

SOUTH DAKOTA

SUMMARY OF PLANT PROTECTION REGULATIONS

Updated July 2024

Division of Resource Conservation & Forestry, Plant Industry Program
South Dakota Department of Agriculture & Natural Resources
Foss Building; 523 E. Capitol
Pierre, South Dakota 57501
605-773-3623

Hunter Roberts..... Secretary, South Dakota Department of Agriculture & Natural Resources
Telephone: 605-773-5559

Brian Walsh.....Deputy Secretary, SD Department of Agriculture & Natural Resources
Telephone: 605-773-5559

William Smith Director, Division of Resource Conservation and Forestry
Telephone: 605-773-3623

Brenda Sievers..... State Plant Regulatory Official
Plant Industry Program Manager
(Quarantine, Export, Weed Regulations, Nursery, Seed, Apiary Regulations)
Telephone: 605-280-4463

Bob ReinersProgram Specialist (Apiary Regulations)
Telephone: 605-773-3623

Jeremiah Phelps Program Specialist (Weed Regulations, Bio Control)
Telephone: 605-773-3623

Vacant Program Specialist (Plant Pest Survey, Quarantine Regulations, Exports)
Telephone: 605-773-3623

Jeff Lounsbery..... Program Specialist (Seed and Nursery Regulations)
Telephone: 605-773-3623; Direct: 605-362-3504

The information, as provided, is for informational purposes only and should not be interpreted as complete, nor should it be considered legally binding. Coordination with both your state and the destination state plant regulatory agency listed above may be necessary to stay up to date on revised requirements.

NURSERY STOCK DEFINITION

Nursery Stock: Trees, shrubs or other plants having a persistent woody stem; all herbaceous perennials; and parts of either of those which are capable of propagation, except for seeds, true bulbs, rhizomes, corms, and tubers while in a dormant condition.

GENERAL SHIPPING REQUIREMENTS

Nursery Stock: Any nursery stock shipped into or out of South Dakota shall have attached to the bill of lading or the outside of each package, box, bale or carload lot so shipped or delivered, a tag or poster on which appears an exact copy of a valid certificate of inspection. Nursery stock and related plant products must be free of plant pests.

SOUTH DAKOTA REGULATED WEED SPECIES

A. South Dakota Nonnative Plant Quarantine: (SDCL 38-24A, Plant Quarantine and Treatment; Article 12:51 Non-Native Plant Quarantine)

Regulated plant species:

Common name:	Scientific name:
Canada thistle	<i>Cirsium arvensis</i>
Common crupina	<i>Crupina vulgaris</i>
Dalmation toadflax	<i>Linaria dalmatica</i>
Diffuse knapweed	<i>Centaurea diffusa</i>
Dodder	<i>Cuscuta</i> spp.
Eurasian water milfoil	<i>Myriophyllum spicatum</i>
Field bindweed	<i>Convolvulus arvensis</i>
Hoary cress	<i>Cardaria draba</i>
Johnsongrass	<i>Sorghum halepense</i>
Leafy spurge	<i>Euphorbia esula</i> & <i>E. pseudovirgata</i>
Multiflora rose	<i>Rosa multiflora</i>
Musk thistle	<i>Carduus nutans</i>
Perennial pepperweed	<i>Lepidium latifolium</i>
Perennial sowthistle	<i>Sonchus arvensis</i>
Plumeless thistle	<i>Carduus acanthoides</i>
Purple loosestrife	<i>Lythrum salicaria</i> & <i>L. virgatum</i> (& all hybrid crosses thereof)
Rush skeletonweed	<i>Chondrilla juncea</i>
Russian knapweed	<i>Centaurea repens</i>
Spotted knapweed	<i>Centaurea maculosa</i>
St. Johnswort	<i>Hypericum perforatum</i>
Yellow starthistle	<i>Centaurea solstitialis</i>
Yellow toadflax	<i>Linaria vulgaris</i>

Regulated Articles include any untreated soil, quarry products, equipment, forage products, compost, manure, humus, and plant media that have been exposed to these species.

Karnal bunt *Tilletia indica*
All or portions of the state may be quarantined to prevent the spread of Karnal bunt. Quarantine areas may be infested areas and uninfested areas in the proximity of an infestation.

Emerald Ash Borer Interior Quarantine & External Embargo

Pest: Emerald ash borer (*Agilus planipennis* Fairmaire)

Regulated Articles:

- 1) The emerald ash borer, in any living stage of development.
- 2) Entire ash trees (*Fraxinus* spp.), including, but not limited to, nursery stock.
- 3) Ash logs or untreated ash lumber with bark or the outer one half inch of wood attached.
- 4) Non-coniferous, or hardwood, wood chips and non-coniferous, or hardwood, bark chips larger than one inch diameter in two dimensions.
- 5) Other ash material (*Fraxinus* spp.), living or dead, cut or fallen, including logs, limbs, branches, stumps, or roots.
- 6) Firewood of any non-coniferous, or hardwood, species.
- 7) Any other article, product, or means of conveyance, when it is determined by the Secretary to present a risk of spreading the emerald ash borer. Other items identified as regulated articles in this manner will be communicated as such through publication of a notice in public newspapers.

Restrictions:

Regulated articles must not move out of the regulated area unless a permit is issued by the South Dakota Department of Agriculture and Natural Resources. The treatment guidelines are determined by DANR and currently include heat treatment to 140 degrees F for 60 minutes, fumigation, chipping to 1 inch or less in two dimensions, debarking, or other approved methods.

Regulated articles must not move through the regulated area unless the passage is made a) without stopping except for refueling, and b) the articles are completely enclosed with a covering to prevent escape on the emerald ash borer.

External Embargo - All regulated articles that originate from an external embargoed area (area outside of SD established by the Secretary), and that have not been treated in approved method, are embargoed, except when each of the following conditions are met:

- (1) The articles enter directly from portions of states that border a county regulated by the South Dakota emerald ash borer internal quarantine as established by the secretary;
- (2) The articles travel directly to a facility located within the South Dakota emerald ash borer quarantine; and
- (3) The articles will not leave the South Dakota emerald ash borer quarantine area, unless they are subsequently treated to meet requirements.

Regulated Area. Refer to the DANR website for additional details about the regulations which can be found at: <https://emeraldashborerinsouthdakota.sd.gov/quarantine.aspx> .

The quarantine map can be found at:

https://emeraldashborerinsouthdakota.sd.gov/PDF/EAB_Quarantine_July_2024.pdf

Other Quarantines:

All nursery stock and other regulated articles, brought into South Dakota must adhere to the requirements of all applicable state and federal quarantines that apply to that article at its state of origin. This includes, but is not limited to, the following pests:

- Asian Longhorn Beetle
- Barberry/Black Stem Rust
- Emerald ash borer
- Golden & Potato Cyst Nematodes
- Spongy (Gypsy) Moth
- Karnal bunt
- Sudden Oak Death

B. South Dakota Noxious Weed Seeds: (SDCL 38-12A, South Dakota Seed Statutes; Article 12:36, South Dakota Seed Inspection Standards)

1. Prohibited noxious weed seeds: (Prohibited in any amount)

Common Name	Scientific Name
Field bindweed	<i>Convolvulus arvensis</i>
Leafy spurge	<i>Euphorbia esula</i>
Hoary cress	<i>Lepidium draba</i>
Russian knapweed	<i>Rhaponticum repens</i>
Perennial sowthistle	<i>Sonchus arvensis</i>
Canada thistle	<i>Cirsium arvense</i>
Palmer amaranth	<i>Amaranthus palmeri</i>
Horse nettle	<i>Solanum carolinense</i>

2. Restricted noxious weed seeds: (shall not exceed a cumulative total of 20 per pound)

Common name	Scientific name
Wild oats	<i>Avena fatva</i>
Dodder	<i>Cuscuta</i> spp.
Wild mustard	<i>Sinapis arvensis</i> L. subsp. <i>arvensis</i> [syn. <i>Brassica kaber</i>], <i>B. nigra</i> , <i>B. juncea</i>
Hedge bindweed	<i>Calystegia sepium</i>
Wild carrot	<i>Daucus carota</i> L. subsp. <i>carota</i>
Field pennycress	<i>Thlaspi arvense</i>
Annual bluegrass	<i>Poa annua</i>
Spotted knapweed	<i>Centaurea stoebe</i> L. subsp. <i>australis</i>
Giant foxtail	<i>Setaria faberi</i>
Musk thistle	<i>Carduus nutans</i>
Plumeless thistle	<i>Carduus acanthoides</i>
Quackgrass	<i>Elymus repens</i>

C. South Dakota Noxious Weeds: (SDCL 38-22, South Dakota Weed and Pest Control Statutes; Article 12:62, Weed and Pest Control)

NOXIOUS WEED DESIGNATIONS

State Noxious Weeds:

Absinth wormwood	<i>Artemisia absinthium</i>
Canada thistle	<i>Cirsium arvense</i>
Hoary cress	<i>Lepidium draba</i>
Leafy spurge	<i>Euphorbia esula</i>
Perennial sowthistle	<i>Sonchus arvensis</i>
Purple loosestrife	<i>Lythrum salicaria</i>
Salt cedar.....	<i>Tamarix ramosissima</i>

Local Noxious Weeds: (may be regulated by individual counties)

Black Henbane	<i>Hyoscyamus niger L.</i>
Bull thistle	<i>Cirsium vulgare</i>
Chicory	<i>Cichorium intybus</i>
Common burdock	<i>Arctium minus</i>
Common mullein	<i>Verbascum thapsus</i>
Common tansy	<i>Tanacetum vulgare</i>
Dalmatian toadflax	<i>Linaria dalmatica</i>
Diffuse knapweed	<i>Centaurea diffusa</i>
Field bindweed	<i>Convolvulus arvensis</i>
Flowering Rush.....	<i>Butomus umbellatus L.</i>
Giant knotweed	<i>Polygonum sachalinense</i>
Houndstongue	<i>Cynoglossum officinale</i>
Musk & plumeless thistles.....	<i>Carduus nutans</i> and <i>Carduus acanthoides</i>
Oxeye Daisy	<i>Chrysanthemum leucanthemum</i>
Palmer Amaranth.....	<i>Amaranthus palmeri</i>
Phragmites	<i>Phragmites australis</i> subsp. <i>Australis</i> ; <i>Haplotyme M</i>
Poison hemlock.....	<i>Conium maculatum</i>
Puncturevine.....	<i>Tribulus terrestris</i>
Scotch thistle	<i>Onopordum acanthium</i>
Spotted knapweed	<i>Centaurea maculosa</i>
St. Johnswort	<i>Hypericum perforatum</i>
Sulfur Cinquefoil.....	<i>Linaria vulgaris</i>
White Horehound.....	<i>Marrubium vulgare</i>
Wild parsnip	<i>Pastinaca sativa</i>
Yellow toadflax	<i>Linaria vulgaris</i>

QUARANTINES OR ADDITIONAL REQUIREMENTS

State Declared Pests: Spongy (Gypsy) moth *Lymantra dispar*

Other Local Declared Pests:

Mountain pine beetle *Dendroctonus ponderosae*

Japanese beetle *Popillia japonica*