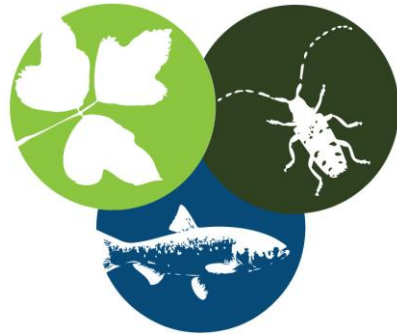


The New Jersey Invasive Species Management Act

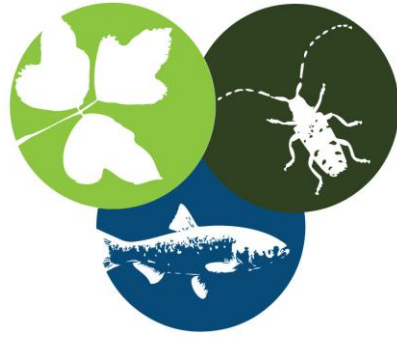


NJ Invasive Species
Strike Team

A PROGRAM OF

FoHVS

Presented by Michael Van Clef, PhD,
Strike Team Program Director



NJ Invasive Species Strike Team

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Our Mission

We work to protect natural lands, with their full abundance and diversity of native plants and animals, from future damage through coordinated strategic invasive species management. Active mapping, data analysis, engaging in community outreach and training, and practicing early detection and rapid response (ED/RR) to new threats; we are the only entity solely dedicated to protecting rare species and special places from invasive species throughout New Jersey.

STEWARDSHIP = *Mitigation of human impacts on natural systems*

The Numbers

10,000+

non-native plant introductions

1,000

established non-native plants

50

widespread invasive plants

86

emerging invasive plants

Species Number Summary - 2025

Category	Note	Number of Species	2024	2023	2022	2021	2020
Plants - Widespread Invasive Species	Species considered to be widespread and causing significant harm in natural areas	50	50	50	50	48	39
Plants - Emerging - NJISST Target Species	Species selected for target list inclusion	86	84	100	99	94	106
Plants - Emerging - NJISST Watch Species	Species may show invasive potential in the near future	67	65	42	42	47	40
Animals, Insects, Pathogens - Widespread Invasive Species	Species considered to be widespread and causing significant harm in natural areas	47	47	47	45	45	45
Animals, Insects, Pathogens - Emerging - NJISST Target Species	Species selected for target list inclusion, or effective population reduction practices available	49	49	45	45	42	37
Animals, Insects, Pathogens - Emerging - NJISST Watch Species	Species may show invasive potential in the near future or no effective population reduction / eradication practices available	9	9	7	7	9	10
Totals		308	304	291	288	285	277

A very long road...but no time to dwell

- 1900's - 1940's - Several western states act (rangeland weeds) and Hawaii laws
- 1950's - Only notable invasive in NJ is Japanese Honeysuckle
- 1958 - Charles Elton writes "The Ecology of Invasion by Plants and Animals"
- 1960's - Federal government distributes millions of Multiflora Rose and Autumn Olive
- 1970's through 1990's - Academia studies invasion ecology and impacts
- 1998 - Wilcove et al. say invasive species second only to habitat destruction for biodiversity
- 1999 - Australia enacts national invasive species legislation
- 1999 - President Clinton establishes National Invasive Species Council
- 2001 - St. Louis Declaration on Invasive Species - academia, nursery industry, landscape architects, botanic gardens, etc. make pledges
- 2002 - Environmental Law Institute's "Halting the Invasion" to stimulate new laws
- 2004 - Connecticut passes legislation, more northeastern states follow over next decade+.
[[By 2023, only NJ and RI have not acted in the northeast and nearly all states across the nation have at least some legislation.]]
- 2004 - Governor McGreevy signs Executive Order #97 establishes NJ Invasive Species Council charging them with preparing a statewide plan (initiated in 2005)
- 2008 - Friends of Hopewell Valley Open Space and Raritan Headwaters Association create "New Jersey Invasive Species Strike Team"
- 2009 - NJ-ISC publishes "Strategic Management Plan for Invasive Species" – signed by Governor Corzine...Governor Christie disbands Council about one month later...
- 2024 - New Jersey Aquatic Invasive Species Management Plan approved

Governor Murphy Signs Landmark Invasive Species Management Act Protecting New Jersey's Ecosystems

- On January 20, 2026, Governor Phil Murphy signed the New Jersey Invasive Species Management Act into law. The new law establishes a comprehensive framework and creates a permanent New Jersey Invasive Species Council to guide science-based policy, education, and management statewide.
- It restricts the unregulated sale, distribution, import, export, and propagation of designated invasive species while giving nurseries, growers, land managers, and municipalities realistic timelines to comply.

Why This Matters – Ecology

- Invasive plants, accelerated by deer overabundance, past land use, and climate change, are a major threat to biodiversity worldwide, second only to habitat loss.
- Invasive plants, pests and pathogens are a major and accelerating threat to NJ natural areas.
- Invasive plants displace native vegetation that pollinators and wildlife depend upon.
- Invasive plants degrade soil and forest regeneration, choke waterways and wetlands, and create monocultures that increase wildfire risk while reducing ecosystem resilience.

Why This Matters – Economic Reality

Invasive species cost New Jersey hundreds of millions of dollars annually through...

- agricultural losses
- increased pest management costs
- reduced property values
- municipal management spending
- lost ecosystem services
- reduced tourism revenue

Why This Matters - Industry Opportunity

The benefits of this law:

- accelerates market demand for native plant alternatives
- positions New Jersey companies as environmental leaders
- creates specialty markets for ecological restoration services
- supports business models built on long-term ecosystem health

Collaborative Legislative Development

- 2018: Senator Greenstein introduces legislation
 - Stakeholder organizations including NJ Nursery and Landscape Association, Native Plant Society of New Jersey, and NJ Forestry Association provided testimony on proposed legislation, but bill does not progress to a vote.
- 2022-2025: Senators Greenstein and Smith re-introduce legislation
 - Over nearly 2 years, Senator Smith's Forest Task Force Invasive Species Workgroup collaborate, suggesting significant revisions through thoughtful negotiation; recommendations provided to the Senators.
 - Workgroup consists of conservation groups, nursery operators, landscape professionals, NJ Farm Bureau
 - Passed in December 2023 (unanimous bipartisan support), Vetoed by Governor Murphy in January 2024
 - In 2024 & 2025, revisions on regulatory coordination with NJDEP and NJDA led to passage (again), Governor signs

The approach validates a collaborative, science-based approach to environmental policy that respects both ecological necessity and economic reality.

What the Law Does

The New Jersey Invasive Species Management Act:

- Prohibits unregulated sale, distribution, import, export, and propagation of prohibited invasive species
- Establishes a permanent NJ Invasive Species Council to guide policy, research, and education
 - Former Council created via Executive Order allowing a future Governor to eliminate it
- Council will make recommendations to the NJDEP Commissioner and Secretary of Agriculture regarding invasive species
- Provides technical assistance and educational resources for industry transition
- Creates mechanisms for ongoing species assessment and permit applications

The framework balances environmental protection with workable industry timelines.

Initially Prohibited (“Banned”) Invasive Species Designated in the Act

- (1) Norway maple (*Acer platanoides*)
- (2) tree of heaven (*Ailanthus altissima*)
- (3) mimosa tree or Persian silk tree (*Albizia julibrissin*)
- (4) porcelain berry (*Ampelopsis glandulosa* var. *brevipedunculata*)
- (5) Japanese angelica tree (*Aralia elata*)
- (6) Japanese barberry (*Berberis thunbergii*)
- (7) Japanese clematis (*Clematis terniflora*)
- (8) autumn olive (*Elaeagnus umbellata*)
- (9) weeping lovegrass (*Eragrostis curvula*)
- (10) winged burning bush (*Euonymus alatus*)
- (11) English ivy (*Hedera helix*)
- (12) Japanese hop (*Humulus japonicus*)
- (13) European privet (*Ligustrum vulgare*)
- (14) Amur honeysuckle (*Lonicera maackii*)
- (15) Morrow's honeysuckle (*Lonicera morrowii*)
- (16) purple loosestrife (*Lythrum salicaria*)
- (17) Japanese crabapple (*Malus toringo*)
- (18) Chinese silver grass (*Miscanthus sinensis*)
- (19) Eurasian water-milfoil (*Myriophyllum spicatum*)
- (20) Oriental photinia (*Photinia villosa*)
- (21) Callery or Bradford pear (*Pyrus calleryana*)
- (22) common buckthorn (*Rhamnus cathartica*)
- (23) jetbead (*Rhodotypos scandens*)
- (24) multiflora rose (*Rosa multiflora*)
- (25) European water chestnut (*Trapa natans*)
- (26) Siebold's arrowwood (*Viburnum sieboldii*)
- (27) Japanese wisteria (*Wisteria floribunda*)
- (28) Chinese wisteria (*Wisteria sinensis*)
- (29) sericea lespedeza (*Lespedeza cuneata*)
- (30) running bamboo (*Phyllostachys*)
- (31) Additional species can be added...see next slide

Invasive vs. Prohibited Invasive

- Invasive if...
 - Considered by the Council to cause / may cause economic or environmental harm, harm to human health, or threatens / may threaten natural resources or the use of natural resources
 - Factors include: Likelihood of introduction to the state -- Likelihood of naturalization – Magnitude of potential adverse impacts – Ability to eradicate or control spread
 - Provide threat level and categorize current NJ population as “potential”, “emerging” or “established”
 - Identify any sterile cultivars or varieties
- Prohibited Invasive if...
 - 1) Considered invasive and recommended for addition to the prohibited species list by the Council, 2) accepted by NJDEP and NJDA, and 3) moved through the Administrative Procedure Act at the discretion of the Governor.

Phase-In of Prohibitions

Allowance for nursery industry to avoid undue economic harm (e.g., allows preparation for change, selling of existing inventory)

- Propagation prohibited at 1 year following signature into law (approximately February 2027)
- Sales prohibited at 4 years following signature into law (approximately February 2030)

Note: Official dates will be promulgated during rulemaking within 12 months of effective date of legislation.

Cultivar Exemptions

(1) Japanese barberry (*Berberis thunbergii*):

Aurea, UCONNBTCP4N, UCONNBTB113, UCONNBTB048, UCONNBTB039

(2) Chinese Silver grass (*Miscanthus sinensis*):

NCMS1, Tift M77

(3) any additional cultivars or varieties exempted following consideration of the Council and acceptance by NJDEP and NJDA.

Note 1: The invasive species working group recommended cultivars that were scientifically vetted and appear in NY state legislation as exempted.

Note 2: Exemptions shall expire two years after the effective date of this act, unless NJDEP, in consultation with the Council and NJDA, adopts rules and regulations to continue the exemptions.

Invasive Species Council

The council shall consist of 19 members as follows:

- (1) Commissioner of Environmental Protection (ex-officio)
- (2) Secretary of Agriculture (ex-officio)
- (3) State Treasurer (shall serve ex-officio)
- (4) Commissioner of Transportation (ex-officio)
- (5) Commissioner of Health (ex-officio)
- (6) State Forester (ex-officio)

- (7) 13 members of the public (appointed by Governor < 60 days after effective date of this act) – one of the following will be considered the “Council Chair”
 - (a) two representatives from environmental organizations
 - (b) two representatives from the food agricultural sector
 - (c) two representatives from the landscape industry
 - (d) two representatives from the nursery industry
 - (e) two representatives of New Jersey higher education institutions
 - (f) one representative from a county park system
 - (g) one representative involved in urban ecosystems
 - (h) one member of the public

Other Important Council Responsibilities

- Recommend measures necessary for State departments & agencies, cooperation with federal agencies and other states
- Identify research needs to better assess routes of introduction, threats, and methods of prevention and control for invasive species
- Review ongoing invasive species control efforts being carried out by the State, recommend new or revised measures to limit introduction and spread
- Produce or identify educational programs and materials for public distribution including threats posed by invasive species – measures to prevent introduction – control methods – encouraging use of native species (preferably propagated in NJ)
- Develop partnerships with federal, state and local government, educational institutions, non-profit and other private groups to help implement polices and recommendations of the Council
- Identify sources of funding to support the Council's research, monitoring, control recommendations, and relevant youth and community outreach programs
- Identify legislative or regulatory actions necessary to implement or further Council recommendations
- Make recommendations to the NJDEP and NJDA regarding implementation of the act
- Review applications for conditional use waivers and make recommendations to NJDEP and NJDA
- Examine and revise 2009 NJ Strategic Management Plan for Invasive Species no later than 2 years after Council is initially seated and revise every 10 years

NJDEP shall...

- Along with NJDA, enforce provisions of the act
 - NJDA for violations involving sale, offer for sale, propagation for sale, or importation of a prohibited invasive species or its seeds
 - NJDEP for any other violation
- Create a central clearinghouse of information on its website including
 - List of invasive species including how to identify them, best practices for control, and possible native alternatives for planting
 - Links to other existing categories of non-native species, their management and regulation including injurious insects, potentially dangerous animals, noxious weeds, and federally regulated species
 - Links to NJDEP native species list

Next Steps

No later than 60 days after signature into law (approximately March 2026):

- DEP and NJDA will begin formal rulemaking
- Governor will appoint the members of the New Jersey Invasive Species Council
- Once appointed, the New Jersey Invasive Species Council will convene and create the Council's rules of order, operating procedures, and priorities to guide coordination and implementation.

Within 12 months (approximately February 2027):

- DEP, in consultation with the NJDA, will adopt the administrative procedures, rules, and regulations needed to implement the law statewide. **This includes 1) list of invasive species, 2) list of prohibited invasive species, and 3) process for granting conditional use waivers for prohibited species for a specific purpose.**

Within 36 months of the effective date, and every three years thereafter (approximately February 2029):

- DEP will review the latest scientific recommendations from the Council and update the list of invasive and prohibited invasive species

How can you help?

- Using iNaturalist...
 - Record as many instances of escaped invasive species as possible – we want to document every population that exists in natural areas!
 - Join Strike Team projects for widespread and emerging species
 - DO NOT include planted specimens or plants that are spreading within a yard



- Join or Create a [Volunteer Stewardship Team!](#)
 - Adopt-a-Park – Stewardship Style!

Q & A

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Plants and Birds of Healthy Forests



Clockwise from top left: mountain laurel, witch-hazel, maple-leaved viburnum



Clockwise from top left: blackburnian warbler, black-throated blue warbler, chestnut-sided warbler, ovenbird