

**Alliance for Community Trees
American Forest & Paper Association
American Nursery & Landscape Association
Center for Conservation Solutions
Center for Invasive Species & Ecosystem Health at the University of Georgia
City of Chicago Department of Streets and Sanitation Bureau of Forestry
The Davey Institute
Florida Nursery, Growers & Landscape Association
Michigan State University, Dept of Entomology & Dept. of Forestry
Mulch & Soil Council
National Association of State Departments of Agriculture
National Association of State Foresters
National Plant Board
Natural Biodiversity
Northeast Midwest Institute
Oregon Invasive Species Council
Purdue University, Department of Entomology
Society of American Florists
The Nature Conservancy
Valent U.S.A. Corporation
Western Pennsylvania Conservancy**

December 10, 2008

RE: Presidential Transition Package from the Continental Dialogue

Dear President-Elect Obama:

Forests in the United States are being attacked by non-native forest insects and diseases, which represent one of the greatest ecological and economic threats to our rural and urban forests. These have been introduced to our country as a by-product of international trade and travel, and then are inadvertently spread domestically through movement of packaging material, firewood, plant material, and other vectors. Federal, state, and local government agencies, along with private and non-profit partners are working heroically now to eliminate and slow the spread of disastrous invasive forest insects, such as the Emerald Ash Borer and the Asian Longhorned Beetle, which have the capacity to impact the American forest landscape drastically and irreversibly.

The Continental Dialogue on Non-Native Forest Insects and Diseases is a collaboration of diverse interests, representing the private and public sectors, aimed at improving our nation's efforts to address this significant threat to our forests. We believe that invasive species issues are in need of greater priority by federal agencies – both in terms of policies dealing with introduction and spread of these pests as well as the availability of resources needed to support these efforts.

The Continental Dialogue's broad goals are to: (1) Improve federal and state programs so as to virtually eliminate new introductions of non-native forest insects and diseases to the U.S.; (2) Improve detection and eradication systems to prevent the survival of *newly-introduced* non-native forest insects and diseases in the U.S.; (3) Minimize the ability of *established* populations of non-

native insects and diseases to thrive in the U.S.; and (4) Increase engagement by all the key constituencies affected by non-native forest insects and diseases or that play a role in their arrival and establishment.

The Continental Dialogue requests your leadership and pledges our assistance in taking actions that we believe will ensure our nation's forests are protected from invasive species and continue to sustain and enrich the well-being of our citizens and communities. We recommend four priority federal actions that can be taken in the upcoming year. These actions provide a foundation for a clear, solutions-oriented agenda for your administration in addressing the impacts of invasive species on our nation's forests. They include:

- 1. Preventing many new introductions of non-native forests pests and diseases by strengthening regulations governing imports of live plants (“Q-37” – the Federal quarantine regulating the import of plants, roots, bulbs, and seeds);**
- 2. Preventing the spread of introduced pests by strengthening regulation of wood packaging used in interstate commerce;**
- 3. Seeking and allocating greater financial resources to support prevention, detection, eradication, and management programs, utilizing the Farm Bill, Department appropriation requests and emergency funding; and**
- 4. Implementing the National Invasive Species Management Plan so as to ensure needed coordination among the multitude of federal agencies which have responsibility for addressing introduced forest pests.**

Please see the attached background documents which establish the value of forests and represent the work already completed by the Continental Dialogue on these important actions.

The Continental Dialogue stands ready to participate with you in providing the forest protection leadership needed for our country. We believe these four priority actions are a key first step to address political, policy and programmatic elements needed to assure our nation's forests continue to provide traditional benefits as well as contribute to new environmental, energy, and climate challenges. We are in a unique position, not only to help guide the development of these policies and programs, but also to assist in their delivery at the local level. Please do not hesitate to call upon us.

Thank you for your consideration of our concerns.

Sincerely,

Robert L. Bendick, Director, Government Relations, The Nature Conservancy
Ben Bolusky, CEO/Executive Vice President, Florida Nursery, Growers & Landscape Association
Allegra Cangelosi, Senior Policy Analyst, Ecosystem Team, Northeast Midwest Institute
Joe Chamberlin, Ph.D., Development Manager, Valent U.S.A. Corporation
Drue DeBerry, Senior Vice President, Conservation, Center for Conservation Solutions
Dr. G. Keith Douce, Co-Director, Center for Invasive Species & Ecosystem Health, and Professor of Entomology, College of Agricultural & Environmental Sciences, University of Georgia
Jodie Ellis, Exotic Insects Education Coordinator, Purdue University

Jay Farrell, Executive Director, National Association of State Foresters
Stephen Haterius, Executive Director, National Association of State Departments of Agriculture
Walker Gray Haun, President, National Plant Board
Robert C. LaGasse, Executive Director, Mulch & Soil Council
Joseph McCarthy, Senior City Forester, City of Chicago Department of Streets and Sanitation Bureau
of Forestry
Dr. Deborah G. McCullough, Professor, Dept of Entomology & Dept. of Forestry, Michigan State
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Paul Noe, Vice President for Public Policy, American Forest & Paper Association
Anand B. Persad, Ph.D., B.C.E., Regional Technical Advisor, The Davey Institute
Craig Regelbrugge, Vice President, Government Relations and Research, American Nursery &
Landscape Association
Thomas D. Saunders, President, Western Pennsylvania Conservancy
Lin Schmale, Senior Director - Government Relations, Society of American Florists
Kristin Sewak, Director, Natural Biodiversity
Mark Sytsma, Chair, Oregon Invasive Species Council
Alice Ewen Walker, Executive Director, Alliance for Community Trees

Attachments (all available at www.continentalforestdialogue.org/workgroups/products.htm):

- One –pager on value of forests
- Consensus Recommendation on Federal Regulations Governing Imports of Living Plants (Q-37)
- June 12, 2008 Letter to Secretary of Agriculture regarding solid wood packaging
- March 12, 2008 Letter to NISC Executive Director regarding the draft 2008-2012 National Invasive Species Management Plan
- March 12, 2008 Letter to the Chairperson and Ranking Member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, Committee on Appropriations, U.S. House of Representatives regarding FY 2009 appropriations

Value of Forests

Continental Dialogue on Non-Native Forest Insects and Diseases

There is a compelling interest in the sustainability of our nation's forests. Our forests provide a tremendous array of goods and services which add to our quality of life. The United States has the fourth largest forest estate of any nation, with eight percent of the world's forests. This represents approximately 750 million acres of forestland – about one-third of the nation's total land area.

These forests sustain biological diversity and provide clean air and water to hundreds of millions of people in the United States. Forest products and related industries employ more than 1.6 million people and contribute \$231.5 billion to our nation's economy. Forests can also provide a solution in our nation's efforts to reduce energy use and greenhouse gas emissions. Forest products require less energy to produce than other building materials and are highly recyclable. Woody biomass as a fuel source has the potential to create thousands of new jobs and substantially increase the percentage of renewable sources needed to meet the nation's energy demands. Trees in urban areas provide enormous savings in commercial and residential energy costs and provide aesthetic, environmental air and water benefits beyond any other form of engineering. U.S. forests and forest products store enough carbon each year to offset approximately 10% of U.S. carbon dioxide emissions from all sources. In addition, forests also provide enjoyment to millions of hikers, hunters, anglers, and other recreational users. Perhaps most importantly, our forests are part of the core foundation of our national heritage and integral to the American spirit.

Yet, in spite of their vast importance to all Americans, our forests are needlessly being lost to invasive, non-native forest insects and diseases. These invaders represent one of the greatest threats to our forests and shade trees.

Communities spanning the nation from New York City to Chicago to Honolulu face devastation of their quality of life and unavoidable expenses to cope with the loss of millions of trees. Chicago, for example, will probably lose nearly all its 600,000 ash trees. Urban trees valued at more than \$700 billion are at risk from just two major pests – Asian Longhorned Beetle and Emerald Ash Borer. Other non-native insects and diseases, such as Sirex woodwasp and Sudden Oak Death, are also creating major ecological and economic catastrophes.

Now is the time to prevent the introduction and spread of these pests that threaten our rural and urban forests throughout the country.

To: Forest Dialogue Steering Committee
From: Workgroup #1 – Prevent Introduction of New Pests and Diseases
Subject: Report on Activities Since January Dialogue Meeting and Request for Approval of a draft Dialogue Policy Statement re: Imports of Plants for Planting (Q-37)

Members:

- Faith Campbell, The Nature Conservancy (chair)
- Jerry Carlson, NY Dept. of Environmental Conservation
- Emily Davis, International Paper, Forest Resources
- Bob Fledderman, MeadWestvaco
- Deborah McCullough, Michigan State University
- Anand Persad, Davey Tree Company
- Gray Haun, TN Department of Agriculture (*Resource*)
- Craig Regglebrugge, ANLA (*ex-officio*)
- Marc Tefteau, ANLA (*ex-officio*)

Task:

As memorialized in the Action Agenda Notes document, our task was:

Opportunity 1. Prevent Introduction of New Pests and Diseases

Objective: Establish a strong and measurable national level of protection for pathways by which live organisms are imported.

Value: This would enable us to quantify the results of our efforts; allow us to revise standards and funding as needed; and to adapt forest management to our specific aims.

The group has been working on Task B: Establish working group to facilitate communication and common positions on USDA import rules, Subtask 1a, “If possible, develop a Dialogue-wide position on the live plant import rules.”

The Team has developed a proposed Dialogue-wide position on the live plant import rules (otherwise known as the Quarantine-37 or Q-37 rules). You will find this proposed position statement attached.

Once the Steering Committee has reviewed this proposal, we would propose to convey our progress and recommendations to the full Dialogue, and would hope Dialogue participants will begin exploring how they might advocate the integrated approach contained in the position statement to USDA APHIS, USDA leadership, concerned members of Congress, and others.

Appendix:
Action Team 1: Proposed Position Statement on APHIS Q-37 Rulemaking

DRAFT DIALOGUE POSITION ON Q-37

TEAM APPROVED 9/6/07 BY CONF CALL

Background

At its January 2007 meeting, the Dialogue asked Opportunity Task Team #1 to include among its short-term goals development of draft common positions for consideration by Dialogue participants. These positions are to pertain to important pathways for the introduction of new forest pests & pathogens. Highest priority was assigned to introductions via the live plant (“plants for planting”) importation pathway as:

- Live plants are a major pathway for pest introduction
- Opportunities will arise for input as USDA APHIS has initiated a rulemaking to revise the relevant regulations (called “Q-37 regulations - the Federal quarantine regulating the import of nursery plants, roots, bulbs, and seeds).
- Dialogue participation in this comment period facilitates communication with federal agencies and enables us to be a recognized stakeholder in the process.
- Clean stock programs hold promise for simultaneously minimizing risks of pest introduction while placing appropriate responsibility for preventing pest introductions on those engaged in and benefiting from trade in live plants.

Goals

1. Develop a position on Q-37, which reflects the common goals of the Dialogue.
2. Assist USDA APHIS in improving the Q-37 regulation.
3. To achieve the Dialogue’s Vision of drastically reducing and virtually eliminating the introduction of forest pests via the live plant pathway by 2015, APHIS must pro-actively fulfill its pest prevention obligations. Systems-based approaches offer great promise.
4. Encourage importer and exporter accountability and participation in development of best management practices to assure they transport only plant stock essentially free of plant pests.
5. Improve identification of potential actionable pests in their countries of origin (before they are introduced) through, *inter alia*, conducting rapid pest risk analyses of species contained in existing lists of forest pests, e.g., ExFor
6. Contribute to increasing resources and incentives for improved detection of potential actionable pests through pre-shipment inspection in countries of origin and at receiving sites (including ports of entry and plant inspection stations, receiving nurseries, distribution points, etc.)
7. In deciding whether and how to regulate a potential environmental hazard, federal agencies must conduct cost/benefit analyses. In the context of trade policy, cost/benefit analyses routinely capture benefits to both economic entities and consumers associated with the proposed trade. However, they often disregard the risk of pest introduction, and resulting “external” costs that may affect a variety of public and private interests. Cost/benefit analyses associated with trade policy as it relates to plants for planting (as well as plant products and packaging that have been demonstrated to pose pest risk) should consider external costs associated with pest response, including eradication or quarantine.
8. Ensure that steps to improve Q-37 remain in compliance with World Trade Organization and International Plant Protection Convention standards, in part by obtaining adequate resources to conduct timely pest risk assessments.

Elements of Position

1. The Dialogue holds as a major objective, the prevention of the introduction of forest pests and pathogens in the United States.
2. The live plant pathway governed partly by Q-37 is a high-risk pathway for introductions. Preventing introduction would entail:
 - o Importation of plants that are free of regulated pests and essentially free of other pests, and
 - o Early detection of residual pests and potential pests to enable cost-effective and successful eradication.
3. The Dialogue believes that the current Q-37 regulations are not adequately effective in preventing introduction of forest pests and pathogens on live plants and they must be revised.¹ We applaud USDA APHIS for proposing modifications and for allowing public comment and suggestions.
4. APHIS must have additional resources to adopt and implement Q-37 regulations on a timely basis that will effectively prevent actionable pest introductions. Consideration should be given to the development of private sector opportunities to provide additional funding sources, expertise and mechanisms that will enhance and expedite the completion of PRA's and other aspects of the program within the given timeframes.
5. Importation of live plants from importers participating in formalized 'clean stock' programs, as well as producers who implement best management practices with effective pest detection, testing, and tracking mechanisms, would significantly reduce the risk of pest introductions. Development and validation of such programs will take time; in the interim, APHIS should pursue other improvements in risk reduction, including steps to address the following specific situations:
 - plants being imported from new sources/origins;
 - plants being produced for import using unexpected horticultural methods that may pose additional risk (e.g., open field production of penjing from China);
 - when new pests are reported or intercepted from a production area;
 - when scientific information including but not limited to peer-reviewed publications suggests that a host/origin combination poses a risk but a PRA has not yet been completed.

Risk reduction options may include as examples temporary prohibition such as is contemplated under NAPPRA (Not Authorized Pending Plant Risk Analysis); an increase in inspection intensity; post-entry quarantine; or, a mandatory disinfestation treatment.

¹ To quote APHIS in a recent description of its program published in the Federal Register, "[Visual] inspection may not always provide an adequate level of protection against quarantine pests, particularly if the pest is rare, small in size, borne within the plant, an asymptomatic plant pathogen, or not yet recognized and regulated as a quarantine pest." APHIS. Federal Register: December 10, 2004 (Volume 69, Number 237)

6. USDA-APHIS should publicly specify a timeline within which the agency - in collaboration where possible with the industry - will swiftly act to reduce significantly the risk of introductions via live-plant imports while more comprehensive programs are developed. For plant/origin combinations not evaluated by PRA by the specified deadline, APHIS' actions might reflect the inherently lower risk associated with certain types of plants, such as seed and tissue culture plantlets.
7. USDA-APHIS should develop and implement a categorized live-plant pest risk system based on the risk associated with broad plant groups and geographic regions of origin. This will allow for faster Pest Risk Assessments (PRAs) to be completed on 'low-risk' categories (e.g., seed germplasm from Europe) while allocating more stringent scrutiny to those 'high-risk' plants posing greater threat (e.g., woody plants from Asia). Live plants which are identified as 'high-risk' due either to place of origin or plant type (e.g., whole plants in contrast to seeds or tissue culture plantlets) should be reviewed periodically to substantiate inclusion in that 'high-risk' category.
8. APHIS should use its proposed NAPPRA program to temporarily prohibit importation of plant/origin combinations that have not been subject to PRA or, absent a PRA, for which there is no importation track record indicating freedom from actionable or new pests. APHIS must have additional resources to conduct PRAs more rapidly in compliance with a clearly delineated timeline. Consideration should be given to the development of private sector opportunities to provide additional funding sources, expertise and mechanisms that will enhance and expedite the completion of PRA's and other aspects of the program within the given timeframes.
9. The Dialogue supports expeditious development of voluntary BMPs and incentives for importers and exporters. BMPs when properly implemented should not place extraordinary monetary burdens or lengthy delays on these parties so as to encourage participation. BMP's developed to fit into the proposed system must serve as a working model for virtual elimination of pests via this pathway by 2015 while encouraging and rewarding industry participants that appropriately implement BMPs and promptly report unusual pests. Incentives for participation might include low-cost insurance or compensation to cover losses arising from an exotic pest infestation that occurred despite implementation of the BMPs.
10. While plant inspection upon arrival at U.S. ports of entry should not be relied upon as the sole pest prevention measure, USDA-APHIS plant inspection stations (PIS) are a key element in the pest prevention system. APHIS is developing a PIS strategic plan, and should move to strengthen staffing and use of technology at the PIS. APHIS should also evaluate workload distribution, trends in commerce, and potential partnerships with major freight handlers as APHIS weighs decisions to locate or relocate facilities and to expand PIS capacity.
11. Plant imports posing a potential risk of introducing actionable or new pests – especially pests which may be latent or otherwise difficult to detect – could be routed through improved post-entry quarantine (PEQ) facilities. USDA-APHIS PPQ should stipulate performance standards for PEQ facility design and management so as to minimize the risk that a pest or pathogen might escape to the environment during the requisite observation and testing

period. Since expanded PEQ requirements will result in increased numbers of plants passing through such facilities, APHIS should consider implementing certification programs for industry participants interested in designing and operating PEQ facilities. PEQ timeframes and methods should be science based and operationally realistic. Stringent regulatory inspections (number of inspections determined by nature of pest risk associated with origin and type of material introduced) as well as appropriate sampling and testing during the PEQ period should be required.

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National Wooden Pallet and Container Association
The Ohio State University, Department of Entomology
The Scotts Miracle-Gro Company
Society of American Florists
Society of American Foresters
The Nature Conservancy
University of Georgia, Center for Invasive Species & Ecosystem Health**

Thursday, June 12, 2008

The Honorable Edward T. Schafer
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Secretary Schafer:

We are writing to you on the significant issue of domestic spread of wood-related invasive pests. Our groups have come together with many others under the auspices of the Continental Dialogue on Non-Native Forest Insects and Diseases. The Continental Dialogue is a collaboration of diverse interests aimed at addressing the threat of non-native insects and diseases on America's forests.

Across the nation pests like the Emerald Ash Borer (EAB), the Pine Shoot beetle, the Sirex woodwasp, and the Asian longhorned beetle, are ravaging forests. The onslaught from these foreign invaders seems endless, with at least 20 other foreign invasive pests being monitored as potential threats. The introductions of these pests into North America are consequences of our global economy. One entry pathway into the U.S. is contaminated solid wood packaging. Additionally, once they become established they may be transported from their initial infestation locations to other domestic locations by various means including untreated solid wood packaging. The spread of these pest species within the U.S. via solid wood packaging is not being adequately addressed.

The undersigned organizations would like to offer our support for adopting the ISPM 15 international standard for solid wood packaging as a U.S.-wide standard for domestic solid wood packaging and pallets as a proactive approach to limiting the domestic spread of these pests. Further, we urge that ISPM 15 wood pallet and container treatment requirements be implemented as a U.S.-wide domestic standard within the next 24 months.

Adoption and implementation of the international standard (ISPM 15) for solid wood packaging is just an initial step toward solving a complex problem. There are other troublesome pathways for

these pests that will require our continued collective search for solutions. However, expanding the international standard to application for domestic use will help to mitigate solid wood packaging as a pathway and allow us to focus our time and resources toward resolving concerns for other pathways.

Assistant Deputy Administrator David Kaplan, APHIS PPQ, has been instrumental in bringing together diverse stakeholders to craft a solution that will be workable and effective. Through his efforts working with industry, environmentalists and government scientists, Dr. Kaplan has inspired enthusiastic buy in from those involved.

Recently, the National Wooden Pallet and Container Association (NWPCA) strongly urged APHIS to establish a nationwide wooden pallet and container treatment requirement consistent with the ISPM 15 international requirement. The Mulch & Soil Council (MSC) also supports establishment of ISPM 15 as a domestic standard. While the proposals differ in phase-in approaches, there is broad agreement that national domestic wood pallet and container treatment requirements must be implemented – and soon.

USDA already has in place a paperless system to facilitate compliance for solid wood packaging destined for export. The agency's system includes treatment and marking of new and repaired wood pallets and containers, random inspections by authorized lumber inspection companies, audits of inspection agencies by the American Lumber Standards Committee (heat treatment) and NWPCA (fumigation) and enforcement by USDA. This program is paid for by wood packaging manufacturers, and is monitored by designees of the USDA who maintains ultimate oversight authority. Monitoring of the international solid wood packaging treatment program has shown an encouraging level of efficacy to date.

Our organizations urge the USDA to begin the rule-making process immediately to help in stemming the movement of invasive species and protecting America's forests.

Ann Aquillo, Director – Government Affairs, The Scotts Miracle-Gro Company
Robert Bendick Jr., Director of Government Relations, The Nature Conservancy
Ben Bolusky, Executive Vice President, Florida Nursery, Growers & Landscape Association
Dr. G. Keith Douce, Co-Director, Center for Invasive Species & Ecosystem Health, and Professor of Entomology, College of Agricultural & Environmental Sciences, University of Georgia
Jay Farrell, Executive Director, National Association of State Foresters
Walker Gray Haun, President, National Plant Board
Daniel A. Herms, Associate Professor, Department of Entomology, The Ohio State University
Robert C. LaGasse, Executive Director, Mulch & Soil Council
Joseph McCarthy, Senior City Forester, City of Chicago Department of Streets and Sanitation Bureau of Forestry
Michael Mortimer, Director of Forest Policy, Society of American Foresters
Chip Murray, Deputy General Counsel, American Forest & Paper Association
Anand B. Persad, Regional Technical Advisor, The Davey Institute of Tree Sciences
Craig Regelbrugge, Senior Director of Government Relations, American Nursery & Landscape Association
Lin Schmale, Senior Director - Government Relations, Society of American Florists
Bruce Scholnick, President & CEO, National Wooden Pallet and Container Association
Alice Ewen Walker, Executive Director, Alliance for Community Trees

Wednesday, March 12, 2008

Lori Williams
NISC Executive Director
U.S. Department of the Interior, Office of the Secretary
National Invasive Species Council (OS/NISC)
1849 C Street, N.W.
Washington, DC 20240

Dear Ms. Williams:

The undersigned organizations greatly appreciate the opportunity to review the draft 2008-2012 National Invasive Species Management Plan. Our groups have come together with many others under the auspices of the Continental Dialogue on Non-Native Forest Insects and Diseases. The Continental Dialogue is a collaboration of diverse interests aimed at addressing the threat of non-native insects and diseases on America's forests. We agree that invasive species issues are in need of greater priority by federal agencies and greater resources will be needed to support those efforts.

The National Invasive Species Council (NISC) outlines five very important long-term Strategic Goals to pursue in its revised management plan. Each one of those goals is critical to success in combating invasive species and each one is worthy of attention during the next five years. We believe these five areas are appropriate issues for NISC to address. Without additional funding and greater agency commitment, however, the likelihood of achieving these tasks will be no greater than they were for the original plan.

After careful review of the plan we have developed comments in four areas:

1. A crosswalk of completed actions from the 2001 plan, those still in progress, those included in the 2001 plan but never initiated, and those included in the 2008 plan
2. Public education and awareness of invasive species
3. Three specific actions described in the 2008 Plan:
 - a. screening of deliberate imports,
 - b. coordinating invasive species responses with implementation of the National Environmental Policy Act (NEPA), and
 - c. development and adoption of a funding program to support vitally needed early detection and rapid response efforts.
4. Coordination of invasive species programs and expenditures to leverage resources

1. Crosswalk of Actions Between the 2001 and 2008 Plans

One key issue is that many of the proposed actions in the 2008 Plan were also in the original plan, which remains mostly unfinished. The 2008 plan states that an estimated 67% of the 2001 Plan's 57 action items (encompassing over 100 separate elements) have been completed or are in progress. A crosswalk of these completed actions, those still in progress, those included in the 2001 plan but never initiated, and those included in the 2008 plan would clarify progress on addressing the invasive species issue and ensure important actions unfinished from the 2001 plan are identified.

It would also be helpful for the 2008 plan to include an analysis of the effectiveness of the NISC, problems experienced in implementing the original plan, and specific recommendations for improvement. For example, was the slow progress a result of delays in establishing teams to be responsible for guiding implementation of the planned actions, the low priority given to implementation by the NISC and federal agencies, the lack of funding and staff responsible for doing the work, or the fact that the Council and plan were created by executive order and thus do not receive the same priority as programs that are legislatively mandated.

We therefore recommend the 2008 plan:

- develops a crosswalk of actions completed, those still in progress, those included in the 2001 plan but never initiated, and those included in the 2008 plan;
- establishes a transparent oversight mechanism for use by federal agencies in complying with Executive Order 13112 that periodically reports on what steps the departments or their agencies will take or have taken to implement the actions that are specifically called for in the national management plan;
- recommends amendments, if needed, of current legal authorities establishing the NISC to ensure the Council's ability to implement the plan; and
- ensures that NISC actions called for in the 2008 plan are included in the responsible agencies' departmental- or agency-level annual performance plans to better ensure the implementation of the national management plan.

2. Public Education and Awareness of Invasive Species

We support the 2008 plan's focus on public education and awareness of invasive species, their pathways, and how to prevent their spread (/Objective OC.6/). Public awareness is one of the best and cost effective means to control the introduction and spread of invasive species. The Asian longhorn beetle campaign in Chicago is a great example.

Given the current lack of NISC funding and personnel, we also believe it is imperative that NISC partner with private groups and others to inform the public about invasive species and what can be done to prevent their spread. In regard to /Performance Element OC.6.1.1/, please consider the Continental Dialogue on Non-Native Forest Insects and Diseases as a key stakeholder, as many of our members have extensive outreach networks, both internally and with our external partners.

We believe that the performance target for /Element OC.6.2.1/* (*information about at least eight (8) invasive species or Federal invasive species programs provided to nongovernmental educational organizations) is too modest and recommend it be increased to reflect the cost-effectiveness of this approach.

3. Three Specific Actions Described in the 2008 Plan

As noted earlier in our letter, many of the actions proposed in the 2008 Plan were also in the original plan. We wish to emphasize the great importance of three such actions: screening of deliberate imports (Objective P1), coordinating invasive species responses with implementation of the NEPA (Implementation Task OC 4.1), and development and adoption of legislation creating a funding program to support vitally needed early detection and rapid response efforts (Objective ED/RR 5). We support renewed efforts to completing these vital activities in the near future.

A. Screening of deliberate imports (Objective P1):

As is widely recognized, preventing new introductions is often the most cost-effective approach to minimizing damage caused by invasive species. The deliberate introduction of animals and plants to serve a variety of purposes is a well-known pathway by which certain types of invasive species enter the country. While most forest insects and diseases are not introduced intentionally, other kinds of organisms that can damage forest systems have been. Furthermore, we recognize the importance of curtailing introductions of invaders other than plant pests. Therefore, we join colleagues concerned about other systems and impacts in urging continued work toward implementation of this renewed action item.

We suggest further that Objective P1 be expanded so as to address deliberate introductions that occur outside “trade” as usually understood. Deliberate introductions are often the result of government actions (for example, the introduction of kudzu to control soil erosion); official agencies should also be expected to apply screening tools in deciding whether to carry out such introductions in future. Private citizens’ transport of unauthorized plants and animals should also be addressed, although adoption of “screening tools” might not be the most effective approach in this case.

B. Coordinating invasive species responses with implementation of the NEPA (Implementation Task OC 4.1):

Since preparation of the original National Invasive Species Plan began in the late 1990s, it has been recognized that compliance with the planning and public review provisions of the National Environmental Policy Act (NEPA) might sometimes impede a rapid response to an invasion – unless carefully planned coordinating procedures were adopted. Shortly after the Plan was adopted in 2001, the NISC staff entered into negotiations with the Council on Environmental Quality in order to develop guidelines for streamlining NEPA compliance without undermining the goals of either program. The fact that this issue has not yet been resolved is one reason that earlier in this letter we called for an analysis of problems experienced in implementing the original plan, and specific recommendations for improvement. We strongly urge the Invasive Species and Environmental councils to complete preparation of the guidelines as soon as possible.

C. Development and adoption of a funding program to support vitally needed early detection and rapid response efforts (Objective ED/RR 5):

The 2001 Plan notes that “... Unfortunately, inadequate planning, jurisdictional issues, insufficient resources and authorities, limited technology, and other factors often hamper early detection and rapid response in many locations.” (Emphasis added.) One of the three action items identified under the Early Detection and Rapid Response heading of the 2001 Plan stated: “Develop and recommend to the President draft legislation, in consultation with the States, to address rapid responses to incipient invasions, possibly including permanent funding for rapid response activities.” (Emphasis added.)

From its first meeting, the Invasive Species Advisory Committee (ISAC) expressed interest in advancing this suggestion. The ISAC approved a letter to Council members (federal agencies) in October 2005 that advocated creation of a fund that would make available \$500 million for rapid response. In 2006, the Government Accountability Office issued a report *Invasive Forest Pests: Lessons Learned from Three Recent Infestations May Aid in Managing Future Efforts*, GAO-06-

353 which stated that insufficient funds helped explain failures to eradicate the Asian longhorned beetle and to contain the emerald ash borer and sudden oak death (phytophthora leaf blight) pathogen.

We strongly support creation of specific, adequate funding for rapid response activities. Further, we support creation of a mechanism for allowing expedited access to Commodity Credit Corporation or other funding to be used for compensation of property-owners where destruction is required. Compensation for required destruction must be considered to be a policy tool which supports early detection and rapid response, since without it, the fear of economic loss often encourages property owners to avoid reporting potential pest/disease outbreaks. USDA should improve its use of tools available to it in the PPA, using a much more liberal interpretation of the “extraordinary emergency” requirement, which is currently being interpreted to require decision making at the OMB level and which as a practical matter precludes most if not all compensation funding.

4. Expand the Coordination of Invasive Species Programs and Expenditures to Leverage Resources Objective OC.2:

In this era of strong budget pressures and, often, declining federal budgets, it is particularly important that the various federal agencies’ invasive species programs remain robust and maximize effectiveness. While the agencies themselves lead prioritization of their missions and preparation of their budgets, NISC can and must play a role in helping to combat efforts by OMB to arbitrarily reduce or change those budgets. NISC can also play a role in helping to ensure that the various agency efforts are coordinated, rather than being overlapping or duplicative. To the extent that the performance (or “cross-cutting”) budget process achieves those goals, it is an important part of the national effort.

Thank you for your consideration of our comments. We look forward to seeing your response and to working with you and the full NISC in the future.

Robert K. Davies, New York State Forester, Department of Environmental Conservation

Jay Farrell, Executive Director, National Association of State Foresters

Amy Frankmann, Michigan Nursery & Landscape Association

Walker Gray Haun, President, National Plant Board

Daniel A. Herms, Associate Professor of Entomology, The Ohio State University

Frank Lowenstein, Deputy Team Leader of the Global Invasive Species Team, The Nature Conservancy

Joseph McCarthy, Senior City Forester, City of Chicago Department of Streets and Sanitation Bureau of Forestry

Craig Regelbrugge, Senior Director of Government Relations, American Nursery & Landscape Association

Anand B. Persad, Regional Technical Advisor, The Davey Institute of Tree Sciences

Lin Schmale, Senior Director - Government Relations, Society of American Florists

Robert Schutzki, Department of Horticulture, Michigan State University

David Tenny, Vice President, American Forest & Paper Association

Dr. Phyllis N. Windle, Senior Scientist and Director, Invasive Species, Union of Concerned Scientists

**Alliance for Community Trees
American Forest Foundation
American Forest & Paper Association
American Forests
American Nursery & Landscape Association
The Hardwood Federation
Michigan United Conservation Clubs
National Association of State Foresters
National Plant Board
The Ohio State University, Department of Entomology
Purdue University, Department of Entomology
Society of American Florists
Society of American Foresters
The Nature Conservancy
Union of Concerned Scientists
University of Georgia, Center for Invasive Species & Ecosystem Health**

March 12, 2008

The Honorable Rosa DeLauro
Chairperson
Subcommittee on Agriculture, Rural Development, Food
and Drug Administration, and Related Agencies
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Jack Kingston
Ranking Member
Subcommittee on Agriculture, Rural Development, Food
and Drug Administration, and Related Agencies
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

RE: Fiscal Year 2009 Appropriation for the USDA Animal and Plant Health Inspection Service,
Emerging Plant Pests

Dear Chairperson DeLauro and Ranking Member Kingston:

We urge the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies to increase funding substantially for the USDA Animal and Plant Health Inspection Service (APHIS) Emerging Plant Pests program. A sharp increase in funding is necessary in order to ensure adequate funding for eradication and control efforts targeting the emerald ash borer, Asian longhorned beetle, sudden oak death pathogen, and *Sirex* woodwasp. All four foreign and invasive species threaten trees in our forests and communities and related economic values worth hundreds of billions of dollars.

This coalition represents a widely diverse group of stakeholders that are unified in support of the following program areas. This statement of common goals supplements individual letters submitted to the Subcommittee by several of these organizations. Some of these individual letters address additional issues.

We seek an appropriation of \$45 million for FY2009 to contain the emerald ash borer. This represents a significant increase over the current funding level of \$30 million. The emerald ash borer threatens sixteen species of ash across the continent, especially in the upper Midwest and Southeast. At risk are the \$25 billion ash timber industry in the Northeast, street trees across the Nation valued at \$20 to \$60 billion, and myriad trees found in our neighborhoods and parks. The emerald ash borer outbreak is large, but the core of the infestation remains in the lower peninsula of Michigan, Indiana and Ohio. It is absolutely crucial that APHIS and its partners carry out detection surveys and regulatory and educational programs aimed at preventing movement of infested firewood, nursery stock, and other materials that spread the insect. Movement of these materials has been responsible for long distance spread and the establishment of numerous outlying populations of the insect. APHIS and its state partners need additional funding in FY2009 to enable affected states to contain or eradicate limited and isolated outbreaks found in Illinois, Maryland, Pennsylvania, and West Virginia, as well as on Michigan's Upper Peninsula. Education, effective quarantine, and elimination of isolated infestations are necessary to create the potential to contain the core outbreak. Recent breakthroughs and promising work on biocontrol agents and pesticides must also be funded.

We seek an appropriation of \$30 million for FY2009 to carry out eradication of the few remaining populations of the Asian longhorned beetle. The FY2008 appropriation is \$19.8 million. The Asian longhorned beetle poses an alarming threat to hardwood forests reaching from New England into Minnesota and in the West, and to the hardwood timber, maple syrup, and autumn foliage tourism industries dependent on these forests. Also at risk are street trees across the Nation valued at more than \$600 billion. Eradication has been successful in Chicago and parts of New Jersey, proving the efficacy of this approach. Remaining beetle populations in New Jersey are well on track for eradication. Only the populations in New York persist – and that is because funding for the New York effort has been reduced in past years. It is essential to provide sufficient funding now and in coming years to complete eradication in New Jersey and New York. The detection of an outbreak on Staten and Prall's islands in March 2007 is an indication of the risk placed on the environment due to chronic under-funding of these programs.

We support a request for \$10 million in appropriations for FY2009 to contain a third damaging forest pest, the sudden oak death pathogen (also called the phytophthora leaf and stem blight pathogen). Our request would almost double the FY08 appropriation of \$5.3 million. This disease is a major threat to the nation's nursery industry as it readily attacks species such as rhododendron, camellias, and a long list of other common ornamentals. In addition, if sudden oak death does escape confinement, it threatens oaks in forests in Oregon and Washington as well as throughout the Appalachians, Ozarks, and even into southern New England. Many wildlife species are dependent upon oaks and other threatened forest species for forage - the potential for devastating impacts on forests and wildlife is very real.

The *Sirex* woodwasp is now found across much of New York State, four counties in Pennsylvania, one county in Vermont and two counties in Michigan, as well as in Ontario, Canada. The woodwasp threatens valuable pine timber resources, especially those of the Southeast. It is

essential that APHIS receive \$5 million in FY2009 to implement a program including regulatory and educational components aimed at preventing movement of infested wood, nursery stock, and other materials that spread the insect. Congress did not appropriate any funding for the *Sirex* woodwasp in FY08, despite the threat posed by the woodwasp to pine harvests across the Continent. Additionally this funding would support the establishment of available biocontrol organisms to manage this pest on a long term basis.

In addition to the appropriations needed to support these line items in APHIS's Emerging Plant Pest program, we also strongly support the Congress' numerous statements urging the Administration to release emergency funds from the Commodity Credit Corporation (CCC) sufficient to enable full implementation of these management plans. The combination of the appropriations and the release of CCC funds are necessary to accomplish the needed tasks.

Action now at the funding level requested would help ensure that these forest pests do not reach populations so large as to threaten trees in our forests and communities, garden nursery stock, and related economic activities worth hundreds of billions of dollars.

Sincerely,

Drue Deberry, Senior Vice President, Conservation, American Forest Foundation
Dr. G. Keith Douce, Co-Director, Center for Invasive Species & Ecosystem Health, and Professor
of Entomology, College of Agricultural & Environmental Sciences, University of Georgia
Jay Farrell, Executive Director, National Association of State Foresters
Deborah Gangloff, Executive Director, American Forests
Michael Goergen, Executive Vice-President, Society of American Foresters
Walker Gray Haun, President, National Plant Board
Deb Hawkinson, Executive Director, The Hardwood Federation
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