

WEED LAW



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What I Will Cover...

- What is a noxious weed?
- Nevada State Noxious Weed Laws
- Nevada Noxious Weed List
- New Noxious Weed Law Changes
- Roles

WHAT IS A WEED?

Weed:

Any plant growing where it is not wanted



Invasive Weed:

A non-native plant that easily multiplies and causes multiple negative impacts on the natural ecosystem or landscape.



Noxious Weed:

An invasive plant that is listed and regulated by state or federal law



Federal Noxious Weed Definition

“Any plant or plant product that can directly or indirectly injure or cause damage to crops, livestock, poultry, or other interests of agriculture, irrigation, navigation, the natural resources of the United States, public health, or the environment.”

(7 USC 7702 Sec. 403 (10))

Nevada Noxious Weed Definition

“Any species of plant which is, or is likely to be, detrimental or destructive and difficult to control or eradicate”

(NRS 555.130)

Background of Nevada Noxious Weed Laws

- 1917- First noxious weed laws enacted requiring abatement of weeds
- 1929 – Minimal list was created/amended
- 1997 – Nevada State Noxious Weed definition and specific NDA administrator duties regarding noxious weeds outlined
- 2000 - NDA official Noxious Weed Program created with regulatory program; 47 listed noxious weeds on NV Noxious Weed List

How do plants get listed?

FEDERAL PROCESS

1. Petition received or new infestation or harmful impacts found
2. Weed must meet definition of "quarantined pest"
3. Risk Assessment prepared by USDA APHIS
4. Publish proposed rule in Federal Register
5. Analyze/respond to public comments
6. Publish a final rule in Federal Register

Quarantined Pest

"A pest of potential economic importance to the area endangered thereby and not yet present there or present but not widely distributed and being officially controlled."

STATE OF NV PROCESS

1. Petition received by NDA or new infestation or harmful impacts found
2. NDA Board of Directors approval to go to workshop and hearing
3. Workshop and hearing conducted; public comment and documentation is collected for board review/presentation by NDA staff
4. NDA Board of Directors and NDA Director approve legislative change
5. NAC Change submitted to legislative council bureau for approval
6. Change enacted

*"A weed **must not** be designated as noxious which is already introduced and established in the state to such an extent as to make its control or eradication impracticable in the judgment of the State Quarantine Officer" (NRS 555.130)*



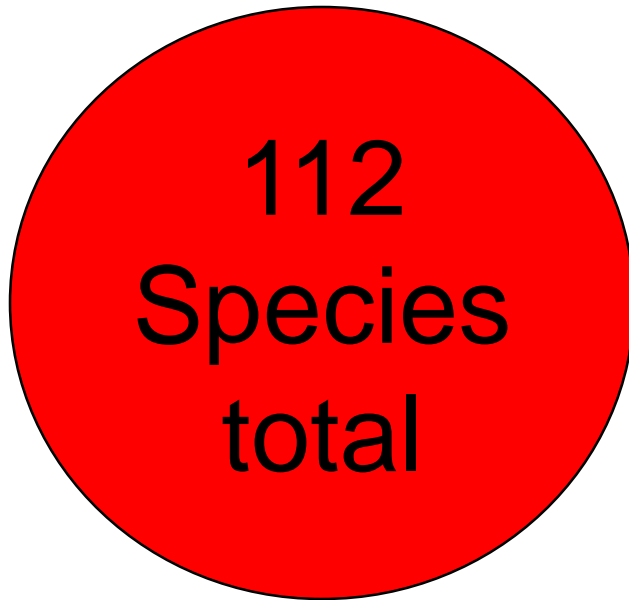
Foxtail Barley

Russian thistle

Kochia

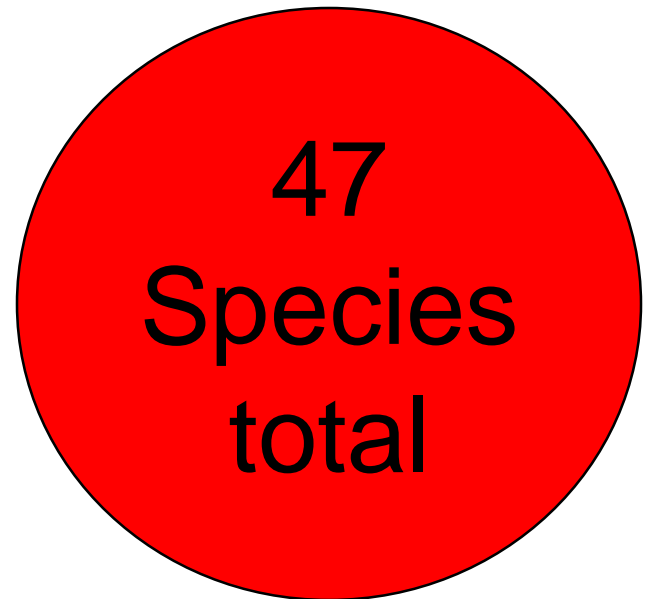
Prickly Lettuce

Federal Noxious Weed List



http://www.aphis.usda.gov/plant_health/plant_pest_info/weeds/downloads/weedlist.pdf

Nevada Noxious Weed List



www.agri.nv.gov

CATEGORY A NOXIOUS WEEDS

African rue	<i>(Peganum harmala)</i>
Austrian fieldcress	<i>(Rorippa austriaca)</i>
Swainsonpea	<i>(Sphaerophysa salsula)</i>
Black henbane	<i>(Hyoscyamus niger)</i>
Camelthorn	<i>(Alhagi maurorum)</i>
Common crupina	<i>(Crupina vulgaris)</i>
Dalmatian toadflax	<i>(Linaria dalmatica)</i>
Dyer's woad	<i>(Isatis tinctoria)</i>
Eurasian water-milfoil	<i>(Myriophyllum spicatum)</i>
Giant reed	<i>(Arundo donax)</i>
Giant salvinia	<i>(Salvinia molesta)</i>
Goatsrue	<i>(Galega officinalis)</i>
Crimson fountain grass	<i>(Pennisetum setaceum)</i>
Houndstongue	<i>(Cynoglossum officinale)</i>
Hydrilla	<i>(Hydrilla verticillata)</i>
Iberian starthistle	<i>(Centaurea iberica)</i>
Common St. Johnswort	<i>(Hypericum perforatum)</i>
Malta starthistle	<i>(Centaurea melitensis)</i>
Mayweed chamomile	<i>(Anthemis cotula)</i>
Mediterranean sage	<i>(Salvia aethiopis)</i>
Purple loosestrife	<i>(Lythrum salicaria, L. virgatum)</i>

Purple starthistle	<i>(Centaurea calcitropa)</i>
Rush skeletonweed	<i>(Chondrilla juncea)</i>
Sow thistle	<i>(Sonchus arvensis)</i>
Spotted knapweed	<i>(Centaurea maculosa)</i>
Squarrose knapweed	<i>(Centaurea virgata)</i>
Sulfur cinquefoil	<i>(Potentilla recta)</i>
Syrian bean caper	<i>(Zygophyllum fabago)</i>
Yellow starthistle	<i>(Centaurea solstitialis)</i>
Yellow toadflax	<i>(Linaria vulgaris)</i>

Category A:
Generally not found or are limited in distribution throughout the State. Active exclusion and eradication wherever found in state.

CATEGORY B NOXIOUS WEEDS

Horsenettle	(<i>Solanum carolinense</i>)
Diffuse knapweed	(<i>Centaurea diffusa</i>)
Leafy spurge	(<i>Euphorbia esula</i>)
Medusahead	(<i>Taeniatherum caput-medusae</i>)
Musk thistle	(<i>Carduus nutans</i>)
Russian knapweed	(<i>Acroptilon repens</i>)
African mustard	(<i>Brassica tournefortii</i>)
Scotch thistle	(<i>Onopordum acanthium</i>)
Silverleaf nightshade	(<i>Solanum elaeagnifolium</i>)

Category B:
Generally established in scattered populations in some counties of the State. Active exclusion & eradication where possible.

CATEGORY C NOXIOUS WEEDS

Canada thistle	(<i>Cirsium arvense</i>)
Hoary cress	(<i>Cardaria draba</i>)
Johnsongrass	(<i>Sorghum halepense</i>)
Perennial pepperweed	(<i>Lepidium latifolium</i>)
Poison-hemlock	(<i>Conium maculatum</i>)
Puncture vine	(<i>Tribulus terrestris</i>)
Salt cedar (tamarisk)	(<i>Tamarix</i> spp.)
Spotted water hemlock	(<i>Cicuta maculata</i>)

Category C:
Generally established widespread in many counties of the State. Active exclusion where possible.

Current Nevada Noxious Weed Statutes (NRS 555)

- [NRS 555.150](#) - Every landowner or occupier, whether private, city, county, or federal *shall* control all noxious weeds.
- [NRS 555.160](#) - The State Quarantine Officer may serve notice upon the owner or occupant to control noxious weeds on their property.
 - In this notice the NDA Noxious Weed Program specifies which noxious weeds are present, effective control measures, and required time range for controls to be completed to gain compliance with statutes

Current Nevada Noxious Weed Statutes (NRS 555)

- [NRS 555.170](#) - Should the owner/occupant fail to comply, the State Quarantine Officer may notify the board of county commissioners for the county in which the property is situated.
 - The county board of commissioners in partnership with NDA shall proceed to have weeds controlled in accordance with the initial notice.
- [NRS 555.180](#) - Control costs not paid by the owner shall be a lien against the property and shall be collected as provided by the law

NEW WEED LAW CHANGES (2014 – 2015)

- Ability to MOU with counties to help fund noxious weed abatement if determined necessary.
- Addition of ability to assess civil penalties/fees for non-compliance before abatement
- Clarification of noxious weed as pest and public nuisance

**GOAL OF USING STATUTES
IS NOT TO ABATE AND LIEN
ALL LANDOWNERS**

**NDA ENFORCEMENT OF
NOXIOUS WEED STATUTES
RELIES ON LOCAL
INVOLVEMENT**

**Counties may create
weed districts,
specify additional
species, and enforce
statutes on a local
basis.**

NRS 555.202 – 555.220

NDA Noxious Weed Program Role

- Provide education and outreach to landowners, land managers and local, state and federal partners.
- Assist in the coordination of the management of noxious weeds.
- Apply enforcement of state statutes, with local assistance, to ensure increased success of overall noxious weed management across the state.



Noxious Weed Complaint Form

Name

Physical Address and/or Detailed Location of Infestation

County Where Infestation is Present

GPS Location, if Available. (Latitude, Longitude)

Noxious Weeds Present

Please select the weed(s) on the property. If you do not know the name of the weed or do not see it below, please select "other" at the bottom of the list and describe it in the space provided. Pictures and descriptions of Nevada's noxious weeds can be found on our website under the Nevada Noxious Weeds list.

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> African mustard | <input type="checkbox"/> African rue | <input type="checkbox"/> Austrian fieldcress | <input type="checkbox"/> Black henbane |
| <input type="checkbox"/> Camellthorn | <input type="checkbox"/> Canada Thistle | <input type="checkbox"/> Common crupina | <input type="checkbox"/> Common St. Johnswort |
| <input type="checkbox"/> Crimson fountaingrass | <input type="checkbox"/> Dalmation toadflax | <input type="checkbox"/> Other | <input type="checkbox"/> Diffuse knapweed |
| <input type="checkbox"/> Dyer's woad | <input type="checkbox"/> Eurasian watermilfoil | <input type="checkbox"/> Giant reed | <input type="checkbox"/> Giant salvinia |
| <input type="checkbox"/> Goatsrue | <input type="checkbox"/> Hoary cress | <input type="checkbox"/> Horsenettle | <input type="checkbox"/> Houndstongue |
| <input type="checkbox"/> Hydrilla | <input type="checkbox"/> Iberian starthistle | <input type="checkbox"/> Johnsongrass | <input type="checkbox"/> Leafy spurge |
| <input type="checkbox"/> Malta starthistle | <input type="checkbox"/> Mayweed chamomile | <input type="checkbox"/> Mediterranean sage | <input type="checkbox"/> Medusahead |
| <input type="checkbox"/> Musk thistle | <input type="checkbox"/> Perennial pepperweed | <input type="checkbox"/> Perennial sowthistle | <input type="checkbox"/> Poison-hemlock |
| <input type="checkbox"/> Puncturevine | <input type="checkbox"/> Purple loosestrife | <input type="checkbox"/> Purple starthistle | <input type="checkbox"/> Rush skeletonweed |
| <input type="checkbox"/> Russian knapweed | <input type="checkbox"/> Saltcedar | <input type="checkbox"/> Scotch thistle | <input type="checkbox"/> Silverleaf nightshade |
| <input type="checkbox"/> Spotted knapweed | <input type="checkbox"/> Spurred anemone | <input type="checkbox"/> Spurred knapweed | <input type="checkbox"/> Spurred watercress |

QUESTIONS



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THANK YOU!