

The Canadian Coalition for Invasive Plant Regulation

Presents

Invasive Plant Regulations

- Overview and Recommendations

Cathy Kavassalis Lynne Patenaude Oct. 25, 2023

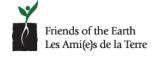




Tree of Heaven (Ailanthus altissima)
Credit Luis Fernández García CC BY-SA 2.1



























Wilmot Hortic Societ



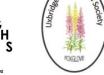






Green\//
Venture





























inspired by nature

Authority

naturalists

A Hamilton Naturalists'

A Healthy Watershed for Everyone

BLUEBAYFIELD

DESIGN



































DON'T































































Mission & Objectives

To protect our economy, environment and public health from invasive plant species, we must:

- Improve policies and legislation.
- Create a national invasive plant database.
- Require all new imports undergo risk assessments.
- Ban the sale and movement of high-risk invasive plant species.
- Require point-of-sale labelling.
- Provide continued and stable funding for public education.
- Incentivize adoption of a voluntary code of conduct



Canada has deemed this plant is an

Invasive Species – Harmful to the Environment

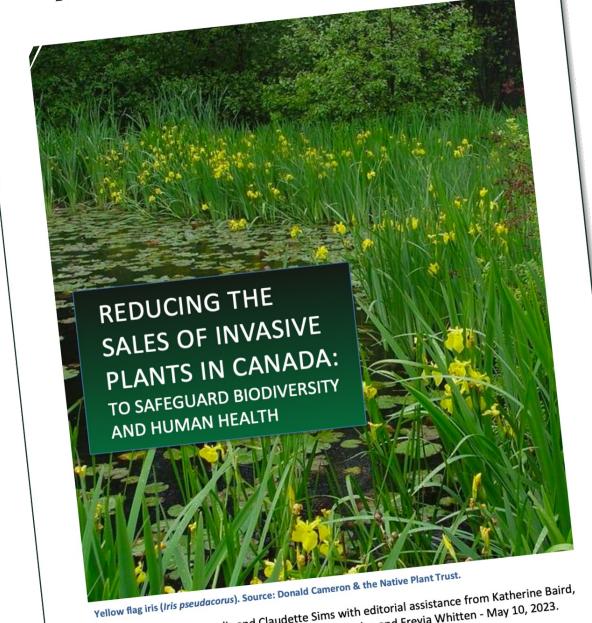
To help prevent the spread of this regulated plant into natural areas:

- Do not place this plant near wild or natural areas
- When possible, deadhead or remove seed debris
- Dispose of plant or plant debris responsibly
- Do not share seeds, seedlings or cuttings with others gardeners

Urgent action is needed

Key learnings

- The ornamental plant trade is the largest pathway for the introduction of invasive plants
- As more invasive plants are sold and spread, damages and costs grow
- Canada, the provinces, and territories do not have the policies, legislative tools, or resource capacity to address the problem
- Invasive plants pose a growing threat to our life support systems from food security to biodiversity to public health



Prepared by Cathy Kavassalis and Claudette Sims with editorial assistance from Katherine Baird, Candi Jeronimo, Lynne Patenaude, Renee Sandelowsky, and Freyja Whitten - May 10, 2023. On behalf of the Canadian Coalition for Invasive Plant Regulation - CCIPR.ca

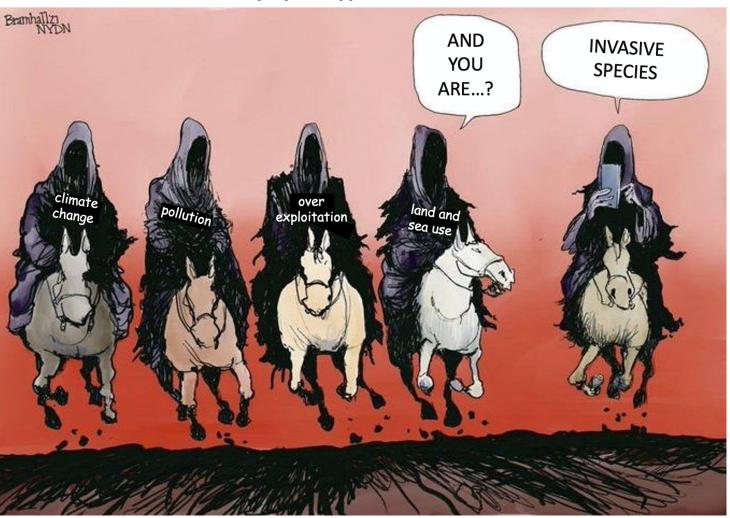
Invasive Alien Species Pose Major Global Threats to Nature, Economies, Food Security and Human Health (IPBES, 2023)

"Invasive species have become one of the five horsemen of the biodiversity apocalypse that is riding down harder and faster upon the world"

(Inger Andersen, UNEP)

Secretariat for the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), "Invasive Alien Species Assessment," 04-09-23.

Drivers of the biodiversity apocalypse



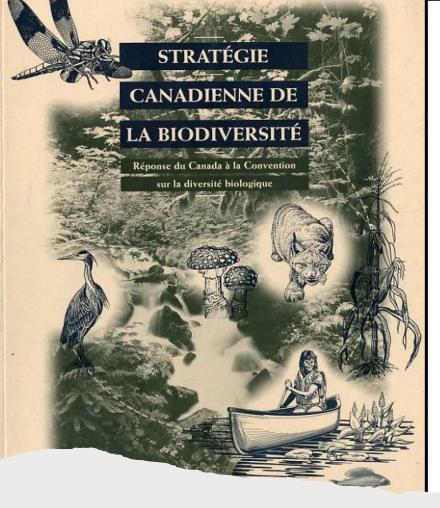
The five horseman. Adapted from Bill Bramhall/NYDN

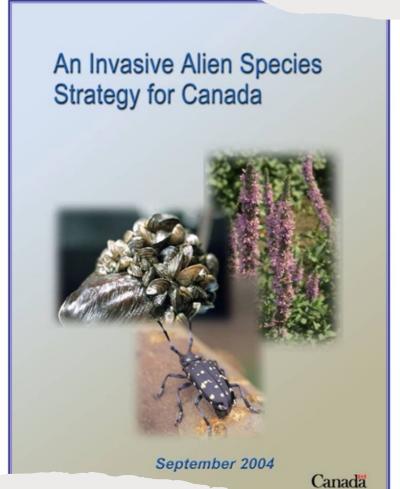
Kumning-Montreal Global Biodiversity Framework (2022)

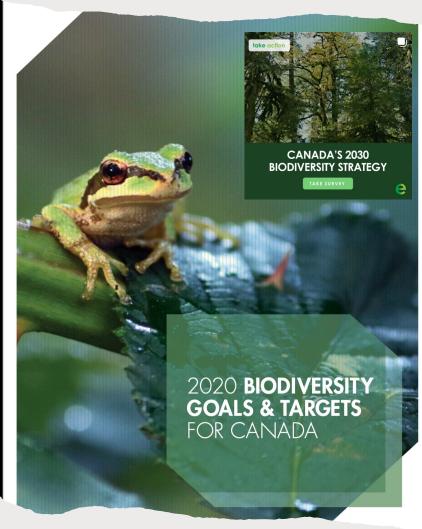
To protect biodiversity, we must

Reduce the rates of introduction and establishment of non-native invasive species by at least 50 percent, by 2030.

How are we going to achieve this goal?





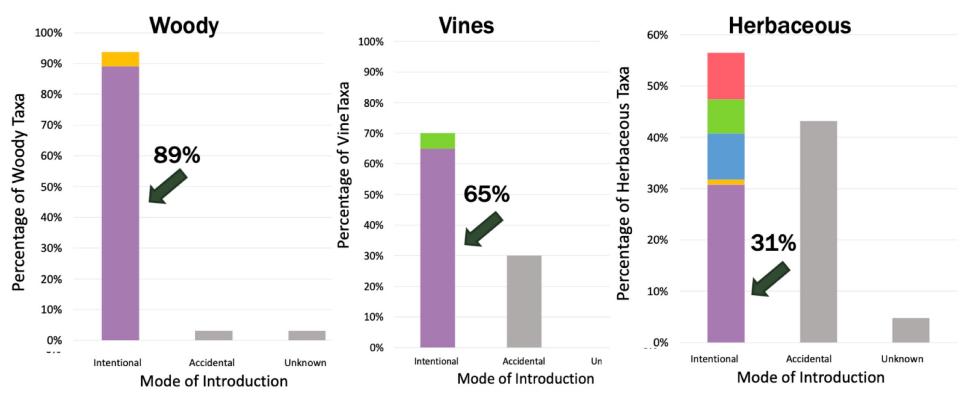


Canada's strategy to protect biodiversity from invasive species

Identify Pathways and Close Them

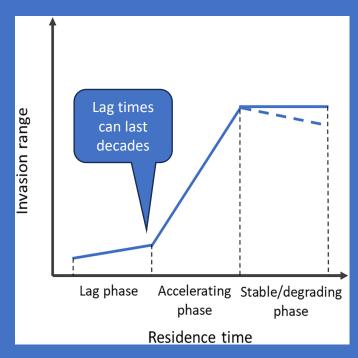
The ornamental trade is the largest source of invasive plants worldwide*





Origin of Invasive Plants in Midwestern North America – Credit: Culley, T., et al. 2021.





Ni, Ming. (2022). Herbarium records reveal multiple phases in the relationship between minimum residence time and invasion ranges of alien plant species. Plants, People, Planet.

"We should control the population sizes of these species before they reach a tipping point" (Ming Ni, 2022)

Classical Invasion Curve

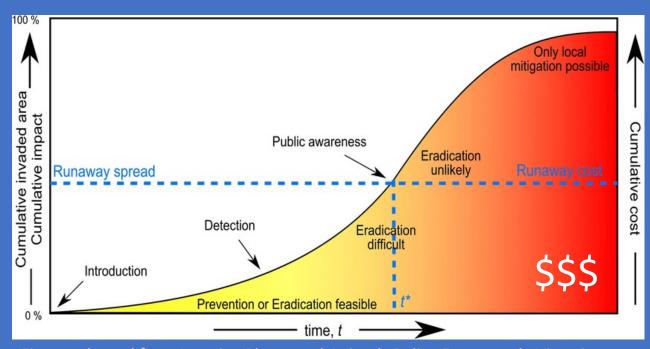


Figure adapted from Invasive Plants and Animals Policy Framework, Victorian Government (2010) in Ahmed, et al. (2022). Managing biological invasions: the cost of inaction. Biological Invasions. 24.

Costs to Agriculture

2.2\$ billion annually

Reducing the impact on agriculture has been the focus of federal regulatory action

(CFIA, 2008)



Photo: Thinkstock

Costs are Massive and Under-reported (Haubrock, 2022)

Under-reported costs include loss of biodiversity

Loss of biodiversity



Phillip Haubrock, Haubrock, Phillip. 2022. Using the InvaCost project to infer implications of monetary impacts of Invasive alien species in Canada. Invasive Species Centre Conference Feb 1 Session 1-B.

Legal jurisdiction for regulating invasive plants is unclear

Primary federal players:

ECCC

- Biodiversity mandate
- Manages– Species at Risk
- Manages CEPA assesses risks to biodiversity
- Regulates harmful organisms, but not invasive plants

DFO

• Aquatic Invasive Species Regulations does not regulate invasive aquatic plants at present

CFIA

 Regulates invasive plants that impact plant health, but does not have a clear mandate to protect biodiversity, waterways or human health under the *Plant Protection* Act (PPA) or the Seeds Act Invasive ornamental plants flow through the legislative gaps

- The CFIA categorizes very few ornamental IAPs as 'pests'
- DFO is unclear if it is responsible for regulating aquatic invasive freshwater plants (Auditor General 2019)
- ECCC hasn't considered regulating invasive plants under CEPA







Canadian Invasive Plant Framework

developed by CFIA in 2011

Source: CFIA. 2011.

Canadian Invasive Plant

Framework A Collaborative

Approach to Addressing

Invasive Plants in Canada

Government of Canada (CFIA)

Invasive plants not yet in Canada or present but **not widely distributed**, and being **under official control**

Prevention, Early Detection, Rapid Response, Management, Education and Awareness

Non-government Stakeholders

Activities to prevent, detect, and manage invasive plants

Provincial,
Territorial, &
Municipal
Governments
sive plants established

Invasive plants established in Canada, and preventing new incursions



"A Collaborative Approach to Addressing Invasive Plants in Canada"

Government of Canada (CFIA)

Invasive plants not yet in Canada or present but not widely distributed, and being under official control

Prevention, Early Detection, Rapid Response, Management, **Education and Awareness**

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Invasive plants established in Canada, and preventing new incursions

Source: CFIA. 2011. Canadian Invasive Plant Framework A Collaborative Approach to Addressing Invasive Plants in Canada





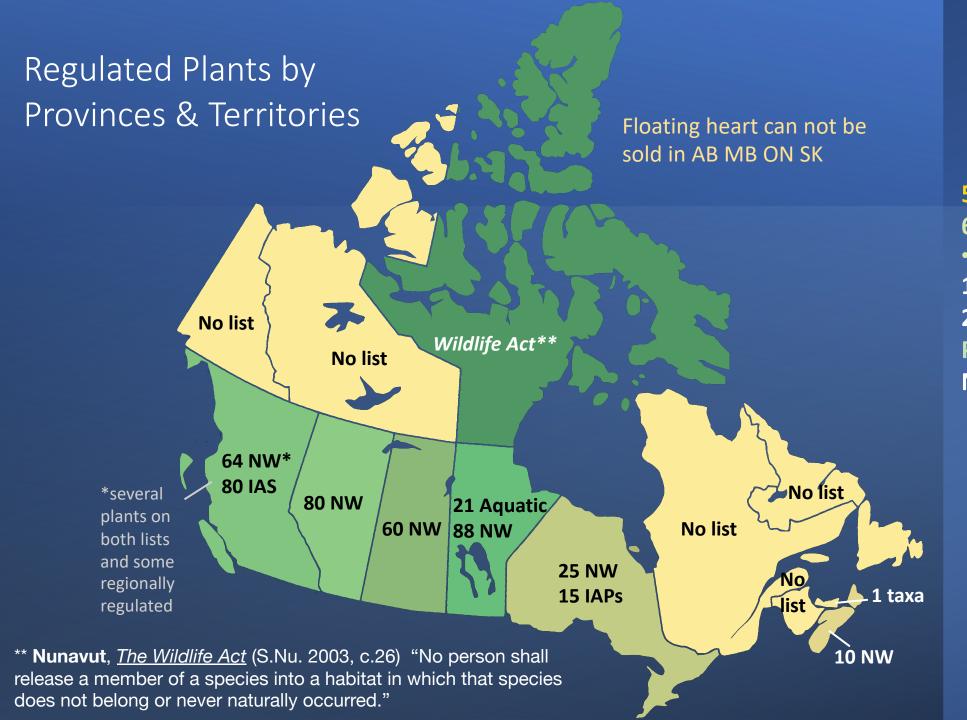
Floating heart

Nymphoides peltata

was assessed by CFIA

and not regulated

- "The overall risk associated with yellow floating heart is calculated to be "HIGH", . . . it is recommended that the importation and sale of yellow floating heart in Canada be prohibited." (CFIA, 2008). Sales were not prohibited.
- DFO assessed it as HIGH risk of becoming a MAJOR INVADER in Canada (Gantz et al, 2014).
- Under the AIS Regulation it is prohibited for any person to introduce a non-indigenous aquatic species into a particular region or body of water frequented by fish. This does not prohibit sales.



5 have no lists
6 Noxious Weeds Acts
native/non-native
1 Aquatic Species Act
2 IAS legislation
PE with 1 taxa
NU Wildlife Act

Problems: lack of knowledge and information, uncertainty about distribution and impacts, lack of clear legal jurisdiction, lack of resources.

Nova Scotia Agricultural Weed Control Act

Common name	Scientific name	Area		
Velvetleaf	Abutilon theophrasti			
Wild parsley; wild chervil	Anthriscus sylvestris	Ornamental 'Ravens wing'		
Common milkweed	Asclepias syriaca	Native		
Field bindweed	Convolvulus arvensis			
Yellow nutsedge	Cyperus esculentus	WARNING		
Thorn-apples; angel's trumpet	Datura spp.	Ornamental species		
Leafy spurge	Euphorbia esula			
Tansy ragwort	Jacobaea vulgaris			
White campion	Silene latifolia			
Marsh woundwort	Stachys palustris	Ornamental water gardens		

NS Weed Control Act
addresses threats to
agriculture
not biodiversity or health

An inspector can order the removal of listed weeds if they are likely to spread to cultivated or pastureland

B.C Regulations

Weed Control Act WEED CONTROL REGULATION B.C. Reg. 66/85

Protects agricultural crops and livestock from noxious weeds

- 38 Provincial Weeds
- 27 Regional Weeds

SPHERES OF CONCURRENT JURISDICTION — ENVIRONMENT AND WILDLIFE REGULATION B.C. Reg. 144/2004

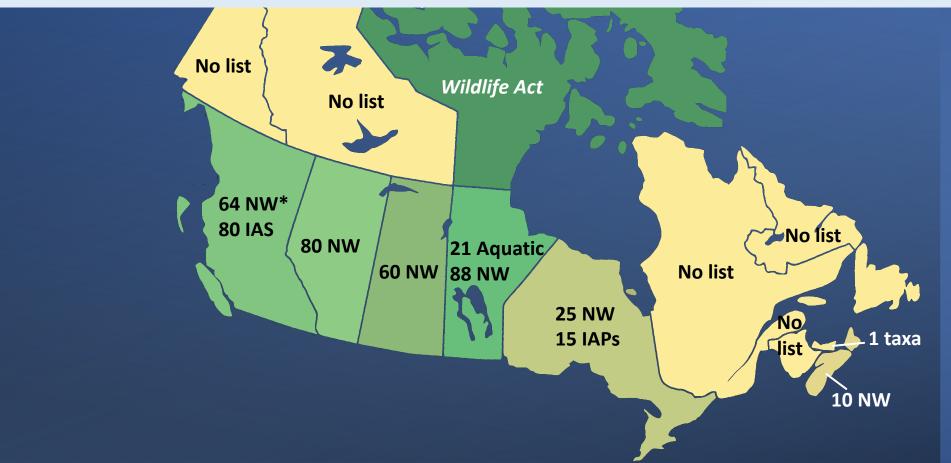
Identifies IAS that may be regulated by municipalities

 IAS listed in the Schedule include Plants, Terrestrial Vascular Plants, Fresh Water/Riparian Vascular Plant

It is unclear how plants are distinct from vascular plants or why only common names are listed in in parts of the Schedule– e.g., Baby's breath

Invasive plants don't respect borders.

Federal leadership is required for the public good, clarity, fairness and equity.





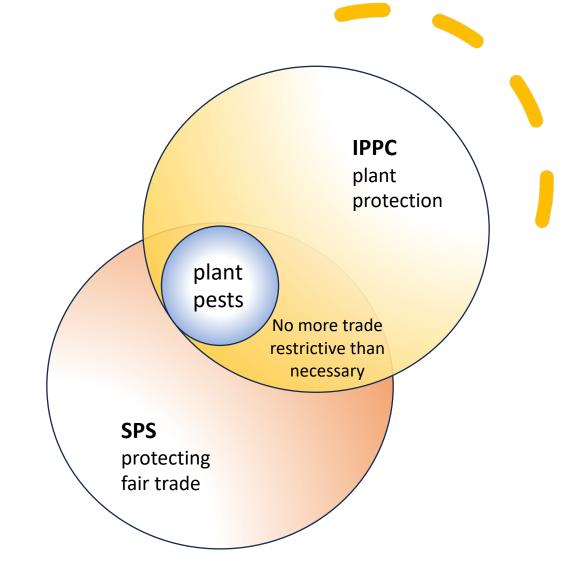
Around the globe, legislation has been developed to reduce the sales of invasive ornamental plants

Maine targets the horticultural industry and prohibits the sale of 63 terrestrial invasive plants and 11 aquatic plants



CANADA PROTECTS TRADE OF INVASIVE ORNAMENTAL PLANTS

Canada is failing to meet its obligations under *Convention on Biological Diversity* (CBD)



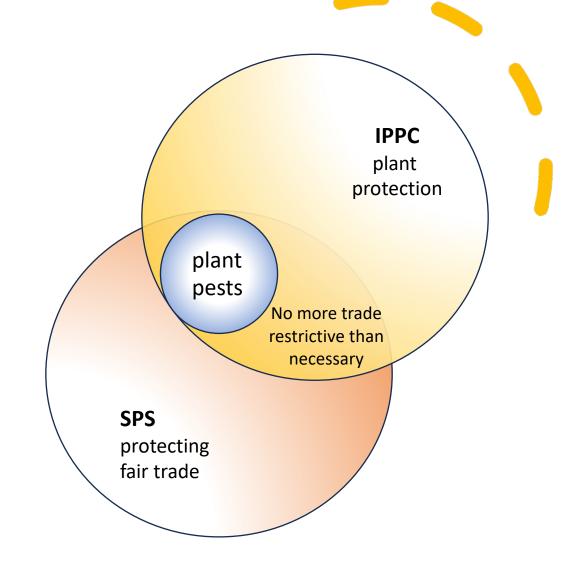
CBD

protecting biological diversity Overlapping mandates of the IPPC, WTO-SPS, CBD and Cartagena Protocol (CP) (source: Breithaupt & Nowell, 2006: slide 11) Adapted from Smith, Richard & Gudbjorg, Inga & Aradottir, Alastair & Taylor, Christopher & Lyal, Chris. (2008). Invasive Species Management – What Taxonomic Support Is Needed.

TO MEET INTERNATIONAL OBLIGATIONS UNDER CBD

Canada must

- Align the IPPC, SPS with the CBD
- The IPPC and Standards and Trade
 Development Facility called upon signatories to
 the IPPC and SPS to modernize their policies
 and legislation to address invasive alien species
 (2013)
 - Assess environmental concerns in economic terms (new ISPM guidelines)
 - Properly interpret the term "widespread"
 - Draft legislation to explicitly protect biodiversity, waterways, and public health



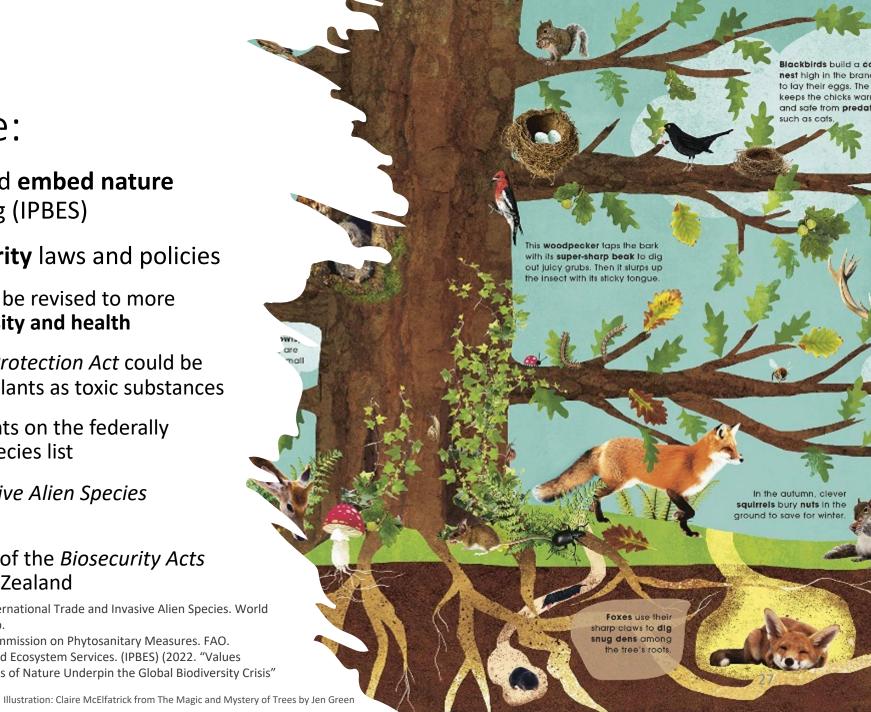
Overlapping mandates of the IPPC, WTO-SPS, CBD and Cartagena Protocol (CP) (source: Breithaupt & Nowell, 2006: slide 11) Adapted from Smith, Richard & Gudbjorg, Inga & Aradottir, Alastair & Taylor, Christopher & Lyal, Chris. (2008). Invasive Species Management – What Taxonomic Support Is Needed.

Models for change:

- Recognize nature has value and embed nature valuation into decision-making (IPBES)
- Enhance or draft new **biosecurity** laws and policies
 - ➤ The *Plant Protection Act* could be revised to more explicitly **protect the biodiversity and health**
 - ➤ The Canadian Environmental Protection Act could be expanded to include invasive plants as toxic substances
 - ➤ DFO could include aquatic plants on the federally prohibited Invasive Aquatic Species list
 - Canada should create an *Invasive Alien Species*Regulation as the EU has done
 - ➤ Canada should utilize features of the *Biosecurity Acts* developed in Australia or New Zealand

STDF (Standards and Trade Development Facility). (2013) International Trade and Invasive Alien Species. World Trade Organization. FAO, OIE, WHO, WTO, World Bank Group.

IPPC. 2005. Report of the Seventh meeting of the Interim Commission on Phytosanitary Measures. FAO. Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. (IPBES) (2022. "Values Assessment - Decisions Based on Narrow Set of Market Values of Nature Underpin the Global Biodiversity Crisis"



EU Regulation on Invasive Alien Species 1143/2014

- To prevent, minimize and mitigate the adverse impacts posed by invasive species on native biodiversity and ecosystem services
- To limit social and economic damage
- IAS of Union Concern can not be sold, transported, grown, or cultivated . . .

Regulation applies to:

All invasive alien species (IAS)*

- Introduced outside natural range
- Live specimens that may reproduce
- Adversely impact biodiversity and related ecosystem services

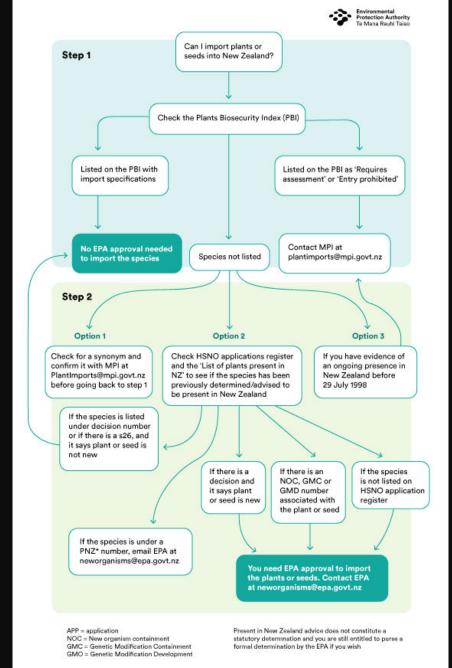
Listing criteria:

- Alien to the Union (exc. outer regions)
- Capable of establishing & spreading in
 2 Member States or 1 marine region
- Adverse impacts to biodiversity & ecosystem services
- Risk Assessment shows concerted action at Union level required
- Inclusion on the Union List will effectively prevent, minimise or mitigate impacts

List of IAS of Union concern

All new nursery introductions should require risk assessment

- A database of approved plant species.
- Cost recovery fee for risk assessments of new organisms.
- All new plants:
 - must not establish a self-sustaining population (taking into account ease of eradication).
 - must not displace or reduce a valued species.
 - must not cause deterioration of natural habitats.
 - must not be a disease-causing or be a vector for human, plant or animal disease.
 - must not have any adverse effects on human health and safety or the environment.



Risk Assessments

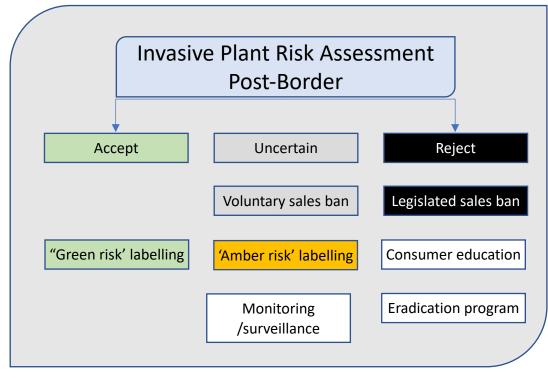
Pre-Border

All <u>new</u> plant species should be assessed before import approval

Post-Border

- Stop the sale of high-risk plants
- Label plants with uncertain risk

Integrating IAS policies across ornamental hort. supply-chains

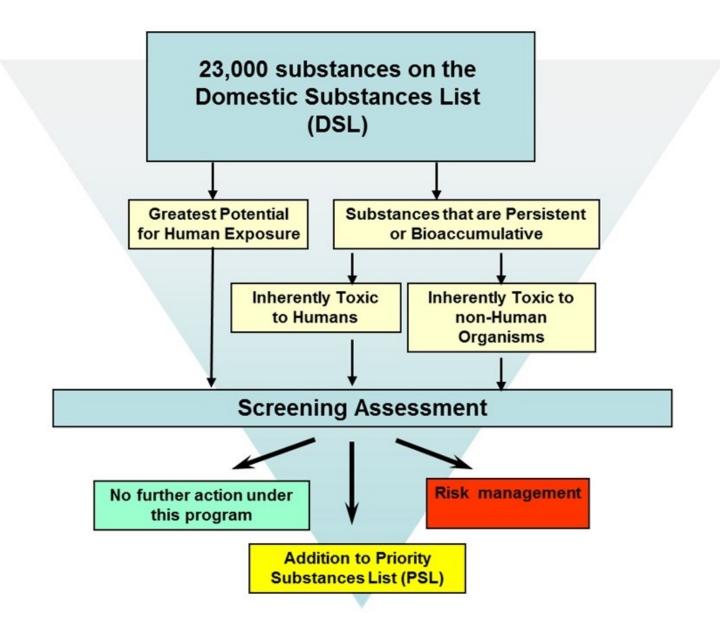


Adapted from Hulme et al (2017). Bio-Protection Research Centre, New Zealand

^{*}From a list of high-priority potential sleeper species in the northeastern U.S from Regional Invasive Species & Climate Change (RISCC) (O'Uhuru, 2022).

ECCC model for prioritization & assessment

- All new substances not on the Existing Substances List are evaluated
- 23,000 existing substances required assessment under the Canadian Environmental Protection Act (CEPA)
- By 2006, 4,363 priorities identified
- All risk assessment and management information is available in a database



Should invasive plants be regulated under CEPA?

Toxic substances

- (a) have or may have an immediate or long-term harmful effect on the environment or its biological diversity;
- **(b)** constitute or may constitute a danger to the environment on which life depends; or
- (c) constitute or may constitute a danger in Canada to human life or health.

Invasive plants meet this criteria

1379 is a small number compared to 23 000!

- There are 5 324 known species of vascular plants in Canada
- 1379 are non-native*
- These should be evaluated
- A database created transparent and accessible



^{*}Canadian Endangered Species Conservation Council. 2022. *Wild Species 2020: The General Status of Species in Canada*.

National General Status Working Group: 172 pp. https://mail.google.com/mail/u/1/#inbox/FMfcgzGsnLPVTvgJbnQlNsMtFdGhBjfg

A National IAS Database is essential

- taxonomic information
- the history and ecology of invasion (e.g., pathways for introduction, distribution)
- the biological characteristics
- potential Impacts
 - > an assessment of impacts to the market economy
 - > an assessment of biodiversity impacts at the ecosystem, species, and genetic level
 - > an assessment of public health and socio-cultural impacts
 - > consideration of impacts to keystone species and endangered species or habitats,
- the potential effects of future climate scenarios on distribution and impacts
- management options

Risk-assessments underpin decision-making by land managers, policy makers, industry leaders, and consumers



CFIA lists Weed Risk Documents, but assessments (WRAs) must be requested

- The CFIA Risk Assessment Process is not transparent or easily accessible
- Purple loosestrife (*Lythrum salicaria*) is not listed?
- 433 WRA documents listed
 - 20% assessed
 - 6% have RMDs
 - 29 regulated taxa (70% agricultural)
 no aquatic plants (Database accessed 10-16-23)

List of available weed risk analysis documents prepared by CFIA

Filter items		Showing 1 to 25	wing 1 to 25 of 433 entries Show 25 \$ entries					
Species 🕕	Categoriza 1	Weed Ris	3	Present in Canada	Plant Hardiness	Impact Potential (most representative)	Regulated (Plant Protection Act)	
Abies homolepis	Yes	No	No	Only in cultivation	6	Not assessed	No	
Abies sibirica	Yes	No	No	Only in cultivation	1	Not assessed	No	
Acanthospermum australe	Yes	No			8	Anthropogenic	No	
Achillea santolina	Yes		What mak ist? It is no			Not assessed	No	
Achyranthes aspera	Yes	No			7	Environmental	No	
Achyranthes japonica	Yes	Yes	No	Yes	5	Environmental	No	
Acroceras zizanioides	Yes	No	No	No	10	Environmental	No	

Impact potential: 41% agricultural / 35% environmental/ 1.3% aquatic / 1% anthropogenic / 22% not assessed

How do we begin to prioritize plants to be assessed?

 Potential high-risk plants identified by authorities (CFIA, DFO, plant councils . . .)

 Plants regulated by U.S. Border states

27 plants assessed by CFIA are regulated by border states – **Are these plants falling through gaps in Canadian policy and legislation?**

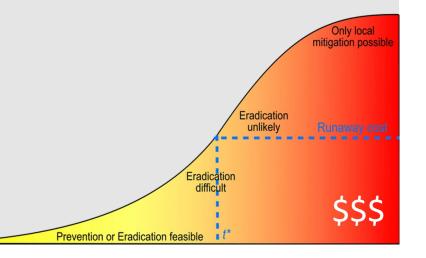


49 Ornamental plants were Identified as invasive in CFIA's 2008 Invasive Alien Plants of Canada report

- Amur maple
- Flowering rush
- Sweet Autumn clematis
- Burning bush
- Baby's breath
- Common privet

• . . .

sales continue spread accelerates costs rise



A few examples of high-risk ornamental species that should be nationally regulated

Common name	Scientific name	Province or territory	Regulated in U.S. border states (bs) plus others	CFIA WRA	# bs
Tree of heaven	Ailanthus altissima	AB	ME MN NH OH PA VT WA WI	Pending	8
Japanese Barberry	Berberis thunbergii	CAN*	ME MN NH NY PA VT WI	Pending?	7
Yellow flag iris	Iris pseudacorus	AB BC MB NU SK	ID ME MN MT NH NY OH VT WA WI plus CT, IL, IN, MA, MD, OR	No	10
Amur honeysuckle	Lonicera maackii		ME MN NH NY OH PA VT WI	No	8
Parrot's feather	Myriophyllum aquaticum	MB ON NU	ID ME MI MN MT ND NH OH PA VT WA WI plus AL, CA counties, CO, CT, IL, IN, MA, NE, OR, PR	No	12
Yellow floating heart	Nymphoides peltata	AB MB ON NU SK	ID ME MI NH NY OH PA VT WA WI plus CT, FL, IL, IN, LA, MA, NC, NE, OR	Yes - no fed action	10

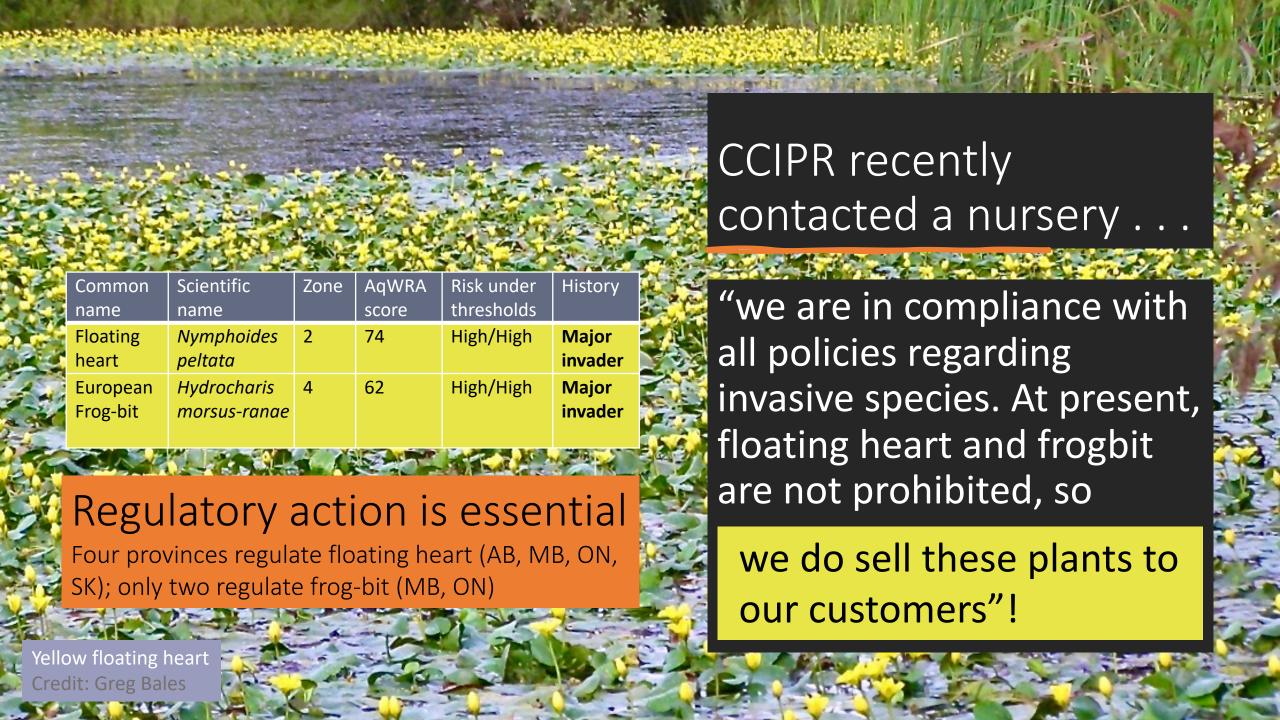
^{*}Canada prohibits Japanese barberries that are host to black stem rust. 11 resistant cultivars are sold.



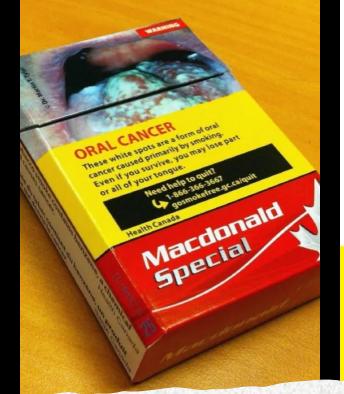
Education and voluntary action can help . . .

The gardening public, industry, land managers, and policy makers want and need authoritative lists











Highly flammable



Point of sale labelling

- Plants are products
- Consumers have a RIGHT TO KNOW plants can cause harm
- Labels should inform how to prevent that harm





Point of sale labelling

For plants like burning bush, New York requires plant tags to state:

Harmful to the Environment

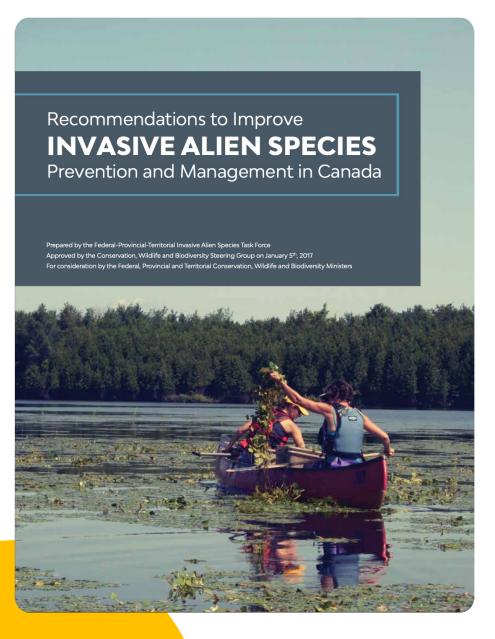
Recommend alternative species

Consider Virginia sweetspire

Planting cautions

Do not place this plant near natural areas; Deadhead; Do not share

BURNING BUSH, WINGED EUONYMUS, WINGED SPINDLE TREE EUONYMUS ALATUS



Priority Actions

- National IAS Database
- Improved legislation
- National coordination
 FPT-IAS Taskforce, 2017



The solutions

To protect our economy, environment and public health from invasive plant species, we must:

- Improve policies and legislation.
- Create a national invasive plant database.
- Require all new imports undergo risk assessments.
- Ban the sale and movement of high-risk invasive plant species.
- Require labelling.
- Provide continued and stable funding for **public education**.



li A

Canada has deemed this plant is an

Invasive Species – Harmful to the Environment Alternatives include: ...

To help prevent the spread of this regulated plant into natural areas:

- Do not place this plant near wild or natural areas
- When possible, deadhead or remove seed debris
- Dispose of plant or plant debris responsibly
- Do not share seeds, seedlings or cuttings with others gardeners

Please implement our call for national action

- Rather that spending countless dollars MOPPING UP THE MESS
- TURN OFF THE FAUCET
- Close the primary pathway for invasive plants via the horticultural and pet/aquarium trades



