



ANNUAL REPORT OF THE
DELAWARE NATIVE SPECIES
COMMISSION

ESTABLISHED UNDER SENATE BILL NO. 153 OF THE
149TH GENERAL ASSEMBLY

RESPECTFULLY SUBMITTED TO THE GOVERNOR,
PRESIDENT PRO TEMPORE OF THE SENATE AND SPEAKER
OF THE HOUSE

DECEMBER 23, 2019

**REPORT TO THE GENERAL ASSEMBLY FROM THE DELAWARE NATIVE SPECIES
COMMISSION**

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Members of the Commission

	Member	Organization
1	James White, Chair	Delaware Nature Society
2	Robert Thornton, Vice Chair	Home Builders Association/Silverstock Developers
3	David Saveikis	DNREC, Division of Fish & Wildlife
4	Jessica Inhof	Department of Agriculture
5	Tracy Surlles	New Castle County, County Executive Appointee
6	Michael Petit de Mange	Kent County, County Administrator Appointee
7	Michael Costello	Sussex County, County Administrator Appointee
8	Sarah Cooksey	
9	Christopher Heckscher	Delaware State University
10	Ashley Kennedy	Delaware Ornithological Society
11	Jeffrey Downing	Mt. Cuba Center
12	Katherine Holtz	Delaware Farm Bureau
13	James McCulley	Watershed Eco, LLC
14	Janice Truitt	Delaware African American Farmers Association
15	Lorene Athey	Guided Path, LLC
16	Darin Callaway	Department of Transportation
17	Susan Barton	University of Delaware
18	Valann Budischak	Delaware Nursery & Landscape Association
19	Matthew Sarver	Botanist

Introduction

The Delaware Native Species Commission (“the Commission”) was formed by an action of Delaware’s 149th General Assembly, Senate Bill 153, to implement the recommendations of the Statewide Ecological Extinction Task Force (formed and authorized under Senate Concurrent Resolution 20) and report back to the General Assembly on a yearly basis. The membership reflects a balance of interests between environmental, professionals, government, and other stakeholders, and meets six times annually as determined by the Commission. The Commission will sunset ten (10) years after enactment, in 2027, unless reauthorized by the General Assembly.

The overall goals of the Commission are to:

- Reverse the decline and extinction of native plant and animal species within Delaware;
- Implement the actions outlined in the Final Report of the Statewide Ecological Extinction Task Force;
- Provide expertise and assistance to all stakeholders;
- Educate the general public, industry professionals, state and local government decision makers, and educators on issues concerning the conservation of Delaware’s native species and their habitats.

Commission Activities

The Commission, through its subcommittees, worked diligently throughout 2019. Below are highlights from the subcommittees.

Law and Regulations Subcommittee:

- Researched existing local government laws and regulations in Delaware to determine the extent to which regulatory mechanisms exist or have been implemented that support native species or that control, limit, or eradicate invasive species at the local and county levels of government, finding that nearly all local government regulations and land use controls are devoid of controls on invasive species, and a limited few have directly incorporated protections for native species.
- Examined certified Comprehensive Plans in effect in Delaware to determine the extent to which local planning programs are targeting native communities for enhanced protections and which are addressing the issue of invasive species as community objective, finding that with a few notable exceptions, most Comprehensive Plans are not yet incorporating specific land use goals to support of protecting native populations and do not identify invasive species as problems that need to be addressed.
- Initiated discussions with the Conservation Districts in each of the three (3) Counties to explore opportunities to promote the use of native plant materials in stormwater management and drainage improvement projects associated with new development projects and repair projects to existing facilities. All three Districts are very interested in becoming more proactive in promoting native plant selections in projects under their respective jurisdictions, emphasizing the need for prepared Best Management Practices documents that they may use in working with land owners, developers, civil engineers, and landscape designers. The Districts are also engaged in varying degrees in the control of

invasive plant communities as part of their respective Ditch Maintenance and Tax Ditch Management where technical and financial assistance are often needed.

Education Subcommittee

- Developed several ideas for a tag-line for a statewide community outreach campaign. After a ranked-choice vote among all Commission members, “Delaware, Naturally!” was selected. The tag-line will serve as the branding for the Commission’s community outreach efforts to promote native species and conservation-minded practices.
- Initiated planning for a 2020 summit meeting of Delaware conservation organizations, practitioners, and interested citizens. Longtime Delaware Nature Society educator/administrator Helen Fischel agreed to serve as coordinator of the summit. A planning group was identified and has begun preliminary planning. The date of the event remains to be determined.
- Made progress on developing a table-top display, featuring information about key Commission initiatives and community-action messages.

Overview of Meetings

March 8, 2019

- February 2019 meeting was canceled due to inclement weather and rescheduled to March 8, 2019
- The Commission began discussions on a branding tagline to be used for educational and outreach purposes
- A review of the initial draft of legislation to ban the sale, distribution and other means of possession of invasive species

April 17, 2019

- Continued discussion on branding tagline, legislation and symposium
- The Commission began discussions on creating a budget

June 19, 2019

- Branding tagline *Delaware, Naturally!* approved
- Continued discussion on budget, legislation and symposium

August 21, 2019

- Approval from Commission to hire a coordinator for the symposium
- \$22,100.00 Grant-in-Aid money awarded to Commission
- SB 84 passed, adding 4 members to Commission
- Discussion began about creating a strategic plan for the next three years

October 16, 2019

- Reformatting the symposium into a summit
- Review of draft invasive plant prohibition bill

December 18, 2019

- Discussion continued on the summit
- Review and discussion of goals for 2020
- Review and discussion of draft invasive plant prohibition bill

Goals for 2020

The 2020 goals of the Commission are as follows:

1. Encourage government to lead by example

- Encourage state, county and local governments to use native plants in landscaping of all new facilities, including parks and open spaces. Meet with city, county and state government leader to discuss the issue.

2. Create educational opportunities that support Delaware's native biodiversity

- Schedule and facilitate a Native Species Conservation "Summit" to kick off the *Delaware, Naturally!* public education campaign and align efforts of Delaware conservation organizations, practitioners, and interested citizens to conserve native species.
- Flesh-out and pilot *Delaware, Naturally!* outreach programs, to promote and explain the benefits of native species and associated conservation-minded practices, as well as the negative effects of invasive species proliferation on native species. (Develop a branded public relations educational/awareness campaign to promote native species and practices.)
- Develop and launch the *Delaware, Naturally!* website.
- Explore opportunities to enhance environmental literacy in Delaware K-12 education
- Develop a "Certified Native Plant Garden Center" program for nurseries and garden centers that are trained and in the business of promoting native plant selections, along with qualifying criteria for attaining certification.

3. Support existing programs that assist the Commission in reaching its overall goals

- Advocate for adequate funding of State agencies and programs that work to conserve native species biodiversity in Delaware.
- Encourage the use of Open Space Program funds for purchasing high-quality native species habitats, especially those habitats required for species of special concern, Work to get Delaware Native Species Commission representation at the Open Space Program "table".
- Support the Master Naturalist (MN) Program through publicity and providing instructors (council members) to help with invasive plant removal in Delaware's parks and natural areas as well as other MN projects.
- Actively work with state agencies, NGOs, and other conservation partners to promote the use of the Delaware Wildlife Action Plan which provides a template for the conservation of native animal species in the state.

4. Create and implement a three-year strategic plan for the Commission.

5. Promote the development and enactment of legislation, policy or regulatory changes affecting biodiversity conservation.

- Make the sale of selected invasive plants illegal in Delaware, allowing an appropriate phase-out period after legislation passes.
- Address weaknesses in our current state endangered species law; strengthen protection and/or conservation of the species on the list including addressing the possibility of adding plant species.
- Identify ways that the Delaware Native Species Commission can encourage protection of Delaware's rarest plant communities such as Atlantic White Cedar Swamps, Bald Cypress Swamps, Coastal Plain Ponds, Interdunal Swales, Sea-level Fens, Piedmont Streamside Seepage Wetlands, and Piedmont Tuliptree Rich Woods.
- Develop a "Model Ordinance" for consideration of adoption by the Native Species Commission that would serve as a guide for local governments that would establish regulatory supports for promoting and protecting native plant species and their habitats and establishing criteria for eradication of invasive species as part of the Development Plan Review and Approval Process.
- Research native and invasive species Best Management Practices (BMPs) and develop or identify a topical BMP Guide Documents for consideration of adoption by the Commission that would provide quick reference technical assistance for permitting agencies, the development community, and the general public.

Appendix A: Senate House Bill 153



SPONSOR: Sen. Hansen & Rep. Heffernan
Sens. Ennis, Henry, McDowell,
Sokola, Townsend; Reps.
Baumbach, Gray, Hudson,
Kenton, Mitchell, Osienski,
M. Smith, Viola

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY
SENATE BILL NO. 153
AS AMENDED BY
SENATE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE
DELAWARE NATIVE SPECIES COMMISSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

WHEREAS, Senate Concurrent Resolution No. 20 passed by the 149th General Assembly created the bi-partisan Statewide Ecological Extinction Task Force (“Task Force”); and

WHEREAS, the Task Force was charged with studying the extinction of local plant and animal species in Delaware and reporting its findings and recommendations for action to the President Pro Tempore of the Senate and the Speaker of the House of Representatives for distribution to the members of the General Assembly, with a copy to the Governor and others by December 1, 2017; and

WHEREAS, the Task Force was comprised of environmental experts with an understanding of species extinction, stakeholders in land development, local government officials from all 3 counties, the agricultural community, and the business community; and

WHEREAS, the Task Force heard testimony from experts and developed findings and recommendations for action in order to reverse the trend of extinction and extirpation of our local plant and animal native species; and

WHEREAS, the findings and recommendations for action were numerous and wide ranging; and

WHEREAS, the Task Force issued the “Final Report of the Statewide Ecological Extinction Task Force” on December 1, 2017, incorporating its findings and recommendations for action; and

WHEREAS, the Task Force recommended the creation of the Delaware Native Species Commission reflecting a balance of interests between environmental professionals, government, and other stakeholders in order to implement the recommendations of the Task Force.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 80, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Subchapter III. Delaware Native Species Commission.

§ 8071. Purpose.

The Delaware Native Species Commission is created to do all of the following:

- (1) Reverse the trend of decline and extinction of our local plant and animal native species.
- (2) Diligently pursue and perform those things necessary and proper in order that the recommendations in the Final Report of the Statewide Ecological Extinction Task Force be fully implemented.
- (3) Provide state and local lawmakers, policy makers, educators, and other stakeholders with expertise and assistance in projects meeting the goals and purposes of this subchapter.
- (4) Report back to the General Assembly on a yearly basis regarding the implementation of the Task Force recommendations.

§ 8072. Definitions.

For purposes of this subchapter:

- (1) “Appointed member” means an individual appointed by the Governor under § 8073(a)(2) of this subchapter.

- (2) “Commission” means the Delaware Native Species Commission.
- (3) “DNREC” means the Department of Natural Resources and Environmental Control.
- (4) “Task Force recommendations” means the recommendations in the Final Report of the Statewide Ecological Extinction Task Force established by Senate Concurrent Resolution No. 20 of the 149th General Assembly.

§ 8073. Commission membership; qualifications; term of office.

(a) The Commission is composed of 15 members, as follows:

(1) Five members serving by virtue of position, or a designee appointed by the member, as follows:

- a. The Secretary of the DNREC.
- b. The Secretary of the Department of Agriculture.
- c. The County Executive of New Castle County.
- d. The County Administrator for Kent County.
- e. The County Administrator for Sussex County.

(2) Ten members who are citizens of the State and appointed by the Governor, as follows:

- a. Five individuals who represent environmental organizations or Delaware institutions of higher education, with expertise regarding Delaware plant or animal species.
- b. Five individuals who represent stakeholder commercial interests, such as land development, farming, and business.

(b) An appointed member serves for a term of up to 3 years and is eligible for reappointment. The Governor shall appoint members for staggered terms so that no more than 5 members’ terms expire in any 1 calendar year.

(c) If an appointed member fails to attend 3 successive meetings of the Commission without just cause, that member’s position may be deemed vacant and the Governor may appoint a replacement.

(d) Members of the Commission serve without compensation, except that the Commission may reimburse members for reasonable and necessary mileage and tolls

incident to duties as members of the Commission.

§ 8074. Authority; staffing.

- (a) The Commission shall be placed within DNREC and shall have such powers, duties, and functions as described in this subchapter and such other duties and functions as may be referred to it by the Governor, the Secretary of DNREC, or the General Assembly.
- (b) The Secretary of DNREC shall provide staff support to the Commission.

§ 8075. Chair and Vice Chair; selection and duties.

- (a) The Commission shall elect a Chair and Vice Chair at its first meeting and the Chair and Vice Chair shall serve until a replacement is elected. If the Chair becomes vacant, the Vice Chair shall fulfill the duties of the Chair contained in subsection (b) of this section until a replacement is elected at its next meeting.
- (b) The Chair of the Commission shall do all of the following:
 - (1) Set a date, time, and place for the meetings of the Commission.
 - (2) Supervise the preparation and distribution of meeting notices, agendas, minutes, and other documents prepared by or on behalf of the Commission.

§ 8076. Quorum and conduct of business.

- (a) A majority of the membership of the Commission constitutes a quorum to conduct official business. Official action by the Commission, including making findings and recommendations, requires the approval of a majority of the members of the Commission present at a meeting with quorum.
- (b) The Commission may adopt rules necessary for its operation.
- (c) The Commission may undertake the following functions to implement the Task Force recommendations and to further the goals and purposes of the Commission:
 - (1) Establish subcommittees.
 - (2) Engage with other organizations to exchange ideas and information and to provide those other organizations with the opportunity to engage with the Commission.
 - (3) Study, research, plan, and make advisory recommendations to the Governor, the Secretary of State, the Secretary of DNREC, the Department of Agriculture, or the General Assembly.

(d) In carrying out the Commission's duties under this subchapter, the Commission shall consider any related plans and programs developed by other organizations with expertise in native species conservation or protection, or in the eradication of invasive species, and may designate representatives to serve on special committees, organizations, or other entities to plan, develop, and coordinate specific activities.

§ 8077. Annual Report.

On or before December 31, 2018, and on or before every December 31 thereafter, the Commission shall submit to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives for distribution to the members of the General Assembly, an annual report of the Commission's activities for the previous year and goals for the upcoming year. The report may also include proposals for legislation, administrative action, or other policy changes the Commission considers necessary to carry out its implementation of the Task Force recommendations or further the goals and purposes of this subchapter.

Section 2. The Secretary of DNREC shall set the date, time, and place for the initial organizational meeting and the Commission shall hold its first meeting no later than August 1, 2018.

Section 3. This Act expires 10 years after its enactment into law, unless otherwise provided by a subsequent act of the General Assembly.

Appendix B: Senate House Bill 84



SPONSOR: Sen. Hansen & Rep. Lynn
Sens. Paradee, Richardson,
Sokola, Townsend

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY
SENATE BILL NO. 84
AS AMENDED BY
SENATE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE
DELAWARE NATIVE SPECIES COMMISSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 8073, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 8073. Commission membership; qualifications; term of office [Expires June 7, 2028, pursuant to 81 Del. Laws, c. 256, § 3]

(a) The Commission is composed of ~~15~~ 19 members, as follows:

(1) ~~Five~~ Six members serving by virtue of position, or a designee appointed by the member, as follows:

- a. The Secretary of the DNREC.
- b. The Secretary of the Department of Agriculture.
- c. The County Executive of New Castle County.
- d. The County Administrator for Kent County.
- e. The County Administrator for Sussex County.

f. The Secretary of the Department of Transportation.

(2) ~~Ten members who are citizens of the State and~~ Thirteen members, appointed by the Governor, as follows:

- a. ~~Five~~ Six individuals who represent environmental organizations or Delaware institutions of higher education, with expertise regarding Delaware plant or animal species.
- b. ~~Five~~ Six individuals who represent stakeholder commercial interests in Delaware, such as land development, farming, and business.
- c. One member who is a current or retired botanist or similar professional with expertise in Delaware plant species.

Appendix C: Composition of Commission and Member Biographies

The Commission is composed of nineteen (19) members: six members serving by virtue of position, or an appointed designee; six members who represent environmental organizations or Delaware institutions of higher education, with expertise regarding Delaware plant or animal species; six members who represent stakeholder commercial interests, such as land development, farming and business; and one member who is a current or retired botanist or similar professional with expertise in Delaware plant species.

By Virtue of Position or designee:

- I. David Saveikis- Director, Division of Fish & Wildlife, designee for Secretary of DNREC

David (Dave) Saveikis currently serves as the Director of the Delaware Division of Fish and Wildlife, having been appointed to the position on February 1, 2011. He has worked in natural resource management since 1978 in both the public and private sectors, holding positions with the Delaware Division of Fish and Wildlife, Delaware Division of Water Resources and Maryland Department of Agriculture, and as a private environmental consultant. Mr. Saveikis has held biologist, environmental scientist and management positions involving fish and wildlife research, habitat restoration, aquatic resource monitoring, wetlands regulation and policy and water resources policy.

Dave received a B.S. in Biological Sciences from Salisbury University, Salisbury Maryland. He is an avid angler, waterfowl enthusiast and naturalist, with a passion for tidal river largemouth bass fishing and light tackle saltwater fishing.

- II. Jessica Inhof- Environmental Program Administrator, Plant Industries Section, designee for Secretary of Department of Agriculture

Jessica Inhof serves as the Environmental Program Administrator for the Delaware Department of Agriculture's Plant Industries section. In her role as Administrator, Ms. Inhof is the State Plant Regulatory Official as well as a member of the Eastern Plant Board and the National Plant Board. The mission of the Plant Industries Section is to prevent the introduction, establishment, or spread of plant and honeybee pests, and suppress, control abate, or eradicate those pests that are dangerously injurious to the agricultural, horticultural, and forestry interests of the state. The Section also enforces the Plant Pests Law, the Nurseries and Nursery Stock Law, the Noxious Weeds Law, the Beekeeping Law, the Seed Law, and the Grain Testing Devices Law.

Holding a degree in Agricultural Science with an emphasis in Soils and Agronomy from Penn State University, Ms. Inhof has worked with the farming community on the Delmarva Peninsula for over 22 years. She is a Certified

Crop Advisor, a Nutrient Management Planner in Delaware and Maryland, a member of the Delaware Farm Bureau, and a former member of the Delaware Nutrient Management Commission. Prior to working for the State, she was a Senior Agronomist and part owner of AET Consulting, Inc.

III. Tracey Surles- designee for County Executive of New Castle County

Tracy Surles is the General Manager of New Castle County's Department of Public Works. As the General Manager, Ms. Surles oversees the planning, design construction and maintenance of over 6,000 acres of County parkland and open space, the sanitary sewer system, the storm sewer system, over 60 county buildings and the County's fleet. Ms. Surles has served the County for almost twenty years in various roles prior to her current position including serving as an Assistant County Attorney, Senior Manager for Public Works, Deputy Chief Administrative Officer and Chief Administrative Officer. Ms. Surles has a B.S. in Civil Engineering and is also a member of the Delaware Bar. Prior to working for the County, she practiced environmental law in Wilmington and in Washington DC.

IV. Michael Petit de Mange- County Administrator for Kent County

Michael J. Petit de Mange, AICP, became the County Administrator for Kent County, Delaware on April 8, 2007 after serving as the County's Planning Director for nearly 5 years. Prior to joining Kent County, he served as Director of Planning & Inspections for the City of Dover, Delaware and as an Associate/Branch Manager for Landmark Engineering, Incorporated. While with the City of Dover, Mr. Petit de Mange also served a four (4) year term on the Kent County Regional Planning Commission. He has over 29 years of experience in municipal management and regional planning.

V. Michael Costello- designee for County Administrator for Sussex County

Michael Costello worked at the Delaware Department of Natural Resources and Environmental Control in the Environmental Crimes Unit until joining Sussex County Government as the Chief Code Enforcement Officer in 2014. In October of 2016, Mike moved to the position of Government Affairs Manager where he currently serves. Mike has degrees in Emergency Management and Organizational Management.

VI. Darin Callaway- designee for the Delaware Department of Transportation

Representing environmental organizations or Delaware institutions of higher education

VII. Sarah Cooksey-

Sarah Cooksey is currently the Director of Conservation for the Delaware Chapter of The Nature Conservancy, where she defines and oversees the implementation of the strategic priorities and strategies for the Chapter's conservation work, providing leadership and oversight of land, water oceans and climate initiatives. Ms. Cooksey is past Administrator of the Delaware Coastal Programs where she was responsible for both the coastal zone management program and the Delaware National Estuarine Research Reserve. She coordinated with federal, state and local governments on coastal resource issues such as tidal and freshwater wetlands, energy policy, non-point source pollution, coastal hazards, essential fish habitat, ocean planning, biodiversity, sustainable development, and dredging issues. She is past President of the Coastal States Stewardship Foundation, a 501(3) (c) formed to assist state governments with pressing coastal management issues and past Chair of MARCO – the Mid-Atlantic Regional Council of the Ocean – a five state initiative to focus on offshore issues related to renewable energy, water quality, habitat protection and climate change adaptation. Prior to her work in The Nature Conservancy and the State of Delaware she spent several years in EPA's Office of Water in Washington DC working with states on water issues. Sarah has a Master of Science degree in Biology and enjoys spending time at the beach with her husband and two sons, bird watching and gardening.

VIII. Christopher Heckscher- Delaware State University

Christopher (Kitt) Heckscher earned a Ph.d. and M.S. in Entomology and Wildlife Ecology, from the University of Delaware. He also holds a B.S. in Wildlife Biology from Colorado State University. He was the Delaware state Zoologist for the The Nature Conservancy and the Delaware Division of Fish and Wildlife's Delaware Natural Heritage Program from 1993 to 2008 where he was responsible for developing and maintaining the state's zoological database. In 2009, he became an Associate Professor of Environmental Science at Delaware State University (DSU). Prior to 1993, he worked as a Preserve Manager for The Nature Conservancy and a Wildlife Biologist for the U.S. Forest Service. His research at DSU primarily focuses on the ecology of migratory forest songbirds. Dr. Heckscher also has extensive expertise in the inventory and conservation needs of rare invertebrate species of high conservation concern. He has 30 years of professional experience in the collection of rare species information for the purposes of informing wise land management decisions for both private landowners and public agencies.

IX. Ashley Kennedy- Delaware Ornithological Society

Ashley Kennedy is an ORISE postdoctoral fellow in the Tick-Borne Disease Laboratory at the Army Public Health Center (Aberdeen Proving Ground, Maryland). She recently earned her doctorate in the Department of Entomology and Wildlife Ecology at the University of Delaware. Her dissertation research in Doug Tallamy's lab focused on bird-insect food webs, specifically, investigating which insects are the most important in birds' diets. Ashley graduated in 2009 from Johns Hopkins University, where she studied vervet monkeys for her undergraduate thesis research, and completed a MS project on planthopper taxonomy at the University of Delaware in 2013, describing several new species in the process. She completed internships/seasonal positions at the Smithsonian Environmental Research Center, the National Zoo, and the Smithsonian Conservation Biology Institute and has also worked as an educator for the Delaware Nature Society and a taxonomist for Delaware Mosquito Control. She is a Science Policy Fellow of the Entomological Society of America (ESA), a 2018 recipient of the ESA John Henry Comstock Graduate Student Award, and the 2019 recipient of the ESA Student Certification Award. In April 2019, she became a Board Certified Entomologist with a specialty in medical and veterinary entomology. Ashley is an active member of the Delaware Ornithological Society conservation committee and a board member of the Delaware Audubon Society.

X. Jeffery Downing- Mt. Cuba Center

Jeffery (Jeff) Downing is executive director of Mt. Cuba Center, a botanical garden in Hockessin, Delaware that inspires an appreciation of the beauty and value of native plants, and a commitment to conserve the habitats that sustain them. Prior to his arrival at Mt. Cuba Center in 2012, Jeff spent thirteen years at The New York Botanical Garden working in education as a manager, director, and finally as Vice President for Education from 2007 to 2012. Jeff earned a Bachelor of Arts in economics at Trinity College in Hartford, CT and a Master of Arts in Religion at Yale University in New Haven, CT.

XI. James White- Delaware Nature Society

James (Jim) White has worked at Delaware Nature Society since 1982. In his role, he oversees Delaware Nature Society's land. A native Delawarean, he graduated from the Salesianum High School and the University of Delaware. Jim's natural history interests include birds, insects, amphibians and reptiles. He teaches herpetology at University of Delaware and with his wife has published a field guide to the amphibians and reptiles of the Delmarva Peninsula. Jim also leads natural history trips to many natural areas in the US and in Central and South America.

XII. Susan Barton- University of Delaware

Susan Barton, Phd is an extension specialist and professor in the Plant and Soil Sciences Department at the University of Delaware. She has worked closely for the past 17 years with DelDOT to research and implement new roadside vegetation management strategies. She has also worked with partners to develop the Plants for a Livable Delaware Program, designed to provide alternatives to known invasive plants species and to promote sustainable landscaping. She teaches Plants and Human Culture, Farm to Table, Landscape Architecture Symposium and coordinates the Landscape Horticulture Internship. She also works closely with the nursery and landscape industry, writing newsletters, organizing short courses and conducting horticulture industry expos with the Delaware Nursery and Landscape Association. Susan received the Nursery Extension Award in 1995 from the American Nursery and Landscape Association and the Ratledge Award for service from the University of Delaware in 2007. Susan received her SITES AP certification in summer 2017.

Representing stakeholder commercial interests, such as land development, farming and business

XIII. Lorene Athey- Guided Path LLC

Lorene (Lori) Athey is a registered Landscape Architect in Delaware and a Certified National Wildlife Federation Host. During her career as a planner and landscape architect, she has worked with or for a variety of organizations and homeowners throughout Delaware including: Delaware Department of Natural Resources & Environmental Control, Delaware Department of Transportation, New Castle County Land Use, City of Wilmington Public Works, City of Lewes, Delaware Nature Society, Delaware Center for Horticulture, University of Delaware Institute for Public Administration, Irwin Landscaping, and the Delaware Agricultural Museum. In addition to design and planning, she monitors conservation easements, and is a teacher and speaker on native plants and gardening for wildlife topics. Ms. Athey is former President of the Delaware Board of Landscape Architects and former Chair of the New Castle County Resource Protection Area Technical Advisory Committee. She earned a Master of Landscape Architecture from the University of Illinois and a Bachelor of Science in Architecture from the University of Virginia. A native Delawarean, she grew up in Smyrna, and currently gardens in the City of Newark.

XIV. Katherine Holtz- Delaware Farm Bureau

Katherine (Kitty) and her husband, Dave Holtz, have owned and operated Holtz Farms since 1969 and recently expanded the operation to include their youngest son, Brent, in 2013 as Holtz Farms, LLC. Dave and Kitty have three children and two grandchildren. Their home farm of 250 acres is located near Clayton

and Kenton Delaware. They grow corn, soybeans and wheat. Holtz Farms, LLC farm approximately 1,800 acres within Kent County.

Kitty also worked for the State of Delaware for twenty years and was active with 4-H for ten years. She has been a member of Delaware Farm Bureau since 1976, and took a more active role within the organization in 2003, serving on the state and county boards for eleven years. She was president of Kent County Farm Bureau for two years before being elected the State Farm Bureau President in 2014.

Kitty enjoys spending time with her grandchildren sharing in their many sport activities and other school events, and enjoys traveling as time permits.

XV. James McCulley- Watershed Eco. LLC

James (Jim) McCulley is the current president of the Home Builders Association of Delaware. He also serves as Life Director of the National Association of Home Builders and the Home Builders Association of Delaware. He is an Environmental Scientist with over 30 years of experience performing natural resource studies in Delaware, Maryland, New Jersey, Pennsylvania, Virginia, Florida, Georgia, Ohio and Indiana. He previously served on the National Academy of Sciences, Wetlands Advisory Committee which authored "Wetlands: Characteristics and Boundaries". He has also served on numerous local, State and National committees involved in Natural Resource Policy.

XVI. Robert Thornton- Home Builders Association

Robert Thornton serves on the Board of Directors for the National Association of Home Builders and is the State Director for the Home Builders Association of Delaware. He also serves on the Board of Directors of Home Innovation Research Labs, which wrote and developed the National Green Building Standard (NGBS). He has the first certified Green Home in the nation under the NGBS in 2009, and in 2010 was the state of Delaware's "Builder of the Year." Thornton is frequently a guest speaker at the International Builders Show (IBS) in Las Vegas and Orlando on the topic of green sustainable building.

XVII. Janice Truitt- Delaware African American Farmers Association, Delaware Agricultural Lands Preservation Foundation

Ms. Truitt resides in the hamlet of Hartly, as a local organic produce farmer. She is the Founding Director of Delaware African American Farmers Association and the first African American ever to be appointed as a Trustee to Delaware Agricultural Lands Preservation Foundation Board. Currently, Ms. Truitt serves as a Governor's appointee to the Delaware State Medical Licensure and Disciplinary Board. Ms. Truitt has worked and visited seventy-two (72)

countries world-wide including thirty-two (32) nations in Africa. She is a graduate of Delaware State University and is a current professor there, teaching Global Societies.

Beginning in 1991, Delaware farmland preservation program has two major components, agriculture preservation districts and agricultural conservation easements, in addition to a Young Farmers Program to assist the next generation of farmers. Agricultural easements are purchases of development rights by the foundation, placing a permanent agriculture conservation easement on the farm or forest land. To date, the foundation has preserved approximately 124,784 acres of farmland.

XVIII. Valann Budischak- Delaware Nursery & Landscape Association

Valann has served as the Executive Director of the Delaware & Nursery Landscape Association since 1998. In 2003 she became a UD Extension Agent in Ornamental Horticulture in addition to DNLA. In that role she also served as State Master Gardener Coordinator. In 2007 she also joined the ranks of the UD Botanic Gardens as Volunteer & Education Coordinator. In July she took off her extension hat to become the interim director of the UD Botanic Gardens. Valann works in numerous professional capacities as project administrator for Delaware Livable Lawns, Plants for a Livable Delaware and Enhancing Delaware Highways. She also serves on the board of the Urban Community Forestry Council, and an appointee to the Governor's Water Supply Coordinating Council.

Current or retired botanist or similar professional with expertise in Delaware plant species

XIX. Matthew Sarver- Botanist

Matt is an expert field ecologist with a broad range of knowledge in a variety of taxonomic groups (plants, birds, invertebrates, amphibians and reptiles) and over 20 years of field experience identifying and studying the ecological communities, flora, and fauna of the eastern United States. He is an Ecological Society of America Certified Senior Ecologist and a Certified Ecological Restoration Practitioner by the Society for Ecological Restoration.

Matt is principal of Sarver Ecological, LLC, which provides conservation planning, ecological assessment, and restoration services in Delaware and the surrounding Mid-Atlantic. He has special expertise in pollinator conservation, invasive plant species, field botany, and native plant community ecology, and has worked extensively on the Delmarva Peninsula.

Matt is a board member of the Mid-Atlantic Invasive Plant Council, President of the Society for Ecological Restoration Mid-Atlantic Chapter, Conservation Chair

and Past President of the Delaware Ornithological Society, and a board member of the Christina Conservancy.

In the past, Matt has worked as a botanist, community ecologist, and invertebrate ecologist for state Natural Heritage programs in Pennsylvania and Maryland, and as an avian field biologist in Arkansas. He has field experience in numerous other states, as well as Canada, Mexico, Costa Rica, Panama, Colombia, India, Oman, and Borneo.

Mr. Sarver possesses a Bachelor of Arts Degree, *cum laude* from Cornell University in Biological Sciences.

Appendix D: Minutes from Task Force Meetings

Meeting Minutes
Delaware Native Species Commission
March 8, 2019 at 10 am
Kent County Administrative Building, 555 Bay Road, Dover, Delaware
Room 220

Minutes approved on: April 17, 2019

Members Present

James White, Chair	Ashley Kennedy
Robert Thornton, Vice-Chair	Michael Costello
Jeffery Downing	Jessica Inhof
Michael Petit de Mange	Sarah Cooksey
David Saveikis	Janice Truitt
Tracy Surlles- via phone	Katherine Holtz
Christopher Heckscher	

Members Absent

Lori Athey
James McCulley

Administrative Staff

Jennifer Childears, Administrative Specialist III

Public Present

Stephanie Hansen, State Senator (via phone)	Tere Schubert
David Ennis	Elaine Schmerine
Maryanne Ennis	Faith Kuehn
Jeff Brothers	Kash Srinivasan
Lian Marie Colon	Flavia Rutkosky
Steve Sterling	Bill McAvoy
Richard Sterling	Shelia Smith
Karen Barker	

Call to Order

Mr. White called the meeting to order at 10:06 a.m.

Review and Approval of Minutes

The commission reviewed the minutes of the December, 19, 2018 meeting. Ms. Inhof noted her name was left off the list of attendees. Mr. Costello made a motion, seconded by Mr. Saveikis to accept the minutes with the noted change. The motion carried unanimously by the eligible commission members.

Unfinished Business

Mr. White officially welcomed Ms. Truitt to the Commission, although this was her second meeting. Ms. Truitt noted she was Chair of the Delaware Association of African American Farmers.

On the matter of commission members teleconferencing in for meetings, Senator Hansen has spoken with her peers and there is movement to bring something before the General Assembly allowing members to attend via Skype for advisory commissions such as the DE NSC. This movement is in its early stages so Senator Hansen does not know if or when anything may happen.

With regards to creating by-laws, it would not fix the matter of commission members calling in as there are also FOIA laws that need to be followed. For now, the commission will continue in the manner they have been and hope all members can be present for future meetings.

New Business

Law and Regulations Subcommittee Report

Mr. Petit de Mange reported that the subcommittee has not met recently but hopes to arrange a meeting this month. In the interim, Mr. Petit de Mange continued contact with the State Planning Office to review laws and codes. There is an increase of codes promoting good practices but many are silent on using native species or discouraging use of non-native or invasive species. Mr. Petit de Mange noted that Rehoboth Beach is addressing the issues of native use versus non-native/invasive use and they are moving towards adopting actions in their upcoming comprehensive plan to provide ways to plant native species. A goal for the subcommittee is to create a model comprehensive plan for future use by towns/cities. Usually, comprehensive plans last 10 years and Rehoboth Beach is at 80% maturity so they are working on their next 10 year plan.

Education Subcommittee Report

Mr. Downing reported that subcommittee met Feb 19. The primary focus was on creating a branding campaign. After reviewing some national and international examples, the subcommittee came up with a list of tag lines that they considered engaging and interactive. The top three are “Keep Delaware Wild”, “Find Your Wild Side” and “Save Delaware’s Wild Side”. The subcommittee wants to make it a simple, straightforward, fun action phrase.

Ms. Holtz found the tag lines interesting, makes a person want to look up what is wild in Delaware.

Ms. Truitt asked why the word “wild” was so prevalent. Mr. Downing responded that “wild” has a natural connotation of not being tame and “grow” was too plant focused. Mr. Saveikis noted “wild” could mean wilderness, perhaps something more along the line of “Keep Delaware Natural” or “Naturally Wild”.

Mr. Thornton noted that “wild” has a lot of meanings and it could get a person’s attention. Mr. Downing felt “Keep Delaware Wild” might be more relatable to younger people. Mr. Saveikis mentioned that Fish & Wildlife’s Bayshore Initiative has “Delaware’s Wild Side” as part of their branding.

A public member mentioned testing the top three tag lines with the public to which Mr. Downing noted he wanted to bring it to the commission first for discussion before doing any public testing.

Senator Hansen mentioned that the branding should impress that people can make a difference in their own backyards and we want citizens to change their behavior in their yards and “wild” might not be the image we want to bring to mind. There has also been a lot of discussion in the state about legalized marijuana use and “wild” might make people think of that instead of native species.

Mr. Costello offered the idea of bumper stickers along the lines of “I’m Local” and highlighting a local species. Mr. White mentioned a play on SOS- Save our Native Species to which Mr. Saveikis mentioned using caution if using the word “native”.

Ms. Kennedy thought since we have public at the meeting, we should hear their thoughts. The public provide ideas such as “Stay Native”, “Go Native” and Ms. Kennedy mentioned that any use of “native” must be followed with “species” to avoid confusion.

Ms. Truitt offered the phrase “Cultivate our Natural Nature” within the Delaware state image might be appealing to growers, farmers and others.

Mr. White noted that the Commission is not in a place to vote on a tag line just yet and that the subcommittee will need to discuss further the comments from today and develop a process to present again.

Top Ten List

First Steps

The commission members were given a list of the top ten recommendations to start work on. Second on the list is “Make the sale of invasive plants illegal in Delaware, allowing an appropriate phase-out period after legislation passes. (A) Invasive species are those on the Delaware Invasive Species Council plant list, as periodically amended. (B) The Delaware Invasive Species Council plant list must be reviewed and amended if necessary on a regular basis.”

Senator Hansen has written a draft bill to ban invasive species sales and requested the commission review and comment on it. Wording for part of the draft bill was taken from the current Agriculture Code pertaining to noxious weeds. Given that, this bill would fit more logically under the Department of Agriculture in terms of enforcement matters. There is also wording taken from the Delaware Invasive Species Council (DISC) website and the list of invasive species is from the current DISC list. The Department of Agriculture estimates it would need an additional 4 new staff to handle work beyond point of sale. The lower the fiscal note attached to the bill, the better its chances are to move through the General Assembly.

The Commission reviewed the draft bill line by line and discussions were held as follows. A portion of the draft bill is followed by all discussion relevant to that portion. Secretary refers to the Secretary of the Department of Agriculture.

“No person may sell, collect, transport, distribute, propagate or transplant any viable portion, including seeds, of an invasive plant in this State, unless the Secretary provides prior written

consent” This language is overly broad. The Department of Agriculture is concerned with going beyond the point of sale and how that would affect staffing in terms of enforceability of collecting, transporting and transplanting. The Department of Agriculture would rather see more focus on selling and distributing. Also, there needs to be exceptions made for collecting and transporting for citizens removing invasive species from yards, scientific work, educational needs and eradication. What are the limitations on consent? There needs to be language to allow for certain situations that would require possession of invasive or non-native species. The bill would be enacted on a set date which would allow for retailers to remove their stock. There may also be an enabling clause to allow the Secretary to promulgate regulations. Need to keep in mind what the Department of Agriculture can enforce. Point of sales mostly, regulating landscapes may be too cumbersome. Education is key but the first step is stopping point of sale and mail orders.

“The Secretary may make the alteration to the Invasive Plant List under Chapter 101 of Title 29” There was a need to name someone in perpetuity, such as a department secretary, as opposed to the Native Species Commission, which will sunset after 10 years to be in charge of editing the list. Comments from the Department of Agriculture, held outside of this commission meeting, suggested having a committee of stakeholders that would make suggestions for the Secretary. The commission agreed that if they could provide input as to the groups represented on the committee, they would cede the authority of editing the plant list to the Secretary. Groups the commission would want represented include representatives from the Delaware nursery and landscape industries; Department of Agriculture; Department of Natural Resources and Environmental Control- specifically Fish & Wildlife; Department of Transportation; Plant and Soil Science faculty from University of Delaware or Delaware State University; Delaware Invasive Species Council; NGO Conservation Agencies; the public; and the Native Species Commission while it is active. Title 101 allows for a formal public process to edit the regulations once established so there will be a time for input from all stakeholders when the list needs to be changed.

“The Secretary, in consultation with the Delaware Native Species Commission, shall maintain a list of invasive plants...” The language here will need to be changed as the NSC will sunset in 2028. However, if there is an update to the line mentioned in the previous paragraph here, this line might not be needed at all.

“Violations” Does this change the Department of Agriculture to a law enforcement agency? How will violations be processed and what is the procedure for making allegations? The Commission should be educating first, then curtailing, then eliminating as opposed to laws that create large fines or adjudicating. A \$1,000 fine seems too high. The amounts can be changed but there needs to be a point where it is hurtful to a business to continue selling non-native/invasive species, otherwise they add it to the cost of business and continue with their practices, passing the fine costs on to the buyer. Enforcement and penalties are needed to stop retailers from selling. There could be a change to make it a civil penalty. Also would want to see language inserted regarding opportunities to advise, abate and correct before assessing a fine. Would rather see steps leading up to a fine then assessing a fine first.

“Invasive Plant List” This list was taken from DISC’s most recent list of wide spread, restrictive and aquatic invasive species. The list is from 2003 and DISC is working on a new list but will take some time to have that prepared. With the ability to edit the list already included in the bill, it

would be, for the sake of time, best to use this list. Several spelling errors need to be corrected. If the bill is changed to limit it to point of sales, the list could be pared down to just those species that are sold at retailers. But we would need other methods to eliminate the spread of the other plants on the list. Changing the list once it is enacted would be a five or more month process so the reality is the list might change only every few years. DISC will take a look at the list and provide a professional judgement of what should be left on, added or removed from the list as presented in the draft bill. DISC is an educational council, it does not regulate. There could be a tier system introduced. Mt Cuba has a study on invasive plants that are sold in Delaware and that list will be sent to Senator Hansen for review.

“Invasive plant means any living part, cultivar, variety, or subspecies of a species identified by the Secretary with the advice of the Delaware Native Species Commission, as a non-native species with the potential to do all of the following...” Does this need to specify non-native to Delaware? The Division of Fish & Wildlife specifies Delaware in their regulations. What is the intent of “all” in the statement? Will the species have to meet all listed criteria to be considered invasive or can it meet “any”?

Senator Hansen will edit the bill after reviewing all of the comments and send it through email to the Commission members for review and discussion at the April meeting of the NSC.

Goals for 2019

The commission members were given a list of their goals for 2019. One of the goals is to develop a budget. Senator Hansen noted that she can pursue different sources depending on the amount needed but would need a list of items needed and costs. The commission will discuss this at their meeting in April.

A second goal involves coordinating with other stakeholders in an Environmental Symposium in the fall of 2019. A member of the public mentioned that the Delaware Center for Horticulture holds symposiums and perhaps the commission can connect with them.

Public Comment

The public commented throughout the meeting. There was additional discussion of the use of “any” or “all” in the draft bill. Would want to use all as it is important to have all the criteria to show it is an invasive, non-native plant species. A suggestion was made to have Bill McAvoy, botanist for the Division of Fish & Wildlife, send language that will help create a better criteria list or address the concerns entirely.

Ms. Childears mentioned to the commission that she received an inquiry from an undergrad as to the need for an intern. Mr. White requested that Ms. Childears send him the contact information and he will reach out to them.

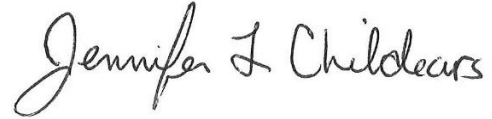
Next Meeting Date and Location

The next meeting is scheduled for April 17, 2019 in Room 221 from 10-12. Senator Hansen requested that the meeting times be moved to 9-11 am. As none of the commission members present had an objection, meetings will be moved to 9-11 am.

Adjournment

There being no further business, meeting adjourned at 12:10 pm.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jennifer I. Childears". The signature is written in black ink and is positioned above the typed name.

Jennifer Childears, Administrative Specialist III
DNREC, Division of Fish & Wildlife

Meeting Minutes
Delaware Native Species Commission
April 17, 2019 at 9 am
Kent County Administrative Building, 555 Bay Road, Dover, Delaware
Room 221

Minutes approved on: June 19, 2019

Members Present

James White, Chair	Jessica Inhof
Robert Thornton, Vice-Chair	Sarah Cooksey
Jeffery Downing	Janice Truitt
Tracy Surles	Katherine Holtz
Ashley Kennedy	Lori Athey
Michael Costello	James McCulley

Members Absent

Michael Petit de Mange
David Saveikis
Christopher Heckscher

Administrative Staff

Jennifer Childears, Administrative Specialist III

Public Present

Stephanie Hansen, State Senator	Faith Kuehn
Teddy Mortiz	Amy Highland
Linda Newsome	Flavia Rutkosky
Steve Cottrell	BC Dant
Valann Budischak	Marie Fletcher

Call to Order

Mr. White called the meeting to order at 9:05 a.m.

Review and Approval of Minutes

The commission reviewed the minutes of the March 8, 2019 meeting. Ms. Cooksey made a motion, seconded by Ms. Kennedy to accept the minutes as written. The motion carried unanimously by the eligible commission members.

Unfinished Business

There was no unfinished business.

New Business

Law and Regulations Subcommittee Report

Mr. Costello reported that the subcommittee met on April 10th and reviewed the goals of the subcommittee. They also reviewed local regulations, ordinances and comprehensive plans that are working towards using native or non-invasive species that the commission can promote. The subcommittee is exploring an option to work with interns to draft city/county legislation/rules. The subcommittee also discussed creating a Certified Native Plant Garden Center for retailers. Finally, the subcommittee discussed working with the Conservation Districts within the state to promote storm water and no mow areas as models. The subcommittee plans to meet again in June.

Ms. Cooksey asked if the subcommittee was looking at policies at the state level also or only the local level. Mr. Costello replied that they are working to ID jurisdictions that have regulations already in place that the commission could promote at any level of government.

Education Subcommittee Report

Mr. Downing reported that the subcommittee met March 25th and continued their discussion on a branding tagline. The subcommittee took all the taglines discussed in the March 2019 meeting and narrowed them down to a final four of “Grow DE”, “Grow Wild DE”, “Nurture Nature” and “Keep DE Wild” which the subcommittee would like the commission to vote on. Comments are as follows:

Mr. Thornton- the line needs to be enough to grab their attention to move on to whatever comes next, the line may be forgotten once the person gets into the information.

Ms. Kennedy- the ranking system used to compile the final four shows that “wild” was trending.

Ms. Cooksey- “Grow DE” seems to lean more towards an economy connotation.

Mr. White- “Keep DE Wild” was the strongest of the 4 lines and invokes nature and wildlife.

Mr. Downing- “Keep DE Wild” follows national trends of cities such as “Keep Austin Weird”.

Ms. Truitt- There are some taglines from the March meeting that did not appear on the list. Were they exclude? Can the commission rank those?

After more discussion it was decided that a survey monkey would be initiated with the final four and the previously omitted taglines for the commission to rank. Those finding will be discussed at the next commission meeting.

The subcommittee also discussed the symposium and realized there are many logistics to work through that make the project much bigger than the subcommittee or the commission can handle with its limited volunteer time. It may be necessary to hire a consultant to assist with the planning and coordination. Ms. Athey wondered who the target audience would be as that would affect the types of displays, vendors and discussions during the symposium. Senator Hansen offered her office as a resource for assistance and mentioned that there are similar events happening through her office that could be used as an example of how to get insurance and find a location to hold the symposium. Senator Hansen also discussed waiting until winter for the symposium because she had spoken with the Department of Education and the Division of the Arts about engaging students in the process and both agencies are on board to create curriculum and possibly hold an art contest to create a graphic for swag bags. Mr. White thought a subcommittee specific to the symposium would be needed and also to add the estimate cost of an event planner to the budget. Mr. White also mentioned that there are a lot of smaller events that already exist- Ag Day and so on, where

the commission could have a small display. That would be a start and Mr. Thornton said that going this way- starting at smaller events- would help the commission to tweak and refine the message as the commission moves along to the symposium. Mr. Thornton suggested working with HOAs and private sponsors to talk at meetings with a turnkey exhibit. The associations would pay to have the commission there and that would help with the cost of a small exhibit.

Ms. Athey made a motion, seconded by Ms. Holtz, to create a working group that will guide the commission on creating a winter symposium. The motion carried unanimously.

Mr. White, Mr. Downing, Mr. Thornton, Ms. Kennedy, Ms. Cooksey and Senator Hansen voiced their willingness to start a small workgroup to move forward with a small display. This group would be targeting HOAs and residences promoting 5 educational goals- “choose native plants,” “avoid invasive plants,” “use water wisely,” “use chemicals sparingly,” and “reduce lawn size.”

Top Ten List

While not formally on the agenda, the commission discussed the draft legislation, which is part of the top ten list, previously reviewed on March 8, 2019. In particular, the discussion surrounded the list of invasive plant species that is part of the legislation. Ms. Athey felt the process of how species made the list was just as important as being on the list. Ms. Athey mentioned protocols that the Delaware Invasive Species Council (DISC) used. Bill McAvoy, public member, Fish & Wildlife botanist and member of DISC has two additional lists determined as “probably invasive” and “watch list” which are reviewed regularly.

Faith Kuehn, member of the public and DISC recommended that the council use the current DISC list for the legislation while Mr. McAvoy’s other lists are reviewed. This will help move the legislation along. The commission should think about scheduling when reviews of the bill’s species list would be done and also proving funding to agencies for those reviews. Finally, Ms. Kuehn mentioned that the bill should focus on plants that are sold now that are invasive.

Senator Hansen mentioned that the legislation is on hold due to an issue arose that needs to be corrected before moving forward. A member of the Delaware Nursery and Landscape Association had their representative introduce a bill to appoint two representatives from the Association to the commission as there is currently no one representing them. Senator Hansen felt it was not in the best interest of the bill to move forward until someone from the Association was on the commission to discuss it as the bill directly affects Delaware’s nursery and landscapers industry. However, Senator Hansen is proposing to open SB 153, the bill that created the Native Species Commission, and add three more members, one for each of the defined demographics: by virtue of position, representing an environmental organization or institute of higher education, and representing commercial interests. Adding three positions will allow a member from the Delaware Nursey and Landscape Association a place on the commission. Senator Hansen also discussed removing the requirement that a commission member be a Delaware resident. Instead the commission member is required to part of a Delaware group. Senator Hansen will work on getting that pushed through as soon as possible.

Goals for 2019

Budget

The commission discussed what line items would be on the budget (mileage reimbursement, operational costs, funding for event planners, media specialists, displays, volunteer corp manager, marketing specialist, the symposium, future symposiums and so on) and what would be a good asking amount. Mr. Thornton asked if there was a ceiling, a limit, the commission could ask for and Senator Hansen mentioned to start around \$10,000 to gauge the response. There are ways to generate funding in the future, such as agency buy-ins (the commission provides a service for a fee) and of course getting a symposium and information out to the public could also generate funding. Ms. Cooksey inquired where would the budget money be held and Senator Hansen replied that since DNREC is charged as the administrative support of the commission, the money would be housed with DNREC. Mr. White will create a line budget to send around to the commission for edits and suggestions before sending the Senator Hansen.

Symposium

Much discussion regarding the symposium occurred prior to its time on the agenda. However, the following discussions were had at this time.

The commission needs to get started with educating the public ahead of any legislation so that the commission can craft the conversations. The commission needs to start bringing people to the table and get people mobilized. Mt. Cuba is having an event at the end of the month and Mr. Downing mentioned that he will put something small together to display that the event to get started. Amy Highland from Mt. Cuba remarked that communication efforts between conservationists and plant people need to be improved and that Mt. Cuba will be working on ways to make this happen. There are a lot of different groups with overlapping interests that need to be brought into the conversation- cooperative extensions, education groups, conservation groups, Dr. Tallamy. Dr. Tallamy is giving free talks on Arden on Monday, April 22 and will be a TriState Bird Resuce's Open House on May 5th. Senator Hansen presents her PowerPoint sometimes three times a month and that has been gaining interest. Ms. Childers will make the current version of the PowerPoint available online at the commission's website.

Ms. Cooksey asked about issuing a press release regarding the commission. Currently DNREC issues a press release before each meeting but there has not been a press release specifically about the commission. Ms. Cooksey will draft one for review. Mr. Downing mentioned that Mt. Cuba has a standing portion of the News Journal when needed and he would use the space for the press release. Mr. White mentioned he is in contact with Maddy Lauria also with the News Journal. Mr. Thornton said he would pay for a release in several trade journals.

Other Business

FOIA and posting regular and subcommittee meeting notices

Ms. Childers reminded commission members that per FOIA rules, all meeting notices, including subcommittees, are to be posted to the state wide calendar 7 days in advance.

Public Comment

Valann Budischak- If the legislation to ban sales of invasive species becomes law, how do we make sure that the government offices are following the law? Mr. Costello replied that Government

leading by example is one of the commission's tasks and Mr. White mentioned that Legislative Hall and New Castle County are making strides in removing invasive species and planting native species. Ms. Surles mentioned that there are several areas throughout New Castle County that have creative native species areas and are putting up signs to inform the public.

Helen- The commission is meeting for the next decade, has it considered other species? Mr. White replied that the commission will expand its focus to other species but that the ban on invasive plant species was part of the commission's goals for 2019.

Faith Kuehn- While displaying at smaller events (before the symposium) create a small survey that people can answer to gather information on what the public wants to know so that the commission can cater to that. Senator Hansen mentioned that Master Gardeners is one group that is ready to help get the word out about the commission.

Beverley- Legislation should include plants to promote and define weeds we are protecting as some weeds are not invasive but the education is not there. Mr. White mentioned that there has been discussion of weed control ordinances being more on the negative side.

Ms. Truitt mentioned the importance of government offices setting examples of native species. The public can learn by seeing. A full list of government offices throughout Delaware that are displaying native species should be developed. We need to show the public how it is done. Mr. White mentioned publicizing the places that are going it well and Ms. Cooksey volunteered to start a list. Flavia Rutkosky suggested having kiosks with take away information for the public. Barbara mentioned involving school children in planting over the summer into the fall. Ms. Truitt also mentioned utilizing 4H and FFA groups to encourage schools to plant native species and then map out the places where it's been done so public can go and see.

Ms. Budischak mentioned that there are several good publications available. Original Plants for Livable Delaware is no longer in print but some other publications are. If there was money available, they could print more. Senator Hansen requested that commission members bring in various publications to see what could be reprinted with funding. Mr. Downing and Ms. Athey mentioned that there is a list available and Mr. Thornton mentioned perhaps printing a few on his own. There is a link on the commission's website to a list of educational materials put together by Mt. Cuba.

Barbara- discussed her difficulties in purchasing native species that were not treated with chemicals and she hoped that the commission would encourage people to buy local but also need to look at not spraying or creating hybrids of native species. Mr. McCulley mentioned that the native species are out there but when people go to the store to get the plants, the retailer will be out or not have it and then sell something else to them. Ms. Truitt mentioned as the education increases, the supply and demand will help get the native species in stores. Mr. White suggested identifying suppliers and Senator Hansen mentioned a study that was done that showed there was a lot of non-native, sprayed species in the stores. Linda Newsome remarked that the York County Master Gardeners group has great resources available, Barbara also mentioned that what plants attract in terms of wildlife would also be helpful. Mr. Downing mentioned that Mt. Cuba works

with a Environmental Psychologist that works with neighborhoods to identify cues that move people to improve their landscapes.

Next Meeting Date and Location

The next meeting is scheduled for June 19, 2019 in Room 221. Ms. Truitt made a motion, seconded by Ms. Cooksey to move the start time back to 10:00 am. The motion carried unanimously.

Adjournment

There being no further business, meeting adjourned at 10:55 am.

Respectfully Submitted,



Jennifer Childears, Administrative Specialist III
DNREC, Division of Fish & Wildlife

Meeting Minutes
Delaware Native Species Commission
June 19, 2019 at 10 am
Kent County Administrative Building, 555 Bay Road, Dover, Delaware
Room 221

Minutes approved on: October 16, 2019

Members Present

James White, Chair	Michael Costello
Robert Thornton, Vice-Chair	Sarah Cooksey
Michael Petit de Mange (left at 10:55)	Janice Truitt (left at 11:22)
David Saveikis	Katherine Holtz
Ashley Kennedy	Lori Athey

Members Absent

Jeffery Downing
Jessica Inhof
James McCulley
Christopher Heckscher
Tracy Surles

Administrative Staff

Jennifer Childears, Administrative Specialist III

Public Present

Roger Craig	Linda Newsome
Steven Dietrich	Rick Mickowski
Stephen Childers	William McAvoy
Blake Moore	Steve Cottrell
Liaian Colon	Valann Budischak
Jeff Brothers	Marcia Fox
Shelia Smith	

Call to Order

Mr. White called the meeting to order at 10:04 a.m.

Review and Approval of Minutes

The commission reviewed the minutes of the April 17, 2019 meeting. Ms. Cooksey made a motion, seconded by Ms. Holtz to accept the minutes as written. The motion carried unanimously by the eligible commission members.

Unfinished Business

Branding Tagline

Mr. White announced to the Commission that the branding tagline survey had shown that “Delaware, Naturally!” was the top choice among those who responded. Ms. Truitt made a motion,

seconded by Ms. Athey to accepted “Delaware, Naturally!” as the tagline for educational items associated with the Commission. The motion carried unanimously.

Environmental Symposium

The Education Subcommittee was not able to meet prior to this meeting so forward motion on the symposium has been stunted.

Budget

Ms. Cooksey distributed a draft budget for the Commission to review. Discussion followed concerning the line items for Contractual Assistant-\$12,500; Equipment \$1,500 (laptop for admin and contractual assistance); Mileage Reimbursement- \$1,650 (Ms. Childears corrected the estimate to \$4,800 based on calculations using \$.40/mile); Education \$6,000 (a member of the public noted that reprinting brochures could cost upwards of \$5,000 so the education line was adjusted by \$5,000); and Symposium- \$750. The grand total after adjustments would be \$30,550.

There was a discussion about mileage reimbursement for subcommittee meetings, which was not calculated and would increase the budget. Ms. Truitt mentioned possibly holding subcommittee meetings remotely to help keep costs lower. Mr. White mentioned that the Commission would also look into partnering with other organizations and working to get sponsorships.

Mr. Saveikis informed the Commission that Senator Hansen had presented the draft budget to the General Assembly to have something for FY2020. Mr. Saveikis will update Senator Hansen on the revisions to see if there is time to have the newer numbers set before the General Assembly.

Public Buildings that are Native Species Centric

Ms. Cooksey distributed a list of Native Gardens in Delaware that are open to the public. The purpose of this list is to provide the public with examples of successful native gardens and what could be done planting native, non-invasive species. It is for the public to learn and recognize native species. The list does not include public areas that were planted for specific purposes, such as rain gardens.

Ms. Athey mentioned the Cooperative Extension sites in the three counties and the New Castle County libraries that should be added to the list. Ms. Truitt mentioned Delaware State University and Dover High School as places that have designated natural sites.

A public member mentioned an area that wasn’t a garden but more of a habitat restoration site. Mr. White pointed out that this list is for gardens only and that habitat restoration sites were separate and a next step after identifying public gardens.

Mr. McAvoy, botanist and public member, requested the commission define “native garden” to be clear on the difference between plants that grow in Delaware habitat versus rare species that are truly native to Delaware, which you cannot buy and are not preferred for gardens. In habitat restoration sites you plant truly native species but in gardens, you might plant species that are non-invasive but grow well in Delaware. Ms. Cooksey will rename the list to Mid-Atlantic Native Gardens with a caveat that native has yet to be fully defined for this purpose. That way, the Commission has a handout to start with and can tweak along the way.

Ms. Smith, public member, noted that some gardens are planted to support biodiversity, birds, and wildlife.

Ms. Athey will check the locations of the New Castle County libraries and Mr. White will check state parks and have Mr. Heckscher (who was absent from the meeting) look into Delaware State University.

Ms. Cooksey will collect new locations and present again at the August meeting.

New Business

Law and Regulations Subcommittee Report

Mr. Petit de Mange reported that the last meeting was April 10 and the subcommittee plans to meet again in July. Work continues with contacting representatives in the three counties to discuss using native species in their stormwater management and drainage improvement plans and looking to draft model ordinance to address eradicating invasive species.

Education Subcommittee Report

Mr. White filled in for an absent Mr. Downing. The branding tag line was discussed earlier in the meeting. The subcommittee is also having some trouble finding time to organize and create a tabletop display for use during other organizations' events. Mr. White put the call out to contact himself or Mr. Downing if anyone, including the public, would like to spearhead this effort. The subcommittee is also looking for help with getting the symposium going.

Mr. White also announced a July 27th event at Mt. Cuba for anyone interested in attending.

Winter Symposium Work Group Report

This topic was discussed in earlier portions of the meeting.

Top Ten Tasks

The Commission reviewed their Top 10 list, taken from the recommendations of the Statewide Ecological Extinction Task Force. Mr. White read through the list for the public members. The Commission is working through many of the educational tasks simultaneously. There were no further comments regarding any actions taken or needed at this time.

Legislation

Mr. Saveikis spoke on behalf of Senator Hansen as to the status of SB84, which will expand the Commission from 15 to 19 members. The four additional members will include the Secretary of the Department of Transportation (or her designee), a botanist, a member representing an environmental organization or educational institute and a member representing commercial or farming interests. The bill has passed the Senate and is moving to the House. Ms. Cooksey made a motion, seconded by Mr. Costello to have Mr. White, as chairperson for the Commission, write a letter of support for SB84 to the General Assembly on behalf of the Commission. The motion carried by a majority, with Mr. Saveikis abstaining from the vote.

Ms. Kennedy stated that her work situation has changed and she is no longer with the University of Delaware. If the bill is passed, she could stay on the commission as a member of the Delaware Ornithological Society. If not, she had several suggestions for a replacement.

Goals for 2019

Ms. Childears read the goals of the commission all of which are being worked on currently. There was no further discussion.

Other Business

Mr. Saveikis again spoke on behalf of Senator Hansen regarding the draft bill regarding banning the sale, distribution, etc. of invasive plant species. The list of invasive plant species is still pending an update from the Delaware Invasive Species Council and further commission appointments, should SB 84 pass.

In addition, Senator Hansen is still working on introducing a bill to aid attendance at open meetings using video or other technological means. There were was points that caused the bill to be held up but Senator Hansen is committed to bringing it back up next session.

Public Comment

Ms. Smith asked for clarification on the tabletop display the Commission discussed. The Commission would like to create a portable tabletop display to use at events around the state. It is different than creating a display for the symposium that has been discussed. Ms. Smith also has a list of organizations that the Commission could contact for collaboration. MS. Smith will email the list to Mr. White and/or Ms. Childears.

Ms. Smith also asked if any actions were taken in regard to #6 on the Commission's Top Ten list, which is "Encourage municipalities to adopt native landscaping in their codes." Mr. White stated that the Commission is still gathering information on that. Mr. Costello stated that the law and regulations subcommittee is working through county codes to find good examples to use. Ms. Smith asked if he was talking with anyone specific and Mr. Costello said just generally. Ms. Smith works with Newark and can provide specific names.

Mr. Thornton noted that lay people (people that do not study or have a specific interest in plant or wildlife) want to know what to plant to bring back birds. Mr. Thornton believes that is the key to getting public buy-in.

Ms. Smith will contact the commission if anything else comes to mind, stressing that the Commission needs to get organizations on board, create a set of early adopters to using native or non-invasive species only.

Another member of the public discussed his HOA community where they are trying to convert 22 acres from invasive species to meadows or open space. They have run into a problem with funding and wanted to k now if the Commission had anything to offer in way of expertise, grant money or anything else. Mr. White noted that one of the goals of the Commission is to be able to provide a list of names

for the public but the Commission is not there yet. Several other members of the public provide several ideas and avenues to try.

Ms. Fox, DISC representative and member of the public, discussed a public initiative that was available for a time to help restorations to native spaces but the funding had ceased.

Ms. Fox also provided an update on the DISC list. The Council will be using the Nature Serve Protocol to review its list and create updates. They hope to begin in July and have an updated list available in October.

Ms. Fox also inquired about how to be appointed to the Commission. Ms. Childears directed any interested person to complete an application by visiting the Governor's webpage and looking for Boards and Commission. Lydia Massey is the contact person for that section.

Next Meeting Date and Location

The next meeting is scheduled for August 21, 2019 in Room 221 at 10:00 am.

Adjournment

There being no further business, meeting adjourned at 11:30 am.

Respectfully Submitted,



Jennifer Childears, Administrative Specialist III
DNREC, Division of Fish & Wildlife

Meeting Minutes
Delaware Native Species Commission
August 21, 2019 at 10 am
Kent County Administrative Building, 555 Bay Road, Dover, Delaware
Room 221

Minutes approved on: October 16, 2019

Members Present

James White, Chair	Christopher Heckscher
Robert Thornton, Vice-Chair	Jessica Inhof
Lori Athey	James McCulley
Darin Callaway	Michael Petit de Mange
Sarah Cooksey	David Saveikis
Jeffery Downing	Janice Truitt

Members Absent

Michael Costello
Katherine Holtz
Ashley Kennedy
Tracy Surles

Administrative Staff

Jennifer Childears, Administrative Specialist III

Public Present

Linda Sperry
Matt Bailey
Blake Moore
Jeff Brothers
Linda Newsome
Valann Budischak

Call to Order

Mr. White called the meeting to order at 10:02 a.m.

Review and Approval of Minutes

The commission reviewed the minutes of the June 19, 2019 meeting. There was not a quorum of eligible commission members that had attended the June meeting to approve the meeting minutes, so no motion was made or approved.

Unfinished Business

Symposium

Mr. Downing reviewed discussions the educational subcommittee had regarding the symposium. The consensus of the subcommittee was that there needed to be a dedicated individual to organize the ideas of the committee and do the needed leg work to make a symposium happen. To that end,

Mr. White proposed Helen Fischel as the organizer. Ms. Fischel had worked with Mr. White at the Delaware Nature Society and has a lot of experience in running these types of events with great success. Mr. White would like to contract Ms. Fischel and pay her \$4,000.00.

The Commission discussed the process for hiring someone. Ms. Truitt asked if any other candidates were considered. Mr. White replied that given the time constraints he did not consider other candidates. Ms. Inhof questioned where Mr. White came up with \$4,000.00 as the rate and Mr. White replied that he had discussed that amount with Ms. Fischel.

Mr. Petit de Mange made a motion, seconded by Mr. Downing, to enter into a contract with Helen Fischel to serve as coordinator for the symposium with a time and materials fee not to exceed \$4,000.00 without further review by the commission contingent on the procurement process and that scope of services will be approved by the Chair, Mr. White and the Chair of the subcommittee, Mr. Downing. The motion carried unanimously.

Mr. Downing, Mr. White, and Mr. Saveikis will work together to prepare and review the contract.

Budget

Mr. Saveikis announced that the Commission received \$22,100.00 of Grant-in-Aid money from the general assembly with no restrictions. Discussion about how money could be spent followed. Ms. Cooksey will apply a percentage of the previously discussed draft budget to the Grant-in-Aid money to use as a guide. Also discussed was if mileage reimbursement could be obtained for the fiscal year 2019 (July 2018 to June 2019). Mr. Saveikis will follow up on that question and Ms. Childers will forward the mileage reimbursement paperwork to the commission members.

Public Buildings that are Native Species Centric

Ms. Cooksey did not receive all the information needed to complete the list, which will be referred to as the Mid-Atlantic Native Gardens. Dr. Heckscher will provide information regarding Delaware State University's natural gardens. Mr. White will check the maritime areas for gardens. Ms. Athey mentioned that the Brandywine, Odessa and Claymont Libraries all have native gardens. The list will also note which public gardens have interpretive kiosks or information and which do not. Mr. Callaway noted that DelDOT is pushing for native species use when they redesign landscapes.

Ms. Cooksey will amend the list and present it again in October.

New Business

Law and Regulations Subcommittee Report

The subcommittee met in August and Mr. Petit de Mange summarized the meeting for the Commission. The subcommittee reviewed the Top Ten list and continued their research on local regulations and plans that are already in place. It's been harder to find local regulations that address native species but the work is almost done and the subcommittee hopes to have a report for the Commission soon.

The subcommittee has also contacted the three Conservation Districts to discuss stormwater management and erosion sediment control and ways to help each other. The districts were receptive to helping in any way they can.

The subcommittee also discussed funding issues and best management practices and discovered some models to present, but felt that this sort of activity fell under the educational subcommittee so they will pass the information over.

New Castle County is launching a new campaign called GreeNNC to promote native plant species use to homeowners. The county is also working on adding education information to its native species plant sites. Sussex County has completed its comprehensive plan and is working on a county-wide ordinance for trees and plants. Kent County is interested in following the lead.

Discussion, in the subcommittee and consequently in the Commission meeting, moved on to creating a certified nursery program for designers, sellers and other people who deal with the retail of native plant species. It was suggested that the certification could come from the Commission. However, Ms. Budischak, a public member, relayed that a certification program does exist and any employee of a garden center can obtain it through the Delaware Nursery and Landscape Association. There is a listing of certified people on the DNLA website and Ms. Budischak will send the link to Ms. Childears to upload to the Native Species Commission website.

It was decided that Mr. Petit de Mange invite Trish Ardt to the next commission meeting for a presentation on the certification program.

Mr. Downing suggested asking the certified people and garden centers if they could also display the *Delaware, Naturally!* tagline and also group native plants together in their stores or somehow create an easier way for consumers to find and purchase native plant species.

Education Subcommittee Report

Mr. Downing reported that a large number of the recommendations for the Commission deal with education. Mr. White and Ms. Kuehn, a public member, will be working together to create a tabletop display that Commission members can take to statewide environmental events (meetings, conferences and so on) to begin spreading the word about the Commission and educating the public about native species. Mr. Downing also encouraged the Commission to begin thinking about a long term strategic plan.

Ms. Gillis, Mt. Cuba Center Fellow, presented to the Commission her work on developing a community program designed to encourage homeowners to plant and maintain native species in their gardens and communities. The program focused on behaviors and thought processes of homeowners and worked to encourage them to change their landscape and garden habits to be more native plant species centric. Ms. Gillis talked about researching and identifying the motivating factors of homeowners, what messages about native plant species work best and what barriers are present. For example, showing homeowners the beauty of native plants and discussing how using native plants have long-reaching effects on their neighborhoods helps homeowners want to use native plants. The program sought to create “Neighborhood Ambassadors,” trustworthy neighbors that would rally the community along the native plant route. The program

was done with neighborhoods closest to the Mt. Cuba Center, but there are plans to expand the program out further in the coming years.

Top Ten Tasks

Mr. White noted that the Commission has worked on at least eight of the Top Ten but noted that numbers 4- Encourage the preservation of the remaining intact forest habitat (largest tracts should receive highest priority) (Incentivizing Private Landowners); and 8- Encourage protection of Delaware's rarest plant communities such as Atlantic White Cedar Swamps, Coastal Plain Ponds, Interdunal Swales, Sea-level Fens, Piedmont Streamside Seepage Wetland, and Piedmont Tuliptree Rich Woods (Legislation Affecting Development) have not been addressed.

Regarding number 4, Mr. White commented that the Commission needs to start looking for incentive programs and Mr. Downing responded that he was recently assigned to chair a task force for New Castle County's government on the preservation of Agriculture land with easements and open space. The task force has a year to come up with recommendations so his work there might carry over to the Commission. Ms. Truitt mentioned that the Delaware Agriculture Land Foundation, which she is a representative of, is responsible for providing easement and forestry assistance for all 3 counties and perhaps the Commission can utilize their help.

Regarding number 8, Mr. White noted that DNREC's Division of Fish & Wildlife has a list of endangered native species but there are no legal protections of those species. A question was raised if a tour could be created to visit some of the places mentioned or have photographs of the areas. Mr. White noted that he could do a presentation and then perhaps guide a field trip to some locations.

Ms. Truitt recalled a program that DNREC's Division of Fish & Wildlife ran where the division would supply tree saplings to the public. Mr. Saveikis noted that the program ended when federal money was removed but perhaps the Department of Agriculture has a similar program. Mr. Saveikis went on to note that several forest areas are not covered by any foundation or government protection program and they should be. Ms. Truitt mentioned that there should be some state funding to help citizens buy and maintain native plant species. Mr. White noted that some NGOs have programs to help but he would have to look up ones that do.

Dr. Heckscher questioned if both items could be highlighted in the symposium some way to help further education on the topics.

Ms. Cooksey stated that there needs to be more legislation and funding and she mentioned strategic planning again. Mr. White noted he had never done a strategic plan internally before, that people were always brought in to facilitate. He does not know what the process looks like. Ms. Cooksey has some experience in this area and will put some information together. Mr. Downing noted that the plan needs to have clear objectives, such as funding for scientific knowledge, citing the loss of knowledge when Bill McAvoy retires and having funding for the state to hire an equally competent botanist to continue the work. Mr. White noted that the Commission could be tasked with helping to fund Fish & Wildlife programs. Mr. Saveikis noted that the Recovering America's Wildlife Act is in Congress and designed to help with funding.

Ms. Cooksey also suggested that a member of the Commission attend the Open Space Council meetings to advocate and Mr. White agreed he would attend. The next meeting is Sept 4 and 9 am at Legislative Hall.

Legislation

Mr. Saveikis reviewed SB 84 which was passed during the last General Assembly session. This bill expands the Commission from 15 to 19 members, adding the Secretary of the Department of Transportation (or her designee), a botanist, a member representing an environmental organization or educational institute and a member representing commercial or farming interests. Darin Callaway has been appointed as the designee from DelDOT. The remaining members have not been appointed at this time. Mr. White will reach out to Lydia Massey in the Governor's Office for a status update on the remaining members.

Mr. Saveikis also spoke about the Invasive Plant Ban bill that Senator Hansen was going to introduce during the last session but decided to hold it until the Delaware Invasive Species Council completed updating their list of invasive species. DISC should be completing the list in early October. March 2020 would be the latest to submit a bill for the upcoming session.

Goals for 2019

Mr. White noted that the Commission is making progress on all the goals established and is positive that they will be met. Commission members discussed the importance of educating the public and securing funding for future projects.

Other Business

Ms. Childers reminded Commission members about an invitation, extended by Senator Hansen, to a meeting with the Department of Education and Senator Hansen to discuss a possible education curriculum based on the work of the Delaware Native Species Commission. Mr. Downing noted that he would be attending this meeting on Sept. 4.

Public Comment

Blake Moore with the University of Delaware Cooperative Extension announced a Master Naturalist Training Program the Extension is promoting. The goal is to have an educated group of trained volunteers to help environmental and government agencies reach their goals. The program is looking for volunteers and if anyone is interested, please get in touch with him.

Matt Bailey expressed his kudos to the Commission for the work they are doing and suggested that Bill McAvoy join the Commission in the botanist role.

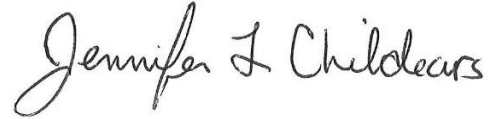
Next Meeting Date and Location

The next meeting is scheduled for October 16, 2019, in Room 220 at 10:00 am.

Adjournment

There being no further business, the meeting adjourned at 11:44 am.

Respectfully Submitted,

A handwritten signature in black ink that reads "Jennifer I. Childears". The signature is written in a cursive style with a large initial "J".

Jennifer Childears, Administrative Specialist III
DNREC, Division of Fish & Wildlife

Meeting Minutes
Delaware Native Species Commission
October 16, 2019 at 10 am
Kent County Administrative Building, 555 Bay Road, Dover, Delaware
Room 220

Minutes approved on: December 18, 2019

Members Present

James White, Chair	Michael Petit de Mange
Robert Thornton, Vice-Chair	David Saveikis
Lori Athey	Tracy Surlis
Darin Callaway	Janice Truitt
Sarah Cooksey	Susan Barton
Jeffery Downing	Valann Budischak
Christopher Heckscher	Michael Costello
Jessica Inhof (via phone)	Ashley Kennedy

Members Absent

Katherine Holtz
James McCulley
Matthew Sarver

Administrative Staff

Jennifer Childers, Administrative Specialist III

Public Present

Senator Stephanie Hansen (via phone)
Bill McAvoy
Nick Fina
Chris Bennett
Steve Cottrell

Call to Order

Mr. White called the meeting to order at 10:04 a.m.

Review and Approval of Minutes

The commission reviewed the minutes of the June 19, 2019 meeting. Ms. Truitt made a motion, seconded by Ms. Cooksey to accept the minutes as written. The motion carried unanimously by commission members present at that meeting.

The commission reviewed the minutes of the August 21, 2019 meeting. Ms. Cooksey made a motion, seconded by Ms. Truitt to accept the minutes with a correction to Mr. Downing's name on page 5. The motion carried unanimously by commission members present at that meeting.

Unfinished Business

Symposium

Mr. Downing reported that the Educational Subcommittee discussed moving from a symposium format to a summit format, which would bring together conservation-minded organizations and people for the purpose of discovering ways to work together to improve the collective response to biodiversity threats. The summit would have breakout sessions and workshops to brainstorm actions plans. The subcommittee felt this approach would have more attendance and a better chance of long-term success.

Mr. Downing also reported on an estimated budget of \$12,000.00, including the \$4,000.00 fee of Ms. Fischel, who would be the summit coordinator. Mr. Downing is hopeful that a majority of the cost could be covered by sponsorships and by possibly having a small registration fee for the summit.

Ms. Cooksey made a motion, seconded by Dr. Heckscher, to accept the concept of a summit format. The motion carried unanimously.

Ms. Cooksey made a motion, seconded by Mr. Thornton, to support a budget of no more than \$12,000.00 which includes the previously approved \$4,000, and to seek endorsements from other organizations to help defray costs for the summit. The motion carried unanimously.

Mr. Saveikis noted the next step was to obtain a scope of work from Ms. Fischel so staff at the Division of Fish & Wildlife could convert it into a contract.

Mid-Atlantic Native Gardens list

Ms. Cooksey provided commission members with a list Ms. Athey had compiled of native plant gardens that are certified by the National Wildlife Federation. Ms. Cooksey thought the list should now go to the Education Subcommittee to hold. Discussion followed about the title of the list, the purpose of the list and what should be added or removed. The original purpose was to provide the public with places they could visit to see how native species could work in a garden setting. The current list includes private garden areas, so the commission would need to revise the list before making it available to the public. Ms. Athey agreed to take the original list and her list and blend them into one. Mr. Thornton suggested creating criteria for getting on the list as once it is public, other people may want to be included. Input from the public included suggestions for creating an online gallery of the areas and perhaps highlighting areas each month.

New Business

General Assembly Report

Ms. Childers reviewed the report for 2019 and listed the items that were needed to complete the report. Items include updated and new biographies for members, goals for 2020, commission activities and an overview of the year's meetings. Mr. White requested the commission members provide goals and biographies to Ms. Childers before November 27th so the final draft of the report can be discussed at the December meeting.

Budget Spending

Ms. Childers provided the eligible commission members with mileage and toll reimbursement forms and explained how to sign up with the State to receive reimbursement.

Legislation

Senator Hansen opened discussion for a revised draft bill on invasive plants. Senator Hansen used commission comments from the first draft to update this bill. The Senator also added new sections to the bill after reviewing similar bills from the surrounding states. Senator Hansen reviewed each line of the bill where she updated or added information.

Discussion centered on having a definitive list of invasive and/or non-native plant species, what would be considered acceptable under exportation of invasive species, disposal of stock of invasive species by retailers, enforcement, fines and the length of time needed to phase in the ban if approved into law.

Additional discussion focused on Ms. Surles mentioning that New Castle County uses a generally recognized invasive species (reed canary grass) in a wastewater treatment field. The County has been looking into alternatives but has not been successful. As one of the charges of the commission is government leading by example, the commission members encouraged Ms. Surles to keep looking into the matter.

The next steps are for Senator Hansen to make edits to the draft and bring before Commission again. Senator Hansen hopes to introduce the bill to the General Assembly in January.

Strategic Planning Briefing

Ms. Cooksey provided a one-page handout reviewing steps to take when creating a strategic plan. It was suggested that strategic planning be part of the Commission's 2020 goals. Ms. Cooksey offered to lead a strategic planning discussion in the future.

Law and Regulations Subcommittee Report

Ms. Ardt was on the agenda to present on the nursery certification program but had a scheduling conflict. Mr. Petit de Mange noted that the subcommittee had not meet since August but was planning a meeting in the near future.

Education Subcommittee Report

Mr. Downing reported that the subcommittee intended to launch the Delaware, Naturally campaign at the upcoming summit or at a Delaware Nursery and Landscape Association event. The subcommittee is also looking at different artwork for a logo. Work continues on creating a portable table top display. The subcommittee is also working with the Delaware Education Association to create an educational curriculum for school children.

Top Ten Tasks

No updates at this meeting.

Goals for 2019

No updates at this meeting.

Other Business

Ms. Childears provided a list of meeting dates for 2020 to the commission members. Ms. Childears also read an invitation for the commission to give a presentation during DNREC's Parks and Recreation's lecture series at the Indian River Life-Saving Station. Mr. White mentioned he has a PowerPoint presentation that could be used and Mr. Thornton expressed interest in being the presenter. Ms. Childears will forward the email invitation to Mr. Thornton.

Public Comment

Steve Cottrell talked about invasive species that are taking over public lands in New Castle County. Mr. Cottrell feels the Commission should make eradicating them a priority and should create funding for a program and volunteers to work on that. Mr. White commented that one of the overall goals of the commission is to help. Ms. Budischak recalled a public member at the last meeting discussing a volunteer training program. Chris Bennett, DNREC's Division Parks and Recreation, explained that he follows specific criteria when evaluating land for removal of invasive species and has set treatment protocols that must be followed. Mr. Bennett also mentioned that his staff consisted of himself and one other. Dr. Heckscher noted that if the Commission could facilitate getting funding for additional staff, it could help.


Next Meeting Date and Location

The next meeting is scheduled for December 18, 2019, in Room 220 at 10:00 am.

Adjournment

There being no further business, the meeting adjourned at 12:14 pm.

Respectfully Submitted,



Jennifer Childears, Administrative Specialist III
DNREC, Division of Fish & Wildlife

Meeting Minutes
Delaware Native Species Commission

DRAFT

December 18, 2019 at 10 am
Kent County Administrative Building, 555 Bay Road, Dover, Delaware
Room 221

Minutes approved on:

Members Present

James White, Chair	Jeffery Downing
Robert Thornton, Vice-Chair	Christopher Heckscher
Lori Athey	Jessica Inhof
Susan Barton	Ashley Kennedy
Valann Budischak	Matthew Sarver
Sarah Cooksey	David Saveikis
Michael Costello	Tracy Surles

Members Absent

Katherine Holtz
James McCulley
Darin Callaway
Michael Petit de Mange
Janice Truitt

Administrative Staff

Jennifer Childears, Administrative Specialist III

Public Present

Senator Stephanie Hansen	Pam Severson
Steven Dietrich	Steve Griffith
Cameron Marcelle	Ann Chisholm
Roger Craig	Jill Wright
Tim Marshall	Jenn Holmes
Joe Wick	Elena Stewart
Steve Sterling	F.W. Rutkosky
Phil Hershey	Steve Cottrell
Hope Shoemaker-Benjamin	

Call to Order

Mr. White called the meeting to order at 10:02 a.m.

Review and Approval of Minutes

The commission reviewed the minutes of the October 16, 2019 meeting. Ms. Cooksey made a motion, seconded by Dr. Heckscher to accept the minutes with corrections noted. The motion carried unanimously by commission members present at that meeting.

Unfinished Business

Summit Update (formally known as symposium)

Mr. Downing reported that because Ms. Fischel is an individual, not a business, and she does not have liability insurance and was not going to get liability insurance, the state would be unable to contract with her for the purposes of coordinating the summit. The state can, however, contract with a third party and The Delaware Center for Horticulture (DCH), where Ms. Fischel works, is willing to be the third party.

DCH has agreed to take over registration, marketing, and other logistics of the summit with the Commission providing the funding through a state contract to DCH. The next step is to get a scope of work from DCH to move forward with writing a contract. Mr. Saveikis stated it could be possible to have a signed contract and purchase order ready by the end of January. Mr. Saveikis noted the Commission should be prepared to delay the date of the summit past the intended time of March 2020.

The other issue concerning the summit is fundraising and sponsorships. DCH would be willing to handle the money received for summit expenses but the Commission must follow state procedures involving all money, which includes following state standards when raising funds, Ms. Severson stating the example that funds could not be raised through certain activities such as raffles or other forms of gambling. Mr. Saveikis noted the cleanest way to handle the money is for it to come directly into DNREC then out to DCH to pay invoices related to the summit.

Mr. Saveikis noted the need to move quickly to have a contract signed and purchase order created so the money appropriated by the General Assembly would be spent before June 30, 2020. Currently, the Commission has allocated \$16,000 for the summit and Mr. Downing reported a potential sponsorship of \$7,000. Mr. Saveikis suggested the Commission raise the allocated amount to \$20,000 to ensure there would be money if needed.

Ms. Cooksey made a motion, seconded by Ms. Surles to increase the summit amount to \$20,000 with the understanding to keep costs as low as possible and make use of sponsorship money. The motion carried unanimously.

General Assembly Report

The Commission reviewed a list of goals for 2020 to include in the report. There were many goals listed that could be combined under one general heading. Through discussion, the Commission worked to combine similar goals under a main goal statement and then list the goals under the statement. Main areas of focus were supporting the Wildlife Action Plan, Education, Outreach, Funding and Open Space. Public attendees spoke about the Open Space Council and the Commission agreed with a statement from Senator Hansen to find out more about the council including attending meetings, making presentations and possibly having a member of the Commission on the Council should a vacancy occur. Mr. Wick, a public attendee, also noted that there is a system in place for funding through Forestry groups and councils. Mr. Wick mentioned that the system works well and the Commission should investigate other options before focusing solely on Open Space money or trying to reinvent the wheel.

Mr. White took notes on the discussion and will create a clean list of goals to send out to the Commission to review and returned to Ms. Childears by Friday, December 20 for inclusion in the report.

Legislation

Senator Hansen reviewed the draft legislation with changes made from the previous draft reviewed in October. Senator Hansen would like to get the bill on the agenda in January. The changes made are listed below:

Line 6: add "not native to Delaware" after "subspecies" and before "identified".

Line 21: After "Export" add "for the purpose of disposal, control, research or education."

Lines 30 through 66: Placeholder. We are waiting for the finalization of the list by the Delaware Invasive Species Council and should have this by the end of October.

Line 71: Add "or label" after "tag" and before "that"

Line 77: Confirmed that "person" applies to businesses and entities other than an actual human being.

Lines 87 and 88: Provides that the funds collected from the violations be used for the enforcement of this Chapter.

Line 99: Change "January" to "July".

Discussion centered around the list of plants included on the bill. Mr. Saveikis provided the Commission with the Delaware Invasive Species Council (DISC) list of invasive plant species and their ranking: historical meant they were on the previous DISC list; if a species was ranked as high, medium, or low, they are deemed invasive to some degree by the experts and; therefore, are included in the current iteration of the DISC list. Species ranked as insignificant, were added to the DISC Watch List and will be reevaluated in two years when the list will again be revised.

Bamboo was not listed in the bill or on the list because of the diversity of varieties of bamboo in the state, some of which are not considered invasive and it would be difficult to differentiate this at point of sale.

Dr. Barton stated that she would like to have to low ranking species removed from the bill because it would be difficult to justify their inclusion and could cause the bill to fail. It would be better to move the low ranking species to the DISC Watch List, which the Secretary of Agriculture would maintain. Ms. Kennedy favored keeping the bill more inclusive but agreed that if keeping the low ranking species on the bill would cause failure, then it might be better to remove them. Mr. Sarver felt there were some low ranking species that were causing considerable impact in areas of the state and therefore should stay on. Ms. Athey pointed out that the list was evaluated and assessed for the health of Delaware as a whole and that although some species impacted specific areas of Delaware, they looked at ones that impacted all over Delaware.

Mr. Wick, a public attendee, spoke at length about the impact this bill will have on the industry and the need to have strong enforcement written into the law. The industry is voluntarily removing non-native species and advocating for use of non-invasive species to homeowners but without strong enforcement, there is nothing stopping an individual from obtaining invasive or non-native species through the internet or other less scrupulous sellers. Without an enforcement measure, the support of the industry will wane, especially as local businesses lose money to other nurseries or

out of state suppliers. Mr. Wick also warned the Commission to tread lightly and have enough funding to see the bill through with enforcement so that the industry continues to support the bill.

Mr. White stated that the bill should drop any species that could not be well defended in order to give the bill its best chance of succeeding.

Discussion then moved on to Reed Canary Grass. Ms. Surles noted that after seeing it on the bill in October, New Castle County researched alternatives for use in their wastewater fields and feels they have found a suitable alternative. Ms. Inhof disagreed with keeping it on the bill as several local farmers find the crop profitable and it would be harmful to their income to have it on the list. Ms. Inhof requested Reed Canary Grass be removed from the bill. Ms. Inhof also noted that the Department of Agriculture is requesting funding for 4 additional staff to regulate the bill. Senator Hansen is hopeful that the fiscal note that will go with the bill will include the necessary funding.

Dr. Barton made a motion, seconded by Mr. Thornton to move the species listed on the bill but not showing on the DISC list back onto the DISC list and then move the low ranking DISC species on the Watch List. The motion was unanimously approved.

Ms. Inhof asked if person was defined and Senator Hansen stated that it was defined in Delaware Code and that it applies to businesses and entities other than an actual human being.

Mr. Saveikis made a motion, seconded by Ms. Inhof to remove Reed Canary Grass from the bill and onto the Watch List to allow further time to evaluate the risks and alternatives. Ms. Athey stated that it had already been assessed and removing it could lessen the basis of the list as it would appear to favor certain agencies. Mr. Saveikis noted that leaving it in would cause state entities to be breaking the law by having it in their wastewater fields. Mr. Thornton, Ms. Cooksey, Mr. Downing, Mr. Saveikis, Ms. Inhof and Mr. Costello voted yes. Ms. Kennedy, Ms. Surles, Dr. Heckscher, Mr. Sarver, Dr. Barton, Ms. Budischak and Ms. Athey voted no. The motion failed to pass.

Senator Hansen will schedule a meeting with the Department of Agriculture and DNREC for a fuller discussion on points.

New Business

Due to the length of time taken to discuss the General Assembly Report and Legislation, many items under New Business were tabled.

Subcommittee Guidelines

The Commission was to review a set of guidelines developed by a Division of Developmental Disabilities Services Task Force. This item was tabled due to time constraints.

How to address Frenchtown Woods request and similar inquiries

Members of the group were in attendance and spoke under the public comment section. Discussion on this specific topic was tabled due to time constraints.

Law and Regulations Subcommittee Report

Mr. Petit De Mange was not in attendance. There was no report.

Education Subcommittee Report

In addition to the summit discussion early, Mr. Downing reported that the subcommittee has designed a table top display and are nearing completion on making that a reality.

Other Business

Commission Logo review

This matter was tabled due to time constraints.

Top Ten Tasks

No updates at this meeting.

Goals for 2019

No updates at this meeting.

Public Comment

Members of the Frenchtown Woods group spoke about their adversity in fighting to preserve the areas of land that are not already protected. There is encroaching development from a proposed 55+ community and planned roads through the woods. The group has been working with local councils for a conservation plan. The group needs traction and the Commission was suggested to them as a resource. With the woods being threatened, how can the Commission help? What can the group do? Mr. White mentioned that the Frenchtown Woods is a great example of biodiversity in Delaware and put the question to the Commission of how they could focus on this. Mr. Sarver mentioned that if the project isn't on the radar of the council, it will not be looked at and thought a key to help is to try to get the influence of the Open Space Council.

Mr. Wick again cautioned the Commission about education and enforcement concerning the invasive plant bill. He also mentioned that the Maryland Agriculture Department had created tiers for species, something the Commission is discussing with the bill. He suggested the Commission look into what MD does.

Another member of the public spoke about the problem of combating invasive species with limited resources. Could the Commission could help gather resources, materials, and people to help?

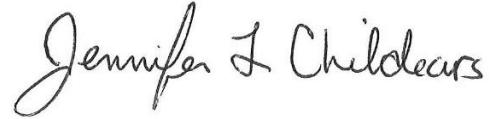
Next Meeting Date and Location

The next meeting is scheduled for February 19, 2020, in Room 220 at 10:00 am.

Adjournment

There being no further business or time, the meeting adjourned at 12:10 pm.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jennifer I. Childears". The signature is written in black ink and is positioned above the typed name.

Jennifer Childears, Administrative Specialist III
DNREC, Division of Fish & Wildlife

Appendix E: Delaware Native Species Commission Top Ten List and Recommendations

The Statewide Ecological Extinction Task Force (Task Force) identified a series of recommendations to be considered by the Delaware Native Species Commission. The Commission is tasked with completing or assisting with the completion of all recommendations. To provide a focal point, the Commission, over the course of 5 months, created a “top ten” list of recommendations to start working on. The list below reflects the Commission’s “top ten” with the remaining recommendations listed in no particular order. Bold text following recommendation refers to the Task Force’s original categorizing of the recommendations.

Top Ten

1. Recommend the Task force promote the distribution of a list of native plants and trees that are easy to grow in our area. *(Please note that the Commission assumes this recommendation should read Recommend the Commission promote..)* **Education**
2. Make the sale of invasive plants illegal in Delaware, allowing an appropriate phase-out period after legislation passes. (A) Invasive species are those on the Delaware Invasive Species Council plant list, as periodically amended. (B) The Delaware Invasive Species Council plant list must be reviewed and amended if necessary on a regular basis. **Legislation to Prohibit the Sale of Invasive Species**
3. Educational material should be developed, tailored to the specific target audience, which will explain the benefit of native species as well as the effect of non-native and invasive species proliferation, and their contribution to the decline of our local species. **Education**
4. Encourage the preservation of the remaining intact forest habitat (largest tracts should receive highest priority). **Incentivizing Private Landowners**
5. All Delaware state facilities and departments should set the example, reducing lawn and replacing with native plants or pollinator gardens, and revising land management practices to be more pollinator friendly. **Government Leads by Example**
6. Encourage municipalities to adopt native landscaping in their codes. **Government Leads by Example**
7. Encourage new public facilities to use native plants in landscaping. **Government Leads by Example**
8. Encourage protection of Delaware’s rarest plant communities such as Atlantic White Cedar Swamps, Coastal Plain Ponds, Interdunal Swales, Sea-level Fens, Piedmont Streamside Seepage Wetland, and Piedmont Tuliptree Rich Woods. **Legislation Affecting Development**
9. Encourage all counties to adopt environmental design standards for development projects in order to protect key wildlife habitats and species of greatest conservation need (SGCN). **Legislation Affecting Development**
10. Fund the Delaware Open Space Program at the level required by statute. **Funding Open Space Program at Statutory Level**

Education

11. Educational material should be developed, tailored to the specific audience, on the preservation and management of open spaces within communities, on private property, and on public property.
12. Educational material should be developed to specifically guide property owners on the identification of non-native and invasive species, the native species alternatives, and proper management of property landscaping.
13. A curriculum should be developed to bring the educational material into our children's classrooms and various outreach programs.
14. The educational material should be distributed to professional organizations having responsibility in property development such as engineers, landscape design professionals, landscape contractors, and professional builders.
15. Encourage incorporating the educational material in obtaining or maintaining professional licensing.
16. The educational material should be distributed to homeowner associations and property management associations. This will not only inform those organizations, but this should be encouraged as one method of subsequent distribution to the individual homeowners.
17. (A) The educational material should be available to individual property owners through home and garden centers, state and local government, and other organizations as available.
(B) Recommend to the Delaware Real Estate Commission to add a line on the Sellers Disclosure forms directing homeowners to a webpage of educational material.
18. The educational material should form the basis of training seminars and trade symposiums geared toward local government officials involved in land use planning.
19. Education through media outlets should be investigated and implemented. Examples include advertising and discussion on social media, radio and television (including local cable television and New Castle County's television station).
20. Education through demonstration projects by local government, business owners, non-profits and others should be encouraged and properly recognized. Signage associated with the project is critical and should be encouraged.
21. Education through public presentations to interested groups and organizations should be encouraged.
22. Methods of funding centered on implementing the educational initiatives recommended by the Task Force should be explored, including public/private arrangements.
23. Educational campaigns centered around informing the public on the value of wildlife and how wildlife and their native habitats benefit humans including how all three are interconnected should be encouraged.
24. A program to either educate landowners on living/green shoreline options and their benefits and/or a program to train engineers in living/green shoreline construction including the pros and cons of various options to minimize shoreline erosion should be encouraged.
25. Encourage landscape contractors to remove, manage, and control invasive plants and replant with native species.
26. Promote/follow Delaware Livable Lawns practices on lawns in Delaware. (<https://www.delawarelivablelawns.org/>).
27. Recommend that education and incentives be used to encourage property owners to plant and or convert to native plants and trees on their properties.

28. Prepare several examples of single family home landscape plans that use native trees and plants (+ or - 75% of those chosen) to show how native plants and trees may provide an aesthetically pleasing yard and one that is easy to maintain.
29. Encourage the development of a training course and/or seminar that developers, landscape professionals, and others may attend to provide education and a forum for collaboration of ideas to promote the planting of native trees and plants.
30. Governmental, educational, and environmental organizations should work together to develop a comprehensive, environmental education program regarding using native species versus non-native and invasive species.

Incentivizing Private Landowners

31. Method of Incentivizing: Establish incentives such as expedited permitting and density bonuses for environmentally sensitive landscape design practices such as those included in Sustainable Sites, the National Green Building Standard, Energy Star, Leadership in Energy and Environmental Design (LEED) certification, or green technology best management practices.
32. Incentivize land development applicants to incorporate DNREC's PLUS recommendations regarding specific potential impacts to state rare and federally listed species and their habitats into their development plans.
33. Create incentives for reducing lawn area and replacing it with native plants.
34. Encourage the incorporation of pollinator and other insect habitat into incentive programs.
35. Provide incentives for home buyers with native landscaping such as the Green4Green program.
36. Seek funding to cost share native habitat improvements on private lands.
37. Incentivize homeowners and developers to retain tree species of high wildlife value (e.g. oaks, hickories).
38. Encourage the funding of the Forestland Preservation easement program.
39. Explore opportunities to provide state-level add-on incentives and best management practices to targeted species via NRCS and FSA programs.
40. Explore opportunities to provide state income tax exemptions for state or federal conservation incentive payments.
41. Encourage tax ditch associations to implement BMPs that minimize impacts to key habitats.
42. Encourage the development of and/or marketing of biodiversity certification programs for private forestland and farmland.
43. Encourage enrollment in the Backyard Wildlife Habitat Certification Program.
44. Increase access to prescribed fire as a management tool.
45. Encourage support of the Landowner Incentives Program.
46. Preserve or otherwise conserve and manage as much of the remaining (*non-tidal*) freshwater wetlands as possible – e.g. Delmarva Bays (Coastal Plain Ponds).

Government Leads by Example

47. Create incentives for using native plants on public property.

48. Provide funding/incentives for the removal of invasive plants on public property and, where appropriate, replant with native species.
49. Provide incentives/requirements for reduced lawn areas in passive open space public landscapes.
50. Provide funding/incentives for demonstration landscapes on public land to demonstrate sustainable landscape practices including reduced lawn, use of native plants, reduced mulch, etc.
51. On all highway medians, mow a strip of grass adjacent to the roadway (beauty strip) and allow the rest of the vegetation to grow. Mow median once or twice a year in late fall or early spring.*
52. On all highway roadsides, mow one mower pass above the ditch line to allow for designed drainage function. Mow the rest of the right of way once or twice a year in early Spring or late Fall as needed to control invasive species. Woody vegetation may be allowed to grow on some rights of way if invasives are controlled.*
53. On highway cloverleaves created by on/off ramps, mow one mower pass adjacent to the ramp/roadway. Mow the rest of the cloverleaf one or two times a year as needed to control height, visibility and invasive species. Woody vegetation may be allowed to grow on some rights of way if invasive species are controlled.
54. On secondary roads, apply reduced mowing standards whenever feasible.
55. Encourage the removal and stump treatment of woody invasive plants on DelDOT rights of way.
56. On new highway projects that involve landscaping, plant predominantly native species.
57. Develop model legislation or policy to make it easier for state or local government to make changes, such as adopting legislation or policy requiring native species of new government buildings and parks.
58. Encourage state and local governments to make better use of existing land by creating better habitats on available land. Examples could include creating native meadows, creation of wetlands, reforestation, etc.
59. Review DelDOT's policies and work collaboratively to enhance the role of DelDOT in species conservation, without reducing highway safety, by: (A) designating reduced salt use in environmentally sensitive areas (B) native plantings (C) increased collaborative management of ROWs and water control structures (D) Coordinate timing of mowing and construction to minimize impacts (E) Integrate key habitat and Species of Greatest Conservation Need (SGCN) conservation into long-range transportation planning.
60. Given the State of Delaware owns a large percentage of land in the state, we recommend increasing funding, staffing, and better management practices of state owned lands.
61. Work with DNREC and the individual Tax Ditch Organizations to explore the feasibility of establishing landscape buffers along tax ditches in order to reduce erosion along ditch banks, reduce maintenance requirements, and improve water quality.

Legislation Affecting Development

* Ideally, if mowing once per year, mowing should take place in early spring, with late fall being a less desirable alternative. The second mowing, if desired, should occur in late June. (Technical clarification provided by Susan Barton, Delaware Landscape and Nursery Association)

62. Review existing regulations to determine their effectiveness in protecting state-endangered species.
63. Look for linkages and connectivity between native habitats in existing and new development to connect native habitat in subdivision site plans.
64. Encourage drafting of legislation for use by local governments that would provide exemptions for common areas, buffer zones, and open space areas from tall weeds/grass property code violations, when maintained in accordance with an approved plan.
65. Encourage Kent and Sussex Counties to adopt overlay zoning ordinances incorporating sensitive natural resources.
66. Encourage the revisitation of wetlands regulations to ensure protection of freshwater non-tidal wetlands via regulation and incentives.
67. Ensure that all State, County, and local codes allow for managed meadow areas as defined by neatly mowed edges, mowed paths, and management plans.

Funding Open Space Program at Statutory Level

68. Open Space Program funds should be used for purchasing high-quality habitats with native plants and trees, especially those habitats required for species of special concern and those that connect existing protected lands.
69. Continue dedicating funds toward the Agricultural Land Preservation Program as finances permit.

Deer Management

70. Encourage the review of county code or local ordinances that may be inhibiting adequate deer harvest.
71. Encourage land owners and land managers to increase deer harvest as necessary to reduce impacts to key habitats.
72. Promote the availability of deer damage permits to non-agricultural land owners.
73. Encourage farmers to utilize their crop damage tags by allowing hunting on their property.
74. The sign-up process for the DE Severe Damage Program should be streamlined and more user-friendly.

Recovering America's Wildlife Act

75. By offering support of the Recovering America's Wildlife Act, the Delaware Ecological Extinction Task Force supports the efforts of the Blue Ribbon Panel to identify an adequate and sustainable source of money dedicated to the conservation of species in greatest conservation need in an effort to prevent further population declines in some species of wildlife thus reducing the risk of more species becoming endangered.
76. The Delaware Ecological Extinction Task Force supports the efforts of the Blue Ribbon Panel to identify an adequate and sustainable source of money dedicated to the conservation of species in greatest conservation need and offers support of this effort by joining the Recovering America's Wildlife Sign-On Letter which can be found here: https://docs.google.com/forms/d/e/1FAIpQLScvMgnygWgk_nLeygYJ4tTVpX4bCDpFG_cbbZ_tOPA_JRwUlg/viewform

77. Following the introduction of the Recovering America's Wildlife Act a letter on behalf of the Delaware Ecological Extinction Task Force shall be sent to Representative Lisa Blunt-Rochester and Senators Thomas R. Carper and Christopher A. Coons requesting their support for the legislation.

Formation of the Delaware Native Species Commission **COMPLETE**

78. The Delaware Native Species Commission should be formed by an action of the General Assembly to implement the recommendations of the Task Force and report back to the General Assembly on a yearly basis. Its membership should reflect a balance of interests between environmental professionals, government, and other stakeholders, and meet on a regular basis to be determined by the Commission. The Commission will sunset ten (10) years after enactment unless reauthorized by the General Assembly.