

Cal IPC 2003 Symposium
Aquatic Weed Workshop
Summary of Issues

Two main discussion areas were developed:

1. List of species of most concern to participants
2. Broader issues that encompass prevention, responses to and management of aquatic/riparian weeds.

Species of most concern (Note: priorities were not assigned)

1. Bulrushes (*Scirpus spp.*)
2. Cattails (*Typha spp.*)
3. Caulerpa (*Caulerpa taxifolia*)
4. Egeria (*Egeria densa*)
5. Eurasian water milfoil (*Myriophyllum spicatum*)
6. Parrot feather (*Myriophyllum aquaticum*)
7. Pennywort (*Hydrocotyle*)
8. Spartina (*Spartina alterniflora*)
9. Water hyacinth (*Eichhornia crassipes*)
10. Water primrose (*Ludwegia peploides/ L. spp*)
11. Undaria (*Undaria sp.*- marine alga)

Crosscutting Issues Discussed: (Note: We focused on two major issues that were considered both highly important and those on which Cal IPC could facilitate or encourage action. Each Item is summarized and potential action by Cal IPC is stated.

1. **NPDES** (National Pollution Discharge Elimination System) Permits
The current General NPDES permit for aquatic pesticide application expires Jan, 2004. The state Water Resources Control Board is reviewing a draft for new permit. With discrepancies and inconsistencies among US states' regulatory requirements for these applications, Cal IPC Board may encourage resolution of the matter through a letter to US EPA, Cal EPA –DPR, and to the Water Resources Control Board, and to the head of the California Resources Agency stating the extra burden placed upon western

state plant managers and citing the recent memo from EPA which states that agencies opinion that an approved label is sufficient to comply with the Clean Water Act. This letter needs to point out that there is ample existing data on these products and that these data has led to their approval at the federal US EPA level and the DPR level as well. The letter should urge the timely review of newly developed monitoring data generated via San Francisco Estuary Institute (SFEI) during the past two years. Lastly, the letter needs to indicate the need for permit coverage for private stakeholders who were not included in the prior NPDES permitting process.

2. **Endangered Species Act (ESA)** Compliance *and* Ability to Prevent Spread and Ecological Impacts of Invasive Species.

Several participants provided examples of delays and inconsistent policies in trying to meet obligations to the ESA while also implementing effective controls of invasive weeds, which is supposed to be facilitated according to Clinton's Executive Order on Invasive Species. The following are examples of problems:

- a. Agencies responsible for the ESA (US Fish and Wildlife Service and NOAA-Fisheries) have only a short-term perspective on what may or may not impair listed species and their habitat. Longer-term implications (e.g. 3 to 10 year periods) are not weighed in the "risk/ benefit" analyses when considering actions to eradicate or manage invasive species. For example, acceptance of the need for short term spatially confined temporary loss of habitat to yield long-term preservation and expansion of habitat is not considered. This has stymied attempts to successfully reduce or eliminate invasive species that currently affect limited ranges of critical habitat. The effect is to allow the expansion of these detrimental impacts to ostensibly comply with "no-loss" of habitat under short-term perspectives. (It is analogous to preventing use of water to fight fires because a the water might damage some property or belongings. Does a neighbor have the right to stop firefighters because his/her possessions will be subject to water damage?) A specific example is the "use" by listed species of non-native, invasive species habitat (e.g. *Spartina alterniflora* plus hybrids). This "use" does not take into account the full life

cycles of listed species, nor impacts to other important species currently not “listed”.

- b. Insufficient analysis of a “no-action” option and associated risks. This relates to the “short-term/long-term” issue, but would specifically address the full range of consequences of not being able to act against invasive species.
- c. Personnel within the ESA-Regulatory agencies are insufficiently trained in the biology, ecology, impacts and management of invasive species. These staffers are continually asked to review and make recommendations in areas that are neither in their competence nor experience. They are also poorly supported with adequate staff and resources to even attempt to “get to speed” on these issues.
- d. The extreme workload on regulatory agencies has led to very high burnout and turnover rates. This in turn has perpetuated staff with little to no experience in invasive species and has in effect set back progress made by prior employees in their negotiations with the affected action agencies and groups that are attempting to reduce impacts from invasive species.

Proposed Action by Cal-IPC related to ESA Issues:

1. Draft a “white paper” defining the basis for management of invasive species as part of protecting endangered species’ habitat. This document would provide adequate but succinct background and basis so that elected officials and regulatory managers would understand the full implications of action/inaction and strategies for both successful reduction of impacts from invasive species and for compliance with the ESA.
2. Facilitate and jointly organize a 2-3 day training workshop for federal, state and local regulatory agencies to provide a means by which to educate managers and staff who are assigned to ESA issues. Sessions would include real-world specific examples and also include open problem-solving sessions. The outcome would be (a) better understanding by regulators of invasive species issues and options, (b) a set of recommendations for assessing risk/benefit of actions where control of invasive species may affect habitat for listed species, and (c) continued facilitation for training of staff who are responsible for implementation of ESA and CEQA.

List of tentative participants:

US EPA, Cal EPA, US Fish and Wildlife Service, NOAA- Fisheries (NMFS)
CDFA, CDFG, Water agencies, USDA-APHIS, State/Regional Water Boards, Water Keeper, League to Save Lake Tahoe, etc., TNC