



Minutes of NCWSS 2023 Summer Board of Directors Meeting
July 21, 2023
2:00 pm (CST)

Zoom Link: <https://unl.zoom.us/j/98282093002>

Meeting ID: 982 8209 3002

- | | |
|--|-------------------|
| 1. Call to Order (President): | Reid Smeda |
| 2. Roll Call (Secretary-Treasurer): | Amit Jhala |
| 3. President Report: | Reid Smeda |
| 4. President-Elect/Program Chair Report: | Dawn Refsell |
| 5. Resident Education Report: | Nick Arneson |
| 6. Proceedings Editor Report: | Karla Gage |
| 7. Communication Editor Report: | Joe Ikley |
| 8. Vice President Report: | Mark Bernards |
| 9. Past President Report: | David Simpson |
| 10. Executive Secretary Report: | Kelley Mazur |
| 11. Secretary-Treasurer Report: | Amit Jhala |
| 12. WSSA Representative: | Brett Miller |
| 13. CAST Representative: | John Hinz |
| 14. Director of Science Policy: | Lee Van Wychen |
| 15. Strategic Planning Committee: | Travis Legleiter |
| 16. Extension Committee: | Nathaniel Drewitz |
| 17. Industry Committee: | Ryan Henry |
| 18. Graduate Student Committee: | Claudia Bland |
| 19. Old Business: | |
| 20. New Business: | |
| 21. Adjourn | |

President Smeda called the meeting to order at 2 pm on July 21, 2023.

ROLL CALL July 21, 2023 NCWSS Summer Board of Directors Meeting

Roll Call [17 /19]

Officers	Names	July 21
President	Reid Smeda	X
President Elect	Dawn Refsell	X
Vice President	Mark Bernards	X
Secretary-Treasurer	Amit Jhala	X
Editor-NCWSS Proceedings	Karla Gage	X
Editor- Communication / Newsletter	Joe Ikley	X
WSSA Representative	Brett Miller	
CAST Representative	John Hinz	X
Past President	David Simpson	X
Executive Secretary	Kelley Mazur	X
Director of Science Policy	Lee Van Wychen	X

Directors at Large	Names	July 21
Strategic Planning	Travis Legleiter	X
Extension	Nathaniel Drewitz	X
Industry	Ryan Henry	
Resident Education	Nick Arneson	X
Graduate Student	Claudia Bland	X
Central Region	Dan Smith	X
Western Region	Angela Kazmierczak	X
Eastern Region	Steve Meyers	X

Summary of Motions:

1. A motion was proposed to accept the changes made to 2024 (and ongoing) NCWSS Student Weed Contest Grading Rubric.
A motion was approved with all in favor.
Action Item: Amit will include changes made in the NCWSS MOP.
2. A motion was proposed to set up a special committee to develop the NCWSS Endowment Fund.
A motion was approved with all in favor.
Action Item: President Smeda will form a special committee to set the NCWSS Endowment Fund.
3. A motion was proposed to adopt the edits in the NCWSS Fellow Nomination Instruction.
A motion was approved with all in favor.
Action Item: Amit will include changes made in the NCWSS MOP.

NCWSS Committee and Officer Reports

President – Reid Smeda

Date of Preparation:

Officer/Committee Activities during the Year:

Motions/ Action Items:

President Elect – Dawn Refsell

Date of Preparation: 07/20/2023

Old Business:

- **NCWSS Endowment Fund:** Eric and Dawn are discussing auction items. Speakers are planned up for the Women in Weed Science and other keynote speakers.
- Motion was proposed to have a subcommittee to develop the NCWSS Endowment Fund with all in favor.
- Symposia for 2023 NCWSS Meeting: Total three proposals received, including one 8-hour symposia proposed by Woody Invasive Species group (MIPN); (about 45 registered in the past and they had separate food/beverages. NCWSS provided them space and A/V. **Requested Budget:** \$2,700
- *Action Item:* Dawn will follow up with Mark Renz and discuss the symposium, registration fee, potential attendees, and budget request for the Symposia.
- Confirm registration rates for 2023 annual meeting.

2023 NCWSS annual meeting Registration Fee Structure

Member Type	Before Nov 1	After Nov 1
Regular Member	\$400	\$450
Retired NCWSS Fellow	\$250	\$300
Active NCWSS Fellow	\$400	\$450
Graduate Student	\$200	\$250
Undergraduate Student	\$150	\$200

Motions/ Action Items:

Resident Education Committee Chair – Nick Arneson

Date of Preparation: 07/17/2023

Officer/Committee Activities during the Year:

- Identify subcommittee working group to evaluate NCWSS Summer Contest grading rubric (Met Feb 15, 2023)
 - Members: Nick Arneson, Rodrigo Werle, Bill Johnson, Pat Tranel, Travis Legleiter, Joe Ikley, Bruce Ackley, Ram Yadav, Adam Striegel
 - Suggestions by subcommittee will be voted on in Summer BOD meeting
- Elicited feedback from NCWSS community (particular focus on volunteer judges & student advisors) on how to improve grading rubric for Annual meeting poster & paper contest
- Proposed changes to Student Paper & Poster grading rubrics to include 10 points for on-time submission of title, abstract and/or presentation/poster/video
 - Motion passed BOD vote in April meeting
- Assisted Extension and Graduate Student Chairs in hosting Video Production Workshop digitally on April 14 (video recorded and made available) and in preparation for a student-oriented symposium at the annual meeting in December 2023
- Attended bi-weekly Teams meetings with 2023 National Weeds Contest planning committee (Bayer Crop Science & SWSS, regional REC Chairs) representing NCWSS in preparation for the contest

Motions/ Action Items:

- Vote on changes made to 2024 (and ongoing) NCWSS Student Weed Contest Grading Rubric.

NCWSS Weeds Contest Rules – Summary of Suggested Changes

Subcommittee: Nick Arneson, Rodrigo Werle, Bill Johnson, Pat Tranel, Travis Legleiter, Joe Ikley, Bruce Ackley, Ram Yadav, Adam Striegel
Meeting held via Zoom: February 15, 2023
Reviewed by NCWSS BOD: April 14, 2023

Suggested Changes:

Written Calibration

- Make questions multiple choice (3-5 answers provided)
- Incorrect answers derived by common mistakes to limit chances of guessing correctly
- Make problems standalone and not build on previous answer

Sprayer Calibration

- Simplify written portion to allow teams to focus on sprayer calibration
 - Provide GPA & speed to teams

Weed Identification

- Spelling is absolute for full credit
- Must be underlined and capitalized appropriately for full credit
- Legible writing, no cursive
- 5 points: correct scientific name, correct common name, correct underline & capitalization
 - 3 points: correct scientific name (genus, species, underline) – minus one point for misspelled, minus one point for incorrect capitalization and underline omitted.
 - 2 points: correct common name – minus one point for misspelled and minus one point for incorrect capitalization.

Unknown Herbicide Identification

- Provide students with four 'pick lists' of families, SOA, and common name. Each list provided separate of the other and listed alphabetically
- Remove spelling from the grading rubric

Farmer Problem

- No suggested changes

Other Considerations

- Subcommittee to review written calibration exam ahead of contest
 - Weed seed collection to share within NCWSS competing Universities for educational purposes
-

Proceedings Editor – Karla Gage

Date of Preparation:

Officer/Committee Activities during the Year:

Motions/ Action Items:

Communication Editor – Joe Ikley

Date of Preparation: 7/21/2023

Officer/Committee Activities during the Year:

- Request was sent to submit material/information for the NCWSS Summer Newsletter.

Motions/ Action Items:

Vice President – Mark Bernards

Date of Preparation:

Officer/Committee Activities during the Year:

Motions/ Action Items:

Past President – David Simpson

Date of Preparation: 7/19/2023

Officer/Committee Activities during the Year:

In preparation for the call for nominations by the DAA and Fellow committee, the information and associated information on the Award Nomination Information webpage of the website was reviewed. The links to the Award Rules currently link to the rules from like 2015. Given the MOP update in 2022, I have created new documents for the rules for each award as defined in the MOP.

Kelley, will you be able to update the webpage (<https://ncwss.org/about/award-nominations-information/>) with updates to the nomination rules attached for DAA and Student Travel awards and update the links on the webpage. Once we get the edits to Fellows those can be updated as well. Lastly in the call for nominations, we need new links in the DAA section for past award winners.

It was also observed that the wording in the Fellows nomination section of MOP seemed different than the DAA. JD Green, the chair of Fellows committee, and are preparing a proposed edit to the Fellow nomination section. Key edits were to add paragraph for Eligibility of Nominators, move information from the nomination procedures to the Nomination Package section, edit wording for submission deadline, added a section for Award Administration. No changes in process, procedures, or award. Changes were just formatting or adding details of the process to this section.

Motions/ Action Items:

Executive Secretary – Kelley Mazur

Date of Preparation: 07/21/2023

Officer/Committee Activities during the Year:

- Registration fee approved for 2023 NCWSS meeting.
- New database for NCWSS webpage.

Motions/Action Items:

Secretary-Treasurer – Amit Jhala

Date of Preparation: 7/20/2023

Officer/Committee Activities during the Year:

- NCWSS Current Budget: \$427,000
- The NCWSS finance committee met with NCWSS finance advisor (Frank/Celina) 3 times in last few months and following two action items were approved by the NCWSS Finance Committee and NCWSS Executive Committee.
- NCWSS Mutual fund that was purchased in 2014 is down by 6.94%. It has \$6,268. In our meeting with NCWSS Finance Advisor, he suggested selling and cash. NCWSS Finance and Steering Committee members who attended this meeting agreed.
- To break current NCWSS CDs (# 4, 5, 6, 7) that we have with American Heritage Bank that has interest rates between 1% to 2%. The CD # 3 is maturing in August 2024; therefore, we shall continue CD # 3 with the American Heritage Bank. NCWSS Finance Advisor (Frank/Celina) can provide us better interest rates on CDs: 4.563% for the 60-month CD; 4.611% for the 48-month CD; 4.744% for the 36-month CD. Re-investing CDs with better interest rates will provide NCWSS \$16,000 additional compared with existing CDs with 1 to 2% interest rates.

Motions/ Action Items:

WSSA Representative– Brett Miller

Date of Preparation:

Officer/Committee Activities during the Year:

Motions/ Action Items:

CAST Representative – John Hinz

Date of Preparation: 7/19/2023

Officer/Committee Activities during the Year:

Dr. Chris Boomsma will be the new executive Vice President and CEO of CAST. He will succeed Kent Scheske who is retiring. Dr. Alison Bentley was named the Borlaug CAST Communication Award Recipient. The annual CAST meeting will be held in Lubbock, TX this fall.

Motions/ Action Items:

Director of Science Policy – Lee Van Wychen

Date of Preparation: 7/20/2023

New Science Policy Fellows (SPFs)

- Annu Kumari- USDA-ARS Auburn. Ph.D. expected May 2024; Advisor: Dr. Andrew Price.
- Cynthia Sias – Virginia Tech. Ph.D. expected Dec. 2023; Advisor: Dr. Michael Flessner.

WSSA Endangered Species Committee

- Chaired by Bill Chism, retired after 20+ years with EPA Office of Pesticide Programs (OPP) Biological and Economics Analysis Division (BEAD). Bill is doing a phenomenal job.
- Committee members are: Cameron Douglass, USDA OPMP; Stanley Culpepper, WSSA Past President; Taylor Randell-Singleton, grad student rep; Brad Hanson, UC-Davis; Mark VanGessel, WSSA-EPA Liaison; Sarah Lancaster, Kansas State, and me
- The committee is proposing a communications webpage and is also looking to find a new graduate student representative for the committee
- ESA Label Format - Stanley, Lee, and Bill met with Billy (Charles) Smith, Director of the Registration Division in OPP to talk about a standard label format. OPP had proposed a standard format back in 2019 but the project never really took off. Proposing a standard format should be doable and would reduce the time for users to find key information.
 - o Ideally our suggestions would end up in the Label Review Manual where they are visible to everyone.
 - o Step one: review the format and make suggestions with a small group of weed scientists as they prepare their state recommendations in the spring.
 - o Step two: walk registrants, crop consultants, USDA through the format and any suggestions; and step three: take suggestions to EPA OPP.
- IR-4 has been collecting crop efficacy data for 60 years. Need to make sure EPA is aware of the data and use it for ESA surrogate species. EPA should select representative crop groupings for an

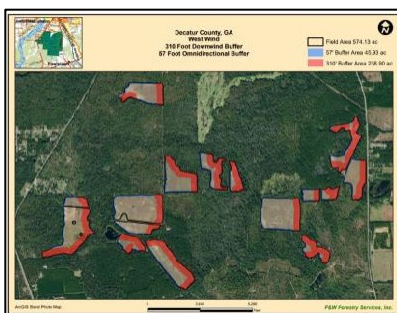
herbicide's efficacy trial. Don't do herbicide trials on every crop. Not necessarily a need to do it on every endangered species.

- EPA's Vulnerable Species Pilot Project strategy, i.e. List of 27 endangered species EPA is considering most representative and how they hope to organize some sort of framework. Expect an update by end of July on EPA's "herbicide strategy".

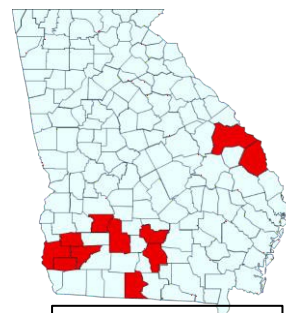
Organized a Capitol Hill Seminar on July 11: "Protecting Endangered Species While Feeding the World" presented by Culpepper and Chism.

-Very well received. Approximately 75 staffers.

This was the first in-person NCFAR Lunch-n-Learn seminar on Capitol Hill since 2019 (boo Covid). The event sponsors were: WSSA, National Association of State Departments of Agriculture (NASDA), Extension Committee on Policy (ECOP), CropLife America (CLA), and Syngenta. Additional collaborators were the National Corn Growers Association (NCGA) and American Soybean Association (ASA).



In-field downwind buffers (in red)



County-wide restrictions

Fifty years ago, the **Endangered Species Act (ESA)** was signed into law to protect and conserve imperiled species from extinction. Few understand the complexities and challenges associated with this Act and how it potentially threatens agriculture, family farm sustainability, and having an ample supply of food, feed, and fiber needed by humankind. In an abundance of caution to protect species listed under the ESA and help minimize the risk of litigation, the **U.S. EPA has been inserting large spatial buffers** on certain pesticide labels that restrict applications in counties where listed species **may be present**. For example, an herbicide was eliminated from use on approximately one million acres in 11 counties in Georgia. However, after further research, only 0.37 percent of the total acres in those counties represented suitable habitat. Although the effort of protection is important and supported by agriculture, current label restrictions are excessive in some situations as restrictions are not based on high-resolution data where a species likely occurs nor where and how pesticides are applied.

While entire counties have been removed from some product labels, EPA has also imposed in-field restrictions to mitigate **potential** off-target movement such as conservation practices to reduce runoff and no-spray buffers to reduce spray drift. For example, some required downwind buffers could eliminate as much as 49.6% of the field from a product application. These restrictions are preventing the use of tools needed to control threatening weedy pests in fields that are nowhere near the documented historical habitats of concerned species. As the **number of farms decline** rapidly and the **loss of U.S. agricultural land** exceeds 200 acres **every hour**, there is an expectation that we will need to **produce 70% more food by 2050** to sustain a growing population.

This monumental task will only be accomplished if economically effective tools are available helping farmers prevent pests from stealing food, feed, and fiber.

Methods developed from sound science can protect both concerned species and agriculture; in fact, protecting agriculture is the key to providing healthy habitats for wildlife. **Funding is needed to help educate farmers on ways to protect endangered species, create better maps of where species occur, and research additional ways to reduce the risks from pesticides.**

Weed Science Society Presidents Visit Washington DC.

During the week of April 17, the presidents from the four regional weed science societies and WSSA traveled to Washington DC to advocate on behalf of weed science policy initiatives and help WSSA achieve its mission of promoting research, education, and awareness of weeds in managed and natural ecosystems. Our primary mission during the week was meeting with the president's elected members of Congress and their staff from their home states. Talking points included:

- Support \$8 billion in mandatory agricultural research funding in the next Farm Bill. U.S funding peaked in 2002 and has declined by 1/3 since then, hitting the lowest levels since 1970. While U.S. investments decline, China's funding for ag research has grown to more than \$10 billion – **double of what the U.S. currently spends**. Current U.S. ag research funding is just under \$5 billion and most of that is discretionary funding that relies on year- to-year appropriations from Congress.



*Pictured (L to R): **Wes Everman**, NC State, NEWSS President; **Curtis Rainbolt**, BASF, WSWWS President; **Carroll Moseley**, Syngenta, WSSA President; **Eric Castner**, FMC, SWSS President; and **Reid Smeda**, University of Missouri, NCWSS President*

- Support USDA-NIFA IR-4 Project funding at \$25 million in FY 2024. The IR-4 Project was funded at \$15 million in FY 2023.
 - There is a phenomenal need for specialty crop protection products to help feed the world. The IR-4 Project was established in 1963 by USDA to conduct research and develop the data needed to facilitate the registration of crop protection products, including reduced risk and bio-based pesticides, for minor use crops such as fruits, vegetables, herbs, spices, ornamental plants and other horticultural crops. The IR-4 Project provides an incredible return on investment as it contributes \$8.97 billion to the annual U.S. GDP.
- Support the USDA-NIFA Crop Protection and Pest Management (CPPM) program at \$25 million in FY 2024. The CPPM program was funded at \$21 million in FY 2023.
 - The CPPM program is a highly effective competitive grant program that tackles real world weed, insect, and disease problems with applied solutions through the concepts of integrated pest management (IPM). The CPPM also funds the Regional IPM Centers and Extension IPM programs.
- Amend the definition of a “plant pest” in the Plant Protection Act so that it includes noxious weeds and invasive plants. Currently, only “parasitic plants” are listed in the definition of “plant pest” ([7 USC 104, S.7702 – Definitions, \(14\) Plant Pest, \(C\)](#)).

- USDA-APHIS receives almost \$400 million per year in their Plant Health account to prevent the introduction and spread of “plant pests” in the U.S., but only a fraction goes toward weed prevention and surveillance. One example is their “Plant Pest” and Disease Management and Disaster Prevention (PPDMDP) program,, which directs \$75 million a year to state governments, universities, non-profit institutions, industry, and tribal nations – to support projects that protect specialty crops, nursery systems, forestry, and other agricultural production systems and natural resources from harmful and exotic “plant pests.” Very few of the 300+ “plant pest” projects supported by the PPDMDP involve noxious weeds or invasive plants.
 - Working on a letter to House and Senate Appropriations Subcommittee for Transportation to get funding for the Invasive Plant Elimination Program authorized in the 2021 Infrastructure Law. Was authorized at \$50M annually from FY 2022 – 2026, but has not been appropriated any money yet. We are requesting \$10M to start a pilot program. [Link: Section 11522 - Invasive Plant Elimination Program description in 2021 Infrastructure Law](#)
 - Organizations can read and endorse the letter [here](#).
 - All weed science societies have endorsed the letter. Currently at 44 groups.
- NOTE: It was the first time I had all the society presidents stay in an Air-BnB. Compared to staying in hotels, it was at least 50% cheaper. Presidents commented that it was a good experience overall. Will consider in future.

FIFRA SAP on Atrazine:

-Aaron Hagar, University of Illinois, was nominated and approved to serve on the Atrazine SAP, as well as the following APMS members: Jay Ferrell, John Madsen and Kurt Getsinger. The SAP will take place toward the end of August.

2023 Farm Bill

There is less than a 50% chance the Farm Bill will be completed this year. Expect a one-year extension. There is a concentrated effort among ag research stakeholders to make ag research spending in Title 7 of the Farm Bill **mandatory** spending instead of discretionary spending.

FY 2024 House Agriculture Appropriations

-USDA research accounts stayed level for the most part in the House bill (which is considered a victory this year), plus ARS received a slight increase. However, the \$4.7M Area wide pest management (AWPM) account in ARS was not in the president’s budget request. This program is used to fund large-scale projects such as Get Rid Of Weeds (GROW). We are working with other stakeholder groups, like the Entomology Society of America to make sure AWPM funding is not cut from the USDA-ARS.

FY 2024 House Appropriations Committee for Interior, Environment and Related Agencies

- Sets funding levels for EPA and the US Fish and Wildlife Services (FWS) programs. The committee cut EPA’s budget to its lowest level since 1991. However, many of the provisions that the national and regional weed science societies supported, along with many other stakeholder groups, were in the House bill. Here is a summary:
- Pesticide Program Funding – The Committee report recommended funding the pesticide licensing program at \$120.2M for FY24, which is the same as the final funding level enacted for FY23. While it may seem disappointing not to have received an increase given that we requested \$145M, please note that the entire Environmental Programs and Management account, where the pesticide licensing program is housed, received a \$857M cut.
- FWS Consultation Funding – The Committee report recommended providing no less than \$2M for pesticide-specific ESA consultations at FWS. While we requested \$3M, this is still a significant accomplishment given that the report recommends cutting \$12.1M or 10.0% from FY23 enacted levels for the whole FWS planning and consultation account.
- FIFRA Labeling Language – We requested bill language specifying that no funds may be used by EPA to

approve labels inconsistent with the agency's human health findings under FIFRA. That language was included in the bill text.

- EPA Pesticide Implementation Language – We requested several language related provisions related to 1) what types of data EPA must consider in its ESA effects determinations (existing conservation data, pesticide usage data, real-world spray drift and water concentration studies, etc.) 2) directing the agency to consult with USDA/impacted stakeholders on mitigations and pilot projects pre-publication, and 3) direct the agency to ensure that epidemiological studies used by EPA meet data quality standards and can be independently verified. All this language was included in the report as well as directives for the agency to update its guidance on these matters as necessary.
- Sub-County Species Level Maps Language – We requested language directing FWS to, when possible, develop subcounty level species range maps. This language was included in the House Interior Appropriations committee report as well.
- NOTE: The House Interior Appropriations Committee bill is **only the first step** in this process!

A Survey of Weed Research Priorities: Key Findings and Future Directions

- The WSSA Research Priorities Committee published the results of their weed research priorities survey from the fall and winter of 2021 / 2022. The last time there was a published report of weed science research priorities was in 2007.
- Authors: Daniel C. Brainard, Erin R. Haramoto, Ramon G. Leon, James J. Kells, Lee R. Van Wychen, Pratap Devkota, Mithila Jugulam, Jacob N. Barney. [DOI: 10.1017/wsc.2023.24](https://doi.org/10.1017/wsc.2023.24)
- ABSTRACT
- *We conducted an online survey of weed scientists in the US and Canada to 1) identify research topics perceived to be important for advancing weed science in the next 5-10 years, and 2) gain insight into potential gaps in current expertise and funding sources needed to address those priorities. Respondents were asked to prioritize nine broad research areas, as well as five to ten subcategories within each of the broad areas. We received 475 responses, with the majority affiliated with academic institutions (55%) and working in cash crop (agronomic or horticultural) study systems (69%). Results from this survey provide valuable discussion points for policymakers, funding agencies, and academic institutions for allocating resources for weed science research. **Notably, our survey reveals a strong prioritization of Cultural and Preventative Weed Management (CPWM) as well as the emerging area of Precision Weed Management and Robotics (PWMR).** Although Herbicides remain a high-priority research area, continuing challenges necessitating integrated, non-chemical tactics (e.g., herbicide resistance) and emerging opportunities (e.g., robotics) are reflected in our survey results. Despite previous calls for greater understanding and application of weed biology and ecology in weed research, as well as recent calls for greater integration of social science perspectives to address weed management challenges, these areas were ranked considerably lower than those focused more directly on weed management. **Our survey also identified a potential mismatch between research priorities and expertise in several areas including CPWM, PWMR, and Weed Genomics, suggesting that these topics should be prime targets for expanded training and collaboration.** Finally, our survey suggests an increasing reliance on private-sector funding for research, raising concerns about our discipline's capacity to address important research priority areas that lack clear private-sector incentives for investment.*

APMS Leaders Meeting

-Brett Hartis, APMS President; Jay Ferrell, APMS President-Elect; Rob Richardson, APMS Science Policy Rep, and I met with Stacey Brown, Deputy Assistant Secretary of the Army for Civil Works Management and Budget.

-The meeting was originally scheduled as an in-person meeting at the Pentagon, but due to 106 Congressional committee hearings during the week of March 27 and not being able to secure enough appointments on the Hill (I was only able to schedule 6 appointments out of 31 requests), we decided to cancel their visit to Washington DC.

-We still met with Stacey via zoom. We discussed why there has not been a request in the

President's budget (for at least the past 20 years) for funding for the Army Corps Aquatic Plant Control program. Instead, Congress adds this line item to their Energy and Water appropriations every year. How best to proceed? Target OMB.

-The House budget for the Aquatic Plant Control program is identical for FY 2023, which includes another \$6M for hydrilla research and management in the Connecticut River basin.

Invasive Species Management Fund

I continue to explore a \$1 per ton of freight import and inspection fee for invasive species management. This would be similar to Hawaii's law passed in 2008. This would generate approximately \$1 billion for invasive species management in the U.S. Big questions on how to distribute and use money. (first we have to get it)

Army Corps of Engineers Aquatic Weed Management Tour

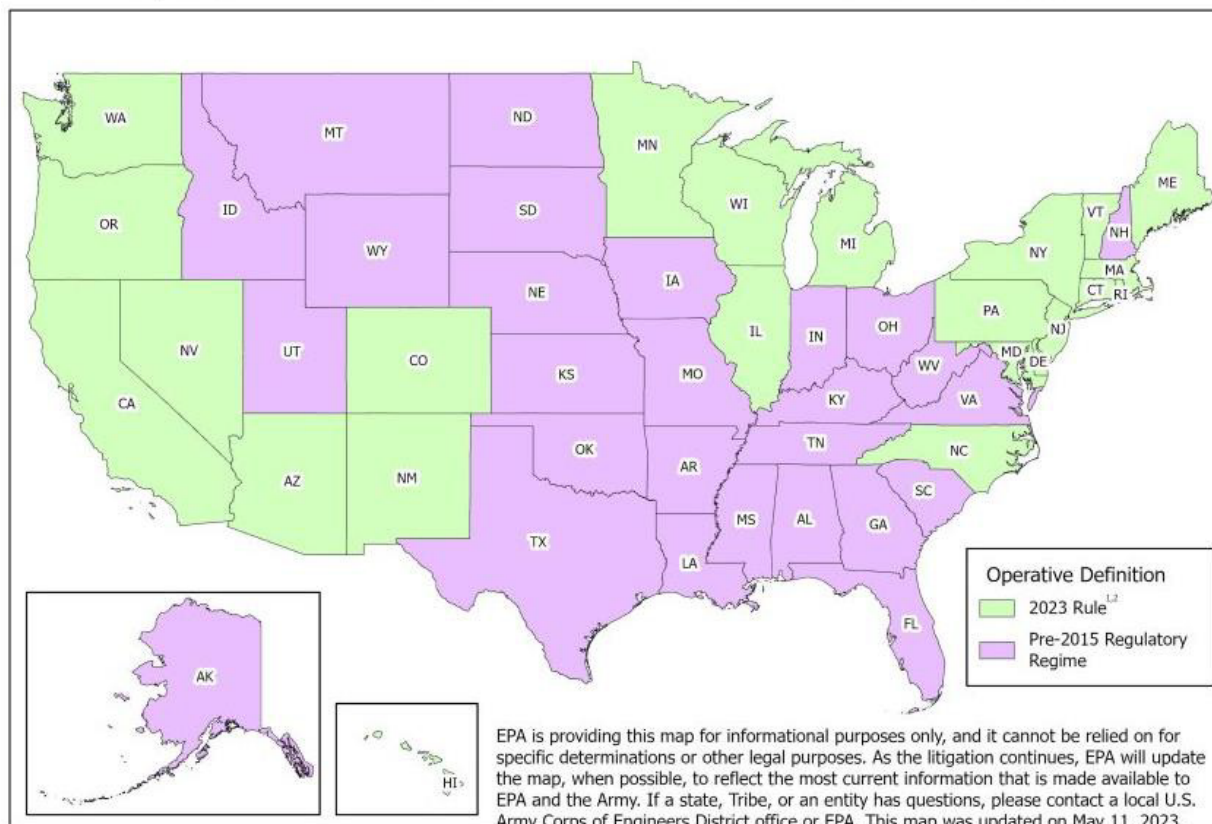
Held June 5-9 in Baton Rouge, LA. We toured Dr. Chris Mudge's aquatic weed research trials at LSU along with staff from the EPA and Army Corps of Engineers. We also got to explore the different aquatic weed problems they face in the Atchafalaya National Wildlife Refuge (NWR) and Lake Henderson. Common and troublesome weed problems included water hyacinth, hydrilla, giant salvinia and Cuban bulrush.

Supreme Court Rules on Waters of the United States

The US Supreme Court released its opinion on May 25 in *Sackett v. EPA* and ruled in favor of the Sacketts. All **nine members of the court rejected** the federal government's "**significant nexus**" test, which was crafted by former Justice Anthony Kennedy in the 2006 *Rapanos* decision. In other words, the "significant nexus test" is no longer an appropriate measure to determine a Water of the United States (WOTUS). Although there was a 5-4 split over what the test should be, not one justice attempted to defend "significant nexus" as an appropriate test.

As a result of on-going litigation, 27 states (in purple) should use the **pre-2015 regulatory rule**

Operative Definition of "Waters of the United States"



¹Also operative in the U.S. territories and the District of Columbia

²The pre-2015 regulatory regime is operative for the Commonwealth of Kentucky and Plaintiff-Appellants in Kentucky Chamber of Commerce, et al. v. EPA (No. 23-5345) and their members (Kentucky Chamber of Commerce, U.S. Chamber of Commerce, Associated General Contractors of Kentucky, Home Builders Association of Kentucky, Portland Cement Association, and Georgia Chamber of Commerce).

where WOTUS are:

1. Traditional interstate navigable waters
2. Relatively permanent bodies of water connected to traditional interstate navigable waters
3. Wetlands that have a continuous surface connection with either (1) or (2)

EPA is expected to release post-*Sackett* guidance by September 1 for their 2023 Rule where they can no longer use the “significant nexus test” to determine what are WOTUS.

EPA Floats Rule To Help States And Tribes Gain CWA Powers

In the *Sackett* case, the Supreme Court also affirmed that states have the “primary” responsibility to prevent water pollution. Under the Clean Water Act (CWA) states can get EPA authorization to take over wetlands permitting, which is generally handled by the Corps of Engineers. Three states currently have such authority – **New Jersey, Michigan and Florida**. On July 19, the EPA announced a proposed rule to revise the CWA Section 404 Tribal and State Program Regulations. EPA says the proposed regulatory revision will streamline and clarify the requirements and steps necessary for states and Tribes to administer their own programs from protecting waterways from discharges of dredged or fill material without a permit. The proposal also provides direction on how a state or Tribe can demonstrate their program is consistent with and no less stringent than federal requirements, and how they can ensure that their permits they issue are consistent with the substantive environmental permit review criteria as laid out by EPA for section 404 permits.

Proposed Rule: [Clean Water Act Section 404 Tribal and State Program Regulation EPA-HQ-OW- 2020-0276; FRL-6682-02-OW \(pdf\)](#)

Motions/ Action Items:

Strategic Planning Committee Chair – Travis Legleiter

Date of Preparation:

Officer/committee Activities during the Year:

- Director at large for central region to be find out.

Motions/Action Items:

Extension Committee Chair – Nathaniel Drewitz

Date of Preparation: 7/21/2023

Officer/Committee Activities during the Year:

Symposia on Video Preparation; Photos from the National Weed Contest.
2024 NCWSS Weed Contest: Eric from Missouri Soybean Association is in touch with President Smeda and Kevin Bradley for 2024 NCWSS Weed Contest.

Motions/ Action Items:

Industry Chair – Ryan Henry

Date of Preparation: 7/20/2023

Officer/Committee Activities during the Year:

- Continue to work with Seth Strom to identify a speaker for the Industry Breakfast and will begin to solicit companies for sponsorship.

Motions/ Action Items:

Graduate Student Chair– Claudia Bland

Date of Preparation: 07/20/2023

Officer/Committee Activities during the Year:

1. Mentorship Survey
 - a. Received 24 responses
 - b. 50% masters students, 37% PhD, 13% undergrads

- c. 46% of them do not have a person they would call a mentor in the society
 - d. Want to get a variety of things from a mentor
 - i. Networking
 - ii. Advice about career and the industry (skills for success, leadership)
 - iii. Share their experiences of their career journey
 - iv. Learn how to mentor others
 - e. 88% said they would like to be paired with a mentor
 - f. There is also interest in doing virtual “coffee” sessions with retired members of the society to share their experiences/wisdoms (88%)
2. Graduate Student Symposia
- a. Submitted a graduate student symposium with the following objectives:
 - i. Expose students to speakers from different careers as well as career stages to guide students
 - ii. Develop new relationships between the graduate students and other members of the society
 - iii. Address students' concerns with video building and help them develop quality content to post online

Future NCWSS BoD Meetings:

- NCWSS BoD meeting: Sep 22 at 2 pm. Amit will send a Zoom link.
- NCWSS BoD meeting: Monday, December 11, 2023 at 10 am; An in-person meeting; lunch will be provided.
- NCWSS BoD meeting: Thursday, December 14, 2023 at 10.30 am; An in-person meeting.

President Smeda adjourned the meeting at 4.10 pm on July 21, 2023 with all in favor.