



## **NYS Environmental Conservation Committee's Hearing on the Best Methods for Preventing the Introduction of Invasive Species and Combating the Invasive Species Already Present in New York State**

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On behalf of Citizens Campaign for the Environment (CCE) and our 80,000 members, thank you for the opportunity to provide testimony on the best preventative and remediation measures to address invasive species throughout New York State.

CCE is a bi-state, non-profit, non-partisan advocacy organization working to protect public health and our natural environment in New York State and Connecticut. CCE supports policies and actions that are based on prevention, conservation, and environmental sustainability.

New York State is currently under attack from invasive species. Everything from VHS; an invasive pathogen in the Great Lakes, to Cabomba; an invasive plant species choking out life in Long Island lakes, are threatening the ecosystems across New York.

Invasive species are introduced to the natural environment in a variety of ways. Some known pathways are through habitat shifts from human-induced global warming; increase or decrease of predators; and in the case of aquatic invasive species - ballast water intake and discharge from ocean-going ships; boat hulls; intentional and accidental aquarium and aquaculture releases; and fishing bait. International trade and globalization foster the growth and expansion of boundaries of species and contribute to an increasing rate of invasion.

As our natural environment is in flux, it is necessary for NYS to implement a long term, comprehensive plan to manage and control invasive species that is easily adaptable to the various invasive species scenarios we face across the state.

### **CCE Experience**

CCE has been directly involved in multiple task forces and committees with the goal of preventing the introduction of invasive species, and remediating ecosystems plagued by invasive species.

**On Long Island, I chair the Carmans River Protection Working Group.** The Carmans River, located in Brookhaven, NY, is one of four major rivers on Long Island. Historically, the Upper and Lower Lakes, also called Willow and Lily Lakes, have provided vast recreational opportunities, helped to enhance property values and provided an identity and sense of place for the Yaphank community. Over the last decade, these Lakes, located at the headwaters of the Carmans River, have been dramatically threatened by two invasive plant species, Variable Leaf Milfoil (VLM) and Cabomba Caroliniana whose common name is fanwort. These are highly invasive species that have been increasing in population steadily and have taken over and now dominate the ecosystem of the lakes. These invasive species have become so concentrated that they now choke out native plants and marine life, inhibiting life in the lakes and preventing nearly all recreational activities including fishing, boating and swimming. Community members have told me they are even afraid to allow their dogs to go into the lakes for fear they will become strangle in the vast network of aquatic vines and drown.

After four years, our Working Group, with the assistance of a hired consultant, identified a combination of two actions to provide the best method for eradication of these species. These solutions include dredging each lake approximately 10 to 12 feet to remove the soft sediment so that the root system of the invasives can be extracted. If needed, the plan calls for the limited application of the pesticide called sonar. The Working Group is in the process of identifying funding opportunities, and applying for resources to move forward with remediation efforts.

It is worth noting here that the community has illustrated an intense and vigorous commitment to restoring the lakes. The Yaphank Taxpayers and Civic Association pledged \$480,000 of funding they are allotted from a community benefits package due to the location of the Cathiness Power Plant. The civic has voted to allocated the entire amount to assist Brookhaven Town and Suffolk County in covering the projected \$2 million dollar cost of this dredging need.

**CCE has worked for comprehensive solutions to address aquatic invasive species in the Great Lakes through participation in the Healing Our Waters Great Lakes Coalition and the Great Lakes Basin Advisory Council.** Throughout the Great Lakes, a variety of Aquatic Invasive Species, or Aquatic Nuisance Species (ANS), have already had a tremendous adverse impact to the health and economy of our Great Lakes, with approximately 187 species already identified. Effects already seen include beach closures, damage to energy and water infrastructure, disruption to the food chain, degradation of water quality, increased outbreaks of botulism, a \$5 billion dollar bill for citizens, businesses and municipalities dealing with damage and control costs.

Through CCE's participation in the Healing Our Waters Coalition, CCE advocates for comprehensive federal solutions to prevent and eradicate invasive species in the Great Lakes, including stringent federal ballast standards, rapid response initiatives, curbing the importation of invasive species through international trade, and more. Most recently, CCE has advocated that the Army Corps of Engineers develop a plan to permanently

separate the Mississippi River Basin from the Great Lakes Basin, to help stop the invasion of Asian carp into the Great Lakes.

### **Prevention**

When it comes to combating invasive species, an ounce of prevention is worth a pound of cure or in reality, prevention is worth millions to avert remediation efforts. As invasive species are rarely eradicated, and very difficult to control, prevention is the most important strategy to address this threat. CCE strongly advocates that New York State implement a coordinated and comprehensive approach to preventing the introduction and spread of aquatic and terrestrial invasive species.

### **Project Management Plans**

Projects that transfer soils, plants, water, etc should have an invasive species management plan. Water withdrawal standards for construction and resource extraction projects should not only include impacts to public water supply, but also strong preventative measures to guard against the transfer of invasive species during the projects life. This is of concern with a variety of projects being implemented across the state, one example being high volume hydraulic fracturing.

Recommendation:

- CCE strongly supports a plan to prevent invasive species transfer through major resource extraction, and development projects.
- It is important to have a comprehensive invasive species plan in place to reference any time we have comments or are updating a permit or implementing new regulations. For example, we would see these benefits under current and new programs/projects;
  - o updating construction programs
  - o water withdrawal program
  - o hydro-fracking permits

### **Ballast program**

Ship ballast is the primary pathway for aquatic invasive species introductions into our state's waters, including the Great Lakes-St. Lawrence River ecosystem. Aquatic invasive species, such as zebra mussels and round gobies, are one of the most significant environmental threats to New York and the nation's waters. The impacts on ecosystem health and the region's infrastructure from invasive species result in substantial economic impacts, costing the eight Great Lakes states and its citizens at least \$200 million per year in cleanup costs and lost revenue, according to researchers at the University of Notre Dame.

Through its authority to implement the federal Clean Water Act and protect state water quality standards, the New York State Department of Environmental Conservation (“DEC”) has established stringent technology requirements for ships operating throughout New York’s waters that will be instrumental to stopping more devastating aquatic invasive species introductions. DEC based these requirements on the work of a broad-based panel of scientists in California who found that any less protective ballast water standard would not be tough enough to prevent further species invasions.

CCE strongly supports the state moving forward in implementing and enforcing DEC’s stringent ballast standards. The standards are necessary to prevent the introduction of new invasive species into our waters, as well as serving as a driver to push the federal government to advance stringent, unified federal ballast standards.

New York State must work to continue the ballast program despite federal efforts to undermine it. This year, a provision was proposed in the FY 2012 Interior-EPA Appropriations bill that would effectively prohibit New York and other states from implementing more stringent ballast standards. If adopted in the federal budget, the provision would prohibit the entire state from receiving all EPA funding in FY 2012 if the states implement strong ballast standards– setting back years of efforts to protect and restore our invaluable water bodies, including the Great Lakes, Long Island Sound, Hudson River, Lake Champlain, and more. New York must continue to be a national leader in protecting our water from the threat of invasive species, and must oppose this ill-conceived attempt to undermine our program.

Recommendations:

- Support implementation and enforcement of DEC’s stringent ballast standards, and actively oppose efforts at the federal level to undermine state’s ability to implement such standards.

### **Education**

CCE knows the value of an educated public through community engagement. It is necessary to let residents know about the various aspects of invasive species; especially in regions where there are known threats. Education components include: what invasive species look like, the effects of the invasives, who to call to report invasive species, and how to prevent invasive species from being introduced in the first place.

Recommendations:

- Post educational signs with pictures of known invasive species. Some communities have posted signs in areas where invasive species have been known to appear to alert residents to call a hotline number to report the sighting. The key to invasive species is early detection.
- Post educational signs in bait stores and pet shops that educate consumers on identifying items sold that are not native to the area and could pose a problem if released into the natural environment.
- Allocate funding for the DEC to carry out the educational outreach components.

## **Remediation**

CCE understands that each case of invasive species eradication is different and unique as no two ecosystems are exactly the same. Possible remediation methods need to be carefully considered on a site specific basis and could include but not be limited to:

- Dredging
- Spot removal by harvester or hand pulling
- Removal of a dam to allow free flow of water
- Application of benthic barriers
- Limited application of pesticides
- Combination of methods

### **Limiting the Use of Chemical Treatments**

There have been some cases where pesticides have been identified as the only viable solution for remediation. However, it is extremely important that past cases do not pave the way for future repeated application of pesticides and herbicides to rid invasive species. Chemicals are not a one-size-fits-all solution; the possible effects must be carefully weighed and should only be used when no other viable option exists. When identified as the only treatment, extreme caution must be carried out in limiting the doses and amount of applications.

One unfortunate example of this is Donahue Pond in Suffolk County. This pond is part of the Peconic River system. Sonar was applied in 2006, and supplemental applications in 2007. Additional applications have been made and this year, in 2011, there was once again, a permit requested for a full pond application. Clearly, for multiple reasons, the pesticide application is not a long term remedy. Water bodies need an “after care” plan where once a pesticide is applied future outbreaks will not occur.

Recommendation:

- Chemical solutions should only be used when the overall health of the ecosystem is predicted to sustain greater damage without the use of such methods, and it is the best and the only solution. A long term care plan is needed to be crafted for each water body that will maintain the restoration of the waterway.

### **Laying the Framework for Eradication**

Currently, there is no definitive framework for the process of addressing invasive species. Communities striving to address invasive species across the State are addressing this growing concern separately. The process of identifying a problem and implementing a solution is extremely complicated, involving many different agencies and government bodies, as it should be to ensure oversight. However, in some cases, it is necessary to actively involve and get approval from over a dozen different legislative bodies and agencies with studies, samplings, evaluations, and analyses; done on several levels

without a plan of action or schedule to coordinate all work. Because of this, the process can easily get delayed and held up with one agency or body.

The Carmans River Working Group, created to address the Upper and Lower Lakes, was comprised of elected officials from Brookhaven Town, Suffolk County and State Assembly and Senate members, as well as agency representatives from each of these levels of government. The Working Group included several non-governmental organizations, civics and lake residents. The first problem identified was that Suffolk County and Brookhaven Town were each planning on hiring a consultant to review the issue, however, they were unaware of the others intentions and work. Collectively, we hired one consultant to work with the entire group, thereby saving money and time.

Lack of a defined system to coordinate efforts makes it extremely difficult to identify a problem, and work towards implementing a solution. One valuable outcome of our committee is the completion of the *Feasibility Study to Eradicate Aquatic Invasive/Nuisance Species in Canaan Lake, North Patchogue and Upper and Lower Lakes, Yaphank*. This report was prepared for Suffolk County Department of Environment and Energy, and was written by Nelson, Pope and Voorhees. CCE recommends the state utilize this study as a tool in combatting aquatic invasive plant species in fresh water environments.

Recommendations:

- There should be a structure in place that clearly identifies and lays out the process for remediation of invasive species.
- Found results and published resources should be easily accessed in one central location for the benefit and convenience of other working groups dealing with similar scenarios. This resource should be shared and made readily available to stakeholders.
- There should be a plan to take advantage of the resources that have already been developed. Currently, we are not using the tools that are in place for real solutions on the ground.
- With a comprehensive plan, these resources would be accessed more frequently and would increase knowledge across groups and agencies.

## **Addressing Comprehensive Statewide Efforts**

### **NYS Partnerships for Regional Invasive Species Management (PRISM)**

CCE strongly supports a statewide management program for dealing with invasive species. Currently, under the NYS Invasive Species Council, several regional partnerships successfully coordinate prevention, control, and eradication methods. These partnerships engage communities through education and outreach efforts. It is necessary to continue the advancement of these programs throughout the state to foster growth of partnerships and resources. The leadership of DEC is critical for implementation of comprehensive statewide management plan and success of the PRISM's.

Recommendations

- Ensure that DEC has staff and resources to implement recommendations of the statewide management plan
- Provide support to agencies, NGO's, and other entities to implement goals of the PRISM
- Provide robust funding for invasive species prevention, control, and eradication through the NYS Environmental Protection Fund.
- Invasive Species management and plan are not clearly funded on any level. Initiatives are piecemealed and integrated into many other things. There needs to be a clear avenue and plan for funding invasive species projects and programs.
- NYS has committed itself to invasive species control and management but it has not allocated the money to do so – the State needs to make resources available to do this.
- NYS needs to have its own comprehensive plan in place so it can work with other states regionally and nationally. Invasive species don't recognize state boundaries and multi-state efforts are critical. Establishing our own plan will enable credibility and foster collaboration with neighboring states and on a federal level.

In conclusion, CCE applauds the committee for reaching out to stakeholders to weigh in on this important issue. CCE appreciates the fact that the committee is looking into this very important and often overlooked issue. Now is the time to really take a close look and address the invasive species problem with a comprehensive initiative. CCE strongly recommends that the State continue to strengthen initiatives that have been introduced in the last few years to prevent and protect our natural environment from the threat of invasive species.

Thank you for your thoughtful consideration of our comments.

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