

# INVASIVE SPECIES MANAGEMENT: FEDERAL LEGAL AUTHORITIES

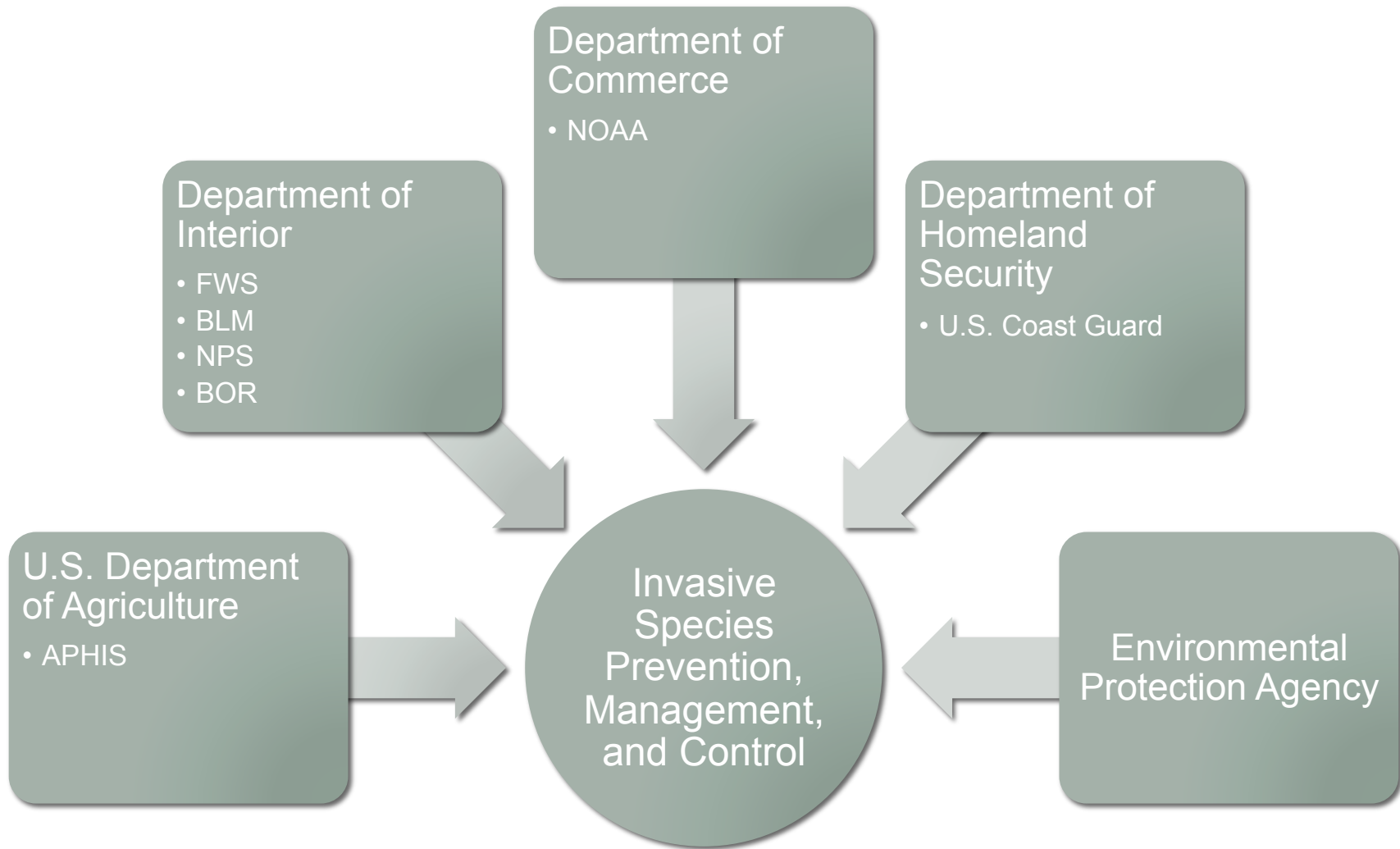
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The Federal Regulatory Framework for Controlling the  
Movement of Invasive Species and Updates on  
National Coordination Efforts  
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# Key Federal Players



# Primary Laws

## NOAA

- Nonindigenous Aquatic Nuisance Prevention and Control Act
- Executive Order 13,112

## DOI

- Lacey Act
  - Title 18
  - Title 16
- Various federal land management authorities

## APHIS

- Plant Protection Act
- Animal Quarantine Laws

## Coast Guard

- Ballast Water Management (NANPCA)

## EPA

- Clean Water Act

# NOAA - Coordinator

- Co-chairs Aquatic Nuisance Species Task Force with U.S. Fish and Wildlife Service (Nonindigenous Aquatic Nuisance Species Prevention and Control Act).
- Co-chairs National Invasive Species Council with USDA and FWS (Executive Order 13,112).

# Department of Interior – Wildlife & Public Lands

- The Lacey Act
  - Title 18 prohibits importation and interstate shipment of listed “injurious” species.
  - Title 16 makes it an unlawful to import, export, transport, sell, receive, acquire, or purchase (or attempt to commit any such act) in interstate or foreign commerce any fish, wildlife, or plant taken, possessed, transported, or sold in violation of any federal, tribal, state, or foreign law.
- Land Management Authorities
  - All land management agencies within DOI have authority to manage resources on their lands, including taking action to protect those resources from the impacts of invasive species.

# Department of Agriculture – Crops & Livestock

- Plant Protection Act
  - Authorizes USDA to take steps to prevent the introduction of plant pests and noxious weeds.
- Animal Quarantine Laws
  - Authorize USDA to regulate the importation and interstate movement of animals to prevent dissemination of communicable diseases and pests of livestock and poultry.

# U.S. Coast Guard – Ballast Water

- Nonindigenous Aquatic Nuisance Species Prevention and Control Act
  - NANPCA directs the Coast Guard to issue regulations to prevent the introduction and spread of aquatic invasive species into the Great Lakes through ballast water.
- The new Ballast Water Discharge Standard final rule was published on March 23, 2012, and became effective on June 21, 2012.
  - The rule establishes a standard for the allowable concentration of living organisms in ballast water discharged from ships in waters of the United States.

# EPA – Water Quality

- Clean Water Act
  - Incidental discharges from the normal operation of vessels, including ballast water, bilgewater, and graywater, covered by NPDES (National Pollutant Discharge Elimination System) permitting program.
- Vessel General Permit
  - Vessel owners and operators must meet certain requirements, such as assuring that their discharges meet effluent limit requirements which include the Coast Guard's mandatory ballast water management and exchange standards.
  - EPA expects a final 2013 Vessel General Permit to be issued by March 15, 2013, with an effective date of December 19, 2013.





# Major Challenges

- Scale of the Problem
- Overlapping and Conflicting Authorities
- Limited Resources
- Mix of Key Players Changes Depending on Context