

Operational Guidance For the Mississippi River Basin Panel On Aquatic Nuisance Species



Prepared by

**Mississippi River Basin Panel on Aquatic Nuisance Species
P.O. Box 774
Bettendorf, IA 52722**

Adopted July 15, 2006

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INTRODUCTION

The Mississippi Interstate Cooperative Resources Association (MICRA), an interstate entity with membership of 28 state departments of conservation and natural resources in the Mississippi River Basin is hosting the Mississippi River Basin Panel on Aquatic Nuisance Species (MRBP) under the guidance of the National Aquatic Nuisance Species (ANS) Task Force. The MRBP was formed by MICRA in 2003 and this Operational Guidance was prepared by Panel members to guide MRBP operational procedures into the future. It includes (1) brief background information on nonindigenous aquatic nuisance species in the Mississippi River Basin, (2) a framework for developing and implementing an MRBP work program; (3) MRBP operational procedures; and (4) suggestions for securing requisite funds for carrying out the spirit and intent of Section 1203, Public Law 101-646 (the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 as amended by the National Invasive Species Act of 1996) - See Appendix A.

BACKGROUND ON HARMFUL AQUATIC NUISANCE SPECIES AND PATHWAYS OF INTRODUCTION

Twenty-three of MICRA's 28 member states reported 149 aquatic nuisance species in the Mississippi River Basin during a 1999 survey. These included 56 plants, 16 invertebrates, 75 fish, 1 amphibian and 1 mammal. Invasion of aquatic nuisance species can occur through many pathways. These include connections between waters and watersheds; escape from aquaculture facilities; aquarium and live bait releases; horticultural and water garden aquatic plant sales and use; attachment to barges; and attachment to boats, trailers and other water/outdoor recreation equipment.

The sanitary and shipping waterways that connect Lake Michigan with the Illinois River in Chicago are an especially troublesome pathway through which aquatic nuisance species can move between the Great Lakes and Mississippi River basin ecosystems. This was the pathway

that allowed zebra mussels and round gobies to invade the Mississippi River Basin, and now appears to be the route that the river herring and other aquatic nuisance species of the Great Lakes may follow as they expand their ranges into the Mississippi River Basin.

An equally troubling aquatic nuisance species problem presently plaguing the Mississippi River Basin is the invasion of four species of Asian carp. These nuisance species were introduced into the waters of southern U.S. states in the 1970's and 80's by and for aquaculture interests (i.e., catfish farmers) as biological controls for aquatic vegetation, plankton blooms and snails. Three of these carps escaped captivity or were intentionally or accidentally released to the wild and are now reproducing and spreading northward throughout most of the rivers of the Upper Midwest. This northward colonization now also threatens the Great Lakes via the same pathway that Great Lakes invasives are entering the Mississippi River Basin (i.e., the sanitary and shipping canals in the Chicago area). Effective control measures (i.e. barriers and treatment of diversion waters) are needed to block such pathways of infestation. Additionally, controls are needed to better regulate introduction of exotic species into the U.S. in the first place, and to control their use as aquarium/baitfish and transport between states and watersheds once they are here.

The best defense against aquatic nuisance species invasions is prevention. Once an invasion occurs, and a species becomes established, it is usually impossible to achieve complete eradication. Control measures are also usually very expensive, and require widespread cooperation to be effective. Regional panels on aquatic nuisance species provide one mechanism to coordinate cooperative actions over wide geographic areas or watersheds involving all stakeholders and interests (i.e., Federal, State and local agencies; economic interests; environmental interests; etc.). The latter is what makes the Regional Panels more comprehensive in scope than the previously existing MICRA Aquatic Nuisance Species Committee. Additionally, MICRA presently is not recognized by Congress under any formal statute, and holds no regulatory authority. MICRA does, however, offer the only known basinwide coordination mechanism in the Mississippi River Basin, and therefore provides a logical focal point for hosting the MRBP. Under such arrangement, MICRA is charged with carrying on the day to day operations of the MRBP. Partial funding for operations and staff is provided by the ANS Task Force.

REGIONAL PANELS ON AQUATIC NUISANCE SPECIES

Public Law 101-646 (The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990) had several purposes:

- to prevent unintentional introductions;
- to coordinate research, control, and information dissemination activities;
- to develop and carry out environmentally sound control methods;
- to minimize economic and ecological impacts; and
- to establish a research and technology program to benefit state governments.

Section 1204 of the act allows states to prepare comprehensive state and interstate aquatic nuisance species control plans that describe state and local programs; identify needed federal programs; and provide a schedule for plan implementation. Approved plans are eligible for federal grants, with no less than a 25% state cost-share.

Establishment of Regional Panels

Section 1203 of the act (Appendix A) provides direction for regional panels to be established by the national ANS Task Force:

“The Task Force shall -- (1) encourage the development and use of regional panels and other similar entities in regions other than the Great Lakes and western regions (including providing financial assistance for the development and use of such entities) to carry out, with respect to those regions, activities that are similar to the activities described in subsection (a) and (b); and (2) cooperate with regional panels and similar entities that carry out the activities described in paragraph (1).”

Panel Membership

Section 1203 also provides direction for panel membership to include “representatives from federal, state and local agencies and from private environmental and commercial interests.”

Panel Responsibilities

The act established six responsibilities for regional ANS panels:

- identify priorities;
- make recommendations to the National ANS Task Force;
- assist the National ANS Task Force in coordinating federal programs;
- coordinate non-federal programs within the region;
- advise public and private individuals; and
- submit an Annual Report to the National ANS Task Force describing the various activities underway.

Another important task which was not specifically listed by the Act is to develop an emergency response strategy for use by Federal, State, and local entities in stemming the invasions of aquatic nuisance species.

FRAMEWORK FOR MRBP IMPLEMENTATION

The design and conduct of MRBP activities is guided by the following objectives.

- Participation by all diverse interests in the basin will be maximized to ensure that Section 1203 goals and responsibilities are fully addressed.
- The MRBP will not duplicate or replace ongoing ANS efforts; rather it will build upon and showcase them.
- The MRBP will adopt a consensus-based approach in priority-setting and all related decision making activities. The consensus-based approach is defined here as follows: Every attempt will be made by the MRBP to reach consensus on any decision making situation. However, in the event that consensus cannot be reached, a vote will be taken, with minority opinions expressed as deemed necessary by the MRBP.
- The MRBP will serve as a coordinator, catalyst and convener, relying upon its membership and other cooperators for the conduct of most program activities (e.g., research, public information, outreach, etc.).

- The MRBP will provide basinwide clearinghouse/referral services.

Completion of all of these objectives will, of course, be limited by the amount of funding (federal and member) and in-kind contributions and services made available to the MRBP. On the basis of the above objectives, the following discussion presents key aspects in Section 1203 implementation for the MRBP.

Membership

Section 1203 provides limited guidance in establishing membership, calling only for the convening of a panel of "..... representatives from Federal, State and local agencies and from private environmental and commercial interests..." However, a careful balance must be struck to ensure that the MRBP is both broad in representation and yet manageable in size. To achieve this, a two-tiered approach will be employed:

- MRBP members will be drawn from key agencies/organizations pursuant to the "categories" of interest identified in Section 1203.
- MRBP observers will also be identified and will have the opportunity to contribute fully to MRBP discussions. They will not, however, have an official vote on any MRBP recommendation or decision related action. An agency or organization will be designated as an observer (as opposed to a member) if:
 - 1) Section 1203 does not provide for direct membership of the subject agency or organization;
 - 2) the subject agency's or organization's category of interests (e.g., environmental, commercial) is already adequately represented on the MRBP; or
 - 3) the agency's or organization's role in aquatic nuisance species research, control and monitoring is comparatively limited.

In the interest of maintaining functional size, MRBP membership policy will dictate that, where available, associations or other "umbrella" groups will be requested to designate a single individual to represent all members within the group's association (i.e., aquaculture association, towing industry, etc.).

The proposed membership arrangement is as follows (See Figure 1):

Federal - One member each from the U.S. Fish and Wildlife Service; National Oceanic and Atmospheric Administration; U.S. Coast Guard; U.S. Army Corps of Engineers; U.S. Environmental Protection Agency; USDA/Forest Service; National Park Service; and the USDA/Animal and Plant Health Inspection Service.

State - One member each from the Mississippi River Basin states' natural resource agency charged with management and control of aquatic invasive species.

Regional - One member each from the Upper Mississippi River Conservation Committee, Lower Mississippi River Conservation Committee, Missouri River Natural Resources Committee, Ohio River Fish Management Team, Tennessee River Management Team, Arkansas/Red River Management Team, and MICRA.

Tribal Authorities - One member each (a total of five) representing the tribal interests of the five major sub-basins (Upper Mississippi, Lower Mississippi, Missouri, Ohio and

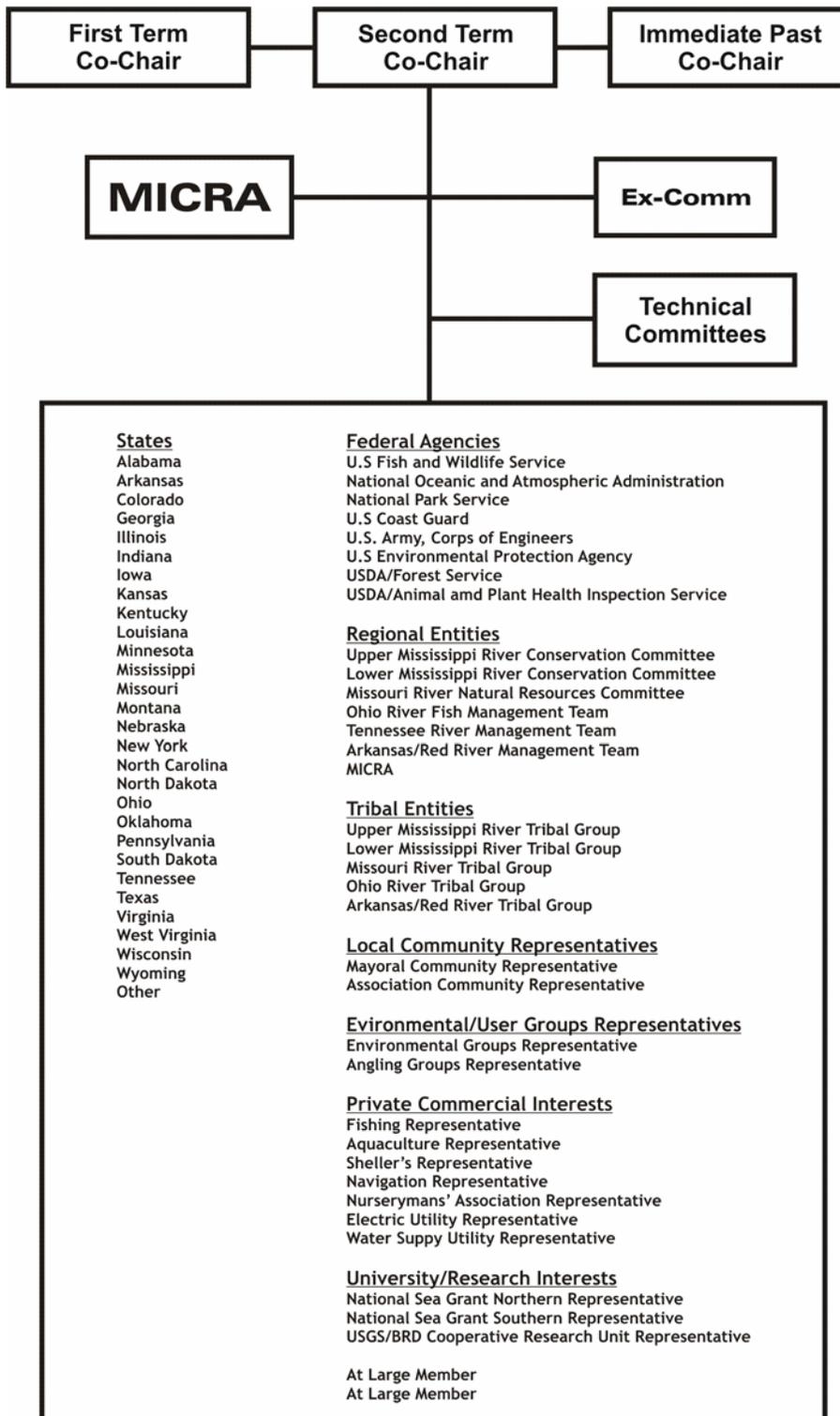


Figure 1. MRBP Organizational Chart.

Arkansas/Red) in the Mississippi River Basin.

Local - Two members representing mayoral, chambers of commerce or waterfront owners associations in the Mississippi River Basin.

Private Environmental/User Groups - Two members representing the angler and environmental interests of the Mississippi River Basin.

Private Commercial - One member representing each of the following commercial interests: fishing; aquaculture, baitfish, and aquarium trades; nurserymen's association; shellers; navigation; electric utility; and water supply.

University/Research - Two members from the National Sea Grant College Program (one from the northern half and the other from the southern half of the Basin), and one member from a USGS/Biological Resources Division Cooperative Research Unit.

At Large - Anyone possessing a special expertise, interest, significant reason, or advisory capability may be elected by the MRBP members to serve as an "at large" member. At large members may duplicate the interest or expertise of another member.

- MRBP membership may require approval of the two co-chairs of the National ANS Task Force (i.e., U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration) and must meet all criteria for a federally chartered advisory body.
- MRBP Co-Chairs will be responsible for extending MRBP membership invitations.
- MRBP members will suggest any agencies/organizations that might be given an "observer" status. Similarly, such agency/organization can request that designation via communication with Panel members.
- With regard to membership, in some instances, it is recognized that one representative may be in a position to speak for a larger group. For example, the 28 states may wish to appoint one or two individuals as key MRBP contacts and regular meeting participants to speak on their behalf.
- With the exception of at large members, all members will be appointed by the agency, organization or interest they represent.

In finalizing MRBP membership, the following points are emphasized:

Term of Service of Members. A voting or alternate member shall serve until: (1) the member resigns, (2) the member's appointing organization completes its term of office, (3) the member is removed by or resigns from his or her appointing organization, or (4) the member or his or her appointing organization is removed by two-thirds majority vote of the Panel. If removed by vote of the MRBP the member's term of service shall end with the vote of the Panel. There is no limit to the number of terms that a member may serve.

Alternate Members. Appointing organizations may appoint alternate members to represent them, if the voting member is not able to attend an MRBP meeting.

Duties of Members. Duties of members include participation, when possible, in MRBP meetings and committees. To enhance coordination of activities, members should communicate ANS management and policy initiatives to other Panel members through

presentations at Panel meetings or via the list server or email consistent with the current policy of the Panel. Members are expected to communicate the Panel's recommended actions to the organizations they represent, and strive to improve the organization's ability to address ANS issues.

MRBP Structure and Procedures

The MRBP will be responsible for addressing the provisions of Section 1203 and for carrying out all identified elements of a work program.

Meetings. The MRBP will meet in full session on a regular basis, anticipated to be 1-2 times per year. At a minimum the MRBP will meet once annually. All voting members, alternate members, participating members and the ANS Task Force Co-Chairs shall be provided notice of the meetings at least four weeks prior, and a draft agenda at least two weeks prior, to any Panel meeting. A Panel meeting may not take place without such notice. The Second Term Co-Chairperson (see below) shall be responsible for drafting the agenda, subject to the direction of the Executive Committee or Ex Comm (established by the Panel and described later in this document). All voting members, alternate voting members and participating members shall be mailed a notice of any mail-in vote, including language of the issue to be voted on and the period during which votes will be accepted, at least 2 weeks before the close of the vote.

Quorum. The necessary quorum for making a decision at Panel meetings shall be all of the voting positions for which voting members or alternate members are present at the meeting. On a mail-in vote, half of the voting positions for which voting members or alternate members are appointed must cast a vote for a vote to be valid.

Decision Making. The MRBP will attempt to achieve consensus in all aspects of its work. In the event that recommendations from the MRBP reflect a majority view, but lacks consensus, the Panel may use its discretion to accompany any such recommendation with a minority opinion. The procedures for conducting a mail-in vote shall be as follows: The Ex Comm shall specify a period of at least two weeks, with a definite closure time, during which ballots will be accepted; and ballots shall be e-mailed, mailed or faxed to the Panel Coordinator. The Panel Coordinator shall not provide any information on the ballots received, including information on the total number of ballots received, to any Panel Member, until the closure time has passed. The Panel Coordinator shall reject any ballots that arrive after the designated closure time, and shall reject any ballots not cast by a voting member or alternate member. If a voting member and his or her respective alternate member both cast a ballot, the Panel Coordinator shall reject the alternate member's ballot. If the total number of accepted ballots is less than half of the voting positions for which voting members or alternate members are appointed, then the vote is invalid and no tally shall be made. If the vote is valid, the Panel Coordinator shall list the names and votes of all accepted ballots, tally the ayes, nays and abstentions, and provide the list and the tally to the Ex Comm to provide to the Panel members.

Panel Leadership. The first MRBP Chairperson and Vice Chairperson were appointed by MICRA to serve one year terms. After completion of these terms, selection or election of future Co-chairpersons will be made by MRBP members. The Co-Chairpersons shall be selected from among state and federal members. The initial Chairperson and Vice Chairperson (appointed by MICRA) will serve as initial Co-Chairs (upon approval of the MRBP membership), with the State

member serving as Immediate Past Co-Chair (one-year term) and the Federal Member as the first Second Term Co-Chair (two-year term). A new First Term Co-Chair (three-year term) will be elected from among the State and Federal MRBP members. Emphasis will be placed on having at least one of the Co-Chair positions filled by a state member at all times, and on rotating the Co-chairs geographically among the six sub basins (i.e. Upper Mississippi, Lower Mississippi, Missouri, Ohio, Tennessee, and Arkansas/Red river basins). The full term of a Co-Chair will be three years, during which time the person will serve as Co-Chair for two years and Immediate Past Co-Chair for one year. Each year as the Immediate Past Co-Chair's term expires the MRBP will elect a new First Term Co-Chair, so that all three positions always remain filled. These three officers will assist the MICRA staff in facilitating Panel operations, and will serve on occasion as spokespersons for the MRBP. Panel meetings will be chaired by the Second Term Co-Chair; by the First Term Co-Chair in the absence of the Second Term Co-Chair; by a member of the Ex Comm selected by the Ex Comm members present, in the absence of all of the Co-Chairs; or by a member of the Panel selected by the Panel Voting Members present, in the absence of the entire Ex Comm.

Committees. The MRBP will establish committees, working groups, and task forces, as needed, to accomplish its mandate. This will include technical committees related to prevention and control, education and communication, and research and risk assessment. The Panel shall also appoint an Ex Comm and may appoint or dissolve other committees as needed. Technical Committee Chairs serve as Ex Comm members and are expected to participate in Ex Comm meetings as needed to keep the Ex Comm apprised of committee actions.

MRBP Ex Comm. An MRBP Executive Committee or Ex Comm will be composed of the two MRBP Co-Chairs; the Immediate Past Co-Chair; the Chairs of the technical committees; one representative each from the Panel's commercial, environmental and tribal representatives (as desired) and the Coordinator. The Ex Comm will act on behalf of the MRBP to conduct day-to-day operations between MRBP meetings, and will make recommendations to the MRBP for major actions requiring a full Panel vote between meetings. MRBP Committee chairs will submit their Annual Work Plans to the Ex Comm for review and approval. The Ex Comm and Coordinator are authorized to commit and spend funds necessary to carry on day-to-day MRBP operations. The Ex Comm may meet in person or by conference call. It shall be the responsibility of the Panel Coordinator to notify all members of the Ex Comm of the time and place of a meeting at least one week in advance by mail or email. The Panel Coordinator shall be an ex-officio member of the Ex Comm and shall not vote. The Ex Comm may invite others to participate in meetings as needed. The necessary quorum for making decisions is five of the elected, voting members. The Ex Comm shall make decisions by simple majority vote.

Technical Committee Structure and Procedures. Technical committees will be formed as needed from among the MRBP membership, its associates and interested parties. Committee membership is open to anyone interested in participating in discussions and projects. Committees will operate under consensus, but if an official vote is necessary to pass on a given item or activity, votes will only be recorded from official MRBP members of the respective Committee. Committees will be chaired by official MRBP members, and elected by acclamation of Committee members or by official vote of the MRBP members of the Committee. The terms of Committee chairs will vary, depending on the interest and ability of members to serve, but are anticipated to be no more than three years. Each Committee chair should make known well in advance his or her desire to step down so that a smooth transition can be made to another member.

Funding Issues. The breadth of MRBP activities will be a function of funding levels and the extent to which members and observers can contribute “in-kind” services, including staff resources. Limited support for travel and associated meeting expenses of non-federal MRBP members may be available at the discretion of the MRBP Ex Comm. MICRA will administer all funds received for MRBP operation, and expenditures recommended by the MRBP will be overseen by MICRA. Most MRBP funding activity will originate from within the respective technical committees, and funding requests will be forwarded to the MRBP Ex Comm through development of committee work plans. Annual Work Plans will also be prepared by committee members, under the leadership of committee chairs, and submitted to the Ex Comm for review and approval by September 1 of each calendar year. Upon Ex Comm approval, committees are free to implement work plan activity. However, if award of a competitive contract is anticipated, committees will be required to develop an official Request for Proposal (RFP) to ensure competitive bidding.

Amendment of Procedures. These Procedures may be amended by two-thirds majority vote of the voting Panel members; or by simple majority vote if such action has been noticed in the draft meeting agenda mailed to each Panel member at least two weeks prior to the meeting at which the vote is to take place.

Public Attendance and Participation. All Panel meetings shall be open to the public, and there shall be an opportunity for public comment on any agenda item, or on any other issue which is properly a matter for comment before the Panel, subject to these guidelines as they may be amended by the Panel. These guidelines shall apply equally to all who are not members of the Panel.

- (a) Members of the public may be required, at the Panel Chair's discretion, to fill out speaker cards before commenting.
- (b) Public comment on any agenda item shall occur at the time of Panel discussion on the item, but before any Panel vote on the item. Comments by any member of the public shall be limited to a maximum of three minutes on any agenda item.
- (c) Public comment on issues not on the agenda shall occur during the General Public Comment period. Comments by any member of the public during the General Public Comment period shall be limited to a maximum of three minutes. The Chair of the Panel meeting shall determine whether an issue is properly a matter for comment before the Panel; however, such determination may be overturned by a majority vote of the Panel.

These requirements for enabling public participation and comment shall not apply to mail-in votes.

Staff Support. MICRA will provide staff support to the MRBP. The level of support provided will be a function of availability of funds. At a minimum, a portion of existing MICRA staff time will be dedicated to facilitate MRBP activities. Under ideal funding circumstances, a full time ANS coordinator or staff totaling 1 FTE will be hired and dedicated exclusively to MRBP support. The Chairperson of MICRA will be responsible for oversight of all personnel assigned to support MRBP activities.

Work Program. The Panel will develop a Work Program at an annual meeting, based on input from the Committees, and with agreement from the Panel members in attendance. The plan will include proposed work items, estimated costs, and background information for prioritization within the program. The Ex Comm is responsible to assure that Panel activities and

administration are conducted in accordance with the work plan or to approve changes based on Panel program priorities. This includes commitments of Panel financial resources.

The Work Program will have six elements that collectively respond to MRBP responsibilities specified in Section 1203 (a) (1-6) of P.L. 101-646. Each element is presented below, accompanied by a statement describing the MRBP's implementation approach.

Priority Setting - The Act calls for the panels to identify priorities for the subject basin with respect to aquatic nuisance species. The MRBP interprets this broad statement as applying to the areas of research and risk assessment, prevention and control, and education and communication. Position statements will provide guidance for program development, budgeting and operational purposes, and will be of use at the regional and national levels, particularly for the National ANS Task Force. The MRBP may wish to use a survey and/or workshop approach in establishing such positions. In the area of research, the MRBP will contract as necessary on a limited basis (depending on available funding and agency participation) for this work. With respect to policy priorities, the MRBP will determine policy, program, legislative, regulatory and budgetary needs to ensure that the Mississippi River Basin-related provisions of P.L. 101-646 are pursued to the maximum extent possible. Such priorities will be regularly conveyed to the National ANS Task Force, as well as agency and elected officials at all levels of government.

Make Recommendations to the National ANS Task Force - The legislation calls upon the panels to "make recommendations to the Task Force". The MRBP will make these recommendations based on consensus of its members, or by majority position with minority position stated as appropriate.

Assist National ANS Task Force in Coordinating Federal ANS Activities in the Mississippi River Basin - The National ANS Task Force has oversight and primary coordination responsibilities for federal programs called for in P.L. 101-646. The assistance of the MRBP, however, is considered vital because the MRBP has primary coordination responsibility for all other (i.e., non-federal) Mississippi River Basin programs. The MRBP will offer the National ANS Task Force advice and recommendations relative to the coordination of priorities and the relationship of those programs to non-federal efforts, both public and non-governmental.

Coordinate Non-Federal Programs in the Mississippi River Basin - The MRBP is charged with coordinating, "where possible" all non-federal program activities not conducted pursuant to the Act in the Mississippi River Basin. As indicated above, the MRBP recognizes that a multi-jurisdictional "partnership approach" is required to address the aquatic nuisance species issue, and a single system for tracking and coordinating activities is advisable. On the basis of its broad membership, the MRBP will design a system to permit the assembly of research and risk assessment, prevention and control, and education and communication activities. Current efforts to compile this data (e.g., Sea Grant clearinghouse services) will be relied upon to the extent possible. Through its own membership, workshops and other networking techniques (e.g., newsletter inserts), the MRBP will convey its research and risk assessment, prevention and control, and education and communication priorities to all applicable agencies and interests, and promote coordination of efforts among them.

Provide Advice on Control Methods - The MRBP is mandated to “provide advice to public and private individuals and entities concerning methods of controlling aquatic nuisance species.” This activity will be accomplished primarily by MRBP members who have special expertise in this area and presently maintain active information and outreach programs. The MRBP will serve primarily as a vehicle for coordinating the efforts of the Sea Grant programs, government agencies, basin and sub-basin groups, and other entities presently or potentially engaged in public information and education activities. Further, the MRBP will identify and prioritize information/ education needs and work with applicable public entities to address these needs. In those instances where the MRBP itself is determined to be the preferred vehicle for delivering a public information/education service, the design and implementation of such will be pursued. Given its role and prospective stature within the overall aquatic nuisance species control effort, the MRBP will operate in conjunction with existing agencies and organizations to assume a clearinghouse function with government agencies, the public and industry. The MRBP will make referrals, provide its own documents (e.g., priority lists, annual reports, technical reports), and distribute public information materials that its members make available. A descriptive listing of all entities providing public information/referral services is a particularly valuable initiative the MRBP could undertake.

Annual Report on Mississippi River Basin Activities - The MRBP is required to submit an annual report to the national ANS Task Force at the end of August each year describing activities within the Mississippi River Basin related to aquatic nuisance species prevention and control, research and risk assessment and education and communication. The MRBP will prepare such a document and consider the following for inclusion in its outline:

- background on the aquatic nuisance species issues;
- state of the problem and current and emerging trends;
- current work plan of the MRBP;
- MRBP priorities for research and risk assessment, prevention and control, and education and communication;
- MRBP activities and accomplishments by state;
- status reports submitted by various jurisdictions/MRB members; and
- recommendations for consideration by the National ANS Task Force, the Congress and governments at all levels.

The Annual Report process is viewed as a collective one, and all MRBP members will contribute to its development. The MRBP also recognizes that funding levels will determine the extent to which work program elements are pursued.

Funding. Section 1301 (b) (6) of P.O. 101-646 authorizes funding to support regional panels. The MRBP and its members will also continue to pursue “creative financing” arrangements for the MRBP and its special projects. Prospective sources include relevant federal agencies (i.e., grants, budget “add-ons”, general operating funds, etc.); sport fishing associations and companies; recreational boating associations and companies; and various regional and national foundations.

Coordination and Overlap with Other Regional Panels. Membership in other regional panels (i.e., Western Panel, Gulf and South Atlantic Panel, and Great Lakes Panel) and focus may

overlap with that of the MRBP. The MRBP will work to avoid duplication of effort and establish good relationships with the other panels, clarify boundaries, and determine which states have dual representation in two panels. It will be considered beneficial for states to participate in two panels if the state is located in two major watersheds (e.g., portions of Illinois, Minnesota and Wisconsin are located in the Mississippi River watersheds and the Great Lakes watersheds).

Appendix A

**SECTION 1203
OF THE NONINDIGENOUS AQUATIC NUISANCE PREVENTION AND CONTROL
ACT OF 1990**

(P.L. 101-646, 11/29/90, as amended through 10/26/96)

Appendix A - SECTION 1203 OF THE NONINDIGENOUS AQUATIC NUISANCE PREVENTION AND CONTROL ACT OF 1990

(P.L. 101-646, 11/29/90, as amended through 10/26/96)

SEC. 1203. REGIONAL COORDINATION.

(a) GREAT LAKES PANEL.--

(1) IN GENERAL.--Not later than 30 days following the date of enactment of this Act, the Task Force shall request that the Great Lakes Commission (established under Article IV of the Great Lakes Compact to which the Congress granted consent in the Act of July 24, 1968, P.L. 90-419) convene a panel of Great Lakes region representatives from Federal, State and local agencies and from private environmental and commercial interests to--

(A) identify priorities for the Great Lakes region with respect to aquatic nuisance species;

(B) make recommendations to the Task Force regarding programs to carry out section 1202(i) of this Act;

(C) assist the Task Force in coordinating Federal aquatic nuisance species program activities in the Great Lakes region;

(D) coordinate, where possible, aquatic nuisance species program activities in the Great Lakes region that are not conducted pursuant to this Act;

(E) provide advice to public and private individuals and entities concerning methods of controlling aquatic nuisance species; and

(F) submit annually a report to the Task Force describing activities within the Great Lakes region related to aquatic nuisance species prevention, research, control.

(2) CONSULTATION.--The Task Force shall request that the Great Lakes Fishery Commission provide information to the panel convened under this subsection on technical and policy matters related to the international fishery resources of the Great Lakes.

(3) CANADIAN PARTICIPATION.--The panel convened under this subsection is encourage to invite representatives from the Federal, provincial or territorial governments of Canada to participate as observers.

(b) WESTERN REGIONAL PANEL.--Not later than 30 days after the date of enactment of the National Invasive Species Act of 1996, the Task Force shall request a Western regional panel, comprised of Western region representatives from Federal, State, and local agencies and from private environmental and commercial interests, to--

(1) identify priorities for the Western region with respect to aquatic nuisance species;

(2) make recommendations to the Task Force regarding an education, monitoring (including inspection), prevention, and control program to prevent the spread of the zebra mussel west of the 100th Meridian pursuant to section 1202(i) of this Act;

(3) coordinate, where possible, other aquatic nuisance species program activities in the Western region that are not conducted pursuant to this Act;

(4) develop an emergency response strategy for Federal, State, and local entities for stemming new invasions of aquatic nuisance species in the region;

(5) provide advice to public and private individuals and entities concerning methods of preventing and controlling aquatic nuisance species infestations; and

(6) submit annually a report to the Task Force describing activities within the Western region related to aquatic nuisance species prevention, research, and control.

c) ADDITIONAL REGIONAL PANELS.--The Task Force shall--

(1) encourage the development and use of regional panels and other similar entities in regions other than the Great Lakes and western regions (including providing financial assistance for the development and use of such entities) to carry out, with respect to those regions, activities that are similar to the activities described in subsection (a) and (b); and

(2) cooperate with regional panels and similar entities that carry out the activities described in paragraph (1).



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When you leave a body of water:

- **Remove any visible mud, plants, fish or animals before transporting equipment.**
- **Eliminate water from equipment before transporting.**
- **Clean and dry anything that comes into contact with water (boats, trailers, equipment, clothing, dogs, etc.).**
- **Never release plants, fish or animals into a body of water unless they came out of that body of water.**

