

**NOXIOUS WEEDS AND INVASIVE PLANT
REVIEW COMMITTEE MEETING**

**DIVISION OF PLANT INDUSTRY
JUNE 23, 2004
DOYLE CONNOR BUILDING AUDITORIUM
Gainesville, Florida**

Committee Members Present:

Connie Riherd, Chairperson
Dr. William T. Haller, IFAS
Dr. Jeff Mullahey, IFAS
Richard Clark, DACS DPI
Mark Garland, DACS DPI

Other Attendees:

Ben Bolusky, FNGLA
Hugh Gramling, Tampa Bay Wholesale Growers
Marianne Gengenbach, The Nature Conservancy
Stefanie M. Nagid, FWC
Dr. Jim Cuda, IFAS
Brian Nelson, Southwest Florida Water Management District
Andi Van Loan, DACS, DOF
Danny Phelps, DACS, DPI
Rigoberto Torres, DACS, DPI
Jennifer Brodzik, DACS, DPI
Terri Hymes, DACS, DPI

The Noxious Weed and Invasive Plant Review Committee Meeting was called to order by Connie Riherd, Chairperson, at 9:09 a.m. Connie welcomed all members and guests. Connie asked Committee Members and guests to introduce themselves.

Connie advised the participants that if they are not currently on our committee's interested party email list, to provide one of their business cards with their email address and she will add their name. She then provided an overview on the formation of the committee and its origin. Specifically, Commissioner of Agriculture, Charles Bronson appointed this committee to conduct the biennial review of the noxious weed and invasive plant list as mandated by the Florida legislature in 2002. Specifically in Section 581.091 (4), Florida Statutes (F.S.), it states that the department and UF IFAS shall biennially review this list and that the plants listed in DEP's regulations Section 369.251, F.S., (*Melaleuca quinquenervia*, *Schinus terebinthifolius*, *Casuarina equisetifolia*, *Casuarina glauca*, and *Mimosa pigra*.) shall be incorporated into the Department's list

(all but the two *Casuarinas* are already included), and that local governments shall only use this list when adopting local ordinances.

In response to this legislation, the department began rule development to establish procedures for the committee organization and operation by revising Rule Chapter 5B-57, Florida Administrative Code. Many people had input into that process and it greatly helped us in refining the rule amendment. More work is needed, but we can accomplish that as we revise the list.

Connie explained the process of classifying a plant as a noxious weed or invasive plant species. In addition to committee members, anyone can provide the committee with this information. Information must be presented to the committee to support the need to classify a plant as a noxious weed or invasive plant species. In addition to committee members, anyone can provide the committee with this information.

This can be done by using the application (DACS-08215) that was incorporated into the rule. The applications should be sent to the FDACS/DPI, P. O. Box 147100, Gainesville, FL 32614-7100 to the attention of Connie Riherd. The application must be distributed to the committee members within 30 days of receipt provided all the needed information is provided. The committee will meet in a public forum at least every two years or as needed based on the number of applications or the urgency. Once the committee has made a final recommendation, it must be forwarded to the department within 30 days. The department will then commence to amend rule 5B-57. 007 through rule development, which provides for public input if workshops or hearings are requested.

It was also noted that the committee would not depend on outside sources to provide applications for adding plants to the list. If DACS or the committee is aware of plants that should be proposed for addition, DACS will conduct the necessary assessments and justification needed to do so.

Andi Van Loan asked what the assessment plan is for placing plants on the list. There is no current plan, but Mark Garland stated that he would like to implement an assessment plan. He noted that Australia has a plan, and he is working toward the same.

Connie advised the group that the weed list was adopted in 1993 in response to the USDA's failure to regulate the interstate movement of federally listed noxious weeds. It has grown over the years to include plants that are not on the federal list. USDA now has authority to regulate interstate movement of federally listed noxious weeds as a result of the passage of the Plant Protection Act in 2000.

Mark asked if the committee could meet in emergencies, or more frequently than once every two years. Connie responded that there is no limit when the committee can meet, but they must meet at least once every two years. The intent is to make the current list practical and meaningful for Florida.

Bill Haller asked for an explanation of why the committee was established. Connie explained that Chapter 581.091 (4) was passed as a result of the nursery industry's concerns with Palm Beach and other counties developing noxious weed and invasive plant lists. Palm Beach County wanted to prohibit the planting of several species that were important ornamental and tropical foliage plants produced in the nursery trade. St. Lucie County wanted to prohibit the planting of preferred hosts of Caribbean fruit fly, some of which are also important landscape plants.

Ben Bolusky, Executive Director of FNGLA advised the group that FNGLA and Tampa Bay Wholesale Growers are working cooperatively with the Florida Exotic Pest Plant Council and IFAS to encourage growers to voluntarily agree not to produce certain plants that may be invasive.

Andi asked about there being a regional component on noxious weed list. Connie mentioned the difficulty of enforcing regional restrictions versus a statewide prohibition. However, there is a provision for this in the rule.

Marianne Gengenbach with the Nature Conservancy stated that she lobbied for a regional ordinance.

Stefanie M. Nagid stated that she is new to the evasive plant issue, but asked how does the state invasive weed list compare to the FLEPPC list? Connie stated that the two lists are very different. The state list primarily consists of plants considered agricultural threats, most of which are not in the state with the intent to prevent their introduction. The FLEPPC list primarily contains plants considered to be invasive and a potential threat to the native environment.

Connie proceeded to review the Noxious Weed List and stated that true aquatic weeds are not included on the list.

Mark Garland mentioned that there are some species of *Aeginetia* on the federal list but not on the state list that could possibly be of concern in Florida. He also noted that witchweed is not on the list. This is a parasitic weed that attacks corn, millet, etc. Connie stated that there is an ongoing eradication program in South Carolina and North Carolina and it is covered under a federal quarantine.

Bill Haller asked how the noxious weed regulations were enforced. Connie asked Richard Clark to describe this. Richard stated that if the plants are found in a nursery location, our department takes action. If the plants are found in production at other sites, for example water spinach being produced on a farm, then DEP is notified to take action.

Bill asked about the procedures for the Department of Environmental Protection to add a plant to their list. Connie stated they did it by amending their rule, which requires agreement from DACS.

Connie asked Andi what list the Division of Forestry used for State Forests. Andi said they are using the FLEPPC list.

Connie stated that IFAS is working on an assessment of invasive plant species. As she understands it, this will be used to guide IFAS on what plants they recommend for landscape use. Hugh Gramling agreed that this was correct. Connie also advised the group that DACS is drafting regulations to govern the production of plants for biomass purposes as alternative fuel sources for power, etc. We want to make sure that people do not abandon these plantings, so legislation will be needed in order to require these people to post a bond in case the state has to clean up abandoned plantings.

During the review of the list, there was mention of several species that should be considered. There was some discussion on *Miconia calvescens* which is an invasive plant in Hawaii and Tahiti. Mark is working on a risk assessment for this species. Mark also mentioned his concern about a thorny plant in Cuba that is taking over pastures called marabu, *Dichrostachys cinerea*. This could be a problem in Florida and Mark will work on the assessments needed to add this plant to the list.

Jim Cuda said that he thought we should consider adding all *Schinus* to the list. He has had difficulty obtaining approval for biological control agents of Brazilian pepper because *Schinus molle* is an ornamental plant in California. He also expressed concern about *Sesbania punicea*, a roadside herbaceous shrub in Florida. This is a problem in South Africa and could be a problem in certain areas of Florida. Many common weeds in Florida are not on the list.

Stephanie mentioned that chinaberry, camphor and mimosa trees should all be considered for listing. She explained a problem the district is having with chinaberry trees and landowners unwillingness to remove them. Andi asked if the current rules provide for the removal of listed plants. Connie stated that FDACS would not be in a position to require private citizens to remove plants on the noxious weed list (chinaberry is not currently on the noxious weed list).

Andi also asked about interaction with county road departments on the spread of weeds such as cogon grass through road construction activities. Richard Clark explained that the division has worked with DOT on this issue and they only obtain sod from sites certified free of weeds such as tropical soda apple and cogon grass, but in the case of tropical soda apple you can't always be sure that the sites are free of the seeds. However, county road departments may be an area that we need to look at more carefully.

Bill suggests inviting other IFAS scientists, Allison Fox and Randall Stocker to future committee meetings to answer questions on their plant assessment process.

In reviewing Application For Inclusion To The Noxious Weed List, Jim Cuda asked a question concerning #7- "County or Area of Origin"; which should it be? It should be Country of origin, not county. This will be corrected.

Mark Garland is in the process of developing a noxious weed identification tool for DPI's plant inspectors. He is also working on a summary chart of all the listed noxious weeds. (This was completed and is attached to these minutes)

Jeff Mullahey said that he thought it was very reasonable to look at including plants on the list based on a regional basis. Marianne said that this is necessary because there is a reluctance to place plants on a statewide list from a grower's perspective.

Jennifer Brodzik, DPI asked if there was a weed list developed for the consumer, to inform the consumer of what to plant or what to look for. Connie stated that education and convincing people to do the right thing is really the answer.

Connie thanked everyone for their attendance and input and since there was no further business, adjourned the meeting.