

AIS in Commerce: Tools for Agencies and Tribes

Columbia River Basin AIS Team Meeting

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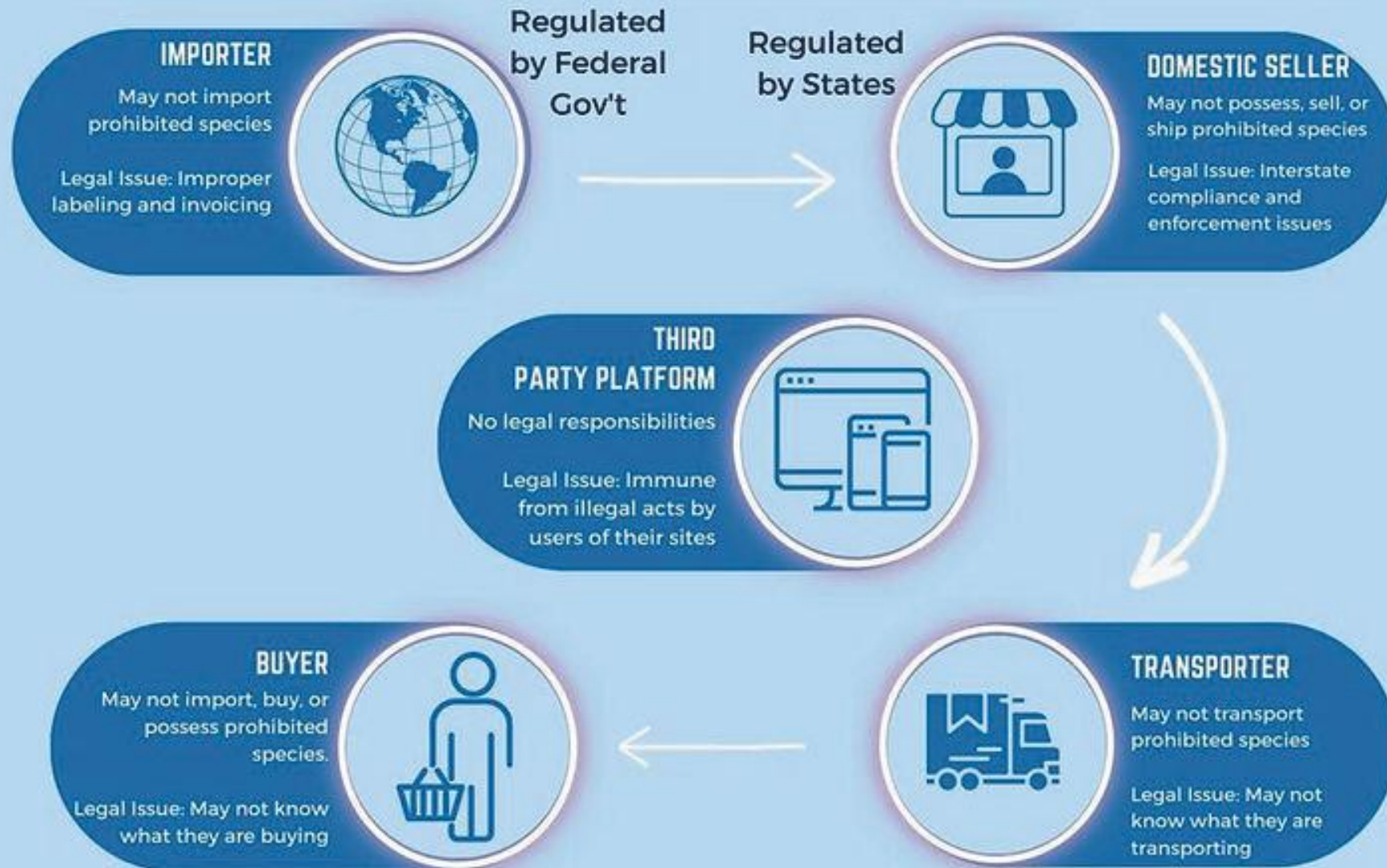
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AIS in Commerce

Key Actors & Legal Responsibilities



Project Objectives:



Convene partners to develop an action plan.



Assess the commerce landscape and develop recommendations (best management practices) for the live aquatic plant and animal industry.



Establish state and federal model regulations.



Conduct effective outreach, including developing toolkits for agency and industry audiences.

Voluntary Industry Practices

9

Legal Authorities

4

Record Requirements

3

Collaborative Interdiction

3

Accessible Information

5

Knowledgeable Consumers

4

Resources and Capacity

2

Criteria to Prioritize Actions

- The action addresses a key challenge
- The action is timely
- The action is implementable
 - Resources are available
 - Political will exists
- The action would likely be effective



30 Tier 1 strategies

41 Tier 2 strategies

AIS in Commerce

Contributing Factors

Legal trade in high-risk species

- Inconsistencies among and between state species lists
- Inaccessible state species lists
- Inconsistent terminology across states
- Lack of oversight of businesses dealing in live species
- Enforcement barriers
- Lack of consumer knowledge

Contaminated shipments

- Lack of HACCP controls or internal protocols
- Inconsistent implementation of protocols
- Lack of rigorous inspections
- Insufficient recall protocols

Illegal trade in listed species

- Inability to detect and monitor illegal activity
- Lack of accountability in e-commerce platforms
- Lack of strong enforcement penalties

Pathways

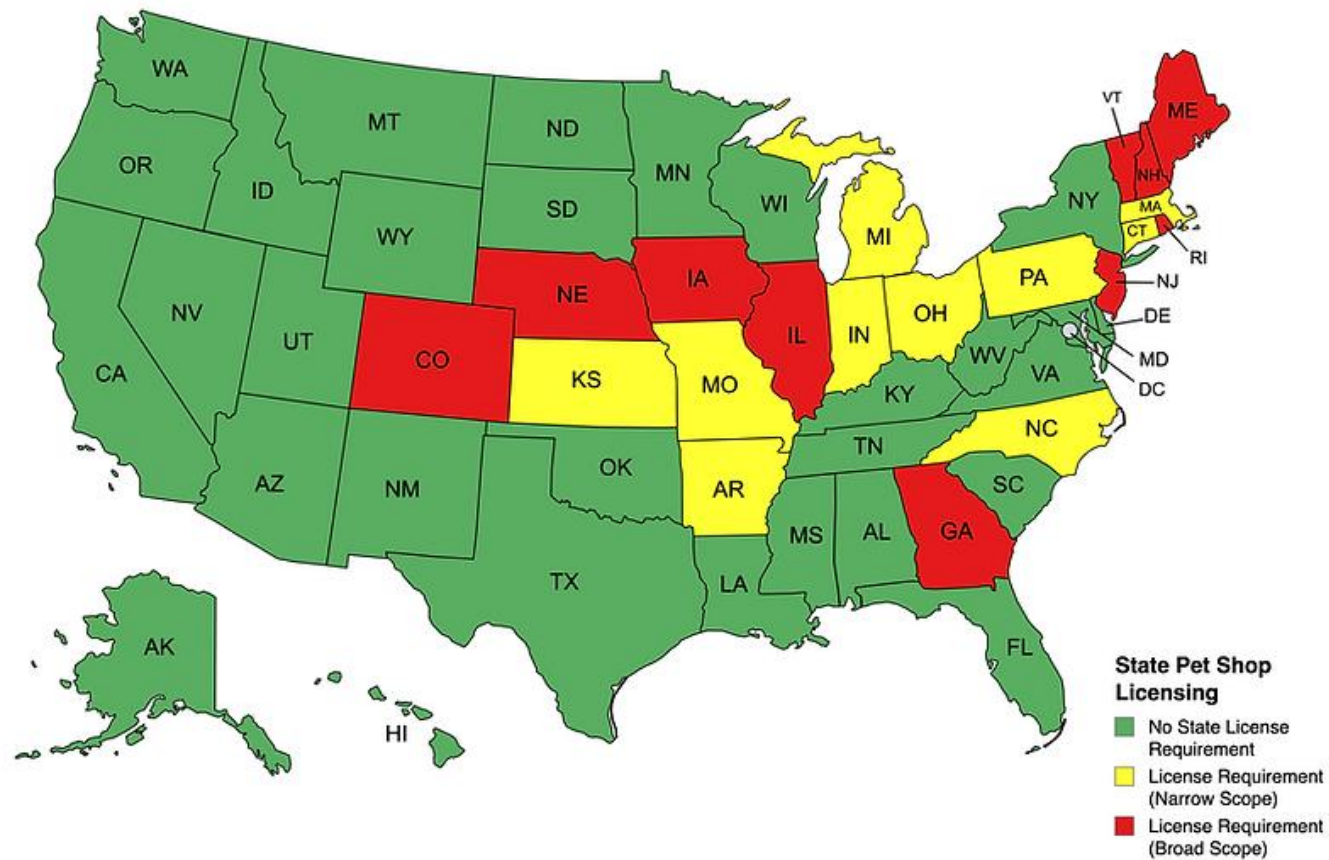


All three pathways contribute to movement of aquatic invasive species through commercial transactions



CASE STUDIES

Pet Store State Licensing Requirements



STRENGTHENING THE LEGAL FRAMEWORK FOR AQUATIC INVASIVE SPECIES IN TRADE

ELEMENTS NEEDED TO ADDRESS PRIORITY GAPS



ACCESSIBILITY OF SPECIES LISTS

Adopt and maintain
prohibited and restricted
species lists

Publish species lists in
easy to access format on
agency websites



LABELING

Require shipments of live
plants or animals to have
detailed labels

Require use of English
language and scientific
names

Prohibit false or
misleading information in
online advertisements



RECORDKEEPING

Require individuals
engaged in trade to
generate and keep
accurate records

Records should include
contact information and
species details



REGISTRATION/LICENSE

Require businesses
selling live plants or
animals to register or
obtain a license

Impose penalties for
failure to register or
update information



AQUATIC INVASIVE SPECIES IN COMMERCE

**MODEL REGULATORY
LANGUAGE TO
ADDRESS PRIORITY
GAPS**

FEBRUARY 2024



Core Elements

- Common language re: classification of species
- Model definitions for action verbs
- Legal directive to agencies to publish state and provincial plant and animal lists
- Labeling domestic shipments
- Signage at retail stores
- E-commerce
- Seller recordkeeping requirements
- Buyer recordkeeping requirements
- Mandatory licensing for entities that sell live plants or animals



**RECOMMENDED SPECIES
CLASSIFICATION
FRAMEWORK TO
MINIMIZE CONFUSION**

1

PROHIBITED SPECIES

An aquatic invasive species that may not be imported, possessed, sold, purchased, exchanged or transported in this state, as established by [agency rule].

2

REGULATED SPECIES

An aquatic invasive species that may not be imported, possessed, sold, purchased, exchanged or transported in this state except under a permit issued by [agency].

3

AUTHORIZED SPECIES

An aquatic invasive species that has been approved by [agency] for import, possession, sale, purchase, exchange, or transport in this state for certain designated uses.

4

UNREGULATED SPECIES

An aquatic invasive species that has been designated by [agency] as not subject to regulation under the invasive species rules.

5

UNLISTED SPECIES

An aquatic invasive species that has not been designated by [agency] as a prohibited, regulated, authorized, or unregulated species.

What do the Colors Mean?

Red = Commercial Trade Prohibited

Yellow = Commercial Trade Allowed by Permit

Green = Commercial Trade Allowed

BEST PRACTICES AND GUIDELINES

	INDUSTRY PRODUCER AND SELLER	CUSTOMER/BUYER	FEDERAL/ PROVINCIAL AGENCY	STATE AGENCY
Knowledge of regulated, invasive, and problem-prone species	X			
Record keeping and labeling	X			
Information and education	X	X	X	X
Inspection and packaging	X		X	X
Compliance	X			
Species selection		X		
Labeling and documentation		X	X	X
Species categorization and lists			X	X
Collaboration			X	X
Monitoring			X	X

Recommendations

Make the information on regulated species available across all websites

Provide easy to find guidance information based on scenarios that may be searched

Guide people to easily find state or provincial requirements for businesses

Provide easy to find agency AIS contact information for questions.

Adopting registration or licensing for all business types.

Invasive Aquatic Plants - Dept. of Environmental Protection

Invasive aquatic plants threaten the health of Maine's lakes and rivers.

Invasive aquatic species are introduced exotic flora and fauna that displace native plant and animal communities. Infestations result in habitat disruption, loss of property values, diminished water quality, reduced fishing and water recreation opportunities and significant expense for mitigating these environmental costs. Maine DEP's Invasive Aquatic Species Program addresses invasive aquatic species - primarily plants - in three ways: prevention, early detection and control.

Forest/Tree Pests - Dept. of Agriculture, Conservation and Forestry: Maine Forest Service

Monitoring trees and forests for signs of invasive species.

The Maine Forest Service surveys for invasive forest insects and diseases in a variety of ways. There are surveys for specific pests using traps and standardized visual monitoring as well as general forest pest surveys. Reports from the public are an invaluable method of detecting invasive species in a sparsely settled state. Detecting an invasive species early can allow for mitigation that will reduce the impact of the pest on Maine's forests.

Invasive Fish - Dept. of Inland Fisheries and Wildlife

"Introducing any new fish into Maine's waters without proper authorization is illegal... and often forever."

Illegal stockings of invasive fishes are a continuing problem in Maine waters. Each and every invasive introduction forever alters both the native fish assemblage and the ecosystem as a whole. Fisheries managers utilize a number of options to target and remove invasive fish populations including liberalized regulations, direct removal efforts, and chemical reclamation. Often the best defense isn't a regulation, a reclamation, or a removal. It is public education. Once illegal fishes are introduced into Maine waters, many times there is no turning back.

Marine Invaders - Dept. of Marine Resources

In the open marine environment there are many ways for invasive species to be introduced. From the ballast water of large ships to the hull of a family boat, when left untreated or uninspected can provide an easy ride for invasives.

We already have examples in Maine of the ecological and economic damage that can be done from an introduced species. The invasive green crab became established along the Maine coast many years ago. As their population expanded, they decimated clam flats, ecologically sensitive eel grass beds and churned the banks of our estuaries as they burrowed. With green crabs the opportunity for prevention has long past. Our best path forward is to find markets that encourage a commercial harvest and reduce crab numbers enough to mitigate their impact on our shore. With this example in mind the DMR is focused on prevention. We have programs in place to address issues like ballast water discharge and the importation and use of fish baits, but public awareness and prevention on a personal level will be key to preventing new invasions.

Plant Health Pests -Dept. of Agriculture, Conservation and Forestry: Cooperative

Agricultural Pest Survey

The goal of the CAPS program is to provide an early warning system for pest detection and response that is critical for safeguarding our nation's agricultural and natural resources. Typical surveys target exotic and invasive pests and pests of export significance.

MONTANA'S SPECIES OF INTEREST

DEFINITIONS

THREATENED SPECIES

ENDANGERED SPECIES

DELISTED SPECIES

SPECIES OF CONCERN

EXOTIC CONTROLLED SPECIES

EXOTIC NONCONTROLLED SPECIES

EXOTIC PROHIBITED SPECIES

AQUATIC INVASIVE (NUISANCE) SPECIES (AIS)

Recommendations

- Align reference terms in public information to ‘prohibited’, ‘regulated’, ‘authorized’, and ‘unregulated’
- Provide a clear, accessible list of all prohibited, regulated, or authorized species.
- Summarize regulatory language



www.aisincommerce.org

