

# New York State Department of Environmental Conservation

## Office of Invasive Species Coordination, 5<sup>th</sup> Floor

625 Broadway, Albany, NY 12233-1052

Phone: (518) 402-9405 • Fax: (518) 402-9028

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Alexander B. Grannis  
Commissioner

### MEMORANDUM

TO: Invasive Species Council  
FROM: Steve Sanford  
RE: July 15 - Meeting # 9 Notes

DATE: 21 July 2010

The 9<sup>th</sup> Meeting of the New York Invasive Species Council was held at the Department of Transportation Headquarters on Thursday, July 15. Seven of the 9 member agencies were represented:

Jackie Moody-Czub, Co-Chair, DAM  
Chris Amato, DEC, Co-Chair, DEC  
Shelah LaDuc, DOT  
John Wimbush, DOS  
Pam Otis, OPRHP  
Ed Snizek, APA  
Howard Goebel, Canals

Also present from Council agencies were:

Kevin King, DAM  
Scott Kappeller, DOT  
Leslie Surprenant, DEC (OISC)  
Dave Adams, DEC (OISC)  
Eric Kasza, DEC (OISC)  
Steve Sanford, DEC (OISC)

Hilary Smith, Adirondack Park Invasive Plant Program (Advisory Committee member)  
Rick Morse, E&E, contractor for Phase 1 of the Comprehensive Management Plan,

Meg Wilkinson, NY Natural Heritage Program, iMap contractor  
Jennifer Dean, NY Natural Heritage Program, iMap contractor

The Council worked its way through the Agenda as planned. Following are some of the key discussion points and deliverables:

#### 1. Housekeeping

The meeting began with the usual housekeeping information. Next, the Agenda was reviewed with no comment. The minutes (May 26 Meeting Notes memorandum from SJS) from the previous meeting were

adopted unanimously without revision.

## **2. Public Comments**

One individual spoke during the opening public comment period. Hilary Smith (APIPP) recommended that the Council consider several aspects of the proposed Aquatic Invasive Species bill.

## **3. Aquatic Invasive Species/Boat Legislation**

The Council revisited the draft bill. First, after discussion, the Council voted 6-1 in favor of raising penalties for second and third offenses to \$250 and \$1000 respectively. Next, after discussion on a variety of topics, the Council voted unanimously to table the matter until the Council could consider text changes regarding the potential expansion of the regulated activities to include leaving a launch site. OISC staff will consult with DEC Legislative Affairs staff to address some other minor points in the text, including the definition of watercraft, and the intentional transportation of plants and animals in 3.d. Council members will share thoughts on the bill via e-mail over the next two months and plan for final adoption at the next Council meeting.

## **4. List Legislation**

The Council reviewed a draft bill that has been prepared as a follow-up to the *Final Report: A Regulatory System for Non-native Species*, which was transmitted to the Governor and Legislature in late June 2010. Kevin King reviewed the text with the Council. The subsequent discussion identified a few items for potential revision, including: adding aquarium businesses to Agriculture & Markets Law Section 149-c, 1; revising the definition of possess and possession in Environmental Conservation Law (ECL) Section 9-1703 (11); clarifying pre-emption text in 9-1715 (2); and expanding the types of restoration in ECL 71-1707 (1). The Council specifically agreed to raise the penalties in ECL 71-1701 (1) with monetary fines for a first offense. A revised version will be distributed soon for review. Council members will: share the revised bill with agency counsel and program staff; provide thoughts on the bill via e-mail to all Council members over the next two months; and plan for final adoption at the next Council meeting.

## **5. Advisory Committee**

Although Chairman O'Neill and Alternate Weldy were unable to attend this meeting, AC member Hilary Smith has been tracking participation by AC members; the AC will work with OISC to develop a recommendation to the Council regarding future AC membership. Ms. Smith also advised the Council that the current DEC baitfish regulations were currently being reviewed for potential changes. Finally, she asked the Council for issues that the AC could potentially explore and provide advice to the Council. Ideas discussed briefly included: assessment of existing educational resources viz. invasive species and assessing the ecological threats posed by Asian Carp. Pam Otis discussed the need for Best Management Practices (BMPs) for projects that pose an invasive species threat, such as powerline right-of-way development and maintenance. Sanford offered to share a summary of General Permit conditions that OISC/DEC is preparing ; it will likely be available in late August.

## **6. Feral Swine Management**

USDA Wildlife Services Specialist Justin Gansowski summarized the work his organization has been conducting throughout the winter and spring. The work was supported with EPF Invasive Species funds from SFY 09-10. The presentation (attached), summarized extensive surveillance and outreach and some limited control efforts.

## **7. Budget & Spending**

Steve Sanford presented a brief summary of Cash Management Plan for EPF-Invasive Species. A total of \$2,976,807 is available for disbursement in SFY 2010-11. This includes \$2,117,090 to satisfy “encumbered projects” (existing obligations) and \$859,000 for “committed projects”, contracts which have been in development but are not yet fully executed.

Kevin King presented the initial schedule for completing Phase 1 of the Comprehensive Management Plan process. It will begin with the development of a questionnaire that will be used for carefully-targeted recipients beginning in mid-August.

## **8. Public Comment**

Hilary Smith thanked the Council for their consideration of the issues she raised relating to the aquatic invasive species bill.

## **9. Wrap-up**

Meeting # 10 will be scheduled, potentially in September, to:

- a. complete the deliberations on the aquatic invasive species/boat legislation;
- b. complete the deliberations on the list legislation;
- c. hear a detailed progress report on, potentially, the Clean Stock research; and
- d. report on OPRHP work on Hemlock Woolly Adelgid in Finger Lakes

A “Doodle Poll” inquiry for available dates has been e-mailed soon.

These notes are intended to meet the Open Meetings requirement for minutes. Please send me any corrections or suggested additions as soon as you can.

SJS

Director  
Office of Invasive Species Coordination

Attachment

cc: C. O’Neill  
L. Surprenant  
D. Adams  
E. Kasza