

CONTINENTAL DIALOGUE ON NON-NATIVE FOREST INSECTS AND DISEASES

Opportunity Development Flip Chart Notes

Tuesday, January 23, 2007

Morning Session

Action Agenda Opportunity #1 - Import Path Protection

Plenary Group Discussion

Question 1: Changes/Outcomes

- Clarify the “adequate protection” standard
 - Identify an appropriate rate of introduction standard
- Develop clear, written rationale for changes
- Link “rate of introduction” standard with accountability
- Goal to be supported by variety of approaches
- Get behind existing USDA offshore efforts at prevention
- 1/10th of 1% of existing incoming wood packaging is infested
 - Small percentage, but large amount due to volume of trade
- Are there existing success stories we can start with or build on?
 - OPIS
 - Pre-clearance

Question 2: Milestones

- Dialogue should posit a specific target goal for protection (rate of introduction)
- Consumer/constituent awareness to support interest by all of Congress
- Examine past efforts to set numeric levels – successes and failures
 - Georgia, Sudden Oak Death
 - Maryland
 - Michigan – Hemlock Woody Adelgid from WV
- Be able to support proposed levels with credible assessment of implications for implementing
- Ensure that we have industry buy-in for protection standards and implementation and consumer support
- Avoid finger-pointing and work collaboratively

Action Agenda Opportunity #2 - Slow Domestic Spread

Plenary Group Discussion

Question 1: Changes/Outcomes

- Combination of effective enforcement of existing restraints and very effective outreach
- Develop a set of best practices for domestic transportation industry
- Early detection is a key component – currently, most detections are by private citizen, but not early enough
- Improved standards, communication, and coordination mechanisms for state response (and state/APHIS coordination)
 - e.g., national/continental plan for coordination
- Priority setting mechanism or criteria are essential (due to vast number of potential targets)
 - Examine lessons learned
- Identify resources available to assess threats once discovered
- Improved state and interagency communication (not just coordination)
 - Especially important to involve state forest agencies
- Adjust timeframe expectations for invasive species “emergencies”
 - Timeframe is *years*, not *months*

Question 2: Milestones

- Define transportation practices we want adopted
- Ensure that state foresters are involved
- Support creation of active state invasive species councils to build interagency communication
- Increase the number of “hot spot” locations for inspections
- Develop mechanism for continued national dialogue about standards needed
- Establish dedicated funding mechanisms to support
 - e.g., Fee-based incentive system
- CCC funding – look at how to remove artificial barriers to effective use of funds (“emergency issues”)
- How do we (the Dialogue) really help agencies talk better
 - Agencies may be willing to take suggestions
- Problem – loss of taxonomic expertise – dialogue could support change
- Nursery industry challenges in engaging/coordinating responding with federal/state agencies when a “find” occurs – better coordination needed
- Improved federal and state interagency coordination during discovery/response timeframes
 - Intra-federal
 - Interstate
 - Intrastate
 - State ↔ federal

Action Agenda Opportunity #3 - Non-regulatory BMPs and Certification Programs

Small Group Facilitator: Rob Williams

Question 1: Changes/Outcomes

- Determine who are the “targets”
 - What industries should be included
 - Include those involved in pathways before products are brought into the country
 - Look at detection not just importation
 - There are infinite pathways – choose via data – start with smaller set (e.g., BMP in nursery)
- Determine what would make it possible and desirable to engage in BMPs and certification programs
- Establish incentives and identify disincentives
- Recognize various levels
 - For example, the size of a company and resources of a company need to be considered
- What pathways do we want to address?
 - Select one or a set of narrowly targeted industries with whom we want to work
 - Look at existing programs/efforts (e.g., USDA program with nurseries on a trial basis with 6 nurseries in a year)
- Expand participation to all interested/affected groups
- Identify what this group can do to make it more desirable to be involved
 - Developing a prototype can be useful
- Get x% of industries in BMP program
- Establish “tree-safe” label/emblem like dolphin-safe label
 - Determine better name than “tree-safe”
- Get data on invasive hot spots from regulators
- Identify BMP/certification for target industries and build upon those (e.g., build on green seal program)
- Clarify voluntary BMP vs. certification language
 - There is a large difference between the two
 - Think about the prospect of changing regulatory monitoring to auditing of established protocols
- Look internationally at what is being done and lessons learned
- Question: issue of implementation or determining the problem
 - Pest risk assessment is huge with a big backlog
 - Know pathways but regulatory framework not structured to address quickly and flexibility at pace of international trade
 - How do we create regulatory focus
- Need to maintain industry competitiveness as an overarching component of this issue
- Need to be able to create incentive (or eliminate disincentive) to get participants to send pests for identification
- Prioritize different levels of BMPs in different industries

Summary of Outcomes

1. Background – existing standards and programs (including international) to (a) create a foundation and (b) use the process to educate all stakeholders about problems, opportunities, and potential areas for engagement
2. Prioritization – Identify (a) key pathways/problems/hot spots and use this information to identify (b) potential partner industries
3. Dialogue Support – Determine what the Dialogue can do to build upon existing programs or develop new efforts, both in creative, innovative, and novel ways
4. Prototype – Develop a prototype program
5. Prototype Implementation – Take prototype to industry-wide implementation
6. Detection – Increase ability to do rapid detection
7. Competitiveness - Maintain industry competitiveness
8. Voluntary vs. Regulatory – Be explicit about the difference between the two

Question 2: Milestones

1. Background

- Do these quickly as a foundation and education process
- Communicate with industry affected
- Identify hot spots where there are problems
- Comprehensive inventory and lessons learned
- Identify ways to build on existing programs and address disincentives
- Align scientific and business interests
- Determine voluntary vs. regulatory breaking point
- Model true costs of programs

2. Prioritization

- Do these quickly as a foundation and education process
- Communicate with industry affected
- Identify hot spots where there are problems
- Need to do this identification process first to know what we are talking about
- Select one insect (for example) and build a success story

3. Dialogue Support

- Do serious business analysis on prototype to surface disincentives and design useful incentives

4. Prototype

- Choose 1 or 2 industries to develop a specific prototype vs. creating one general prototype with core components to be vetted with industries and all stakeholders to develop more specifics
 - Develop prototype that involves all current Dialogue stakeholders
 - Maintain diversity inherent in Dialogue
 - Keep people involved

Action Agenda Opportunity #3 - Non-regulatory BMPs and Certification Programs

Small Group Facilitator: Jenn Bies

[Note: The group acknowledged that many of the Outcomes and Milestones listed below apply to both Action Agenda Opportunities #3 and #4. The * indicates examples of such cross-over.]

Question 1: Changes/Outcomes

- Encourage self-regulation – through self regulation get good inspectors*
- Minimize expense and disruption of business operations [cost effective]
- Challenge: costs are implicit in regulation – need to pay somehow
- Marketplace financial incentives to implement BMPs and Certification*
- Adaptive management system
- Monitoring and reporting strategy
- Consider accreditation
- Understanding of pathways for infestation
- Established research base – verifies effectiveness
- Establish single source of information – global educational resource detailing species/challenges and BMP/certification programs, and incidence reporting capabilities
- (one stop shopping)*
- Clarify target(s) for reduction in [x] amount of time – similar to goals

Question 2: Milestones

- Get organizations with interests on board to help develop BMPs*
- Get buy-in from industry leaders*
 - Identify costs associated with BMPs/certification then identify sources of funding to: 1) develop the BMPs; and 2) support the management and administration of certification program
 - Develop regionally appropriate programs built upon a consistent national foundation
 - Users should be authors
- Engage consumer advocacy groups to alleviate costs to industry*
- Know what is acceptable (and not) from a marketplace perspective
- NGOs included in establishing programs and in outreach*
- Make the business case (costs) for industries – and include impact of economic costs to nation and industry within a “talking points” message*

[Examples of BMPs]

- West Coast Industry – ANLA is working with them on:
 - Inspection process
 - Tracking shipping
 - Sanitation process

Action Agenda Opportunity #4 - Engage Retail Leaders in Adoption of BMPs and Certification

Small Group Facilitator: Rob Williams

Question 1: Changes/Outcomes and Question 2: Milestones

- Question: Who designs BMPs – suppliers or retailers?
- Consumer preference will not be a strong driver
- Retailers are “down the threat level” of those likely to bring in pests
 - If we can not make #3 work then #4 does not exist
 - Want to get ahead of retailer designed program
- Important to deal with regulation before it happens
- Engaging this issue will help #3 faster
 - Get Wal-Mart involved
- Develop template from existing programs

Action Agenda Opportunity #4 - Engage Retail Leaders in Adoption of BMPs and Certification

Small Group Facilitator: Jenn Bies

Question 1: Changes/Outcomes

- Diversified base of partnerships and support (stakeholders)
- Target list of participants
- Engaging retailers in non-coercive, voluntary manner (self-regulation)
- Raise awareness of consumers of importance of purchasing power
- Create information deck (sales brochure) to inform decision makers to make decisions at participations
- Retail leaders favor suppliers that follow BMPs

Question 2: Milestones

- Identify points of contact at stakeholder groups*
- Establish incremental implementation*
- Identify current regulatory and other processes that might impact BMPs/certifications (recognition of regulations)*
- Have some understanding via feasibility assessment (scope, process, supply chain, marketplace advantages, international trade, bark-free)*
- Identify some way for government/industry/retailers to progress to buying “bark-free”*
- Avoid creating conflicting BMPs/certification requirements
- Identify existing BMP/certification programs for comparisons (i.e., EPA Smartways Transport Partnerships)

Action Agenda Opportunity #5 - Development of Legislative Strategy

Small Group Facilitator: Jennifer Peyser

Question 1: Changes/Outcomes

- Articulating the problem or rationale for regulation/legislation and incentive programs – what's broken?
- Make a list of current/existing legislation
- Create incentive programs, rather than command and control
 - Farm Bill would be a good vehicle for this
 - E.g., crop insurance
- There is a reluctance to use existing authorities, e.g., quarantines – need to use
 - Help agencies understand their existing authorities, e.g., the Plant Protection Act
 - Look at existing authorities and be more clear about agency expectations to carry out
- Give more resources into traditional resource organizations
 - Need funding and coordination
 - E.g., gypsy moth slow the spread program
 - If need/want to replicate a past program, identify the model, participants, leaders, goals, etc
- Research should start upon identification of declared pest (should be funding trigger)
- Review requirements for advisory councils – look at the Federal Advisory Committee Act and change/clarify the criteria for what would make a better board (should be a broad group that will assist in these efforts)
- Need clarification re: federal vs. state jurisdiction and the state's ability to take action
 - There are different interpretations – help the state know when to act
- Changing the balance between trade promotion and protection
 - Recognize that, if trade occurs, there will be a cost associated with it
 - Adopt a more stringent level of protection
 - Change the PPA
- Tie legislation to funding
 - Have specific budget language for annual appropriation bills for USDA
- Create an import fee on plants used for programs – e.g. emergency programs, risk assessments, etc.

Question 2: Milestones

- Form a committee to build agreement on priorities and activities/plan
- Seek coalitions that have similar or overlapping interests, coordinate efforts, and support/promote each other's work where appropriate
 - Forests in the Farm Bill Coalition
 - Import fee – National Plant Board
- Get clarification on what is possible regarding trade regulations/legislation
 - What role does WTO play? Are there prohibitions on certain ideas/legislation from other bodies?

Action Agenda Opportunity #5 - Development of Legislative Strategy

Small Group Facilitator: Turner Odell

Question 1: Changes/Outcomes

- Will TNC be fully engaged on invasive species issues in its own Farm Bill lobbying efforts (later answered – TNC has comprehensive Farm Bill effort – Dialogue efforts will inform that process)
- Related Issue – State/Local efforts need funding
- What will a comprehensive bill do that is new – what will be its content
- Farm Bill – re-authorized every 5-6 years – is this what we want (or is some alternative a better approach) – is the scope (i.e., agriculture) broad enough – invasives issues may get lost in the shuffle
- Need both appropriations and authorizing legislation goals
- Innovation is an important component – the Farm Bill may not be the best vehicle for this
- Reflect a strategic way forward with broad consensus – with priorities – may not even be able to get in on current Farm Bill
- Will need to explain the Farm Bill to some constituencies who are not familiar with it
- Should work to put references to invasive species in the current Farm Bill – foundational for future appropriations
- Quarantine-37 (relating to living plant material) – regulations are also important (see related issues notes)
- Some Dialogue objectives will have different legislative homes:
 - Farm Bill
 - Plant Protection Act
 - Other Federal legislation
 - State legislation
 - Federal appropriations

Question 2: Milestones

- Identify our issues/wants for Federal legislation (as well as Federal policy and other approaches)
- Match our issues/wants to the appropriate legislative home
- With a kick out to Federal regulations if appropriate
- Could also be a state legislative issue – could develop model state law
- Draft language
- Review/revisit proposed language with the Dialogue to verify/build consensus
- Identify Congressional champions and broad cross-sectional support

Action Agenda Opportunity #6 - Funding for Existing Programs

Small Group Facilitator: Jennifer Peyser

Question 1: Changes/Outcomes

- Consider role of the regulated plant list, and link to funding
- Change: APHIS can't fund agreements beyond 12-month periods (this is a big difference between APHIS PPQ and USFS)
- Secure funding for land grant institutions – they are often called upon to play a role in education, public outreach, and research, but may not have funding to play this role
 - Also try to raise priority level of non-native forest plants/pathogens with land grant institutions
 - Identify funding sources – RREA, SRES?
- Reduce impacts of introduced species – secure funding for restoration programs
 - Restoration of species/trees
 - Restoration of landscapes/ecosystems, including forests and urban/suburban streets, parks, etc
 - For example, chestnuts
 - Need funding for research *and* implementation
 - Forest Service Research AND Forest Health Management
- Establish USDA multi-year revolving fund for emergency response, so there is operating capital to respond to emergencies (tied to legislative need, e.g., import fee)

Question 2: Milestones

- Form a committee to build agreement on priorities and approach
- Seek coalitions that have similar or overlapping interests, coordinate efforts, and support/promote each other's work where appropriate – build the choir of voices
 - Especially cities/counties/local governments, e.g., US Conference of Mayors
 - Also, industry and others
- Joint sign-on letter
 - Identification of a dollar amount – somewhat important, but focus on:
 - Identification of what is needed for an effective program, and a rationale for the number / dollar amount
- Develop legislative / activities calendar
 - Identify groups to work with and common interests
 - Find out when they meet
 - Create plan for attending meetings, informing them of Dialogue efforts, and inviting them to get involved (or to help with their existing efforts)
 - Develop materials for these visits/interactions
- Look for cost efficiencies within existing programs
 - Perhaps create a report
 - A small group could go to a subcommittee this spring and suggest oversight hearings on this issue
- Make the connection between forest issues and cities/suburbs
 - Identify appropriations subcommittees that deal with urban and community forests

Action Agenda Opportunity #6 - Funding for Existing Programs

Small Group Facilitator: Turner Odell

Question 1: Changes/Outcomes

- Stop-gap and additional funding for consistent support – FY2008
- Dialogue needs an organizational structure to provide ongoing support for future fiscal years
- Federal funding only
 - Other sources (that need federal authorization – e.g., fees)
 - Innovative approaches
- Look at States that are out ahead on this for ideas
- Funding to where?
 - USDA-APHIS – but others too
 - e.g., Homeland Security (DHS) as vehicle for inspections (but concern because inspections are not at point of entry, but further inland)
- Innovations – e.g., tax credits to get voluntary actions from the private sector – accelerate private investment
- Indemnification funds – to encourage self reporting on the plant side (already in place on animal side) – incentives for self reporting

Question 2: Milestones

- Stop-gap efforts need to come quickly – early and often
- Assess other needs based on other Dialogue priorities – ongoing process
- Appropriations strategy is very different from authorizing legislation related funding strategies
- Careful consideration of where the Dialogue spends our resources
- Short term – funding/appropriations
- Long term – substantive and funding issues
- Milestones:
 - Agreement on short and long term efforts
 - Prioritize by issue

Additional Issues

- A regulatory approach is also essential
- e.g., Quarantine-37
- provides public involvement opportunities
- Failures can be corrected with legislation
- The Dialogue should be prepared on key regulatory issues

Action Agenda Opportunity #7- Development of Marketing and Communications Package

Plenary Group Discussion

Question 1: Changes/Outcomes

- Assess our needs – what are we wanting to accomplish (people already get it)
 - Supporting dialogue goals and action opportunities
 - Cost vs. benefits
 - Target specific districts for political/congressional support
 - Public is only part way “there” – still some we are not reaching
- Need combination of education and targeted marketing – but not ready yet
 - Dialogue has breadth of issues that still need to be defined
- Sequence is to define issues first and then use marketing as needed
- Examples in presentation – could be areas with high levels of analysis?? Due to EAP and ALB
- Family Forest Owners – important outreach target and ally
- Another perspective – we are ready to go to marketing efforts
 - Extensive current/past efforts have yielded little impact
 - Not ready on many issues but need to get ready on funding/appropriation and Farm Bill if possible
 - Places where can have meaningful effect on appropriations
- Climate – example of good use of marketing
 - This research also informs ongoing communications

Question 2: Milestones

- We have strong messages to use here
- Don't lose the education element
- Acknowledging concerns over marketing – make sure we are acting as a *coalition*
- Marketing provides a different type of take-home message that reaches beyond education efforts in some circumstance
- Applicability to multiple places/species