

IPAC Minutes January 16th, 9:30 AM on Google Meets Platform

Participants:

Sarah Hilderbrand: Maryland Department of Natural Resources (DNR) Biologist/Project Manager

Maile Neel: University of Maryland (UMD) Dean of College of Agriculture and Natural Resources

Kim Rice: Maryland Department of Agriculture (MDA) Plant Protection and Weed Management (PP and WM) Program Manager

Cathy Stragar: MDA PP and WM Laboratory/Greenhouse Supervisor

Leslie Cario: Chesapeake Horticultural Services

Jennifer Vaccaro: Community Restoration Coordinator Shore Rivers

Jeffrey Thompson: Maryland Department of the Environment (MDE) Non-Tidal Wetlands Div Baltimore office Regional Chief

Daniel Root: Maryland DNR Forest Health Coordinator

Lara Mulvaney: Anne Arundel Watershed Steward

Kim brought the meeting to a start at 9:30AM.

Membership

The vacancy for the Maryland Department of the Environment (MDE) representative has been filled. Jeffrey Thompson gave the committee a brief introduction. He's been with MDE for 30 years, starting as a wetlands forestry specialist training others in hydric soils and plant identification and eventually became the Central Region Chief for Non-Tidal Wetlands.

Minutes

The minutes for the November meeting were accepted into record. Plans are to have them onto the website.

Legislative Updates

In summary for Jeff Thompson, Kim explained that the current law still only covers regulation of Nursery Stock and was originally enacted in 2011-2012. The current list has stagnated without funding for needed staff. The existing plant list is on the website but the new expanded one she'll send to Jeff Thompson and he can send his input on prioritizing.

The legislative session started on January 10th and staff have sat in on a few calls for proposed changes to the current invasive plant law. These are not final changes, but probable and proposed changes are listed below:

- The addition of aquatic plants has been requested. This will need to include Maryland DNR since MDA has no jurisdiction over aquatic plants.
- A new weed risk assessment tool is being proposed.
- Additional 3-4 staff was recommended by MDA.

The committee had some questions about the changes.

Will this be a new law that supersedes the current one?

No, the proposed changes would augment the current law.

The committee agreed to keep meeting bimonthly. Kim urged members to check emails in reference to new proposed invasive plant bill. They may be a request for comments and there is a very quick turnaround time.

The next meeting is scheduled for March 19th at 9:30 and Kim will follow up with an invite. The meeting was adjourned at 9:50 AM.

IPAC Minutes March 19, 2024, 9:30 AM On Google Meets Platform

Participants:

Sarah Hilderbrand: Maryland Department of Natural Resources (DNR), Biologist/Project Manager

Maile Neel: University of Maryland (UMD), Professor; Director of the Norton-Brown Herbarium University of Maryland, Department of Plant Science and Landscape Architecture & Department of Entomology

Kim Rice: Maryland Department of Agriculture (MDA) Plant Protection and Weed Management (PP and WM), Program Manager

Cathy Stragar: MDA, PP and WM Laboratory/Greenhouse Supervisor

Leslie Cario: Chesapeake Horticultural Services, owner

Jennifer Vaccaro: Shore Rivers, Community Restoration Coordinator

Steven Bell: MDA, Nursery Inspector/Ginseng Program

John Krouse: Maryland Department of Transportation (MDOT/SHA), Landscape Division

Dan Small: Washington College Center for Environment, Chino Farms, Director

Larry Hemmings: Eastern Shore Nurseries, owner

Kim brought the meeting to a start at 9:31AM. .

Minutes

The minutes for the January meeting were accepted into record.

Legislative Updates

-Kim sent a link to HB0979/SB915, Biodiversity and Agriculture Protection Act, for the committee to read through. The rest of the meeting was spent commenting on the proposed bill.

IPAC will remain as part of the new bill and take on the task of updating regulations for the new bill should it become law. One of the biggest changes is the new assessment tool for evaluating and deciding a plant is invasive which will be the NatureServe risk assessment tool for invasiveness. This will replace the current Weed Risk Assessment tool that was created when the original law was passed. The new tool seems similar and seems to rely on ArcGIS data for analysis. None of the committee has been able to test or use the new tool because a subscription is required.

Kim reiterated the budget request of three positions which will be a separate process. The positions should be in the FY25 budget which begins on July 1.

Kim brought up that because the bill is banning the sale of plants that are now in production in Maryland and currently available, so how should IPAC approach the issue of growers asking for exemptions for prohibited plants to be sold out of state? Various members weighed in and the summary of comments follows:

This could have a big economic impact for some growers. A phase out period should be initiated. The request to grow prohibited plants should have a time limit and growers should provide evidence that stock is being sold.. Having elaborate requests would require extra administrative work and surveys that could be prohibitive

for the small staff of nursery inspectors. There is a dearth of native plants for sale and in the research and development side of horticulture. Expect requests to grow Nandina for sale to the Northeast.

There was some discussion of how interstate trade works. Ecommerce is difficult to regulate within states and internationally. There should be an acknowledgment that these prohibited plants are causing harm.

Some examples of plants grown for sale outside of Maryland were given. Butterfly Bush which is invasive here is sold in Canada where it's grown as an annual. How are those plants being produced in Maryland? Does this impact the environment?

Everyone did agree that Maryland would have limited resources to enforce and police these exemptions. There seemed to be some consensus on not having exemptions continue in perpetuity and growers should show a good faith effort to decrease stock and change the business model. Lots of details to work out on how this process will work. What kind of production is low harm? Plants in pots, in greenhouses? Are plants and seeds adequately disposed of? Size of propagules, amount in production, ways to monitor production. Etc.

There was a suggestion to have members of the Maryland Native Plant society buy out all the prohibited plants in production, that in fact they might be eager to do so. Though noble, this suggestion might be financially unfeasible since the value of those plants is in the millions.

We have to be open to supporting the industry while adhering to the scope and intent of the proposed law.

In the discussion of resources, the separateness of the budget was discussed. So the law could be passed but the budget might end up cut. The budget would have 2 positions for assessment and administrative work and a third position that would be in the field.

The proposed law could give Maryland growers a chance to change their system of production with a longer phase out to then grow native stock. These shouldn't be exemptions but phase outs or transitions with stock of prohibited plants decreasing and new non-prohibited stock coming in. This would support the industry while still upholding the intent of the law.

There was a reminder that the existing application for growing sterile plants of tier 1 and 2 was still in the law. And to expect an increase to the committee of that application. IPAC would review those. If the budget passes and MDA has new staff, that person would help with the review process.

Some language in the bill about what an assessor is. What qualifications the job position would need such as a knowledge of local native and invasive plants, plant ecology, ArcGIS skills and field as well as data management work.

Another big change is that aquatic plants are included in the law. MD DNR will have authority over regulating aquatic plants regardless of the business. DNR needs to be included in the clarification of aquatic plant regulation.

Kim reminded the committee that the Maryland filter for assessing invasibility in the original law will be gone with the new law. Maile Neel, one of the longest serving members, shared that the new assessment tool would use a similar filter.

And there is a watch list in the proposed law for plants that are borderline or may pose a threat as climate changes.

MDOT/SHA is in the proposed law.. John Krouse shared that SHA doesn't plant any tier 1 or 2 plants. They have added the Mid-Atlantic invaders list to a long list of 150 species that they do not plant. This is known as the no plant list and is available on their website. This will be updated in the next few months to include the new list.

Larry Hemming brought up some policing concerns over the big box stores. Because they often use out-of-state suppliers they will not be in compliance with this law.

Leslie Cario commended the talk given at Maryland's Chesapeake Green Horticultural Symposium by Amanda Wray on the growing market for natives and helping growers seek the advantages of this market. Jennifer Vacarro shared that at least four different nurseries she encountered couldn't meet the increased demand for native landscape plants. So there is an untapped market for native plants.

Other folks including Larry Hemming shared that often the propagation for natives is slow and demand is for quick and cheap. Breeds that are slow to grow or have difficult propagation requirements are often out of stock. Certain natives are still going to be hard to get. There's a reason folks have always sold what's easy and reliable to grow. And native plants remain deer favorites. Still, the reality is that surrounding states are making laws prohibiting the production and sale of these plants and the demand for natives is increasing so the industry will need to adapt.

John Krouse let everyone know that his personal battle with Italian Arum has been epic and he suggested adding that to the list of prohibited plants.

. We will meet again in May and have a better understanding of where the bill and the budget are standing. We will need to figure out how to handle tier 1 and 2 since those designations will be removed in the new law, especially tier 2.

The next meeting is scheduled for May 21st at 9:30 AM and Kim will follow up with an invite. The meeting was adjourned at 10:20 AM.

IPAC Minutes July 16th, 2024, 9:30 AM On Google Meets Platform

Participants:

Sarah Hilderbrand: Maryland Department of Natural Resources (DNR), Biologist/Project Manager

Kim Rice: Maryland Department of Agriculture (MDA) Plant Protection and Weed Management (PP and WM), Program Manager

Cathy Stragar: MDA, PP and WM Laboratory/Greenhouse Supervisor

Leslie Cario: Chesapeake Horticultural Services, owner

Steven Bell: MDA, Nursery Inspector/Ginseng Program

Dan Small: Washington College Center for Environment, Chino Farms, Director

Larry Hemmings: Eastern Shore Nurseries, owner

Joel Bush: Maryland Department of Transportation

Jeffrey Thompson: Maryland Department of the Environment

Daniel Root: Maryland DNR, State Forester

Lara Mulvaney: Anne Arundel Watershed Steward

Kim brought the meeting to a start at 9:31AM.

Minutes

The minutes for the March meeting were accepted into record.

Legislative Updates

Kim sent a link to HB0979/ Senate 915, Biodiversity and Agriculture Protection Act as well as the new assessment tool. Currently MDA has taken everything off the MDA IPAC website page while the law is changing. The prohibited plants list is up and a “stay tuned” message is up. Eventually all the minutes and updated regs will return once the current regulations are crafted.

Kim summarized the changes. The tier system of plants is gone and the signage will no longer be enforced. There will be a prohibited list of plants which will include current tier 1 plants. There will be a watch list of plants that need assessment. There is a new assessment tool. Current tier 2 plants will be assessed with this tool. Kim opened the meeting for questions.

A question was asked about the disposal or movement of prohibited plants. Would those no longer need approval for destruction or movement? No, they will still need approval from the Secretary’s office.

Kim continued that she had written a rough draft of the regulations and left it with the Attorney General’s office. These are due on October 1st.

Kim asked if anyone had questions or had used the new assessment tool. Attending committee members didn’t seem familiar with it. Kim suggested that Judy Fulton who had written the new bill be invited to the next

meeting to demonstrate how the new weed risk assessment tool worked. The majority of committee members agreed that would be beneficial. Kim promised to reach out to Judy on Thursday at the MISC meeting.

Committee members expressed the need for an in-person meeting in September with Judy. Kim will reserve a meeting space at the MDA building in Annapolis and get back to everyone with a date. A tentative date for the next meeting is September 17th but the meeting will be scheduled as availability of rooms allows sometime in the third week of September.

Before adjournment Kim brought up the question of cultivar and out of state sales exemptions. The existing process that IPAC developed for the cultivar exemptions may stay in place if the committee finds that the process is in line with the new law. She thinks that there will be a growing number of requests to exempt cultivars of plants that will end up on the prohibited list.

There are still growers that want to produce prohibited plants in Maryland for out of state sales and this will need a process of assessment similar to allowing exemptions for the cultivars.

She also shared the good news that MDA had received a position out of the three that were requested to perform weed risk assessments and manage the regulations. She has started the hiring process.

Kim invited all interested IPAC members to the MISC meeting at MDA headquarters on Thursday July 18th at 9:30 AM. Kim and Judy will be attending.

The next meeting is tentatively scheduled for September 17th at 9:30AM and Kim will follow up with an invite. The meeting was adjourned at ~10:00 AM.

IPAC Minutes September 17th, 2024 @ Annapolis Maryland MDAHQ In-Person Meeting 9:30 AM

Participants:

Maile Neel: University of Maryland (UMD) Professor; Director of the Norton-Brown Herbarium, Department of Plant Science and Landscape Architecture & Department of Entomology

Sarah Hilderbrand: Maryland Department of Natural Resources (DNR), Restoration Specialist, Chesapeake & Coastal Service,

Kari Wurth: Maryland DNR, Forester MFS

Kim Rice: Maryland Department of Agriculture (MDA) Plant Protection and Weed Management (PP and WM), Program Manager

Cathy Stragar: MDA, PP and WM Laboratory/Greenhouse/Biocontrol Program Supervisor,

Steven Bell: MDA, Nursery Inspector/Ginseng Program for Western and Central Maryland

Leslie Cario: Chesapeake Horticultural Services, Owner

Jennifer Vaccaro: Shore Rivers, Community Restoration Coordinator

Dan Small: Washington College Center for Environment, Chino Farms, Director

Larry Hemming: Eastern Shore Nurseries, Owner

Jeffrey Thompson: Maryland Department of the Environment

Lara Mulvaney: Anne Arundel Watershed Steward

Brent Cassell: Leyland Landscaping Owner

Judy Fulton: Master Gardener/Consultant, guest for IPAC presentation

Kim brought the meeting to a start at 9:31AM.

Minutes

The minutes for the July meeting were accepted into record.

New Plant Assessment Protocol Presentation

Judy Fulton presented a finished assessment of *Berberis thunbergii*, using analysis by a committee based on an edited Nature Serv pdf document from 2004.

The committee had numerous questions and concerns about the protocol and it's ability to provide a standardized assessment with adequate supporting data.

The protocol will be on the January 28th 2025 IPAC meeting agenda.

Meeting adjourned after 12:30.