

BEFORE THE SECRETARY OF AGRICULTURE, TOPEKA, KANSAS

TAMARIX QUARANTINE

On this 23rd day of March, 2006 the Secretary of the Kansas Department of Agriculture, pursuant to authority authorized by K.S.A. 2-2117, hereby determines that quarantine action is necessary to prevent the further introduction of *Tamarix* spp. into the State of Kansas and also the further spread of *Tamarix* spp. within the State of Kansas.

The Secretary does hereby make the following findings relevant to this plant:

WHEREAS, the Kansas Department of Agriculture has determined that *Tamarix* spp. are plant pests as defined in K.S.A. 2-2113;

WHEREAS, the Kansas Department of Agriculture has located established non-cultivated populations of *Tamarix* spp. in Kansas;

WHEREAS, *Tamarix* spp. may reproduce, survive, and spread in Kansas.

WHEREAS, *Tamarix* spp. is known to deplete certain water resources in Kansas;

WHEREAS, *Tamarix* spp is a terrestrial plant believed to have innate tendencies for invasiveness which requires that an exterior and interior quarantine of *Tamarix* spp. be established in the State of Kansas;

WHEREAS, public agencies and private landowners are committing resources to control populations of *Tamarix* spp. in Kansas.

THE SECRETARY DOES THEREFORE ORDER THAT:

In order to prevent, retard, suppress, and control the spread of *Tamarix* spp in the Kansas, the movement of *Tamarix* spp into the State of Kansas from any other state of the United States by any person is forbidden. Further, the movement of *Tamarix* spp. within the State of Kansas by any person is prohibited unless authorized as a control measure by the Secretary of Agriculture.

DEFINITIONS

This quarantine shall apply to any "person" as defined by K.S.A. 2-2113, and all other terms used within this quarantine shall have the meanings as defined or established in K.S.A. 2-2113 et seq. as amended and supplemented.

Tamarix spp. means any and all species of plants classified in the genus *Tamarix* including species with the common names salt cedar and tamarisk.

REGULATED AREAS

All area within the borders of the State of Kansas shall be subject to the restrictions of this quarantine. As established by K.S.A. 2-2115, the Secretary shall have the right to enter and inspect any property in the state for the purpose of enforcement of this act, except for private residences, or to inspect any means of conveyance, upon probable cause that it contains material subject to this quarantine.

REGULATED ARTICLES

Tamarix spp. plants or parts of plants capable of growing or propagation are prohibited. Forage, hay, or any other commodity containing *Tamarix* spp. plants or parts of plants shall be subject to the restrictions of this quarantine.

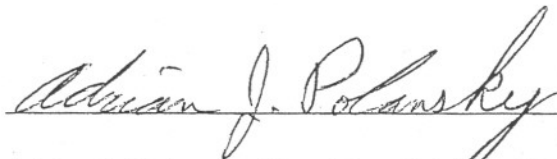
EFFECTIVE DATE OF QUARANTINE

This order will become effective upon issuance and shall remain in effect until rescinded or modified by further order of the Secretary of the Kansas Department of Agriculture.

VIOLATION OF THIS QUARANTINE

Any person who knowingly moves an article in violation of this quarantine may be subject to prosecution pursuant to K.S.A. 2-2124 and 2-2125.

Dated and signed this 23rd day of March, 2006.



Adrian J. Polansky, Secretary of Agriculture