to implement the plan; and
- ensures that NISC actions called for in the 2008 plan are included in the responsible agencies' departmental- or agency-level annual performance plans to better ensure the implementation of the national management plan.

2. Public Education and Awareness of Invasive Species

We support the 2008 plan's focus on public education and awareness of invasive species, their pathways, and how to prevent their spread (/Objective OC.6/). Public awareness is one of the best and cost effective means to control the introduction and spread of invasive species. The Asian longhorn beetle campaign in Chicago is a great example.

Given the current lack of NISC funding and personnel, we also believe it is imperative that NISC partner with private groups and others to inform the public about invasive species and what can be done to prevent their spread. In regard to /Performance Element OC.6.1.1/, please consider the Continental Dialogue on Non-Native Forest Insects and Diseases as a key stakeholder, as many of our members have extensive outreach networks, both internally and with our external partners.

We believe that the performance target for /Element OC.6.2.1/* (*information about at least eight (8) invasive species or Federal invasive species programs provided to nongovernmental educational organizations) is too modest and recommend it be increased to reflect the cost-effectiveness of this approach.

3. Three Specific Actions Described in the 2008 Plan

As noted earlier in our letter, many of the actions proposed in the 2008 Plan were also in the original plan. We wish to emphasize the great importance of three such actions: screening of deliberate imports (Objective P1), coordinating invasive species responses with implementation of the NEPA (Implementation Task OC 4.1), and development and adoption of legislation creating a funding program to support vitally needed early detection and rapid response efforts (Objective ED/RR 5). We support renewed efforts to completing these vital activities in the near future.

A. Screening of deliberate imports (Objective P1):

As is widely recognized, preventing new introductions is often the most cost-effective approach to minimizing damage caused by invasive species. The deliberate introduction of animals and plants to serve a variety of purposes is a well-known pathway by which certain types of invasive species enter the country. While most forest insects and diseases are not introduced intentionally, other kinds of organisms that can damage forest systems have been. Furthermore, we recognize the importance of curtailing introductions of invaders other than plant pests. Therefore, we join colleagues concerned about other systems and impacts in urging continued work toward implementation of this renewed action item.

We suggest further that Objective P1 be expanded so as to address deliberate introductions that occur outside “trade” as usually understood. Deliberate introductions are often the result of government actions (for example, the introduction of kudzu to control soil erosion); official agencies should also be expected to apply screening tools in deciding whether to carry out such introductions in future. Private citizens’ transport of unauthorized plants and animals should also be addressed, although adoption of “screening tools” might not be the most effective approach in this case.

B. Coordinating invasive species responses with implementation of the NEPA (Implementation Task OC 4.1):

Since preparation of the original National Invasive Species Plan began in the late 1990s, it has been recognized that compliance with the planning and public review provisions of the National Environmental Policy Act (NEPA) might sometimes impede a rapid response to an invasion – unless carefully planned coordinating procedures were adopted. Shortly after the Plan was adopted in 2001, the NISC staff entered into negotiations with the Council on Environmental Quality in order to develop guidelines for streamlining NEPA compliance without undermining the goals of either program. The fact that this issue has not yet been resolved is one reason that earlier in this letter we called for an analysis of problems experienced in implementing the original plan, and specific recommendations for improvement. We strongly urge the Invasive Species and Environmental councils to complete preparation of the guidelines as soon as possible.

C. Development and adoption of a funding program to support vitally needed early detection and rapid response efforts (Objective ED/RR 5):

The 2001 Plan notes that “... Unfortunately, inadequate planning, jurisdictional issues, insufficient resources and authorities, limited technology, and other factors often hamper early detection and rapid response in many locations.” (Emphasis added.) One of the three action items identified under the Early Detection and Rapid Response heading of the 2001 Plan stated: “Develop and recommend to the President draft legislation, in consultation with the States, to address rapid responses to incipient invasions, possibly including permanent funding for rapid response activities.” (Emphasis added.)

From its first meeting, the Invasive Species Advisory Committee (ISAC) expressed interest in advancing this suggestion. The ISAC approved a letter to Council members (federal agencies) in October 2005 that advocated creation of a fund that would make available \$500 million for rapid response. In 2006, the Government Accountability Office issued a report *Invasive Forest Pests: Lessons Learned from Three Recent Infestations May Aid in Managing Future Efforts*, GAO-06-

353 which stated that insufficient funds helped explain failures to eradicate the Asian longhorned beetle and to contain the emerald ash borer and sudden oak death (phytophthora leaf blight) pathogen.

We strongly support creation of specific, adequate funding for rapid response activities. Further, we support creation of a mechanism for allowing expedited access to Commodity Credit Corporation or other funding to be used for compensation of property-owners where destruction is required. Compensation for required destruction must be considered to be a policy tool which supports early detection and rapid response, since without it, the fear of economic loss often encourages property owners to avoid reporting potential pest/disease outbreaks. USDA should improve its use of tools available to it in the PPA, using a much more liberal interpretation of the “extraordinary emergency” requirement, which is currently being interpreted to require decision making at the OMB level and which as a practical matter precludes most if not all compensation funding.

4. Expand the Coordination of Invasive Species Programs and Expenditures to Leverage Resources Objective OC.2:

In this era of strong budget pressures and, often, declining federal budgets, it is particularly important that the various federal agencies’ invasive species programs remain robust and maximize effectiveness. While the agencies themselves lead prioritization of their missions and preparation of their budgets, NISC can and must play a role in helping to combat efforts by OMB to arbitrarily reduce or change those budgets. NISC can also play a role in helping to ensure that the various agency efforts are coordinated, rather than being overlapping or duplicative. To the extent that the performance (or “cross-cutting”) budget process achieves those goals, it is an important part of the national effort.

Thank you for your consideration of our comments. We look forward to seeing your response and to working with you and the full NISC in the future.

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