



# September 4, 2024, Board Report

## Division of Plant Health and Compliance

### Division Overview

- The Division is working on three changes to the Nevada Administrative Code (NAC). NAC 586 involves increasing the annual registration fee for each pesticide from \$125 to \$281. NAC 557 will be updating the definition to include “Total” tetrahydrocannabinol (THC), it also outlines testing procedures for hemp, requiring compliance with federal standards. NAC 555 will include changes to training requirements for pesticide applicants.

### Partnership activities

- Bureau of Land Management (BLM), Nevada Department of Wildlife (NDOW), Nevada Division of Forestry (NDF), United States Forest Service (USFS), University of Reno, U.S. Fish and Wildlife Service (USFWS), U.S. Geological Survey (USGS)
  - The Sagebrush Ecosystem Program is currently working towards convening with the Statewide Technical Team (STT) to discuss annual triggers and find priority areas where the state can complete adaptive management responses in the most economically and ecologically responsible way possible. The Nevada Department of Agriculture (NDA) representative has taken the lead role convening the STT by creating and compiling data that will enhance the responsiveness of the group.

### Program Updates

#### Plant Pathology

- The Pathology team completed Federal Fiscal Year (FY) 2023 exotic pathogen surveys funded by the U.S. Department of Agriculture (USDA) Plant Protection Act Program. The surveys targeted 20 high risk pathogens and generated 4,710 negative findings that were deposited into the USDA databases.

| Targeted Pathogens                              | Total Samples Tested |
|---|----------------------|
| Groundnut bud necrosis virus                    | 212                  |
| Tomato brown rugose fruit virus                 | 53                   |
| Australian grapevine yellow phytoplasma         | 407                  |
| Apple proliferation phytoplasma                 | 113                  |
| Palm lethal yellowing phytoplasma               | 34                   |
| Almond witches' broom phytoplasma               | 43                   |
| European stone fruit yellow phytoplasma         | 68                   |
| Bois noir phytoplasma                           | 31                   |
| Flavescence doree phytoplasma                   | 30                   |
| Jujube witches' broom phytoplasma               | 30                   |
| Ralstonia solanacearum R3B2 (USDA select agent) | 224                  |
| Sudden oak death pathogen                       | 361                  |
| Potato wart fungus                              | 132                  |
| British root-knot nematode                      | 216                  |

|                                   |      |
|-----------------------------------|------|
| Columbia root-knot nematode       | 216  |
| False Columbia root-knot nematode | 216  |
| Pale cyst nematode                | 581  |
| Golden nematode                   | 581  |
| Pigeon pea cyst nematode          | 581  |
| Chickpea cyst nematode            | 581  |
| <b>Total</b>                      | 4710 |

### Allium Quarantine Inspections and Seed Certification

- All garlic fields (over 800 acres) registered in the 2024 growing season have been inspected for white rot disease. Two fields were found to be infected with the disease and have been placed under quarantine per NAC 554.950. This program is to protect the Allium Industry from white rot diseases.
- A total of 11 garlic fields were registered for seed production, from which garlic bulb samples were collected for stem and bulb nematode analysis. All samples (267 bags) were tested negative for this nematode. This testing is to ensure that seed garlic crops are free from the stem and bulb nematode.
- Per NAC 587.221, all seed offered for sale in Nevada must comply with State seed law and be labeled according to the Federal Seed Act. Seed retailers and wholesalers who conduct business in Nevada are required to obtain a license for all eligible businesses by July 1<sup>st</sup> of each year and their seed packages are subject to inspections and laboratory analyses. This new regulatory program is to enforce a truth in labeling law and to protect seed buyers.

### Native Seed

- The Seed Program was awarded \$320,487.00 via a Bipartisan Infrastructure Law/Burned Area Rehabilitation (BIL-BAR) grant administered through the U.S. Fish and Wildlife Service. This 3-year grant will enhance the certification of wildland sources native seed and increase native seed production in the Great Basin for restoration purposes.

### Sagebrush Ecosystem Program

- Three new credit projects were introduced to the Sagebrush Ecosystem Technical Team (SETT) in January of 2023. These projects will provide restoration and sage-grouse management on private land to over 15,000 acres and are expected to produce over 4,000 credits created by new and existing credit projects for the SETT. Many large projects are in the final stages on National Environmental Policy Act (NEPA), which means that demand will be increasing in the coming year.
- Three individual ranches were visited this summer to enhance relationships with private landowners that are enrolled in the SETT, as well as monitor the sites and provide input on management actions.
- Proper Function and Condition (PFC) training was completed to provide the SETT with important and relevant skills to better assess riparian areas for the purpose of enhancing corridors and directing management actions. In relation to agriculture, it was beneficial in understanding the positive impacts that cattle can have when properly managed grazing duration and use is applied in riparian corridors.

## Chemistry

- Chemistry staff will be working with both pesticide and hemp inspection teams to finalize testing processes and validations.

| Samples Analyzed  | FY23 | FY24 | (5/10/24 to Present) |
|---|------|------|----------------------|
| Ground / Surface Water (Pesticide Residue Monitor Program)      | 56   | 24   | 13                   |
| Hemp (Percentage THC analysis)                                  | 118  | 33   | 0                    |
| Pesticide Formulation / Use Dilution                            | 95   | 78   | 27                   |
| Pesticide Residue (Environmental Protection Agency Enforcement) | 35   | 18   | 11                   |

## Crops

### Export/Shipping Point

- As of July 1, 2023 through June 30, 2024, 799 Federal and State Phytosanitary certifications were issued allowing for the export of 117,909,229 pounds of varying commodities including hay, coffee, mushroom spawn, onion, potatoes, and sage. Four-hundred twenty State and Federal Phytosanitary certificates totaling 61,181,608 pounds were issued during the same time in State Fiscal Year (SFY) 23.
- Other items certified for export that are not measured by weight, but by count totaled 37,464 and included nursery stock and hay.
- The onion shipping point season is expected to start in September 2024, compared to this same time in SFY23, there is a decrease in onion exports of 1,666,069 pounds.
- Compared to the same time in SFY23, State Phytosanitary Certificates show a decrease from 110 to 84 certificates issued.

The table below shows the monthly breakdown of onions exported 4<sup>th</sup> Quarter FY 2024

| Month     | 2023 Pounds Shipped Outside USA | 2024 Pounds Shipped Outside USA |
|-----------|---------------------------------|---------------------------------|
| July      | 0                               | 0                               |
| August    | 0                               | 0                               |
| September | 978,160                         | 769,060                         |
| October   | 993,300                         | 765,700                         |
| November  | 1,091,010                       | 962,470                         |
| December  | 1,054,225                       | 697,200                         |
| January   | 1,138,964                       | 631,750                         |
| February  | 485,800                         | 308,400                         |
| March     | 393,510                         | 204,200                         |
| April     | 249,250                         | 379,340                         |

Phytosanitary Certificate Inspections FY24 year to date have shown an increase from FY23, as shown in the table below.

| Month     | FY23 | FY24 |
|-----------|------|------|
| July      | 21   | 22   |
| August    | 23   | 30   |
| September | 52   | 51   |
| October   | 54   | 66   |
| November  | 49   | 65   |
| December  | 21   | 48   |
| January   | 23   | 57   |
| February  | 26   | 83   |
| March     | 31   | 89   |
| April     | 34   | 124  |
| May       | 30   | 126  |
| June      | 26   | 35   |

*\* FY24 data accurate through June 30, 2024*

## Hemp

- In 2024 the NDA conducted a total of 32 hemp sample inspections and 3 site compliance inspections. The 2024 hemp inspection season so far has yielded 2 hemp samples, of which 0.0% of the samples exceeded the acceptable THC threshold. This is expected to improve as more sample requests are submitted throughout the remainder of the 2024 growing season. As of July 31, 2024, the NDA has conducted a total of 2 hemp sampling inspections and 3 post planting inspections. Most growers have not started harvesting for 2024. In 2023, the NDA certified 9 growers. The 2024 season has 10 certified with 2 more expected; this is a 2.5% increase compared to 2023.
- The NDA has began conducting post planting inspections to aid growers in mapping lots and sublots for more accurate Farm Service Agency (FSA) reporting. The USDA offers a free online course educating growers on the hemp acreage reporting requirements. The NDA has disseminated this course to all registered growers and continues to work with registered growers, USDA, and FSA to ensure proper reporting timelines are met.
- The NDA has coordinated with the USDA and identified that the definition of “Acceptable hemp THC level” in NAC 557.011 is not compliant with the USDA’s definition in 7 CFR 990.1. The rule changing process has been initiated to redefine the Acceptable hemp THC level to follow USDA requirements.

## Year over year Samples Tested, Non-Compliant Samples, and Disposals

| Statistics for Hemp Samples Tested, Non-Compliance & Disposals | 2021 | 2022 | 2023 | 2024 |
|--|------|------|------|------|
| Total Samples Collected  | 104  | 72   | 42   | 2    |
| Non-Compliant Samples  | 16   | 3    | 7    | 0    |
| Approved Crop Disposals  | 8    | 1    | 5    | 0    |
| Approved Crop Remediation                                      | 0    | 0    | 6    | 0    |

### Noxious Weeds

- NDA noxious weed staff continue to work with the Spring Creek Home Owner’s Association (HOA) to address properties with noxious weed issues in Elko County.
- The team has participated in 41 outreach and education events.

### NDOT

- Contracts have been lower than anticipated, but NDA noxious weed staff continue to develop education and outreach material for NDOT staff and contractors.

### Weed Biological Control

- NDA noxious weed staff coordinated with the Humboldt Water convention center 4/29 to 5/2/24. This meeting hosted Federal, State and local partners in an effort to revamp biological control for invasive plant species in Nevada. The goal of the meeting was to educate and train partners to grow and expand the Nevada weed biological control program. Participating agencies included U.S. Forest Service, BLM, U.S. Fish and Wildlife, Conservation Districts and Cooperative Weed Management areas.

### Entomology

#### Mormon Cricket and Grasshopper Program

- Mormon crickets have been reported from multiple counties to include Washoe, Pershing, Churchill, Lander, Eureka, White Pine, Humboldt and Elko. So far this year a total of 1,990 sites have been surveyed. Ground treatments have been done at 375 sites with 2,067 pounds of carbaryl bait. Aerial treatments protected approximately 220,000 acres of BLM and private land. We have responded to over 900 reports (phone, email, text) of crickets and grasshoppers.
- The Entomologist presented lectures at the Green Industry Training program and at Master Gardeners.

| Activity  | Total       |
|---|-------------|
| Grasshopper/Mormon Cricket stops (since 1/2024) | <b>1990</b> |
| Palm Weevil Commodities                         | <b>1</b>    |
| Palm pest survey                                | <b>1</b>    |
| Asian Defoliator Surveys                        | <b>1</b>    |
| Khapra Beetle Surveys                           | <b>1</b>    |
| CAPS Infrastructure                             | <b>1</b>    |

|                               |             |
|-------------------------------|-------------|
| CAPS Exotic Wood Borer        | <b>1</b>    |
| CAPS Gypsy Moth               | <b>1</b>    |
| CAPS Pine Shoot Beetle        | <b>1</b>    |
| CAPS Imported Fire Ant        | <b>1</b>    |
| Traps placed/surveyed         | <b>2470</b> |
| Identification Specimens      | <b>136</b>  |
| Identification Emails         | <b>40</b>   |
| Identifications Text          | <b>10</b>   |
| Identification Phone          | <b>2</b>    |
| Education                     | <b>100</b>  |
| Treatments (since 1/2024)     | <b>381</b>  |
| Japanese Beetle Survey        | <b>1</b>    |
| European Corn Borer survey    | <b>0</b>    |
| State quarantine survey       | <b>0</b>    |
| Survey ID                     | <b>3000</b> |
| Collection processing         | <b>150</b>  |
| Honey Bee Surveys             | <b>5</b>    |
| General collection/collecting | <b>5</b>    |

### Nursery

- Licensed Nurseries: 1013
- Nursery Inspections: 195
- Violations Corrected: 34
- Imported Shipment Notifications: 314
- ACP Quarantine Citrus Inspections: 49
- Nursery Renewals ongoing. Nursery Licensing has been amended to include Seed Licensing.
- California Department of Food and Agriculture (CDFA) conducted an audit of Nevada Turf Growers as part of our Turf Grass Origin Inspection Agreement (OIA). Turf Grass OIA has been updated, awaiting approval from CDFA.

### Licensing/Enforcement

- NAC 555: On July 1, 2023, Senate Bill No. 159 (revises provision relating to pest control) was adopted into Nevada Revised Statute (NRS). As a result, the Department is required to revise Chapter 555 of the Nevada Administrative Code (NAC) with language to authorize a person to train as an applicator to engage in pest control activities. NDA staff are currently working with the Legislative Counsel Bureau (CLB) on R127-23. This will allow individuals to be temporarily credentialed to be registered trainees: A natural person who is employed by a currently licensed pest control business and does not hold a license as an applicator and has registered with the Department pursuant to NAC 555.

- NAC 586: Existing law requires each brand of pesticide which is distributed, sold or offered for sale within this State, or delivered for transportation or transported in intrastate commerce or between points within this State through any point outside this State, to be registered with the Office of the Director of the State Department of Agriculture (NRS 586.250). Existing law requires: (1) a person registering any brand of pesticide with the Office of the Director to pay an annual registration fee established by regulation of the Director; and (2) the Director to deposit an amount established by regulation of the Director of each annual registration fee in a separate account to be used for certain purposes (NRS 586.237, 586.270). This regulation increases the annual registration fee for each pesticide registered from \$125 to \$281 and increases the amount of each registration fee collected, which the Director is required to deposit in a separate account, from \$40 to \$80.

#### Wood Destroying Pest Inspection Report (WDPIR) Fees

- The Division will no longer be collecting fees for WPDIR forms. This is a step forward in meeting and serving the needs of the industry as a regulatory agency. The Pesticide team is looking to find an alternative to the carbon copy forms currently provided. One of those alternatives will be the utilization of free digital Microsoft 365 forms. Meetings are currently underway and discussions are being held to create a platform which will benefit NDA staff and the pest control industry.

#### Pesticide Waste Disposal Program

- NDA’s pesticide waste disposal contract with Clean Harbors Environmental Services expired on December 31, 2023. The contract renewal process began in June 2023 and only 1 potential vendor submitted a bid. Purchasing assisted the Department with this process and stated that the new potential vendor, GrayMar Environmental Services, Inc., are expected to be on the August Board of Examiners (BOE) agenda.

#### **Total amount of pesticide waste collected between January 6, 2024 and July 26, 2024:**

| Waste Type | Pounds |
|------------|--------|
| Liquid     | 2998   |
| Solid      | 1331   |
| Total:     | 4,329  |

#### Ground and Surface Water Monitoring

- NDA staff successfully deployed three Polar Organic Chemical Integrated Sampling (POCIS) filters at 3 different locations of the Virginia River. POCIS devices were deployed on March 21, 2024, and were removed on April 12, 2024. Although one POCIS had been vandalized the two remaining filters were collected and sent to USGS laboratories for pesticide data analysis. POCIS provides a time-weighted average of contaminants rather than results taken from an instantaneous sample. From March 21, 2024 to July 23, 2024, a total of 68 groundwater samples and 14 surface water samples were collected and analyzed for trace amounts of pesticides.