

MEETING THE INVASIVE SPECIES CHALLENGE



Management Plan
National Invasive Species Council
2001



National Invasive Species Council

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of pollution and poor water quality, including municipal and industrial wastewater discharges, polluted runoff from urban and rural areas, and habitat destruction. Among other things, the Clean Water Act protects wetlands and other aquatic habitats through a permitting process that ensures development and other activities are conducted in an environmentally sound manner. The Clean Water Act provides EPA and Defense authority to jointly establish Uniform National Discharge Standards (UNDS) to manage incidental liquid discharges (including clean ballast water) from vessels of the Armed Forces. The Clean Water Act may provide authority for EPA to control and manage invasive species through permits or other requirements and programs. The Agency is currently reviewing its authorities under the Act relative to invasive species.

5. Statutes Affecting All Federal Agencies' Response to Invasive Species:

National Environmental Policy Act

Compliance with the National Environmental Policy Act (NEPA) can serve to identify actions that are likely to affect invasive species or be affected by them. The rationale behind the NEPA process – that agencies should be fully informed of the consequences of their actions before making a decision – is especially important when dealing with an issue like invasive species, where problems are often unanticipated side effects of otherwise desirable actions. Analysis and interagency, intergovernmental, and public review and comment that identify potential problems with invasive species for a particular proposed action may also yield ideas for alternative methods of approaching an issue or other forms of mitigation.

Agencies also need to comply with NEPA for actions that are proposed to respond quickly to invasive species management. In some cases, agencies may choose to prepare programmatic analyses on particular methodologies for addressing either the prevention or control of invasive species. In emergency situations that call for an immediate response by an agency that would normally require preparation of an environmental impact statement, the agency can work out alternative arrangements to their normal NEPA procedures with the Council of Environmental Quality. See 40 C.F.R. 1506.11.

6. International Agreements and Authorities

In addition to the global and regional agreements and authorities listed below, the United States also has bilateral arrangements that can be used to minimize the spread of invasive species. For example, the United States and Canada have obligations under the Boundary Waters Treaty to prevent the harmful effects of aquatic invasive species on the quality of the inland boundary waters they share. Currently, the U.S. and Canada are cooperating along their 5,500 mile long border to protect and restore a number of binational aquatic ecosystems.

This effort includes a focus on aquatic invasive species prevention and control.

Convention on Biological Diversity (CBD), 1993

Article 8 of the CBD on In-situ Conservation provides that each contracting Party shall, as far as possible and as appropriate, prevent the introduction of, control, or eradicate those alien species that threaten ecosystems, habitats, or species. The CBD is in the process of developing Guiding Principles for the prevention, introduction, and mitigation of impacts of alien species and will consider options for full implementation of Article 8(h) at its sixth Conference of Parties (April 2002). The Global Invasive Species Programme (GISP) works closely with the CBD, to provide expert assistance through the CBD's Subsidiary Body on Science, Technology, and Technical Advice (SBSTTA). The United States has not ratified the agreement.

The World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures, 1995.

The SPS Agreement is a supplement to the World Trade Organization Agreement. It provides a uniform framework for measures to protect the health and lives of humans, plants, and animals. Sanitary and phytosanitary measures are defined as actions whose goal is to: 1) protect human, animal, or plant health from the entry or spread of pests, disease, or disease carrying organisms; or 2) prevent or limit other damage from the entry or spread of pests. The SPS Agreement has chosen the international standards, guidelines, and recommendations of three organizations – International Plant Protection Convention (IPPC), Codex, and Office International des Epizooties (OIE) — as the preferred measures for adoption by WTO members. The relevant scope and work of those three organizations is discussed below.

International Plant Protection Convention (IPPC), 1951 with revision in 1987

The IPPC applies primarily to quarantine pests in international trade. It creates an international regime, based on standards and policies, to prevent the spread and introduction of pests to plants and plant products. The IPPC's provisions and standards for quarantine pests are applicable to invasive species that harm plants or their products.

In 2000, a working group of the IPPC recommended that the Convention develop a set of standards on the trade of relevant invasive species. Parties to the IPPC have established national and regional plant protection organizations with authority in relation to quarantine control, risk analysis, and other relevant measures. The United States is a member of the North American Plant Protection Organization (NAPPO).