

Application of Minnesota's noxious weed and plant protection laws to invasive species affecting forests

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MINNESOTA DEPARTMENT
OF AGRICULTURE



Noxious and Invasive Weed Unit Website

The screenshot shows a Windows Internet Explorer browser window displaying the website <http://www.mda.state.mn.us/weedcontrol>. The page header features the Minnesota Department of Agriculture logo and navigation links: Home | Site Directory | MDA Divisions | News & Events | Do it online | For kids | Contact the MDA. A breadcrumb trail reads: home > Plants, Pests & Pest Control > Pest Management > Noxious & Invasive Weed Unit.

The main content area is titled "Noxious & Invasive Weed Unit" and includes a "Go to Search" button. The text states: "The MDA Noxious & Invasive Weed Unit was formed to assist landowners with managing noxious and invasive weeds throughout Minnesota. The Noxious & Invasive Weed Unit is responsible for the statewide coordination and implementation of the following activities:"

1. Overseeing the Minnesota Noxious Weed Statutes.
2. Assisting Counties with noxious weed management.
3. Conducting and coordinating annual surveys for nuisance and invasive weed species.
4. Establishing and evaluating biological control for terrestrial weed species.
5. Providing education, training, and outreach for professional and private land managers.

Below the list, the text explains: "The Noxious & Invasive Weed Unit has active biological control programs for leafy spurge and spotted knapweed. These programs are cooperator-based and depend on the commitment of local entities to monitor for weed infestations, request biological control agents for releases in their area, and monitor sites following releases to determine establishment of agents and biological control success. The Noxious & Invasive Weed Unit coordinates statewide collection and redistribution efforts for biological control agents and annually collects cooperator information pertaining to agent releases and site monitoring data that aids in tracking the distribution and impacts of these bioagents over time."

Further text states: "In addition to active biological control programs, the Noxious & Invasive Weed Unit is currently researching the potential for developing a biological control program for common tansy, an invasive weed of upland terrestrial landscapes. Exploration for potential biological control agents would occur in tansy's native range by European partners. This project is an international effort driven by a consortium of US and Canadian agencies and organizations. Coordination of funding and dissemination of information will be handled for Canadian parties through the Alberta Invasive Plant Council and for parties within the United States by the Noxious & Invasive Weed Unit. This work is in the initial stage and will require a significant partnership among the U.S. and Canadian parties to secure resources for overseas exploration and host-specificity testing of potential bioagents."

External links are provided for: FAQs about Noxious & Invasive Weeds, Noxious Weed Law, For a list and identification of noxious weeds in Minnesota, and County Agricultural Inspectors.

The left sidebar contains "Learn more:" links for: What is Integrated Weed Management?, County Agricultural Inspectors, Common Tansy, Exotic Thistles, Leafy Spurge Information, Leafy Spurge Educational Module, and Spotted Knapweed. The "External Links:" section includes: Team Leafy Spurge, Weed Science Society of America, Cornell University, Weed Feeders Page, Plants Database, USDA-NRCS, International Organization for Biological Control (IOBC), Legislative Citizen Commission on Minnesota Resources, Buckthorn (DNR), Eurasian watermilfoil (DNR), Galia mustard (DNR), and Purple loosestrife (DNR).

The bottom right corner features "MDA Contact" information: Anthony Corblet (Anthony.Corblet@state.mn.us, 651-201-6536) and Monika Chandler (Monika.Chandler@state.mn.us, 651-201-6537). The Plant Protection Division logo is also present.

A large red URL <http://www.mda.state.mn.us/weedcontrol> is displayed at the bottom center of the page.

2009 Noxious Weed Law

The MN Noxious Weed Law applies to ALL persons/entities owning land in the State

There are no exemptions!

It is the policy of the legislature that residents of the state be protected from the injurious effects of noxious weeds on public health, the environment, public roads, crops, livestock, and other property. Sections 18.76 to 18.91 contain procedures for controlling and eradicating noxious weeds on all lands within the State. *Minnesota Statute 18.75*

Violation of Minnesota Statutes 18.75 – 18.91 is a general misdemeanor and may result in up to \$1,000 fine and/or 90 days in jail.



2009 Noxious Weed Law

MN Statutes 18.75 – 18.91 (formerly 18.75 – 18.88)

In 2009, the MN Legislature completed a major revision of the statutes



Three sections were added

18.89 – Noxious Weed and Invasive Species Account

18.90 – Grant Program

18.91 – Advisory Committee; Membership

Duties of the Noxious Weed Advisory Committee

- Advise the Commissioner regarding responsibilities under the noxious weed control program
- Evaluate species
 - *invasiveness, difficulty of control, cost of control, benefits of a species, injury caused by a species*
- Develop weed categories for listing species
- Develop management criteria for each noxious weed category
- Recommend where a species is listed
- Reevaluate species every 3 years



Petitioning Noxious Weeds

Noxious Weed Risk Assessment and Listing Process

Step 1: Submission of Weed To NWAC
by County Petition, MN Citizens, Organizations
or Associations (MS 18.79, Subd. 13 & 14)

Step 2: Risk Assessment and/or Review - NWAC Listing Subcommittee

Step 3: Review and Decision to list or not by NWAC

Yes - List Statewide

No - Do Not List

Prohibited
Noxious Weed

Restricted
Noxious Weed

Specially Regulated
Plants

Eradicate
List

Control
List

Reviewed List - Lists all Species Reviewed (listed or not)

Statewide Listed Noxious Weeds

18 State Prohibited Noxious Weeds

Eradicate List – 8 Species

Control List – 10 Species

3 State Restricted Noxious Weeds

1 Specially Regulated Plant

Prohibited Noxious Weeds

- **Prohibited Noxious Weeds** are annual, biennial, or perennial plants that the commissioner designates as having the potential or are known to be detrimental to human or animal health, the environment, public roads, crops, livestock or other property. There are two regulatory listings for prohibited noxious weeds in Minnesota:
 - **Eradicate List** – Prohibited noxious weeds that are listed to be eradicated are plants that are not currently known to be present in Minnesota or are not widely established. These species must be eradicated, meaning all of the above and below ground parts of the plant must be destroyed, as required by Minnesota Statutes, Section 18.78. Additionally, no transportation, propagation, or sale of these plants is allowed. Measures must also be taken to prevent and exclude these species from being introduced into Minnesota.
 - **Controlled List** - Prohibited noxious weeds that are listed to be controlled are plants that are established throughout Minnesota or regions of the state. Species on this list must be controlled, meaning efforts must be made to prevent seed maturation and dispersal of plants into new areas, thereby reducing established populations and preventing reproduction and spread as required by Minnesota Statutes, Section 18.78. Additionally, transportation, propagation, or sale of these plants is prohibited.

State Prohibited Noxious Weeds

Eradicate List

- Yellow Starthistle
 - Grecian Foxglove
 - Oriental Bittersweet
 - Japanese Hops
 - Dalmatian Toadflax
 - Common Teasel
 - Cut-leaved Teasel
 - Giant Hogweed
- Centaurea solstitialis*
Digitalis lanata
Celastrus orbicaulatus
Humulus japonicas
Linaria dalmatica
Dispsacus fullonum
Dispsacus laciniatus
Heracleum mantegazzianum



State Prohibited Noxious Weeds

Control List

- Purple Loosestrife
- Garlic Mustard
- Spotted Knapweed
- Leafy Spurge
- Wild Parsnip
- Common Tansy
- Canada Thistle
- Musk Thistle
- Plumeless Thistle
- Narrowleaf Bittercress

Lythrum salicaria (L.)
Alliaria petiolata (Bieb.)
Centaurea stoebe L.
Euphorbia esula (L.)
Pastinaca sativa L.
Tanacetum vulgare L.
Cirsium arvense (L.) Scop.
Carduus nutans (L.)
Carduus acanthoides (L.)
Cardamine impatiens L.



State Restricted Noxious Weeds

Restricted Noxious Weeds are plants that are widely distributed in Minnesota and are detrimental to human or animal health, the environment, public roads, crops, livestock or other property, but whose only feasible means of control is to prevent their spread by prohibiting the importation, sale, and transportation of their propagating parts in the state except as allowed by Minnesota Statutes, Section 18.82. Plants designated as Restricted Noxious Weeds may be reclassified if effective means of control are developed.

- Common or European Buckthorn *Rhamnus cathartica*
- Glossy Buckthorn *Frangula alnus*, *Rhamnus Frangula*, and all cultivars



- Multiflora Rose *Rosa multiflora*



State Specially Regulated Plants

Specially Regulated Plants are plants that may be native species or have demonstrated economic value, but also have the potential to cause harm in non-controlled environments. Plants designated as specially regulated have been determined to pose ecological, economical, or human or animal health concerns. Plant specific management plans and or rules that define the use and management requirements for these plants will be developed by the Minnesota Department of Agriculture for each plant designated as specially regulated. Measures must also be taken to minimize the potential for harm caused by these plants.

- **Poison Ivy** *Toxicodendron radicans*

Must be eradicated for public safety along rights-of-ways, trails, public accesses, business properties open to the public or on any lands where public access for business or commerce is granted.

Must also be eradicated along property borders when neighboring landowners request.



County Noxious Weeds

County Noxious Weeds are plants that are designated by individual county boards to be prohibited within the county's jurisdiction and must be approved by the Commissioner of Agriculture, in consultation with the Noxious Weed Advisory Committee. Each county board must submit newly proposed County Noxious Weeds to the Minnesota Department of Agriculture for review. Approved County Noxious Weeds shall also be posted with the county's general weed notice prior to May 15th each year. Counties are solely responsible for developing County Noxious Weed lists and their enforcement.

Plant Protection Laws



Minnesota Statutes

Chapter 18G.

18G.01 PLANT PROTECTION; POWERS OF COMMISSIONER.

(a) This chapter authorizes the commissioner to abate, suppress, eradicate, prevent, or otherwise regulate the introduction or establishment of plant pests that threaten Minnesota's agricultural, forest, or horticultural interests or the general ecological quality of the state.

Management of invasive forest pests in MN

	Pest Status		
	Undetected	Detected & Spreading	Widespread
Management Strategies	Prevention & Early detection	Rapid response (eradication & quarantine)	Management & Restoration
Pest examples	Asian longhorned beetle	Emerald ash borer & Gypsy moth	Oak wilt & Dutch elm disease
Lead state agency	MDA	MDA	DNR
Authorities	MN Statutes 18G, 18H, 18J	MN Statutes 18G, 18H, 18J	MN Statutes 89

Prevention

- Prevent the arrival
- Tactics
 - Risk assessment
 - Regulation
 - Education



Early detection

- Detect new infestations as early as possible
- Tactics
 - Traps
 - Inspection of trees
 - Respond to reports from public



Rapid response

- Prevent establishment & slow the spread
- Tactics
 - Eradication
 - Regulation
 - Sanitation

