



**Aquatic Invasive Species Prevention Plan for Freeborn County  
2015**

Aquatic Invasive Species Prevention Aid (MN Statute 477A.19)

**INTRODUCTION**

Aquatic invasive species (AIS) are threatening Minnesota waters. These nonnative species harm fish populations, water quality, and water recreation. This plan outlines the efforts that Freeborn County will undertake to help prevent the spread of harmful AIS within Minnesota.

**ACTIONS**

**Table 1.** Actions that Freeborn County plans to implement in order to prevent the spread of AIS. In the following table, where applicable, related actions and elements from the state plan are cross-referenced.

Actions for 2015 AIS Plan	Supporting AIS Prevention	Elements in MN DNR Plan	Action in state plan
<b>Assess Resources and Risk of AIS Introduction</b>			
<b>Understand the variety of introduction pathways to local waters.</b>	Knowing the common pathways by which AIS can be spread is essential to effective prevention.	Prevention – Understand Risks	I-1-c
<b>Using MNDNR’s list of water bodies that are designated as infested in the county, identify linkages to other water bodies.</b>	Some AIS may travel or be more easily transported between infested waters and other connected water bodies; knowing these linkages will help prioritize prevention resources.	Prevention – Understand Risks	I-1-c
<b>Increase Freeborn County Enforcement Resources</b>			

Actions for 2015 AIS Plan	Supporting AIS Prevention	Elements in MN DNR Plan	Action in state plan
<b>Ensure that Freeborn County’s peace officers, including water safety patrol staff, have been trained to enforce AIS laws and increase the number of peace officers within the county.</b>	This action will extend the capacity of local enforcement to ensure compliance with AIS laws.	Prevention – Enforcement	I-6-b
<b>Utilize AIS trained deputies to patrol roadways near infested lakes to issue compliance checks.</b>	Compliance checks away from boat launches can be effective at communicating the presence of law enforcement and help to educate lake users on the seriousness of AIS laws and the penalties for infractions.	Prevention – Enforcement	I-6-b
<b>Ensure that local authorities are aware of state regulations that prohibit transport of prohibited invasive species, aquatic plants, and water from designated infested waters.</b>	Consistent enforcement of AIS regulations aimed at containment will help to prevent the further spread of AIS.	Early Detection, Rapid Response, and Containment – Enforcement	II-10-c
<b>Increase Public Awareness and Participation</b>			
<b>Train county field staff on practices to avoid spreading invasive species.</b>	County staff can take simple steps to prevent AIS spread or new introductions, and can also set an example for businesses and individuals.	Prevention – Research and Technologies	I-7-d
<b>Ensure that all Lake Service Providers are reducing the risk of AIS spread in their operations.</b>	The day-to-day operations of some businesses, whether regulated or not, can pose a risk of AIS spread.	Prevention – Research and Technologies	I-7-d
<b>Attend training sessions to reduce risk of invasive species introduction through government and business operations.</b>	The county will help prevent AIS spread by attending training to identify new risk-reduction methods, actions, and operations that could contribute to AIS spread.	Prevention – Research and Technologies	I-7-d

Actions for 2015 AIS Plan	Supporting AIS Prevention	Elements in MN DNR Plan	Action in state plan
<b>Distribute AIS prevention messages targeting riparian landowners who launch watercraft from their own private residential access</b>	Watercraft from private residential property may not be reached by efforts directed at public accesses.	Prevention – Public Awareness	I-8-a & e
<b>Collaborate with the Shell Rock River, Cedar River, and Turtle Creek Watershed groups, to develop a regional approach to AIS prevention.</b>	Regional coordination is a necessary and effective method in the control of AIS.	Prevention – Regional Approaches	I-9-a
<b>Train Environmental Services field staff on management practices that will maintain and/or create diverse, native landscapes that are resilient to invasive species.</b>	Vegetative diversity in our environment may help prevent AIS infestation.	Prevention – Manage for Prevention	I-10-a
<b>Work with DNR “Stop Aquatic Hitchhikers” campaign to strengthen awareness of AIS issues in Freeborn County.</b>	Consistent messaging will help educate individuals about their role in AIS prevention.	Early Detection, Rapid Response, and Containment – Public Awareness	II-8-d
<b>Explore partnership opportunities with state and federal organizations.</b>	Utilize existing communication materials for public messages about rules and best practices related to AIS prevention.	Early Detection, Rapid Response, and Containment – Public Awareness	II-8-d

Actions for 2015 AIS Plan	Supporting AIS Prevention	Elements in MN DNR Plan	Action in state plan
<b>Coordinate with MNDNR to publicize any infestations at public water access sites.</b>	Notice of AIS infestations to the public will help prevent the further spread of AIS.	<p>Early Detection, Rapid Response, and Containment – Public Awareness</p> <p>II-8-i</p> <p>Early Detection, Rapid Response, and Containment – Risk Reduction</p> <p>II-15-c</p>	
<b>Increase Available Resources and Leverage Partnerships</b>			
<b>Seek additional funding to implement actions in the AIS prevention plan.</b>	An effective AIS prevention plan requires adequate financial resources.	Prevention – Funding	I-11-a
		Early Detection, Rapid Response, and Containment – Funding	II-11-a
		Early Detection, Rapid Response, and Containment – Funding	II-11-b
<b>Develop and maintain local, regional, state, and federal contacts with AIS prevention entities.</b>	Partner participation will strengthen Freeborn County’s AIS prevention plan.	Leadership and Coordination - Local	IV-3-a
<b>Facilitate Fountain Lake Sportsmen Associations as partners in implementing the county’s AIS prevention plan.</b>	Local partnerships among local organizations will increase the county’s capacity to implement its AIS prevention plan.	Leadership and Coordination - Local	IV-3-b
<b>Broaden Knowledge of Early Detection and Rapid Response Activities</b>			

Actions for 2015 AIS Plan	Supporting AIS Prevention	Elements in MN DNR Plan	Action in state plan
<b>Obtain and distribute Watch ID cards from the Minnesota Sea Grant Program.</b>	Utilizing and distributing ID cards to the public will maximize our ability for early detection.	Early Detection, Rapid Response, and Containment – Detection	II-1-b
<b>Encourage individuals to submit samples of suspected AIS to the MNDNR.</b>	Freeborn County can support early detection and prevention efforts by helping the MNDNR to confirm infestations of AIS.	Early Detection, Rapid Response, and Containment – Detection	II-1-d
<b>Approve an early detection and rapid response program in a support agreement with the MNDNR.</b>	This program will ensure infestations are reported and rapid response is deployed.	Early Detection, Rapid Response, and Containment – Detection	II-1-d
<b>Cultivate partnerships with interested citizens to support AIS surveys in all water bodies of Freeborn County and on docks and lifts.</b>	Leveraging resources of existing organizations will maximize efficiencies in the prevention and spread of AIS.	Early Detection, Rapid Response, and Containment – Prioritize	II-3-b
<b>Manage Existing Populations of Aquatic Invasive Species</b>			
<b>Use of Integrated Pest Management Strategies to control populations of priority aquatic invasive plant species.</b>	Use of management strategies may reduce further AIS infestation.	Management of Invasive Species – Implement IPM Plans	III-3-a
<b>Coordination of information on the management of AIS, and adoption of Best Management Control Plans.</b>	Effective management of existing AIS populations may help prevent further spread.	Management of Invasive Species - Coordination/ Communication	III-4-b
<b>Contract with private vendors for equipment, knowledge, and expertise to facilitate management of AIS in water bodies Freeborn County deems impaired or damaged by aquatic invasive species.</b>	Effective management of existing AIS populations may help prevent further spread.	Management of Invasive Species - Implement IPM Plans	III-3-a

Actions for 2015 AIS Plan	Supporting AIS Prevention	Elements in MN DNR Plan	Action in state plan
<b>Evaluate AIS prevention efforts and cooperative relationships for possible improvements.</b>	Participants to annually share input and ideas for improvement of this AIS prevention plan.		III-6-a, b, c
<b>Address Specific Pathways of Introduction</b>			
<b>Investigate the feasibility of utilizing decontamination trailers for use in cleaning boats and equipment.</b>	Decontamination of watercraft is a key tool in preventing AIS spread.	N/A	N/A

Actions for 2015 AIS Plan	Supporting AIS Prevention	Elements in MN DNR Plan	Action in state plan
<b>Provide AIS funding to the Shell Rock River Watershed to assist the 2015 costs associated with construction or operation of an Albert Lea Lake Electric Fish Barrier.</b>	Utilizing an innovative solution to deter this pathway or movement of AIS from a river system into Albert Lea Lake.	Prevention-Technologies	I-7-d
<b>Provide AIS funding to assist with construction or operational cost of Fish Barriers on any lake in Freeborn County</b>	This solution will deter movement of AIS to other water bodies.	Prevention-Technologies	I-7-d
<b>Continue operation of (Air Diffusion) aeration systems on Albert Lea Lake, Fountain Lake, and Morin Lake.</b>	<p>This fisheries management technique is for winterkill prevention.</p> <p>It will also provide oxygen to the deeper water and bottom sediments by circulation of the water. This will help hold plant nutrient (phosphorous) locked in the mud bottom and by keeping it in an oxidized form (relatively instable form so it is unavailable to algae).</p>	Prevention-Technologies	I-7-d

## IMPLEMENTATION

It is the intent of the plan development committee that administration and oversight of this plan may require Environmental Services Department to seek additional funding from other sources.

## UPDATING AND AMENDING THE PLAN

This plan may be reviewed annually by the Freeborn County Commissioners and updated as needed.

**APPENDICES**

**Appendix A: Plan participants**

**Table 2.** Organizations partnering with Freeborn County to implement the AIS prevention plan, including contacts and their roles.

<b>Organization</b>	<b>Contact(s)</b>	<b>Role(s)</b>
Federal government (e.g., USFWS, USFS, NPS, USACE, NRCS)		
State government (e.g., MNDNR, MDA, MPCA, BWSR, University of Minnesota Extension)		
Freeborn County SWCD		
Townships		
Cities		
Lake Associations		
Lake service providers		
Chamber(s) of Commerce		
Realtors		
Riparian Property Owners		

**Appendix B: County water resources**

**Table 3.** Characterization of Lakes in Freeborn County.

Number of lakes more than 10 acres in size	<b>22</b>
Number of lakes designated as infested with aquatic invasive species	<b>0</b>
Total number of public water accesses	<b>12</b>

Number of public water accesses owned or operated by the MNDNR	<b>12</b>
Number of public water accesses owned or operated by MnDOT	<b>0</b>
Number of public water accesses owned or operated by the county	<b>0</b>
Number of public water accesses owned or operated by a township	<b>0</b>
Number of public water accesses owned or operated by a city	<b>0</b>
Estimated number of non-public water accesses	<b>20</b>

**Appendix C: Detailed explanation of specific action**

**Action: If any water body is found to be infested with aquatic invasive species; Freeborn County will seek to increase watercraft inspectors at public boat launches**

This program would be designed as a local government unit watercraft inspection program. Freeborn County Watercraft Inspection Program would focus on water bodies and accesses that are identified as priorities by the county. It would be conducted in cooperation with MNDNR Division of Parks and Trails, which manages state water accesses, and with other local authorities managing water accesses.

**Appendix D: Copy of Delegation agreement.**

**DELEGATION AGREEMENT  
Aquatic Invasive Species (AIS) Prevention  
Inspection of Water-related Equipment**

This agreement is made by and between the Department of Natural Resources (referred to as DNR), an administrative agency of the State of Minnesota and Freeborn County (referred to as Governmental Unit), a local government unit (individually referred to generally as a Party or together as Parties). Governmental unit is defined as a tribal or local government. This agreement is entered into under authority granted to DNR pursuant to Minnesota Statutes section 84D.105.

WHEREAS AQUATIC INVASIVE SPECIES (AIS) are nonnative species that cause or may cause economic or environmental harm or harm to human health or threatens or may threaten natural resources or the use of natural resources in the state;

WHEREAS DNR has been authorized and charged with responsibility by the state legislature to establish a statewide program to prevent and manage the spread of AIS in coordination with other governmental entities; DNR has in its employ conservation officers trained and authorized to enforce the state invasive species laws; and DNR has developed AIS inspection protocols;

WHEREAS pursuant to Minnesota Statutes section 84D.105, Subdivision 2(a), Governmental Unit is a Tribal or local government that agrees to assume legal, financial, and administrative responsibilities for inspection programs on some or all public waters within their jurisdiction; and

WHEREAS DNR and Governmental Unit are committed to three core principles:

- Coordination of their authority and resources to develop a reasonable and effective water-related equipment inspection requirement to stop the spread of AIS in the state and prevent the introduction of new AIS;
- a collaborative, cooperative approach to AIS management and prevention;
- ensuring continued access to public waters.

NOW, THEREFORE it is mutually agreed by and between the Parties as follows:

**1. PURPOSE.** The purpose of this agreement is to enhance Minnesota's capacity to prevent the spread of AIS by enabling local governmental units to perform AIS inspections and manage access to water resources in keeping with the three principles stated above.

## **2. TASKS AND RESPONSIBILITIES.**

A. DNR or its delegee will provide training of individuals employed by Governmental Unit and/or individuals working for contractors to Governmental Unit as inspectors and, upon successful completion of training and testing requirements, the DNR will certify individuals as authorized inspectors in accordance with Minnesota Statutes section 84D.105, subd. 2(a). DNR will assume all obligation for training to the extent set forth in Minnesota Statutes section 84D.105.

B. DNR will provide training of licensed peace officers identified by Governmental Unit to enforce the state invasive species law, as it pertains to the transport, possession and use of water-related equipment.

C. Governmental Unit will work with DNR and other governmental entities to ensure that conservation officers and licensed peace officers are available to support Governmental Unit inspectors when inspection stations are being operated.

D. Governmental Unit will design and implement an AIS inspection program, approved by DNR, on some or all public waters within their jurisdiction utilizing existing authorities and the authority granted to inspectors under Minnesota Statutes sections 84D.105, subd. 2(b) and 84D.10, subd. 3(a), clauses 1, 3, and 4 (the Program). The program must comply with all requirements in Minnesota Statutes section 84D.105 and in DNR Watercraft Inspection Program procedures and manuals.

E. Governmental Unit will designate individuals employed by the Governmental Unit and/or individuals working for contractors to Governmental Unit to serve as inspectors for the Program and ensure that these individuals complete the required training and certification in paragraph 2A of this agreement prior to performing inspections. Governmental Unit will help coordinate training of licensed peace officers as provided under paragraph 2B of this agreement.

F. Governmental Unit will provide one or more inspection stations established under the Program with trained and certified inspectors, who will exercise inspection authorities in accordance with current DNR procedures and manuals. General inspection procedures include:

- i. Visually and tactilely inspecting water-related equipment to determine whether aquatic invasive species, aquatic macrophytes, or water is present;
- ii. Instructing persons on how to comply with AIS laws by removing AIS, draining, decontaminating, or treating AIS and water-related equipment to prevent the transportation and spread of aquatic invasive species, aquatic macrophytes, and water;

iii. Issuing verbal orders to prohibit placing water-related equipment, that has AIS attached or water that has not been drained, into waters of the state;

iv. With owner's consent, assisting with the removal of AIS and decontamination of water-related equipment; and

v. Contacting Conservation Officers or licensed peace officers if a person transporting watercraft or water-related equipment refuses to take corrective actions to remove AIS or fails to comply with requirements to drain water prior to leaving the water access.

G. Governmental Unit will support education and outreach projects and programs designed to increase public awareness and knowledge of the risks AIS pose to water resources and public capacity to contribute to the effort to prevent and manage the spread of AIS.

H. Governmental Unit assumes legal, financial, and administrative responsibilities for their staff and the actions of their staff and will bear costs incurred in completing the tasks and responsibilities herein, except that DNR will provide, at its sole expense, staff and/or contracted professionals to coordinate and conduct the training described herein.

I. Governmental Unit and DNR will regularly meet or consult with each other to collaboratively develop the above-described elements of Governmental Unit AIS Program and potential models that could be used by other local governments to help prevent the spread of AIS, guided by the three core principles stated above.

J. Governmental Unit must submit an annual report to the DNR summarizing the results and issues related to implementing the inspection program.

**3. INDEMNIFICATION.** Each Party to this agreement shall be liable for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party, its agents, volunteers or employees. It is understood and agreed that liability and damages arising from the parties' acts and omissions are governed by the provisions of the Municipal Tort Claims Act, Minnesota Statutes Chapter 466, the Minnesota Tort Claims Act, Minnesota Statutes section 3.736, and other applicable laws.

**4. TERM AND TERMINATION.** The agreement becomes effective on the date of final signature. This agreement expires on December 31, 2025. The agreement may be terminated with or without cause by 30-day written notice to the other Party.

**5. ENTIRE AGREEMENT.** This agreement supersedes any prior or contemporaneous representations or agreements, whether written or oral, between DNR and Governmental Unit, and contains the entire agreement with regard to the subject matter herein.

**6. AMENDMENTS.** This agreement may be amended only by a writing signed by each of the Parties.

**7. NOTICE.** Any written communication required under this agreement will be addressed to the other Party as follows, except that any party may change its representative and/or address for notice by so notifying the other Party in writing:

**To DNR:**

Watercraft Inspection Program Coordinator  
Minnesota Department of Natural Resources  
500 Lafayette Road, Box 25  
St. Paul MN 55155-4025

**To Governmental Unit:**

**Name/Title:** John Kluever \_\_\_\_\_  
**Governmental Unit:** Freeborn County \_\_\_\_\_  
**Address:** 411 S. Broadway \_\_\_\_\_  
**Address:** Albert Lea, MN 56007 \_\_\_\_\_

**8. GOVERNING LAW AND VENUE.** This agreement will be governed by and interpreted in accordance with the laws of the State of Minnesota. Venue for all legal proceedings out of this agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

**9. WAIVERS.** The waiver by DNR or Governmental Unit of any breach or failure to comply with any provision of this agreement by the other Party will not be construed as nor will it constitute a continuing waiver of such provision or a waiver of any other breach of or failure to comply with any other provision of this agreement.

**10. STATE AUDITS.** Under Minnesota Statutes section 16C.05, subd. 5, Governmental Unit books, records, documents, and accounting procedures and practices relevant to this agreement are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this agreement.

**11. GOVERNMENT DATA PRACTICES.** Governmental Unit and DNR must comply with the Minnesota Government Data Practices Act, Minnesota Statute Chapter 13, as it applies to all data provided by DNR under this agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by Governmental Unit under this agreement. The civil remedies of Minnesota Statute section 13.08 apply to the release of the data referred to in this clause by either Governmental Unit or DNR. If Governmental Unit receives a request to release the data referred to in this Clause, Governmental Unit must immediately notify DNR. DNR will give Governmental Unit instructions concerning the release of the data to the requesting party before the data is released. The state complies with Minnesota Government Date Practices Act regarding the released of any data created, collected, received, stored, used, maintained, or disseminated by the respective party under this agreement. The state and the local government unit shall let each other know when a data request has been received.

**IN WITNESS WHEREOF**, intending to be legally bound, the Parties hereto execute and deliver this agreement.

DEPARTMENT OF NATURAL RESOURCES

By: \_\_\_\_\_

Title: Director, Division of Ecological and Water Resources

Date: \_\_\_\_\_

COMMISSIONER OF ADMINISTRATION

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

GOVERNMENTAL UNIT:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Appendix E: Glossary of Acronyms used in plan:**

BWSR:	Minnesota Board of Water and Soil Resources
MNDNR:	Minnesota Department of Natural Resources
MnDOT:	Minnesota Department of Transportation
MDA:	Minnesota Department of Agriculture
MPCA:	Minnesota Pollution Control Agency
NPS:	National Park Service
NRCS:	Natural Resources Conservation Service
SWCD:	Soil and Water Conservation District
USACE:	United States Army Corps of Engineers
USFWS:	United States Fish and Wildlife Service
USFS:	United States Forest Service

