



Invasive Aquatic Species Program

Date: April 10, 2019

To: Interested Parties

From: John McPhedran, DEP Invasive Aquatic Species Program

RE: Background information on updating the *State of Maine Action Plan for Managing Invasive Aquatic Species*

Background

The *State of Maine Action Plan for Managing Invasive Aquatic Species* was adopted October 2002 by the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species (established in 38 MRS §1871). The plan was drafted by a Task Force-appointed technical subcommittee of state and federal agency and non-governmental organization representatives working with a contractor. The technical subcommittee contributed information and advised the Task Force during development of the plan. The contractor, H. Dominie Consulting, was retained using a private foundation grant awarded to the Maine Volunteer Lake Monitoring Program. Maine Department of Environmental Protection staff coordinated development of the plan.

Subsequent approval of the 2002 plan by the US Fish and Wildlife Service (USFWS) Aquatic Nuisance Species Task Force qualifies Maine for annual USFWS funding to support implementation. Eligibility for the annual USFWS funding is not contingent on DEP updating Maine's plan.

The Task Force, which DEP chairs and staffs, hosted four meetings around Maine in 2002 to seek public comment. Comments were recorded and considered by the Task Force for the final version. The 2002 plan is posted here <http://www.maine.gov/dep/water/invasives/invplan02.pdf> and includes the following sections:

Summary: Presents goals, objectives and leading strategies of the plan.

Introduction: Includes background information on invasive aquatic species in Maine and what had been done (as of 2002) to address the threats and problems.

Maine's Approach: Outlines Maine's priorities for addressing invasive aquatic species.

Action Plan: Details specific objectives, strategies and tasks under the five guiding objectives in the state plan. The state agency responsible for each task is identified.

Implementation Plan: Presents Action Plan tasks in a timetable (through 2006) and estimates future resource needs to accomplish the tasks.

Appendices: Includes relevant statutes, response to comments from public meetings and the Advisory List of Invasive Aquatic Species, among other documents.

Plan review process

The plan has been reviewed periodically since adoption in 2002, but has not been formally updated. At the October 2008 meeting, the Task Force agreed that the plan should be reviewed and updated but recommended a minor revision as opposed to a major rewrite.

The Task Force further decided in 2008 that only the section of the plan detailing objectives, strategies and tasks – the Action Plan per se but not supporting sections – would be updated. DEP staff began in 2008 to coordinate this update with representatives of other relevant state agencies. During the 2008 review, DEP staff reviewed all tasks in the Action Plan, indicated status of each task and requested that the responsible agency review and comment.

Agency representatives were asked by DEP to review each pertinent task and address the following:

1. Is the task complete?
2. If still in progress, describe progress to date and estimated completion date.
3. Has the task been modified substantially? If so, describe the new task.
4. Is the task unlikely to be completed in the foreseeable future? If yes, provide reason. Is the task still a priority? Should the task be removed from the plan?

Adoption by the Task Force of the revised Action Plan has stalled since the 2008 review due to other program demands for DEP staff, but periodic review has continued. DEP staff distributed the Action Plan anew in 2013 for updated comments from the Task Force and agency staff. In November 2014, the Task Force directed John McPhedran, the Task Force Chair on behalf of the DEP Commissioner, to draft a version of the Action Plan that includes only current, active tasks or tasks likely to be pursued by state agencies. The Task Force further determined that the Action Plan update would summarize the status of Action Plan components; specific tasks would be revised to reflect future work for state agencies and cooperating organizations.

The Task Force decided that completed tasks, deleted tasks and agency comments on previous tasks would *not* be included in this revised plan. DEP staff retains completed tasks, deleted tasks and agency comments in electronic format.

Changes to the Action Plan

The initial Action Plan had four goals. The updated Action Plan adds a fifth goal (rapid response to new infestations). A brief narrative under each strategy intends to capture what has occurred since the initial plan was adopted.

Of the sixty-four tasks in the original Action Plan, six are unchanged and forty-eight remain in revised form in the 2019 update. Ten tasks have been deleted and there is one new task (spread prevention for water withdrawal activities) in the draft revised Action Plan. The changes to tasks in the revision retain the general intent of the task in the 2002 plan and reflect how each task is being addressed.

See pages 3 and 4 of this memo for the ten deleted tasks with explanation for deletion. The assigned number for each deleted task below is from the 2002 Action Plan. Some of the task numbers below are identical to those in the updated Action Plan since numbers were updated to use sequential numbering in cases where tasks were deleted.

2019 Update: Next Steps

The draft revised Action Plan is a separate document posted on the Maine DEP website. The next steps in the revision process are as follows:

1. DEP will post the draft revised Action Plan on the DEP website for public comment and inform an email distribution list of interested parties that the plan is posted for comment.
2. DEP will compile public comments and distribute the comments to appropriate personnel for consideration and response. The response from agency or other organization representatives, including indication and explanation of whether the comments were incorporated into the Action Plan, will be compiled by DEP and distributed to DEP's email list of interested parties and anyone who submitted comments.
3. The Action Plan final draft, revised after incorporation of public comment, will be considered for formal adoption by the Task Force at their fall 2019 meeting.

Deleted tasks with explanatory notes

Task 2B3: Public Perceptions

DEP and the education subcommittee will continue to purchase “questions” on an existing, annual statewide survey to determine public knowledge and perceptions about this issue. The survey will be repeated periodically to measure program progress in raising public awareness and initiative.

Agency: DEP.

Status: Occurred infrequently but not since 2010 at the latest.

Comment: DEP participated in the survey several years and learned that awareness of threats posed by invasive aquatic plants is high.

Recommendation: Remove task from Action Plan since the DEP is no longer participating in the survey.

Task 3B1c: Roadside Inspections

An outside contractor, temporary staff, or agency personnel may continue roadside inspections in subsequent seasons if the review under Task 3B1b determines such inspections to be cost effective.

Agency: DEP.

Status: Completed.

Comment: DEP determined roadside inspections to be cost prohibitive (~\$55/inspection) with insufficient benefit. DEP determined that prevention funds better used at boat access sites.

Recommendation: Delete task.

Task 3C5: Marine Dredging

DMR will evaluate authority for dredging and report back to the Task Force, consulting with DEP and the Northeast Panel in the process.

Agency: DMR.

Status: Evaluated by DMR: DMR has no authority.

Comment: DEP has the authority for dredging. DMR comments and provides input on proposed dredging activities during the permitting process.

Recommendation: Delete task.

Task 3D1: Salinity Standard

DMR will request the US Coast Guard (CG) to review its salinity standard to ensure that it is effective in Maine’s waters.

Agency: DMR.

Status: Completed. DMR discussed with CG officials in 2003.

Comment: Portland, ME CG officials are well-versed in ballast water issues, including this one.

Recommendation: Delete task.

Task 3D2: Shipping Activity

DMR will work with the USCG, port authorities, and Northeast Panel to document the type and amount of shipping and ballast water activity.

Agency: DMR.

Status: Not completed.

Comment: Not a priority for DMR.

Recommendation: Delete task.

Task 4A2b: Experts On Call

The Technical Subcommittee will develop a list of outside contractors who can help with hard-to-identify species, and develop contract arrangements as necessary. The subcommittee will coordinate plant experts with Dr. Mehrhoff.

Agencies: DEP and DIFW.

Status: Not attempted.

Comment: Any outside experts will be identified by specific agencies. This isn't worth spending the time to develop.

Recommendation: Delete task.

Task 4C1c: Plant-Infestation Buoys

DOC, DEP, and DIFW will develop a standard buoy type, protocol for deploying and maintaining buoys directing traffic outside of infested areas, and public information campaign.

Agencies: DEP and DOC.

Status: Completed.

Comment: DEP purchases milfoil advisory buoys through DOC and provides them to lake associations. DEP also purchases and stocks several regulatory buoys in case of surface use restriction per 38MRS §1864. Buoys are purchased through the DACF Navigational Aids Program.

Recommendation: Remove task.

Task 5A6: Other Species

The Invasive Aquatic Species Program Coordinator will coordinate with the Northeast Panel and establish a list of interested academics and researchers and periodically inform and encourage them to conduct survey projects or sponsor graduate research documenting and mapping the occurrence of invasive aquatic species on the list.

Agency: DEP

Status: Not attempted.

Comment: Very few researchers regularly attend NEANS Panel meetings. Developing such a list without a specific project in mind is not a good use of time. DEP has worked with in-state researchers at several academic institutions to address questions vis a vis invasive aquatic plants.

Recommendation: Remove task. Note that Task 5B1c Other Research Needs remains in the plan.

Task 5B1a: Asian Crab Research

DMR will seek a grant to contract or conduct research to investigate the potential threat of the Asian crab to Maine's shellfish industries and local ecology.

Agency: DMR

Status: Not done as written.

Comment: DMR reviews proposals and issues special licenses for Asian crab research projects. Several other entities doing research.

Recommendation: Delete task.

Task 5B1b: Northeast Panel Marine Research Conference

DMR will attend the Panel's conference to identify research priorities this fall.

Agency: DMR.

Status: Completed.

Comment: DMR is aware of various research ideas, and abreast of ongoing research of others, but has not prioritized them.

Recommendation: Delete task.