



Department of Justice

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District of North Dakota

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Gardner Man Sentenced for
Damaging a Threatened Species of Plant

FARGO - United States Attorney Timothy Q. Purdon announced that on September 9, 2011, **Matthew Thomas Ray Hanson** of Gardner, North Dakota, was sentenced by United States District Court Magistrate Judge Karen K. Klein for damaging a threatened species of plant, the Western Prairie Fringed Orchid, growing on the Sheyenne National Grasslands in Eastern North Dakota. Orchids were damaged on June 16, 2010, when an employee of Hanson's company, Super Sprayers, sprayed 2,4-D Amine to kill weeds in Ransom County roadside ditches. The Sheyenne National Grasslands is located on U.S. Forest Service property in Ransom County. Hanson pleaded guilty to the charge on May 6, 2011.

Investigation revealed that Hanson failed his state spray exam to become a roadside ditch sprayer, and was not an authorized registered roadside ditch sprayer in North Dakota. The employee assigned to spray the area was also not a North Dakota registered roadside ditch sprayer. Additionally, Hanson was provided a map of the area on U.S. Forest Service land where he was not allowed to spray due to the presence of Orchids, but Hanson forgot to give the map to his employee. By state law, properly registered sprayers need to be within 30 miles of their employee when spraying takes place. Hanson was in

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Rapid City, South Dakota when the spraying took place on June 16, 2010.

The Western Prairie Fringed Orchid (*Platanthera Praeclara*) is a federally threatened prairie wildflower presently known to grow in seven states, including Minnesota, and one Canadian province. The Western Prairie Fringed Orchid was listed as federally threatened in the United States in 1989. It is protected by the Endangered Species Act. The Western Prairie Fringed Orchid is listed as a federally threatened species because it is faced with possible extinction throughout its range.

Judge Klein sentenced Hanson to 18 months' probation. Hanson was ordered to pay restitution in the amount of \$4,000 for damage to the orchids, and to pay a special assessment of \$10.

The case was investigated by the U.S. Fish and Wildlife Service and the National Forest Service.

The case was prosecuted by Assistant United States Attorney Cameron W. Hayden.

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