

LCB File No. R109-04

**PROPOSED REGULATION OF THE STATE
DEPARTMENT OF AGRICULTURE**

NOTICE OF WORKSHOP

A workshop will be held on proposed of NAC 555.010 , pertaining to the Noxious Weed List, to change the listing of *Tamarix* from *Tamarix ramosissima*, and *T parviflora* to *Tamarix spp.*

DATE: Thursday, June 24, 2004

TIME: 9:30 am

Place: Nevada Department of Agriculture, Reno Office
350 Capitol Hill Avenue
Reno, NV 89502-2923

And

DATE: Wednesday, June 23, 2004

TIME: 9:30 am

Place: Nevada Department of Agriculture, Las Vegas Office
2300 McLeod
Las Vegas, NV 89104

For clarification on the proposed amendments contact Dawn Rafferty at (775) 688-1182, ext. 269.

Addresses at which the text of the proposed regulations may be inspected and copied:

The Nevada State Library in Carson City, and all county libraries. The Department of Agriculture offices in Reno, Sparks, Elko or Winnemucca during the hours of 8:00 a.m. to 5:00 p.m., Monday to Friday

**NOTICE OF INTENT TO ADOPT REGULATIONS
AND
NOTICE OF HEARING**

Proposed amendment of NAC 555.010, pertaining to Noxious Weed List.

Need and purpose of the proposed amendments: To list all species of an already listed genus, *Tamarix*; currently only two species, *T. ramosissima* and *T. parviflora* are listed. Current research shows other species are hybridizing and becoming invasive or potentially invasive.

Economic effect of these proposed amendments on the businesses which it is to regulate:

1. Adverse effects: Minimal impact to the nursery industry. *Tamarix* is currently listed as noxious and sales are regulated for two species. Many nurseries currently do not sell tamarisk.
2. Beneficial effects: *Tamarix* has been shown to be highly invasive in riparian habitats; listing all species will eliminate any plants currently being sold as 'spp.' Potential for increased control efforts, ie, pesticide applicators.
3. Immediate and long term effects: Immediate and long term effects include reducing populations of an invasive, noxious plant species and thereby diminishing their detrimental effects on sensitive areas throughout the state.

Economic effects of the proposed amendments on the public:

1. Adverse effects: none
2. Beneficial effects: none
3. Immediate and long-term effects: none

Economic cost to the agency for enforcement of the proposed amendments: No additional cost to the agency for enforcement of the amendments.

Description of any regulations of any other state, local or federal regulation that the proposed amendments overlap or duplicate: None

Fees: None

The date, time, place, and manner in which interested parties may present their views on the proposed amendments:

DATE: Thursday, June 24, 2004

TIME: 11:00am

PLACE: Nevada Department of Agriculture Office, Reno
350 Capitol Hill Avenue
Reno, Nevada 89502

And:

DATE: Wednesday, June 23, 2004

TIME: 11:00am

PLACE: Nevada Department of Agriculture Office, Las Vegas
2300 McLeod
Las Vegas, NV 89104

Manner: Written comments and testimony may be submitted prior to the hearing date and will be included with any testimony presented at the hearing. All variable and written testimony will be in the record of the hearing.

Addresses at which the text of the proposed regulations may be inspected and copied:

The Nevada State Library in Carson City, and all Nevada county libraries. The Department of Agriculture offices in Reno, Sparks, Elko, Las Vegas or Winnemucca during the hours of 8:00 a.m. until 5:00 p.m. Monday through Friday.

Nevada Department of Agriculture
350 Capitol Hill Avenue
Reno, NV 89502

Nevada Department of Agriculture
2150 Frazer Street
Sparks, NV 89431

Nevada Department of Agriculture
1550 S. Wells Avenue
Reno, NV 89502

Nevada Department of Agriculture
1200 E. Winnemucca Blvd.
Winnemucca, NV 89445

Nevada Department of Agriculture
Eyer H Boies Building
Elko, NV 809801

Nevada Department of Agriculture
2300 McLeod
Las Vegas, NV 89104

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, call Dawn Rafferty at the Nevada Department of Agriculture, (775) 688-1182 Ext 269 as soon as possible.

NRS 233B.064 Permanent regulations not to be adopted or revised by the Legislative Counsel; agency's reasons for adoption.

Upon adoption of any regulation, the agency, if requested to do so by an interested person before adoption, or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against adoption, and incorporate therein its reasons for overruling the consideration urged against its adoption.

LCB File No. R109-04

PROPOSED REGULATION OF THE STATE
DEPARTMENT OF AGRICULTURE

CHAPTER 555 - CONTROL OF INSECTS, PESTS AND NOXIOUS WEEDS

CLASSIFICATION OF WEEDS

NAC 555.010 Designation of noxious weeds. (NRS 555.130) The following weeds are designated noxious weeds:

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|---------------------------|--|
| 1. African rue. | (<i>Peganum harmala</i>) |
| 2. Austrian fieldcress. | (<i>Rorippa austriaca</i>) |
| 3. Austrian peaweed. | (<i>Sphaerophysa salsula</i>)
(<i>Swainsona salsula</i>) |
| 4. Black henbane. | (<i>Hysocyamus niger</i>) |
| 5. Camelthorn. | (<i>Alhagi camelorum</i>) |
| 6. Common crupina. | (<i>Crupina vulgaris</i>) |
| 7. Dyer's woad. | (<i>Isatis tinctoria</i>) |
| 8. Eurasian watermilfoil. | (<i>Myriophyllum spicatum</i>) |
| 9. Goats rue. | (<i>Galega officinalis</i>) |
| 10. Hemlock: | |
| (a) Poison; and | (<i>Conium maculatum</i>) |
| (b) Water. | (<i>Cicuta maculata</i>) |
| 11. Horse nettle: | |
| (a) Carolina; and | (<i>Solanum carolinense</i>) |
| (b) White. | (<i>Solanum elaeagnifolium</i>) |
| 12. Houndstongue. | (<i>Cynoglossum officinale</i>) |
| 13. Hydrilla. | (<i>Hydrilla verticillata</i>) |
| 14. Knapweed: | |
| (a) Diffuse; | (<i>Centaurea diffusa</i>) |
| (b) Russian; | (<i>Centaurea repens</i>) |
| (c) Spotted; and | (<i>Centaurea maculosa</i>) |
| (d) Squarrose. | (<i>Centaurea virgata</i>) |
| 15. Leafy spurge. | (<i>Euphorbia esula</i>) |
| 16. Mayweed chamomile. | (<i>Anthemis cotula</i>) |
| 17. Mediterranean sage. | (<i>Salvia aethiopsis</i>) |
| 18. Medusahead. | (<i>Taeniatherum caput-medusae</i>) |
| 19. Perennial pepperweed. | (<i>Lepidium latifolium</i>) |
| 20. Puncture vine. | (<i>Tribulus terrestris</i>) |
| 21. Purple loosestrife. | (<i>Lythrum salicaria</i> , <i>Lythrum virgatum</i>
and their cultivars) |
| 22. Rush skeletonweed. | (<i>Chondrilla juncea</i>) |
| 23. Saltcedar. | (<i>Tamarix ramosissima</i>, <i>T. parviflora</i>)
<i>Tamarix spp.</i> |

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|---|-----------------------------------|
| 24. Sorghum species, perennial, including,
but not limited to: | (<i>Sorghum</i> spp.) |
| (a) Johnson grass; | |
| (b) Sorghum alum; and | |
| (c) Perennial sweet sudan. | |
| 25. Starthistle: | |
| (a) Iberian; | (<i>Centaurea iberica</i>) |
| (b) Purple; and | (<i>Centaurea calcitrapa</i>) |
| (c) Yellow. | (<i>Centaurea solstitialis</i>) |
| 26. St. Johnswort. | (<i>Hypericum perforatum</i>) |
| 27. Sulfur cinquefoil. | (<i>Potentilla recta</i>) |
| 28. Thistle: | |
| (a) Canada; | (<i>Cirsium arvense</i>) |
| (b) Musk; | (<i>Carduus nutans</i>) |
| (c) Scotch; and | (<i>Onopordum acanthium</i>) |
| (d) Sow. | (<i>Sonchus arvensis</i>) |
| 29. Toadflax: | |
| (a) Dalmation; and | (<i>Linaria dalmatica</i>) |
| (b) Yellow. | (<i>Linaria vulgaris</i>) |
| 30. Whitetop or hoary cress. | (<i>Cardaria draba</i>) |

**NEVADA DEPARTMENT OF AGRICULTURE
SMALL BUSINESS IMPACT DISCLOSURE PROCESS
PURSUANT TO 233B “Nevada Administrative Procedures Act”**

The purpose of this Small Business Impact Form is to provide a framework pursuant to NRS 233B.0608 to determine where a small business impact statement is required for submittal of a proposed regulation before the Nevada Department of Agriculture. If questions one (1) and two (2) are answered No, then a small business impact statement is not required. If question one (1) or two (2) is answered with a YES, then a small business impact statement is required prior to conducting a public workshops by the Department. (This form must be submitted with the proposed regulation when submitted for drafting by LCB and adoption by the Nevada State Board of Agriculture.)

Proposed regulation: NAC 555.010 pertaining to Noxious Weed List , to change the listing of *Tamarix* from *Tamarix ramosissima*, and *T parviflora* to *Tamarix spp.*.

Part 1

1. Does this proposed regulation impose a direct and significant economic burden upon a small business ? **No**
2. Does this proposed regulation restrict the formation, operation or expansion of a small business ? **No**

Note: Small Business is defined as a “business conducted for profit which employs fewer than 150 full-time or part-time employees” (NRS 233B.0382).

3. If **YES** to either of questions 1& 2, the following action must be taken:
 - a. Was a small business impact statement prepared and was it available at the public workshop ?
 - b. Attach the small business impact statement (part 2) as part of this form upon submission for drafting by LCB and adoption by the Nevada Board of Agriculture.