

Aquatic Invasive Species Prevention Legislation Summary

Laws of Minnesota 2011, Chapter 107

Prepared by: Minnesota Department of Natural Resources
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Effective 5-28-2011, unless otherwise noted

(Service Provider Permit, AIS Watercraft Rules Decal Effective 7-1-2011)

This is a summary of how the new laws related to prevention and management of aquatic invasive species (AIS) will apply boaters, property owners, service providers, bait dealers and others involved with the transportation of water-related equipment.

Water-related equipment – means a motor vehicle, boat, watercraft, dock, boat lift, raft, vessel, trailer, tool, implement, device, or any other associated equipment or container, including but not limited to portable bait containers, live wells, ballast tanks (except those with a MPCA permit), bilge areas, and water-hauling equipment that is capable of containing or transporting AIS, aquatic macrophytes (plants), or water. This definition replaces and expands previous references to watercraft, trailers, plant harvesting equipment, and portable bait containers.

Inspections

- Compliance with AIS inspection requirements is an express condition of operating or transporting water-related equipment.
- Conservation Officers or Licensed Peace Officers may set up check stations at or near water access sites.
- Authorized inspectors can visually and tactilely inspect water related equipment.
- Inspections include the removal, drainage, decontamination, or treatment to prevent the transportation and spread of AIS, aquatic macrophytes, and water.
- Protocols for decontamination of water-related equipment will be developed utilizing recommendations outlined in the legislation.
- Authorized inspectors may prohibit the launching or operation of water-related equipment if a person refuses to allow an inspection or does not remove and dispose of AIS, aquatic macrophytes (plants), and water.
- Refusing to allow an inspection or follow a removal order may result in a civil citation and a one year suspension of the watercraft license.

Boating

- All water-related equipment must be drained before leaving any waterbody. This includes portable bait containers.
- Transportation of aquatic macrophytes (plants) on all roads is prohibited unless specifically exempted. Current law only prohibits transportation on public roads.
- The changes allow for a criminal citation option for violations involving the transportation of aquatic macrophytes (plants), water and non-compliance with drain plug removal.

- Emergency response vehicles and equipment may be transported on a public road with the drain plug or other similar device replaced only after all water has been drained from the equipment upon leaving the water body.
- Watercraft owners or operators must obtain an AIS decal issued by the DNR and display the decal on the watercraft prior to launching, on, entering into, or operating on any waters of the state. After August 1, 2014, failure to display the required rules decal may result in a citation for a petty misdemeanor.

Property Owners

- Docks, boat lifts, and other water-related equipment that are removed from infested waters and placed on the riparian property on a seasonal basis or for short-term maintenance purposes can be returned to the same waters.

Service Providers

- Service providers are individuals or businesses hired to install or remove water-related equipment or structures from waters of the state.
- Service providers must obtain a permit from DNR before providing any services and must have a valid permit in possession while providing services.
- Service providers must complete invasive species training and pass an examination in order to qualify for a permit. Permits are valid for 3 years.
- Persons working for service providers that have a permit are required to complete DNR aquatic invasive species training.

Bait Harvesting

- Annual AIS training is required from DNR before receiving a bait harvest permit for working in infested waters or working for a permittee.
- Equipment authorized for minnow harvest in a designated infested water may not be transported to or used in any other waters unless specifically authorized by a permit.
- Anyone, including the DNR, that harvests aquatic life from waters of the state for the purpose of transporting and stocking is required to bring the aquatic life to a holding facility for a minimum of ten hours and to examine for the presence of invasive species.

For More Information Contact:

Luke Skinner, Supervisor
Invasive Species Program
MNDNR, Ecological and Water Resources Division
500 Lafayette Road, St. Paul, MN 55155
651-259-5140
Luke.skinner@state.mn.us

Major Rodmen Smith, Operations Manager
MNDNR, Division of Enforcement
500 Lafayette Road, St. Paul, MN 55155
651-259-5054
rodmen.smith@state.mn.us