

FINAL

**STATEMENT OF  
ROBERT LEWIS, DEPUTY CHIEF FOR RESEARCH & DEVELOPMENT  
USDA, FOREST SERVICE  
Before the  
Subcommittee on Forestry, Conservation, and Rural Revitalization  
Committee on Agriculture, Nutrition, and Forestry  
United States Senate  
Concerning S. 910  
The Noxious Weed Coordination and Plant Protection Act**

**May 18, 1999**

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

Thank you for the opportunity to present the views of the Forest Service concerning S.910, a bill to streamline, modernize, and enhance the authority of the Secretary of Agriculture relating to plant protection and quarantine. We support this legislation and urge the Committee to codify the whole of Section 2 of E.O. 13112. To this end, we support the amendment offered by Senator Akaka.

We appreciate the focus that S. 910 brings to the critical issue of non-native invasive species threatening the sustainability of forest and rangeland ecosystems in the United States. The introduction of non-native invasive species generally negatively affect native forests and rangelands; they increase incidents of rangeland wildfires, increase erosion and generally lower the value of the land. The spread of non-native invasive species leads to the loss of biodiversity and ecosystem function.

For example, pathogens such as the chestnut blight fungus, which has destroyed virtually every chestnut stand, have changed the forested landscape in America forever. New pathogens such as beech bark disease pose similar threats, while the recent introduction of the Asian longhorned beetle highlights the threat to forest resources from non-native invasive insects. Noxious and invasive plants such as yellow starthistle, leafy spurge, and spotted knapweed have spread over hundreds of thousands, if not millions of acres, causing both economic and ecological disasters and affecting both private and public landowners.

The Forest Service uses an integrated program to address non-native invasive insects, pathogens, and plants across all landownerships. Our agency is actively engaged in research and development, technology transfer, and direct support to State and private landowners, as well as management of Federal lands to address plant pest and noxious weed problems. We support the prevention of entry of non-native invasive species through risk assessments and research on pathway analyses. Our management efforts focus on detection and control, monitoring, and restoration.

While the Forest Service is very pleased with the opportunities under this legislation to combat plant pests and noxious weeds more aggressively, we do have some technical concerns to note for the Committee's consideration.

We support the definition of noxious weed in section 3(14) of the bill as it applies to APHIS's regulatory authorities. However, Forest Service management of noxious weeds and cooperation with state partners is authorized by section 15 of the Federal Noxious Weed Act of 1974, a provision this legislation leaves intact. It is important for the Forest

Service that the definition of noxious weed continue to be the definition applicable to section 15.

We ask the Committee to consider a provision to allow importation of biological control organisms when evaluation of the organisms indicate unrestricted entry is merited. This is similar to the bill's provision for listing biological control organisms to ease interstate movement when these organisms are not prohibited or restricted.

This proposed legislation provides strong positive direction that is much needed for addressing the serious threat of non-native invasive species. The Forest Service sees S.910 as a major improvement over existing authorities. In particular, we note the value of the following changes:

- (1) increasing the civil penalties to make the importation of plant pests and noxious weeds and non-native invasive plants economically undesirable;
- (2) adding the ability to confiscate offspring or product of the plant pests and noxious weeds that have been imported illegally and are identified as being undesirable;
- (3) recognizing that permitted biological control agents, after undergoing thorough testing, are beneficial and may be introduced into the US environment;
- (4) adding a provision that allows the Secretary to create a list of biological control organisms for which interstate movement is not restricted or prohibited, and allowing the option to petition the Secretary to add or remove biological control agents from this list;

(5) adding a provision that allows the Secretary to create an official list of noxious weeds for exclusion and providing the option for petition to add or remove a plant species from the list; and

(6) recognizing under Title IV the value of enhanced federal coordination related to non-native invasive species.

In summary, Forest Service supports this bill. It will help clarify and increase the ability of the Agency to manage its noxious weeds and non-native invasive species program, and to work more effectively with our partners. We will be glad to work with the Subcommittee to resolve the minor technical matters we have discussed.

This concludes my statement. I would be happy to answer any questions you might have.