

Meeting Minutes
Great Lakes Panel on Aquatic Nuisance Species
April 14-15, 2005
Courtyard Marriott, Ann Arbor, Michigan

THURSDAY APRIL 14, MORNING SESSION

Welcome and Introductions

Roger Eberhardt welcomed meeting participants serving in his role as Panel chair and representing the Office of the Great Lakes, Michigan DEQ. Roger introduced Tom Crane, Interim Executive Director of the Great Lakes Commission. Tom provided compliments to the Panel on their continued strong attendance at the meetings and requested all those in attendance to introduce themselves and their affiliation with the Panel; as a member, alternate member, at large member or observer.

Kathe Glassner-Shwayder then provided an overview of the Great Lakes Panel meeting agenda (Please see Appendix A for further details or online at www.glc.org/ans/pdf/Agenda-Final-GLP-May3-05.pdf, with direct links to agenda PowerPoint presentations).

Regional/Federal Progress Report

Great Lakes Panel on Aquatic Nuisance Species, Kathe Glassner-Shwayder, Great Lakes Commission (agenda PowerPoint presentation available online at: www.glc.org/ans/pdf/RegionalFederal_ProgressReport.pdf)

Panel Membership and Staff Updates: An update was provided on new Panel members, Panel news and staff updates. New Panel members include Doug Keller (Indiana Department of Natural Resources), Jeff Fisher (U.S. State Department) and Sarah Whitney (Pennsylvania Sea Grant). It was explained that funding for operation of the Great Lakes Panel is provided by two federal grants. The U.S. Fish and Wildlife Service Grant provides general operating support on daily activities and logistical support for Panel meetings. The National Oceanic and Atmospheric Administration grant under the Interjurisdictional Fisheries Act focuses on activities related to information, education and outreach, including publication of the Panel's quarterly publication, *ANS Update* and support for the Information/Education (I/E) Committee. New staff members include Ted Lawrence (Sea Grant Fellow) and Marcia Woodburn (Program Specialist).

Panel Business: Minutes from the April 2004 Great Lakes Panel meeting (online at www.glc.org/ans/panel.html#glpmeet) were approved through a voice vote with no discussion. A brief introduction of the Panel's *Organizational Strategy and Guidance for Operations* document was provided with some background on the document's development and the upcoming process for completion. It was noted the document will be discussed during the meeting later in the day.

Committee Support Update: Commission staff focus has been on the I/E Committee. Glassner-Shwayder commended Chair, Emily Finnell (Office of the Great Lakes, MI DEQ) for keeping staff focused on continued development of the I/E priorities document which is close to completion.

ANS Update: Issues of the *ANS Update* were published, featuring the articles:

- *The Live Food Fish Industry: New Challenges in Preventing the Introduction and Spread of Aquatic Invasive Species*, Volume 10, No.2 (Fall/Winter, 2004);

- *International Treaty on Ballast Water and Prospects for Domestic Legislation*, Volume 10, No 1 (Spring/Summer, 2004);
- *Keeping Track of Aquatic Invasive Species in the Great Lakes*, Volume 9, No. 4 (Winter, 2004).

Staff Participation in Aquatic Invasive Species (AIS) Meetings/Activities: Kathe Glassner-Shwayder reported that the Tom Crane attended the national ANS Task Force meeting held in Arlington, Va., November, 2004. Kathe attended the International Association of Fish and Wildlife Agencies, held in Indianapolis, Ind. in December where she reported on the potential role of the Great Lakes Panel to advance AIS regulations and enforcement on a regional basis which was the primary theme of the meeting. Kathe returned to Indiana in March where she participated in the American Fisheries Society chapter meeting to present on the work of the Great Lakes Panel and Great Lakes Commission regarding regional work on AIS prevention and control. At the end of March, Kathe was invited to the Mid-Atlantic Regional Panel (MARP) to discuss the work of the Great Lakes Panel and provide guidance on the organizational structure of regional ANS Panels to assist in efforts to launch MARP.

Panel Business and Member Updates, Roger Eberhardt, Office of the Great Lakes, Michigan DEQ

Roger called upon members to report on updates within their respective agencies/regions (please see Appendix B for further details)

Regional/Federal Updates: U.S. and Canadian

National ANS Task Force Update, Kari Duncan, U.S Fish and Wildlife Service
(PowerPoint presentation available online at www.glc.org/ans/pdf/National_ANS_TaskForce.pdf)

ANS Task Force Meeting, May 2004, St. Louis, Miss. (hosted by the Mississippi River Basin ANS Panel): At this meeting it was decided to move ahead with implementation of the ANS Task Force (ANSTF) Strategic Plan, developed in 2002. This meeting also formally established the ANS Task Force Research Committee and Detection and Monitoring Committee. The chair of the Research Committee is Dorn Carlson, representing NOAA. The first meeting of the Detection and Monitoring Committee was held March 2005 with co-Chairs, Pam Fuller and Greg Ruiz.

Redesign of ANSTF Web Site has been initiated. There were some problems updating the links and a committee has been established to oversee the changes.

Action Item: Panel members are requested to provide input on the ANSTF webpage redesign regarding content, appearance and accessibility and how the web page can best serve the Panel?

Control Plan Updates: A working group is currently determining next steps in the Asian carp plan development. The Caulerpa control plan was presented to Task Force members for review at the November 2004 meeting in Arlington, Va. They are in the process of revising this plan and hope to get it out for public comment within the next couple of months. Progress is also being made toward completion of the New Zealand Mud Snail Plan.

ANS Task Force Meeting, November, 2004 Arlington, Va.: The following topics were covered:

- Initiation of the development of a revision process for State ANS Management Plans. This effort was spurred on by the efforts of relevant authorities to revise the Lake Champlain ANS Management Plan

(the first group to revise their plan). Guidance on the revision process is currently under review by the ANSTF and is expected to be approved before May 2005;

- The Gulf of Mexico Panel invited new members and changed their name to Gulf and South Atlantic Panel;
- The first annual co-chair Spirit Award Celebration was initiated at Mamie Parker's request; awards were passed out at this meeting.

ANS Task Force Executive Secretary: This position, currently vacant, is being advertised and is open to all qualified sources. The role of the Executive Secretary includes the following: serving the ANSTF co-chairs and members in implementing the ANSTF Strategic Plan; providing technical support and policy analysis to implement provisions of the *Nonindigenous Aquatic Nuisance Prevention and Control Act*; and providing analysis and recommendations on current and emerging aquatic invasive species (AIS) issues. The vacancy announcement for the position closes April 18, 2005.

Upcoming ANS Task Force Meeting, May 2005: The spring meeting of the ANS Task Force will be held May 24-26 in the Monterey Conference Center in Monterey, Cal. Agenda topics include presentations by the Western Regional Panel, ex officio reports (the first time these have been requested), regional ANS Panel presentations and management plan reports including an update on the Asian carp working group and management plan. Progress is being made toward the completion of the Annual Report which will hopefully be made available by the time of this meeting.

- *Action Item: The ANSTF is asking for a brief accomplishment report from the Panel with the target audience being members of Congress.*

For further information contact: Kari Duncan, phone: 703-358-2464, email: kari_duncan@fws.gov.

National Aquatic Invasive Species Act, Jonathan Champion, Northeast-Midwest Institute
(PowerPoint presentation available online at
www.glc.org/ans/pdf/National_Aquatic_Invasive_Species_Act-Champion.pdf)

Ninety percent of the newly introduced Nonindigenous Aquatic Invasive Species Act (NAISA) bill, S770, is the same as that introduced in 2003. A few changes on the ballast provisions were made in response to federal agency comments. These changes do not alter the primary intent or the goal of the bill, but rather the structure of the ballast water program and how we get there. There is more language in S770 bill to explain the emergency fund for Rapid Response (RR) and how the fund operates. State or regional jurisdictions are no longer required to have an approved RR contingency strategy to receive funding. The RR contingency fund is located in the treasury, allowing carry over of the funding until expended.

On the Senate side, ballast water provisions were revised in response to federal agency comments. On the House side, the ballast section reflects what was introduced in 2003. House bill HR 1592 the management provisions of the bill, are sponsored by Rep. Gilchrest and the research provisions, HR 1593, are sponsored by Rep. Ehlers.

Senate-side of NAISA: Revisions to Ballast Water Provisions: Revisions were made to address concerns of the U.S. Coast Guard regarding the requirement of two separate rule making and regulatory processes. The end result and intent of the ballast program was not altered. The bill proposes an environmentally protective standard that would be established 18 months after enactment; prior to that an exchange option would still exist. If a vessel seeks to treat their ballast water they either have to meet the environmentally protective standard; or in the event that no technology exists to meet that standard, they have to treat with Best

Performing or Best Available Treatment Technology. Also proposed under the bill a performance floor is set, based on what that Best Performing Treatment technology must achieve. For an existing vessel, the treatment technology must be sufficient to remove 99% of the coastal plankton in ballast water and for new vessels at 99.9% of coastal plankton. As in the previous bill, NOBOBs would fall under the same regulatory regimes as ballasted vessels.

Other ballast water related legislation: Senators Inouye and Stevens introduced S363, the ballast water only bill, moving through the Senate Commerce Committee; timelines mirror International Maritime Organization (IMO) convention standards and are stricter although structure and language is very similar. With a proposed pre-review clause, prior to any standard going into effect there would be a review conducted of available technologies. Based on the outcome, it is expected that to a large extent, anything could be revised including timelines and standards.

It is not readily apparent what is likely to come out of the House Transportation and Infrastructure (T and I) Committee. There is likely to be another comprehensive bill coming out of the Senate Environment and Public Works (EPW) sponsored by Senator Voinovich.

Action Item: Those interested in passing more comprehensive legislation should contact Sen. Voinovich's office and advise that a comprehensive approach would be more productive.

QUESTION: How does the bill in the House, Transportation and Infrastructure Committee addressing ballast water differ from the House rules addressing ballast water in HR1592 and HR1593?

RESPONSE: The ballast water provisions would get a Transportation and Infrastructure referral but many other provisions of the bill would be referred to the House Committee on Resources so multiple committee jurisdictions would be involved. It is not clear if the T and I Committee is going to schedule hearings on NAISA; or try to draft and move their own bill, incorporating elements of NAISA.

The overall outlook is that some type of aquatic invasive species legislation will move through both chambers this session. The legislation, however, may wind up being restricted to ballast water only legislation, particularly in the House. Advocacy from stakeholders and interested parties are needed to assure that the ballast water provisions are more aggressive and timely; and more reflective of NAISA legislation compared to that of the IMO convention.

Action Items:

- *Send endorsements/letters of support to NAISA's sponsors;*
- *Urge additional cosponsors from both sides of the aisle and around the country;*
- *Urge senators Chaffee and Clinton to schedule a NAISA hearing as soon as possible;*
- *Strongly support NAISA's approach to regulating ballast water. Without vocal support, Congress will likely adopt an approach similar to the IMO convention. It would be in the interests of the region to have stricter measures adopted than those of the IMO convention;*
- *Use NAISA as a reference point in discussing other AIS legislation with sponsors and committees.*

QUESTION: Will this new NAISA legislation trump the Clean Water Act if passed?

RESPONSE: It is not clear at this point; need to figure out how the two processes work together. Under the existing authority, NAISA would have authority shared somewhat between U.S. Coast Guard and USEPA. At the moment they are separate, but no one is sure how this will be resolved.

QUESTION: Do any of the other competing bills include emergency type funds to cover rapid response?

RESPONSE: No, at the moment the only other competing bill is S363, focusing only on ballast and regulating vessel pathways. Last session, the Senate Environment and Public Works draft of a

comprehensive bill did include a number of these other provisions, i.e., rapid response and screening but it is too early to tell if any other bills will include this or if this session's version of the EPW bill will include this.

QUESTION: Could an incentive based program be integrated into legislation for the design of future ships?

RESPONSE: There are research provisions in the bill, outside of the ballast water title, that are intended to direct research towards innovative ways to minimize introductions from ballast water. Innovations would be considered for the whole ship including ballast water treatment technology as well as practices. At the moment, retrofit options are being discussed with the intention of inclusion in new vessels at the design and construction phase.

U.S. Coast Guard's Ballast Water Management, Ltjg. Regan Blomshield, U.S. Coast Guard

It was reported that Commander Mike Gardiner has been reassigned to Valdez, Alaska and will be replaced by Commander Karen Phillips.

Updates on activities for the past year: Federal regulations were issued in July, 2004 requiring all vessels entering U.S. waters from outside Exclusive Economic Zone (EEZ) to conduct ballast management operations similar to regulatory operations conducted by the Coast Guard in the Great Lakes since 1993. Ballast water regulations are now applicable on a national scale. Final Rule published June 14, 2004 requires vessels to report ballast activities within Great Lakes and expands record keeping requirements for all vessels bound for ports or places within the U.S. As of July 28, 2004 another Final Rule required all vessels to have ballast water management plans. The Coast Guard delayed enforcement actions associated with both regulations until November 1, 2004. Prior to this, Coast Guard has boarded vessels to inform vessel operators of the new requirements if not being followed.

U.S. Coast Guard, District 9, in Cleveland is also currently focused on the issue of vessels arriving declaring No Ballast On Board (NOBOB). A notice was published in the Federal Register on January 7, 2005 for a public meeting scheduled for May 9, 2005 in Cleveland, Ohio at the Federal Building. The goal of the public meeting is to identify effective and practical ballast water management plans for the NOBOB vessels. It will run from 9 a.m. to 4 p.m. with an informal session following that evening from 5 p.m. to 7 p.m. The docket has already been opened on the NOBOB issue and this meeting is the final step in the process.

To date, Coast Guard regulations have been limited to ballasted vessels, not including NOBOBs. A regime to test the ballast water of NOBOBs has yet to be established. Testing will be done in Montreal by taking samples of residual sludge in NOBOB vessels to determine the risk posed by the introduction of aquatic invasive species.

At this point there was considerable discussion on the Coast Guard study underway in Montreal, Canada, involving Lt. Blomshield, Helen Brohl (United States Great Lakes Shipping Association) and Chris Wiley (DFO/Transport Canada). The discussion focused on how the Coast Guard study would be related to, add to or improve upon the NOAA funded study through GLERL. Lt. Blomshield was not involved with the GLERL study but others at the meeting mentioned that the NOAA study would be released to the public the following day (April 15, 2005). Chris Wiley also offered information on the current status of the Coast Guard study and the issues of concerns emerging during project development. There was also discussion on the process of the study including the protocols and guidelines that would be used by the Coast Guard. At this point, project testing is intended to run during the months of May and June, and be limited to the Great Lakes. Testing will be done in conjunction with regular operations to avoid delays through the conduct of the study. Further information on the Coast Guard study will be directed to Lt. Blomshield through the Coast Guard Headquarters in Cleveland.

The next Great Lakes Waterways Management Forum meeting will be held in Cleveland on June 21st and 22nd. A notice will also be posted in the Federal Register.

For further information contact: Ltjg. Blomshield, email: rblomshield@d9.uscg.mil.

Operational Guidance: Regional ANS Panels

Tom Crane introduced the session by providing a historical framework on how Panel operations have evolved since its inception under Section 1203 of NANPCA of 1990. In the absence of formal guidance from the ANS Task Force, the Panel developed its own way of operating over the past decade. In recent years, as Panel staff have assisted in the establishment of other regional ANS Panels, the need has been recognized by both staff and Panel members guidance for Panel operation that is more formalized. Also, the ANS Task Force provided guidance last fall which is being incorporated into the Panel's operational guidance document. There will likely be some changes in how the Great Lakes Panel operates given these requirements.

National ANS Task Force: Standard Operating Procedures, Kari Duncan **(PowerPoint presentation available online at http://www.glc.org/ans/pdf/National_ANSTF.pdf)**

Background: The ANS Task Force has been working on policy and procedures for the regional ANS Panels and committees. A draft was presented to the Panel heads in the fall of 2003 which will be finalized as guidance for the regional Panels as well as committees. This guidance is being developed to help the ANS Task Force deal with a variety of technical and complex issues. These issues cannot be adequately addressed by ANSTF members themselves so they are encouraging the development and use of regional Panels and committees. It was noted that the U.S. FWS is authorized to provide \$300,000 per year for Panel operations.

Panel/committee responsibilities to the Task Force include:

- Identify priorities with respect to ANS prevention and control;
- Make recommendations to the ANSTF on prevention, control, research;
- Assist ANSTF in coordinating federal ANS programs;
- Provide advice to public and private individuals and entities concerning methods of preventing and controlling ANS infestations;
- Submit annual report to the ANSTF describing activities related to ANS prevention, research, and control.

The chairs of each regional ANS Panel also need to work with the Task Force on scheduling meetings. The agenda typically needs to be approved in advance by a designated federal officer such as the ANSTF Executive Secretary (Kari is taking on this responsibility until an Executive Secretary is found). Meetings are designated to be held at least once a year unless determined otherwise by the Task Force co-chairs and required to be announced in the Federal Register. Meetings should also be open to the public with an opportunity provided for public comment. In order to conduct official business a quorum of 50 percent is needed. Decision making is based on a consensus model with formal votes being taken only if consensus is unclear and only Panel members (or alternates) would vote. Meeting minutes are also required with summaries prepared for distribution to Panel membership, the ANSTF and others upon request. Meeting minutes are held in the ANSTF office in Arlington and are available for public inspection. Reports on ANS Panel/committee meetings should be made to the ANSTF at least once a year, if not twice at the ANSTF meetings.

Panels/committees under the ANSTF are to make recommendations to only the ANS Task Force. Panels/committees may not represent ANSTF in matters relating to policy, legislation or regulations. Individual representatives serving on these Panels/committees may provide input on these matters on behalf

of respective agencies, but the recommendations cannot be made on behalf of the regional Panel/committee. For instance, a Congressional staffer may ask someone from the Great Lakes Panel to testify but this would have to be cleared through the ANSTF before the member could testify.

QUESTION: Are these guidelines new?

RESPONSE: No, under FACA agencies cannot advise the federal government and serve under a federal agency at the same time.

QUESTION: Can we, as Panel members, comment to the Task Force and have the Task Force convey our comments?

RESPONSE: The ANSTF is an advisory committee to the Secretary of Interior and those comments would be floated up through the administration.

COMMENT: Would it follow that comments provided to the U.S Coast Guard on ballast water would no longer be permissible, which the Coast Guard has said has been helpful in the past.

QUESTION: What is the purpose of the Panel if it can not provide comment?

RESPONSE: Regional ANS Panels can comment as a regional entity, to the Coast Guard, through the ANS Task Force. It is not permissible for the Panel to provide comments to another federal agency. Comments though could be provided by individual Panel members and their respective agencies to another agency.

Example: Mike Hoff, USFWS, could not comment on matters pertaining to the USFWS through channels outside of the USFWS.

QUESTION: So the Panel, as a whole, could not come to consensus on an issue and provide that decision to the agency asking for input?

RESPONSE: The consensus agreement could come up to the Task Force but it couldn't go directly to the Coast Guard, for example.

COMMENT: Helen Brohl offered that she is involved on another federal advisory committee. They have recently initiated meetings with members of Congress to explain what FACA does, why the committee is there and the issue areas in which they are engaged. This method was approved (this is a NOAA FACA) and when calls are made there has to be a Congressional liason with them from NOAA. In these communications they have to make clear that they are not supporting a position but are educating. This act of being one step removed, allows the committee an opportunity to make contact. Where do these FACA requirements leave some of the Panel practices from the past?

In the Asian carp issue last year, the ANSTF came to conclusion that they could make a recommendation to the U.S. Army Corps of Engineers (USACE); this is an example of where Panel recommendations could float up through the ANS Task Force. FACA requirements would not effect how the Panel handles the documents developed on research priorities and information/education priorities because the Panels are legislatively charged with making recommendations on research priorities. The primary constraints would be on making legislative recommendations. As long as a document is prefaced with being a recommendation to the ANSTF, the recommendations could be made available to anyone, as this would become a public document. This could potentially be a way for Panel members to educate members of Congress on Panel perspectives without "advocating" for a position.

QUESTION: At the last ANSTF meeting, both the Mississippi Panel and the Great Lakes Panel made a recommendation to the ANSTF in support of a national screening process. Were these recommendations formalized? How are these types of recommendations handled, and how did the Task Force respond to the recommendations? It would be helpful to know this process.

RESPONSE: The minutes of the ANSTF meeting should include these recommendations as they were documented by a court reporter. The ANSTF has not responded to any recommendations on screening. In general, during the 6 month period between meetings, the ANSTF Executive Secretary and the staff (in Kari's

office) is responsible for pulling out the meeting minutes and acting on the recommendations and other issues that emerge between meetings of the Task Force.

Membership Guidelines: Panel chairs are selected from the Panel membership and approved by the ANSTF. Regional Panels can establish sub-groups as needed to accomplish their goals. (Committee structure was not addressed since this was not in the purview of this presentation).

Funding & Annual Reports: USFWS provides \$50,000 to each Panel for operations and funding for committees, depending on agencies participating in those committees. Annual reports are required and should include an action plan for the year.

QUESTION: What does it mean that the funding for the committees depends on agency participation?

RESPONSE: An example would be the Caulerpa committee which may have no funding set aside for committee operations, yet NOAA members participate on the committee. In this case, essentially NOAA could serve as a potential funding source for committee activities.

Kari closed by pointing out that the Task Force emphasizes that the Panel and committee members serve as a valuable resource for the press, Congressional staff and federal officials. The ANSTF welcomes comments on how business operations could be improved and encourages Panel members to convey the importance of AIS prevention.

QUESTION: Section 7 of FACA does have specific requirements for an annual review of the operation. It was noted that the FACA review might be helpful to the Panels for their operations.

RESPONSE: Kari is not aware that such a review has been done. She did note that the ANSTF charter is in the process of being reviewed this year.

Great Lakes Panel: Organizational Strategy and Guidance on Operations: Discussion on Preliminary Draft, Tom Crane, Great Lakes Commission (PowerPoint presentation available online at http://www.glc.org/ans/pdf/GLP-Organizational_Strat_guidance.pdf)

Tom began by explaining how funding has been an issue for Panel operations; as other regional ANS Panels have been established, the Great Lakes Panel funding has been reduced. Therefore, there is a need for us to understand what we, as a Panel, are able to do from a financial standpoint and clarify the difference between funding that is strictly dedicated to the Great Lakes Panel and what is for the project specific work managed by the Great Lakes Commission.

Sections of the operational guidance document:

- **Guidelines for standing committees:** It has become apparent that structure and function of standing committees needs to be further defined. These additions/modifications will be incorporated into a final draft for review.
- **Background section:** Describes the establishment of the ANSTF, the regional Panels and section 1203 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990.
- **Mission Statement:** Assistance is needed for development of the Panel mission statement.
- **Governing principles:** Developed from several sources, including guidance from the ANSTF, the 1991 strategy originally put in place by the Great Lakes Panel, and guidance established by other regional ANS Panels. The basis for consensus needs further definition. It is necessary for the Panel to develop guiding principles by which to make recommendations and/or direct priorities.
- **Membership:** This document will need to better define of the levels of membership. The original roster was developed as the Great Lakes Panel was being formed with predetermined categories.

However, over time, issues have changed and there is often a need for input from other stakeholders who are not serving as members of the Panel. In 2001 an “At Large” category was established to help address emerging ANS issues. “Interested parties” and observers hold full privileges within the Panel except for voting. The updated section on membership was basically derived the original document of 1991 and needs further development. The new section also needs to address how members are appointed when individuals move or retire.

- **Executive Committee:** It is suggested that the Executive Committee should be comprised of the Panel chair, vice chair and chairs of the standing committees to function on behalf of the Panel between Panel meetings. To a certain extent interim operations have been happening through development of this document. The roles and responsibilities of the Executive Committee need to be spelled out including how they are empowered between meetings.
- **Staff support:** Assistance is provided to the Panel in areas of communications, website design and development, planning and conduct of Panel meetings, support for the standing committees, publication of the *ANS Update*, and attendance to ANSTF meetings. Historically staff has attended the ANSTF meetings. The operational guidance document will recommend, as feasible, participation of the Panel chair and vice chair in ANSTF meetings with staff attending these meetings in the event that the Panel officers are unable to attend.
- **Panel Operations:** The description of the frequency of meetings, publication of a public notice to meet FACA requirements, and quorum for decision making was lifted from the ANSTF guidance. There is room for other suggestions regarding Panel operations regarding membership role call, the opportunity for public comment at some point in the meeting, among others.
- **Decision Making:** The ANSTF has provided a working definition of consensus which has been incorporated into the document as part of the guiding principles. One of the questions we will ask is whether we need consensus on administrative matters, such as approval of meeting minutes? Or if something such as amending the guidance document could be accomplished through simple voice vote? A brief section on Panel decision making between meetings was added with a process.
- **Meeting summary and minutes:** These documents have always been produced; staff should check that the requirements of the ANSTF being met.
- **Funding:** Guidelines are needed on how funding relates to supporting tasks of the workplan. This would also be an opportunity for clarification on projects that the Great Lakes Commission may be working on with the support of outside funding sources that may still involve Panel participation.
- **Annual Workplan:** This document is needed but in a more functional format than has been provided historically. In past years, the Panel workplan has been developed on an internal basis for staff and then provided to the Panel for guidance regarding staff support. There is a recognized need for clarification between the work of the Panel and the Great Lakes Commission. The workplan needs to be reorganized so it is clearly defined what the Great Lakes Commission will be providing the Panel in terms of staff support.
- **Advocacy.** Issues to be addressed as a Panel to include guidelines for advocacy. Historical ways of operating may need to be revisited according to FACA requirements. There needs to be a clear definition of advocacy regarding the Panel’s ability to make recommendations to the ANSTF. For instance, the Policy and Legislation Committee has been requested to take on a new name as the current name may imply activities too close to “advocacy.” The unofficial advocacy role for the Panel should operate through the Council of Great Lakes Governors, the Great Lakes Commission, and individual member agencies. The influence of the Panel is driven, to a large extent, by the level of participation of various agencies that are represented, ranging from industry and NGO partners.
- **Amendments:** As the development of this document proceeds, a process will be created for amendments.

- **Action Item: Outstanding issues: Request for comments/input on mission statement so that it is consistent with requirements of ANSTF. There is also a need to define the role of the Great Lakes Panel as a regional ANS Panel to capture the uniqueness of the Panel.**
- **Information/Education Committee:** The role of the I/E Committee needs to be clarified regarding committee oversight/review on the *ANS Update*. The need was identified for an editing process regarding feature articles for the *Update* to ensure accuracy of information. Yet, as articles are developed by guest authors, the editing process should not be bogged down through micromanagement or too much input. This guidance document should spell out how we are empowering the I/E Committee and their role in the development of the *ANS Update*.

QUESTION: Goal regarding policy does this effect our position on the ballast water policy statement or other recommendations? Would this affect how we, or who we, could present it to?

RESPONSE: As a regional ANS Panel, consensus regarding significant issues should be considered. Recommendations on these consensus based issues should be advanced to the ANSTF but not to individual federal agencies or Congress. It would be significantly different, if the views of the Panel on an AIS issue(s) are titled as a position statement or as a policy. If a statement helps the ANSTF prioritize research, statements like this would be a good thing. For example, the Mississippi River Panel position statement is being developed on a benefit/cost analysis of fish passage to an ecosystem in the Mississippi River basin. When this analysis is completed the Mississippi River Panel plans to elevate findings to the ANSTF. This would then add some value to the position statement by helping the ANSTF become aware of the issue so they can take appropriate action. One of the advantages of the Great Lakes Panel being housed at the Great Lakes Commission is that Commission staff can integrate, as appropriate, some of the Panel work into the Commission advocacy efforts. Incorporating lessons learned from the Panel is not only appropriate but vital to the work of the Commission. If an agency serving on the Panel chose to do work on its own, this would also be appropriate.

QUESTION: If something involving Great Lakes issues were to come up, like the Great Lakes Regional Collaboration, it would seem somewhat circuitous to go through the ANSTF when the Panel is the regional authority on Great Lakes AIS issues. If there was a situation where federal agencies were abstaining, could the Panel then speak?

RESPONSE: The Panel should identify these questions and come up with specific examples to show how these examples may play out. There will certainly be some things that the ANSTF will need to clarify to determine what we can and can not do under FACA. The ANSTF is learning its way through the operation of the regional ANS Panels right along with us and are in the process of training themselves in FACA requirements.

CONCLUDING COMMENT: The operational guidance document should be prepared to be acted upon at the fall ANSTF meeting.

- LUNCH -

THURSDAY APRIL 14, AFTERNOON SESSION

Great Lakes Regional Collaboration (GLRC)

AIS Strategy Team: An Overview, Moderators: Roger Eberhardt; Mike Hoff, U.S. Fish and Wildlife Service; Marc Gaden, Great Lakes Fishery Commission

The Great Lakes Interagency Task Force Executive Order 13340, was signed by President Bush on May 18, 2004. It declared the establishment of two major efforts: A “Great Lakes Interagency Task Force”, and the promotion of a “Regional Collaboration of National Significance” for the Great Lakes. On December 3, 2004 the “Great Lakes Declaration” and “Framework” documents were signed, affirming the commitment to the Great Lakes Regional Collaboration (GLRC) process and the development of a comprehensive strategy to further protect and restore the Great Lakes.

Three goals of the GLRC:

- Develop a Great Lakes restoration and protection strategy building on existing collaborative efforts;
- Serve as a forum to address near term regional issues;
- Create an oversight forum to coordinate and enhance implementation of the strategy.

8 teams, based on priority Great Lakes issues, have been established under the GLRC initiative:

- Nonpoint source pollution
- Persistent bioaccumulative toxics reduction
- Invasive species
- Habitat/species
- Area of concern restoration/sediments
- Indicators and information
- Sustainable development
- Coastal health

A ninth issue (team), addressing water diversions and consumption issues, is being dealt with as a separate issue from the GLRC.

The primary goals of the AIS Strategy Team under the GLRC:

- To address the Governors’ Priority: Stop the introduction and spread of non-native aquatic invasive species.
- To develop strategies that deal with issues relating to: ballast water management, National Invasive Species Act present and future implementation, carp barriers and exploration of other potential barriers, rapid response protocols and strategies, prevention and mitigation procedures, outreach and education, and applied research.

Strategy Team co-Chairs: Chris Goddard, Great Lakes Fishery Commission, Ken Debeaussiaert, Michigan DEQ, Office of the Great Lakes and Gerry Jackson, U.S. Fish and Wildlife Service. Marc Gaden, Roger Eberhardt and Mike Hoff serve as staff support for the co-chairs respectively.

The five priority vectors and associated drafting team leaders include:

Aquaculture: Ted Batterson, Michigan State University, North Central Regional Aquaculture Center;

Maritime Commerce: Allegra Cangelosi, Northeast Midwest Institute and David Reid, NOAA GLERL;

Canals and waterways: Phil Moy, Wisconsin Sea Grant;

Organisms in trade: Tim Eder, National Wildlife Federation and Kari Duncan, U.S. Fish and Wildlife Service;

Recreational activities: John Schwartz, Michigan Sea Grant.

Time table:

Feb-March: Each drafting team develops a 5 page document on respective vectors listed above;

April-May: Drafting teams present to AIS Strategy group as a whole document integrated into 5 page master by AIS Strategy team.

June: The documents developed by each of the GLRC strategy teams are integrated into master draft Great Lakes Regional Strategy.

July: Summit I to be conducted on July 7th-8th, 2005 in Duluth, MN (Draft strategy released for public comment);

August: Public comment period ends September 9, 2005;

December: Summit II on December 12th, 2005 in Chicago, Ill.: Final GLRC Strategy released.

The GLRC AIS Strategy, as the other GLRC strategy documents, has a five page limit, however, there is no limit to the size of the appendices which may be attached.

For further information contact: Great Lakes Regional Collaboration:

www.epa.gov/greatlakes/collaboration; GLRC AIS Strategy Team: www.aisstrategyteam.org/ or Roger Eberhardt: eberharr@michigan.gov.

Progress reports on AIS vector drafting teams:

Organisms in Trade, Tim Eder, National Wildlife Federation

Tim opened by acknowledging that all of the team members were present at the Panel meeting. Conference calls of the team have focused on the goals related to AIS organisms in trade and the actions needed to achieve these goals. Driven by the fact that there is so little space to convey the recommendations, the team focused on who, how, and when.

To deal with the historical approach of AIS management as reactive, the committee focused on preventing future introductions through a precautionary and preventative approach. Problems identified include a lack of resources and political will, enforcement capabilities, limited authority and lax fines.

The central recommendation of the team is that the Government should adopt a screening process before species are released, including those non-native species currently in trade. Categories should be created such as permitted for trade, permitted conditionally with restrictions, or not permitted (a white, grey and black list).

Another part of the approach would be for someone to identify a regional list of species of concern (coordinating current lists) and provide those to states with guidance on how to form legislation on preventing these species from entering the Great Lakes. A federal approach would be preferred but since this will take time state action should be encouraged on a regional basis.

A necessary action, with federal and state support, is to support education and outreach; the need was discussed to establish a sustained, long term funding source as well as codes of cooperation and best conduct for industries to follow. Also recommended was to update and refine the Great Lakes Panel's document, *Model Guidance for Great Lakes Jurisdictions: ANS Legislation, Regulation and Policy for the Prevention and Control of Aquatic Nuisance Species*.

Goal 1: Commitment on part of those signing the GLRC, to prevent intentional or unintentional release of live non-native species through these pathways and enact programs with a precautionary or preventative approach.

Goal 2: Establish a federal list of species of concern and provide support and encouragement to the states to enact a federal moratorium (The Great Lakes Panel could be instrumental in preparing this list of species.)

Goal 3: Collaborate and share information, pool resources into an accessible, public database and coordinate budgetary planning.

Goal 4: Create and implement the screening process and the three permit categories of species (restrict, prohibit, or permit the importation of species based on how fall out in the screening process). Steps in creating a screening process are based on the procedure described in NAISA.

QUESTION: Would new legislation be required to establish screening procedures or could this work under the Lacy Act?

RESPONSE: It may work but it would be more likely to happen if a new law was enacted to allow this.

Goal 5: Apply screening process to species currently in trade but have not yet been released or become injurious in the wild.

Goal 6: Beef up funding and resources to enforce ANS laws.

Goal 7: Provide good educational programs and sustain them into the future. Use codes of best practices, voluntary approaches within the industry.

There is still a need to identify what resources it will take to implement the goals (identified above) and to develop some type of language for the introduction to acquaint those unfamiliar with the issue.

Aquaculture, Ted Batterson, North Central Regional Aquaculture Center

(PowerPoint presentation available online at <http://www.glc.org/ans/pdf/Aquaculture-Batterson.pdf>)

Ted opened the presentation by providing team member introductions and describing the broad range of interests among team members. He then went on to describe the document in relation to the initial AIS Strategy Team outline.

I. Problem statement: The importance was noted for including a definition of aquaculture.

II. Establishment of performance based goals with prioritization: The overarching goal is the prevention of the introduction and spread of aquatic invasive species or diseases into the Great Lakes basin from the aquaculture sector.

III. Ongoing efforts: In regards to private, commercial aquaculture, there are a variety of laws and regulations limiting what can be sold as well as some states which require fish health inspections. Overall there is a lack of uniformity. The Great Lakes Fishery Commission (GLFC), 2002 Environmental Assessment Tool for Aquaculture (Brister & Kapuscinski) would be helpful. AIS-HACCP training, through the Great Lakes Sea Grant Network, has also been helpful in providing training for hundreds of participants. The need to regulate open water net pens was also posed.

IV. (Not included in Power Point presentation)

V. Recommended Actions (addressing who, what, when, why, how): There is no dollar value listed with recommendations since the committee was not comfortable in providing this information. It was recommended that there should be a Great Lakes state, provincial and tribal coalition that should be convened to deal with the recommendations as listed below:

1. Develop and implement an *a priori* risk assessment protocol prior to species approval;
2. Develop and implement *a priori* decision models before approval is given;
3. Respond to unauthorized release or escapement prior to approval;

4. Focus public or private commercial aquaculture on native species or gene pools prior to approval of non-native species;
5. Initiate the bi-national and tribal coalition dealing with aquaculture;
6. Continue AIS-HACCP training;
7. Prior to approval of open water net-pen operations in the Great Lakes, follow protocol for approval.

Maritime Commerce, Roger Eberhardt (representing Allegra Cangelosi of the Northeast Midwest Institute)

Roger began by explaining that the Maritime Commerce document is a work in progress, the writing team does not have consensus on all points of the document as team participants represent a wide range of values. Draft team members are still working toward a consensus and are hopeful they will reach consensus on at least a few of the items. Skipping the initial section, Roger moved into discussion of the actions.

Actions:

- 1) **Current Approach:** Recommended for use to allow the continuation of the operations of maritime organizations as is. This is a status quo type approach to ballast water control within the Great Lakes.
- 2) **Cargo Transfer:** Ships coming into the St. Lawrence Seaway would off-load cargo onto ships already within the Great Lakes or onto other modes of transportation. This process would allow no ships from international ports to enter entirely into the Great Lakes.
- 3) **Shore-based Treatment:** Ships coming into the Great Lakes from the St. Lawrence Seaway would stop at a specific treatment facility to treat any ballast-on-board before entering into the Great Lakes.
- 4) **NOBOB Regulations:** These vessels are an important consideration to the Great Lakes, and drafting team members did not want to exclude them. So, in addition to talking about the ballasted ships, most team members felt it was important to develop a regulatory strategy for NOBOB vessels.
- 5) **Best Performing Ship-board Treatment:** This action would involve developing a standard and requiring best performing technology immediately. These standards would then be ratcheted up as better and better treatment becomes available.
- 6) **Accountability:** Make sure that through reporting requirements, the necessary information is gathered regarding potentially transported invasive species.
- 7) **Ship board treatment by a specific date:** Ships unable to meet treatment standards by a predetermined date would be required to use another approved and equally effective method of ballast treatment or be denied entry into the Great Lakes.

In development of the draft document, there was some limitation on technical knowledge. There were also differing opinions on how to proceed. Ship board treatment was an important consideration for most of the team as well as Best Performing Technology, NOBOB, accountability and taking advantage of what can be done now in areas such as Early Detection/Rapid Response, communication and outreach.

Canals and Waterways, Phil Moy, Wisconsin Sea Grant (PowerPoint presentation available online at http://www.glc.org/ans/pdf/Canals_Waterways-Moy.pdf)

Phil began by introducing team members. He then presented information on points within the document.

Interbasin Priority Waterways include:

- 1) Chicago Sanitary & Ship Canal;
- 2) Lake Champlain Canal (New York State Canal System);
- 3) Ohio Erie & Miami Erie Canals;
- 4) Intrabasin waterways: Soo, Seaway, (Welland).

Goals:

- **Prevention** (pass a NAISA-like, comprehensive bill, fund research into methods of prevention, develop no new canals);
- **Assessment, Detection, Monitoring and Response** (comprehensive AIS monitoring plans, rapid response plans for top 3 canal systems, communication strategies for AIS sightings);
- **Control & Management** (continued sea lamprey control funding, fully fund Asian carp management plan, prohibit use of invasive organisms in aquaculture, prohibit transgressions of watersheds);
- **Outreach & Education** (fund and implement AIS education programs, fund “consequences” education for canal management agencies, outreach plans for carriers / shipping industry);
- **Applied Research** (targeted federal funding for barrier research, study of alternative cargo transportation between watersheds, address AIS spread during flood events approaches);
- **Human Health** (storm & waste water conveyance without spread AIS).

Alternatives/solutions: Physical barriers, boat lifts, behavioral barriers, chemicals, de-oxygenation, containment and capture, seasonal lock use, biota eradication zone.

Recommendations should include providing financial resources to identified lead agencies to:

- prevent and monitor the problem;
- provide the public the capacity to monitor and learn about the problem;
- offer and construct methods to solve the problem;
- monitor these methods;
- respond rapidly to and manage and control the problem;
- maintain the ability to move cargo or water without running the risk of AIS introduction or spread.

Recreational Activities, Carol Swinehart, Michigan Sea Grant
(PowerPoint presentation available online at
http://www.glc.org/ans/pdf/RAT_Presentation_GLPanels.pdf)

Carol introduced members of the recreational activities team (RAT) and acknowledged Doug Jensen for his help in determining cost estimates.

Problem Statement: Noted was the importance of Great Lakes recreation, recreational activities as vectors of AIS introduction and spread (responsible for the introduction of ~13 species), impacts of AIS on recreational activities and the importance of collaboration in preventing new introductions and slowing the spread.

Performance Based Goal: As of 2010, no new aquatic invasive species will be introduced to, established within or spread about the Great Lakes basin through recreational activities.

Ongoing Efforts: Efforts include research, policy and legislation, regulation and enforcement, planning, control and management, outreach and education. These efforts occur throughout the country at various levels but an even greater capacity in collaboration in this area is essential to accomplishing the goal of preventing AIS introduction and spread through this vector. (*At this time Carol passed around a table of on-going activities, requesting that Panel members fill in any applicable ongoing activities.)

Alternative Approaches: Laws regulations and enforcement could be used as a supplement, although the team agreed that voluntary approaches are best. Comprehensive educational and outreach programs that empower organizations and individuals have the greatest potential for preventing new introductions and controlling the spread. Recommended strategies include leading with public outreach and education and augmenting and enhancing this with early detection (ED) and rapid response (RR); monitoring; control and management; and laws, regulation and enforcement.

Specific outreach and education recommendations include: ensure Congressional appropriations, develop AIS educational programs, provide incentives, identify the five most important recreational user groups, develop community based programs, evaluate the effectiveness of programs, educate the next generation of users.

Lead agencies, affiliates and community sponsors have been identified within the recreational activities document, along with funding needs for each recommendation.

Specific ED/RR recommendations include:

- government agencies should be given adequate legislation and financial resources to conduct effective programs;
- authorization and appropriation should be provided for ecological assessment and for agencies to develop centralized reporting programs;
- AIS identification skills of user groups should be improved and boaters and anglers encouraged to participate in AIS ED programs;
- Federal support is needed to implement state and interstate management plans which include RR. Appropriations would also be provided to RR programs implemented on federal lands and where requested. A federal interagency RR team and grant program should also be established.

Control and management, and laws, regulations and enforcement, were also identified as important factors in moving toward the goals of the recreational activities drafting team.

The bottom line is that with 5 years of intensive effort, a \$360 million investment is needed to reach the team's goal of no new AIS introduction or spread.

GLRC Discussion

QUESTION: Recreational Activities Team: How were the financial numbers on the chart determined?

RESPONSE: Doug Jensen based this on Sea Grant information, further experience and extrapolated this to the entire Great Lakes Basin. Any input would be welcome on these numbers as there is a need to establish solid numbers and costs for some of these actions.

QUESTION: Maritime Commerce: If the Welland Canal was closed, would the spread of AIS within the Basin be solved?

RESPONSE: Roger responded to this by saying no, AIS would still be spread.

COMMENT: Organisms in Trade: Drafting document needs some hooks to highlight the problem to draw the readers attention and make it real. Possible examples could be found in agriculture.

Discussion on development of the final AIS Strategy Team document: How will the final five page document be developed by the AIS Strategy Team chairs to integrate recommendations of all five vector reports? There is a framework/outline that has been given to the drafters of the AIS Strategy Team focusing on 2-3 goals pulled out from all of these drafting teams. These goals will be discussed during the May meeting in Traverse City. Then recommended actions will be discussed and pulled from the drafting team documents. Also to be included will be a table with all of the actions recommended by the drafting teams. The AIS co-chairs would like to capture all of the information submitted, but condensed into a smaller package with an executive summary backed up by appendices. The 5 page plan of the AIS Strategy will revolve around broader elements (e.g. resources, evaluation, monitoring, etc). The 5 page document will be appended by each of the vector drafting team documents. The final document of GLRC initiative will be folded into the committee on Ocean Policy, so there will be a significant policy coordination role going forward. More information is available at through the U.S. Ocean Action Plan, Section 6 of Dec. 17 Executive Order at www.ocean.ceq.gov.

COMMENT: A Pathways committee has been established between the National Invasive Species Council and the ANSTF to assess the relative risk of pathways. In June there will be a workshop to address tools and assess the risk of ballast water through this process. The results will be on a scale between one and ten. Other pathways they are considering include packing material and air cargo. Panel members may be called upon to provide input.

QUESTION: Is the ANSTF tuned into the GLRC?

RESPONSE: The Task Force has not met since the GLRC was convened. It would be a good idea for the Panel to send something sooner to the Task Force than a formal endorsement.

Break-Out Session: Great Lakes Panel Committees: Focus on GLRC AIS Strategy
(Committee agendas for the break-out sessions can be found in Appendix C and minutes from Committee reports on the break out sessions are available in the Friday morning minutes)

Information and Education Committee

Chair: Emily Finnell, Michigan DEQ, Office of the Great Lakes

Great Lakes Commission Staff: Kathe Glassner-Shwayder, Marcia Woodburn

Research Coordination Committee

Chair: Phil Moy

Great Lakes Commission Staff: Tom Crane

Policy and Legislation Committee

Chair: Helen Brohl, U.S. Great Lakes Shipping Association

Great Lakes Commission Staff: Jon MacDonagh-Dumler, Ted Lawrence

End Day I

FRIDAY APRIL 15, MORNING SESSION

Committee Reports and Discussion

Roger Eberhardt began the day with a welcome and introduction.

Mike Hoff provided a few comments on the role of the Panel to coordinate National Environmental Policy Act (NEPA) efforts, including working with federal entities. He also mentioned that the Mississippi Panel, Gulf Panel and ANSTF are holding a conference call concerning risk assessment training and a workshop, on this, will tentatively be scheduled for August.

Information and Education (I/E), Emily Finnell, MI DEQ, Office of the Great Lakes
(PowerPoint presentation available online at www.glc.org/ans/pdf/Information_Education_Committee-Finnell.pdf)

During the break-out session, the committee covered several topics. These topics included an update to the I/E priorities document, the Great Lakes Regional Collaboration, *ANS Update* feature articles, *Habitattitude*TM and the new *Aquatic Invasive Species* brochure.

- **I/E Priorities document:** At this time the priorities document has been completed to the satisfaction of I/E Committee members. There are still a few areas which need some information. The document will be sent out with, and open for Panel member comment under the same 3 week comment period as the operational guidance document. The I/E Committee attempted to follow the similar framework of the Research Coordination Committee’s priorities document, tailoring it more toward information and education needs. The I/E priorities document was based primarily on the *Information/Education Strategy for Aquatic Nuisance Prevention and Control*; also used as guidance was the management plan of the National Invasive Species Management Plan, *Meet the Invasive Species Challenge* (2001). The current Panel initiative on information/education priorities has elevated priorities from the original I/E strategy document and added new priorities as deemed necessary by committee members.
- **Great Lakes Regional Collaboration:** No specific recommendations were made by the committee but some were made on a broader scale and related back to the I/E Committee. These included participating on the GLRC review process; getting consensus from the Panel to endorse final GLRC products, evaluating the I/E elements in the final GLRC document and individual team documents; utilizing the Panel as a way to expand the partnerships through GLRC efforts; and comparing the I/E priorities document with the AIS Strategy team document to ensure compatibility and inclusiveness..
- **ANS Update:** Committee discussion focused on providing more guidance to feature article authors on topics such as, target audience (is it the general public or people with knowledge of invasive species), past articles, word limit, reading level, number of topics to be addressed and developing a problem statement. The committee would also like to evaluate how the *ANS Update* is being used. Future articles discussed include the Great Lakes Regional Collaboration, ANS HACCP, *Habitattitude*TM, watergardening, the database summit conference (NOAA) and dam removal. It was suggested to have two articles prepared for each update so there is always a backup.
- **Habitattitude**TM: (please see presentation notes below)

Aquatic Invasive Species Brochure (Ted Lawrence and Marcia Woodburn, Great Lakes Commission)

(PowerPoint presentation available online at http://www.glc.org/ans/pdf/BioInvasionsBroch-TL_MW.pdf):

A general overview of the brochure was provided including information on brochure content and layout. The brochure is intended to remain an 8 page color brochure with state legislatures, policy makers and recreational user groups as the main target audience. This will be an update of the older version and include information on the 5 vectors as identified by the Great Lakes Regional Collaboration.

Suggestions offered during brochure discussion included:

- Expand upon the model strategies included in that section of AIS prevention and control page;
- Add solutions into the case studies examples;
- Should we use the word “vector” or “pathway” in the brochure? (some felt that “pathway” would be more descriptive of the geographic transference (i.e. Eurasia, North America) and “vector” would be more appropriate to describe the actual vector (i.e. live food fish industry, recreational activities);
- Web-based content on the last page may date the brochure since web addresses change;
- The Great Lakes Panel should be given an opportunity to provide comment on a draft brochure before the final product is developed.

Research Coordination Committee, Phil Moy, Wisconsin Sea Grant

(PowerPoint presentation available online at www.glc.org/ans/pdf/Research_Coordination_Committee-Moy.pdf)

During the break-out session the committee focused on a discussion of the Priority Invasive Species List, a research coordination database, work plan elements for the committee and the Great Lakes Regional Collaboration initiative.

- **Research priorities documents:** The Priority Invasive Species List is the same list as defined last year. During discussion members proposed to remove the Chinook salmon, Coho salmon, Rainbow trout, Alewife and Common carp, in response to concern regarding the listing of sport fish from the spring 2004 Panel meeting. The previous meeting response had been to put these species into a subset, under the heading intentionally introduced or something similar. However, since this list could be used to allocate limited research funding, members proposed to remove these species altogether, since issues related to sport fish are already funded. The committee is also proposing to add hydrilla and Brazilian elodea, using an asterisk to indicate these impending species (including Asian carp). After discussion of the priorities species list, discussion on the document was postponed for an upcoming conference call. It was suggested that the priorities documents could be distributed as part of an annual report to the ANS Task Force, the U.S. EPA, National and State Sea Grants, U.S. Coast Guard, Great Lakes Fishery Commission, or other researchers.
- **Research coordination database:** Hugh MacIsaac is currently working with Mark Burrows to update the research coordination database and researchers are urged to visit: <http://ri.ijc.org> to enter/update their projects.
- **Committee work plan:** Work plan elements under consideration include defining operations between meetings, defining research and an annual update of the priorities documents.
- **Great Lakes Regional Collaboration:** Recommendations from the committee included development of a Panel position, finding a way to incorporate the Canadian perspective into the GLRC, and providing feedback on the GLRC to the AIS Strategy Team and the ANSTF. It was also suggested that the Panel try to assess whether the 5 page document adequately addresses the intent of the drafting teams. The Panel may also have a formal and informal role in the coordination of activities within the basin and the Panel should be listed as a lead agency where appropriate.
- **Priorities Species List (revisited):** At this point there was a significant discussion of the removal of certain species on the Priority Invasive Species List. Issues addressed included:
 - species that should be added or removed, including many concerns on the listing of sport fish. Should the species be moved under another list such as intentionally introduced?
 - Criteria that should be listed for each species and how the lists should be titled?
 - Priorities for the Panel?

These were all questions raised and tabled for discussion at a later date during an upcoming committee conference call.

Policy and Legislation Committee, Helen Brohl, U.S. Great Lakes Shipping Association

(PowerPoint presentation available online at: www.glc.org/ans/pdf/Policy_Legislation_Committee-Brohl.pdf)

The Policy and Legislation Committee has been handled differently this year. With the creation of a new operational guidance document and the uncertainty of rules under FACA, committee members are not sure of

their role. Topics discussed during the break-out session included if role of the committee would change in light of the Great Lakes Regional Collaboration and the work of the AIS Strategy Team.

Great Lakes Regional Collaboration: Observations/questions offered by members of the Policy and Legislation Committee:

- How to make use of the direct contributions made by Panel members to the GLRC;
- What does it mean for the long term that the Panel was established by legislation and the GLRC by Executive Order and how this situation will affect the work of the Panel?
- How could the federal response to the GLRC influence the work of the Panel?
- The Panel is bi-national (whole system); GLRC is not (at least politically);
- Will FACA restrictions limit direct comments about the GLRC to the national Task Force (i.e. limit Panel influence on the Collaboration process);
- What will happen as the formal work on the GLRC winds-down?
- The GLRC process has influence on many levels even if the follow up plan is not clear;
- The GLRC does not clearly address how coordination will be instituted; will this cause a fracture or divert attention away from other Great Lakes collaborative efforts, such as the Great Lakes Panel?
- The GLRC AIS Vector Team reports are of value and have uses on many levels no matter regardless of GLRC outcomes.
- The timeline for the GLRC was compressed, often chaotic.
- The compressed process forced people to generate a real document of priorities in lieu of fostering an ongoing discourse so it may not matter that was an impure process.
- The GLRC may impact the direction of existing or new funding but it is not clear how.

Questions which the committee felt should be answered regarding the GLRC:

- What is the outcome of the GLRC? How will leadership be determined?
- What will happen to the GLRC AIS plans once submitted?
- What is the role of the national ANS Task Force in the GLRC initiative?
- How should the Great Lakes Panel proceed in making recommendations to the Task Force on the GLRC?
- How will the federal response to GLRC affect the operation of the Panel?

Action Items:

- ***Write to the Task Force asking for clarification on the Task Force role or expected response to the GLRC.*** This would be an opportunity for the Task Force to recommend that the Panel be a regional coordinating agency. This would also be an opportunity for the Panel to take ownership of many of the GLRC recommendations. The Panel would also be a natural conduit for the bi-national connection which the GLRC is missing.
- ***Panel should review the GLRC summaries to determine where they could be “adopted” by the Panel and be used to further Panel causes.*** This would position the Panel as being integrated as part of the GLRC. It would also be a quick way to generate recommendations to the Panel, easier to modify an existing document than starting from scratch, especially since there was so much participation by Panel members.

New role of the committee: Under the new developments of the operational guidance document for the Panel and the potential restrictions under FACA, the issue was discussed as to the role of the Policy and Legislation Committee and how the mission statement and workplan would be influenced. Members suggested that a policy committee could “coordinate”; analyze policies and legislation to keep members informed; continue its current work but under FACA guidelines; make recommendations to the Task Force on legislative initiatives, before or after passage; provide situational analysis on legislation; provide guidance on government initiatives; and help provide regional coordination on policies for use by the Panel.

Recommendations/Action Items regarding the new committee role:

- FACA rules need to be defined so that committee guidance principals can be outlined, including how they conflict or are complimentary to any assignment mandates that the Panel is given in legislation.
- Then or Now?: Create an outreach proposal by which the committee can educate and inform anyone. The proposal would need Task Force approval. Once approved, this proposal could be used to promote expertise, provide policy statements, etc.
- Rename the committee to the “Policy Coordination Committee”?
- Panel procedures for designating issues to committees needs to be defined. Technically, when the Panel agrees to pursue issue it hands the issue off to a specific committee to provide recommendations within a certain period of time. The ability of the committee to handle the issue depends upon member engagement and staff assistance capabilities. The current budget of \$50,000 is not enough to carry out all of these Panel operations. A new avenue of funding needs to be pursued through new sources, new legislation, or other means. Possibly another \$50,000?

Discussion on the role of the Policy and Legislation Committee: In the past, the Research Coordination Committee dealt with the same issue. During this time, the Research Coordination Committee almost dissolved but members decided to broaden the scope of issues they faced. Possibly the Policy and Legislation Committee could do the same. Someone such as Jonathan Champion or Jon MacDonagh-Dumler could help to follow the process of the FACA issue. It would also be helpful for the committee to develop communication with the Task Force for guidance. Kari will look into whether or not the USFWS FACA is currently under review by the General Services Administration to help identify further guidance. Irrespective of what the committee does or is called, there needs to be some sort of work plan which will give the ANSTF something to examine but this can't be done until it is known what the committee should be doing.

Regional AIS Initiatives

Bilateral Actions between the U.S. and Canada, Jeff Fisher, State Department (Bureau of Oceans and International and Environmental and Scientific Affairs)

In 2002-2003 the U.S. State Department and federal partners were trying to push towards a North American strategy on invasive species issues and this has been somewhat tabled. It was tabled because at the same time, the Commission on Environmental Cooperation (CEC) under the North American Free Trade Agreement (NAFTA) was looking at different multilateral actions that could be used to address AIS issues. Those working on the North American strategy felt this entity could more effectively address this issue. Last November the U.S. State Department convened again with Canadian representatives to put more of a focus on direct bi-lateral actions throughout all of the nation's transboundary watersheds. Through this meeting some shared priorities were developed and in recent meetings of the U.S. President and Canadian Prime Minister, AIS was an area considered for cooperation. Right now representatives are looking at what exactly will be done. Priority one is risk assessment and one of the areas the two nations are already collaborating is through participation in the CEC process on developing bi-national AIS risk assessment methods. The National Invasive Species Council is driving this in the United States and has developed several different subcommittees including screening, risk analysis and pathways. Drafts of these processes should be ready for review this summer. Canada is participating in this process through the CEC and is reviewing the risk analysis process.

Related Events:

- Canada has requested to have a membership on the ANSTF. There is no opposition to this but efforts are being pursued to determine how to define their membership.
- An Early Detection/Rapid Response (ED/RR) proposal was sent to Canadian representatives last April focusing on evaluating existing surveillance mechanisms along the entire 5000 mile border. This

focus is being taken since many existing agencies have been working on this issue across the boundary and they want to have a good understanding of current activities before developing actions and designating lead agencies. Right now the latest iteration looks at transboundary watersheds and puts more of a public education focus into it to engage the public in addressing the problem.

- Canada going to be considering the applicability of the *Stop Aquatic Hitchhikers!* and *Habitattitude*TM campaign.
- Existing bi-lateral cooperation on issues such as sea lamprey control in the Great Lakes. The State Department contributes approximately \$12 million and Canada approximately \$6 million to the Great Lakes Fishery Commission annually.
- This week the U.S. and Canada meet at the International Joint Commission (IJC) in Washington. Canadians had morphed the initial proposal on ED/RR into more of an educational component that would evaluate outreach and education along the shared border which will be examined. Although ready and willing to talk about more stringent standards, both sides do not want to take any action until the outcomes of next ballast water convention are known

COMMENT: There is a tremendous problem with the applicability section of the International Maritime Organization (IMO) regarding the Great Lakes. The problem is the way they have defined the applicability section, the regulations will apply to any vessel that transits the waters of another country. This is a problem in the Great Lakes because ships cross the border multiple times, for example a vessel going through the Detroit/St. Clair River system can cross the border 17 times. This results in a domestic operation being controlled by an international entity in London. There really needs to be a focus on binational agreements in regards to ballast management in the Great Lakes.

RESPONSE: Some of the same comments are also coming from Canada. However, moving into bilateral discussion is somewhat premature because people are busy regarding progress on the ballast water convention and its applicability to other waters of the U.S. However, federal entities working on this are open to discussing bilateral negotiations with Canadian officials. The U.S. Coast Guard though is not ready to address this until after next round of negotiations on specific guidelines, have been completed under the ballast water convention.

COMMENT: The IJC may be able to play a bigger role on bilateral coordination. Are there more specific assignments for the IJC to develop some of the educational components of the previously mentioned proposal?

RESPONSE: The response is positive for the IJC to take on a reference for these educational components. The issue is that the countries are fine with the IJC having a reference but they don't want the focus to just be on the Great Lakes and they are not ready to have the IJC take the reference on the ballast water.

COMMENT: The Great Lakes needs to be a focal point; as it is one of the only basins that are plagued by so many invasive species.

In May Federal officials are going to reconvene with Canadian representatives to look at shared priorities. Initially this group is going to focus on all issues outside of the ballast water issue.

Action Item: If have specific concerns forward those to Jeff. Comments should be from individual agencies, not the Panel.

For Further information contact Jeff Fisher through email at fisherjp@state.gov* or Doug Neumann at neumanndb@state.gov. (*Jeff has recently left the State Department but can still be reached through onelifefish@comcast.net and an alternate contact has been added for your convenience.)

Aquaculture and Nonindigenous Aquatic Species, Ted Batterson, North Central Regional Aquaculture Center(PowerPoint presentation available online at www.glc.org/ans/pdf/Aquaculture_Batterson.pdf)

Ted introduced himself as the director of one of five regional, aquaculture centers in the United States. The work of these centers was initiated through the 1985 Farm Bill. In 1987 appropriations were made for center operations and appropriations have continued each year with the intent of promoting private aquaculture in the U.S.

Aquaculture is defined as “the husbandry of aquatic organisms and implies the purposeful intent to nurture or promote the growth and survival of the targeted organism”. This includes federal, state and tribal hatcheries, aquarium industry, baitfish, etc. The Michigan DNR Hatchery System is currently the largest hatchery in the state. In the Great Lakes Basin most of the production has been by government agencies for stocking purposes in public waters. Private aquaculture has been dominated by stocking of private waterbodies or public waterbodies for sport fishing. Food-fish production has been limited, with most being rainbow trout. The 11 operations of net pen/cage culture in the Great Lakes Basin are operated only in Canadian or First Nations of Canada waters. Examples of species allowed for culture in the Great Lakes Basin include species of salmon, carp and bass, many of which are not native to the Great Lakes Basin. When we talk about the private aquaculture sector the Great Lakes Basin is small, with the total for all 8 great lakes states constituting approximately 5.6% of total sector.

In most states and provinces aquaculture is defined as agriculture and managed under agriculture agencies. This then creates a rift between the natural resource agencies who are trying to manage the species and the aquaculturists who farm the species. Department of Agricultural Resources all have a predetermined list, some also have a case by case basis permitting system (those with circles on slide 25 of the PowerPoint presentation). If a farming environment is shown to be biosecure then it is possible that a prohibited species may be allowed for farming.

Ted states that it has not been documented that private aquaculture functions as a vector of introduction for any invasive species into the Great Lakes, although some species from public sector operations have become problematic. However, if certain Asian carp enter the Great Lakes, they will be attributable to private aquaculture. The Tench was a unique situation in which the responsible party was negligent and in order to avoid being shut down the person farming the fish released it into Lake Champlain. Publications however, and many outreach pamphlets include this as a vector, enhancing the view that aquaculture is a vector of concern. References for this information include:

- Mills, et al. 1993. *Exotic species in the Great Lakes: A History of Biotic Crises and Anthropogenic Introductions*. Journal of Great Lakes Research 19:1-54. Total: 139.
- NOAA GLERL’s Great Lakes Aquatic Nonindigenous Species List as of May 27, 2003. Total: 162. (<http://www.glerl.noaa.gov/res/Programs/invasive/>).

The Bottom Line is that private aquaculture is a small industry in the Great Lakes basin and private sector culturists are striving for sustainability; utilizing low-risk, environmentally-responsible practices under a fairly stringent regulatory framework that should preclude the introduction of aquatic nonindigenous species or diseases that could become invasive. Unfortunately, that regulatory framework is not consistent throughout the Great Lakes basin. Private aquaculture could also play a role, for stock enhancement (including native mussels) as well as providing a source of food.

QUESTION: Has aquaculture spread disease?

RESPONSE: Whirling disease is contentious so Ted would not argue this, but it is debatable within the field. It is not a no risk situation but the risk is low. Roger Eberhardt stated that there has been agreement on the

spread of disease through this vector. HACCP is addressing this, not only the host organism of aquaculture, but the practice of aquaculture as a vector for parasites. Aquaculturists are trying to fight this because they would like their stock to be considered healthy. However, it appears a few irresponsible parties may be affecting the reputation of aquaculture associations who are reputable and feel they have been unfairly pinpointed because of a few negative situations.

Chicago Dispersal Barrier, Chuck Shea, U.S. Army Corps of Engineers
(PowerPoint presentation available online at http://www.glc.org/ans/pdf/Chicago_Dispersal_Barrier-Shea.pdf)

Aquatic Nuisance Species Dispersal Barriers: The demonstration barrier has been in continuous operation since April 2003 with no down time or maintenance problems. Through monitoring efforts, 118 fish have been radio-tagged and monitored, with no fish crossing the barrier over the last 2 years (although prior to this one fish had passed). Operation of the demonstration barrier will continue at least until the permanent barrier is on-line. The future of the demonstration barrier is up in the air and it has now reached the limit of its design life (3 – 5 Years) so it may be reaching the point where major maintenance issues may occur. The Fish Barrier Advisory Panel (Chairperson, Phil Moy) feel the barrier should become permanent so protection would be offered by both barriers. In order for this to happen, authority and funding would need to be established through Congress and the Administration, and upgrades would need to be made to the demonstration barrier. Supporters of the Great Lakes Congressional Delegations are actively pursuing this in a current version of the Senate WRDA, which is expected to also be in the House version.

US Army Corps of Engineers Permanent Barrier Funding: Last year there was trouble getting funding because it was included in the section 1135 program of the WRDA; now it is its own specific project. As a specific project, it has been authorized at \$9.1 Million with 75% Federal funding and 25% from the Illinois DNR. The Illinois DNR is also receiving \$475,000 from Other Great Lakes States to spread the cost over the basin. In order to accommodate the fact that funding is coming in pieces and work has transferred from one authority to another, construction is being completed in phases.

Permanent Barrier Schedule: Phase A is underway with completion expected by June at a cost of \$6.7 million dollars under section 1135 funding. Phase B is expected to start when additional non-federal funding becomes available, this includes construction of a second control house and installation of the necessary equipment to operate both sets of electrodes. Phase B would likely start in May with an expected completion date in July; construction is expected to take about 60 days. Considering start-up equipment & safety testing, which will follow after completion, the barrier is projected to be fully operational in October.

Barrier Safety Study:

- **Sparking Incident Between a Barge and a Tow Boat.** As a result of this incident, testing was done in January through a coordinated effort of the U.S. Coast Guard and Barge Industry. The study found that sparking between metal-hulled vessels is possible if the vessels are not grounded to each other. Most barge tows however, are tied together with a heavy steel cable and when tied this way there is no risk because they maintain the same electrical potential. However, if they are not tied together with something metallic, or if they come close enough to each other, there is some potential to generate a spark from the metal hulls collecting the electricity. This would be a low voltage spark, not really a human health risk; the risk would occur if something were to explode. To address this issue, the Coast Guard is implementing a regulated navigation area with restrictions. There is a temporary restriction in place now that says any barge tows that go into the area have to be tied together with wire rope and no passing of boats over the barrier or stopping in the area is allowed.
- **Person in Water Results Pending.** There is no concern of electrocution for the person in the water however, there is concern regarding the level of motor control that would be maintained by someone

in electrical barrier zone; and whether swimming would be possible. Everyone should be wearing a life jacket in this section of water but people would not want to be in this water. To conduct these studies, the Army Corps of Engineers meets regularly with the Illinois River Carriers Association (IRCA) and American Waterways Operators, who review drafts of the scope of the work and suggested changes. Carriers have been very responsive to these needs and the IRCA has provided barges, tow boats and crews free of charge to run the tests. A final report will be developed on both the potential for sparking and the man overboard scenarios and the Coast Guard will issue guidance on navigation in the area.

Potential Barrier Bypasses: Potential points of bypass include the ballast water of ship transport over the barrier and canals and waterways connected to the Chicago Sanitary Ship Canal (CSSC). The Des Plaines River on the west could overflow into the CSSC during flood events. On the east, the Illinois and Michigan Canal is another potential point of bypass, although it is not as free flowing and is restricted by culverts and large stands of cattails. Another potential bypass to the barrier is through the transport of eggs in ballast water. Although the consensus is that eggs can not survive well in ballast tanks because they require more free flowing water to remain viable, barge tows, not typically carriers of ballast water, have been asked to avoid transporting ballast across the barriers. Barge operators have voluntarily agreed to do this and know where the current barriers are located.

Future Barrier Issues: In addition to the barrier, authorization and funding is needed to investigate and eliminate potential bypasses to the barrier, specifically areas prone to flooding. The solution may just be a matter of raising a road but some type of authorization would be needed to determine this. The lead agency for operation and maintenance of the barrier system is also still under consideration. The current agreement is that the state of Ill. would become fully responsible once construction is complete. Many argue however, that this is a regional project and it should not be the sole responsibility of one state. Many Congressional supporters are pushing to make it a 100% federal project and reimburse the state of Ill. and other Great Lakes state contributors for monies provided for construction, operation and maintenance that should be covered by a federal agency, such as the Army Corps of Engineers. At this time it is believed that this is coming up in the WRDA legislation.

For more information contact: Chuck Shea, Project Manager by phone 312-846-5568, or email charles.b.shea@usace.army.mil

***Habitattitude*TM, Doug Jensen, Minnesota Sea Grant**
(PowerPoint presentation available online at <http://www.glc.org/ans/pdf/Habitattitude-Jensen.pdf>)

*Habitattitude*TM is a national campaign designed to encourage preventative behaviors of aquarists and water gardeners, to prevent the release of aquarium plants and fish. The program was launched in September 2004 at the SuperZoo in Las Vegas, Nev. with over 2000 exhibitors attending the event. It is the result of a cooperative effort between the Pet Industry Joint Advisory Council (PIJAC), NOAA National Sea Grant College Program and Joe Starinchak (*Stop Aquatic Hitchhikers!*). To maximize national distribution, avoid potential overlap, conflicting messages and leverage funds, these organizations decided to work together. PIJAC represents 90% of U.S. pet industry sales annually. PIJAC and its members have committed \$1.1 million to the campaign already and probably will commit several million dollars over the course of the campaign. The NOAA National Sea Grant Programs provide research, outreach and communication expertise in 31 states and territories, provide a \$300,000 grant and provide aquatic invasive species communication expertise through its 31 sister programs nationwide. The U.S. Fish and Wildlife Service has an exclusive mandate to address fish and wildlife nationally so they have provided \$150,000 to help coordinate the campaign to produce the campaign packets, website and logo.

Challenges to the success of *Habitattitude*TM: Owners must have a connection with the environment. There are also disconnected players with long-standing adversarial relationships because of the values espoused by different organizations. The *Habitattitude*TM campaign must also confront the fact that there have often been confusing, competing and incorrect messages conveyed to consumers such as what is an exotic and what makes a species invasive. Most hobbyists are unaware of laws. The increasing frequency of aquatic plants, fish and other animals “associated” with pet industry being found in the environment has translated into increased scrutiny and negative public perceptions about hobbyists.

To meet these challenges the *Habitattitude*TM campaign focuses on raising public awareness, engaging people, and promoting unifying environmental messages with corresponding beneficial actions not only to tell them they shouldn't be doing something but also by taking away the barriers to action. It moves 'beyond brochures' since it has been estimated that 70% of public education programs fail because don't address behavioral changes. All segments of industry are involved contributing millions of dollars to the campaign including wholesales, manufacturers, retailers, media, etc.

Public Materials: Campaign brand elements provide both visual and name identity for improved memorability. Additional instructions within the pamphlet provide consumers with options to the release of species including contacting a retailer for proper handling advice or possible returns; give/trading with another aquarist, pond owner, or water gardener; donating to a local aquarium society, school, or aquatic business; seal aquatic plants in plastic bags and dispose in trash; or contact a veterinarian or pet retailer for guidance on humane disposal of animals. A web address within the pamphlet directs audiences to a primary resource.

Partner Materials: Materials provided to partners of the *Habitattitude*TM campaign include partnership packets, a brand and brand standards manual, guidelines for alternatives to release, exhibit displays/banners, in-store signage, partnership certificates/decals, magazines ads, a CD with camera ready artwork and PowerPoint presentations. Partners present the message that they are a member of the community and an environmentally-friendly business.

Promotional activities for the 2005-2006 campaign: include enlisting further partnerships, presenting at aquarists societies and clubs and trade shows; creating articles, alerts and news releases; product labeling; and direct mailings. There will also be an evaluation of the program within four Great Lakes communities Rochester, MN; Duluth, MN; Erie, PA; and Allentown, PA. All have similar demographics and similar retail strength. Last fall mailed 8 page mail survey geared toward knowledge behaviors and attitudes to determine if getting their messages through this campaign or through other sources. Year and a half down the road will survey again to determine if getting information from this campaign and if actually changing people's behaviors.

Current partners in the program: USDA Forest Service, National Park Service, National Invasive Species Council, Aquatic Nuisance Species Task Force; the states of Arizona, California, Florida, Georgia, Hawaii, Illinois, Indiana, Maryland, Michigan, Minnesota, Montana, New York, Ohio, Pennsylvania, Texas, and Washington; organizations such as American Nursery and Landscape Association, Florida Tropical Fish Farms Association, ANSTF Gulf States Regional Panel, ANSTF North East Regional Panel; ANSTF Western Regional Panel; The Nature Conservancy (pending); World Wildlife Fund (pending); retail stores; garden centers and nurseries; live animal/plant producers and importers; manufacturers; distributors; and trade and consumer publications.

What can you do to become a *Habitattitude*TM affiliate? Interested parties may sign up at www.habitattitude.net. Parties who register are requested to provide a link to the *Habitattitude*TM web site from their agency web site; promote existing campaign materials to aquarists and water gardeners; help

broaden partnerships; integrate the campaign into outreach materials; heighten awareness of releases in the context of AIS issues and natural resource protection; consider staffing booths at trade and consumer shows in the relevant area; give presentations to society and association meetings in the relevant area.

Action Item: Habitattitude™ creators request that the Great Lakes Panel, including Panel members and their agencies, become partners in this campaign.

For more information contact: Doug Jensen (djensen1@d.umn.edu) or Joe Starinchak (Joe_Starinchak@fws.gov).

Great Lakes Commission Projects: Collaboration on State ANS Management Plans: A Collaborative Approach to Advance Implementation of State Management Plans by Prevention and Control of Aquatic Nuisance Species in the Great Lakes Region, Kathe Glassner-Shwayder, Great Lakes Commission (PowerPoint presentation available online at: www.glc.org/ans/pdf/GLC_Projects-Collaboration.pdf)

(*Due to lack of time this presentation was offered in summary without the use of PowerPoint slides.)

This project enabled the Commission to establish partnerships between most of the states on the development and/or implementation of each AIS State Management Plan. The Commission is also in the process of signing a cooperative agreement with Sea Grant offices through the development of a Memorandum of Agreement. This Agreement will allow Sea Grant officials to receive financial funding to conduct individual state workshops on the development and/or implementation of state management plans around the basin. State AIS agencies have been very helpful toward advancing development of these workshops. Commission staff have also been working with existing state AIS councils, in states such as Pennsylvania and Michigan. The state specific workshops will culminate in a final regional summit where lessons learned on state invasive species management planning will be shared.

Public Comment

Action Item: Great Lakes Commission staff will post conference PowerPoint presentations online through the Great Lakes Panel website. To ensure that PowerPoint presentations are protected from unauthorized use by others the presentations will be converted into pdf documents.

Tom Johengen, Cooperative Institute for Limnology and Ecosystems Research: Tom introduced information on the release of the final report on a recently completed three year NOBOB study. The study was sponsored by NOAA, EPA, Coast Guard and Great Lakes Protection Fund. The study looked at NOBOB and the effectiveness of ballast water exchange for vessels trading in the Great Lakes. The study included a look at vessel patterns, sources of ballast water, how they operate, the number of ships, structural and design issues of ballast residual accumulation in NOBOBS, and what various ship management practices can do to help reduce the amount of residual material maintained in the tanks as well as the content of material. Of the NOBOB ships that had previously ballasted in a freshwater system prior to entry into the Great Lakes St. Lawrence Seaway system, approximately 60% of them entered with the condition of having freshwater residuals. The remaining 40% were able to introduce saltwater into the tanks at some point prior to entry, thereby creating saline conditions within the ballast residuals. Those ships with freshwater residuals were deemed to pose the most significant risk for introducing new nonindigenous species. Ballast exchange experiments showed that the practice of ballast exchange, when done correctly, is highly effectively (~90 percent) for volume and original freshwater zooplankton taxa, results were more variable for microbial and phytoplankton organisms. The report is available online at www.glerl.noaa.gov/nobob.

MEETING ADJOURNMENT

APPENDIX A: AGENDA
Meeting of the Great Lakes Panel on Aquatic Nuisance Species
April 14-15, 2005

Courtyard Marriott-Ann Arbor
3205 Boardwalk
Phone: 734-995-5900

FINAL AGENDA

Thursday, April 14

- | | | |
|------------|--|--|
| 9:00 a.m. | Welcome and Introductions | Roger Eberhardt , Panel Chair,
Michigan DEQ, Office of the Great
Lakes
Tom Crane , Great Lakes Commission |
| 9:10 a.m. | Agenda Review | Kathe Glassner-Shwayder , Great
Lakes Commission |
| 9:15 a.m. | Regional/Federal Progress Reports <ul style="list-style-type: none">• Great Lakes Panel<ul style="list-style-type: none">▪ New Member and Staff Introductions▪ Panel News in Brief▪ Approval of Panel Meeting Minutes | Kathe Glassner-Shwayder |
| 9:30 a.m. | Panel Business and Member Updates | Moderator: Roger Eberhardt |
| 10:15 a.m. | Break | |
| 10:30 a.m. | Federal Updates: U.S. and Canadian <ul style="list-style-type: none">• National ANS Task Force• National Aquatic Invasive Species Act• U.S. Coast Guard's Ballast Water Management | Moderator: Roger Eberhardt

Kari Duncan , U.S. Fish and Wildlife
Service, ANS Task Force
Jonathon Champion , Northeast
Midwest Institute
Lieutenant Regan Blomshield , U.S.
Coast Guard |
| 11:15 a.m. | Operational Guidance: Regional ANS Panels <ul style="list-style-type: none">• National ANS Task Force: Standard Operating
Procedures• Great Lakes Panel: Organizational Strategy and
Guidance on Operations: Discussion on
Preliminary Draft | Moderator: Tom Crane

Kari Duncan

Tom Crane |
| 12:30 p.m. | Lunch | (on your own) |

Meeting of the Great Lakes Panel on Aquatic Nuisance Species

April 14-15, 2005

FINAL AGENDA

Thursday, April 14

1:45 p.m. **Great Lakes Regional Collaboration (GLRC)**

- AIS Strategy Team: An Overview

Moderators:

Roger Eberhardt

Mike Hoff, U.S. Fish & Wildlife Service

Marc Gaden, Great Lakes Fishery Commission

Progress Reports on AIS Vector Drafting Teams

- Organisms in Trade
- Aquaculture
- Maritime Commerce
- Canals and Waterways
- Recreational Activities

Tim Eder, National Wildlife Federation

Ted Batterson, North Central Aquaculture Center, Michigan State University

Roger Eberhardt representing **Allegra Cangelosi**, Northeast Midwest Institute

Phil Moy, Wisconsin Sea Grant

Carol Swinehart, Michigan Sea Grant

GLRC Discussion

Moderators listed above

3:30 p.m. **Break**

3:45 p.m. **Break-Out Session**
Great Lakes Panel Committees: Focus on GLRC

- Information and Education Committee
- Research Coordination Committee
- Policy and Legislation Committee

Chair: Emily Finnell, Michigan DEQ, Office of the Great Lakes

Chair: Phil Moy

Chair: Helen Brohl, U.S. Great Lakes Shipping Association

5:30 p.m. **Adjournment for the Day**

6:00 p.m. **Reception**

Courtyard Marriott

Meeting of the Great Lakes Panel on Aquatic Nuisance Species

April 14-15, 2005

FINAL AGENDA

Friday, April 15

- 8:30 a.m. **Committee Reports and Discussion: Focus on GLRC** **Moderator: Roger Eberhardt**
- Information and Education **Emily Finnell**
 - Research Coordination **Phil Moy**
 - Policy and Legislation **Helen Brohl**
- 10:30 a.m. **Break**
- 10:45 a.m. **Regional AIS Initiatives**
- Bilateral Actions between the U.S. and Canada on Aquatic Invasive Species **Jeff Fisher**, State Department, Bureau of Oceans and International and Environmental and Science Affairs (*participation by phone*)
 - Aquaculture and Nonindigenous Aquatic Species **Ted Batterson**
 - Chicago Dispersal Barrier **Chuck Shea**, U.S. Army Corps of Engineers
 - Habitattitude™ **Doug Jensen**, Minnesota Sea Grant
 - Great Lakes Commission Projects: Collaboration on State ANS Management Plans **Kathe Glassner-Shwayder**
- 12:15 p.m. **Public Comment** **Moderator: Roger Eberhardt**
- 12:30 p.m. **Meeting Adjournment**

APPENDIX B: GREAT LAKES PANEL MEMBER UPDATES

Great Lakes Panel on Aquatic Nuisance Species: Meeting Minutes Courtyard Marriott, Ann Arbor, Michigan April 14-15, 2005

Federal

U.S. FISH AND WILDLIFE SERVICE (USFWS): Mike Hoff: The GLRC is very important and Gerry Jackson (Assistant Regional Director) believes in the Collaboration and is providing all support possible from his agency. Another development was the Asian carp management control plan, a plan being developed on a national scale under the auspices of the ANSTF; Mike can provide you with the contact of the ANSTF who chairs this working group. A possible opportunity for collaboration or partnership: Mike's region putting together a video development (7-10 minutes), the audience is influential folks on aquatic invasive species (AIS), Great Lakes basin and upper Mississippi River basin. If you would like to collaborate (provide funding) right now about 30K is being invested in it.

U.S. GEOLOGIC SURVEY (USGS): Don Schloesser: The USGS is particularly focused on park boundaries where responsible for doing research, several field activities are going to monitor for AIS. Administratively they are not as aware of AIS activities, most of their program monies for AIS not directed towards information/education, most is invested in actual field research.

U.S. ENVIRONMENTAL PROTECTION AGENCY (USEPA): Marc Tuchman: A Federal judge determined that exemption of ships under the NPDES permit program is illegal. Ships will now need a NPDES permit if discharging ballast water. Great Lakes National Program Office (GLNPO) has a list of proposals that just came out and there is \$100,000 for AIS work. Anyone interested in applying can find out more information on the EPA/GLNPO website www.epa.gov/glnpo or get in touch with Marc.

U.S. ARMY CORPS OF ENGINEERS: Chuck Shea: Chicago district spent a lot of time on fish barriers (please see Friday presentation); Detroit district still actively working with the Great Lakes Fishery Commission on sea lamprey barriers.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA): Dave Reid: \$2.5 million in NOAA budget specifically for AIS programs is proposed for 2006. Tom Johengen has a report on NOBOB activity can get in touch with him for information (please see Friday meeting minutes). Dorn Carlson is looking for input, from the regional ANS Panels for development of a NOAA RFP on research and outreach.

State and Provincial

ILLINOIS: Kristin Tepas, IL: IL/IN Sea Grant is doing HACCP workshops and also has joined the *Habitattitude*[™] campaign. Steve Shults (IL DNR): Addition of Bighead Silver Carp as injurious species list; been working heavily on Asian Carp National Management Plan (framework for a National Asian Carp Management Plan: <http://wwwaux.cerc.cr.usgs.gov/MICRA/ManagementPlanFramework.pdf>). There will be an extensive scientific assessment of the population of Asian carp in the IL river system this summer.

INDIANA: Tom Flatt: Doug Keller is the state's first full time invasive species coordinator. American Fisheries Society meeting pulled together all of the major entities in Ind. involved with AIS and launched their program. Indiana is going through a major administrative change in state government which should not affect the AIS program. The governor's emphasis is on bringing new money in for the state or saving it.

Since the AIS program uses a federal grant, these administrative changes should not render financial impact to the program.

MICHIGAN: Roger Eberhardt: A package of legislation introduced through the state Senate establishes a list of banned AIS species and sets up an umbrella AIS council and would require permits to work with certain species. All would have to pass in order to become effective. Also, in state House of Representatives but associated with the Senate bill, there is a hearing on new Ballast water bill that has been introduced, in regard to the Clean Water Act to regulate ballast water.

Emily Finnell: The third annual AIS awareness week is June 4-12. Watercraft decal is available for sale at \$35, \$25 of which goes to Great Lakes Protection Fund for use in research, control and outreach efforts for AIS.

MINNESOTA: Doug Jensen (representing Jay Rendall of the DNR and Sea Grant): Sea Grant is hosting HACCP workshop and also planning to host more HACCP trainings with tribal authorities. The Minnesota Invasive Species Advisory Council is in the process of developing a statewide invasive species plan, they are planning to hold a workshop in the summer and have it finished by fall. MN helped lead the publication of new brochure *Help Stop Aquatic Hitchhikers!* based on the national campaign. *Stop Exotics Clean Your Boat* video has been converted to DVD cost is \$5. MN Sea Grant received a two year grant from the National Sea Grant College Program to extend and evaluate the national *Stop Aquatic Hitchhikers!* program along key invasion corridors in three upper Midwest states include Wisc., Minn., and Oh.

OHIO: Joe Mion: The DNR is spending a lot of time on sea lamprey; TFM applications have met with a large amount of organized public resistance and a fair amount of resistance from state EPA. The state is working with Great Lakes Fishery Commission to head off problems. A dam was lost the Chagrin River that effectively stopped lamprey; a research project has now been initiated to monitor the spread of lamprey and the extent to which the newly available habitat may be used by sea lamprey. Ohio is continually looking at Asian Carp issues, and the potential for movement across the Ohio River.

WISCONSIN: Ron Martin: The state has a very strong watercraft inspection program with 20 seasonal employees. Volunteer inspector program is entering its 2nd year with 20 plus workshops scheduled for this year for 400 volunteers. Legislation includes developing classification rules for AIS and terrestrial invasive species with hopefully something passed by 2006. Cooperating with the University of Wisconsin Center for Limnology, developed protocols for sampling rusty crayfish, zebra mussels, spiny waterflea. **Contact** Ron for further information. A Great Lakes Indian Fish and Wildlife Commission will hold a mini-regional conference in October with MN, WI and MI covering how state, federal and local communities can better integrate monitoring and outreach and education.

PENNSYLVANIA: Sarah Whitney: The state has conducted an AIS HACCP workshop, led by Sea Grant. Due to the great attendance and a waitlist, a second workshop will be added either late this summer or early this fall. The state has formed an invasive species council that was established through Executive Order last January 2004, including both terrestrial and aquatic invasive species. Although it will be a challenge with both groups at the table, there is hope that progress will be made in state management planning (SMP) for invasive species with assistance from the Great Lakes Commission grant to convene all the stakeholders. In Erie, PA the Tom Ridge Center will open in May bringing together office space for a number of state and local non-profit groups. It will include lab space and an IMAX theater.

ONTARIO: Beth Brownson (MacKay): At their annual meeting, Federal-Provincial-Territorial Ministers of Forestry, Wildlife, Endangered Species and Fisheries and Aquaculture approved the aquatic and terrestrial action plans under the Invasive Alien Species Strategy for Canada. Ministers directed task groups to develop

implementation strategies for the action plans for presentation at October 2005 annual Minister's meeting. Beth extended a thank you to Sea Grant staff in their assistance to Ontario bring the HACCP program into the province for training of baitfish harvesters and retailers. About 6 courses were delivered in Ontario last summer (2004) and there is intention to expand the program this year. Through the Ontario Fish and Wildlife Conservation Act, Ontario banned the live purchase and sale of bighead, black, silver and grass carp; all species of snakehead, round and tubenose goby. Ontario is seeking a ban on possession of these live species through amendment to our Ontario Fishery Regulations under the Federal Fisheries Act.

Other Agencies

GREAT LAKES FISHERY COMMISSION (GLFC): Marc Gaden: There is an increase in the Presidents budget for 2006 for the sea lamprey control program. This would include an increase in funds for stream treatments and sea lamprey barriers and allow the GLFC to ramp up development of the pheromone research that's been in place at the University of Minnesota and Michigan State University; next frontier of sea lamprey control. He has been working with Congress to try and keep sea lamprey control funding there because it is not a sure thing. On the lamprey barrier front, funding for the barrier is facing problems because the account is oversubscribed; it is funded under section 1135 of the Water Resources Development Act. Need to name the lamprey barrier program in the spending bill or it is possible there will be no funding for the barrier program. Lots of support is coming from the Corps in Chicago. The GLFC is also working with Congress. In the markup yesterday to the Water Resources Development Act they did include an increase to the 1135 account as a whole. Good news that will come out of the Senate bill with respect to Asian Carp barrier – there is talk on moving forward with a study in which the two basin's can be separated permanently.

ONTARIO FEDERATION OF ANGLERS AND HUNTERS (OFAH): Francine MacDonald: The OFAH is now fully funding the Sea Lamprey control program. They have expanded the invasive species outreach program and partnerships with partners in Ontario, including to the province of Ontario and Transport Canada. Other initiatives include development of a DVD with segments of AIS pathways and associated lesson plans linked with a curriculum in Ontario; outreach initiatives on recreational boating; partnership with Transport Canada; and starting the development of a campaign to study the impacts of unauthorized sport fish introductions in Canada. The OFAH is undertaking a volunteer monitoring program for spiny waterflea and zebra mussels and hoping to involve over 200 lake associations. There is currently a research proposal to develop a national aquatic invasive species research network in Canada involving scientists across the country (Atlantic, Pacific and Great Lakes) and as part of this, the Department of Fisheries and Oceans has agreed to assist in the delivery of a 500 lake survey for spiny water flea in Ontario.

INTERNATIONAL JOINT COMMISSION (IJC): John Gannon: In the last two bi-annual reports the IJC has recommended the governments have a reference on invasive species. This reference may be of interest to the Panel for having an objective bi-national study on invasive species that considers both the ecological and economic factors into account. The Great Lakes Water Quality Agreement is coming under review and the actual review will not be done by the two governments until early next year. The IJC bi-annual meeting will be held June 9-10 in Kingston, Ontario.

GREAT LAKES UNITED (GLU): Jennifer Nalbhone: GLU is trying to increase public awareness of AIS (media campaign), and amplifying urgency of AIS issues. There has been a noticed increase in media exposure on invasive species issues. The GLU is always looking for feedback on how to do a better job or any different approaches; the intention is to amplify the issue. Jennifer encouraged Panel members to provide comment at the May 9, Coast Guard meeting in Cleveland, OH. GLU is supporting the 3rd introduction of NAISA. They are trying to work on an EPW strategy to try to trigger some action.

CHIPPEWA OTTAWA RESOURCE AUTHORITY (CORA): Mike Ripley: CORA works with 5 tribes in Northern Michigan. They have been heavily involved in the Great Lakes Regional Collaboration, AIS and

sustainability. They are also involved with sea lamprey control work with the USFWS in mark and recapture studies and Mark Ebner (CORA biologist) is working with the GLFC to assess damage to sea lamprey. Mike is now representing CORA on the ANS Task force as an Ex Officio member and on the Pathways Committee which is a joint committee of the ANSTF and the National Invasive Species Council.

GREAT LAKES SPORT FISHING COUNCIL: Dan Thomas (President): Dan would like to see the Panel operationalize the court decision from San Francisco, which requires permitting on ballast release. He understands that this is not appealable based on the Clean Water Act, but the implementation of this will take some effort and he would like to see full support of this by the Panel.

LAKE CARRIERS ASSOCIATION (LCA): Jim Weakley (President): LCA would like to see vessels that operate within the enclosed aquatic ecosystem in the Great Lakes and those that transit the Welland Canal treated separately, initiating different approaches to ANS management for those two classes of vessels. This is a serious issue that maritime industry needs to deal with as well as any other potential vector contributing to introductions.

NATIONAL SEA GRANT OFFICE: Mike Klepinger: Continues every two years to fund projects for outreach (million and a half) for research (two million) sources not going up fast enough for applications but are making progress. All of the Sea Grant offices have been involved in the GLRC efforts. Great Lakes Commission and Sea Grant have been working under a Sea Grant funded project to initiate collaboration on SMPs. The primary purpose of the project is to strategize on the advancement of SMPs within each state and to share lessons learned from other states?

NORTHEAST MIDWEST INSTITUTE (NMI): Jonathan Champion (Senior Policy Analyst, representing Allegra Cangelosi): NMI just released a report on large scale ecosystem restoration initiatives at the end of last week which looks at a number of case studies, comparing and contrasting and there is a website that goes along with it. Staff are all heavily involved in GLRC and they are encouraged where the Collaboration is going and continue to participate.

U.S. GREAT LAKES SHIPPING ASSOCIATION (USGLSA): Helen Brohl (Executive Director – US Great Lakes Shipping Association): The USGLSA is engaged in the Regional Collaboration and promoting AIS legislation in Washington. A number of proposals are out and they are now waiting to see what will happen in the upcoming legislation. USGLSA is working hard to promote technology development and watching the Ozone injection proposal. The USGLA would like to see (rather than ear-marked funds for a particular treatment by a particular company) a more scientifically based assessment of treatment options by people in the field. Interest has been expressed to get technology onto ships as soon as possible.

NORTH CENTRAL REGIONAL AQUACULTURE CENTER: Ted Batterson (Director): This is one of five regional aquaculture centers supported by the USDA. Three proposals were recently released or project areas singled out by the board for funding. This information is available on website. They are moving forward to support the private aquaculture sector with funding that is usually about half million dollars per year.

GREAT LAKES COMMISSION: Kathe Glassner-Schwayder: A new AIS brochure will be reported on in Committee and Panel sessions tomorrow. Early detection and rapid response are in the finalizing stages, those are expected to be brought forth at the fall Panel meeting. Collaboration continues on the state management plan project between Sea Grant, the Commission and state agencies to develop workshops. The Commission expects at least seven, if not all eight, of the GL states to participate in this Sea Grant funded project. The GLC is also heavily involved in the GLRC with 15-16 staff plugged into the different issues areas of Collaboration efforts.

APPENDIX C: STANDING COMMITTEE AGENDAS

Great Lakes Panel on Aquatic Nuisance Species

INFORMATION AND EDUCATION COMMITTEE MEETING

April 14, 2005

AGENDA

Chair: Emily Finnell

GLC Staff: Kathe Glassner-Shwayder, Marcia Woodburn

1. Introduction/Agenda Review

2. I/E Priorities Document

3. Great Lakes Regional Collaboration: AIS Strategy Team

- What aspects of the GLRC are relevant to the work of the Great Lakes Panel, given the Panel's role in advising the national ANS Task Force?
- How should the GLRC AIS action plans be applied to work of the Great Lakes Panel and/or the ANS Task Force particularly regarding priorities as identified?
- What role might be most beneficial for the members of the Great Lakes Panel to play on the GLRC initiative?
- Discuss general impressions on the GLRC initiative.

4. Aquatic Invasive Species Brochure

5. *ANS Update*

6. *Habitattitude*

- How can the Committee provide support to this program?

Great Lakes Panel on Aquatic Nuisance Species

RESEARCH COORDINATION COMMITTEE MEETING

April 14, 2005

AGENDA

Chair: Phil Moy

GLC Staff: Tom Crane

1. Introduction/Agenda Review

2. Review/Update Research Coordination Priorities Document

- Research needs as identified by the AIS drafting teams.

3. Priorities Species List: Update and Review

4. Research Coordination Efforts

5. Great Lakes Regional Collaboration: AIS Strategy Team

- What aspects of the GLRC are relevant to the work of the Great Lakes Panel, given the Panel's role in advising the national ANS Task Force?
- How should the GLRC AIS action plans be applied to work of the Great Lakes Panel and/or the ANS Task Force particularly regarding priorities as identified?
- What role might be most beneficial for the members of the Great Lakes Panel to play on the GLRC initiative?
- Discuss general impressions on the GLRC initiative.

Great Lakes Panel on Aquatic Nuisance Species

POLICY AND LEGISLATION COMMITTEE MEETING

April 14, 2005

AGENDA

Chair: Helen Brohl

GLC Staff: Jon MacDonagh-Dumler and Ted Lawrence

1. Introduction/Agenda Review

2. Great Lakes Regional Collaboration (GLRC)

- What aspects of the GLRC are relevant to the work of the Great Lakes Panel, given the Panel's role in advising the national ANS Task Force?
- How should the GLRC AIS action plans be applied to work of the Great Lakes Panel and/or the ANS Task Force particularly regarding priorities as identified?
- What role might be most beneficial for the members of the Great Lakes Panel to play on the GLRC initiative?
- Discuss general impressions on the GLRC initiative.

3. Policy and Legislation under the formalized Operational Guidance:

- Under the proposed GLP Operational Guidance, is there a role for a "policy" committee? Is there a role for a "legislative" committee?
- Given that the Task Force has requested that the GLP Policy and Legislation Committee should take on a new name, provide guidance on a new name.
- Draw from previous comments to provide 3-5 bullet mission statements.