

6216.0290 PROCESS FOR REVIEW OF PROPOSED INTRODUCTIONS OF UNLISTED NONNATIVE SPECIES.

Subpart 1. Applications and information required.

A. A person who seeks to introduce an unlisted nonnative species in the state according to Minnesota Statutes, section 84D.06, shall submit an application on a form prescribed by the commissioner. The form shall request the following information:

- (1) the name, address, and telephone number of the applicant;
- (2) the scientific and common names, family, and reference used for the scientific name of the unlisted nonnative species proposed for introduction;
- (3) the number of individual plants or animals proposed for introduction;
- (4) the reason and need for the proposed introduction;
- (5) the potential to use native species for the same purpose;
- (6) the location for the proposed introduction;
- (7) scientific-based information about the native range of the unlisted nonnative species;
- (8) the source of the actual individual organisms proposed to be introduced;
- (9) scientific-based information about the ability of the unlisted nonnative species to naturalize, displace native species, and harm natural resources or their use in similar climates and latitudes; and
- (10) an assessment of the potential adverse impacts on native Minnesota species and ecosystems, including scientific-based information about:
 - (a) the potential to introduce disease or parasites to native fish or wildlife populations;
 - (b) the potential for interbreeding or hybridizing with native fish or wildlife;
 - (c) the potential predation on native fish or wildlife; and
 - (d) any possible competition with native fish, wildlife, or aquatic plants for food, habitat, water, or other resources.

B. The commissioner may request additional information in writing after the application is received if necessary to assess the potential impacts of an introduction.

Subp. 2. **Application review.** The commissioner shall reject an application within ten working days after receipt of the application if the application does not contain the information required in subpart 1.

Subp. 3. **Review period.** Within 60 days of receipt of an application that contains the information in subpart 1, the commissioner shall assess the apparent risk of the introduction in the state and classify the species according to Minnesota Statutes, section 84D.04, subdivision 2. If the commissioner determines during the 60-day period that there should be a public comment period for the proposed introduction, or the commissioner determines that additional information is necessary to adequately evaluate the proposed introduction, the commissioner may extend the review period and state the basis of the extension in writing to the applicant. The review period may be extended to a date 30 days from the end of the public comment period or receipt by the department of the additional information requested from the applicant.

Subp. 4. **Review process.** Prior to classification of an unlisted nonnative species and making a final assessment on a proposed introduction, the commissioner may:

- A. seek information and opinions from technical experts;
- B. solicit public comment and hold public hearings on the proposed introduction;
- C. consult with other potentially affected jurisdictions; and
- D. in the case of an animal species, request a certificate of veterinary inspection or other appropriate certification that the animal is pathogen-free.

Subp. 5. **Comment period and comments.** If the commissioner determines that a public comment period is necessary on the proposed introduction, the commissioner shall promptly proceed to publish a notice in the EQB Monitor, which is published by the Environmental Quality Board. A 30-day period for review and comment begins the day a notice of the public comment period is published in the EQB Monitor. Written comments to the commissioner during the public comment period may address the accuracy and completeness of material contained in the application, additional information regarding the proposed introduction that is not contained in the application, or potential impacts that may warrant further investigation before the commissioner acts on the proposed introduction.

Subp. 6. **Designation and notification.** After completion of the review of a proposal to introduce an unlisted nonnative species and making a determination of the appropriate classification, the commissioner shall designate the species and notify the applicant as required under Minnesota Statutes, section 84D.06.

Statutory Authority: *MS s 84D.12*

History: *22 SR 2076; L 2004 c 243 s 40*

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