

CHAPTER 6216
DEPARTMENT OF NATURAL RESOURCES
INVASIVE SPECIES

6216 0250 PROHIBITED INVASIVE SPECIES
 6216 0260 REGULATED INVASIVE SPECIES
 6216 0350 DESIGNATED INFESTED WATERS

6216 0500 TRANSPORTATION AND APPROPRIATION OF
 WATER FROM INFESTED WATERS

6216.0250 PROHIBITED INVASIVE SPECIES.

Subpart 1 **Designation.** The species in subparts 2 to 5 and any hybrids, cultivars, or varieties of the species are designated as prohibited invasive species

Subp 2 **Aquatic plants.** The following aquatic plants are designated as prohibited invasive species

- A African oxygen weed (*Lagarosiphon major*) (Ridley) Moss ex Wagner,
- B aquarium watermoss or giant salvinia (*Salvinia molesta*) Mitchell;
- C Australian stonecrop (*Crassula helmsii*) (Kirk) Cockayne,
- D brittle naiad (*Najas minor*) Allioni;
- E curly-leaf pondweed (*Potamogeton crispus*) Linnaeus,
- F Eurasian water milfoil (*Myriophyllum spicatum*) Linnaeus,
- G European frog-bit (*Hydrocharis morsus-ranae*) Linnaeus,
- H flowering rush (*Butomus umbellatus*) Linnaeus,
- I hydrilla (*Hydrilla verticillata*) (Carl von Linnaeus) Royle,
- J Indian swampweed (*Hygrophila polysperma*) (Roxburgh) T. Anders,
- K purple loosestrife (*Lythrum salicaria*, *Lythrum virgatum*, or any variety, hybrid, or cultivar thereof) Linnaeus,
- L water aloe or water soldiers (*Stratiotes aloides*) Linnaeus; and
- M. water chestnut (*Trapa natans*) Linnaeus

Subp 2a. **Federal noxious weed list.** For purposes of this part, the aquatic plants listed in Code of Federal Regulations, title 7, section 360 200, are also designated as prohibited invasive species except for Chinese water spinach (*Ipomoea aquatica*) Forsskal.

Subp 3 **Fish.** The following fish are designated as prohibited invasive species

- A. bighead carp (*Hypophthalmichthys nobilis*) Richardson;
- B black carp (*Mylopharyngodon piceus*) (Richardson) Peters;
- C grass carp (*Ctenopharyngodon idella*) Valenciennes;
- D northern snakehead fish (*Channa argus*),
- E round goby (*Neogobius melanostomus*);
- F rudd (*Scardinius erythrophthalmus*) Linnaeus;
- G. ruffe (*Gymnocephalus cernuus*) Linnaeus,
- H. sea lamprey (*Petromyzon marinus*) Linnaeus,
- I. silver carp (*Hypophthalmichthys molitrix*) Valenciennes,
- J tubenose goby (*Proterorhinus marmoratus*) Pallas,
- K. white perch (*Morone americana*) Gmehn, and
- L zander (*Stizostedion lucioperca*) Linnaeus.

Subp 4 **Invertebrates.** The following invertebrates are designated as prohibited invasive species

- A. New Zealand mud snail (*Potamopyrgus antipodarum*) Gray, and

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B zebra mussel (*Dreissena* spp)

Subp 5 **Mammals.** The following mammals are designated as prohibited invasive species

- A Asian raccoon dog, also known as finnraccoon (*Nyctereutes procyonoides*);
- B Eurasian swine, European wild boar (*Sus scrofa scrofa*) Linnaeus,
- C European rabbit (*Oryctolagus cuniculus*), and
- D nutria, any strain (*Myocastor coypu*)

Statutory Authority: *MS s 84D.12*

History: 32 SR 724

6216.0260 REGULATED INVASIVE SPECIES.

Subpart 1. **Designation.** The species in subparts 2 to 5 are designated as regulated invasive species

Subp 2 **Aquatic plants.** The following aquatic plants are designated as regulated invasive species

- A Brazilian waterweed (*Egeria densa*) Planchon,
- B Carolina fanwort or fanwort (*Cabomba caroliniana*) A Gray,
- C Chinese water spinach (*Ipomoea aquatica*) Forsskal;
- D parrot's feather (*Myriophyllum aquaticum*) (da Conceicao Vellozo) Verdcourt,
- E nonnative waterlilies (*Nymphaea* spp) Linnaeus, or any variety, hybrid, or cultivar thereof. Native Minnesota waterlilies are *Nymphaea odorata* Aiton subsp *odorata* Aiton, *N leibergu* Morong, and *N odorata* Aiton subsp. *tuberosa* (Paene) Wiersema & Hellquist, and
- F yellow iris or yellow flag (*Iris pseudacorus*) Linnaeus

Subp 3 **Fish.** The following fish are designated as regulated invasive species

- A alewife (*Alosa pseudoharengus*) Wilson,
- B common carp, koi (*Cyprinus carpio*) Linnaeus,
- C goldfish (*Carassius auratus*) Linnaeus,
- D rainbow smelt (*Osmerus mordax*) Mitchell; and
- E tilapia (*Tilapia*, *Oreochromis*, *Sartheradon* spp)

Subp 4 **Invertebrates.** The following invertebrates are designated as regulated invasive species

- A Chinese mystery snail, Japanese trap door snail (*Cipangopaludina* spp) Hanmbal,
- B rusty crayfish (*Orconectes rusticus*) Girard, and
- C spiny water flea (*Bythotrephes cederstroemi*) Schoedler

Subp 5. **Birds.** The following birds are designated as regulated invasive species

- A Egyptian goose (*Alopochen aegyptiaca*) Linne,
- B mute swan (*Cygnus olor*) Gmelin, and
- C Sichuan pheasant (*Phasianus colchicus strachi*)

Statutory Authority: *MS s 84D 12*

History: 32 SR 724

6216.0350 DESIGNATED INFESTED WATERS.

Subpart 1 **Designation listings.** The water bodies listed in this part are designated as infested with the species indicated. Activities at these waters are subject to the invasive species rules in parts 6216 0100 to 6216 0600 and Minnesota Statutes, chapter 84D. A lake

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in more than one county is listed under the county corresponding to its protected waters inventory number, but the designation applies to the entire lake.

Subp. 2. **Listing of waters infested with brittle naiad.** The following water body is designated as infested with brittle naiad (*Najas minor*)

Name	DNR Protected Waters Inventory Number
Dakota County	
Lac Lavon	19-0446

Subp. 3 **Listing of waters infested with Eurasian water milfoil.** The following water bodies are designated as infested with Eurasian water milfoil (*Myriophyllum spicatum*) and its hybrids.

Name	DNR Protected Waters Inventory Number
A. Anoka County	
(1) Cenako Lake	02-0654
(2) Centerville Lake	02-0006
(3) Coon Lake	02-0042
(4) Crooked Lake	02-0084
(5) Lake George	02-0091
(6) Otter Lake	02-0003
(7) Peltier Lake	02-0004
(8) Unnamed lake in Springbrook Nature Center	02-0688
B Blue Earth County	
(1) Lura Lake	07-0079
C Carver County	
(1) Ann Lake	10-0012
(2) Auburn Lake	10-0044
(3) Burandt	10-0084
(4) Bavaria Lake	10-0019
(5) Eagle Lake	10-0121
(6) Firemen's Lake	10-0226
(7) Lotus Lake	10-0006
(8) Lake Minnewashta	10-0009
(9) Parley Lake	10-0042
(10) Pierson Lake	10-0053
(11) Riley Lake	10-0002

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(12) Schutz Lake	10-0018
(13) Steiger Lake	10-0045
(14) Stone Lake	10-0056
(15) Susan Lake	10-0013
(16) Lake Virginia	10-0015
(17) Lake Waconia	10-0059
(18) Wasserman Lake	10-0048
(19) Lake Zumbra	10-0041
D Cass County	
(1) Leech Lake	11-0203
E Chisago County	
(1) Ellen Lake	13-0047
(2) Green Lake	13-0041
(3) North Lindstrom	13-0035
(4) Rush Lake	13-0069
F. Crow Wing County	
(1) Bay Lake	18-0034
(2) Ossawinnamakee Lake	18-0352
(3) Ripple River, between Bay Lake and Tame Fish Lake	
(4) Ruth Lake	18-0212
G Dakota County	
(1) Crystal Lake	19-0027
(2) Earley Lake	19-0033
(3) Keller Lake	19-0025
(4) Lac Lavon	19-0446
(5) Lake Marion	19-0026
(6) Schultz Lake	19-0075
(7) Sunset Pond	19-0451
(8) Twin Lakes	19-0028
(9) Unnamed pond in Valley Park	19-0348
H Douglas County	
(1) Oscar Lake	21-0257

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I Hennepin County

- (1) Arbor Lake located in the S1/2 of the SW1/4 of S23, T119N, R22W
- (2) Arbor Lake North located in the NW1/4 of the SW1/4 of S23, T119N, R22W
- (3) Arbor Lake West 27-1130
- (4) Arrowhead Lake 27-0045
- (5) Bass Lake 27-0098
- (6) Brownie Lake 27-0038
- (7) Bryant Lake 27-0067
- (8) Bush Lake 27-0047
- (9) Lake Calhoun 27-0031
- (10) Cedar Lake 27-0039
- (11) Christmas Lake 27-0137
- (12) Dutch Lake 27-0181
- (13) Eagle Lake 27-0111
- (14) Fish Lake 27-0118
- (15) Forest Lake 27-0139
- (16) Galpin Lake 27-0144
- (17) Gleason Lake 27-0095
- (18) Lake Harriet 27-0016
- (19) Hiawatha Lake 27-0018
- (20) Lake Independence 27-0176
- (21) Lake of the Isles 27-0040
- (22) Libbs Lake 27-0085
- (23) Little Long Lake 27-0179
- (24) Long Lake 27-0160
- (25) Medicine Lake 27-0104
- (26) Minnehaha Creek 27-0000
- (27) Lake Minnetonka 27-0133
- (28) Mitchell Lake 27-0070
- (29) Niccum's pond located in the NW1/4 of the SW1/4 of S10, T117N, R24W private
- (30) Lake Nokomis 27-0019
- (31) Parker's Lake 27-0107
- (32) Peavy Lake 27-0138

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(33) Lake Rebecca	27-0192
(34) Rice Lake	27-0116
(35) Round Lake	27-0071
(36) Lake Sarah	27-0191
(37) Schmidt Lake	27-0102
(38) Snelling Lake	27-0001
(39) Swan Lake located in the NW1/4 of the NW1/4 of S4, T117N, R23W	
(40) Tanager Lake	27-0141
(41) Unnamed wetland	27-0900
(42) Whaletail Lake	27-0184
(43) Wirth Lake	27-0037
(44) Wolfe Lake	27-0664
J Isanti County	
(1) Green Lake	30-0136
K Itasca County	
(1) Ice Lake	31-0372
(2) McKinney Lake	31-0370
(3) North Twin Lake	31-0190
L. Kanabec County	
(1) Knife Lake	33-0028
M Kandiyohi County	
(1) Green Lake	34-0079
(2) Norway Lake	34-0251
N Le Sueur County	
(1) East Jefferson Lake	40-0092
(2) German Lake	40-0063
O Meeker County	
(1) Lake Manuella	47-0050
(2) Ripley Lake,	47-0134
(3) Stella Lake	47-0068
(4) Lake Washington	47-0046
(5) Wolf Lake	47-0016

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P	Mille Lacs County	
	(1) Lake Mille Lacs	48-0002
	(2) from the mouths of each tributary of Lake Mille Lacs upstream to the first public road	48-0000
Q	Morrison County	
	(1) Lake Alexander	49-0079
R	Olmsted County	
	(1) George Lake	55-0008
S	Pine County	
	(1) Cross Lake	58-0119
	(2) Pokegama Lake	58-0142
	(3) Sand Lake	58-0081
	(4) Snake River between Lake Pokegama and Cross Lake	
	(5) Unnamed gravel pit located in S1/2 of S14, T41N, R21W	
T	Pope County	
	(1) Gilchrist Lake	61-0072
	(2) Lake Minnewaska	61-0130
U	Ramsey County	
	(1) Bald Eagle Lake	62-0002
	(2) Beaver Lake	62-0016
	(3) Birch Lake	62-0024
	(4) Lake Gervais	62-0007
	(5) Island Lake	62-0075
	(6) Keller Lake	62-0010
	(7) Kohlmans Lake	62-0006
	(8) Loeb Lake	62-0231
	(9) McCarron Lake	62-0054
	(10) Lake Owasso	62-0056
	(11) Phalen Lake	62-0013
	(12) Pond six	62-0271
	(13) Pond three located in the SE1/4 of the NE1/4 of S4, T28N, R22W	
	(14) Round Lake	62-0012
	(15) Silver Lake	62-0001

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(16) Snail Lake	62-0073
(17) Spoon Creek, between Keller and Phalen Lakes	62-0000
(18) Sucker Lake	62-0028
(19) Turtle Lake	62-0061
(20) Lake Vadnais	62-0038
(21) Lake Wabasso	62-0082
V Rice County	
(1) Cedar Lake	66-0052
W St. Louis County	
(1) Gilbert Pit Lake	69-1306
(2) Horseshoe Lake	69-0503
X Scott County	
(1) Lower Prior Lake	70-0026
(2) O'Dowd Lake	70-0095
(3) Thole Lake	70-0120
(4) Upper Prior Lake	70-0072
Y Sherburne County	
(1) Eagle	71-0067
(2) Little Elk Lake	71-0055
Z. Stearns County	
(1) unnamed wetland along Clearwater river	73-0312
AA. Todd County	
(1) Little Birch Lake	77-0089
(2) Sauk Lake	77-0150
BB. Waseca County	
(1) Clear Lake	81-0014
CC. Washington County	
(1) Big Marine Lake	82-0052
(2) Lake Elmo	82-0106
(3) Long Lake	82-0118
(4) Powers Lake	82-0092
(5) St. Croix River	82-0001

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- | | |
|---------------------|---------|
| (6) Sunset Lake | 82-0153 |
| (7) White Bear Lake | 82-0167 |

DD Wright County

- | | |
|---|---------|
| (1) Augusta Lake | 86-0284 |
| (2) Beebe Lake | 86-0023 |
| (3) Buffalo Lake | 86-0090 |
| (4) Clearwater Lake | 86-0252 |
| (5) Clearwater River, downstream of Clearwater Lake | 86-0000 |
| (6) Deer Lake | 86-0107 |
| (7) Fish Lake | 86-0183 |
| (8) French Lake | 86-0273 |
| (9) Goose Lake | 86-0108 |
| (10) Howard Lake | 86-0199 |
| (11) Indian Lake | 86-0223 |
| (12) Lake Mary | 86-0156 |
| (13) Little Waverly Lake | 86-0106 |
| (14) Mink Lake | 86-0088 |
| (15) Lake Pulaski | 86-0053 |
| (16) Ramsey Lake | 86-0120 |
| (17) Rock Lake | 86-0182 |
| (18) Sugar Lake | 86-0233 |
| (19) Waverly Lake | 86-0114 |
| (20) Weigand Lake | 86-0242 |

EE Multiple counties

- | | |
|---|--|
| (1) Mississippi River, downstream of St Anthony Falls | |
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Subp 4 **Listing of waters infested with flowering rush.** The following water bodies are designated as infested with flowering rush (*Butomus umbellatus*).

Name	DNR Protected Waters Inventory Number
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A Anoka County

- | | |
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| (1) Unnamed wetland in the NE1/2 of the NE1/4 of S33, T31N, R22W | |
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B Becker County

- | | |
|---|---------|
| (1) Detroit Lake | 03-0381 |
| (2) Curfman Lake (Deadshot Bay) | 03-0363 |
| (3) Pelican River from Detroit Lake to Muskrat Lake | |
| (4) Muskrat Lake | 03-0360 |
| (5) Sallie Lake | 03-0359 |
| (6) Melissa Lake | 03-0475 |

C Dakota County

- | | |
|------------------|---------|
| (1) Unnamed lake | 19-0064 |
|------------------|---------|

D. Itasca County

- | | |
|---------------------|---------|
| (1) North Twin Lake | 31-0190 |
| (2) South Twin Lake | 31-0191 |
| (3) Hart Lake | 31-0020 |

E Rice County

- | | |
|--|---------|
| (1) Cannon Lake | 66-0008 |
| (2) Cannon River from Wells Lake to the confluence with the Straight River | |
| (3) Wells Lake | 66-0010 |

F. Todd County

- | | |
|---|--|
| (1) Sauk River from Juergens Lake to Mud Lake | |
|---|--|

G. Washington County

- | | |
|-----------------|---------|
| (1) Forest Lake | 82-0159 |
|-----------------|---------|

Subp 5 **Listing of waters infested with New Zealand mud snail.** The following water bodies are designated as infested with New Zealand mud snail.

Name	DNR Protected Waters Inventory Number
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Multiple counties

- | | |
|--|---------|
| (1) Lake Superior | 16-0001 |
| (2) St. Louis River, downstream of the Fond du Lac Dam | |

Subp 6 **Listing of waters infested with round goby.** The following water bodies are designated as infested with round goby (*Neogobius melanostomus*)

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Name	DNR Protected Waters Inventory Number
Multiple counties	
(1) Lake Superior	16-0001
(2) St Louis River, downstream of the Fond du Lac Dam	

Subp 7 **Listing of waters infested with ruffe.** The following water bodies are designated as infested with ruffe (*Gymnocephalus cernuus*)

Name	DNR Protected Waters Inventory Number
Multiple counties	
(1) Lake Superior	16-0001
(2) St Louis River, downstream of the Fond du Lac Dam	

Subp 8 **Listing of waters infested with spiny water flea.** The following water bodies are designated as infested with spiny water flea (*Bythotrephes cederstroemi*)

Name	DNR Protected Waters Inventory Number
A. Cook County	
(1) Flour Lake	16-0147
(2) Greenwood Lake	16-0077
(3) McFarland Lake	16-0027
(4) Pine Lake	16-0041
(5) Lake Saganaga	16-0633
B St Louis County	
(1) Fish Lake	69-0491
(2) Island Lake	69-0372
(3) Ramy Lake	69-0694
C Multiple counties	
(1) Lake Superior	16-0001
(2) Cloquet River from Island Lake to the St Louis River	
(3) St Louis River, downstream of the Cloquet River	

Subp 9 **Listing of waters infested with white perch.** The following water bodies are designated as infested with white perch (*Morone americana*)

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Name	DNR Protected Waters Inventory Number
Multiple counties	
(1) Lake Superior	16-0001
(2) St Louis River, downstream of the Fond du Lac Dam	

Subp. 10 **Listing of waters infested with zebra mussels.** The following water bodies are designated as infested with zebra mussels (*Dreissena* spp)

Name	DNR Protected Waters Inventory Number
A. Benton County	
(1) Little Rock Lake Channel	5-0012
(2) Little Rock Lake	5-0013
B. Crow Wing County	
(1) Black Bear Lake	18-0140
(2) Boom Lake	18-0529
(3) Half-Moon Lake	18-0238
(4) Little Rabbit Lake	18-0139
(5) Miller Lake	18-0133
(6) Ossawinnamakee Lake	18-0352
(7) Pelican Brook from the source at Ossawinnamakee Lake to the Pine River	
(8) Pickerel Lake	18-0232
(9) Pine River from the mouth of Pelican Brook to the Mississippi River	
(10) Rice Lake	18-0145
(11) Unnamed	18-0235
(12) Unnamed wetland located in the NE1/4 of the SW1/4 of S3, T135, R27	
(13) Unnamed wetland located in the NE1/4 of the SE1/4 of S2, T46, R30	
(14) Unnamed wetland located in the NE1/4 of the SW1/4 of S2, T46, R30	
(15) Unnamed wetland located in the NE1/4 of the NE1/4 of S33, T135, R27	
(16) Unnamed wetland located in the NW1/4 of the NE1/4 of S33, T46, R30	

C Mille Lacs County

- (1) Lake Mille Lacs 48-0002
- (2) All tributaries to Lake Mille Lacs from the mouth to the first public road
- (3) Ogechie Lake 48-0014
- (4) Onamia Lake 48-0009
- (5) Shakopee Lake 48-0012

D Olmsted County

- (1) Lake Zumbro 55-0004

E Washington County

- (1) St Croix River, downstream of the St Croix Boomsite Recreation Area at river mile 25 4

F Wright County

- (1) Fish Lake 86-0183

G Multiple counties

- (1) Lake Superior 16-0001
- (2) Mississippi River, from the mouth of the Pine River in Crow Wing County to the Minnesota-Iowa border
- (3) Rum River
- (4) St. Louis River, downstream of the Fond du Lac Dam
- (5) Zumbro River, downstream of Lake Zumbro

Statutory Authority: *MS s 84D 12*

History: *32 SR 724*

6216.0500 TRANSPORTATION AND APPROPRIATION OF WATER FROM INFESTED WATERS.

Subpart 1 [Repealed, 32 SR 724]

Subp 1a. **Diversion, appropriation, and transportation.**

A Water from designated infested waters may not be diverted to other waters, transported on a public road, or transported or appropriated off property riparian to infested waters except

- (1) in emergencies that threaten human safety or property,
- (2) as specified in a water appropriation or public waters work permit issued by the commissioner according to Minnesota Statutes, chapter 103G, or
- (3) under a permit issued according to this part.

B For newly designated infested waters or infested waters that are newly designated with an additional invasive species, the commissioner shall review active water appropriation or public waters work permits issued under Minnesota Statutes, chapter 103G, and may amend permits to include conditions that prevent the spread of invasive species

C The following conditions may be included in permits issued under this part of Minnesota Statutes, chapter 103G, to prevent the spread of invasive species

- (1) seasonal or other timing restrictions,
- (2) requirements to treat water, including chemical, ultraviolet, heat, filtering, or other treatment, and
- (3) requirements for discharge or disposal of water

Subp 2. Disposition of water used to transport wild animals from infested waters. Water used to transport wild animals from infested waters, including water from waters or facilities permitted to hold fish from infested waters, may be disposed of only at sites approved in writing by the commissioner

Subp 3 Persons leaving select infested waters. A person leaving infested waters designated as having populations of zebra mussel or spiny water flea must drain bait containers, other boating-related equipment holding water excluding marine sanitary systems, and livewells and bilges by removing the drain plug before transporting the watercraft and associated equipment on public roads.

Subp 4 [Repealed, 32 SR 724]

Subp 5 Fish hatchery or aquatic farm operations in infested waters.

A Natural lakes or wetland basins that are designated as infested waters will not be licensed by the department pursuant to Minnesota Statutes, section 17 4984, for aquatic farms or pursuant to Minnesota Statutes, section 97C 211, as private fish hatcheries

B Artificial water basins that have populations of prohibited or regulated invasive species may be used for aquatic farm or private hatcheries under license by the department After notifying a licensee that an artificial water basin has a prohibited or regulated invasive species, the commissioner may require that nets, traps, buoys, stakes, and lines that have been used in such artificial water basins must be dried for a minimum of ten days, or frozen for a minimum of two days, before they are used in noninfested waters All aquatic plants must be removed from nets and other equipment that are removed from the artificial water basins.

C The commissioner may license aquatic farm or private fish hatchery facilities to use infested waters as a source for the facilities' water The commissioner may require that the waters be treated to eliminate prohibited or regulated invasive species

D Fish raised in artificial water basins that have populations of prohibited or regulated invasive species, or in any facility using infested water as a source, must be sold directly to a wholesale buyer for processing, except

- (1) the commissioner may by permit allow the stocking or transport of such fish where the receiving waters contain populations of the same prohibited or regulated invasive species as the source facility's waters, or
- (2) the commissioner may by permit allow the stocking or transport of such fish in water bodies that do not contain populations of prohibited or regulated invasive species if the source facility uses adequate treatment to remove the prohibited or regulated invasive species from the facility.

Subp 6 Infested waters diversion or transportation permits. Applications for permits issued pursuant to this part, to divert or transport water from infested waters, shall be made on forms obtained from the commissioner and shall contain information as the commissioner may prescribe The department shall act upon the application within 90 days of receipt Failure on the part of the department to act upon the permit within the required time shall not be construed as approval of the application Permits shall state all the conditions and limitations upon which they are based. A permit may be modified at any time by the department

Statutory Authority: *MS s 84D.12*

History: *32 SR 724*