

The Aquatic Plant Regulation Program In Florida

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ABSTRACT

A review of the method by which the Florida Department of Natural Resources is attempting to prevent the importation of noxious exotic plants and control the dissemination of dangerous weeds within the state is described with special emphasis placed on the permitting of aquaria plant wholesalers and the enforcement of state regulations involving their activities.

INTRODUCTION

Florida is being plagued by uncommonly severe aquatic weed problems. These problems center basically around three main factors: first, the abundance of shallow lakes, rivers, and canals; second the unusually long growing season; third and probably most important, the occurrence of several exotic aquatic weeds. As a matter of fact, nearly all of the 15 to 20 million dollars spent annually for weed control in Florida is directed toward the control of four of these exotics: (1) waterhyacinth (*Eichhornia crassipes* (Mart.) Solms.), (2) hydrilla (*Hydrilla verticillata* Royle), (3) Eurasian watermilfoil (*Myriophyllum spicatum* L.), and (4) Brazilian elodea (*Egeria densa* Planch.).

AQUATIC PLANT REGULATION PROGRAM

In 1969, the Florida State Legislature authorized a program designed to prevent the careless introduction of new exotics into Florida. They enacted Florida Statute Section 403.271 which prohibited the importation, transportation, and cultivation of aquatic plants without having first obtained a permit from the Department of Pollution Control¹ In 1973, the controlling authority for implementation of this law was transferred from the Department of Pollution Control to the Department of Natural Resources, and from there the program has progressed to its present status.

Compared to other states, Florida has an extremely large aquaria industry (probably the largest in the United States). This industry is an estimated 20 million dollars per year business. Literally thousands of fish and aquatic plants are moved through Miami and Tampa International Airports each day. Not only does this trade involve importation, but also the cultivation and exportation of aquatic plants and fish along with the gathering, delivery to wholesalers, and the sale and resale of wild, native plant species. Wholesalers and retailers in northern states provide the

greatest market for such plants as Brazilian elodea, cabomba (*Cabomba caroliniana* Gray), swords (*Echinodorus* spp.) and cryptocorynes (*Cryptocoryne* spp.) so that they might offer an adequate and novel supply to their aquarium enthusiasts (1) Obviously, this is an industry that should be allowed to flourish but only within guidelines that assure that problem plants will be neither introduced nor disseminated.

From the beginning, the Department of Natural Resources predicted the need for the permitting of aquaria dealers, as well as the close regulation of plants that were being imported and transported within Florida and the rest of the United States. Therefore, the Bureau of Aquatic Plant Research and Control created what is now known as the Aquatic Plant Inspection Program. Hydrilla and waterhyacinth were immediately marked as prohibited species. A major effort was made to inform all of the plant wholesalers and wild plant producers of the need for permits and of the newly prohibited plants. Mr. Robert L. Lazor directed this original program and made regular inspection trips to airports (primarily Miami and Tampa), to wholesaler-grower establishments, and to retailers. In addition to this, he handled all of the permit application processing. Obviously, this state-wide job was too much for one person to handle. In September of 1974, three additional inspectors were hired, and each was assigned a section approximately equal to one-third of the state. The three new inspectors were Mr. Terry Goldsby, Mr. David Tarver, and Mr. Russell Theriot. Each attended an aquatic plant identification course and minimum standards law enforcement training to complete his qualifications for the position. Since then, frequent but irregular inspections of wholesaler facilities have been made in an attempt to prevent the introduction of new noxious plant species into Florida.

In late 1974, work was begun on a set of new regulations which would have included an approved list of species and a prohibited list which was to be permitted only for scientific research. All other aquatic plants were to be placed on a restricted list and subject to quarantine conditions for one year. Up until this system was devised, plant dealers had been issued permits only for the plants which they had requested. This new system met bitter opposition from the aquaria industry at the required public hearing and subsequent meetings. Most of the opposition centered around definitions (I.E., the definition of "waters of the state"), fees to be charged for permits, and the plants that were to be approved or prohibited. Most of these points of question, at least those having to do with ap-

¹Florida Statutes. 1973. Section 403.271.

proval of species, were probably academic. A new federal law, effective 4 January 1975 and known as the Federal Noxious Weed Act of 1974 (Public Law 93-629), deals with the control and eradication of noxious weeds and the regulation of the movement of noxious weeds in interstate or foreign commerce.² A list of prohibited plants is now being formulated to accompany this new law. This list is expected to include many aquatic species which are either native, naturalized, or exotics yet to be introduced. Hopefully, this list will be relatively comprehensive, and states should be able to recommend that additional noxious plants be added to the list as they become problems. Since it may be a year or more before this Federal program is staffed and fully implemented, immediate state agency action in the form of cooperative agreements with the Federal Govern-

ment is necessary. Such agreements could allow state personnel, such as agriculture inspectors, botanists, and wildlife officers, to regulate plant traffic until such a time that the Federal Government assumes enforcement responsibility. Florida is anticipating such an agreement with the U. S. Department of Agriculture which will allow its Aquatic Plant Inspectors to double as federal inspectors in the future. Hopefully, agencies in all states will be able to become actively involved in aquatic plant regulation and thereby, through a cooperative effort between States and Federal Government, it will be possible to prevent the introduction and spread of problem aquatic plants and prevent further infestations and future weed problems.

LITERATURE CITED

1. Burkhalter, A. P., L. M. Curtis, R. L. Lazor, M. L. Beach, and J. C. Hudson. 1973 Aquatic Weed Identification and Control Manual. Bureau of Aquatic Plant Research and Control. Tallahassee, Florida. 100 p.

²7 United States Code 2801. 1974. "Federal Noxious Weed Act of 1974." Public Law 93-629. 93rd Congress, H. R. 11273.