

Proposed Species Changes for NR40 Regulation

The Department of Natural Resources is proposing to revise Wisconsin's Invasive Species Rule (ch. NR 40, Wis. Adm. Code). The proposed changes include delisting 2 species, changing the regulated status of 6 species, listing 49 new prohibited species, listing 32 new restricted species, and listing 2 species as split-listed (prohibited/restricted). Proposed revisions also include changing language to increase clarity and updating species names. The complete proposal and further information can be found under the "Rule revisions" tab on the DNR's invasive species webpage -- get there by searching "NR 40" on the DNR website (dnr.wi.gov).

Definitions:

PROHIBITED SPECIES: Prohibited species are not yet widely established in the state and pose great economic or environmental threat. Prohibited species may not be transported, transferred, possessed or introduced without a permit. Control of existing populations will be required.

RESTRICTED SPECIES: Restricted species pose great economic or environmental threat, but are already widely established in the state. Restricted species may be possessed, but may not be transported, transferred or introduced without a permit. Control of existing populations will be encouraged.

Proposed Changes:

Proposed Phase-out Language: Proposed revisions include a "compliance period" for newly restricted plants. Restricted plants located in Wisconsin prior to the date the species are listed in NR 40.05(2) will be allowed to be transported, transferred, and introduced without a permit for a period not to exceed 3 years for herbaceous plants and woody vines, or 5 years for trees and shrubs, from the time that the species are included for listing by the department under NR 40. Note: This exemption applies to restricted plants only. Plants listed as prohibited in any part of Wisconsin are excluded.

View all proposed language changes at: dnr.wi.gov, keyword "NR 40."

Species with Proposed Classification Changes		
<i>Agrilus planipennis</i>	Emerald Ash Borer	Downlisted from Prohibited to Restricted
<i>Amyntas</i> or <i>Amyntus</i> species	Crazy worm	Downlisted from Prohibited to Restricted
<i>Chelidonium majus</i>	Celandine	Changed from split-listed to Restricted statewide
<i>Gambusia affinis</i>	Western mosquitofish	Downlisted from Prohibited to Restricted
<i>Gambusia holbrooki</i>	Eastern mosquitofish	Downlisted from Prohibited to Restricted
<i>Phragmites australis</i>	Phragmites or Common reed	Changed from Restricted statewide to split-listed

Species Proposed to be delisted	
<i>Cryptococcus fagisuga</i>	Scale associated with beech bark disease
<i>Trachemys scripta elegans</i>	Red-eared slider

Proposed Prohibited Algae	
<i>Caulerpa taxifolia</i>	Killer algae

Proposed Prohibited Plant Pests and Diseases	
<i>Dendroctonus ponderosae</i>	Mountain pine beetle
<i>Geosmithia morbida</i>	Thousand cankers - disease of walnut
<i>Pityophthorus juglandis</i>	Walnut twig beetle

Proposed Prohibited Vertebrates except fish	
<i>Myocastor coypus</i>	Nutria

Proposed Prohibited Aquatic Invertebrates	
<i>Dikerogammarus villosus</i>	Killer shrimp
<i>Limnoperna fortunei</i>	Golden Mussel
<i>Melanoides tuberculata</i>	Malaysian trumpet snail

Proposed Restricted Aquatic Invertebrates	
<i>Cipangopaludina japonica</i>	Japanese trapdoor snail or Japanese mystery snail
<i>Valvata piscinalis</i>	European valve snail
<i>Viviparus georgianus</i>	Banded mystery snail

For further information, visit DNR's invasive species website: (dnr.wi.gov) keyword "NR 40" or call 608.264.8590 or email invasive.species@wi.gov.

Proposed Prohibited Plants

<i>Achyranthes japonica</i>	Japanese chaff flower
<i>Akebia quinata</i>	Fiveleaf akebia/ Chocolate vine
<i>Arundo donax</i>	Giant reed
<i>Azolla pinnata</i>	Mosquito fern
<i>Berberis vulgaris</i>	Common barberry
<i>Cardamine impatiens</i>	Narrow leaf bittercress
<i>Celastrus loeseneri</i>	Asian loeseneri bittersweet
<i>Centaurea diffusa</i>	Diffuse knapweed
<i>Centaurea repens</i>	Russian knapweed
<i>Digitalis lanata</i>	Grecian foxglove
<i>Dioscorea batatas</i> or <i>Dioscorea polystacha</i>	Chinese yam
<i>Eichhornia azurea</i>	Anchored water hyacinth
<i>Eichhornia crassipes</i>	Water hyacinth, floating
<i>Fallopia x bohemicum</i> or <i>F. x bohémica</i>	Bohemian knotweed
<i>Glossostigma</i>	Mudmat
<i>Hydrocotyle</i>	Floating marsh pennywort
<i>Hygrophila polysperma</i>	Indian swampweed
<i>Impatiens glandulifera</i>	Policeman's helmet
<i>Ipomoea aquatica</i>	Water spinach
<i>Limnophila sessiliflora</i>	Asian marshweed
<i>Lythrum virgatum</i>	Wanded loosestrife
<i>Nelumbo nucifera</i>	Sacred lotus
<i>Oenanthe javanica</i>	Java waterdropwort / Vietnamese parsley
<i>Oplismenus hirtellus</i> ssp. <i>undulatifolius</i>	Wavy leaf basket grass
<i>Ottelia alismoides</i>	Ducklettuce
<i>Petasites hybridus</i>	Butterfly dock
<i>Phellodendron amurense</i>	Amur cork tree ¹
<i>Pistia stratiotes</i>	Water lettuce
<i>Ranunculus ficaria</i>	Lesser celandine
<i>Rubus armeniacus</i>	Himalayan blackberry
<i>Sagittaria sagittifolia</i>	Hawaii arrowhead
<i>Salvinia herzogii</i>	Giant salvinia
<i>Salvinia molesta</i>	Giant salvinia
<i>Sorghum halepense</i>	Johnsongrass
<i>Stratiotes aloides</i>	Water soldiers
<i>Taeniatherum caput-medusae</i>	Medusahead
<i>Tussilago farfara</i>	Colt's foot
<i>Typha domingensis</i>	Southern cattail
<i>Typha laxmannii</i>	Graceful cattail
<i>Wisteria floribunda</i>	Japanese wisteria
<i>Wisteria sinensis</i>	Chinese wisteria

Proposed Split-listed Plants (Prohibited/Restricted)

<i>Linaria dalmatica</i>	Dalmation toadflax ¹¹
<i>Solidago sempervirens</i>	Seaside goldenrod ¹²

Proposed Restricted Plants

<i>Acer tataricum</i> subsp. <i>ginnala</i>	Amur maple ²
<i>Aegopodium podagraria</i>	Bishop's goutweed
<i>Alnus glutinosa</i>	Black alder ³
<i>Artemisia absinthium</i>	Wormwood
<i>Berberis thunbergii</i>	Japanese barberry ⁴
<i>Caragana arborescens</i>	Siberian peashrub ⁵
<i>Centaurea jacea</i>	Brown knapweed
<i>Centaurea nigrescens</i>	Tyrol knapweed
<i>Centaurea nigra</i>	Black knapweed
<i>Coronilla varia</i>	Crown vetch
<i>Euonymus alatus</i>	Winged euonymous ⁶
<i>Filipendula ulmaria</i>	Queen of the meadow
<i>Galium mollugo</i>	White bedstraw
<i>Impatiens balfourii</i>	Balfour's touch-me-not
<i>Iris pseudacorus</i>	Yellow flag iris
<i>Knautia arvensis</i>	Field scabiosa
<i>Lysimachia vulgaris</i>	Garden yellow loosestrife
<i>Lysimachia nummularia</i>	Moneywort ⁷
<i>Morus alba</i>	White mulberry ⁸
<i>Myosotis scorpioides</i>	Aquatic forget-me-not
<i>Myosotis sylvaticum</i>	Woodland forget-me-not
<i>Najas marina</i>	Spiny naiad
<i>Phalaris arundinaceae</i> var. <i>picta</i>	Ribbon grass variety only
<i>Pimpinella saxifraga</i>	Scarlet pimpernel
<i>Populus alba</i>	White poplar
<i>Robinia hispida</i>	Rose acacia
<i>Robinia pseudoacacia</i>	Black locust ⁹
<i>Ulmus pumila</i>	Siberian elm ¹⁰
<i>Valeriana officinalis</i>	Garden heliotrope

NOTES

¹ Male cultivars and seedling rootstock are exempt
^{2,3} Cultivars are exempt, Cultivars and hybrids are exempt
⁴ Applies to the parent type, the variety <i>atropurpurea</i> , the hybrid of <i>B. thunbergii</i> x <i>B. koreana</i> , and the listed cultivars of each. Listed cultivars: <i>Berberis thunbergii</i> cultivars: Sparkle, 'Anderson' Lustre Green™, Erecta, 'Bailgreen' Jade Carousel®, Angel Wings, Painter's Palette, Inermis ('Thornless'), Pow Wow, Golden Ring, Kellers, Kobold, 'JN Variegated' Stardust™ and Antares. <i>Atropurpurea</i> cultivars: Marshall Upright ('Erecta'),Crimson Velvet, 'Bailtwo' Burgundy Carousel®, Red Rocket, 'Monomb' Cherry Bomb™, 'Bailone' Ruby Carousel®, JN Redleaf, Rose Glow and Silver Mile. Hybrid of <i>B. thunbergii</i> x <i>B. koreana</i> cultivars: Tara and 'Bailsel' Golden Carousel®.
⁵ Cultivars Lorbergii, Pendula and Walkerii are exempt
⁶ Restrict the straight species and cv Nordine and exempt all other
⁷ Cultivar 'Aurea' and yellow and gold leaf forms are exempt
⁸ Male cultivars are exempt
⁹ Cultivars are exempt
¹⁰ All hybrids and parent species for use as rootstock are exempt
¹¹ Prohibited except in Juneau and Bayfield counties (where Restricted)
¹² Prohibited except in Kenosha, Milwaukee, and Racine counties (where Restricted)