

but not all have the funding and the trained staff to successfully control the weed's spread. With funding through a Natural Resource Preservation Program grant, and support from cooperating southwestern parks, the Tamarisk Crew has been a way for national parks to work together, sharing resources, to meet a common goal. While independent control efforts in the past have been costly and less effective, the results from this group approach show how coordination and prioritization can achieve more immediate and cost-effective success.

"Men in Brown?"

The park service is currently trying to secure permanent funding for this program. For more information, contact Curt Deuser at the Lake Mead National Recreation Area, 601 Nevada Highway, Boulder City, NV 89005. (702) 293-0178.

Ian Torrence and Jane Rodgers contributed to this article which was reprinted, with permission, from *Noxious Times* (Volume 1, No. 2).

EXECUTIVE ORDER - INVASIVE SPECIES

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended (16 U.S.C. 4701 et seq.), Lacey Act, as amended (18 U.S.C. 42), Federal Plant Pest Act (7 U.S.C. 150aa et seq.), Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2801 et seq.), Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), and other pertinent statutes, to prevent the introduction of invasive species and provide for their control and to minimize the economic, ecological, and human health impacts that invasive species cause, it is ordered as follows:

Section 1. Definitions.

(a) "Alien species" means, with respect to a particular ecosystem, any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem.

(b) "Control" means, as appropriate, eradicating, suppressing, reducing, or managing invasive species populations, preventing spread of invasive species from areas where they are present, and taking steps such as restoration of native species and habitats to reduce the effects of invasive species and to prevent further invasions.

(c) "Ecosystem" means the complex of a community of organisms and its environment.

(d) "Federal agency" means an executive department or agency, but does not include independent establishments as defined by 5 U.S.C. 104.

(e) "Introduction" means the intentional or unintentional escape, release, dissemination, or placement of a species into an ecosystem as a result of human activity.

(f) "Invasive species" means an alien species whose introduction does or is likely to cause economic or environmental harm or harm to human health.

(g) "Native species" means, with respect to a particular ecosystem, a species that, other than as a result of an introduction, historically occurred or currently occurs in that ecosystem.

(h) "Species" means a group of organisms all of which have a high degree of physical and genetic similarity, generally interbreed only among themselves, and show persistent differences from members of allied groups of organisms.

(i) "Stakeholders" means, but is not limited to, State, tribal, and local government agencies, academic institutions, the scientific community, nongovernmental entities including environmental, agricultural, and conservation organizations, trade groups, commercial interests, and private landowners.

(j) "United States" means the 50 States, the District of Columbia, Puerto Rico, Guam, and all possessions, territories, and the territorial sea of the United States.

Sec. 2. Federal Agency Duties.

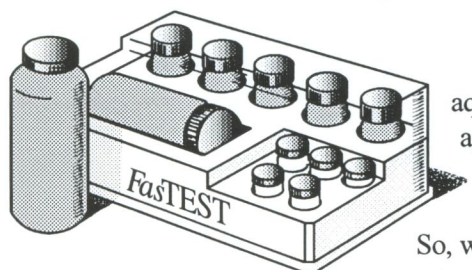
(a) Each Federal agency whose actions may affect the status of invasive species shall, to the extent practicable and permitted by law,

(1) identify such actions;

(2) subject to the availability of appropriations, and within Administration budgetary limits, use relevant programs and authorities to:

(i) prevent the introduction of invasive species; (ii) detect and respond rapidly to and control populations of such species in a cost-effective and environmentally sound manner; (iii) monitor invasive species populations accurately

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Inaugural Meeting of National Invasive Species Council

Brian Bowen, SE-EPPC Coordinator

The inaugural meeting of the National Invasive Species Council was held on July 22 at the International Trade Center in Washington D.C. The Administration brought out its heavy guns in support of Executive Order 13112 (EO) and its newly declared war on invasive exotics. The opening remarks and charge to the Council were given by the Council's Co-Chairs; Secretary Babbitt of Interior, Secretary Glickman of Agriculture, and Secretary Daley of Commerce. The meeting was temporarily disrupted during Secretary Glickman's remarks due to a reported bomb threat in the building. The meeting reconvened after a brief break when the decision to clear the building was tabled.

The Secretaries gave their general assessment of the problem and statements about the role of the National Council. Specific examples of on-going actions were given. Glickman mentioned progress on current pheromone trap research to combat the Asian longhorn beetle. Daley mentioned progress related to policy advances in ballast water management and important up-coming meetings. Babbitt's remarks were most noteworthy. He recognized the immensity of the issue and the present lack of necessary resources to combat it. He noted how late we were as a nation recognizing the scope of this insidious scourge, how little had been done, and how big an enigma it still remains to the average citizen.

Secretary Babbitt called for the Council and all of its supporters to transcend the Executive Order, realizing that the clock is ticking, and that the work of the Council would go beyond the longevity of this Administration. He stated that the national management plan was due to be completed in about a year. He advocated the use of a white list wherein introduced species are presumed guilty until proven innocent. He stressed the need for risk assessment which is called for in the Executive Order. Secretary Babbitt then asked members of the National Council to introduced themselves. The Council includes representatives from all the Departments referenced in the Executive Order with additional appointments expected.

The scientific perspective was given by Dr. Dan Simberloff, Professor and Nancy Gore Hunger Chair of Excellence in Environmental Studies Department of Ecology & Evolutionary Biology, University of Tennessee. His theme echoed Babbitt's comments, noting that our successes were few. He said that scientists and professionals in the field could get the job done if there was sufficient political will. He alluded to the inherent failure in approaching the problem piecemeal by just reacting to it episodically. He contended that the war could be won. He advised that we look at successes elsewhere where model national exotic species

programs have been instituted. Dr. Simberloff stressed the need for diligence in assessment and monitoring, citing that many of today's seemingly harmless exotics may be tomorrow's toughest pests.

Bill Brown, Science Advisory to the Secretary of Interior facilitated the second half of the meeting which addressed more of the nuts and bolts responsibilities of the Council and its function. There were brief reports given on the Council's duties and plans for accomplishment. They included reports on NEPA, information collection and management, planning from local to regional levels, monitoring and evaluating impacts, international cooperation, and the national management plan.

The national management plan discussion focused on what is required under the EO. Some of the topics included the establishment of a risk assessment process, the review of existing laws and recommendations for new laws, and federal agency responsibilities. Specific actions were cited under Sec 2. Federal Agency Duties regarding: (i) prevention, (ii) detection and rapid response, (iii) monitoring (iv) restoration (v) research and (vi) and promoting public awareness.

Sally Yozell, Deputy Secretary of NOAA, discussed the establishment of the Advisory Committee to the Council. Its role will be to support the deliberations of the Council and advise it. A primary task will be to oversee implementation of it duties. This Advisory Committee is expected to be comprised of approximately twenty-five stakeholders possibly serving 1 to 2 year terms. It may meet 3 or 4 times per year, and preferably before each Council meeting. The Advisory Committee will be made up of individuals with balanced view points and sufficiently distributed geographically throughout the U.S. A purpose of the Advisory Committee will be to foster formation of smaller working groups in all regions. Announcement for nominations will soon be placed in the Federal Register. Also, staff positions will also be created to address the many objectives to be identified in the national management plan. These positions also will be announced in the Federal Register.

The National Council meeting concluded after allowing for public comment. An hour long reception provided opportunity for discussion and networking. This inaugural meeting provided incentive for immediate action in developing the national management plan. The clock is ticking with the plan due out in a year. EPPC participation on the Advisory Council should be a priority, and requires our coordination. Keep an eye on the Federal Register for pertinent information and announcements.

and reliably; (iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded; (v) conduct research on invasive species and develop technologies to prevent introduction and provide for environmentally sound control of invasive species; and (vi) promote public education on invasive species and the means to address them; and

(3) not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species in the United States or elsewhere unless, pursuant to guidelines that it has prescribed, the agency has determined and made public its determination that the benefits of such actions clearly outweigh the potential harm caused by invasive species; and that all feasible and prudent measures to minimize risk of harm will be taken in conjunction with the actions.

(b) Federal agencies shall pursue the duties set forth in this section in consultation with the Invasive Species Council, consistent with the Invasive Species Management Plan and in cooperation with stakeholders, as appropriate, and, as approved by the Department of State, when Federal agencies are working with international organizations and foreign nations.

Sec. 3. Invasive Species Council.

(a) An Invasive Species Council (Council) is hereby established whose members shall include the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Transportation, and the Administrator of the Environmental Protection Agency. The Council shall be Co-Chaired by the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce. The Council may invite additional Federal agency representatives to be members, including representatives from sub-cabinet bureaus or offices with significant responsibilities concerning invasive species, and may prescribe special procedures for their participation. The Secretary of the Interior shall, with concurrence of the Co-Chairs, appoint an Executive Director of the Council and shall provide the staff and administrative support for the Council.

(b) The Secretary of the Interior shall establish an advisory committee under the Federal Advisory Committee Act, 5 U.S.C. App., to provide information and advice for consideration by the Council, and shall, after consultation with other members of the Council, appoint members of the advisory committee representing stakeholders. Among other things, the advisory committee shall recommend plans and actions at local, tribal, State, regional, and ecosystem-based levels to achieve the goals and objectives of the Management Plan in section 5 of this order. The advisory committee shall act in cooperation with stakeholders and existing organizations addressing invasive species. The Department of the Interior shall provide the administrative and financial support for the advisory committee.

Sec. 4. Duties of the Invasive Species Council.

The Invasive Species Council shall provide national leadership regarding invasive species, and shall:

(a) oversee the implementation of this order and see that the Federal agency activities concerning invasive species are coordinated, complementary, cost-efficient, and effective, relying to the extent feasible and appropriate on existing organizations addressing invasive species, such as the Aquatic Nuisance Species Task Force, the Federal Interagency Committee for the Management of Noxious and Exotic Weeds, and

the Committee on Environment and Natural Resources;

(b) encourage planning and action at local, tribal, State, regional, and ecosystem-based levels to achieve the goals and objectives of the Management Plan in section 5 of this order, in cooperation with stakeholders and existing organizations addressing invasive species;

(c) develop recommendations for international cooperation in addressing invasive species;

(d) develop, in consultation with the Council on Environmental Quality, guidance to Federal agencies pursuant to the National Environmental Policy Act on prevention and control of invasive species, including the procurement, use, and maintenance of native species as they affect invasive species;

(e) facilitate development of a coordinated network among Federal agencies to document, evaluate, and monitor impacts from invasive species on the economy, the environment, and human health;

(f) facilitate establishment of a coordinated, up-to-date information-sharing system that utilizes, to the greatest extent practicable, the Internet; this system shall facilitate access to and exchange of information concerning invasive species, including, but not limited to, information on distribution and abundance of invasive species; life histories of such species and invasive characteristics; economic,

environmental, and human health impacts; management techniques, and laws and programs for management, research, and public education; and

(g) prepare and issue a national Invasive Species Management Plan as set forth in section 5 of this order.

Sec. 5. Invasive Species Management Plan.

(a) Within 18 months after issuance of this order, the Council shall prepare and issue the

first edition of a National Invasive Species Management Plan (Management Plan), which shall detail and recommend performance-oriented goals and objectives and specific measures of success for Federal agency efforts concerning invasive species. The Management Plan shall recommend specific objectives and measures for carrying out each of the Federal agency duties established in section 2(a) of this order and shall set forth steps to be taken by the Council to carry out the duties assigned to it under section 4 of this order. The Management Plan shall be developed through a public process and in consultation with Federal agencies and stakeholders.

(b) The first edition of the Management Plan shall include a review of existing and prospective approaches and authorities for preventing the introduction and spread of invasive species, including those for identifying pathways by which invasive species are introduced and for minimizing the risk of introductions via those pathways, and shall identify research needs and recommend measures to minimize the risk that introductions will occur. Such recommended measures shall provide for a

science-based process to evaluate risks associated with introduction and spread of invasive species and a coordinated and systematic risk-based process to identify, monitor, and interdict pathways that may be involved in the introduction of invasive species. If recommended measures are not authorized by current law, the Council shall develop and recommend to the President through its Co-Chairs legislative proposals for necessary changes in authority.

(c) The Council shall update the Management Plan biennially and shall concurrently evaluate and report on success in achieving the goals and objectives set forth in the Management Plan. The Management Plan shall identify the personnel, other resources, and addi-

tional levels of coordination needed to achieve the Management Plan's identified goals and objectives, and the Council shall provide each edition of the Management Plan and each report on it to the Office of Management and Budget. Within 18 months after measures have been recommended by the Council in any edition of the Management Plan, each Federal agency whose action is required to implement such measures shall either take the action recommended or shall provide the Council with an explanation of why the action is not feasible. The Council shall assess the effectiveness of this order no less than once each 5 years after the order is issued and shall report to the Office of Management and Budget on whether the order should be revised.

Sec. 6. Judicial Review and Administration.

(a) This order is intended only to improve the internal management of the executive branch and is not intended to create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any other person.

(b) Executive Order 11987 of May 24, 1977, is hereby revoked.

(c) The requirements of this order do not affect the obligations of Federal agencies under 16 U.S.C. 4713 with respect to ballast water programs.

(d) The requirements of section 2(a)(3) of this order shall not apply to any action of the Department of State or Department of Defense if the Secretary of State or the Secretary of Defense finds that exemption from such requirements is necessary for foreign policy or national security reasons.

WILLIAM J. CLINTON
THE WHITE HOUSE,
February 3, 1999.



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