



Addressing Invasive Species through State Legislation

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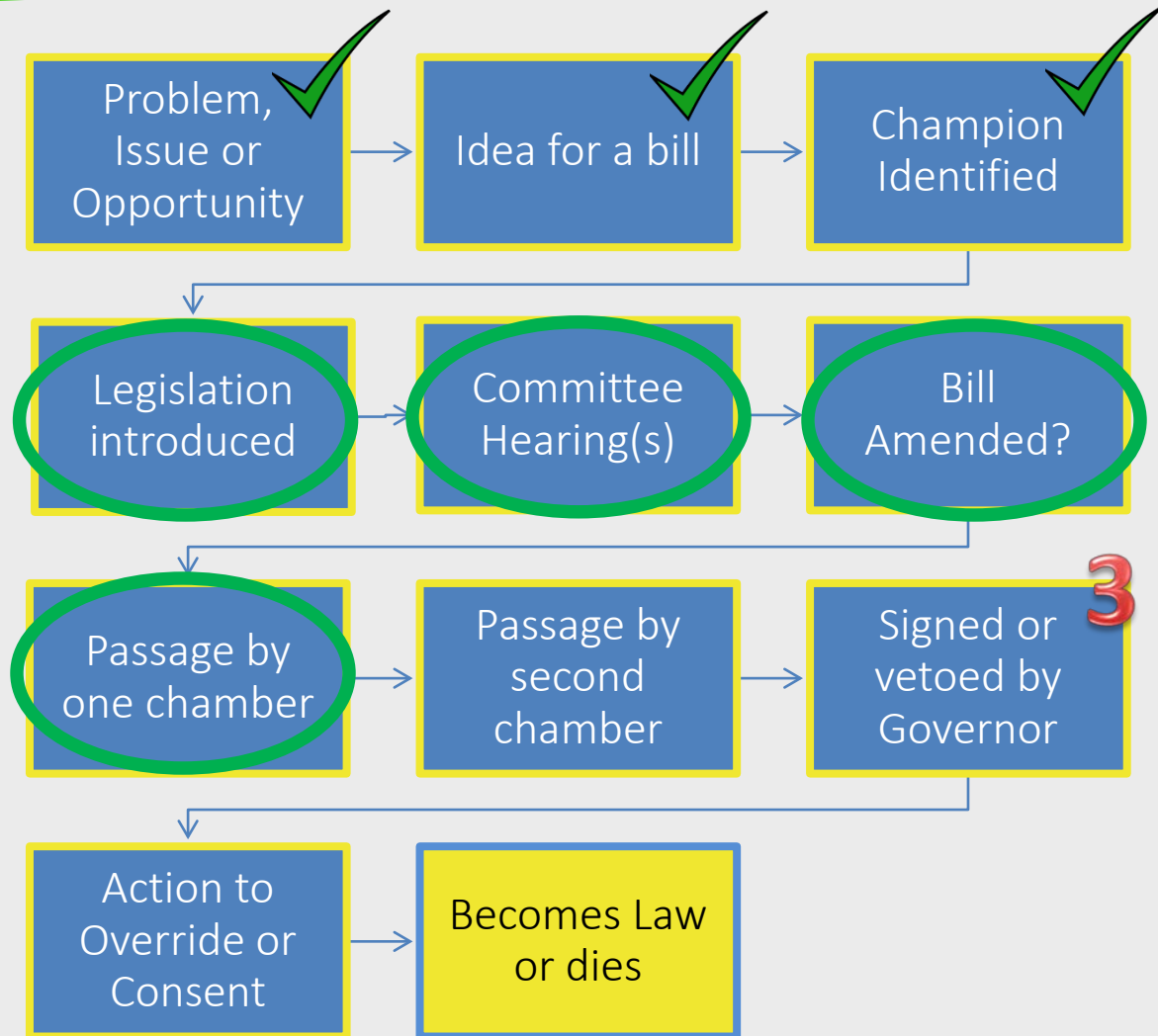
New Jersey Audubon



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How a Bill Becomes a Law



Prohibits Sale & Planting of Specific Invasives

- A1264
 - Passed Assembly Last Session
- Concerning the sale, planting and propagation of the following invasive plant species:



Canadian
Thistle



Eurasian
Watermilfoil



Garlic
Mustard



Japanese
Honeysuckle



Japanese
Knotweed



Japanese
Stiltgrass



Mile-a-minute



Purple
Loosestrife



Water
Chestnut

Prohibits Sale & Planting of Specific Invasives

- Challenges: Amendments & Changes To Bill
 - Species Exclusions
 - Limits of Authority



Regulates Planting and Sale of Running Bamboo

- PASSED the Assembly in 2015;
Not heard in Senate
- A449
 - Unlawful for spread beyond property
 - Property owners liable for damage/removal cost
 - Violators fined & Real estate disclosure
- Seller/installer must provide consumer info
 - Violators fined



Requires State Agencies to Use Natives

- PASSED Assembly in 2015 *with amendments*
- A1698 (Dancer)
 - Requires state agencies to use native vegetation in certain circumstances
 - Land management, Reforestation, Habitat Restoration
 - Special Provisions for *landscaping*
 - Encourages Purchase from NJ businesses



Requires Transportation Agencies to Plant Natives

- Passed Senate Committee last session
- S227/A963
- Requires DOT, NJTA, and SJTA to use only native vegetation for *landscaping*, land management, reforestation or habitat restoration



Increasing Demand for Native Plants

★ Municipal Codes Restrict Vegetation Height



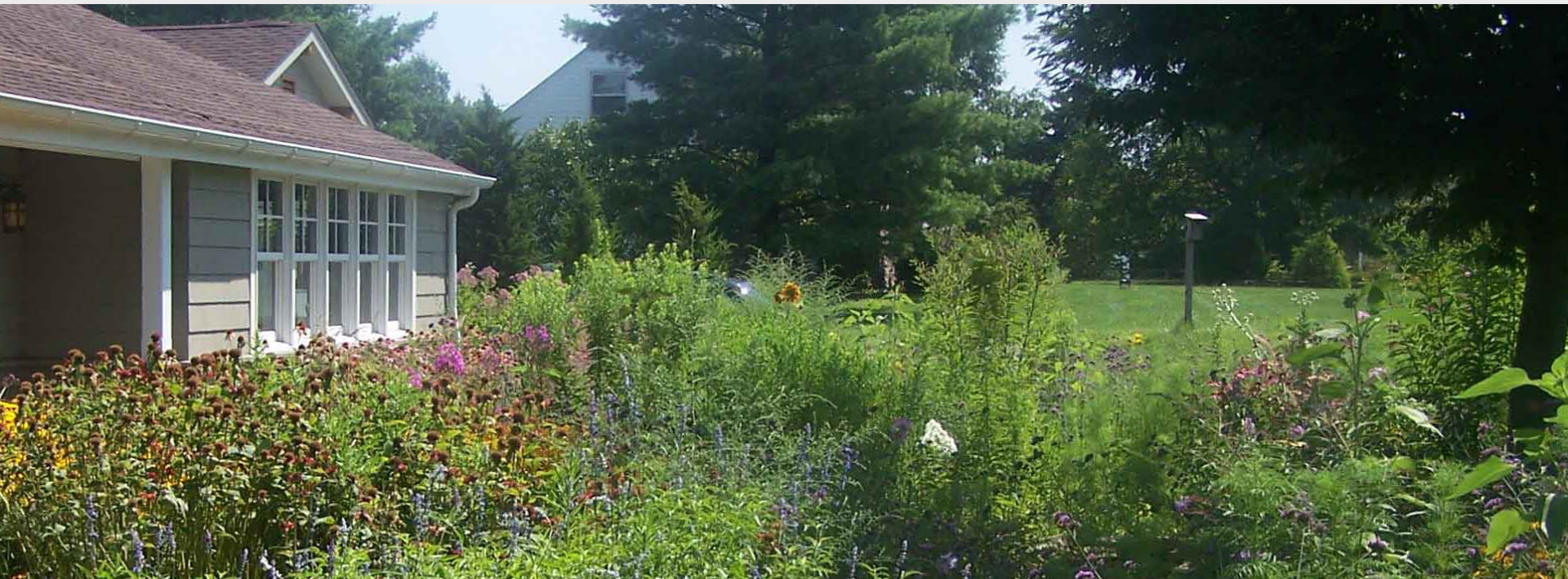
- Pine Beach, Ocean County
- Violation of borough property maintenance ordinance
- Prohibits vegetation over 10 inches in height



- Branchburg, Somerset County
- Ordinance forbidding “obnoxious growth” on private property
- Homeowner spent \$7000 on defense

Habitat Certification Bill

- ★ Provides landowners the ability to develop and certify habitat on their properties and afford them protection from spurious nuisance claims through an affirmative defense at the municipal level (A1069/S1151)



Habitat Certification Bill

- ★ Encourage individuals to better steward their own piece of the natural world through a voluntary program
- ★ Educate people on the value of creating habitat
- ★ Reduce water, fertilizer, and chemical use
- ★ Establish a patchwork of native habitats to help migratory wildlife survive



Habitat Certification Bill

- ★ Create demand for native plants in the marketplace



Designates Native Plant Appreciation Month

- Last Session:
 - Passed Assembly May 14, 2015 (70-0)
 - No action in Senate
- *Not yet Introduced in Current Session*
- Raises Awareness
- Provides Educational Opportunity



Roadside Management

- Integrated Roadside Vegetation Management (S724)
 - Establish a coordinated Program
 - Incorporate best practices for long-term control of damaging insects, **invasive plant species**, and weeds
 - Cost-effective maintenance with emphasis on adaptable vegetation with long life cycles, **native vegetation** & wildflowers



Native Plant Seed Collection

- Allows Seed Collection of Native Plants without a permit
 - Except where prohibited by federal law, where expressly prohibited by Pinelands Commission, or state or federally designated Threatened and Endangered Species
- *Not yet Introduced in Current Session*
- *Requires Greater Specificity*



Pollinator Bill Package



- Pollinator Week
- State Butterfly
- Establishes a penalty for destruction of man-made native bee hives
- Designates Common Eastern Bumblebee as NJ State Native Pollinator (A3403) (*Passed Assembly in 2015*)

Pollinator Bill Package



- Classify Neonicotinoid Pesticides as Restricted Use (A3397)
 - Purchased and Used only by licensed applicators
- Requires Pesticide Applicators to Notify Beekeepers When Spraying within 3 miles of Registered Honey or Native Beehives (A3398)
- Requires Training for Pesticide Applicators Re: Pollinating Bees (A3400)

Monarch Butterfly Bills

- Adoption of Monarch waystations on public lands (A2449/S1732)
- Milkweed planting in detention basins and drainage ditches (A2448)
 - Both Passed in Assembly last session
- Establish Milkweed for Monarchs month to encourage planting of milkweed (AJR55)



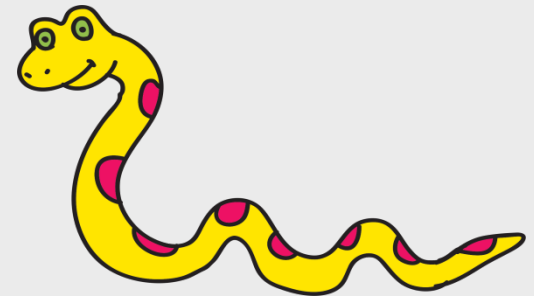
Legislation Summary

- Bills are in various stages
- Only three bills passed by both houses and signed by Governor
 - Establishing Pollinator Week
 - Establishing a State Butterfly
 - Penalty for Destruction of Native Bee Hive



Other States

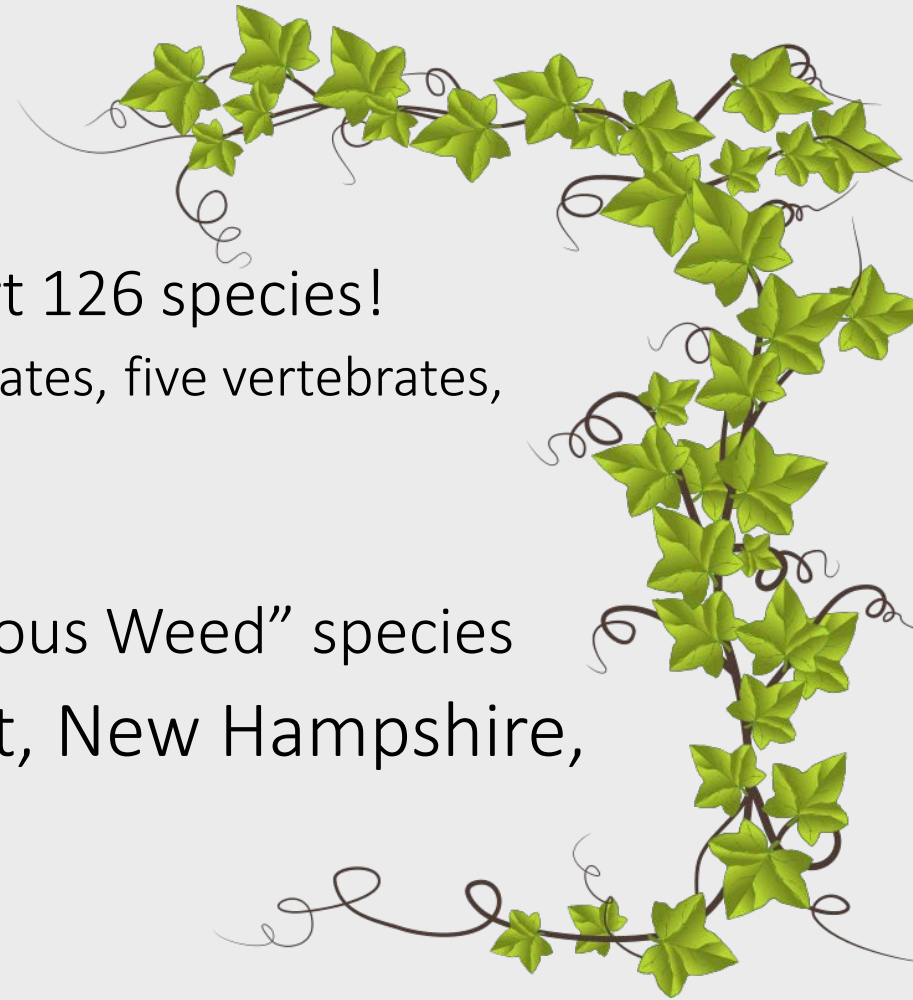
- *Few paradigm-shifting amendments have occurred without crisis*
 - Emerald Ash Borer
- *Absent such well-publicized, “charismatic” invasions, most legal and regulatory changes have been marginal and limited*
 - Burmese Pythons
- States use different approaches



Environmental Law Institute. *Status and Trends in State Invasive Species Policy: 2002-2009*. 2010.

Other States

- New York
 - Illegal to buy, sell or transport 126 species!
 - 69 plants, 15 fish, 30 invertebrates, five vertebrates, 7 algae/bacteria/fungi
- Pennsylvania
 - 11 Aquatic Species, 12 “Noxious Weed” species
- Massachusetts, Connecticut, New Hampshire, New York
 - Barberry bans



New Jersey Local Ordinances

- Invasive Plants:
 - Brick Township (Ocean County)
 - Tom's River (Ocean County)
 - Upper Township (Cape May County)
- Bamboo:
 - Howell Township (Monmouth County)
 - Ocean City (Cape May County)
 - Northfield (Atlantic County)
- *Largely focused on residential problems*
- *Comprehensive Multi-pronged Approach Needed*



What can you do?

- Build relationships with local officials, legislators & staff
 - Showcase projects & problems
- Write Letters to the Editor; Build relationships with local press



What can you do?

- Participate as Pieces of Legislation Move through Process
 - Develop Relationships with Sponsors & Staff
 - Ask for Bills to Be Heard
 - Communicate with Committee When Bills Heard
 - Testify or Email
- Visit njleg.state.nj.us
 - Search By Bill Number, Keyword, or Sponsor
 - Subscribe for Free Bill Notification for Bills of Interest



Questions?

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THANKS!