

Meeting Minutes

Native Species Commission

October 17, 2018 at 10 am

Haslet Armory, 122 Martin Luther King Jr Blvd, Dover, Delaware
Room 133

Minutes approved on: December 19, 2018

Members Present

James White, Chair

Robert Thornton, Vice-Chair (arrived 10:25)

Jeffery Downing

James McCulley

Michael Petit de Mange

David Saveikis

Tracy Surlis- via phone

Christopher Heckscher

Janice Truitt

Katherine Holtz

Lori Athey

Members Absent

Michael Costello

Sarah Cooksey

Ashley Kennedy

Administrative Staff

Jennifer Childears, Administrative Specialist III

Public Present

Stephanie Hansen, State Senator

Bill McAvoy, Division of F&W

Elizabeth Nalle

Michael McFarlin

Kendall Sommers- via phone

Shelia Smith

Faith Kuehn

Call to Order

Mr. White called the meeting to order at 10:09 a.m. He thanked the commission members for their confidence in voting him in as chair.

Review and Approval of Minutes

The commission reviewed the minutes of the July 31, 2018 meeting. There was not a quorum of eligible commission members that had attended the July meeting to approve the meeting minutes, so no motion was made or approved.

The commission reviewed the minutes of the August 24, 2018 meeting. Ms. Holtz made a motion, seconded by Mr. Thornton to accept the minutes as written. The motion carried unanimously by the eligible commission member.

Unfinished Business

Review ranking of top ten task force recommendations

Ms. Childears handed out a list of recommendations in order of the number of responses each recommendations received, not in a priority ranking order. It was apparent that the education recommendations were popular among the commission members. Mr. Downing noted that some of the education recommendations could be lumped together into one action. Mr. White asked Mr. Downing to do that for the next meeting. Mr. McCulley made a motion, seconded by Mr. Saveikis, to revisit the recommendation list using those that had 3 or more responses and create a top ten list from those, with the other recommendation to be addressed in the future. The motion carried unanimously.

Review task force recommendations currently in progress

Ms. Childears handed out a document that included information about what certain commission members' organizations or businesses were already doing in relation to the recommendations. Mr. Saveikis noted this was a living document that can change. This document was for information purposes.

Other unfinished business

Mr. Saveikis handed out the Proposed Quorum Voting Rules. At the previous meetings, the commission request that voting rules be set in writing to help with any future questions should arise. The proposed rules included the following:

- A quorum consists of eight commission members
- Action of the Commission requires a simple majority vote of commission members present at the meeting (e.g., concurrence of five of eight commission members)
- The commission chair does not vote on commission actions except to break a tie commission vote or constitute a quorum.

Also noted was that members cannot use proxy votes or vote by email prior to or after a meeting. Mr. McCulley made a motion, seconded by Mr. Petit de Mange to accept the proposed rules as written. The motion carried unanimously.

New Business

Education Subcommittee Report

The Education Subcommittee met on September 12 to assess the available education material and to discuss how the education material could be used. The conclusion was that educational outreach should be used to motivate, support and educate the public about Delaware native species and the harmful effects of invasive species. Mr. Downing, subcommittee chair, had an online portal created to house pertinent education material. The address for the portal is <https://cbhl.libguides.com/taskforce/education>.

Other questions the subcommittee addressed was “what is the support we want?” and “what action do we want people to do?” Answering these questions will help route the path the education subcommittee will take with the materials they have.

Senator Hansen noted her agreement and discussed several activities she was involved with over the last few weeks that highlight different types of groups and presentations that can take place. Senator Hansen presented a PowerPoint to about 350 7th graders at Springer Middle School that was very well received. This is something that could be shared with all the 7th grades throughout the state as it fits in well with the state science curriculum. Senator Hansen also met with a group of communities downstate that wanted to convert their open space into meadows. Senator Hansen talked with them about why it was important to do this and how to get that initiative started. Finally, Senator Hansen talked during a maintenance seminar about the issues of converting open spaces. The Native Species Commission is generating interest and there are various groups of citizens that can benefit from the commission’s work and those who want to get involved and help the commission with their goals.

Ms. Surles commented that native species education does fit in with 7th grade curriculum and Mr. Downing remarked that he would include it in the subcommittee’s efforts for outreach.

Ms. Smith from the public audience mentioned that Delaware Nature Society has a curriculum expert on staff that works and that it should be easy to match up and implement a native species lesson.

Ms. Athey asked if the PowerPoint presentation could be added to the education portal, which it can be.

Mr. Petit de Mange stated that he attended one of Senator Hansen’s talks and knows there are a lot of citizen led efforts to reduce invasive species and that home owner associates are also a group that would benefit from educational outreach.

Ms. Kuehn, now in the public audience remembered several pamphlets that would be a great resource for the public. Ms. Athey had several of those in her bag.

Senator Hansen mentioned that she was asked to put together a symposium in the spring around the topic of Native species in Delaware and that the commission should also be involved in that effort. Mr. Downing mentioned that Mt. Cuba had discussed doing a symposium also and that combining efforts would be a good idea.

Mr. McFarlin from the public audience mentioned that there are so few people that understand what is going on and that the education process is necessary.

Mr. McAvoy, botanist with the Division of Fish & Wildlife noted his list of plant species would be an excellent resource. See minutes below for in depth discussion.

Ms. Nalle from the public audience mentioned that as a business that specializes in selling only native Delaware species, it would be a huge help to have state support and educational handouts for customers.

Ms. Truitt questioned the commission about the economic impact of banning invasive species and how the state would help citizens and businesses with removal of invasive species and supplementing them with non-invasive and native species. Are we including the businesses in our discussions and decisions? Ms. Athey answered that Delaware Nursery and Landscaping Association is not represented on the commission but are aware of it and supports banning invasive species as it would level the field. Businesses that currently do not sell invasive species lose business to those that do sell them. Mr. Saveikis mentioned that free market would help to supplement those with invasive species because only non-invasive or native species would be available.

Mr. Saveikis mentioned that at the last meeting there was discussion of moving forward with legislative but that was yet to be determined how to get there. Mr. Thornton stated that we create a framework towards banning the sale of invasive species with a future date. It would not work to ban sales immediately but if you put a date in the future as to when the ban would take effect, it will garner more support and be possible to achieve. The commission has to provide alternatives and pathways to reach the goal of selling only non-invasive and native species.

Mr. Downing stated that the commission's educational objectives for 2019 should be to establish and hold workshops and education forums throughout the state. Senator Hansen mentioned working with the three Counties to bring them on board as partners. Many groups want to replace the invasive species and create natural, native sites but they run into roadblocks with County codes.

Mr. Downing made a motion, seconded by Ms. Holtz, that the commission charge the education subcommittee to come up with educational seminars for the state. The motion carried unanimously.

Law and Regulations Subcommittee Report

The Law and Regulations Subcommittee met Oct 5th to discuss the task of gathering and reviewing local, state and county laws that impact natural habitats and landscapes in respect to native, non-native and invasive species.

Mr. Petit de Mange, subcommittee chair, noted that there are regulations that hinder the ability of home owners and businesses to develop open space meadows. A review of County Codes is needed to update any lists that may inadvertently contain invasive species on their allowable plant lists. Also needing review are codes relating to mowing and control of grass and weeds. New Castle County has an executive order requiring all new plantings to be native species and that is leading the way. Also there are some municipalities that are not regulated by the county so the subcommittee needs to review their regulations also.

Mr. McCulley discussed inviting representatives from Solitude Lake Management to speak to the subcommittee about its work with homeowner association in promoting ecological balance within the community.

Ms. Holtz discussed how a large scale plan needs to be developed in regard to noxious weeds. Farmers are doing their part to control noxious weeds on their farm properties but the weeds are not controlled on public or private areas so the agricultural community is fighting a losing battle.

The subcommittee's next steps are to have the three counties review their codes to identify areas that impact native species and determine what changes can or should be made. Also, Mr. Petit de Mange will invite a representative from the Office of State Planning Coordination to the next subcommittee meeting to address how local land use regulations may address the protection and promotion of native species.

Mr. Saveikis asked the subcommittee if they assessed the broader impact of invasive species on land use to which Mr. Petit de Mange replied that it will be address with State Planning.

Discussion with Bill McAvoy

Mr. White requested the Mr. McAvoy, botanist with the Division of Fish & Wildlife talk with the commission about his list of invasive plant species in Delaware. The commission wishes to have a definitive list of invasive plant species and Mr. McAvoy has a very comprehensive list available. The Delaware Invasive Species Council (DISC) also has a list of invasive plant species. DISC's list is a smaller list taken from Mr. McAvoy's list. Mr. McAvoy's list is updated yearly, whereas DISC's list is not. However DISC's list is going to be revised in the near future and will also include invasive animal species.

Ms. Athey requested that a user friendly version of the list be made available and Mr. White asked that it be on the portal. Mr. Saveikis remarked that a link to the education portal can be put on the Native Species webpage, which is found within the Division of Fish & Wildlife's website.

Ms. Keuhn, who is also involved with DISC mentioned that they will be looking at noxious weeds and what is sold in the Nursery Trade when revising the new DISC list.

Senator Hansen discussed when a statute is passed banning the sale of invasive species, their will need to be a link to the list of invasive species that will need to be updated through public process so that there can be fines associated with the ban. Mr. Saveikis asked Mr. McAvoy how often is the list updated substantially? Mr. McAvoy answered he updates the list yearly but sometimes only to add one species. Over the course of 5 years, the list could change substantially.

There was discussion on having a list for homeowners, what is being sold versus what is non-native in nature, the need to have the list include animal species and a need to have a definitive list of both plant and animal species.

Mr. Saveikis made a point to not adopt Mr. McAvoy's list in the event Mr. McAvoy retires or his position is no longer funded. Mr. Downing commented that the commission should have protecting funding for positions like Mr. McAvoy's as part of the commission's recommendations.

Mr. White stated he was in favor of using DISC's list when it is revised but will need to revisit this topic again. It was suggested that Marcia Fox, part of DISC be invited to the next meeting.

Annual Report to General Assembly

Mr. Saveikis mentioned that the commission must submit a report to the General Assembly by December 31st. Senator Hansen suggested following the format used by the Task Force. Mr. Thornton requested that an outline of the report be made available for the December 19th meeting.

Public Comment

Public members spoke throughout the meeting. There was no additional comments at this time.

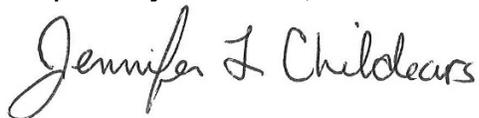
Next Meeting Date and Location

The next meeting is set for December 19th. Location to be determined but will be DNREC's State Street Commons or a conference room at the Kent County offices on Bay Road.

Adjournment

There being no further business, Ms. Athey made a motion, seconded by Ms. Holtz to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 12:00 pm.

Respectfully Submitted,



Jennifer Childears, Administrative Specialist III
DNREC, Division of Fish & Wildlife