



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF AGRICULTURE
AND RURAL DEVELOPMENT

DR. TIM BORING
DIRECTOR

INVASIVE SPECIES ORDER

Amendment No. 1 of 2026

This action is being taken under authority granted to the Director of the Department of Agriculture and Rural Development (MDARD) by the Natural Resources Environmental Protection Act (NREPA), Public Act 451 of 1994, Section 41302, as amended, (MCL 324.41302) which states:

The relevant commission shall list a nonaquatic species as a restricted species if ... the organism is not native, is naturalized and widely distributed in this state, and ... based on a risk assessment has either the potential to harm human health or to severely harm natural, agricultural, or silvicultural resources or effective management or control techniques ... are available.

The relevant commission shall list an aquatic species as a prohibited species if ... the organism is not native, is not naturalized in this state or, if naturalized, is not widely distributed and ... based on a risk assessment has either the potential to harm human health or to severely harm natural, agricultural, or silvicultural resources or effective management or control techniques ... are not available.

And by Executive Order 2009-54, which states:

The authority, powers, duties, functions, responsibilities, and budgetary resources previously vested in the Commission of Agriculture under Sections... 41302 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL ... 324.41302, and transferred to the Department of Agriculture under Executive Order 2009-45.

MDARD is charged under Part 413 with regulation of invasive plant species, in consultation with the Michigan Department of Natural Resources.

MDARD has completed Weed Risk Assessments (WRA) as set out by the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service Plant Protection & Quarantine for each of the species listed below (available on www.Michigan.gov/invasives on each species' page). A WRA involves review of scientific literature to evaluate the likelihood of a plant becoming established and spreading. It also examines the potential impacts the plant may have on the environment, human health, and production systems. This information is used to give rankings of risk and likelihood of being a successful Invasive species in Michigan. The assessment also considers USDA plant hardiness zones, Köppen-Geiger climate classes, precipitation bands, and verified occurrences of the plant to estimate climate suitability in Michigan as well as all North America. The WRA therefore addresses the criteria laid out in NREPA Part 413 for regulation of plant species.

The results of the WRA are as follows:

Water hyacinth (*Eichhornia crassipes*) and water lettuce (*Pistia stratiotes*) are non-native, have a high risk of being a major invader, have a high potential to cause harm to human health or to severely harm natural, agricultural, or silvicultural resources, a high or likely climate suitability in much of Michigan, and are not widely distributed in Michigan.

Japanese barberry (*Berberis thunbergii*), callery pear (*Pyrus calleryana*), common buckthorn (*Rhamnus cathartica*), and glossy buckthorn (*Frangula alnus*) are non-native, have a high risk of being a major invader, have a high potential to cause harm to human health or to severely harm natural, agricultural, or silvicultural resources, a high or likely climate suitability in much of Michigan, and are distributed in Michigan.

Conclusion and Order

Based on this information, MDARD finds that the following section(s) of the Invasive Species Order shall be amended as follows to include:

Sec. 41301(1)(k): "Prohibited species," subject to section 41302:

- **Water-hyacinth (*Eichhornia crassipes*)**
- **Water lettuce (*Pistia stratiotes*)**

Sec. 41301(1)(o): "Restricted species", subject to section 41302:

- **Japanese barberry (*Berberis thunbergii*)**
- **Glossy buckthorn (*Frangula alnus*)**
- **Callery pear (*Pyrus calleryana*)**
- **Common buckthorn (*Rhamnus cathartica*)**

For prohibited species, this prohibition will begin 30 days after this order is signed.

For restricted species, sale and cultivation of these species will be allowed in 2026 and 2027. Restriction of these species begins January 1, 2028.

The effective date of this order is _____, __, 2026.

By: _____ Date: _____, __, 2026
Timothy Boring
Director