

Chapter NR 40: The Invasive Species Rule

Summary & Reference Guide for Gardeners

Introduction

The Invasive Species Identification, Classification, and Control Rule (Wis. Adm. Code Chapter NR 40) went into effect on September 1, 2009. The rule establishes a comprehensive, science-based way to classify and regulate invasive species in Wisconsin. The rule divides species into 2 categories, "Prohibited" and "Restricted," with different regulations and control requirements. The rule also establishes "Preventative Measures" to show what actions we can take to slow the spread of invasive species. Chapter NR 40 covers over 128 species, including plants, animals, and microorganisms. The rule affects everyone in Wisconsin.

What This Means for You

The primary goal of NR 40 is to slow the spread of invasive species in Wisconsin. As instructors and plant experts, Master Gardeners are on the front lines of defense against the spread of invasive species. Here are some simple things you can do to help:

- **Don't plant invasives.**
- **Plant and promote beautiful non-invasive alternatives.**
- **Become familiar with the listed plants and their regulated status for your county.**
- **Remember it is illegal to transport, introduce, buy, sell, or give away any NR 40 species without a permit. This includes fresh or dry cut flowers and any viable part of the plant.**
- **Understand the laws, and spread the word!**

What Chapter NR 40 Says

Prohibited Invasive Species*

- Not yet in the state or only in a few places
- Likely to cause environmental and/or economic harm
- Eradication and prevention is feasible

Regulations: Cannot transport, possess, transfer, or introduce without a permit.**

Control Requirements: Control is required. DNR may order or conduct a control effort.

Restricted Invasive Species*

- Already widely established in the state
- High environmental and/or economic impacts are evident with these species
- Complete eradication is unlikely

Regulations: Cannot transport, transfer, or introduce without a permit.** Possession is allowed except for fish or crayfish.

Control Requirements: Control is encouraged but not required.

Preventive Measures

- Certain preventive measures are required under NR 40. These include actions such as removing plants and draining water from boats, complying with pest quarantines, and others.
- Best Management Practices are other preventive measures that will aid in rule compliance.
- These "BMP's" exist or are in development for many sectors. See [the website](#) for more info.

*Any viable part of the species is covered by these regulations.

** Certain exemptions do exist with these regulations. Please consult with the website or staff for clarifications.

Take Action

You may encounter invasive species when evaluating, designing, and installing landscaping and garden projects. Becoming aware of the regulated species and using caution when choosing and installing new plantings is an important way for you to help slow the introduction of invasive species. Gardeners are in a good position to identify invasive species that are beginning to naturalize or become problematic in cultivation through setting seed, suckering or otherwise becoming weedy. Reporting these observations will be helpful in assessing which plants should be regulated as invasive species in the future.

For information about a specific species or for control purposes:

Visit the species page on the DNR website: <http://dnr.wi.gov/> type keyword: ***invasive plants***
OR

Call the appropriate DNR specialist from this list: <http://dnr.wi.gov/topic/Invasives/contacts.html>

To report an invasive species violation or a *prohibited* species population:

- Document the species with photographs and define the location
- Send a report to Mindy Wilkinson, Invasive Species Project Coordinator at: invasive.species@wi.gov or 608.266.6437
OR
- Follow the reporting instructions at: <http://dnr.wi.gov/topic/Invasives/report.html>

Useful Links for Invasive Species Information

Invasive Species Homepage: Go to <http://dnr.wi.gov> type keyword: **invasives**

You can also search for the following headings, or type in the provided links for more details.

Printable Invasive Plant List: <http://dnr.wi.gov/topic/Invasives/documents/NR40plantlist.pdf>

Invasive Species Rule (NR40): <http://dnr.wi.gov/topic/invasives/classification.html>

Invasive Species Publications: <http://dnr.wi.gov/topic/Invasives/publications.html>

Best Management Practices: <http://dnr.wi.gov/topic/Invasives/bmp.html>

Invasive Species Prevention: <http://dnr.wi.gov/topic/Invasives/prevention.html>

Invasive Species Control: <http://dnr.wi.gov/topic/Invasives/control.html>

Invasive Species Disposal: <http://dnr.wi.gov/topic/Invasives/control.html#disposal>

Aquatic Invasive Species & Boating Laws: <http://dnr.wi.gov/topic/Invasives/boat.html>

Firewood Laws: <http://dnr.wi.gov/topic/Invasives/firewood.html>

For Questions, contact:

Mindy Wilkinson, WDNR Invasive Species Project Coordinator
at: Invasive.Species@wi.gov or (608) 266-6437

