

ATTACHMENT D

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

**INVASIVE SPECIES OPERATIONAL ORDER #113 (JANUARY, 2013)
TO REDUCE THE INTRODUCTION AND SPREAD OF INVASIVE SPECIES
FROM CONSTRUCTION PROJECTS**

Approved by:
/s/ Tom Landwehr, Commissioner
Minnesota Department of Natural Resources

Date: 9 January 2013



Minnesota Department of Natural Resources

Invasive Species

Operational Order..... 113
Policy Owner Laura Van Riper, Terrestrial Invasive Species Coordinator, Division of Ecological and Water Resources
Related Policies..... Division policies (e.g., circular letters, directives) and guidelines
Effective Date 9 January 2013
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Next Review Date 2017

Policy Statement

Minnesota Department of Natural Resources (DNR) protects and manages the diverse natural resources of Minnesota. Because invasive species have the potential to adversely affect these natural resources, it is the DNR's policy to limit the introduction of invasive species onto DNR-managed lands and waters, limit their rate of geographical spread, and reduce their impact on high value resources. This operational order sets forth DNR policy and procedures to:

Prevent or limit the introduction, establishment and spread of invasive species. Most of the Department's field-based inventory, management, and regulatory activities are potential pathways for the introduction or spread of invasive species. Movement of equipment, organisms, and organic and inorganic material are potential pathways. Each of these pathways must to be considered and addressed where appropriate to reduce risk associated with invasive species movement.

Implement site-level management to limit the spread and impact of invasive species. Invasive species are present in all types of habitats in the state. Many of the Department's field-based activities can potentially cause increases in invasive species abundance thereby negatively impacting a site. Site-level management includes planning, implementation and evaluation procedures that reduce impacts of invasive species and the risk of their spread.

Detailed policies along with procedures and responsibilities are outlined below under categories of activity.

Purpose and Scope

The purpose of this operational order is to provide direction to staff to reduce the impacts of invasive species on Minnesota's natural and cultural resources. This operational order addresses this goal by:

- Requiring Divisions to develop and maintain division guidelines to implement this operational order
- Providing policy and procedures for prevention and management of invasive species including:
 - Intentional movement of equipment
 - Intentional movement of organisms, organic and inorganic materials
 - Identifying invasive species and implementing management strategies to reduce impact at the site level
 - Monitoring and reporting new invasive species infestations

This operational order applies to all DNR management activities by employees and non-DNR individuals or organizations on DNR-administered lands and public waters. It also applies to activities DNR permits or funds. It is designed to ensure that DNR resource management activities protect our environment from the impacts of invasive species, comply with state law and rules governing invasive species and meet requirements for dual forest certification by Forest Stewardship Council and Sustainable Forestry Initiative.

Invasive species that may cause economic or environmental harm, pose human health risks, or threaten natural resources and their use are subject to this operational order. For a list of all invasive species to which this operational order applies, see the "Op Order 113 Invasive Species List": http://files-intranet.dnr.state.mn.us/user_files/3026/op_order_113_handbook_species_list. This includes species that the DNR has identified by rule as prohibited invasive species or regulated invasive species, prohibited and restricted noxious weeds and early detection invasive plant targets as identified by the Minnesota Department of Agriculture, and species that are deemed to be a severe threat by the Minnesota Invasive Species Advisory Council. This operational order does not include all species that may be introduced in Minnesota. Species that the DNR has formally listed as [unregulated nonnative species](#) of wild animals and aquatic plants are not included. Minnesota native species being moved outside their natural ranges for management purposes are not included.

Procedures

Program and project managers making invasive species prevention and management decisions will base decisions on human safety, state law, rules and regulations, ecological impacts, economics and DNR management goals. Some situations, such as fire and flood emergencies, may preclude compliance with these provisions. Division guidelines will highlight appropriate mitigation activities to address emergency situations.

I. DIVISION GUIDELINES

POLICIES

1. All DNR Divisions are required to develop and maintain division guidelines to accompany this operational order. The guidelines will contain procedures specific to each division that are necessary to implement this operational order. Activities likely to cause the introduction or spread of invasive species include management activities (field work, moving equipment, construction, site management, etc.) and actions DNR permits, or funds (grants). This includes activities carried out by contractors, volunteers, and

cooperators working on the agency's behalf.

2. Division guidelines must specify the procedures for dealing with emergency situations that arise within division activities.
3. Division guidelines must specify alternative procedures for activities that cannot practicably adhere to the standard operational order procedures.
4. Division guidelines must be reviewed every three years or when changes in division work responsibilities generate new work activities that are not adequately covered by existing guidelines.
5. Division guidelines must be reviewed by the Invasive Species Operational Order Committee and approved by the appropriate division directors.

II. INVASIVE SPECIES PREVENTION

POLICIES

Each division whose actions may contribute to the introduction, establishment, or spread of invasive species shall identify the activities that pose a risk, identify the potential risks, and outline mitigating actions to reduce the risks. Activities likely to cause the introduction or spread of invasive species include:

- Management activities (field work, moving equipment, construction, site management)
- Actions DNR permits or funds (grants or contracts)

RESPONSIBILITIES

Program and Project Managers are responsible for implementing procedures set forth under this policy.

Administrators and Coordinators are responsible for communicating the requirements of invasive species prevention and management to all grantees, contractors, or permittees.

PROCEDURES FOR INTENTIONAL MOVEMENT OF EQUIPMENT INCLUDING TRUCKS, TRACTORS, BOATS, OFF-HIGHWAY VEHICLES, NETS, ANCHORS, HEAVY EQUIPMENT, TOOLS, PERSONAL GEAR, ETC.

1. Before arriving at a work site, inspect the equipment and remove visible plants, seeds, mud, dirt clods, and animals.
2. Before leaving a work site, inspect the equipment and remove visible plants, seeds, mud, dirt clods, and animals.
3. Before leaving an aquatic work site, drain water onto dry land from all equipment, tanks, or water-retaining components of boats such as motors, live well, bilge, or transom wells onto dry land. Drain plugs, bailers, valves, or other devices for draining water must be removed or open while transporting water-related equipment on a public road.
4. After working on an aquatic site, clean and dry equipment prior to using it in other locations. Follow your division guidelines for recommended containment methods (such as tagging equipment) for each species or group of organisms.

PROCEDURES FOR INTENTIONAL MOVEMENT OF ORGANISMS, ORGANIC AND INORGANIC MATERIAL INCLUDING WATER, FISH, PLANTS, MULCH, SOIL, GRAVEL, ROCK, ETC.

1. Do not plant or introduce prohibited or regulated invasive species or other listed invasive species as listed on the [DNR website](#) and the "[Op Order 113 Invasive Species List](#)".
2. Do not transport water from infested waters, except by permit. When you must use water from an infested water-body for a management activity, do not drain the water or water that has come in contact with organisms from the infested waters where it can run into another basin, river, or drain system unless it drains to a treatment facility.
3. Use only mulch, soil, gravel, etc. that is free of invasive species or remove the top 6" of material to reduce the likelihood invasive species will be introduced or spread. When possible use certified weed-free products such as weed-free seed or hay.
4. Inspect transplanted vegetation for signs of invasive species that may be attached to the vegetation and remove them (i.e. other plant material and animals, etc.).
5. Do not transplant organisms or plant material from any waters with known populations of invasive aquatic invertebrates (see [infested waters list](#) on DNR website).
6. Do not move soil, dredge material, or raw wood products that may harbor invasive species from infested sites except under contract specifications, permit or compliance agreements.

APPLICABLE REGULATIONS RELATED TO POLICIES AND PROCEDURES

1. It is illegal to transport water from infested waters except under permit or for emergency use such as firefighting (Minnesota Rules, part [6216.0500](#)).
2. It is illegal to launch or attempt to launch a boat or trailer with aquatic plants or prohibited species attached (Minnesota Statutes, section [84D.10](#)).
3. It is illegal to transport aquatic plants, unless it falls under one of the exceptions in statute (see full list under Minnesota Statutes, section [84D.09](#)) which allow transport of duckweeds, transport of aquatic plants in a sealed container to a DNR office for identification, transport as specified by the commissioner, and other exceptions.
4. A person leaving waters of the state must drain boating-related equipment holding water and live wells and bilges by removing the drain plug before transporting the watercraft and associated equipment on public roads. Drain plugs, bailers, valves, or other devices used to control the draining of water from ballast tanks, bilges, and live wells must be removed or opened while transporting watercraft on a public road. Marine sanitary systems and portable bait containers are excluded from this requirement. A person must not dispose of bait in waters of the state. (Minnesota Statutes, section [84D.10](#)).
5. It is illegal to introduce prohibited or regulated invasive species into public waters (Minnesota Statutes, sections [84D.05](#) and [84D.07](#) and Minnesota Rule [6216](#)).
6. It is illegal to transport materials or equipment containing the propagating parts of noxious weeds, except by permit (Minnesota Statutes, sections [18.82](#) and [18.86](#)).

7. State and federal quarantines of areas with plant pests prohibit movement of the pests from quarantine areas (Minnesota Statutes, section [18G](#), Plant Pest Act 2000, 7CFR 301.51 eradication programs, 7CFR 319.40 solid wood packing material, and quarantines).

III. SITE PLANNING AND MANAGEMENT

POLICIES

1. Each division shall exercise site-level management to minimize the introduction, spread, and impact of invasive species.
2. Site-level management shall include planning, implementation and evaluation procedures that reduce the risk of introduction, spread, and impact of invasive species. These procedures will be delineated in division guidelines.

RESPONSIBILITIES

1. A division manager or supervisor is responsible for approving site-level management plans as provided for in division guidelines.
2. Program and project managers are responsible for developing and implementing site-level management plans.
3. Administrators and coordinators are responsible for communicating appropriate invasive species prevention and management actions to any grantees/contractors/permittees.

PROCEDURES

Identify invasive species and determine the extent to which you plan to mitigate the spread and impact at the site level. Site-level planning and management should include, at minimum, the following chronological steps. Examples of site-level planning considerations are included following each step.

1. Awareness of documented infestations of invasive species at the site
 - Check invasive species databases to determine if waters or lands at or near projects and activities are infested (i.e. GIS layers for terrestrial invasive plants, infested waters list, etc.)
 - Check each project site for invasive species infestations prior to management activity
2. Strategies and actions to minimize the spread and impact
 - Segregate work activity in infested waters or areas from work in uninfested waters or areas
 - Change frequency and timing of maintenance activity
 - Minimize the area of disturbance during projects (keep construction activity confined)
 - Design and construct projects that minimize spread of invasive species by users of DNR lands
3. Implementation of management actions
 - Preserve existing native vegetation
 - Monitor and manage invasive species in high exposure/risk areas (storage areas, gravel pits, trails)
 - Encourage recreationists (such as hikers, OHV users, mountain bikers or horseback riders) to stay on the trails to minimize the spread of invasive species into natural areas
 - Minimize impacts of invasive species in restoration efforts (e.g., changes to soil)
 - Consider source of materials, obtain invasives-free source if possible
4. Evaluate mitigation effectiveness and plan future actions

5. Post-activity monitoring for invasive species
 - Treat new infestations promptly where feasible to prevent populations from spreading

IV. INVASIVE SPECIES INFORMATION MANAGEMENT

POLICIES

1. The “[How do I report invasive species](#)” webpage lists which species are of top concern for reporting. Each Division shall report findings of these species according to the instructions on the webpage. Each Division shall report suspected invasive species that are new to Minnesota to the DNR Division of Ecological and Water Resources Invasive Species Program using standardized forms found on the Op Order 113 webpage http://intranet.dnr.state.mn.us/eco/invasive_species/op_order_113.html. When mapping invasive species on state land, DNR staff will use standard mapping protocols as outlined in division guidelines and on the [Op Order 113 webpage](#).
2. The Division of Ecological and Water Resources Invasive Species Program will maintain and distribute information regarding invasive species to support the implementation of the invasive species operational order.

RESPONSIBILITIES

1. Operations managers determine appropriate staff to:
 - Oversee the collection of invasive species information in the field
 - Provide invasive species information in standard format to Ecological and Water Resources
2. Division of Ecological and Water Resources shall:
 - Maintain and update invasive species location information
 - Distribute information for use by managers in support of implementing the operational order and Division Guidelines

V. OPERATIONAL ORDER EVALUATION AND MONITORING

POLICIES

1. The DNR will have an Invasive Species Operational Order Committee. All DNR Divisions shall provide at least one representative to serve on the Invasive Species Operational Order Committee. The committee facilitator shall be the Ecological and Water Resources representative.
2. The Invasive Species Operational Order Committee will be responsible for review of the invasive species division guidelines, coordinating the review and monitoring of the invasive species operational order, and be responsible for updating the [Op Order 113 webpage](#) as needed.

RESPONSIBILITIES

Invasive Species Operational Order Committee shall:

- Review and recommend changes to the invasive species operational order
- Oversee the implementation of this operational order
- Review and recommend changes and approvals for Division’s Guidelines to Division Directors
- Review and revise the [Op Order 113 website](#)

PROCEDURES

1. Review statutory or regulatory changes related to invasive species management and prevention and recommend changes to the invasive species operational order and division guidelines.
2. Review division guidelines to ensure conformity with department policy (see section I. Division Guidelines) and applicable regulations.

Roles and Responsibilities

Assistant Commissioner for Operations with input from regional directors will review and monitor the DNR's overall compliance with this operational order.

Division Director directs implementation of appropriate policies and procedures, and directs the development and implementation of the division guidelines. Division director ensures that staff have appropriate training and equipment to meet the division guidelines.

Division Manager or Supervisor ensures that all division personnel that he or she supervises implement activities consistent with this operational order and division guidelines.

Program and Project Managers are responsible for implementing the operational order and division guidelines as it pertains to specific work activities.

Administrators and Coordinators are responsible for administering multiple grants, contracts, or permits. They are responsible for communicating the invasive species prevention and management requirements to the grantee, contractor, or permittee.

Invasive Species Operational Order Committee is responsible for review of the invasive species division guidelines, coordinating the review and monitoring of the invasive species operational order, and for updating the [Op Order 113 website](#).

Contacts

See "Contacts" section of the Op Order 113 webpage for current contacts:

http://intranet.dnr.state.mn.us/eco/invasive_species/op_order_113.html#Op_Order_113_contacts

Definitions

Below are selected definitions that pertain to this operational order. A more complete list of definitions can be found in the Division Guidelines.

Clean: The removal of plants, invertebrates and pathogens by physical, chemical or biological methods. Recommended cleaning practices for each invasive species, groups of species or pathogens can be found in the division guidelines.

Infested sites: A site or area that has a known population of a listed invasive species.

Infested waters: Waters designated by the Commissioner of Natural Resources that contain a population of an aquatic invasive species that could spread to other waters if use of the water and related activities are not regulated to prevent this movement.

Inspect: The visual examination of equipment for the presence or absence of invasive organisms, plants, viable plant pieces, and soil.

Invasive species: A non-native species that causes or may cause economic or environmental harm or harm to human health; or threatens or may threaten natural resources or the use of natural resources in the state.

Forms and Instructions

Not applicable.

History

Amended:

Supersedes: Operational Order 113 dated 5/31/2007