

**STATEMENT OF DR. JAMES TATE, JR., SCIENCE ADVISOR, DEPARTMENT OF THE INTERIOR,
BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, RECREATION AND PUBLIC LANDS,
HOUSE COMMITTEE ON RESOURCES, CONCERNING H.R. 1462, A BILL TO REQUIRE THE
SECRETARY OF THE INTERIOR TO ESTABLISH A PROGRAM TO PROVIDE ASSISTANCE
THROUGH STATES TO ELIGIBLE WEED MANAGEMENT ENTITIES TO CONTROL OR ERADICATE
HARMFUL, NONNATIVE WEEDS ON PUBLIC AND PRIVATE LAND.**

June 19, 2001

Mr. Chairman, my name is Jim Tate, and I am the Science Advisor at the Department of the Interior. I am accompanied today by Gina Ramos, Senior Weed Specialist, Bureau of Land Management; Michael Ielmini, Refuge Program Specialist, U.S. Fish and Wildlife Service; and Gary Johnston, Invasive Species Specialist, National Park Service. I thank you for the opportunity to appear before your Committee to present the views of the Department of the Interior on H.R. 1462, the Harmful Nonnative Weed Control Act of 2001.

The Department commends Congress for bringing attention to this important issue that has significant impacts on both public and private landowners and managers across the country. Invasive plant species are estimated to cause more than \$20 billion per year in economic damage and affect millions of acres of private and public lands. We concur with the basic principles embodied in the legislation; specifically, the recognition that a concerted and coordinated effort by the public and private sectors with requisite accountability is critical to the successful prevention, control, and management of invasive species. However, we need to identify more clearly the possible costs of this proposal and how it would be funded within the context of a balanced budget. We view this legislation as an important step toward greater engagement between Federal and non-Federal partners to counter the harmful impacts of invasive species.

The Department has identified three primary areas of concern with H.R. 1462 where textual changes could clarify the intent of the bill. I will outline these areas of concern briefly in this statement. This statement also addresses certain concerns that are specific to the three bureaus affected by H.R. 1462, the National Park Service, the U.S. Fish and Wildlife Service, and the Bureau of Land Management. In addition, we are advised by the Department of Justice that language contained in Section 9(a) of the bill requiring the consent of property owners may be problematic as it pertains to weed management activities on Indian lands, especially when such lands are held in trust for multiple beneficiaries, thereby making the process of obtaining consent extremely burdensome. We are eager to work with the Committee to develop amendatory language to address these concerns. We also hope the bill will include Federal agencies as partners in developing these coordinated efforts to manage invasive species. The National Invasive Species Council, which is co-chaired by the Departments of the Interior, Commerce and Agriculture, provides Federal coordination on invasive species issues, including invasive plants, and encourages partnership efforts to prevent and control invasive species. The Council can provide assistance with efforts to ensure a coordinated Federal/State approach. Finally, this statement will also touch upon the bureaus' programs in the areas of invasive species prevention, management, and eradication.

The first area of concern is the scope of the bill: what is covered by and excluded from the bill, both in terms of geography and the types of activities that are eligible for funding. Although the bill technically applies to the entire nation, we think it would be difficult for most of the eastern and southeastern states to compete with western states that have existing infrastructures that are likely to qualify as "weed management entities." Also, since invasive species cross state boundaries and there are many existing regional weed management programs, the exclusion of multi-state efforts in the bill could eliminate flexibility and hamper comprehensive control and management programs.

In addition to our concerns about the bill's scope, its prohibition on funding for control of submerged or floating aquatic noxious weeds and animal pests, operates against efforts to initiate a comprehensive approach to this growing threat. This prohibition could have a dampening effect on key coastal states with

substantial aquatic invasive species, discouraging them from participating in the program. Feral pigs in Hawaii provide an example of an excluded animal pest. The National Park Service wanted to remove invasive plant species in national parks in Hawaii, but the pigs were serving as a mechanism for distributing the seeds of some of the invasive plants and disturbing the soil. Without removal of the pigs, any program to remove invasive plant species would fail. We recommend that the bill allow for funding that maximizes flexibility to the States, Tribes, and local entities to control invasive species.

There are many ongoing, highly successful partnership efforts between the public and private sectors to control invasive species. One example is the "Pulling Together Initiative," a partnership between Federal agencies and the National Fish and Wildlife Foundation. Since 1997, through cost-sharing efforts, the partners have supported more than 175 weed management projects in 33 states and one territory. The purpose of the "Pulling Together Initiative" is to encourage the development of weed management areas, similar to the intent of this legislation. These projects bring together many stakeholders -- Federal, State, Tribal, private, and non-governmental organizations -- to coordinate management of weeds based on an integrated pest management approach. Each project funded through "Pulling Together" must have a minimum 1 to 1 match of non-Federal funds or in-kind contributions for every dollar of Federal funds requested. As a result, \$5 million in Federal dollars have been matched with almost \$10 million in non-Federal contributions. We recommend that language be included in this bill that would clarify how this legislation would relate to existing Federal initiatives so that significant, well-established, Federal-private partnership efforts will continue and flourish.

The second area of concern relates to the process established by the legislation and whether it provides for sufficient accountability, consultation, and coordination with Federal efforts and quality assurances. The bill creates a new advisory committee within the Department to oversee the allocation of funds to States and Tribes. Currently, the Invasive Species Advisory Committee already exists to provide advice to the National Invasive Species Council in accordance with Executive Order 13112, and is administered by the Department of the Interior. The Committee consists of members with similar expertise and representing many of the same interests in invasive species that are called for in H.R. 1462. We recommend that the existing advisory committee be used to make recommendations to the Secretary for the allocation of funds to States and Tribes, rather than establishing a new advisory committee.

While there is a reporting requirement for local weed management entities in H.R. 1462, the scope of the reporting requirement is unclear, as is how the results relate to the selection and renewal process. There is little specific guidance in the bill on how funds would be allocated to States and Tribes, or how they, in turn, are to allocate the funds to weed management entities. In addition, it is unclear whether these funds can be allocated to Federal agencies for coordination activities at the State and local levels. We recommend that language be added to the bill that establishes requirements for a standard reporting and review system that would ensure accountability and improve coordination and information exchange among Federal agencies, States and Tribes. We also recommend the bill be amended to specify which State agencies have the responsibility for allocating funds to weed management entities so it is consistent from state to state.

Except for the allocation of funds by the Secretary to States and Tribes, H.R. 1462 contains no requirement for consultation or coordination with Federal agencies. Given that invasive species cover Federal as well as State, Tribal, and private lands, we recommend that language be included that would require weed management entities to coordinate and consult with Federal agencies to promote comprehensive invasive species programs across all affected lands. This targeting, based upon existing capacity and resources, will help concentrate efforts to make a significant improvement in overall land health.

Our third area of concern surrounds the budgetary implications of the legislation and whether funding for this legislation would come at the expense of Federal control efforts and existing programs that provide matching funds for weed control. This program could involve significant new funding obligations that are not now assumed in the President's Budget. It is unclear how much funding is needed or how it will be paid for. Because this bill does not include an authorization of appropriations section that would provide a

separate authorization of funds, we are concerned that there would be no authorization limit on funds or any assurance that this program would not impact existing agency and multi-agency programs (such as the "Pulling Together Initiative") that support local and regional weed prevention and control projects.

Finally, as our experiences have shown, having a matching funds requirement is critical to the success of these projects because it ensures that the Federal funds available are used for projects that have strong support and financial backing at the regional, State or local levels. We are concerned that H.R. 1462 might undermine that success by allowing the Governor of any State to change the percentage of the match required. Additionally, except in the case of Tribes, we are also concerned about allowing States to count Federal funds from other sources outside this legislation as a weed management entity's non-Federal match. It is important for Federal funds to be used to leverage non-Federal funds to maximize the impact of Federal monies available for invasive species control programs.

The following are bureau-specific comments concerning H.R. 1462 and the bureaus' ongoing programs:

National Park Service

The principles of coordination, targeted funding, and accountability are fundamental aspects of the nonnative invasive species management strategy pursued under the National Park Service's five-year Natural Resource Challenge program. In FY 2000, the National Park Service (NPS) identified nonnative invasive species as a significant component of the threat to the natural and cultural heritage preserved in national park units across the country covering over 80 million acres of land.

As part of the Natural Resource Challenge, a new management strategy for controlling harmful nonnative invasive plants was implemented, called the Exotic Plant Management Team (EPMT). Four teams were fielded to identify, treat, control, restore, and monitor areas of parks that were infested with harmful exotic plants. The four teams serve 38 parks, comprising 11% of national park units, in the Chihuahuan Desert-Shortgrass Prairie, Florida, Hawaii, and the National Capital Region. The success of each EPMT derives from its ability to adapt to local conditions and needs. Each team sets work priorities based on a number of factors including: severity of threat to high-quality natural areas and rare species; extent of targeted infestation; probability of successful control and potential for restoration; and opportunities for public involvement. In addition, the President's budget for fiscal year 2002 includes a funding request for six additional EPMTs. Funding of these teams will raise our capacity to control invasive plants at 152 parks or approximately 40% of the parks in the lower forty-eight states. The NPS hopes that H.R.1462 will improve the team's work in our park units by increasing collaborative efforts between public and private adjacent landowners.

The EPMT of Florida provides an excellent illustration of the effectiveness of local partnerships. The Florida EPMT formed a partnership with the Upland Invasive Plant Management Program of the Florida Department of Environmental Protection and approximately 136 other groups in the program to control invasive plants. Together they fund removal of exotic species in 11 units of the National Park System in Florida with the State of Florida matching the NPS contribution dollar for dollar.

The NPS has many successful public and private partners in its efforts to control and manage invasive species, including tribal governments. The NPS recommends that H.R. 1462 clearly state that Tribal governments are to be included in all definitions of local stakeholders and weed management entities, and that they should be included in all sections of the bill relating to coordinated actions and distribution of financial assistance. Tribes should also be able to participate outside their own reservations when they belong to a larger weed management entity, without their funding being restricted.

The NPS recognizes that effective management of invasive plants must be conducted on a coordinated basis involving all stakeholders. However, the authority for Interior agencies, including NPS, to work with cooperating land managers outside the Interior agencies' boundaries is not clear. We recommend that language be included in H.R. 1462 that would provide the Federal agencies greater flexibility in managing

invasive plants in concert with willing adjoining landowners where Federal lands are threatened by invasions from adjoining lands.

The NPS is concerned about the lack of definitions for many of the terms used in the bill. Without terms being clearly defined, their use in the legislation may lead to confusion or disagreements over terminology. We note also that the bill as currently drafted permits the establishment of a weed management entity solely for the purpose of education. We believe that education, while an important part of any weed management entity's role, should not be its only objective. Moreover, the NPS believes that substantial gains can be made through an education campaign at the national level so that individuals can learn about what efforts they can undertake to address this problem. We look forward to working with the Committee to address these and other issues.

U.S. Fish and Wildlife Service

Invasive species are one of the leading threats to fish and wildlife, with potential to degrade entire ecosystems. The Fish and Wildlife Service (Service) is working to develop and implement aggressive programs to enhance its capability and leadership to respond effectively to present and future invasive species problems. The Service works in cooperation with private groups, State agencies, other Federal agencies, and other countries to combat invasive plant and animal species. National Wildlife Refuges (NWR) from Alaska to the Caribbean are affected by this problem. Based on national interagency estimates, over 6 million acres of the National Wildlife Refuge System are infested with exotic plants alone, interfering with crucial wildlife management objectives on over 50% of all refuges. Refuge field managers have identified invasive species problems as one of the most serious threats affecting the Refuge System. Nationwide, the rate of spread of invasive plants is estimated to be 5,400 acres per year. The Refuge System has identified over 300 projects with an estimated cost of \$120 million to combat invasive species.

Among the most insidious plant invaders to fish and wildlife resources are salt cedar, leafy spurge, whitetop, exotic thistles, Brazilian pepper, purple loosestrife, Australian pine, Chinese tallow trees, old world climbing fern, and melaleuca. At Loxahatchee Refuge in Florida's Everglades, for example, the exotic melaleuca tree and the Old World climbing fern have infested thousands of acres of the refuge, out-competing native vegetation and effectively eliminating wildlife-dependent habitat. Sevilleta and Bosque del Apache NWRs in New Mexico continually invest large amounts of time and operational funds in eradication efforts on the salt cedar. Salt cedar disrupts the structure and stability of native plant communities, crowding out native plant species, altering existing water regimes, and increasing soil salinity.

In addition, the Refuge System works with private landowners to help them restore degraded fish and wildlife habitats on their property, which includes the control of invasive plants. Through the Partners for Fish and Wildlife Program, which provides financial and technical assistance, the Service helps landowners benefit from improved productivity of their lands by minimizing the spread of invasive species and improving habitat for a variety of fish and wildlife species. Activities included prescribed burning, integrated pest management techniques, physical removal, fence construction, and restoration of native plant communities.

Unfortunately, the invasive species negatively affecting fish and wildlife resources are not solely contained within terrestrial plant taxa. Many refuges have significant wetland components, making aquatic invasive species, such as phragmites, a serious threat to these ecosystems. Service programs support activities to prevent and control highly invasive plants and animal species such as zebra mussels, giant salvinia, *Caulerpa taxifolia*, Chinese mitten crabs, round gobies, Norway rats, Asian carp, nutria, Asian swamp eels, feral goats and pigs.

Nutria are an exotic invasive rodent, native to South America, that have been introduced in 22 states nationwide, and affect over 1,000,000 acres of the National Wildlife Refuge System. Among areas with

high nutria populations is the lower Eastern Shore of Maryland, including Blackwater National Wildlife Refuge. Blackwater has lost over 7,000 acres of marsh since 1933, and the rate of marsh loss has accelerated in recent years to approximately 200 acres per year. Although there are many contributing factors (e.g., sea level rise, land subsidence), nutria are a catalyst of marsh loss due to their habit of foraging on the below-ground portions of marsh plants. This activity compromises the integrity of the marsh root mat, facilitating erosion and leading to permanent marsh loss. In light of the damage caused by nutria, the Service and 22 other Federal, State, and private partners joined forces in 1997 to identify appropriate methods for controlling nutria and restoring degraded marsh habitat. The Partnership prepared a 3-year pilot program proposal, which was subsequently approved by Congress, including authorization for the Secretary of the Interior to spend up to \$2.9 million over 3 years beginning in Fiscal Year 2000 (Public Law 105-322).

The number of invasive species threats to fish and wildlife resources continues to increase dramatically. As noted earlier, we recommend that H.R. 1462 be amended to increase its scope of coverage to include not only invasive terrestrial plant species, but aquatic plants as well. We would also recommend that certain invasive animal species be included.

Bureau of Land Management

The Bureau of Land Management (BLM) recognizes the need for expanding on-the-ground efforts at controlling noxious weeds. Since the completion of the BLM's A Partners Against Weeds Strategy Plan, the BLM has followed the plan's recommendation of expanding cooperative partnerships. We can attribute much of the BLM's success in managing invasive species through cooperative partnerships with Federal, State, and local government agencies, private landowners, and industries. As noted earlier, we have concerns about the need to expand the scope of H.R. 1462 to permit weed management efforts that cross state lines. The BLM has numerous ongoing cooperative management relationships in this area and amending the bill to permit cross-jurisdictional efforts would foster further development of these relationships.

The BLM considers public education the key to winning the war on weeds. Accordingly, our Partners Against Weeds Strategy focuses on education and outreach. BLM personnel have given over 200 weed slide presentations, prepared videos, produced flyers and classroom projects, and conducted numerous public weed field trips. The BLM has also developed a Weed Awareness Course that is given to each BLM employee. In Grand Junction, Colorado, for example, the Field Office Weed Coordinator has held classes for public land users at which all of the major grazing permittees in that field office have attended. Ranchers are now reporting new weed infestations and cooperating to help control them on private and BLM lands.

As the awareness of invasive plants and their impacts accelerates, our efforts with the public also increase. Today, for example, the BLM in New Mexico will be taking part in the signing of a Memorandum of Understanding with Tribes, and State and Federal agencies to manage invasive and noxious weeds.

Recently, the creation of new Cooperative Weed Management Areas has risen significantly. Because the BLM manages over 264 million acres of public lands, cooperative weed management efforts are essential, primarily in those areas where public lands are intermingled with State, private, and other Federally-managed lands. Today more than ninety percent of the Federal, State and private lands in Idaho and California are part of cooperative weed management areas. For example, in fiscal year 2000 the BLM treated 291,000 acres and is involved in over 30 weed management areas. That figure is expected to rise annually.

In fiscal year 2001, the BLM received \$8.9 million for weed management, a majority of which went to the BLM offices for on-the-ground weed efforts including inventory, weed treatments, and monitoring. In states with smaller amounts of infested acreage, the BLM focuses funding on efforts to provide states with the capability to detect small weed infestations in high-risk areas and to treat small infestations

before they spread. The BLM is also dedicating funding to states with larger infestations, focusing efforts on areas not previously inventoried, but at risk. In addition, in FY 2001, the BLM provided nearly \$469,000 for the National Fish and Wildlife Foundation's Pulling Together Initiative for comprehensive, on-the-ground weed management, treatment, prevention and control efforts. We are concerned that, as currently drafted, H.R. 1462 could impact BLM's future efforts to fund this successful, ongoing program.

Conclusion

We appreciate the opportunity to appear before this Committee to discuss the issue of invasive species and we wish to thank you, Mr. Chairman, for your efforts to address this issue through your sponsorship of H.R. 1462. We welcome this legislation as a symbol of future commitment to early detection and rapid response to mitigate the rampant spread of invasive plants. We, too, have recognized the need to work directly with private landowners and State and local governments. We applaud the bill's recognition of partnerships as key to success across multiple jurisdictions of natural resource management. Our goal is to ensure that the main provisions of H.R. 1462 allow for the coordination of existing Federal efforts and local control programs so that the bill serves to strengthen ongoing invasive species programs and support new partnerships and initiatives. We look forward to working with the Committee in formulating legislation that best reflects our mutual goal of assisting States, Tribes, and local entities to prevent, control, and manage nonnative invasive species while recognizing and strengthening existing partnership efforts among all stakeholders.

Mr. Chairman, this concludes my prepared remarks and I will be happy to answer any questions you or other committee members might have.