

Minutes: Noxious Weed Advisory Committee

Date: 12/16/2025

Participants

Members

Andrew Falk (MN Farmers Union), Ann Messerschmidt (League of MN Cities), Christina Basch (MNDOT), Cody Dock (MNCAIs), Elizabeth Zingg (Fond du Lac), Erin Loeffler (BWSR), Hunter Pederson (MN Farm Bureau), Jane Youngkrantz (MN Assoc. Townships), Jim Calkins (MNLA), Laura Irish Hanson (MN Landscape Arb), Laura Van Riper (DNR), Lee Frelich (U of M Forest Resources), Liz Beery (TNC), Mark Westphal (MN Assoc County Land Commissioners), Mary Jo Youngbauer (MN SWCDs), Matt Widen (MN Forest Industries), Raining White (Leech Lake), Rob Venette (UM MITPPC), Sascha Lodge (DNR), and Seth Wannemeuhler (UM Dept of Horticulture)

Guests

Evelyn Mann (Green Corp Member at MN Zoo) and Kelsey Taylor (Barr Engineering)

MDA

Anthony Cortilet, Emilie Justen, Julie Dellick, Kimberly Thielen-Cremers, and Monika Chandler

Introductions

Approval of Agenda and Past Meeting Minutes

Emilie motioned to approve the agenda with the addition of statute updates to the Management and Policy Subcommittee update. Christina seconded the motion. None were opposed.

Laura VR proposed changes to the November minutes about jumping worm related best management practices. Laura VR motioned to approve the agenda with these changes and Mark seconded the motion. None were opposed.

MDA and Member Updates and Old Business

Listing Subcommittee Updates

Three new members will join the Listing Subcommittee in 2026. They are Sascha, Seth, and Laura I-H.

Management and Policy Subcommittee Updates

Emilie shared a template for individual species management plans discussed at the November meeting. Christina is collaborating on these templates and Laura VR will edit them. This collaboration will ensure that these documents are beneficial to multiple state agencies. They will focus on expanding the control section and adding lifecycle and treatment graphics for each species. Christina added that they will prioritize prohibited eradicate noxious weeds. Additionally, Christina will join the Management and Policy Subcommittee. The subcommittee will be meeting in January or February to discuss updates and management plans. A draft of a teasel or tree of heaven plan will be provided to the full committee.

- Laura VR asked what the scale of these plans would be such as statewide vs. an individual landowner. Emilie said that is still being discussed since the agencies involved focus on different scales. MDA's focus is statewide, but MnDOT's is roadsides. They hope to have more clarification after the subcommittee meeting.
- Mary Jo added that it may be helpful to include look-alike species identification information.
- Raining asked if either of these plans will address working within tribal boundaries. Leech Lake would like to see the state consult with tribes on weed management, especially about pesticide use or seed. Emilie said it hasn't been added at this time, but it will be.
 - Raining offered to participate in a Management and Policy Subcommittee meeting to discuss further.
 - Tony added that MDA hired a new tribal liaison and that it would be beneficial to set up a meeting to discuss collaborations, sovereignty and more.
 - Kelsey stated that these considerations also apply to ceded territories which comprise a large area of Minnesota.

The Management and Policy Subcommittee worked on updates to the noxious weed law statutes. It includes definitions. The most changes will be to permits. A new permit for possession of noxious weed propagating parts for education and research was created. MDA will issue that permit vs. the transport permits that are issued by counties. The Commissioner's Office agreed with these changes. The changes are now at the Revisor's Office.

New Business

Presentation: History of the Noxious Weed Advisory Committee

NWAC was created in 2009 after Minnesota's Noxious Weed Law was modernized. The goal was to allow for faster response to current weed issues and evaluate new invasive plants introduced to North America via commerce and other means.

- The first weed law was created in 1872 regarding Canada thistle and officially became the Noxious Weed Law in 1895.
- Enforcement was added in the 1920s when the County Agricultural Inspector positions were created.
- The weed species added to the list were mostly agricultural weeds.
- In the 1970s, the noxious weed list was split into Primary and Secondary Noxious Weeds in response to local level complaints that there were too many species listed. Enforcement focused on Primary Noxious Weeds with the option for counties and townships to enforce Secondary Noxious Weeds.
- The 1998 legislature requested the development of a Noxious Weed Potential Evaluation Committee. This committee was a precursor to NWAC.

With the establishment of NWAC in 2009, prior noxious weed rules were repealed. There was no longer a need to go through legislative rulemaking to add and delete species from the list. Instead, the commissioner could make changes. A MDA grant program was established in law but not funded until 2017.

The duties of NWAC are to advise the commissioner regarding responsibilities under the noxious weed law, evaluate species, develop weed categories for listing species, develop management criteria for each noxious weed category, and recommend appropriate categories for each listed species, and reevaluate species every three years. Plant species are evaluated by their potential for invasiveness, difficulty of control, associated costs of control, injury caused by the plant, and the benefits of the species. Jim was key to developing the risk assessment process we use today.

There are two subcommittees in NWAC, the Listing Subcommittee and the Management and Policy Subcommittee. The Listing Subcommittee oversees petitions to regulate species, evaluates species through risk assessments, and makes listing recommendations. The Management and Policy subcommittee advises the commissioner on how to effectively prevent the introduction of new noxious weed species, proposes recommendations for agency operations and policies, and develops management criteria for each noxious weed category. More information about NWAC can be found on the [Noxious Weed Advisory Committee webpage](#).

Jim added that Steve Chaplin, retired TNC representative, was very involved with weed law changes and NWAC's formation and deserves kudos. Trent McCorkle (previous CAI representative) was also instrumental in this work and developing the assessment protocol. Tony agreed and said that current NWAC members are the future.

Tree of Heaven Found in Eagan (Metro)

At the end of September, a MnDOT employee noticed unusual, sumac-like plants on Highway 13 in Eagan. Christina verified the plants were tree of heaven. Previous tree of heaven infestations were mainly located near the Iowa border in southeastern Minnesota and have been eradicated. This must have come from a different source. It is suspected that it came in on utility trucks since the infestation was under power lines. The county has agreements for treatment with impacted private landowners that including follow up treatments next year on any regrowth. The infestation has already been treated on MnDOT land. MnDOT tested some different formulations to see what worked best. They are also looking stem treatments. The is expected to be eradicated in a few years.

In collaboration with the Forest Service, tree core samples were collected and analyzed in the Forest Service dendrochronology lab. It was found that this infestation is about six to seven years old. That means these trees has survived at least -19° F without snow to mitigate the cold. This suggested that this species may survive in

more of Minnesota than previously considered. Cold hardiness expectations were influenced by models that indicated that most of Minnesota is unsuitable for tree of heaven. There is a research paper that states that tree of heaven is native to areas of China that reach -38° F. We will update the risk assessment to include more information on cold hardiness.

- Jim pointed out that because tree of heaven is already a prohibited eradicate species, updating the assessment would not change the regulatory status.
- Raining noted similarities to initial questions about EAB cold hardiness.
- Rob urged caution when evaluating cold hardiness. The paper that states tree of heaven's cold tolerance in China may not have the correct species. Also, because tree of heaven is now considered hardy in Zone 4 that makes it a concern to the state. (Monika's note is that our assessment lists Zone 5 hardiness because that was how it was rated in 2012 when the assessment was first written.)

Length of List Discussion Points Summary

At the November meeting there was a request to summarizing discussion points from the last couple of years on the length of the noxious weed list. There is now a document that summarizes these points in the meeting materials folder. Most concerns on this topic were about increasing the number of species in the prohibited eradicate and prohibited control categories. This is because these categories have the most stringent control requirements for landowners. However, there were concerns that a limit would impede response to a new, unlisted and threatening invasive plant.

The prohibited eradicate category is aimed at both prevention (prevent arrival and establishment) and early detection rapid response (detect and control infestations quickly). Some listed species have not been documented in the state. These species are listed for the purpose of prevention. There was a suggestion to visually distinguish these from other eradicate species on the noxious weed list.

Vote on Regulatory Recommendations

Hardy Kiwi

Laura VR made a motion to not list hardy kiwi. Christina seconded the motion. There was no discussion. There were 18 Yes votes, and one No vote. The motion passed and hardy kiwi will not be listed.

Palmer Amaranth

Laura VR made a motion to keep Palmer amaranth as a prohibited eradicate noxious weed. Christina seconded the motion. There was no discussion. There were 19 Yes votes, and zero No votes. It unanimously passed to keep Palmer amaranth listed as a prohibited eradicate noxious weed.

Japanese Barberry

Laura VR made a motion that all currently restricted cultivars of Japanese barberry remain restricted and all other cultivars be restricted from sale with exemptions for the following five cultivars. Christina seconded the motion.

1. 'UCONNBTCP4N' (PP30,095): Crimson Cutie®

2. 'UCONNBTB039' (PP30,128): Mr. Green Genes®
3. 'UCONNBTB048' (PP30,127): Lemon Glow®
4. 'UCONNBTB113' (PP30,094): Lemon Cutie®
5. Proven Winners® Sunjoy® cultivar: 'NCBT1' (PP30,330): Mini Maroon®

- Christina asked if there would be a three-year phase out before this goes into effect? Laura VR said yes that it is noted in the risk assessment.
- Rob asked whether seed production data was in peer reviewed papers. Monika provided a citation for a primary source for the UCONN cultivars and Laura I-H provided a link to the paper.
- Rob also asked about pollen production. Jen wrote the assessment and could not attend this meeting. Laura answered that we can't pull additional information to the risk assessment at this moment.
- Rob expressed concern about making exemptions. Laura VR said she also has concerns but that the proposed regulatory change is more cautious than current regulations. Current regulations allow the sale of all cultivars except those specifically prohibited (Monika's note that this is 25 cultivars and the wild type). Currently, a new high seedling cultivar could be developed and be legal to sell and plant. The proposed change to prohibit sales of all cultivars except for those bred to be zero to low seeding would be a dramatic increase in safety in terms of seedy cultivars.
- Raining said he doesn't like the 3-year production phase out. Laura explained that it is hard for businesses to have to throw out inventory.
- There were questions about what Yes and No votes would mean. Laura VR explained that there are 25 seedy cultivars restricted from sale. It is legal to sell all other Japanese barberry cultivars. This would be a big shift to all Japanese barberry cultivars are illegal to sell except for the 5 zero to low seeding cultivars named in the assessment. A No vote would mean all cultivars except the 25 currently restricted high seeding cultivars could be sold. If you want regulations to be more stringent, vote Yes.
- Kelsey asked if we know how many sellers would be affected by this change? Jim answered that there are multiple nurseries in Minnesota and out of the state that are selling barberry cultivars. If this passes, they would not be allowed to sell them after the 3-year phase out.
- Jim added that current regulations are messy and were a compromise with industry because Japanese barberry was very popular. This change would be a big step in the right direction.

There were 18 Yes votes, and one abstaining vote. The vote passed to keep Japanese barberry as a restricted noxious weed except for the five exceptions.

Narrowleaf Bittercress

Narrowleaf bittercress is currently a prohibited control noxious weed. Laura VR made a motion to deregulate the species. Christina seconded the motion.

- Erin asked why this species was being considered for deregulation. Christina said this decision is because it has not been found to have exponential growth of this plant in its found locations and that it is not highly prioritized for control where it is found.
- Laura VR added that it is not in trade so that there is no ornamental value for it.

- Jim voiced that the MNLA board came to consensus that it is premature to make the decision to deregulate this species.
- Jim and Rob also stated that since there has been no decision on the length of the noxious weed list, that should not be used as a reason to deregulate this species.

There was no further discussion. There were eight Yes Vote, 10 No votes, and one Abstaining vote. The motion did not pass, and narrowleaf bittercress will remain prohibited control noxious weed.

Brown Knapweed

Laura VR made a motion to keep brown knapweed as a prohibited eradicate noxious weed. Hunter seconded the motion. There was no discussion. There were 19 Yes votes and zero No or Abstaining votes. The vote unanimously passed to keep brown knapweed as a prohibited eradicate noxious weed.

Black Swallow-wort

Laura VR made a motion to keep black swallow-wort as a prohibited eradicate noxious weed. Christina seconded the motion. There was no discussion. There were 19 Yes votes and zero No or Abstaining votes. The vote unanimously passed to keep brown knapweed as a prohibited eradicate noxious weed.

Winged Burning Bush

Laura VR made a motion that winged burning bush remain a restricted noxious weed with exemptions for two low-fecundity cultivars. Christina seconded the motion and there was no discussion. There were 16 Yes votes and three No votes. The motion passed.

Purple Loosestrife

Laura VR made a motion to move purple loosestrife from prohibited control to restricted. Mark seconded the motion.

- Liz voiced her concern that we should not change the listing as this species has been a large concern for decades and with large efforts with herbicides and biocontrol, it is much more controlled. A change in listing category may result in less management and seed could move to new locations.
- Laura VR responded that there are very few permit applications for herbicide use on loosestrife. Biocontrol is the preferred control method.
- Emilie said that moving it to restricted keeps it at the same regulatory level that DNR has already, where it's prohibited from sale and movement within the state. Because of biocontrol success, there hasn't been a need for enforcement.
- Rob asked about MDA Statute 18.78 Subdivisions 1 and 2 which mandate that the DNR report to to the MDA which public waters are being treated for purple loosestrife. If MDA changed purple loosestrife to a restricted noxious weed, would that conflict with that statute?
- Laura responded that if we vote to move loosestrife to restricted, MDA and DNR legal would review the changes and determine if legislation needed to be changed. There is precedence for this as when NWAC recommended non-native Phragmites become a prohibited noxious weed and statute 18.78 be updated to include non-native Phragmites. First non-native Phragmites was made a prohibited noxious weed then statute was updated in the next legislative session.

- Rob said he thinks people should be required to control loosestrife.
- Andrew suggested that it may be better to change the language from controlled with herbicides to controlled with effective methods that would encompass biocontrol and herbicides.
- Laura VR brought up that last year this committee did a survey where people ranked their top threats. One strong result of that survey was that weeds with widespread, effective biocontrol may not need to be regulated.
- Kimberly noted that this committee makes recommendations, and it is the agency's responsibility to look at statutory impacts and changes.
- Cody added that he has heard from a lot of county agricultural inspectors in a region based and most stated that they would like to keep it listed to be able to enforce management.
- Monika provided some history on loosestrife biocontrol. The Legislative Commission on Minnesota Resources funded biocontrol development and DNR coordinated the effort. County Ag Inspectors and many cooperators did a great job with implementation such that the beetles are distributed throughout the state where there are loosestrife populations. These beetles fly well. They find and manage new loosestrife populations better than people do. If there is a move to restricted, people can still collect and move beetles, there just wouldn't be a requirement to do so.
- There was discussion about it being legal to have loosestrife on your property for both prohibited control and restricted. The requirement for prohibited control would be to prevent spread.
- Raining voiced concern about proposed budget cuts to AIS funding in the counties where he works. Loosestrife work is funded by AIS grants. If there isn't a requirement to control, the County Commissioners may decide not to manage loosestrife. Itasca County uses herbicides off the reservation then works with the Leech Lake Division of Resource Management to collect and distribute biocontrol. An increase in loosestrife in the many Leech Lake wetlands would be concerning.

There were nine Yes votes, nine No votes, and one abstaining vote. This vote resulted in a tie so the motion did not pass.

Poison Ivies

There are two species of poison ivy which are both native to Minnesota and both are in the specially regulated category. Laura V made the motion to deregulate the two poison ivy species. Christina seconded this motion.

- Raining shared that he gets many calls about poison ivies but does not see a need for it to be on the list. Awareness of poison ivy is more important.
- Christina stated that MnDOT would still treat poison ivies regardless of regulation. This would be at rest areas and other places where people might encounter poison ivy.
- Laura echoed that the DNR Parks had the same common sense approach and would control poison ivy at campgrounds, near buildings, etc.

There were 19 Yes votes and zero No or Abstaining votes. The vote was unanimous and the motion to deregulate the poison ivy species passed.

2025 NWAC Voting Members (12 of 20 for 60% quorum)	Hardy Kiwi	Palmer Amaranth	Japanese Barberry	Narrowleaf Bittercress	Brown Knapweed	Black Swallow	Burning Bush	Purple Loosestrife	Poison Ivies
MN Farmer's Union	Y	Y	Y	N	Y	Y	Y	N	Y
League of MN Cities	N	Y	A	N	Y	Y	N	Y	Y
Mn DOT	Y	Y	Y	Y	Y	Y	Y	Y	Y
MN Association CAIs	Y	Y	Y	Y	Y	Y	Y	Y	Y
U of M Agronomy (absent)									
Fond du Lac	Y	Y	Y	N	Y	Y	N	N	Y
BWSR	Y	Y	Y	A	Y	Y	Y	A	Y
Farm Bureau	Y	Y	Y	N	Y	Y	Y	N	Y
MN Assoc Townships	Y	Y	Y	Y	Y	Y	Y	Y	Y
MN Nursery and Landscape Assoc.	Y	Y	Y	N	Y	Y	Y	N	Y
U of M Arb	Y	Y	Y	Y	Y	Y	Y	Y	Y
MN DNR	Y	Y	Y	Y	Y	Y	Y	Y	Y
U of M Forest Resources	Y	Y	Y	N	Y	Y	Y	N	Y
The Nature Conservancy	Y	Y	Y	N	Y	Y	Y	N	Y
MN SWCDs	Y	Y	Y	Y	Y	Y	Y	N	Y
MN Board of Land Commissioners	Y	Y	Y	Y	Y	Y	Y	Y	Y
MN Forest Industries	Y	Y	Y	Y	Y	Y	Y	Y	Y
Leech Lake	Y	Y	Y	N	Y	Y	N	N	Y
U of M Terrestrial Invasive Species Center	Y	Y	Y	N	Y	Y	Y	N	Y
U of M Horticulture	Y	Y	Y	N	Y	Y	Y	Y	Y
TOTAL YES VOTES	18	19	19	8	19	19	16	9	19
TOTAL NO VOTES	1	0	0	10			3	9	0
Total Abstain Votes	0	0	1	1	0	0	0	1	0
PASS (P) or FAIL (F)	P	P	P	F	P	P	P	F	P

Species to Assess in 2026 and 2027

The following species will be evaluated with risk assessments in 2026 and 2027.

- Tree of heaven, *Ailanthus altissima* (update existing assessment with cold hardiness)
- Angelica tree, *Aralia elata*
- Common wormwood, *Artemisia absinthium*
- Creeping bellflower, *Campanula rapunculoides*
- Shiny cotoneaster, *Cotoneaster lucidus*
- Yellow-flowered teasel, *Dipsacus strigosus*
- Helleborine orchid, *Epipactis helleborine*
- Balfour's touch-me-not, *Impatiens balfourii*
- Yellow archangel (*Lamium galeobdolon*, *Lamiastrum glaedolon*) risk assessment was started in 2024 and will be completed in 2026.
- Sericea lespedeza, *Lespedeza cuneata*
- Big leaf lupine, *Lupinus polyphyllus*
- Empress tress, *Paulownia tomentosa*
- Mile a minute weed, *Persicaria perfoliate*
- Tall buttercup, *Ranunculus acris*
- Bristly locust, *Robinia hispida*
- European highbush cranberry, *Viburnum opulus*
- Sargent viburnum, *Viburnum sargentii*

Cultivar Exemption to Assess in 2026 and 2027

- The cultivar *Rhamnus frangula* 'Ron Williams' Fine Line®. [Link to request](#)

Next Meeting Date and Goals

Next meeting date

- 2026 meeting dates are not scheduled yet, polls will be sent out to choose dates.

Future meeting goals

- Assisted migration - Superior National Forest's plan was recommended by a committee member
- Presentation from a township about weed management
- Presentation about goats and buckthorn control research
- Lee Frelich on the Cover It Up buckthorn initiative
- MITPPC presentation on the online sales of invasive plants
- Invasive species management along right of ways – reach out to MI DOT
- Stiltgrass presentation
- Future update from Raining about use of steam/hot water for invasive plant control
- Plant breeder discussing low fecundity cultivars

Adjourn

Meeting was adjourned at 1:44 pm