

June 8, 2022 Board Report

Division of Plant Health and Compliance



Division Overview

- Pending matters of significance
 - Nevada Administrative Code (NAC) 587 amendments were adopted on April 11, 2022. Changes included an increase in certification and inspection fees and a new fee for the analysis of retail and wholesale seed. These fees will help increase inspection services, address federal agreement non-conformities, protect the food supply and Nevada from harmful pests.
 - A hearing was held on May 31, 2022 to adopt changes to NAC 552 including requiring signage be posted at apiaries that include apiary owner contact information allowing the Nevada Department of Agriculture (NDA) to respond to abandoned or diseased apiaries reported or found and managed by someone other than the landowner.
 - A hearing was held on June 7, 2022 to adopt changes to NAC 554 including preventing the movement of firewood from quarantined areas unless appropriate treatment is applied, allowing the NDA to protect against the movement and introduction of harmful pests to Nevada forests, rangelands and croplands.

Program Updates

- Pathology
 - Staff in the plant pathology lab were certified by the USDA National Plant Protection Laboratory Accreditation Program (NPPLAP) to perform molecular diagnosis of sudden oak death and citrus greening diseases. This certification is a lab requirement for *P. ramorum* regulatory testing and allows the NDA to survey for *P. ramorum* without sending samples to out-of-state labs for a fee, reducing diagnostic time.
 - Azalea leaf spot, a highly contagious and disease of significance to crops and nursery stock caused by the fungus *Pestalotiopsis neglecta*, was detected in two nursery plants. The plants were destroyed to prevent further spread.
 - The plant pathology lab detected beet curly top virus (BCTV) from hemp crops in Maryland. This was the first detection of BCTV in hemp crops from the eastern United States. Previously, this virus has been mostly found in the western states including Nevada. However, BCTV appears to be a growing issue for hemp producers throughout the country.
- Seed Program
 - The 6th annual Nevada Native Seed Forum was held on March 23, 2022 in Fallon, NV. Various federal agencies, non-profit organizations, and private businesses attended. Farmer engagement is increasing every year presenting the opportunity to host regional grower meetings around the state to help the NDA connect directly with farmers interested in growing native seed.
 - The seed certification program continues to grow, including a crop new to Nevada - rapeseed. This program continues to add value to seed products by providing assurance of seed quality to buyers.

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Crop Kind	2022 Acres	2021 Acres
Alfalfa	2,203.00	1,477.00
Barley	280.00	255.00
Grass	13.00	0.00
Triticale	255.00	617.00
Wheat	85.00	119.00
Oats	35.00	38.00
Rapeseed – Canola*	283.00	0.00

**First known production of certified seed canola in Nevada.*

- Garlic fields must be registered with the NDA per NAC 554 to allow staff to schedule and coordinate white rot and stem nematode surveys to allow for rapid identification and quarantine if a detection is found. White rot is a highly contagious fungus that requires contaminated fields be quarantined and removed from production. It also requires the prohibition of seed sales to prevent further spread. White rot was detected in May in Gardnerville, and the field has since been quarantined. Current Garlic registrations are listed below.

Crop Kind	2022 Acres	2021 Acres
Total Garlic	734.95	715.46
Certified Seed Garlic	587.99	515.09

- Entomology
 - Red Imported Fire Ants were detected in two Clark County parks and have been quarantined. Treatment has been pending appropriate weather conditions, however, have been further delayed as recent surveys resulted in zero detections, which required new surveys be completed in May. If detection are made, treatment will be applied. RIFA is an invasive species that poses a public safety issue due the species’ severe sting. Nursery stock from both parks were traced back to one county in Arizona and four counties in California.
 - Over 100 survey stops have been performed for Mormon Crickets and grasshoppers. Aerial treatment of approximately 56,000 acres, protecting approximately 112,000 acres, was completed in late May and early June in the Winnemucca area. Treatment is only effective before crickets become adults, so the NDA coordinated with Animal and Plant Health Inspection Services (APHIS) and the contracted aerial applicator to apply treatments as soon as possible. The APHIS Environmental Impact Study (EIS) was delayed, which further delayed treatment. This issue is anticipated to be resolved now that the EIS will be valid for a three-year period.
 - The state entomologist has completed over 91,148 pest survey identifications from traps located throughout Nevada as part of regular surveying for pests of particular concern to Nevada lands, crops and public safety

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- The entomology team has provided pest education to over 1,335 individuals. Citizen pest reports often assist with identifying critical species, adding to the collective effort in protecting Nevada lands, food supply and public safety.
- Nursery
 - Program staff conducted over 300 citrus plant traces and disposals after receiving notification from the USDA Plant Protection and Quarantine that a North Carolina nursery shipped live plants to Nevada (and nine other states) infected with citrus canker, a federally quarantined disease.
 - The NDA renewed six Colorado Potato Beetle (CPB) compliance agreements with three states interested in shipping vegetable plants to Nevada nurseries. These agreements ensure vegetable plants produced at these nurseries meet CPB quarantine compliance to protect Nevada crops and nursery stock.
- Crops
 - Hemp program participation and production continues to decrease. The tables below provide hemp growers, handlers, and seed producers statistics for 2021 and 2022.

2021 and 2022 Grower Data

State of Nevada Statistics	Acres	Sq. Ft.
2021 Applied Area =	2,871.42	543,202.00
2021 Certified Area =	2,843.42	496,542.00
2021 Planted =	445.85	188,852.00
2021 Growers =	61	
**2022 Applied Area =	245.62	462,036.00
**2022 Certified Area =	27.20	119,892.00
**2022 Planted =	N/A	N/A
**2022 Growers =	17	

2021 and 2022 Seed Producer Data

State of Nevada Statistics	Acres	Sq. Ft.
2021 Applied Area =	0.5	115,391
2021 Certified Area =	0	79,922.5
2021 Planted =	N/A	N/A
2021 Seed Producers =	5	
2022 Applied Area =	0	75,000
2022 Certified Area =	0	4,000
2022 Planted =	N/A	N/A
2022 Seed Producers =	2	

2021 and 2022 Seed Producer Data

State of Nevada Statistics	Certificates
2021 Total Handlers =	29
**2022 Total Handlers =	19

***2022 data as of 4/26/2022.*

**Planted area is approximate based upon grower-submitted harvest reports and inspector observations during field inspections. Due to the small number of harvest reports submitted, there is no reportable data for 2022 at this time.*

- Onion shipping season started on August 23, 2021 and concluded March 31, 2022. 7,986,439 pounds of onions were inspected for pests and graded for export. This is decreased of 757,365 pounds when compared to 2021. Curtailed water deliveries and increased domestic shipments are a potential contributor to this decrease.
- Through funding received as part of the 2021 USDA Specialty Crop Block Grant Program, the NDA sent one inspector to Idaho for training to conduct shipping point and terminal marketplace inspections on potatoes. In April 2022, two inspectors went to McAllen, TX to receive additional training for terminal marketplace inspections on tomatoes, avocados and citrus, increasing market opportunities for these commodities.
- The NDA hosted a produce safety training to 13 individuals in Yerington, NV that included an overview on best practices for minimizing food safety risks when growing and handling produce, identifying food safety challenges and resources the NDA can provide.
- Produce safety education and inspection staff traveled to Las Cruces, NM for the Western Regional Center to Enhance Food Safety workshop. This workshop was federally funded and shared education and inspection resources among western states to facilitate consistency in implementing state produce safety education and inspection programs.
- Noxious Weeds
 - In February, the NDA hosted a state-wide multi-agency meeting followed by three regional meetings to discuss Nevada’s Early Detection and Rapid Response plan for addressing class A noxious weeds detections (weeds not well established in Nevada), in addition to Medusahead, Silverleaf nightshade, Leafy Spurge and Carolina horsenettle. This is an ongoing effort and allows for infestations to be verified, multi-jurisdictional treatment projects to be identified and implemented ultimately maximizing collaboration and treatment efficacy.
 - NRS 555.120 allows counties to perform noxious weeds abatement on a non-responsive property and to bill for the treatment or place a lien on the property to recover treatment costs. To support Douglas County’s application of this NRS, an MOU was established for the NDA to reimburse the county for 75% of the abatement costs from the noxious weeds fund (established in NRS 555.035) until

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the lien is successfully completed. Once the lien is completed, funding is returned to the NDA weed fund. The NDA is hopeful more counties will participate in the future.

- The NDA issued regulatory letters to the City of Reno to coordinate weed control efforts on Jointed goatgrass and Medusahead and to Elko County to request a weed management plan be submitted to address an infestation of Scotch thistle.
- 1,066 EDDMapS reports have been verified from July 1, 2021 through May 16, 2022. Many these points were submitted as a bulk upload from USFS mapping data in January, allowing NDA staff and partners to coordinate compliant response and treatment projects.
- NDA staff provided education on noxious weeds identification, biocontrol, and EDRR at eight events throughout Nevada. An increase in collaboration to address noxious weeds issues, engages partners and the public in reporting and responding to noxious weeds. Nevada Noxious Weeds Quick Reference Guides were sent to 5,553 property owners within the Spring Creek (HOA). The NDA anticipates this to prompt public engagement in addressing noxious weeds present in the surrounding open lands, and within the community, which is the largest homeowners association in the country. Target species present in this area include leafy spurge, spotted knapweed, Scotch thistle and Dyer's woad.
- A green fountaingrass (*Pennisetum setaceum*) guidance document was drafted and sent to state partners for feedback. This document will be used to assist NDA nursery inspectors in identifying the noxious species versus a closely related, but non-invasive species that is not considered noxious.
- As part of a sub-committee of the Western Weed Coordinating Committee, work was completed to create a template for states to input activities, projects and other action items from the Western Weed Action Plan (WWAP). The goal of this template is to help report out and update the WWAP and inform policy and funding needs. The plan is broken down into funding, policy and regulation, coordination/collaboration/data sharing and research categories in regard to invasive plant species.
- California Invasive Plant Council (Cal IPC) and Plant Right has asked Nevada to participate in using their plant risk evaluation (PRE) tool. This tool is designed to help determine the probable risk of ornamental and horticulture plant species becoming invasive. Nevada has submitted five plant species to be evaluated by the tool, including Chaste tree, Mexican fan palm, Japanese honeysuckle, China berry and Red fountain grass.
- Nine noxious weeds treatment and mitigation plans have been approved for NDOT projects to assist with addressing and preventing noxious weeds issues along roadways and within project sites.
- Pest Control
 - On August 18, 2021, the U.S. Environmental Protection Agency (EPA) announced it will stop the use of the pesticide, chlorpyrifos, on all food to better protect human health, particularly that of children and farmworkers

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<https://www.epa.gov/newsreleases/epa-takes-action-address-risk-chlorpyrifos-and-protect-childrens-health>).

- Potential Industry Impact

- The NDA was informed that this decision is going through litigation. Additionally, the EPA sent out a letter to registrants requesting that products for feed/food use be voluntarily canceled within 30 days if the court does not put a stay on the litigation to keep the tolerances in place. Until the court case is resolved, companies may not want to voluntarily cancel the registrations.
- In the meantime, NDA staff began generating a list of chlorpyrifos products that are registered for food and/or feed to identify how many are registered in Nevada.
- For these types of registered products, states cannot cancel registrations. For products to be canceled, the EPA needs to receive a letter from the registrant requesting the registration be canceled and an indication of whether they waive the 180-day comment period, which is part of the registration process.
- States are working with the EPA and registrants to determine if the label on food/feed registered chlorpyrifos products can be amended for only non-crop uses. This would allow growers to use remaining inventory and decrease disposal costs.
- Some states have banned chlorpyrifos through their legislative process.
- The EPA acknowledges that chlorpyrifos is a universal waste pesticide when collected and managed as part of a waste pesticide collection program (Clean Sweep). This will ease collection and disposal of unwanted chlorpyrifos stocks across the U.S. and eliminate potential transportation issues when waste crosses state lines.