



1.0 Authority

[s. 84.07\(1\), Wis. Stats.](#) Defines "Maintenance activities include...all other operations, activities and processes required on a regular continuing basis for the preservation of the highways on the state trunk system, and including the care and protection of trees and other roadside vegetation and suitable planting to prevent soil erosion and to beautify highways pursuant to s. 66.1037, Wis. Stats." This applies to all state trunk highways.

[s. 66.1037\(1\), Wis. Stats.](#) "The authority may improve such lands by suitable planting, to prevent the erosion of the soil, or to beautify the highway. "...it shall be unlawful for any person to injure any tree or shrub, or cut or trim any vegetation other than grass, without the consent of the highway authority and under its direction".

[s. 66.0407, Wis. Stats.](#) Wisconsin's noxious weed law, states, "The highway patrolman on all federal, state or county trunk highways shall destroy all noxious weeds on that portion of the highway which that highway patrolman patrols". Noxious weeds are defined on a state-wide basis in [s. 66.0407\(1\)\(b\), Wis. Stats.](#), to be Canada thistle, leafy spurge and field bindweed (creeping jenny), any weed designated as a noxious weed by the department of natural resources by rule, and any other weed the governing body of my municipality or the county board of any county by ordinance or resolution declares to be noxious within its respective boundaries.

[s. 23.22\(1\)\(c\), Wis. Stats.](#) An invasive species is defined as "a non-indigenous species whose introduction causes or is likely to cause economic or environmental harm or harm to human health." Noxious weeds are a subset of invasive species.

[NR 40, Invasive Species Identification, Classification and Control](#) This is the Department of Natural Resources Administrative Code. Regulation includes the movement of invasive plants or their seeds, either intentionally through planting or unintentionally through construction, mowing or other operations. To comply with NR 40, the need to control the movement of invasive plants and their seeds is essential.

[Trans 280, Roadside Vegetation Management](#) Establishes uniform procedures to maintain, enhance and protect roadside vegetation and ecology (maintenance of trees, shrubs, grasses and forbs).

[FDM 27-1-15](#) Department policy chapter providing a listing of federal transportation rules pertinent to roadway vegetation management.

2.0 General

Roadsides should be managed to reduce erosion potential, protect the integrity of the pavement and shoulders, and provide a safe and attractive environment for travelers. They should also provide a reserve for native plant species and plant communities to flourish and provide habitat for wildlife where appropriate.

Highway corridors are acknowledged to be a primary avenue for the territorial expansion of populations of noxious and invasive plant species.

Roadsides should be managed to reduce existing populations of invasive plants and to prevent seed or other viable plant parts of invasive species from being transported to un-infested areas. For more information see HMM 07-05-05, Control of Noxious, Invasive and Hazardous Plants.

With few exceptions, private citizens are not allowed to work on or harvest from state highway rights of way unless they have obtained a permit from the department. For more information see HMM 07-25-10, Harvesting Products of Nature. Illegal activity should be reported and investigated promptly to determine if legal action by the department is appropriate. The procedures outlined in Section B of HMM 07-10-30, Unauthorized Vegetation Damage or Destruction may be adapted for use in handling the investigation of illegal activities.

3.0 Vegetation Management

Vegetation management includes activities to encourage the growth of desirable vegetation as well as activities to control the growth of undesirable vegetation. One of the best ways of controlling undesirable vegetation is to maintain a stand of healthy desirable vegetation.

The department is committed to using an integrated approach to vegetation management. Integrated Roadside Vegetation Management (IRVM) is defined in a 1996 National Roadside Vegetation Management Association publication entitled "How to Develop and Implement an Integrated Roadside Vegetation Management Program" as:

"...a decision-making and quality management process for maintaining roadside vegetation that integrates the following:

- needs of local communities and highway users
- knowledge of plant ecology (and natural processes)
- design, construction, and maintenance considerations
- monitoring and evaluation procedures
- government statutes and regulations
- technology

...with cultural, biological, mechanical, and chemical pest control methods to economically manage roadsides for safety plus environmental and visual quality.