



MARYLAND NURSERY, LANDSCAPE AND GREENHOUSE ASSOCIATION, INC.

MNLGA position on SB491 the Regulation of Invasive Plants-Bamboo- Prohibitions

OPPOSE

Maryland's Invasive Plant Advisory Committee (IPAC) was established by legislative mandate in October 2011. The IPAC's primary responsibility is to advise the Secretary of Agriculture on regulating the sale of invasive plants, and preventing them from entering Maryland or from spreading further in the state.

The **Invasive Plant Advisory Committee (IPAC)** generates a list of invasive plants by a diverse and knowledgeable committee made up of representatives from the Maryland Department of Agriculture, Department of Natural Resources, Maryland Department of Transportation, Maryland Department of Environment, University of Maryland College of Agriculture and Natural Resources, The Nature Conservancy and advisors from the Landscape and Nursery Industries.

Introduction and omittance of plant species has an impact on the Maryland's environment, economy and the aesthetics of our neighborhood.

The MNLGA is not so concerned over an addition of the Bamboo Phyllostachys to the invasive plant list but has reservations as to using our legislatures valuable time in the General Assembly of Maryland to enact these laws. The IPAC was created to do the research and advise the Secretary of Agriculture which plants fit the criteria of action needed to control these invasive plants.

The MNLGA respectfully requests that the Bamboo Phyllostachys is referred to IPAC for its review through the processes that has been put in place by the Maryland Register.

Documents attached for review:

Invasive Plant Committee

Invasive Plant List

Maryland Register Files pertaining to Regulation of Invasive Plants Authority

Sincerely

John Murphy

Vice President



INVASIVE PLANT LIST

For more information, please visit the Maryland Department of Agriculture Invasive Plants Web page:
http://mda.maryland.gov/plants-pests/Pages/maryland_invasive_plants_prevention_and_control.aspx

Tier 1 Plants – May <u>NOT</u> be sold after effective date			
Species Name	Common Name	Tier	Regulations Effective Date
<i>Corydalis incisa</i>	Incised fumewort	1	4/24/2019
<i>Euonymus fortunei</i>	wintercreeper	1	2/14/2018
<i>Ficaria verna</i>	fig buttercup or lesser celandine	1	4/12/2017
<i>Geranium lucidum</i>	shining geranium	1	4/12/2017
<i>Iris pseudacorus</i>	yellow flag, pale yellow iris, water flag	1	4/12/2017
<i>Lonicera maackii</i>	Amur honeysuckle	1	2/14/2018

Tier 2 Plants – Plant may be sold, Tier 2 <u>sign required</u> after effective date.			
Species Name	Common Name	Tier	Regulations Effective Date
<i>Cytisus scoparius</i>	Scotch broom	2	5/14/2017
<i>Euonymus alatus</i>	Burning bush or winged euonymus	2	7/12/2016
<i>Ligustrum obtusifolium</i>	border privet	2	7/12/2016
<i>Nandina domestica</i>	Nandina, sacred bamboo	2	5/14/2017
<i>Phyllostachys aurea</i>	golden bamboo	2	7/24/2018
<i>Phyllostachys aureosulcata</i>	yellow groove bamboo	2	7/24/2018
<i>Pyrus calleryana</i>	Callery pear	2	7/24/2018
<i>Tetradium daniellii</i>	bee bee tree	2	7/24/2018
<i>Wisteria floribunda</i>	Japanese wisteria	2	7/12/2016
<i>Wisteria sinensis</i>	Chinese wisteria	2	7/12/2016
<i>Wisteria x formosa</i>	floribunda x sinensis hybrid	2	7/12/2016

Assessments in progress:			
Species Name	Common Name	Tier	Regulations Effective Date
<i>Akebia quinata</i>	chocolate vine		
<i>Albizia julibrissin</i>	mimosa or silktree		
<i>Aralia elata</i>	Japanese angelica tree		
<i>Berberis thunbergii</i>	Japanese barberry		
<i>Dioscorea oppositifolia</i>	Chinese yam, cinnamon vine		
<i>Elaeagnus umbellata</i>	autumn olive		
<i>Humulus japonicus</i>	Japanese hop		
<i>Imperata cylindrica</i> *	cogongrass		
<i>Imperata cylindrica</i> 'Red Baron' *	Japanese bloodgrass		
<i>Ligustrum sinense</i>	Chinese privet		
<i>Ligustrum vulgare</i>	European privet		



Assessments in progress (continued):			
Species Name	Common Name	Tier	Regulations Effective Date
<i>Lonicera japonica</i>	Japanese honeysuckle		
<i>Lythrum salicaria</i>	purple loosestrife		
<i>Miscanthus sinensis</i>	Chinese silvergrass		
<i>Paulownia tomentosa</i>	Empress tree, Princess tree		
<i>Phellodendron amurense</i>	Amur cork tree		
<i>Rhodotypos scandens</i>	Jetbead		
<i>Triadica sebifera</i>	Chinese tallow		

Additional plants considered:			
Species Name	Common Name	Tier	Regulations Effective Date
<i>Cayratia japonica</i>	bushkiller		
<i>Dolichandra unguis-cati</i>	cat's claw vine		
<i>Kunzea ericoides</i>	kanuka, white tea-tree		
<i>Mahonia bealei</i>	leatherleaf mahonia		
<i>Pennisetum setaceum rubrum</i>	purple fountain grass		

Tier 1 Plants – May **NOT** be sold after effective date

Tier 2 Plants – Plant may be sold, Tier 2 **sign required** after effective date.

*Federal Noxious Weed, permit required for interstate movement

Last updated May 24, 2019

Invasive Plant Advisory Committee
Membership
Updated: August 1, 2019

Primary Function: Advise the Secretary regarding regulations necessary to carry out the provisions of the Invasive Plants Prevention and Control Law
Statutory Authority: Md. AGRICULTURE Code Ann. § 9-5-101 et. seq.

Sector

Ex Office:		Email	Term Start	Term Ending (3 year term)
MDA	Cathy Stragar / Kim Rice	kimberly.rice@maryland.gov	N/A	N/A
DNR	Sarah Hilderbrand	sarah.hilderbrand@maryland.gov	N/A	N/A
DNR	Colleen Kenny	colleen.kenny@maryland.gov	N/A	N/A
MDOT	John Krouse	JKrouse@sha.state.md.us	N/A	N/A
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MDE	John Sullivan	john.sullivan1@maryland.gov	N/A	N/A
UM CANR	Maile Neel	mneel@umd.edu	N/A	N/A
Appointed by the Secretary in consultation with Secretary's of MDE and DNR:				
Regulated Landscaping Industry (1)	Brent Cassell, Leyland Landscaping	brent@leylandlandscaping.com	January 1, 2018	December 31, 2020
Regulated Plant Wholesale and Retail Industry (1)	Kelli Magaw, Clear Ridge Nursery	kelli@clearridgenursery.com	January 1, 2018	December 31, 2020
NGO Environ. Advocacy Organization (1)	Deborah Barber, The Nature Conservancy	dbarber@tnc.org	January 1, 2018	December 31, 2020
Appointed by the Secretary:				
Individuals with experience with invasive plants, agriculture, horticulture, gardening, conservation, or other relevant experience (2)	Leslie Cario, Chesapeake Horticultural Services	lesliecario@goeaston.net	January 1, 2018	December 31, 2020
	VACANT			
Consumer (1)	Kirsten Johnson	kirsten2622@comcast.net	January 1, 2018	December 31, 2020
MDA Nursery Inspector	Steve Bell	steven.bell@maryland.gov	May 1, 2019	April 30, 2022

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File	Abstract
15.06.04.00.htm	15.06.04.00. Title 15 MARYLAND DEPARTMENT OF AGRICULTURE Subtitle 06 PLANT PEST CONTROL Chapter 04 Regulation of Invasive Plants Authority: Agriculture Article, §9.5-301, Annotated Code of Maryland
15.06.04.01.htm	15.06.04.01. 01 Scope.. These regulations establish a science-based risk assessment protocol to determine the harm and impact caused by invasive plants, including an approval procedure for activities involving invasive plant species that cause or are likely to cause severe harm and administrative orders that the Secretary may issue to enforce these regulations.
15.06.04.02.htm	15.06.04.02. 02 Definitions.. A. In this chapter, the following terms have the meanings indicated.. B. Terms Defined.. 1) "Commercial entity" means an entity that engages in a plant removal activity for profit.. 2) "Invasive plant" means a terrestrial plant species that: a) Did not evolve in the State; and b) If introduced within the State, will cause or is likely to cause, as determined by the Secretary: i) Economic harm; ii) Ecological harm; iii) Environmental harm; or.

15.06.04.03.htm	15.06.04.03. 03 Risk Assessment Protocol for Invasive Plants.. The Secretary shall determine whether an invasive plant qualifies as a Tier 1 or a Tier 2 plant based on the following protocols:A. Plant risk assessment protocol established by the United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection Quarantine pursuant to A. Koop, L. Fowler, L. Newton, and B. Caton, Development and Validation of a Weed Screening Tool for the United States, Bi
15.06.04.04.htm	15.06.04.04. 04 Tier 1 Prohibitions and Approvals.. A. Except as approved by the Secretary under this regulation, a person may not propagate, import, transfer, sell, purchase, transport, or introduce any living part of a Tier 1 invasive plant in the State.B. A person may conduct an activity prohibited under §A of this regulation if:. 1) The person receives approval from the Secretary before conducting the activity; and. 2) The activity is for the purpose of:.
15.06.04.05.htm	15.06.04.05. 05 Administrative Orders By The Secretary.. A. The Secretary may issue administrative orders to enforce the provisions of this chapter and Agriculture Article, Title 9.5 (Invasive Plants Prevention and Control) Annotated Code of Maryland, as follows:1) Order any person to cease propagating, importing, transferring, selling, purchasing, transporting, or introducing any living part of a Tier 1 invasive plant in the State;2) Order the condemnation and seizure of any Tier
15.06.04.06.htm	15.06.04.06. 06 Tier 1 and Tier 2 Invasive Plants.. A. The following plants are classified as Tier 1 invasive plants upon adoption of this regulation (see Department's website for adoption date http://mda.maryland.gov/plantspests/Pages/maryland invasive plants prevention and control.aspx)1) <i>Ficaria verna</i> (fig buttercup). 2) <i>Geranium lucidum</i> (shining cranesbill). 3) <i>Iris pseudacorus</i> (yellow flag iris). 4) <i>Euonymus fortune</i> (wintercreeper). 5) <i>Lonicera maackii</i> (Amur honeysuckle) and.
15.06.04.07.htm	15.06.04.07. 07 Required Retail Signage for Tier 2 Plants.. A person shall post in a conspicuous place, in proximity to all Tier 2 invasive plant displays, a sign imprinted with the insignia required by this regulation, identifying the plants as Tier 2 invasive plants, consistent with the following:A. The insignia imprinted on any sign shall be a minimum of 5" tall x 7" wide;. B. The insignia shall be reproduced in black on a bright yellow background; and.
15.06.04.9999.htm	15.06.04.9999. Administrative History Effective date: January 21, 2013 (40:1 Md. R. 21) —. Chapter revised effective April 11, 2016 (43:7 Md. R. 452). Regulation .06 amended effective February 13, 2017 (44:3 Md. R. 189). Regulation .06A, C amended effective April 23, 2018 (45:8 Md. R. 422).

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