

Invasive Species Council of California
By-Laws
Approved April 8, 2009

Article 1. Name/ Purpose.

- (a) Name. The name of this organization shall be the Invasive Species Council of California (ISCC).
- (b) Purpose. The purpose of the Invasive Species Council of California shall be to help coordinate a comprehensive effort to exclude invasive species from entering California and to eliminate, reduce or mitigate the impacts of invasive species already established in the state.
- (c) Scope. The Invasive Species Council of California will address non-native organisms which cause economic or environmental harm. Invasive species within the scope of the council do not include humans, domestic livestock or non-harmful exotic organisms.

Article 2. State Agency/Department Duties.

- (a) Each state agency or department whose actions may affect the status of invasive species shall, to the extent practicable and permitted by law and regulation,
 - (1) Identify such actions;
 - (2) To the extent funding is available, use relevant programs and authorities to: (i) prevent the introduction of invasive species; (ii) detect and respond rapidly to and control populations of such species in a cost-effective and environmentally sound manner; (iii) monitor invasive species populations accurately and reliably; (iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded; (v) conduct research on invasive species and develop technologies to prevent introduction and provide for environmentally sound control of invasive species; and (vi) promote public education on invasive species and the means to address them; and
 - (3) Not authorize, fund or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species in California or elsewhere unless, pursuant to guidelines that it has prescribed, the agency or department has determined and made public its determination that the benefits of such actions clearly outweigh the potential harm caused by invasive species, and that all feasible and prudent measures to minimize risk of harm will be taken in conjunction with the actions.
- (b) State agencies or departments shall pursue the duties set forth in this section in consultation with the Invasive Species Council of California, consistent with the Invasive Species Action Plan and in cooperation with stakeholders, as appropriate.

Article 3. Invasive Species Council of California

(a) An Invasive Species Council of California is hereby established whose members shall include the following Secretaries:

- California Department of Food and Agriculture;
- California Natural Resources Agency;
- California Environmental Protection Agency;
- California Business, Transportation and Housing Agency;
- California Health and Human Services Agency; and the
- California Emergency Management Agency.

The ISCC shall be chaired by the Secretary of the California Department of Food and Agriculture and vice-chaired by the Secretary of the California Natural Resources Agency. The Secretaries of each department or agency are the official council members. However, the Secretaries of each department or agency shall designate a technical representative to carry out the day-to-day work of the ISCC. The ISCC may invite additional state agency representatives from subcabinet departments or divisions with significant responsibilities concerning invasive species, and may prescribe special procedures for their participation. The Secretary of the California Department of Food and Agriculture shall, in concurrence of the vice-chair, appoint an Executive Director of the ISCC. All staff and support functions required for operation of the ISCC will be supplied by the Department of Food and Agriculture and/or the Natural Resources Agency as determined by the Secretaries of those agencies. Currently the support for the operation of the ISCC will rely on existing staff and resources, until such time as the state may allocate funds necessary for the operation of the ISCC. Finally, the ISCC may administer a trust account for funding eradication and education projects.

(b) The Secretary of the California Department of Food and Agriculture shall establish the California Invasive Species Advisory Committee (CISAC) to provide information and advice for consideration by the ISCC, and shall, after consultation with other members of the ISCC, appoint members of the advisory committee representing stakeholders. Among other things, the advisory committee shall recommend plans and actions at city, county, state, tribal, regional and ecosystem-based levels to achieve the goals and objectives of the Invasive Species Action Plan pursuant to Article 5 of these by-laws. The advisory committee shall act in cooperation with stakeholders and existing organizations addressing invasive species. All staff and support functions required for operation of the CISAC will be supplied by the Department of Food and Agriculture and/or the California Natural Resources Agency as determined by the Secretaries of those agencies. Currently the support for the operation of the CISAC will rely on existing staff and resources, until such time as the state may allocate funds necessary for the operation of the CISAC.

Article 4. Duties of the Invasive Species Council of California.

The Invasive Species Council of California represents the highest level of leadership and authority in state government regarding invasive species. Its goal is to promote a consistent approach to invasive species at the state level, and shall:

- (a) Oversee the implementation of these by-laws and see that state agency or department activities concerning invasive species are coordinated, complementary, cost-efficient and effective, relying to the extent feasible and appropriate on existing organizations addressing invasive species;
- (b) Develop and maintain a list of invasive species that have a reasonable likelihood of entering or have entered California for which an exclusion, detection, eradication, control or management action by the state might be appropriate;
- (c) Encourage planning and action at city, county, state, tribal, regional and ecosystem-based levels to achieve the goals and objectives of the Invasive Species Action Plan pursuant to Article 5 of these by-laws, in cooperation with stakeholders and existing organizations addressing invasive species;
- (d) Develop recommendations for inter-state cooperation in addressing invasive species;
- (e) Develop recommendations for preventing invasive species from entering the state through our points of entry;
- (f) Develop guidance to state agencies pursuant to the California Environmental Quality Act (CEQA) in invasive species matters;
- (g) Facilitate development of a coordinated network to document, evaluate and monitor impacts from invasive species on the economy, the environment and human health;
- (h) Develop a system for reporting sightings of invasive species and referring those reports to the appropriate agency/department;
- (i) Facilitating educational and outreach activities to increase awareness of invasive species issues; these activities shall include, but are not limited to, the development of a coordinated, information sharing system on invasive species that utilizes the latest technologies including the internet; this system shall facilitate access to and exchange of information concerning invasive species; and
- (j) Develop an Invasive Species Action Plan, a statewide plan for dealing with invasive species including a Rapid Response Plan, pursuant to Article 5 of these by-laws.

Article 5. Invasive Species Action Plan.

- (a) Within six months after the adoption of these by-laws by the ISCC, the ISCC shall develop and maintain a list of invasive species that have a reasonable likelihood of entering or have entered California for which an exclusion, detection, eradication, control or management action by the state might be appropriate.
- (b) Within 12 months after the adoption of these by-laws by the ISCC, the ISCC shall prepare and issue the first edition of an Invasive Species Action Plan, including a Rapid Response Plan, which shall detail and recommend performance-oriented goals and objectives and specific measures of success for state agencies' or departments' efforts concerning invasive species. The Invasive Species Action Plan shall recommend specific objectives and measures for carrying out each of the state agency or department duties pursuant to Article 2 (a) of these by-laws and shall set forth steps to be taken by the ISCC to carry out the duties assigned pursuant to Article 4 of these by-laws. The Invasive Species Action Plan shall be developed through a public process and in consultation with state agencies and stakeholders.
- (c) The first edition of the Invasive Species Action Plan shall include a review of existing and prospective approaches and authorities for preventing the introduction and spread of invasive species, including those for identifying pathways by which invasive species are introduced and for minimizing the risk of introductions via those pathways, and shall identify research needs and recommend measures to minimize the risk that introductions will occur. Such recommended measures shall provide for a science-based process to evaluate risks associated with the introduction and spread of invasive species and a coordinated and systematic risk-based process to identify, monitor and interdict pathways that may be involved in the introduction of invasive species. If recommended measures are not authorized by current law, the ISCC shall develop and recommend to the Governor through its Chair legislative proposals for necessary changes in authority.
- (d) The ISCC shall update the Invasive Species Action Plan every two years and shall concurrently evaluate and report on its success in achieving the goals and objectives set forth in the Invasive Species Action Plan. The Invasive Species Action Plan shall identify the personnel, other resources and additional levels of coordination needed to achieve the Invasive Species Action Plan's identified goals and objectives.