

**Application to collect Wildflowers from Construction Impacted County Road Right-of-Way**

Applicant's Name: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Applicant's Email: \_\_\_\_\_ Applicant's Phone Number: \_\_\_\_\_

County Road Number: \_\_\_\_\_ Township: \_\_\_\_\_

Location: \_\_\_\_\_ Section Number: \_\_\_\_\_

Adjacent Landowner: \_\_\_\_\_

Describe what you are collecting: \_\_\_\_\_

\_\_\_\_\_

Minnesota Statute 18H.18 Subdivision 1 restricts the distribution of orchids including Lady Slippers and other listed wildflowers without written permission from property owner and written authorization from the Commissioner of Agriculture.

Minnesota Statute 18H.18 Subdivision 2 allows collection of wildflowers for the purpose of transplanting the wildflowers to a person's private property and not offering for immediate sale with written permission from the property owner of the land.

The Applicant hereby request to collect the wildflowers listed above and hereby certified they will not sell the wildflowers and intent to transplant the wildflowers on their property or other approved public property to save the plants from the road construction project.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

As the landowner where Clearwater County holds a road easement. I give permission for \_\_\_\_\_, to collect above stated wildflowers from the road right-of-way.

\_\_\_\_\_  
Adjacent Landowners Signature

\_\_\_\_\_  
Date

As the Road Authority where Clearwater County holds a road easement. I give permission for \_\_\_\_\_, to collect above stated wildflowers from the road right-of-way at the location described above.

\_\_\_\_\_  
County Engineer Signature

\_\_\_\_\_  
Date

**18H.18 CONSERVATION OF CERTAIN WILDFLOWERS.**

Subdivision 1. **Restrictions on collecting.** No person shall distribute any species of orchids (Orchidaceae), any gentian (*Gentiana*), arbutus (*Epigaea repens*), lilies (*Lilium* species), coneflowers (*Echinacea* species), bloodroot (*Sanguinaria canadensis*), mayapple (*Podophyllum peltatum*), any species of trillium (*Trillium* species), or lotus (*Nelumbo lutea*), which have been collected in any manner from any public or private property without the written permission of the property owner and written authorization from the commissioner.

Subd. 2. **Collection without sale.** Wildflower collection from public or private land for the purpose of transplanting the plants to a person's private property and not offering for immediate sale, requires the written permission from the property owner of the land on which the wildflowers are growing.

Subd. 3. **Collection with intent to sell or distribute wildflowers.** (a) The wildflowers listed in this section may be offered for immediate sale only if the plants are to be used for scientific or herbarium purposes.

(b) The wildflowers listed in this section must not be collected and sold commercially unless the plants are:

(1) growing naturally, collected, and cultivated on the collector's property; or

(2) collected through the process described in subdivision 2 and transplanted and cultivated on the collector's property.

(c) The collector must obtain a written permit from the commissioner before the plants may be offered for commercial sale.

**History:** 2003 c 128 art 5 s 17; 1Sp2005 c 1 art 1 s 55