

HB

324

ALASKA STATE LEGISLATURE HOUSE RESOURCES COMMITTEE

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FAX

Please deliver the following pages to: Legis. Legal

Fm: Staff, Resources Committee, Jim Pound

Fax #: 465-2029

Total number of pages including cover: 1

Date: 2/15/06 4:12 PM

Re: Resource Committee amendments to HJR 14 and HB 324

Please amend and final the above referenced pieces of legislation as "CS" (RES)

HJR 14 -24-LS0670\G

Delete Page 2, Line 11-14

[*FURTHER RESOLVED by the Alaska State Legislature that the United States*

Congress is urged to include a provision in S. 293 to provide that the land grants do not interfere with public access to or along fishing streams or the continued use of established hunting, dog mushing, motorized vehicle, mining, and recreational trails or roads; and be it

HB 324 - 24-LS1218\G

Page 1, Line 7

(1) knowingly import orange hawkweed....

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Thank you

ALASKA STATE LEGISLATURE



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Representative Gabrielle LeDoux

SPONSOR STATEMENT FOR HB 324

"An Act banning the importation, transfer, and cultivation of orange hawkweed and purple loosestrife."

The act prohibits the importation of orange hawkweed and purple loosestrife. It also prohibits the sale, gift, or otherwise transfer of those plants except for disposal. A person under this act is prohibited from knowingly planting or cultivating these plants.

These two plants are creating problems in Alaska. Non-native invasive species significantly threaten the ecological integrity of our state's natural systems. These species invade natural communities, farmland, forestland, wetlands, waterways and pastures.

They displace native plants and animals, disrupt ecological processes, upset the stability of our ecosystems, and can permanently change our natural landscapes. What today are fields of our State Flower, the Forget-Me-Not, can become a field of orange hawkweed.

Chester Creek had purple loosestrife growing wild along its banks. This is a horrific wetland invader found pretty much across North America.

It is estimated that invasive plants cost the United State's economy at least 137 billion dollars each year.

Even though many invasive species are not regulated or controlled federally, states have passed a wide array of laws designed to address invasive species problems. States are also beginning to adopt non-agricultural weed prohibitions to protect natural systems, especially aquatic or wetland areas.

FISCAL NOTE

STATE OF ALASKA
2006 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB324-DNR-Agr-02-01-0
 () Publish Date: _____

Revision Date/Time (Note if correction): _____

Dept. Affected: Natural Resources

Title: Ban Orange Hawkweed/Purple Loosestrife

RDU: Resource Development

Component: Agriculture Development

Sponsor: LEDOUX, Cissna, Rokeberg

Requester: (H)RES

Component No.: 455

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact expected as a result of this proposed legislation regarding orange hawkweed (*Hieracium aurantiacum*) and purple loosestrife (*Lythrum salicaria*).

Prepared by: Larry DeVilbiss, Director

Division: Agriculture

Approved by: Michael Merge, Commissioner

Agency: Natural Resources

Phone: 907 761-3867

Date/Time: 2/1/2006

Date: 2/1/2006

so I can't read his motivation. However, now that you both have cooled down, it's time to explain to Arnold again how worried you were when he didn't show up or call, and ask him why he reacted the way he did. Suggest that, in the future, he give you a call when he's going to be more than an hour late.

DEAR ABBY: I'm 13 and just finished the seventh grade. I recently got my belly button pierced, and everything was fine until about a week ago. This sounds weird, but a red bump showed up at the top of my piercing, and it seems to keep swelling. I've had my belly button pierced for only a month, so I'm sure I started changing my jewelry too soon. I'm worried this bump will stay on my navel forever.

Do you have any idea what it is, and how I can get rid of it? I love my piercing and don't want to take it out. Any information would help.

— **PIERCED IN MONTANA**

DEAR PIERCED: You may have an infection at the site of your piercing, or be allergic to the metal in some of your navel jewelry. My advice is to ask your mother to schedule a doctor's appointment for you so the problem can be diagnosed and treated. The doctor can determine whether or not you will have to "take it out." Keep your fingers crossed and hold a good thought.

DEAR ABBY: You have asked readers to share their pet peeves with you. Well, here's mine. Please help me get the message out. When an elevator door opens, please allow the passengers who are getting off to get out of the elevator before you get on! I don't understand why people must push their way into an elevator while folks are trying to get off.

— **ELIZABETH IN MEDFORD, ORE.**

DEAR ELIZABETH: Neither do I, unless they are so determined to be first on the elevator that they have forgotten their manners. It's only common sense that the elevator be allowed to empty before passengers begin to enter — otherwise they're jostling each other at the door.

STATE TROOPER REPORT



Thursday, July 21

• At 9:15 a.m. Kodiak troopers cited a 49-year-old Kodiak man for possessing undersize Dungeness crab. He was contacted in Middle Bay after he was observed subsistence fishing.

Saturday, July 23

• At 11 p.m. troopers responded to a report from the Kodiak Fairgrounds about an assault that had occurred with injuries. An investigation showed that a 21-year-old man from South Dakota assaulted a person during an argument. The man was arrested and remanded to the Kodiak Jail.

The injured person had a dislocated shoulder and was struck in the face. Medics were able to reset the shoulder and treat the other injuries.

Sunday, July 24

• At 12:05 a.m. troopers responded to assist the U.S. Coast Guard Military Police with an intoxicated driver. An investigation showed that a 26-year-old Kodiak woman was operating her vehicle while under the influence of alcohol. She was transported to the Kodiak Police Department for a breath test. She was then given a summons and released.



Residents kill weeds

DAILY MIRROR STAFF


Kodiak residents plucked, picked and pulled the invasive orange hawkweed plants July 17 along the bike path that parallels Benny Benson Avenue.

The effort, organized by Woody Island Tribal Council's Environmental and Natural Resources office and the Kodiak Soil and Water Conservation District, was to help reduce the spread of the aggressive plant and to increase awareness about invasive plants, according to a

press release from the Kodiak Soil and Water Conservation District.

Surveys have discovered orange hawkweed taking over local lawns, native wildflower meadows and popular trails around Kodiak, the press release said. Other invasive plants in Kodiak include: Japanese knotweed, Canada thistle, bull thistle, oxeye daisy and yellow toadflax.

Fifteen bags of hawkweed were collected during the weed pull by 17 children and adults.



Kodiak Coll

WEB REG

Going on now th

Register for classes at www.koc.alas

If you need assistance call



Shoonaq' Tribal Bingo

Invites you to participate in the following
Special Events for the end of July:

Saturday, July 30th our end-of-the-month door prize will be
\$300 Cold, Hard Cash!!!

*Special prize payout sessions will consist of 10 games. First nine games pays out \$300 each with the 10th game paying out \$1,000
45 players or more participating in any session pays out full prizes. If less than 45 players participate, half the stated prize amounts will be paid to winners

SHOONAQ' TRIBAL BINGO MBP PERMIT NO. 1821
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Anchorage Daily News

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Jeff Lowenfels: Get mad, Alaska -- declare war on invasive plants

JEFF LOWENFELS
GARDENING*(Published: August 25, 2005)*

I'm turning into my dad, who happened to be the world's greatest poison-ivy hunter. Wherever we drove, no matter where we were going, how late we might be or what neighborhood we were in, he would stop the car and inform the homeowner whose yard happened to contain this dermatologically irritating vine of its dangers and how to eradicate it.

Sometimes he would just stop the car, get out and take the vines down. No matter that his sons were hiding in the back seat, afraid some homeowner believed that what he grew in his yard was no one else's business or, worse, someone we knew might recognize us.

How could it be that today I found myself knocking on the door of one of your neighbors to tell them they have the worst collection of butter and eggs (*Linaria vulgaris*), I've ever seen. Thousands of plants, pretty as a picture to be sure, but each in full bloom, displaying snapdragon-like yellow and orange flowers that, I know, will soon convert into thousands of seeds that can germinate instantly. Dad would be proud, and the only fear or shame I felt was that these awful invasives have proliferated and spread into virtually every yard and alley in Southcentral, and if we as a society don't do something about them, they will soon start to choke out every perennial around.

In fact, it felt so good that I may just do more of it. Lord knows it's a job that must be done. The wonderful people at the Cooperative Extension Service, the Alaska Committee on Noxious Weeds, the U.S. Geological Survey, the Bureau of Land Management and other agencies and volunteer groups need help.

There is every likelihood that your yard will be my next stop. If it isn't butter and eggs, it is oxeye daisies (*Leucanthemum vulgare*), bellflowers (*Campanula rapunculoides*), ornamental jewelweed or poor man's orchid (*Impatiens glandulifera*), creeping charlie or garlic mustard (*Alliaria petiolata*), dragon ribbon grass or reed canary grass (*Phalaris arundinaceae*), common tansy (*Tanacetum vulgare*), orange or red hawkweed (*Hieracium aurantiacum*) or one of the dozen or so other weeds that should never be allowed to see the light of day in our fair state.

I know the cause of the problem. It's you. Most Alaskans will put anything in their yard if it's sure to flower, and these plants sure do flower. In fact, I can hear some of you declaring, "Well, mine look great in the yard and aren't causing any problems even though I have had them for years," while others will defend their decision to grow any or all of these by noting the old saw "One gardener's weed is another's passion." Both of these sentiments, however, are way off the mark.

First, it doesn't matter if a plant has pretty flowers if it turns out to be a monster that chokes out everything else in the yard or radically changes the local environment. And this is exactly what will happen. Trust me. Just look at all the butter and eggs. Ever wonder what grew in their place before? They get so thick only butter and eggs grow. This isn't just a pretty flower. It's a pretty deadly flower. All of the invasive plants are, and they destroy the beauty that is Alaska and turn it into the bad parts of New Jersey. You owe it to yourself to learn to identify and then destroy these plants. Sound harsh and cruel? Sorry. It's what must be done. No argument can overcome the

necessity.

And it doesn't make a difference that the plant is well-behaved in your yard if its seeds get loose and take off. You have no right to cause that to happen. I don't know, for example, who in Anchorage is selling poor man's orchids, but they need to stop. They are a lovely plant and, in a dry garden surrounded by grass, can be contained for years.

However, I recently tried unsuccessfully to dissuade a friend from planting two in a garden on the bank of a river. They are, after all, beautiful, big flowers on stately looking plants and usually stay put in a lawned yard. I guess I'm going to have to take another page out of my dad's book and go back one night and do my friend -- and the river they live on -- a big favor. It may sound nutty, but this flowering pest could change the fish habitat and has been known to do so.

Of all the things I have asked you to do in the almost 30 years I have written this column, this should be among those you actually do: Go to www.uaf.edu/ces/ipm/plants/plantlinks.html and check out the links. We have a problem, Alaska, and we better start taking these plants seriously, or suffer we will.

Jeff Lowenfels is a member of the Garden Writers Hall of Fame. You can reach him at www.gardener_jeff.com or by joining the "Garden Party" radio show from 10 a.m. to noon Saturdays on KBYR 700 AM.

Garden calendar

- HARVEST: Take extra fresh harvest to Bean's Cafe or a food bank.
- LAWNS: Fall is a great time to aerate lawns and apply microbe foods.
- MULCHING: Grass clippings belong on annual beds even as they go through the winter. Collect some now and apply them.

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'Horrrific' weed poised to invade Southcentral**LOOSESTRIFE: Plant of European origin has been found growing wild in city.**By DOUG O'HARRA
Anchorage Daily News*(Published: October 13, 2005)*

An invasive plant that clogs creeks and wetlands across the Lower 48 and Canada has been found growing wild in Anchorage for the first time, along Chester Creek.

Purple loosestrife is a hardy flowering perennial native to Europe that can develop dense thickets almost impossible to eliminate. It's growing along a mucky island about 100 yards upstream from Spenard Road, said Jamie Snyder, invasive plant specialist with the University of Alaska Fairbanks Cooperative Extension Service, in Anchorage.

"This is a really horrrific wetland invader, pretty much across North America," Snyder said.

Its tiny seeds are carried on feathers and fur, she said, "so it's just one hop away from Potter Marsh, and then it's just one hop away from the Kenai Peninsula, where fishing industry is huge."

"This plant, if it were to get established in Potter Marsh, would absolutely cover the marsh," said Michael Shephard, plant ecologist with the state and private forestry office of the U.S. Forest Service. "There would be no more geese, no ducks, no terns, no swans."

Long planted by local gardeners who thought it could not spread, the fireweedlike purple flower has become a nightmare in many Outside communities and is now listed as a noxious plant in several states and Canadian provinces. It drives out native plants such as cattails, overgrows wetlands, ruins fish passage, even blocks access from the bank for recreation.

"They start as little herbaceous plants, but over the years, they begin to form this dense woody root crown a half a meter in diameter with 30 to 50 stems," Snyder said. "Once loosestrife gets well established, the wildlife as we know it, and the plant community as we know them, and the ecosystem as we know it, will not function any more."

They can take root from cuttings or spread in place through the ground. Once they go to seed, watch out.

"Each plant can produce over 2 million seeds, and the seeds are the size of ground pepper," Snyder said.

"This one is like the Top Gun as far as prolific seeders go," said Michael Rasy, a pest control specialist with the extension service.



Purple loosestrife has been found growing wild along Chester Creek. The invasive species, originally from Europe, poses a threat to the local environment and could even lead to the destruction of Southcentral fisheries. *(Photo by MICHAEL SHEPHARD / U.S. Forest Service)*

Snyder and Shephard will show the infestation to plant specialists, land managers and park officials this afternoon in an effort to start a loosestrife awareness campaign. Then they will carefully dig out the offending plants and their roots.

"That will be of course double bagged in heavy-duty plastic," Synder said. "You can't compost this type of plant because it would propagate. It's a form of biological pollution."

The plant could be growing wild elsewhere in the city, she said. Anyone who spots it should notify the cooperative extension service.

The outbreak of purple loosestrife in the greenbelt marks another local example of a worldwide problem: Invasive plants that take root far from their original environments and begin to spread without natural predators, competition or pests.

Alaska already has more than 20 invasive weeds spreading along roads and trails, several originally planted as garden plants or flowers. One new example is the European bird cherry, or May Day tree, which has been taking over the understory in city greenbelts.

Purple loosestrife first appeared on the East Coast in the early 1800s and slowly spread. By the 1930s, it began taking over wetlands and creek bottoms.

But the varieties sold in nurseries were supposed to be sterile, or the Anchorage growing season was thought too short to allow it to seed and spread, said Julie Riley, horticultural agent with the extension service.

In 1997, Riley challenged that view, called a meeting and argued that it should no longer be planted in Anchorage. But the consensus was that no one had ever seen it outside a tended bed.

"Because it hadn't had a history of escaping at that time, it was just kind of on everybody's watch list," Riley said.

The plant has been growing at the Alaska Botanical Garden since 1996, she said, but has never grown well and often was nibbled back by moose.

"I really didn't expect that it was going to escape (from a garden), but things are really changing," Riley said. "I think we're lucky we're spotting it, because I have this vision of Westchester Lagoon being covered with purple loosestrife."

Now Riley and other gardening experts say the time has come to give up the purple plant and root it from local beds.

"We didn't think we had a problem, but we do," said Jeff Lowenfels, an Anchorage businessman and gardening columnist. "My first recommendation would be not to buy any more of these. If you have any growing in your garden, pull it up and throw it away."

"In gardening," Lowenfels added, "the first rule is do no harm."

Daily News reporter Doug O'Harra can be reached at do'harra@adn.com.

INVASIVE WEED: Learn more about purple loosestrife at



505 West Northern Lights Boulevard, Suite 205
Anchorage, Alaska 99503
(907) 222-7714 (Phone); (907) 222-7715 (Fax)
varsha@akaction.net; www.akaction.org

Statement of Varsha Mathrani, MPH, Env Health Coordinator, AK Community Action on Toxics
HB 324- Ban Orange Hawkweed/Purple Loosestrife (Sponsored by Rep. LeDoux)

Hearing of the House Resources Committee
February 15, 2006

Re: Comments on HB 324: "An Act banning the importation, transfer, and cultivation of orange hawkweed and purple loosestrife."

Co-Chairs Ramras and Samuels, thank you for allowing public testimony concerning HB 324. My name is Varsha Mathrani, Environmental Health Coordinator and a public health scientist representing Alaska Community Action on Toxics (ACAT). ACAT is a statewide non-profit environmental health and justice organization that conducts research and provides educational programs, technical assistance, and training. I am preparing these comments on behalf of our statewide membership.

Alaska Community Action on Toxics approves of HB 324 as a measure to prevent invasive species from taking root and disrupting diverse native ecosystems of Alaska. We believe it is a good first step to addressing invasive species in Alaska. Thank you to Rep. LeDoux for sponsoring this bill. Prevention is key to this issue. However, the regulations providing for the disposal of the invasive species in question, purple loosestrife and orange hawkweed are unclear/not specified. ACAT approves of preventive measures. Prevention is the best tool, using mechanical and biological control of these plants first, such as weeding/uprooting and bagging and burning of the plant and its parts, or through insect species, preferably native, as forms of control). We advocate the use of assessments of alternatives to herbicides (through mechanical removal, biological controls, etc.) before even considering the use of herbicides, then selection of the least-toxic alternative. Use of herbicides adds another problem to an already existing one, and does not get at the "root" of the problem. Many herbicides are persistent and affect more than just the invasive species in question, as they are nonspecific. People in Alaska have been overwhelmingly opposed to the use of herbicides in vegetation management for forestry, transportation rights-of-way, and for invasive species.

In Alaska, more than in any other place in the country, people rely on the safe harvest of traditional subsistence foods and medicinal plants, including mushrooms, greens, berries, roots, fish, caribou, moose, waterfowl and terrestrial birds, and other wildlife. Subsistence foods comprise a significant, and in some communities, almost the entire diets of many Alaska Native and rural non-Native people. Thus, people are at much greater risk of exposure in areas treated with herbicides and it is especially important to use non-chemical alternatives rather than herbicides. People also rely on surface waters and individual wells to a great extent in rural Alaska. Commercial fisheries and the livelihood of fishing families are also dependent on good water quality and fish habitat—herbicide use would pose a serious hazard to the health of the commercial fisheries, the marketing and economic viability of our commercial fisheries. These important factors are often neglected in "quick fix" short term solutions.

The ecotoxicological and health effects on humans and other species should be considered. As UAA Professor of Biological Sciences, Frank von Hippel states, "Control of exotic plants should be achieved with mechanical removal or other non-chemical methods, rather than with herbicides. Many herbicides are known carcinogens and/or disruptors of the hormone systems of animals, including humans. The very fact that herbicides and other pesticides are designed to kill cells means that they are toxic, and time and time again pesticides that were supposedly safe were later banned due to their toxicity. We should not solve a problem of exotic species by creating a toxic environment for ourselves and our wildlife. Many good alternatives are available for weed control."

In a systematic review of the peer-reviewed scientific literature concerning health effects of pesticides, a team of physicians from the Ontario College of Family Physicians concluded: "The literature does not support the concept that some pesticides [including herbicides] are safer than others; it simply points to different health effects with different latency periods for the different classes...Some more surprising positive associations were found for pesticides that are considered less toxic in acute poisoning settings...[For example] the herbicides glyphosate [an herbicide used to control purple loosestrife] and glufosinate had associations with congenital malformations. Parental preconception exposure to glyphosate was associated with late abortion." Although glyphosate is touted as a "safe" herbicide, the latest science demonstrates that it is associated with serious adverse environmental and health effects.

The state must implement vegetation management strategies with the following guidelines:

- Least disruptive of natural controls.
- Least hazardous to human health.
- Minimize negative impacts to non-target organisms, including other plants (especially native/indigenous), insects, aquatic invertebrates, fish, and wildlife.
- Least damaging to ecological systems, including water quality, nutrient cycling, soil microbes, mycorrhizae, plant-animal interdependencies.
- Most likely to produce long-term solutions in vegetation control requirements.

The vegetation management program must provide regular monitoring to determine if and when treatments are needed. Educational, physical, mechanical, and biological measures of prevention and control will be given priority over chemical measures. Education regarding prevention is the most important measure as it gets to the root of the basic problem. In a conversation with a student in a gardening class, I observed that until people know that a plant is invasive, they may just plant it in their garden/yard "because it is pretty." Therefore, a precautionary approach should be taken. These plants should be banned from sale in Alaska. It is important to get people involved through coordination, education and awareness raising, participation in inventory and monitoring, research, and management through effective preventive and acceptable management, such as weeding.

Herbicides should be used only as a last resort. If herbicides are used, the state will use the smallest amount of the least toxic formulation with the least potential for contamination of subsistence resources, wildlife, or human exposure. Further, no chemical is permitted for use if it is acutely toxic or proven to cause cancer, hormone disruption, reproductive damage, immune system damage or nervous system toxicity. The state will apply the precautionary approach in all pest management decisions to prevent harm to human health and the environment from the use of toxic pesticides that have not been fully tested. The public process should be open and inclusive if herbicides are being considered in a particular area. If herbicides are used as a last resort, people that may use the area should be properly notified well in advance with publication in local newspapers and signage around the perimeter. Signage should be posted at least 72 hours in advance and left up at least 72 hours following herbicide applications. The notification and signage should include information about the environmental and health effects of the herbicides. This

protects the public's right to know about pesticides sprayed in their backyards (or someone else's backyard- it ultimately is someone's backyard).

Herbicides pose risks to workers, the public, water quality, subsistence resources, and human health. They are inherently harmful and should be replaced with safe non-chemical alternatives. Since glyphosate is a nonselective herbicide affecting non-target organisms, such as fish and plants, it may present a danger to native plant and animal species, as well as humans.

Again, we strongly urge the state to replace the use of herbicides with effective preventive measures as well as mechanical and biological controls of invasive plants through ecological methods/approaches of least toxic pest/weed management, and prevention (education, banning sales, etc.).

Thank you for your careful consideration of our comments regarding this bill. Please assure that these comments are entered into the official public record.

Sincerely,

Varsha Mathrani, MPH, Environmental Health Coordinator
Alaska Community Action on Toxics (ACAT)

Mission: We believe that everyone has a right to clean air, clean water, and toxic-free foods. Please join as a member (\$30/year), volunteer, or consider an additional financial contribution to support our work. Thank you.

References:

<http://www.weedcenter.org/>

<http://www.pesticide.org/>

<http://www.invasiveplants.net/>

<http://tncweeds.ucdavis.edu/esadocs.html>

<http://www.natureserve.org/getData/plantID.ta.jsp>

http://www.akaction.org/PDFs/Glyphosate_facts.pdf

<http://extoxnet.orst.edu/pips/glyphosa.htm>

Sanborn, M. et al. 2004. Systematic Review of Pesticide Human Health Effects. Publication of the Ontario College of Family Physicians. p. 164.

ORANGE HAWKWEED

Wilson, LM / Callihan, RH

Meadow and orange hawkweed in: Biology and management of noxious rangeland weeds (pp. 238-248).
Corvallis, OR: Oregon State University Press, 1999.

PURPLE LOOSESTRIFE

Drlik, T / Woo, I / Swiadon, S, editors / Bio-Integral Resource Center

Purple loosestrife: Integrated vegetation management technical bulletin. <http://www.cfn.org/~ipmpa/Noxplous.html>

BIRC's newer version:

Woo, I / Drlik, T / Quarles, W

Integrated management of purple loosestrife. IPM Practitioner. October 2002. 24(10): 1-9.

Nature Conservancy

ELEMENT STEWARDSHIP ABSTRACT for Lythrum salicaria Purple Loosestrife. 2001.

<http://tncweeds.ucdavis.edu/esadocs/lythsali.html>