

National Environmental Coalition on Invasive Species

National Association of Invasive Plant Councils ♦ Natural Areas Association
Center for Invasive Species Prevention ♦ National Wildlife Federation ♦ The Wildlife Society
www.necis.net

March 29, 2017

The Honorable John Barrasso
307 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Barrasso:

The above-listed member groups of the National Environmental Coalition on Invasive Species (NECIS) have reviewed S.509, the “Federal Land Invasive Species Control, Prevention, and Management Act”, and wish to comment.

As organizations long-focused on reducing the impacts of invasive species in the United States, we are supportive of the underlying goal of this bill; that is, to improve the effectiveness and overall scope of on-the-ground invasive species management and control projects on federal lands. Such projects are critical for stewarding federal lands and maintaining the ecological health and productivity of neighboring state and private lands. NECIS supports stronger on-the-ground control efforts both on and off federal lands. Invasive species cause enormous damage to human and environmental health, our nation’s natural resources, and the U.S. economy. For that reason, the nation needs a comprehensive invasive species program that prevents new invasions as well as controls existing invaders, including on public lands. Federal leadership alongside state and private cooperation is essential.

Although we are strongly in favor of greater resources being applied to controlling invasive species on-the-ground on federal lands, we have concerns about the approaches taken by the bill, and offer the following suggestions for alternative approaches:

1. **Budget allocations.** We are concerned that the mandatory percentage allocations for federal expenditures in Section 5 are too restrictive, with the potential to have significant unintended consequences. On-the-ground control activities must be part of a comprehensive invasive species approach, integrated with other critical efforts including prevention, mapping, early detection, risk assessment, research, coordination, and outreach. Although on-the-ground control and management efforts clearly can use additional funding, mandatory reallocations run the risk of undermining other important efforts, many underfunded themselves, that are part of such a comprehensive approach to tackling the invasive species challenge. We would, however, support a review and analysis of USDA and DOI budgets on how the agencies currently spend budgeted funds for invasive species, including the percent allocations for the different uses discussed in Section 5. Such an analysis would provide the basis for a more informed consideration of the need for any reallocations among these activities as well as an analysis of the consequences of such shifts. We would also point out that there are opportunities under existing law to increase funding for on-the-ground invasive species management, and we would be supportive, for instance, of additional appropriations to Cooperative Weed Management Areas across the country through the Noxious Weed Control and Eradication Act of 2004 (PL 108-412).

2. **NEPA Categorical Exclusion.** We are also concerned with the blanket categorical exclusions under NEPA that would be established under Section 6(c). A categorical exclusion is defined as "a category of actions which do not individually or cumulatively have a significant effect on the human environment" (40 CFR 1508.4). Invasive species control actions, including but not limited to application of chemical pesticides, can have a significant environmental effect. Such effects could include the taking of endangered and non-target species, unintended ecosystem harm, and impacts to human health. NEPA is a critical tool to ensure that these risks are considered in advance. In emergency situations where categorical exclusions may be appropriate for consideration, they should continue to be considered by individual action agencies rather than mandated through legislative action. To address additional roadblocks arising from NEPA compliance, we suggest that CEQ work with the National Invasive Species Council on long-overdue NEPA guidance, and that agencies prepare programmatic EISs that can serve as the foundation for site-specific Environmental Assessments.

NECIS has outlined a number of needed reforms to the nation's approach to invasive species in "[Tackling the Challenge of Invasive Species: A Coordinated and Comprehensive National Response](#)". This report lays out a comprehensive approach to addressing invasive species, with a focus on prevention and early detection activities. Specific emphasis is placed on the need to address the pathways of invasive species by looking at cost-effective prevention efforts such as modifying the injurious species provision of the Lacey Act. Future efforts at invasive species control should also work with partners to address invasive species before they reach vulnerable federal lands in addition to managing those already established. The undersigned member organizations of NECIS stand ready to work with your office and others in crafting measures to address the critical challenge of invasive species.

Sincerely,

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cc:

The Honorable Lisa Murkowski, Chair, Senate Energy and Natural Resources Committee

The Honorable Maria Cantwell, Ranking Member, Senate Energy and Natural Resources Committee

The Honorable James Risch

The Honorable Mike Enzi