

The background of the cover is a photograph of a pond or lake. In the foreground, there are numerous yellow flowers, likely yellow irises, with long green leaves. The water is calm and reflects the sky and the surrounding greenery. In the background, there are several tall, thin trees and a larger, leafy tree on the right side. The sky is overcast and grey.

2006

**Report
of the**

**Washington State
Noxious Weed
Control Board**

Covering January, 2003 through June, 2005

"Noxious Weed Control on State-Owned Lands" – page 28

"Highlights & Success Stories" – page 36

Washington State Noxious Weed Control Board

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Cover: Yellow flag iris, a Class C Noxious Weed, lines the bank of a water body as far as the eye can see. By excluding native vegetation, the weed denies both food and cover to native and migrating waterfowl. Dense infestations can restrict water flow, increase siltation and change bank profiles in streams, harming salmon and other fish.

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Covering January of 2003 through June of 2005 *

Including:

"Highlights & Success Stories"

and

"Noxious Weed Control on State-Owned Lands"

Editor

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**On September 21, 2004, the Washington State Noxious Weed Control Board passed a motion to amend its biennial report-publishing schedule, which had previously been based on two calendar years, to bring it into conformance with the fiscal biennium of state government. In order to implement this change without leaving any period unreported, the 2006 report was written to cover a 30-month period.*

Washington State Noxious Weed Control Board Members

Elected Members:

Name, Address, Phone	Position #	Term Expires	Representing	Years of Service
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Joe Coombs P.O. Box 40 Spangle, WA 99031 (509) 245-3245 / j27coombs@aol.com	4	July 26, 2006	Eastside Boards - Northern Tier	3
Anthony Stadelman Grant County Weed District #3 P. O. Box 5097 George, WA 98824 (509) 785-3621	5	July 26, 2008	Weed Districts	7

Appointed Members:

Name, Address, Phone	Appointed By	Term Expires	Representing	Years of Service
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VACANT	Director, WSDA	March 14, 2006	Eastside Public Interest	
Sarah Spear Cooke 4231 NE 110 th St Seattle, WA 98125 (206) 695-2267 cookess@aol.com	Director, WSDA	January 2, 2007	Westside Public Interest	1
Mary A. Martin Toohey P. O. Box 42560 Olympia, WA 98504-2560 (360) 902-1907 / mtoohey@agr.wa.gov	Director, WSDA		Director, WSDA	5
Joe Yenish Washington State University 169 Johnson Hall Pullman, WA 99164 (509) 335-2961 / yenish@wsu.edu	Director, WSDA	April 30, 2006	Scientific Advisor	5
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Overview

The Washington State Noxious Weed Control Board (Board) is an advisory board to the Washington State Department of Agriculture (Department) regarding noxious weed control in Washington and is responsible for policy development with respect to the state's noxious weed control program. The Board adopts, by rule, Washington's Noxious Weed List (Chapter 16-750 WAC). It has shared responsibility for the implementation of the state's noxious weed law (Chapter 17.10 RCW) with the Department and the county noxious weed control boards and weed districts. The Board serves as the state's noxious weed coordination center. Through its actions and policy decisions, it coordinates and supports the activities of 49 county noxious weed control boards and weed districts of Washington. Those county boards and districts, in turn, direct the much-larger weed control efforts of property owners

Mission Statement

Our mission is to serve as responsible stewards of Washington by protecting and preserving the land and resources from the degrading impacts of noxious weeds.

We believe that prevention is the best approach and may be achieved through full implementation of the intent of the state noxious weed law. To further that, we strive for enhanced public awareness through improved educational efforts.

As the Board, we do not deal directly in control activities but rather work to achieve control through local county noxious weed control boards and weed districts. For that reason, we work to improve communication, gain cooperation and improve coordination of the collective efforts for noxious weed control.

Finally, we believe that noxious weed control is best carried out by strong, adequately funded programs at the local level. Thus, we strive to build public support for local programs and to empower those programs to be more successful.

EXECUTIVE SUMMARY

PROGRAM SUMMARY

Noxious weeds threaten Washington’s natural and other resources. These non-native, invasive species threaten our agricultural base, rangelands, waterways, tidelands, parks, wildlife, property values, public health and safety, and the ecological health and diversity of our native ecosystems. These resources, once destroyed, may be irreplaceable.

Noxious weed control takes place at the local level. The Washington State Noxious Weed Control Board (the Board) believes noxious weed control is best implemented at the local level by county noxious weed control boards and weed districts. The Board and the Washington State Department of Agriculture (the Department) currently work with 38 activated noxious weed control boards and 11 weed districts to implement the state’s noxious weed laws. These local programs direct and leverage the substantial investment made by landowners throughout Washington for on-the-ground noxious weed control work.

State programs support local efforts. Through its policies and weed listing process, the Board coordinates and supports local efforts. From January 2003 through June of 2005, the Board focused its efforts on education, support for established county boards and districts, assistance for county boards considering assessment funding, and improving effective working relationships with state land management agencies. Many of the Board’s activities are described on its website, which is at www.nwcb.wa.gov. The Department has concentrated on counties without weed boards, inter-county complaints, cooperative projects with state and federal partners, and on the *Spartina*, purple loosestrife and invasive knotweed programs.

State funds are spent efficiently and effectively. The Board focuses its limited resources on projects where it can maximize returns. The Board accomplished several important projects, including positively influencing weed control on national forests and Conservation Reserve Program lands within Washington. The Board’s efforts contributed to one county (Mason) reconvening its weed board in March of 2004 after a long hiatus and another county (Kitsap) instituting an assessment in April of 2004 to fund its weed board. The Board also provided numerous educational events, displays and publications, which are detailed in the body of the report.

Current systems are producing success stories. Real-life examples of the work of noxious weed agencies in Washington State are told in the “Highlights & Success Stories” section, including:

- The U.S. Forest Service’s weed control policies and practices were improved through a process that included three years of effort by the state and county weed boards.
- The only infestation of hydrilla in the Pacific Northwest is nearing eradication because of persistent teamwork.
- Environmental protection of the acclaimed San Juan Islands has increased since 2003, when assessment funds first became available to build up the county noxious weed board’s program and staff.
- The State Weed Board and counties have established a voice on the national weed scene.

- A state legislator teamed up with a county weed board and an irrigation district to keep noxious weeds from spreading in irrigation water.
- The State Weed Board and counties drew attention to weed issues of the Conservation Reserve Program, with encouraging results.
- The Skamania County Weed Board and USFS worked to keep Scotch broom out of Mt. St. Helens' sensitive "blast zone."
- A weed biological control program supported by many has expanded from northeastern Washington to now work statewide.

The vast majority of noxious weed control in Washington State is funded privately by property owners, as intended by the Legislature and required by chapters 17.04, 17.06 and 17.10 of the Revised Code of Washington. Through its policies and activities, the Board coordinates the noxious weed control efforts of county weed boards and weed districts, as well as public and private landowners. Many of the Board's expenditures produce amplified and highly leveraged benefits.

Noxious weed control is an on-going component of a healthy, productive Washington. We have the opportunity to protect Washington from many noxious weeds that are costing other western states billions of dollars in resource and productivity loss and management costs. In order to accomplish this goal, there must be an ongoing commitment to the state's noxious weed program.

Washington's noxious weed control laws are some of the best in the country. However, a significant percentage of the county weed boards charged with administering RCW 17.10 are under-funded and understaffed. The State Weed Board, with its purchasing power steadily decreased by inflation, is unable to meet all of the increasing requests for service and assistance.

In summary, the Washington State Noxious Weed Control Board recommends that the State continue to leverage and support the private and local investments made in noxious weed control by maintaining or increasing general fund support for Washington's noxious weed control program, including the Board.

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STATUS REPORT:

WASHINGTON'S NOXIOUS WEED CONTROL PROGRAM

SCOPE OF THE PROBLEM

Washington's noxious weeds are non-native, invasive plants that have been introduced to the state through human actions. Most of these species were brought in without any natural enemies, such as insects or diseases, to help keep their populations in check. As a result, these plants can often multiply rapidly. In the U.S., introduced weeds are spreading and invading approximately 1.7 million acres per year of wildlife habitat alone.



*Giant hogweed, **Heracleum mantegazzianum**, a Class A Noxious Weed, can grow to over 15 feet in height. Proliferating populations in urban and suburban areas represent a public health hazard, since the plant exudes a watery sap that sensitizes the skin to sunlight. This can result in severe burns and permanent scars.*

Introductions of non-native species have been implicated in many of the natural resource and conservation problems the world faces today. Noxious weeds result in U.S. crop losses estimated at \$26 billion a year. In addition, introduced species are the second leading cause of reductions in biological diversity. According to University of California biologist Michael Soule', "Invasive alien plants pose a significant threat to the biodiversity of natural areas, to life on the planet." Of the 250 U.S. plant species federally listed as threatened or endangered, introduced weeds have been implicated in the decline of at least 39 of them. Weed invasions also impact fish and wildlife. For example, spotted knapweed invasion of bunchgrass sites may reduce available winter forage for elk by as much as 50 to 90 percent. When knapweed replaces dense, native vegetation in riparian areas, it can increase soil erosion, which may ruin spawning habitat for salmon.

The impacts of noxious weeds and other invasive species have been recognized at the highest levels of government. In 1999, then-President Clinton issued an executive order that directed federal agencies to expand and coordinate efforts to combat the introduction and spread of non-native plants and animals. Several states are expanding their noxious weed programs.

While many entities are just beginning to address the issue, Washington has a long history of noxious weed control efforts. Washington's first noxious weed law, which dealt with Canada and Chinese thistles, was passed in 1881 - eight years before statehood. Noxious weed laws have been updated and refined many times since then to accommodate new information and changing needs. As a result, Washington has one of the nation's best noxious weed control programs. In recent years, several states have amended their weed laws in ways that made them more similar to Washington's law. The following pages summarize Washington's noxious weed program and some of its challenges and accomplishments for the 30-month period from January of 2003 through June of 2005.

SUMMARY OF PROGRAM ORGANIZATION

The Washington State Noxious Weed Control Board (the Board) believes noxious weed control is best implemented at the local level by the 38 county noxious weed control boards and 11 weed districts. Enhancing their effort by providing leadership, direction, education, and coordination is the best investment the state of Washington can make for noxious weed control and the protection of its agriculture and other natural resources.



Twelve volunteers, some elected and others appointed, make up the State Weed Board. Gene Little, center, left the Board in 2005 after 13 years of service. He is flanked by Board Chairman Ran Fann and Mary Toohey of the Washington State Department of Agriculture.

The Board and the Washington State Department of Agriculture (the Department) currently work with 38 activated noxious weed control boards to implement the state's chief noxious weed control law, Chapter 17.10 RCW *Noxious Weeds – Control Boards*. The Board and the Department also work cooperatively with 11 weed districts formed under older noxious weed laws, Chapters 17.04 RCW *Weed Districts* and 17.06 RCW *Intercounty Weed Districts*.

Each of these laws has assigned primary responsibility for noxious weed control to the landowner as

steward of the land. Thus, private funds pay for the vast majority of noxious weed control in this state. The relatively smaller amounts spent by local and state agencies leverage this much larger private investment. Regulatory responsibility for ensuring compliance with the noxious weed laws has been assigned to local county noxious weed control boards and weed districts formed under these laws. The Department has regulatory responsibility when no local program has been activated.

These local boards and districts carry out the state's noxious weed law at the local level. Each county board is composed of five directors who volunteer their time and effort to oversee the county noxious weed program. The chair of the Washington State University Cooperative Extension, or the chair's designee, serves as an ex-officio, non-voting county weed board member. The 11 weed districts were formed from the 1930's through the 1960's, with three volunteer directors per district. Each local board and district has the authority to hire staff to regulate the control of noxious weeds in its jurisdiction. Local weed boards and districts provide many services to the communities they serve, including:

- Early detection surveys designed to identify noxious weeds in the early stages of invasion – before large-scale resource damage occurs;
- Technical assistance and education on noxious weeds, prevention strategies, and control options for landowners;

- Enforcement of noxious weed control responsibilities to ensure resource protection and uniform standards; and
- Local flexibility and the ability to address local weed control priorities.

Funding of these local programs is either through a weed assessment on land or an appropriation from the county general fund. All weed districts are funded by assessment. Currently, 22 of the 38 county weed boards are funded by a weed assessment on land. The remainder of the county programs has budgets appropriated from the county general fund. Whether assessment or general fund, more than \$5.96 million are locally invested in the annual budgets of county weed board and weed district programs statewide. They, in turn, direct the substantial investment made by landowners throughout Washington for actual noxious weed control work.

The Board helps make this local investment work for the benefit of the state by providing leadership, direction, and coordination to these local weed boards and weed districts. The Board is composed of 12 volunteer members. Nine voting members represent county weed programs in all regions of the state, weed districts, county legislative authorities, the public interest, and the Washington State Department of Agriculture. Three non-voting members are scientific advisors. The Board:

- Determines and adopts the annual state noxious weed list;
- Gathers and distributes information on noxious weed species and control strategies;
- Coordinates training, technical assistance, control strategies, and educational program development at a county, state, and regional level;
- Supports and promotes the activation of local weed control boards;
- Assists in the development and promotion of biological control projects;
- Conducts and supports prevention programs and early detection surveys;
- Promotes cooperation, compliance, and coordination of weed control activities among 38 county weed boards, 11 weed districts, 12 state and federal land management agencies, 34 Indian nations, two neighboring states, and one province.

The Department is the final component of Washington's noxious weed control program. State weed law authorizes the Department to:

- Perform any necessary enforcement activities in counties without activated weed boards, and
- Negotiate and resolve inter-county disputes.

Strong cooperation and interaction between the Board, the Department, and county noxious weed control boards and weed districts are the keys to the success of Washington's statewide noxious weed program.

WASHINGTON STATE NOXIOUS WEED CONTROL BOARD

The Board serves as the state's noxious weed coordination center. Through its actions and policy decisions, it serves to coordinate and assist the activities of 38 county noxious weed control boards and 11 weed districts in Washington. Together, the state and local programs leverage and coordinate the much-larger total weed control efforts funded by property owners.

Program Status

Unlike the previous biennium, the period from January of 2003 through June of 2005 saw the State Weed Board remain mostly fully staffed (2.4 Full-Time Equivalents) and housed continuously at the Natural Resource Building in Olympia. This relative stability allowed the Board to regain program momentum that had been lost in an earlier period of heavy staff turnover and repeated office relocation.

Activities that were significantly increased during the period covered by this report included representing the state's noxious weed control system to related groups in state, regionally and nationally. State Weed Board staff serves on the state's Aquatic Nuisance Species Committee and its Executive Committee. The Board participates in the Western (U.S) Weed Coordinating Committee, the North American Weed Management Association and the Weed Science Society of America. Since 2003, the Board staff has established a presence on the national weed scene by spending a week in Washington D.C. each winter, participating in National Invasive Weed Awareness Week. At the request of Washington State University, Board staff served on the search committee for a new administrator of the Master Gardener program.

Support for County Boards and Districts

Supporting and assisting county weed boards and weed districts is one of the Board's highest priorities. Service to them can take many forms. The following is a sample of the Board's support activities during the 30 months covered by this report:

- **ASSESSMENT FUNDING** - Advised Pacific, Cowlitz, Pend Oreille, Yakima, Kitsap and Grays Harbor counties and others on assessment funding and provided them with statewide assessment data. The executive secretary participated in assessment-related public events in all of these counties. In April of 2004, Kitsap County adopted an assessment to fund its weed board.
- **DISPLAYS** - Provided and coordinated eight educational displays, with four different themes, for county and district weed programs to use at public events around the state.
- **RIGHTS OF WAY** - With the Skamania County Board of Commissioners, County Weed Board and utility officials, worked to develop mutual understanding of weed control responsibilities in utility easements.
- **LEGAL** - Secured answers from the State Attorney General's office in response to



Citizens learn from one of eight traveling noxious weed education displays.

questions about laws relating to assessment funding and other aspects of noxious weed control.

- **COUNTY LEADERS** - Provided a staffed exhibit at the 2003 combined conference of the Washington State Association of Counties and the Washington Association of County Officials, to educate county commissioners, council members, prosecutors, treasurers and assessors on weed issues and responsibilities.
- **TOURS** - Collaborated with local officials to organize weed-control field tours in Grant, Whitman, Whatcom and Pend Oreille Counties, to foster information sharing among weed control professionals.



Field tours of weed control operations, like this one in Pend Oreille County in September of 2004, draw audiences made up of citizens and weed control professionals alike.

- **STATE LANDS** - Worked to resolve potential disputes between counties or their citizens and state land management agencies, specifically WDFW, DNR and DOT.
- **PESTICIDE LICENSES** - Worked with the State Legislature, WSDA's Pesticide Management Division and several counties to expand and make permanent the pilot Limited and Rancher Private Applicator Pesticide Licenses. Previously temporary and limited to a few counties, that program had helped property owners comply with state weed law. As a result of a bill passed during the 2004 Legislative session, the program is now permanent and available in all of eastern Washington.
- **MAILING TO NURSERIES** - Mailed a package to every nursery in every county, a total of over 7,000, providing information on plants that are prohibited from sale and/or listed as noxious weeds, and seeking cooperation.
- **NATIONAL FORESTS** - At the request of county weed boards, entered into a three-year effort to positively influence weed control practices on national forests. (See Highlights & Success Stories.)

- **INFORMATION** – When state or federal legislation, court cases or regulatory actions have implications for noxious weed control, the State Weed Board’s executive secretary provides frequent updates to county and district weed programs.



Washington participants in the 2005 National Invasive Weed Awareness Week included (left to right) Kevin Hupp of the Lincoln County Noxious Weed Control Board, Steve Burke of the King County Noxious Weed Control Board and Steve McGonigal of the State Weed Board.

- **NATIONAL INVOLVEMENT** – Assisted weed coordinators from Thurston, Lincoln, Whatcom and King counties to participate in National Invasive Weed Awareness Week. (See Highlights & Success Stories.)
- **VOLUME PURCHASING** – Again in 2005, the State Weed Board coordinated a group purchase of the popular booklet “Selected Noxious Weeds of Washington State.” The State Board and participating counties benefited from unit prices that were 61 percent lower than they would have paid if buying individually.
- **CRP** – At the request of county weed boards, drew attention to weed issues of the Conservation Reserve Program. (See Highlights & Success Stories.)
- **NATIONAL PARKS** – A State Weed Board member met regularly with the

National Park Service, tribal representatives, private landowners and surrounding counties about weed issues at Lake Roosevelt.

Special Projects of Statewide Benefit

For the past 10 years, the Board has dedicated funds to special projects of statewide benefit. The Board funded the following projects between January of 2003 and June of 2005:

- **ERADICATION** – Funded continued efforts to eradicate eggleaf spurge, a Class A noxious weed, in San Juan County, the only county in Washington where the weed is known to exist.
- **BIOCONTROL** - Purchased stem-boring weevils *Mecinus janthinus* for biological control of Dalmatian toadflax in the Blue Mountains of Garfield County. This effort to control an emerging weed problem south eastern Washington will also establish a reproducing weevil population that local weed boards and citizens can access for redistribution.
- **WORKSHOP** - Co-sponsored a June, 2003 workshop on the use of goats in weed control with WSU Extension. More than 75 people participated.



A workshop on using goats in weed control, sponsored by the State Weed Board and WSU, drew over 75 people in June of 2003.

- **THIRD DOUGLAS COUNTY WEED SURVEY** – Surveyed Douglas County for noxious weeds in 2004, the third state-funded survey in that county since 1997. Found uncontrolled populations of six Class B – Designate noxious weeds. Since Douglas County is the only county in the state without an activated county weed board, the survey results and recommendations were delivered to each of the county commissioners, and to the Director of WSDA. By October of 2004, three neighboring counties had filed valid official complaints with WSDA, requesting enforcement under Sections 17.10.074 (e), (f) and (g) of the Revised Code of Washington.
- **RESEARCH** – Funded research on potential hawkweed biological control insects.
- **TOOLS** – Purchased tools for use by offender crews in noxious weed control and bioagent gathering in Asotin County.



A documentary video about noxious weeds in Washington was produced in 2004 by the State Weed Board, WSU and eight county weed boards.

- **VIDEO** – With WSU and eight county weed boards, produced the 50-minute video “Noxious Weeds: Everyone’s Enemy.” Copies are available for loan from the State Weed Board office.
- **PUBLIC AWARENESS** – Supported a spring 2003 “Public Weed Awareness” campaign in Jefferson County. Also purchased equipment for use in awareness work in 2005.
- **NATIONAL INVOLVEMENT** – Assisted weed coordinators from Thurston, Whatcom, Lincoln and King counties to participate in National Invasive Weed Awareness Week.

- **WEED MODELS** – Purchased a collection of four species of artificial weed models for every county weed board and weed district. These plastic copies of yellow starthistle, leafy spurge, Dalmatian toadflax and spotted knapweed allow education in weed identification without the risk of spreading seeds.
- **COWLITZ COUNTY WEED SURVEY** – Surveyed Cowlitz County for noxious weeds in 2005. Found one Class A and 10 Class B-designate noxious weeds. Delivered the survey report to the county weed board. Scheduled a follow-up survey for late-blooming species.
- **BIOCONTROL BOOK** – Purchased a copy of the new book “Biological Control of Invasive Plants in the United States” for every county weed control board and weed district.

The Board’s ability to fund Special Projects of Statewide Benefit has been decreasing in recent years, as costs have increased and total funding has remained relatively flat. See Table #8 on page 47 for a graphic representation of the inflation-adjusted history of the Board’s budget, and the impact that the decrease in purchasing power is having on Special Projects funding.

Nursery Industry

An area of significant progress during the reporting period concerns the nursery industry. While noxious weeds are introduced to the state in a variety of ways, weed introductions through the nursery industry have occurred in the past, and the potential for this continues. However, recent developments provide hope for improvement.

In September of 2004, the nursery industry named a representative to fill the vacant “horticulture industry” seat on the Noxious Weed Committee. Since that seat had been vacated in January of 2002, State Weed Board staff had repeatedly reminded industry associations, leaders and businesspeople of the opportunity for the industry to represent itself in the process that develops the State Noxious Weed List. That representation has now been re-established.

Also in 2004, nursery industry trade groups formed a task force with the University of Washington’s Center for Urban Horticulture and others “to determine if it would be practical and possible for people working in horticulture to voluntarily help monitor and control the introduction of invasive plants through their businesses.” The goal was to study the impacts of voluntary implementation of the Codes of Conduct developed in 2001 by and for nursery businesses. The results of the task force study, while limited, were judged positive by the sponsors.

Cooperative Weed Management Areas

In some states in recent years, there has been an emphasis on creating Cooperative Weed Management Areas (CWMAs) to work across jurisdictional and ownership lines, because weeds readily cross such lines. Sometimes called working groups, these organizations vary from formal arrangements with signed Memoranda of Understanding (MOUs) to much less-structured entities. Fourteen such groups are known to be operating in Washington State at this time, with varying degrees of success. Some focus on a particular weed, like knotweed, in a particular area like a watershed. Others work on an agreed-upon group of weeds in an area of intermingled jurisdictions and ownerships, like a mountain pass. Two are concerned about aquatic weeds in a particular river. State Weed Board staff participates in these relatively new groups to the extent that limited time and resources allow.

Education

Under RCW 17.10.070, the Board is required to “*disseminate information relating to noxious weeds to county noxious weed control boards and weed districts, to coordinate the educational and weed control efforts of the various county and regional noxious weed control boards and weed districts.*” The Board’s education program has focused on increasing the awareness of exotic species and their associated threats by providing information to the general public and others. The education program has included:



The fine points of weed identification were explored in two sessions yearly, in eastern and western Washington.

- **IDENTIFICATION** - In 2003 and 2004, two weed identification seminars were conducted each year, one each in eastern and western Washington.
- **PRESENTATIONS** - The education specialist gave over 60 in-person presentations between January of 2003 and June of 2005. Audiences ranged in size from just a few to over 400 participants at the Washington State Weed Association's annual conference. Participants varied from citizens unfamiliar with noxious weed issues to U.S. Forest Service botanists.
- **EXHIBITIONS** - A booth and a demonstration garden at the heavily-attended Northwest Flower & Garden Show were staffed by the State Board in partnership with several county weed boards.
- **WEBSITE** - The Board maintains a website including information on noxious weeds and their impacts, weed law, and the state and county weed boards. The website is at: <http://www.nwcb.wa.gov>.
- **VIDEO** - Board staff was directly involved in the writing and production of the video "Noxious Weeds: Everyone's Enemy."
- **INSPECTOR TRAINING** - Presentations on noxious and quarantined ornamental plants were conducted for WSDA nursery inspectors.
- **LITERATURE** - A new brochure on "Selected Knapweeds of Washington", published in 2003, provides detailed identification tables and information on dispersal and management.

The State Weed Board web site features detailed information and color photographs of the state's noxious weeds. Many educational materials are included on the site and can be downloaded directly. The web site has become a popular resource for weed professionals, as well as the general public. A future focus may be to make the site more usable for citizens who are not familiar with noxious weeds.

The Board also worked to provide printed educational materials. Staff collaborated with others to design a new brochure on knapweeds and their dissemination, identification and control. All materials include color weed photos, along with information on identification and control. These materials were shared with county weed boards and weed districts.

Over the past biennium, staff has provided training to Department nursery inspectors, so the inspectors can be familiar with quarantined plants that may be sold in nurseries. In the coming months, the Board plans to send another educational mailing to all 7000-plus licensed nurseries in Washington, continuing an effort to build cooperation.

The education program also offers technical and scientific research support to the noxious weed listing process. The Board is charged with maintaining written findings on all species on the state



Weed control professionals interact with thousands of citizens yearly at the Northwest Flower & Garden Show.

noxious weed list. Written findings serve as a summary of available information on a weed species' history, distribution, biology, and control. The goal is that a percentage of existing written findings will be updated annually, and that all written findings be available on the Board's web page.

Photographs and drawings of noxious weeds are also maintained by the education program. An effort is now underway to digitize and organize the image collection, and make images of all listed weeds readily available to citizens.

Education and public awareness will continue to be an important part of the Board's programs. Support for noxious weed boards has primarily come from the agricultural sector and this remains an important base of support. Many citizens and elected officials not involved in agriculture or natural resource protection are not aware of the resource damage caused by noxious weeds. Education and outreach to this broad range of interest groups and citizens will broaden the base of support for noxious weed control efforts and develop coalitions between agricultural and non-agricultural interest groups.

State Noxious Weed List

Each year, the Board coordinates and influences noxious weed control activities statewide through adoption, by rule, of the state noxious weed list. None of the weeds on the Washington State Noxious Weed List are native to the state; they have all been introduced from other parts of the world. The noxious weed list determines which plants will be considered noxious weeds and where in Washington control will be required. This approach allows control activities of landowners, public and private, to be prioritized toward the protection and enhancement of Washington's agricultural and natural resources in the most cost-effective manner.

1. Prevention

New noxious weeds are to be prevented from establishing in the state. Prevention is the process of forestalling the contamination of an area by a noxious weed. It includes measures taken to stop the introduction and spread of a specific species into areas not currently infested. This far-sighted approach, similar to preventative medicine, pays great economic and natural resource dividends. Prevention is achieved through legislation, regulation, and landowner education. For example, quarantines enacted by the Department prohibit the transport, sale and purchase of 89 non-native, invasive plants. These quarantines prevent the continued introduction of these species through plant sales. Some of the state's worst noxious weeds, such as purple loosestrife, Scotch broom, and Dalmatian toadflax, were intentionally introduced as ornamentals.

2. Eradication

Small infestations of newly established noxious weed species are to be eradicated at the smallest possible population level and earliest possible opportunity. Eradication means to eliminate a noxious weed within a geographical area. Eradication is mandated during the early stages of invasion while population levels are low and infested sites are few. Early action not only has the greatest chance of success, but also minimizes expense and resource damage. An eradication effort often includes components such as survey, monitoring, education, regulation, and site-appropriate vegetation management.

3. Containment

Noxious weeds that have become established to such an extent that eradication is no longer feasible are to be contained. Contain means to confine a noxious weed and its propagules to an identified area of infestation. Containment can involve a variety of control and suppression measures, including mechanical, cultural, chemical, and biological control, as well as landowner education and other appropriate weed management strategies.

The historical emphasis of Washington's noxious weed law was to protect the economic interests of commercial agriculture in the state. While the effects of noxious weeds on agriculture are enormous, their effects on the natural resources and ecological diversity of the state are immeasurable. These resources, once destroyed, may be irreplaceable. Noxious weeds threaten not only our agricultural base, but also our rangelands, waterways, parks, wildlife, property values, public health and safety, and the ecological health and diversity of our native ecosystems. In recognition of these multiple impacts, Chapter 17.10 RCW was updated in 1997 to include limiting economic loss and adverse effects to Washington's agricultural, natural, and human resources.

The Board systematically classifies noxious weeds based on the stage of invasion of each species. The classification system is designed to: 1) eliminate new invasions before they spread. 2) prevent small infestations from becoming large infestations; 3) contain already established infestations to regions of the state where they occur and prevent their movement to non-infested areas; and 4) allow flexibility at the local level to include widespread weeds for landowner management programs. A complete noxious weed list is published annually in Chapter 16-750 WAC.

There are 30 Class A noxious weeds in Washington. Class A weeds are non-native species with a limited distribution in the state. Therefore, eradication of all Class A noxious weeds is required by state law.



Four invasive knotweed species are listed as Class B Noxious Weeds. They can take over many environments, from stream banks to back yards. The swing set shows the scale of these large weeds. Giant knotweed can reach a height of over 12 feet.

Table 1. 2005 State Noxious Weed List - Class A Weeds

Common name	Scientific name	Common name	Scientific name
Bean-caper, Syrian	<i>Zygophyllum fabago</i>	Knapweed, bighead	<i>Centaurea macrocephala</i>
Blueweed, Texas	<i>Helianthus ciliaris</i>	Knapweed, Vochin	<i>Centaurea nigrescens</i>
Broom, Spanish	<i>Spartium junceum</i>	Kudzu	<i>Pueraria Montana var. lobata</i>
Buffalobur	<i>Solanum rostratum</i>	Lawnweed	<i>Soliva sessilis</i>
Clary, meadow	<i>Salvia pratensis</i>	Mustard, garlic	<i>Alliaria petiolata</i>
Cordgrass, dense flower	<i>Spartina densiflora</i>	Nightshade, silverleaf	<i>Solanum elaeagnifolium</i>
Cordgrass, salt meadow	<i>Spartina patens</i>	Sage, clary	<i>Salvia sclarea</i>
Crupina, common	<i>Crupina vulgaris</i>	Sage, Mediterranean	<i>Salvia aethiopis</i>
Flax, spurge	<i>Thymelaea passerina</i>	Spurge, eggleaf	<i>Euphorbia oblongata</i>
Four o'clock, wild	<i>Mirabilis nyctaginea</i>	Starthistle, purple	<i>Centaurea calcitrapa</i>
Goatsrue	<i>Galega officinalis</i>	Thistle, Italian	<i>Carduus pycnocephalus</i>
Hawkweed, yellow devil	<i>Hieracium floribundum</i>	Thistle, milk	<i>Silybum marianum</i>
Hogweed, giant	<i>Heracleum mantegazzianum</i>	Thistle, slenderflower	<i>Carduus tenuiflorus</i>
Hydrilla	<i>Hydrilla verticillata</i>	Velvetleaf	<i>Abutilon theophrasti</i>
Johnsongrass	<i>Sorghum halepense</i>	Woad, dyers	<i>Isatis tinctoria</i>

The Board has classified 67 species as Class B noxious weeds. These species are established in some regions of Washington but are of limited distribution or not present in other regions of the state. In regions where a Class B weed is unrecorded or of limited distribution, prevention of seed production is required. In these areas, the weed is a “Class B designate,”

Table 2. 2005 State Noxious Weed List - Class B Weeds

Common name	Scientific name	Common name	Scientific name
Alyssum, hoary	<i>Berteroa incana</i>	Knapweed, diffuse	<i>Centaurea diffusa</i>
Arrowhead, grass-leaved	<i>Sagittaria graminea</i>	Knapweed, meadow	<i>Centaurea jacea x nigra</i>
Blackgrass	<i>Alopecurus myosuroides</i>	Knapweed, Russian	<i>Acroptilon repens</i>
Blueweed	<i>Echium vulgare</i>	Knapweed, spotted	<i>Centaurea biebersteinii</i>
Broom, Scotch	<i>Cytisus scoparius</i>	Knotweed, Bohemian	<i>Polygonum bohemicum</i>
Bryony, white	<i>Bryonia alba</i>	Knotweed, giant	<i>Polygonum sachalinense</i>
Bugloss, annual	<i>Anchusa arvensis</i>	Knotweed, Himalayan	<i>Polygonum polystachyum</i>
Bugloss, common	<i>Anchusa officinalis</i>	Knotweed, Japanese	<i>Polygonum cuspidatum</i>
Camelthorn	<i>Alhagi maurorum</i>	Kochia	<i>Kochia scoparia</i>
Carrot, wild	<i>Daucus carota</i>	Lepyrodiclis	<i>Lepyrodiclis holosteoides</i>
Catsear, common	<i>Hypochaeris radicata</i>	Loosestrife, garden	<i>Lysimachia vulgaris</i>
Chervil, wild	<i>Anthriscus sylvestris</i>	Loosestrife, purple	<i>Lythrum salicaria</i>
Cinquefoil, sulfur	<i>Potentilla recta</i>	Loosestrife, wand	<i>Lythrum virgatum</i>
Cordgrass, common	<i>Spartina anglica</i>	Nutsedge, yellow	<i>Cyperus esculentus</i>
Cordgrass, smooth	<i>Spartina alterniflora</i>	Oxtongue, hawkweed	<i>Picris hieracioides</i>
Daisy, oxeye	<i>Leucanthemum vulgare</i>	Parrotfeather	<i>Myriophyllum aquaticum</i>
Elodea, Brazilian	<i>Egeria densa</i>	Pepperweed, perennial	<i>Lepidium latifolium</i>
Fanwort	<i>Cabomba caroliniana</i>	Primrose, water	<i>Ludwigia hexapetala</i>
Fieldcress, Austrian	<i>Rorippa austriaca</i>	Puncturevine	<i>Tribulus terrestris</i>
Floating heart, yellow	<i>Nymphoides peltata</i>	Ragwort, tansy	<i>Senecio jacobaea</i>
Gorse	<i>Ulex europaeus</i>	Saltcedar	<i>Tamarix ramosissima</i>
Hawkweed, mouseear	<i>Hieracium pilosella</i>	Sandbur, longspine	<i>Cenchrus longispinus</i>
Hawkweed, orange	<i>Hieracium aurantiacum</i>	Skeletonweed, rush	<i>Chondrilla juncea</i>
Hawkweed, polar	<i>Hieracium atratum</i>	Sowthistle, perennial	<i>Sonchus arvensis ssp. Arvensis</i>
Hawkweed, queen-devil	<i>Hieracium glomeratum</i>	Spurge, leafy	<i>Euphorbia esula</i>
Hawkweed, smooth	<i>Hieracium laevigatum</i>	Spurge, myrtle	<i>Euphorbia myrsinites L</i>
Hawkweed, yellow	<i>Hieracium caespitosum</i>	Starthistle, yellow	<i>Centaurea solstitialis</i>
Hedgeparsley	<i>Torilis arvensis</i>	Swainsonpea	<i>Sphaerophysa salsula</i>
Helmet, policeman's	<i>Impatiens glandulifera</i>	Thistle, musk	<i>Carduus nutans</i>
Herb Robert	<i>Geranium robertianum</i>	Thistle, plumeless	<i>Carduus acanthoides</i>
Houndstongue	<i>Cynoglossum officinale</i>	Thistle, Scotch	<i>Onopordum acanthium</i>
Indigobush	<i>Amorpha fruticosa</i>	Toadflax, Dalmatian	<i>Linaria dalmatica ssp. dalmatica</i>
Knapweed, black	<i>Centaurea nigra</i>	Watermilfoil, Eurasian	<i>Myriophyllum spicatum</i>
Knapweed, brown	<i>Centaurea jacea</i>		

meaning it is designated for control by state law. In regions where a Class B species is already abundant or widespread, control is a local option. In these areas, the weed is a “Class B non-designate,” with containment, gradual reduction, and prevention of further spread being the chief goals.

Washington has 30 Class C noxious weeds. Each species is already widely established in Washington or of special interest to the state’s agricultural industry. Placement on the state noxious weed list allows counties to enforce control if locally desired. Other counties may choose simply to provide education or technical consultation to county residents. Canada thistle, a Class C noxious weed, illustrates the desirability of a law that provides local flexibility. This species is widely established in Washington, and most counties prefer to provide technical consultation to landowners on methods of suppression and control. However, enforcement of control is the preferred policy in counties where certified seed for a number of agricultural crops is grown.

Table 3. 2005 State Noxious Weed List – Class C Weeds

Common name	Scientific name	Common name	Scientific name
Babysbreath	<i>Gypsophila paniculata</i>	Mayweed, scentless	<i>Matricaria perforata</i>
Beard, old man's	<i>Clematis vitalba</i>	Poison-hemlock	<i>Conium maculatum</i>
Bindweed, field	<i>Convolvulus arvensis</i>	Pondweed, curly-leaf	<i>Potamogeton crispus</i>
Butterfly bush	<i>Buddleia davidii</i>	Reed, common, nonnative geno types	<i>Phragmites australis</i>
Canarygrass, reed	<i>Phalaris arundinacea</i>	Rye, cereal	<i>Secale cereale</i>
Cockle, white	<i>Silene latifolia ssp. alba</i>	Spikeweed	<i>Hemizonia pungens</i>
Cocklebur, spiny	<i>Cardaria draba</i>	St. Johnswort, common	<i>Hypericum perforatum</i>
Cress, hoary	<i>Xanthium spinosum</i>	Tansy, common	<i>Tanacetum vulgare</i>
Dodder, smoothseed alfalfa	<i>Cuscuta approximata</i>	Thistle, bull	<i>Cirsium vulgare</i>
Goatgrass, jointed	<i>Aegilops cylindrical</i>	Thistle, Canada	<i>Cirsium arvense</i>
Groundsel, common	<i>Senecio vulgaris</i>	Toadflax, yellow	<i>Linaria vulgaris</i>
Hawkweed, spp*	*Non-native <i>Hieracium</i>	Water lily, fragrant	<i>Nymphaea odorata</i>
Henbane, black	<i>Hyoscyamus niger</i>	Whitetop, hairy	<i>Cardaria pubescens</i>
Iris, yellow flag	<i>Iris pseudocorus</i>	Willow-herb, hairy	<i>Epilobium hirsutum</i>
Ivy, English	<i>Hedera hibernica, Hedera helix Baltica, Hedera helix Pittsburgh, Hedera helix Star</i>	Wormwood, absinth	<i>Artemisia absinthium</i>

The Board also maintains a monitor list of non-native species. Reasons for inclusion on the monitor list include: information indicating the species poses a potential threat; a need for additional information on distribution, abundance or biology; a need to monitor for reoccurrence; a need to verify the existence or identification of a species or to obtain a

specimen; or the existence of a species in an adjacent state or province that is not known to occur in Washington. Information collected on monitor list species may be used to justify future inclusion on the state noxious weed list. There is no regulatory aspect to the monitor list.

Table 4. 2005 Monitor List

Common name	Scientific name	Common name	Scientific name
Archangel, yellow	<i>Lamium galeobdolon</i>	Inula	<i>Inula helenium</i>
Bedstraw, foothills	<i>Galium pedemontanum</i>	Knapweed, featherhead	<i>Centaurea tricocephala</i>
Bladderwort, swollen	<i>Utricularia inflata</i>	Mallow, Venice	<i>Hibiscus trionum</i>
Blooddrops	<i>Adonis annua</i>	Matgrass	<i>Nardus stricta</i>
Bursage, skeletonleaf	<i>Ambrosia tomentosa</i>	Pheasants-eye	<i>Adonis aestivalis</i>
Catchfly, Balkan	<i>Silene csereii</i>	Rue peganum, African	<i>Peganum harmala</i>
Cattail, lesser	<i>Typha angustifolia</i>	Rupturewort	<i>Herniaria cinerea</i>
Celandine, lesser	<i>Ranunculus ficaria</i>	Thistle, distaff	<i>Carthamus lanatus</i>
Cinquefoil, silvery	<i>Potentilla argentea</i>	Unicorn-plant	<i>Proboscidea louisianica</i>
Crosswort, narrowleaved	<i>Crucianella angustifolia</i>	Verbena, tall	<i>Verbena bonariensis</i>
Daffani	<i>Daphne laureola</i>	Vine, silverlace	<i>Polygonum auberti</i>
Fatoua	<i>Fatoua villosa</i>	Watercress	<i>Rorippa nasturtium-aquaticum</i>
Fieldcress, creeping	<i>Rorippa sylvestris</i>	Waterhyacinth	<i>Eichhornia crassipes</i>
Halogeton	<i>Halogeton glomeratus</i>		

Strategic Planning

The Board constructs an annual strategic plan to focus the limited resources of the Board on priority projects. The strategic planning process provides an opportunity for the Board to set specific priorities, and to furnish staff with a clear, consistent directive for carrying out daily work.

Strategic Plan Summary for 2005-2006

<i>Mission Statement: To serve as responsible stewards of Washington by protecting and preserving the land and resources from the degrading impacts of noxious weeds.</i>
Goal #1: To monitor, document, and classify noxious weeds in Washington.
<i>Outcome Measure for Goal #1: 2006 state noxious weed list and monitor list.</i>
Objective 1: Review, revise, and adopt the state noxious weed list
Task 1: Review existing list with coordinators - Adjust classifications to fit the populations found in the county
Task 2: Review requests for changes and information on newly introduced species..
Task 3: Adopt state weed list
Objective 2: Have an accurate written finding and resource file including photos for all listed weeds.
Task 1: Write drafts and final findings for proposed new weeds..
Task 2: Update at least five older or incomplete written findings/Class A first, then B, then C.

Task 3: Update website to replace <u>all</u> line drawings of weed files with existing photos and keep existing line drawings
Task 4: If no written findings exist for species on the website use existing fact sheets and begin to complete Task 2.
Task 5: Obtain annual status report on state monitor list species
Objective 3: Monitor progress of Class A and B-designate weeds
Task 1: Standardize reporting procedure including acreage
Task 2: Compile report on acreage, location and control of each Class A weed and post on the web.
Objective 4: Research ways to improve existing listing process
Task 1: Review weed listing process of other states
Task 2: Develop more systematic way of assigning weed to weed list
Goal #2: To improve statewide noxious weed education and public awareness programs and to meet public and agency demands for information on the state's noxious weeds, noxious weed laws and regulations, and integrated weed management.
<i>Outcome Measure for Goal #2: Process legislative and public requests for information in a timely manner. Facilitate delivery of educational program as appropriate. Completed Coordinators Handbook.</i>
Objective 1: Develop and distribute education materials and media releases on noxious weed species, state weed laws and regulations, and integrated weed management
Task 1: Respond to all information requests. (Refer to counties where applicable)
Task 2: Update and distribute the coordinators handbook
Task 3: Maintain State Weed Board web page
Task 4: Maintain and improve fair displays
Task 5: Develop regional press releases as needed
Objective 2: Assist local weed board and weed district staff, state and federal land managers, and citizen groups in noxious weed identification and integrated weed control measures.
Task 1: Hold two regional plant identification sessions for county weed boards, weed districts and other interested parties.
Task 2: Give educational presentations targeted to various audiences
Task 3: Coordinate with nursery industry to share information on noxious weed biology, control, and quarantines
Task 4: Assist counties and weed districts in Class A and B designate eradication and control - Special Situations Only
Task 5: Collect control measures by species. Put on web.
Objective 3: Promote research that quantifies and identifies impacts of noxious weeds on resources of the state
Task 1: Promote enhancement of the Statewide Bio-control project
Task 2: Collect and distribute research and knowledge regarding impacts
Goal #3 : Promote the activation and funding of noxious weed control boards or districts in every county in Washington.
<i>Outcome Measure for Goal #3: One new activated or one new adequately funded county noxious weed control board.</i>
Objective 1: Assist counties in implementing noxious weed program funding.
Task 1: <u>Provide</u> information and assistance to counties pursuing funding.
Objective 2: Advise state legislators and staff on the threat noxious weed invasions pose to the resources of Washington and the statewide benefits provided by WSNWCB programs.
Task 1: Prepare legislative report for calendar years 2003, 2004 thru June 2005.

Task 2: <i>Update appropriate legislative committee chairs on weed issues by Jan. 1, 2006 (Legislative Report)</i>
Task 3: <i>Sponsor an organized effort to highlight weed awareness</i>
Objective 3: Support enforcement of the state noxious weed control law and regulations by WSDA in those counties where complaints are filed
Task 1: Advise WSDA on all complaints filed against counties
Task 2: Assist counties that are subject of complaints
Task 3: Support enforcement of 17.04, 17.06, and 17.10 by counties and weed districts
Task 4: Encourage education regarding enforcement
Objective 4: Promote activation of one noxious weed control board
Task 1: Advise WSDA to monitor and enforce on Class A and B designates in Douglas County
Task 2: Encourage revitalization of the Cowlitz County Board
Objective 5: Review and suggest improvements in RCW 17.10
Task 1: Work with Weed Boards and Ag. Groups to fill Board seats
Task 2: Solicit suggestions from weed boards
Goal #4: Develop a statewide Weed Management Plan.
<i>Outcome Measure for Goal #4: Available Weed Management Plan</i>
Objective 1: Assist in plan development
Task 1: Assist in plan development.
Objective 2: Solicit a M.O.U. from state, tribal, federal and non-government agencies supporting the plan
Task 1: Assist in development
Goal #5: To establish and maintain successful working relationships with federal, tribal, state, county and district land management agencies and to help secure adequate funding for weed control on these lands in Washington.
<i>Outcome Measure for Goal #5: Statewide funding and performance review and summary, including all agencies</i>
Objective 1: Facilitate coordination of non-native species programs with other agencies.
Task 1: Request funding and accomplishments summary and meet annually with state agencies
Task 2: Request funding and accomplishments summary and meet annually with federal agencies
Task 3: Participate in appropriate interagency and other working groups/coalitions that include noxious weed control as an objective.
Objective 2: Assist in securing adequate noxious weed control funding for state and federal agencies and tribal councils.
Task 1: Participate in National Weed Awareness Week
Task 2: Support other agency noxious weed control budgets
Task 3: Petition Congress to add weed control as a line item in budgets of agencies involved in land management
Objective 3: Annual Board performance evaluation
Goal #6: Maintain a legal and professional Board and staff
<i>Outcome Measure for Goal #6: Comply with State and Federal law.</i>
Task 1: Conduct required training for Board and staff- Sexual harassment, Ethics, etc.
Task 2: Provide continuing education for staff.

Looking Ahead

Some important projects to be completed in the future include the following.

The State Weed Board is supporting S.267 and HR 517 in Congress. Either bill would reauthorize the Secure Rural Schools and Community Self Determination Act. Some county weed boards receive significant funding through Titles II and/or III of that Act, which is scheduled to “sunset” and cease providing such funding in 2007.

The Governor's office and others have asked the State Weed Board to participate in an ongoing process to determine if the establishment of an invasive species council in the state would be beneficial.

A committee of the Board, chaired by the WSDA weed specialist, is writing a "Statewide Weed Management Plan."

The federal Bureau of Land Management has announced plans to develop an Environmental Impact Statement concerning its control of noxious weeds. The Board intends to be involved, as it was for a similar process with the U.S. Forest Service.

The Washington State Weed Coordinators' Handbook, now in the process of being updated, will be completed, printed and distributed.

The State Weed Board is supporting the Pest Management and Fire Suppression Flexibility Act (S.1269 and HR 1749), which is currently being considered in Congress. Passage of either bill would clarify that the Clean Water Act does not require National Pollution Discharge Elimination System (NPDES) permits when a pesticide is applied to water in compliance with the Federal Insecticide, Fungicide and Rodenticide Act. A federal court case has led some agencies in this state to conclude that such permits are required, but access to such permits is currently limited. As a result, some aquatic noxious weed infestations may be going untreated.

The Noxious Weed Committee has expressed interest in examining weed-listing processes, to assure that Washington's process is the best it can be.

Board staff has been asked to become involved in filling certain empty county weed board seats with qualified members. Limited staff time has not yet allowed that process to begin.

Several people involved in noxious weed control have expressed an interest in seeing a state-level "weed awareness week" initiated in Washington State. Similar events were held for the first time in Oregon and California in the summer of 2005.

COUNTY NOXIOUS WEED CONTROL BOARDS & WEED DISTRICTS

The Washington State Legislature recognized the importance of noxious weed control by creating a noxious weed control board in each county, which must be activated by the county legislative authority. The Board believes, like the Washington State Legislature, that noxious weed control is best carried out by strong, adequately funded programs at the local level.

Program Status: Currently, 38 of 39 counties in Washington have activated their county noxious weed control boards. Eleven small weed districts, formed under chapters 17.04 and 17.06 RCW, are still in operation. These programs operate similarly to county noxious weed boards, and many cooperate closely with their local county noxious weed boards.

In counties without activated weed boards, the Department has regulatory responsibility. Because resources are limited, weed control in counties without activated county noxious weed boards is largely in response to complaints after a problem has become serious. Prevention, early intervention, and technical assistance for landowners are currently lacking.

Only Douglas County remains without an activated county weed board. The absence of local noxious weed program in every county continues to impede the development of a

comprehensive statewide noxious weed control program. Some of Washington's most serious noxious weeds may become well established before they are detected. Failure to control new invaders in every county will continue to diminish the investment of all those counties in Washington that have recognized their stewardship responsibility and developed their noxious weed control programs.

Douglas County was the subject of several formal complaints from neighboring counties again in 2004. More discussion of these complaints can be found in the section of this report entitled "Washington State Department of Agriculture," and also in the "Special Projects" section.

County noxious weed control boards enhance local understanding and generate local commitment towards the control of noxious weeds. The law provides important flexibility for the development of local noxious weed programs, which can respond more effectively to local needs. This local flexibility is provided by the Class C and Class B non-designate noxious weed lists. Counties may select species from these lists for mandatory control in all or part of the county if that is a local priority. County boards may also design survey and educational programs that best fit the county. This flexibility allows for finely tailored local regulation and the best protection of a county's resources.

Some county weed boards have reported difficulty keeping all of their five board seats filled with qualified board members. The State Noxious Weed Control Board has expressed interest in having its staff work with agricultural organizations and county weed coordinators to attempt to fill empty county board seats. At the same time, an effort would be made to reach consensus about whether or not the qualifications for county board service need to be updated. To-date, however, the limited State Board staff has not been able to take on the added duty of direct involvement in county board recruitment.

Local Funding

Adequately funded local noxious weed control boards and weed districts are essential to the successful implementation of a statewide noxious weed control program.

All weed districts are funded through an assessment on land.

County noxious weed control boards can be funded through the county current expense (general fund) or through an assessment on land, as authorized in RCW 17.10.240. The Board has found that, with one or two exceptions, those counties with weed assessments are the counties with the most stable and effective noxious weed control programs. Currently, 22 of Washington's 38 activated county weed boards have assessment funding.

Except where otherwise noted, discussion in this section refers only to funding from weed assessment or county general fund. While some county weed boards also obtain funding through grants, contracts or other sources, those other funding sources do not pay for a county weed board's basic functions of implementing the state's noxious weed laws.



A mechanical harvester removes Eurasian watermilfoil from the Pend Oreille River during a September, 2004 tour.



Airboats took participants deep into an infestation of Phragmites at the Winchester Wasteway during a July, 2003 tour.

Among the 38 county noxious weed control boards in Washington, a significant discrepancy remains in the adequacy of their operational budgets. Annual county weed board operational budgets range from a low of \$2,400 to a high of \$930,958. The mean average budget of activated county weed boards is \$148,667 in county-provided funding. Still, 47 percent of the county noxious weed control boards have annual operating budgets of less than \$75,000. Many of these 18 counties can employ only one part-time or seasonal employee. With this level of staffing, it is impossible to regularly inspect all

lands for new invaders or to ensure their control. It is exceedingly difficult for these counties to comply with the state's noxious weed law with their current budget and staffing levels.

In April of 2004, Kitsap County implemented a weed assessment to fund its county weed board. As this report went to press, five other counties were investigating assessment funding for their weed boards. State law empowers county legislative authorities to implement such assessments, after a process that includes two public hearings. However, the success of anti-tax initiatives in recent years has made some county legislators hesitant to use that authority.

Weed coordinators in several counties have been ambitious and successful in securing additional funding through contracts, grants and other sources. While it all pays for noxious weed control, and these professionals are to be congratulated for their initiative, such outside funding sometimes brings costs and risks. These funds always come with additional duties and workload, such as spraying county roadsides or concentrating control on a particular weed species. This creates the potential for "mission creep," where the focus of an organization is increasingly determined by its outside funding sources, not by its core mandate. Also, such outside funds can disappear. Several counties with national forest lands within their borders report receiving funds, in some counties significant portions of their total budgets, through Title II or Title III of the federal Secure Rural Schools and Community Re-Development Act. Unless re-authorized by Congress, that Act will no longer provide such financial assistance after federal fiscal year 2007.

WASHINGTON STATE DEPARTMENT OF AGRICULTURE

Editor's note: This section of the report was authored by the WSDA.

The Washington State Department of Agriculture's noxious weed program is composed of three staff positions. One of these positions, the Weed Specialist, is based in Yakima and coordinates the department's noxious weed programs and projects (with the exception of the *Spartina* and invasive knotweed projects). The other two positions are statewide coordinators for legislatively mandated projects to control and eradicate highly invasive non-native *Spartina* species and invasive knotweed species. They are based in Olympia. In addition, the Department employs an Integrated Pest Management Coordinator who also assists in the *Spartina* program as needed. The Department hires short term employees, contracts with organizations such as county noxious weed boards and non-profits and utilizes volunteers to assist with individual projects.

The Department is involved in a number of cooperative projects with other government agencies that benefit the state weed program. The Department's Weed Specialist works closely with the Bureau of Land Management (BLM) on noxious weed survey and control projects on lands administered by BLM. This work is conducted with federal funding received from a five year, approximately \$132,000 contract with BLM, last renewed in 2002. With these funds, the Department has purchased or collected thousands of biological control agents for release on BLM lands. These bio-agents have potential to spread onto neighboring lands, helping to control infestations in these areas as well. These sites also serve as nursery sites for bio-agents for redistribution to other parts of the state, augmenting overall statewide biological control efforts. The Department also administered contracts for herbicide applicators to treat 18 BLM project areas in 2003 and 2004.

The Department also participates in a multi-agency task force for control of common crupina, a Class A noxious weed, on the north shore of Lake Chelan. The group was awarded a 5-year Pulling Together Initiative grant from the National Fish and Wildlife Foundation for \$34,500 per year through 2009. WSDA will manage the funds for the project.

This biennium, the Department continued to support the successful purple loosestrife bio-control program. WSDA and Ecology are also cooperated in a number of projects designed to mitigate the effects of various wetland noxious weed species, including yellow flag iris, invasive *Phragmites*, and Eurasian watermilfoil.

The Department continues to take the lead in mapping of weed infestations. Distribution maps of Washington's noxious weed species were first made available in 2002 and are refined and updated annually. Use of ArcView software has permitted assimilation of data collected by other agencies and non-governmental organizations into WSDA's database.

The Noxious Weed Act (RCW 17.10) authorizes the Department to address disputes between counties or weed districts. The most significant dispute active during the 2004-2005 biennium involved complaints filed against Douglas County by four adjacent counties concerning Douglas County's noxious weed control efforts. The complaints are currently unresolved.

In response to a determination by the Ninth Circuit Court of Appeals (*Headwaters, Inc. v. Talent Irrigation District*) that an NPDES permit was required under authority of the

federal Clean Water Act for an irrigation district to apply a herbicide to water in compliance with its label, in 2002 the Department received coverage under a newly developed NPDES general permit for aquatic noxious weed control. Throughout the biennium, the Department provided extensions of its coverage under this permit at no cost to agencies and individuals who wished to control noxious and quarantine weeds in or near water in compliance with terms of the permit. As the result of a recent settlement of another lawsuit (*Washington Toxics Coalition and People for Puget Sound v. Valoria Loveland and WSDA*), Ecology has begun the process to develop another NPDES permit for use of aquatic herbicides for lakes management. When that permit is available, WSDA will cease to furnish extensions of its coverage for aquatic noxious weed control in lakes. However, the Department anticipates continuing to provide extensions of its coverage for many other aquatic herbicide applications in compliance with the existing permit.

***Spartina* Control Update**

There are now eleven counties in western Washington with one or more infestations of *Spartina alterniflora*, *Spartina anglica*, *Spartina patens* or *Spartina densiflora*. This includes Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Pacific, San Juan, Skagit and Snohomish counties, and a new infestation discovered in Whatcom County during the 2005 season. Whatcom County has never before had any known infestations. All of these infestations are equivalent to approximately 6,000 solid acres of *Spartina* (if all populations were one contiguous meadow) and are spread over more than 20,000 acres of intertidal mudflats. All but approximately 5 solid acres are located in Pacific, Snohomish, Island and Skagit counties. In 2005, WSDA, state and federal partner agencies, local governments, tribal entities, commercial landowners and private landowners treated approximately 5,000 solid acres of *Spartina* statewide.

In Willapa Bay, WSDA estimates that the infestation totals 5,800 solid acres. The 2005



Figure 1. *Palix* Meadow, Willapa Bay, Infestation has been treated with *Imazapyr* two years in a row.

season was the second season in which the new herbicide imazapyr was used extensively. Results from the 2004-imazapyr applications were favorable, with efficacies ranging from 50% to 90% in infestations of various sizes. During the 2005 season all the major meadows in Willapa Bay were treated, many for the second or third time. Some of the areas of the largest infestations in Willapa Bay have now been reduced substantially after two years of treatment with imazapyr. A majority

of the 2005 treatments (approximately 3300 of the 4500 acres treated, or about 73%) were conducted aurally with imazapyr. The effort will now move more into large scale follow-up operations, with a majority of the work being conducted from ground equipment. The effort will address the same large areas, but will now find less *Spartina* over those same areas.

In Puget Sound, the 2005 effort was able to continue to reduce the infestation and bring several areas very close to eradication. Skagit County, Snohomish County, Island County, the Washington State Department of Fish and Wildlife (WDFW), WSDA and Ecology combined to treat approximately 400 solid acres of *Spartina*. For the first time in program history, imazapyr was applied aurally to a large infestation in Puget Sound. The treatment site is known as South East Skagit Bay and is located on the west boundary of Snohomish County. This infestation was the largest solid infestation remaining in Puget Sound. Similar sized infestations in Puget Sound were treated extensively during the 2004 season with imazapyr and produced excellent results. In Skagit Bay, the infestation now totals approximately 10 solid acres, reduced from a high of 100 solid acres nearly 8 years ago.

In Grays Harbor, WDFW continued to treat and monitor several small infestations. This work, conducted through a contract with WSDA, is essential in preventing the infestation from becoming permanently established in Grays Harbor. During an aerial survey of Grays Harbor during September 2005, more *Spartina* was found, leading managers to believe that a more intense effort there will be necessary to stop *Spartina* spread in that habitat.

New *Spartina* Infestation in Whatcom County

For the first time in program history, *Spartina anglica* was identified in Whatcom County. The infestation was found by a shoreline resident in Birch Bay at the northern boundary of Whatcom County. The resident had recently read an article in the Bellingham Herald about invasive species, including *Spartina*. The county noxious weed board confirmed the identification and then manually removed all the plant material.

After the removal by the county noxious weed control board, a WSDA field coordinator visited the site and surveyed the remainder of the Birch Bay area. One small plant was found during this survey and removed. Combined, the two infestations measured less than 5 square feet.

Birch Bay is located at the very northern boundary of Whatcom County. It is directly south of Boundary Bay, British Columbia. Boundary Bay is the site of a small, scattered infestation of *Spartina anglica* that was discovered by a Canadian ecologist two years ago. Canadian officials have been working steadily to remove this infestation. The location of the Whatcom County infestation and the very small size of the two plants found there make it likely that they are a result of seeds or plant parts being transported south in the currents from Boundary Bay. Canadian and Washington state officials continue to work together to decrease re-infestation and to eliminate the *Spartina* population on both sides of the border.

Invasive knotweed project initiated

Starting July 1, 2004 the Department received a state appropriation of \$500,000 for a one year pilot project to control invasive knotweed in southwest Washington. The Department utilized the funds to establish a knotweed control program with one position as coordinator and contracted with county weed boards, another state agency and a non-profit organization to carry out control projects in selected watersheds in the 10-county region. The Department

also contracted with Washington State University to evaluate the various weed management strategies used during the 2004 control season.

Control activities took place in summer and early fall 2004. The majority of the control work was concentrated along stream corridors, as movement of plant parts during high water events appears to be the most significant method of spread. The individual projects consisted of extensive surveys of the stream and treatment of infestations in a downstream direction beginning at the headwaters. This was intended to keep treated areas from becoming re-infested by knotweed being moved with the water flow, helping eradicate knotweed from entire watersheds.

Treatments were selected in accordance with integrated pest management principles. Herbicide use was chosen for the bulk of the treatments after mechanical or manual control methods were determined to be ecologically or economically infeasible. In most cases, a spray or injection system using a herbicide such as glyphosate or imazapyr was used. Approximately 325.6 acres of infestation were treated in the project areas during the 2004 control season. Most sites that received initial treatment were re-surveyed in spring 2005 and some were re-treated. First-year control results were impressive in most cases.

Invasive knotweed eradication in a watershed is acknowledged to be a multi-year effort. The noxious weed community was very pleased when the project was expanded to a statewide effort and funded again at the same yearly level for the 2005 – 2007 biennium. This allows the Department to fund continuing efforts in southwest Washington and to begin funding other projects throughout the rest of the state to remove this highly invasive complex of noxious weeds.

WASHINGTON STATE DEPARTMENT OF ECOLOGY

Aquatic Weeds Management Program

By Kathy Hamel

The Department of Ecology's Aquatic Weeds Management Program provides financial and technical assistance and education to local and state governments, tribes, and special purpose districts to reduce the propagation of freshwater aquatic weeds and to manage the problems these weeds cause. Program staff also provides education and technical assistance about invasive freshwater aquatic plants to the public. Efforts are targeted towards the state-listed freshwater noxious weeds.

Invasive, non-native aquatic plants are a serious threat to the health of Washington's lakes, rivers, and streams. Excessive weed growth impairs water quality, fish and wildlife habitat, and impacts water use for recreation, irrigation, power generation, and flood control. The Aquatic Weeds Program provides financial and technical support to help tackle the problem of invasive freshwater plants statewide.

Ecology offers immediate funding when an invasive weed is discovered in the early stages of invading a water body. Early and rapid intervention results in far less economic and environmental costs than controlling widespread infestations. Ecology also funds planning and management of widespread infestations of freshwater plants on a competitive basis during an annual grant cycle.

Aquatic Weeds staff survey a subset of public access lakes and rivers each year. Ecology maintains an extensive inventory of both native and invasive plant species for each water body and an on-line database of over 436 surveyed locations. The database can be found at: <http://www.ecy.wa.gov/programs/eap/lakes/aquaticplants/index.html>.

State agencies, local governments, tribes, and special purpose districts are eligible to apply for grant funding. Lake residents and the public benefit from funding, education, and technical assistance about freshwater plants.

Three dollars from each boat trailer license fee is dedicated to the Aquatic Weeds Program. The Legislature appropriates approximately 1.2 million dollars to Ecology each biennium. By statute, two thirds of the appropriation is dedicated to pass-through to state and local governments, tribes, or special purpose districts.

The program's authorizing statutes and relevant policies include the following:

RCW 43.21A.650 Freshwater aquatic weeds account

RCW 43.21A.660 Freshwater aquatic weeds management program

RCW 43.21A.662 Freshwater aquatic weeds management program – advisory committee

(<http://www.ecy.wa.gov/programs/wq/plants/grants/appendixa.html>). The grant program is guided by the Aquatic Weeds Management Fund grant guidelines (<http://www.ecy.wa.gov/programs/wq/plants/grants/guidelines.html>).

The Washington State Legislature established the Freshwater Aquatic Weeds Program in 1991. Ecology dedicated a full time staff person to program development and implementation in 1992. Grant guidelines were developed in 1992 and the first grants were offered in 1993 and thereafter. A botanist was hired in 1993 and water body surveys started in 1994. A planning guide for the development of integrated aquatic vegetation management plans was developed in 1994. An aquatic plant identification manual was published in 2001. A comprehensive website with information about freshwater plants and their management is available at: <http://www.ecy.wa.gov/programs/wq/links/plants.html>.

Milestones and benchmarks achieved by the program to-date include:

- Milfoil has been eradicated from three lakes.
- Hydrilla is nearly eradicated from Washington. Only 11 plants were found in 2005.
- Nearly 50 site-specific integrated aquatic plant management plans have been developed. These plans provide guidance on how to manage invasive aquatic plants. Most plans have been implemented.
- Where plans were implemented (with a couple of exceptions), the population of the targeted species is limited such that it no longer interferes with beneficial uses.
- Many lake groups have established self-funding districts to continue eradication efforts in perpetuity.
- Peer-reviewed scientific journal articles have been published by Aquatic Weeds staff about biological control for milfoil and aquatic herbicide effectiveness.
- Research to on how to manage yellow flag iris and parrotfeather is being funded. The University of Washington is investigating the impacts of commonly-used aquatic herbicides on coho and chinook salmon.

The contact person for the program is Kathy Hamel - Telephone: (360) 407-6562; E-mail Address: kham461@ecy.wa.gov



A boat has been modified to have a “glass bottom” for use surveying for aquatic noxious weeds on Mason Lake.

NOXIOUS WEED CONTROL ON STATE-OWNED LANDS

Because the law that requires control of noxious weeds was enacted by state government, it is vital that the agencies that manage state-owned lands set a positive example of compliance with that law. The reports in this section were authored by representatives of the state's largest four land-management agencies.

WDFW Weed Report: 2004 Season Review and 2003-2005 Biennium Budget

By David M. Heimer, Noxious Weed Coordinator

The Department of Fish and Wildlife's (WDFW) goal is to preserve, protect, and perpetuate fish, wildlife and their habitat in the state of Washington. To accomplish this goal the Department manages 24 major Wildlife Areas and other sites covering 820,000 acres of diverse habitat, from estuaries on the Pacific Coast to shrub-steppe communities in eastern Washington. Weed control activities and restoration projects that protect and enhance fish and wildlife populations and their habitats on Department lands are a high priority. This report broadly outlines weed management activities that occurred during the 2004 control season and the biennial budget for 2003-2005.

During the 2004 weed control season WDFW treated approximately 20,466 acres and 64 weed species across Washington. The state-listed weeds that were treated most commonly, based on the acreage treated, are listed in Table 1.

Table 1. The twenty state-listed weeds most commonly treated by WDFW in 2004.

Weed	Scientific Name	State Listing	Acres Treated
Diffuse Knapweed	<i>Centaurea diffusa</i>	B	3185.6
Russian Knapweed	<i>Acroptilon repens</i>	B	1672.0
Canada Thistle	<i>Cirsium arvense</i>	C	1633.4
<i>Spartina alterniflora</i>	<i>Spartina alterniflora</i>	B	1171.0
Scotch Broom	<i>Cytisus scoparius</i>	B	1028.0
Scotch Thistle	<i>Onopordum acanthium</i>	B	786.7
Whitetop	<i>Cardaria draba</i>	C	699.0
Reed Canarygrass	<i>Phalaris arundinacea</i>	C	573.5
Perennial Sowthistle	<i>Sonchus arvensis</i>	B	500.0
<i>Spartina anglica</i>	<i>Spartina anglica</i>	B	498.0
Rush Skeletonweed	<i>Chondrilla juncea</i>	B	377.5
Kochia	<i>Kochia scoparia</i>	B	319.5
Spotted Knapweed	<i>Centaurea biebersteinii</i>	B	216.2
Dalmatian Toadflax	<i>Linaria dalmatica</i>	B	152.1
Cereal Rye	<i>Secale cereale</i>	C	150.0
Perennial Pepperweed	<i>Lepidium latifolium</i>	B	134.0
Purple Loosestrife	<i>Lythrum salicaria</i>	B	133.4
Phragmites	<i>Phragmites australis</i>	C	117.0
Yellow Starthistle	<i>Centaurea solstitialis</i>	B	102.1
Musk Thistle	<i>Carduus nutans</i>	B	93.0

The knapweeds (diffuse, Russian, spotted, etc.) comprise over 25% of the total acres treated. Methods used to treat the knapweeds include biological (many insects have been released, are present, and are having an effect), mechanical, and chemical, depending on species. Old agricultural fields comprised of Russian knapweed monocultures must undergo a multi-year revegetation process to improve habitat at the site.

The WDFW Spartina control program is active in Willapa Bay, Grays Harbor, and North Puget Sound and works cooperatively with other state, federal, tribal, non-profits and county governments to control the exotic, estuarine grasses. WDFW treated over 1,600 acres using specialty equipment and aquatically registered herbicides in 2004 with great effect. The new herbicide imazapyr was key to improving efficacy and providing consistency across all environmental conditions.

In addition, a significant amount of weed control is done on unlisted weeds (e.g. cheatgrass- 1,065 acres; Russian thistle- 142 acres; Russian olive- 103 acres) as part of larger wildlife restoration, or enhancement projects. Successful restoration and enhancement projects take several years to yield results and many more years of follow-up management. The objective of this work is to develop a weed resistant plant community that reduces long-term weed control costs while providing habitat to wildlife.

Budget

WDFW's weed control budget is approximately \$1,000,000 per year with 25% of this amount coming from outside sources in the form of grants and contracts (Table 2). Weed management is an investment in our lands that requires stable state funding to allow the successful completion of long-term projects and to provide matching funds to leverage outside funding.

Table 2. WDFW weed funding by fund title, fund source, and weed category

Fund Title	Source	Willapa Bay Spartina	North Puget Sound Spartina	Aquatic Weeds	Terrestrial Weeds	Total
North Puget Chemical Control	ALEA		\$141,829			\$141,829
Spartina Anglica Meadows ¹	Federal Grant/DFW Match		\$44,652			\$44,652
English Boom ²	SRFB Grant/Federal Match		\$185,725			\$185,725
Cordgrass 2004	Wildlife State	\$48,000	\$18,309			\$66,309
Spartina- Pacific County	WSDA Contract	\$135,000				\$135,000
Willapa Cedar River ²	Federal Grant	\$73,859				\$73,859
Willapa Spartina	ALEA	\$323,264				\$323,264
Western Washington Weeds	Wildlife State (aerial spray)	\$45,000				\$45,000
Western Washington Weeds	Wildlife State			\$3,000		\$3,000
Yakima River Purple Loosestrife	Wildlife State			\$12,000		\$12,000
Eastern Washington Weeds	Wildlife State			\$79,710		\$79,710
Columbia Basin WLA	BOR Contract/PR Funds			\$23,406		\$23,406
Columbia Basin Aquatic Weed	Wildlife State			\$25,000		\$25,000
Chehalis River Aquatic Weed Plan ²	Ecology Grant/DFW Match			\$32,000		\$32,000
Chehalis Purple Loosestrife ¹	Ecology Grant/DFW Match			\$24,382		\$24,382
Western Washington Weeds	Wildlife State				\$171,456	\$171,456
Eastern Washington Weeds	Combination Fed, State				\$476,000	\$476,000
Eastern Washington Weeds	Wildlife State				\$227,000	\$227,000
Totals		\$625,123	\$390,515	\$199,498	\$874,456	\$2,089,592

¹Denotes that the entire grant amount has been spent.

²Denotes a portion of the grant amount remains and has been carried into the new biennium.

Improving Weed Management

WDFW is currently taking steps to improve weed management. First, the Agency has become more involved in Coordinated Weed Management Areas (CWMA's) across the state. A CWMA brings together land and weed managers from a specific geographic region and develops cooperative management strategies across the entire area to improve weed control. WDFW is a partner in no less than nine of these CWMA's and our involvement grows yearly.

Second, WDFW is in the midst of developing management plans for each of our Wildlife Areas. Each of these plans will include a specific weed management plan in order to better implement and communicate our strategy for treating weeds on our lands. In addition, a draft weed policy has been written and is in the process of being vetted by agency staff.

Finally, the agency is developing a database to mark the location of weeds on Department lands, track the treatment regime on those weeds, and monitor the efficacy and cost of that treatment. By collecting this information on a regular and standardized basis and analyzing it, we hope to improve our treatment approach and increase the accuracy and ability to report on our weed management activities.

DEPARTMENT OF NATURAL RESOURCES WEED CONTROL EFFORTS

Forested Uplands

Noxious weeds are treated along with other pests in DNR's management of uplands. Forested roadsides are sprayed with herbicide to primarily control broadleaf vegetation. Statewide data (DNR's management only) recorded in the Forest Management Planning & Tracking system between 7/1/03 - 6/30/05, shows the following "pest management" activities on state forested uplands:

- Used grass seeding on 1,265 acres to mitigate noxious weed encroachment following timber harvests.
- Sprayed herbicide on 1,200 miles of forest roadsides, by ground application.
- Used herbicides for "site preparation", prior to replanting forest units. Treated 6,677 acres by aerial application, and 475 acres by ground.
- Used herbicides for "vegetation management", to "release" conifer seedlings from competitive vegetation. Treated 5,124 acres by aerial application, and 10,261 acres by ground.

Natural Areas *

*** DNR-managed Natural Area Preserves (NAPs) and Natural Resource Conservation Areas (NRCAs)**

DNR conducts invasive plant control on Natural Areas, both as part of routine site management, as well in the process of implementing specific restoration projects. Most sites have individual weed management plans or weed management plans incorporated into a comprehensive site management plan. These plans emphasize Integrated Pest Management, incorporating a variety of management techniques. Plans also stress monitoring the effectiveness of treatments and using adaptive management to help ensure long-term success.

Regular surveys are conducted to identify new infestations that require immediate treatment and track the distribution of existing infestations. During the 2003-2005 biennium:

- Invasive plant control treatments were conducted on 673 acres at 48 NAPs and NRCAs, targeting more than 30 invasive species.
- Populations of four highly invasive weed species were eradicated* at five Natural Areas:
 - Dalmatian toadflax at Camas Meadows;
 - Leafy spurge at Davis Canyon;
 - Yellow star thistle at Badger Gulch;
 - Yellow star thistle at Columbia Hills; and,
 - Diffuse knapweed at Cleveland Shrub-Steppe.

*Note, these are currently eradicated from the NAPs, but are still found in the immediate area. Re-infestation is possible if viable seed is introduced.

- 2,200 acres were surveyed for invasive plant infestations.
- Volunteers were an integral part of the management at 28 of these sites.

Aquatic Lands

Recent projects include:

- A survey of Grays Harbor for *Spartina alterniflora* and *S. densiflora* in preparation for increased control efforts there in 2006.
- DNR's Aquatic Resources Division funded Thurston County to remove Brazilian elodea from the Chehalis River in 2004. In 2005, Thurston County Noxious Weed Control Board received a federal grant to continue this project.



A Department of Natural Resources crew sprays Spartina at Willapa Bay.

- A partnership with Washington Department of Fish and Wildlife treated nearly 200 acres of *Phragmites australis* around Winchester Wasteway, in Grant County.
- In the current (2005) field season, DNR eradicated, or nearly eradicated, *Spartina* from 3 sites in southern Willapa Bay. DNR treated approximately 1,000 acres in:
 - Potshot Slough,
 - Stanley Point, and
 - the Naselle River.

Agricultural and Grazing Lands

Approximately 1,000 acres of various weed infestations were treated by DNR staff across Eastern Washington, as were an additional 100 miles of rights-of-ways. Thirty-eight days were spent treating 218 acres in the Loomis State Forest (NE), which included multiple-use areas: grazing, timber management, recreation sites and natural areas. These efforts were diverse in nature and were examples of DNR's use and application of Integrated Pest Management; they were also examples of positive interactions with local jurisdictions.

Ongoing cooperative efforts included:

- The Quad County (NE) Weed Program experimental biological release program.
- Okanogan County Noxious Weed Control Board, USFS, BLM, WDFW and private landowners working together on the Mineral Hill cooperative weed project to control St. Johnswort across multiple ownerships in the Conconully area.
- Worked with Stevens County Noxious Weed Control Board to focus on Board- targeted species including knapweeds and Scotch thistle.
- Participated in the Weeds Across Borders Legislative Tour, sponsored by land management agencies from British Columbia, Okanogan and Ferry Counties.

Control Methods Included:

- Manual seed collection and disposal/destruction of viable seed
- Herbicide sprays, delivered via back-pack and truck-mounted units. (No aerial spraying was conducted in 2005.)
- Chemical treatment and reseeding
- Biological controls included:
 - *Larinus mintus* (beetle) for knapweeds and *Larinus planus* on Canada Thistle, with good initial results.
 - Skeletonweed fungus now present throughout Eastern WA, showing visible effect on Skeletonweed populations.
 - Dalmation toadflax bio-control organisms, showing good results with slow eradication of toadflax occurring in some areas.
 - Spurge beetles have shown mixed results, yet beetles are spreading from release areas.
 - New Spurge beetle species was released in Spring of 2005; results are being monitored.

PARKS AND RECREATION COMMISSION

By Tom Ernsberger

The Washington State Parks and Recreation Commission fosters outdoor recreation and education statewide to provide enjoyment and enrichment for all and a valued legacy to future generations. The Commission acquires, operates, enhances, and protects a diverse system of recreational, cultural, historical, and natural sites totaling 259,541 acres.

During the past two years, Washington State Parks has accomplished many activities related to the control of noxious weeds.

Agency personnel utilized over 1,532 staff hours, contracted services, and assistance from a 7-person AmeriCorps crew to control weeds on approximately 3,000 acres. These efforts were completed at a cost to the state of less than \$100,000.00 for chemicals and contracted services. Examples of some of these accomplishments are listed below and address a diverse assortment of statewide weed control problems.

Washington State Parks staff and The National Park Service have been collaborating to determine a method of controlling poison hemlock for the past 2 years. A memo of understanding for cooperation is now in place, and some control experimentation has begun.

Staff have been working at eradication of scotch broom from Hope Island natural area preserve for the past 5 years. Work has included monitoring treatment methods in hopes of finding a way to remove the broom without providing new space for other invaders like bull thistle and Canada thistle. Related projects include Scotch broom removal at Cape Disappointment, Damon Pt., and Bottle Beach; Spartina surveys at Damon Pt.; and indigobush control at Beacon Rock.

Field staff have been given rudimentary training in Spartina identification and directed to pull on sight. The agency has previously funded chemicals for Island County Noxious Weed Board to use on Spartina infestations within state parks.

Staff have been attending working group meetings and intend to do some mapping of knotweed this fall to prepare for control efforts in western Clallam County next year. Efforts to control knotweed at



Before (above) and after (right) treatment photos from Beacon Rock State Park. Pictured is the park's largest infestation of knotweed (across Kueffler Rd. from park shop).

Cape Disappointment and Beacon Rock were funded through Washington State Department of Agriculture in 2004.

Divers were used to hand-pull Eurasian watermilfoil at Millersylvania State Park. This activity was funded in part through a Dept. of Ecology grant.

Divers were also used to control Brazilian elodea and grass carp at Battle Ground Lake.

Our parks have also been developing Integrated Pest Management Plans to more efficiently and effectively address our growing weed problems.

As you can see, Washington State Parks has been actively addressing the issue of noxious weeds and will continue into the current Biennium. Plans are underway to GPS map weeds in certain parks to develop baseline infestation data as well as the completion of IPM planning for all Eastern parks. Noxious weed control is considered an integral function for maintenance of our centennial legacy and is one facet of our centennial celebration plan.



From top: Before and after treatment photos, and after treatment monitoring photo of Himalayan knotweed at Cape Disappointment State Park. (North Head lighthouse in distance). Vegetation surrounding Himalayan knotweed infestation is the globally imperiled Pacific reedgrass - blue wildrye herbaceous plant association. The reedgrass occurrence at Cape Disappointment is one of only three known in the state and is the only occurrence on Washington's southern coast. As seen in the after treatment monitoring photo, virtually no long-term control was achieved with the September 2004 foliar glyphosate treatment. Photo dates: Before treatment-August 31, 2004; after treatment-November 5, 2004; after treatment monitoring-June, 2005.

Thank you for your continued assistance in our weed control efforts.

DEPARTMENT OF TRANSPORTATION Noxious Weed Control Integrated Roadside Vegetation Management (IRVM) Program

By Raymond Willard, Roadside Maintenance Program Manager

WSDOT manages approximately 95,000 acres of non-paved highway rights of way and facilities statewide. Weed control along these rights of way is a critical part of the overall state program because weeds tend to spread along transportation corridors, and from there out into neighboring property.

Weed Control Expenditures

WSDOT weed control activities include efforts to manage all Class A, B, and C noxious weed species. Priority is given to control of Class A weeds as well as B and C weeds designated by the counties.

	<u>Dollars</u>	<u>FTEs</u>
Weed Control – FY 04	\$4,144,098	39.54
Weed Control – FY 05	\$4,606,824	40.73

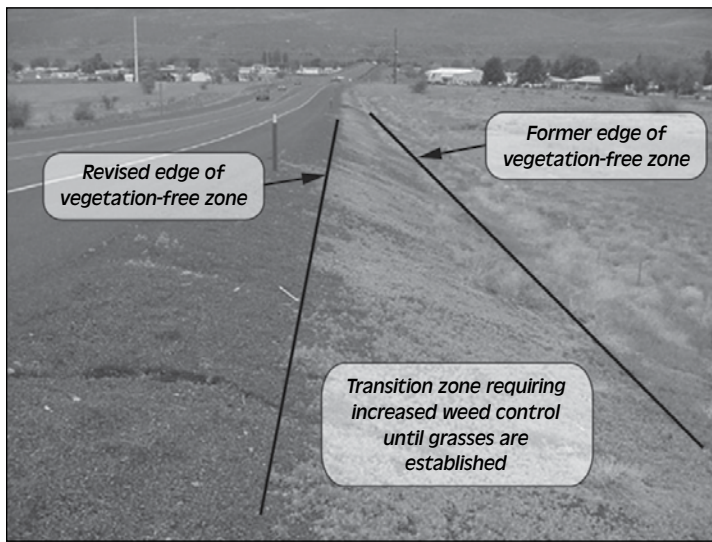
Weed Control Service Levels

WSDOT measures maintenance program delivery through statistical field sampling in the spring and fall of each year. Detailed information on WSDOT’s Maintenance Accountability Program (MAP) is available online: www.wsdot.wa.gov/maintenance/accountability.htm. Measured levels of service vary with local conditions and maintenance efforts, but overall weed control statewide scored consistently high over the course of the biennium.

Program Development

Roadside vegetation management and weed control has been a focus area for improvement at WSDOT in recent years. Integrated Roadside Vegetation Management (IRVM) Plans are currently being developed and implemented for all areas of the state. These plans include an inventory of weed infestations along with recommended best management options for long-term, site-specific control measures.

Another area of development with an impact on weed control is the re-evaluation of WSDOT’s policy for maintenance of a vegetation-free strip along the edge pavement. WSDOT is now evaluating the results of reducing the width of this vegetation-free zone in some cases, and in others allowing grasses to grow up to the edge pavement. One of the challenges in



In Eastern Washington some shoulders formerly maintained to be free of vegetation are being transitioned to grass. Management of species such as kochia and Russian thistle is often a challenge in these situations prior to the establishment of grass.

transitioning from gravel shoulders that were formerly maintained to be free of vegetation is management of weed infestations over a period of time while grasses establish. However, if competitive grass stands can be established and maintained on unpaved road shoulders, there is less opportunity for weed infestations to start on the roadside. WSDOT will be studying this aspect of roadside vegetation management over the coming years, to determine the most efficient and effective practices in varying situations around the state.

Questions can be directed to Raymond Willard at (360) 705-7865 or WillarR@wsdot.wa.gov.

HIGHLIGHTS & SUCCESS STORIES

In spite of resource limitations, Washington State's noxious weed control system achieved some impressive successes in the period between January of 2003 and June of 2005. Just a few of them are summarized here.

State Board and Counties Influence Forest Service Weed Control

As early as March of 2002, participants at the annual conference of the Washington Weed Coordinators' Association told the State Weed Board that one of the Board's highest priorities should be to influence and improve the weed control practices of the United States Forest Service.

Restricted by legal agreements signed many years earlier, weed control on national forests in the Pacific Northwest was plagued by lack of effective control techniques, insufficient preventative practices and inadequate regional coordination. While local USFS personnel in many places were well-intentioned and hard working, the most effective weed control technologies were too often made unavailable to them.

National Forests cover vast tracts of Washington State, and many of those lands are uphill and upstream from properties managed by other agencies and property owners. The impacts were being felt well beyond the forest boundary.

Two months later, the State Weed Board held a face-to-face meeting with the top two Forest Service officials in charge of the Pacific Northwest Region Invasive Plant Program. An Environmental Impact Statement was planned for preventing and managing invasive plants on national forests in Washington and Oregon.

By November of that year, staff from the State Weed Board and several county weed boards were attending Forest Service open house events in significant numbers, advocating for more effective weed prevention and controls.

For the next two years, the State Weed Board kept the weed control community apprised of the process, including deadlines for official comments and another flurry of public events in the fall of 2004.

When the Final Environmental Impact Statement was published in May of 2005, its proposed alternative allowed the use of ten active herbicidal ingredients, where previously only four had actually been available. It prescribed the use of a suite of weed prevention standards, such as using weed-free mulch in restoration work and allowing only weed-free feed for livestock in wilderness areas. Many other improvements were also included.

While nobody involved in the EIS process got everything they wanted, noxious weed managers on national forests in Washington and Oregon are now freed of many of the restrictions they faced in 2002.



PNW's Only Hydrilla Nears Eradication

Teamwork and persistence have reduced the only infestation of hydrilla in the Pacific Northwest to near eradication.

The aquatic weed had heavily infested the interconnected Lucerne and Pipe Lakes by the time it was identified in 1995. Infamous as one of the worst invasive aquatic plants in the United States, its management elsewhere costs tens of millions of dollars per year. Weed managers were determined not to let it spread in Washington State.

The State Weed Board responded with an emergency action making the invasive plant a Class A Noxious Weed. The King County Lake Stewardship Program began herbicidal control efforts with the help of funding through the Department of Ecology's Aquatic Weeds Program. The cities of Maple Valley and Covington also provided some funding. Divers and snorklers measured the progress through regular surveys.

The weed started making a comeback during two years when court cases and administrative rules made it impossible to use aquatic herbicides. By 2003, the use of herbicides was resumed.

Extensive surveys in 2005 found only 11 hydrilla plants in Pipe Lake, and none in Lucerne, according to Kathy Hamel of the Department of Ecology. She said that eradication would not be declared until three consecutive years of surveys find no plants at all.

Assessment Builds Protection For San Juan Islands



Citizens on a tour of noxious weed problems in San Juan County view the aggressive vines of Old man's beard (Clematis vitalba) climbing into the canopies of mature trees.

The San Juan Islands, whose natural beauty make them a vacation destination of worldwide acclaim, have benefited from increased protection since the passage of a noxious weed assessment made more adequate funding available early in 2003.

A larger staff, while still part-time, "has allowed us to be much more effective in our outreach. We've been able to work with many more people," said Rich Lee, coordinator for the San Juan County Noxious Weed Control Board. He and Assistant Coordinator Judy Jackson stay in regular contact with part-time staffers under contract with the county Department of Public Works to control roadside weeds on the most-populated islands of San Juan, Orcas and Lopez.

Lee credits the increased public interaction with the apparent recent eradication of a Class A noxious weed, giant hogweed. Of several infestations, the largest was a quarter-acre in size. "If we hadn't had those contacts, we never would have found those sites," he said. "As it is, we were able to get in there and take care of them very quickly."

Eggleaf spurge, another Class A noxious weed, also continues toward apparent eradication,

with the work of several cooperators. The State Weed Board in 2003 and earlier provided Special Projects funding for control work on a site owned by the county land bank. By 2005, only one plant was found in six months. Nearby, a property owner continues to work to eliminate the only other confirmed eggleaf spurge infestation in Washington State.

With partnerships and the increased staffing, “We’ve been able to do much more on weed surveys and inventories,” Lee said. Working with Washington State Parks, the county land bank and the Washington State Department of Agriculture, the county weed board is working to remove small patches of *Spartina anglica* recently discovered in tidelands on Orcas and Lopez Islands.

Once weed infestations are found, public tours help citizens be aware of the noxious weed challenges that they might not otherwise realize exist in their areas. The WSU Master Gardeners have made weed control a priority, and their volunteers are working to control knapweed, *Spartina*, tansy ragwort and English ivy.

With partnerships, volunteers and citizen cooperation, a noxious weed assessment has been leveraged for maximum protection of the San Juan Islands and their residents, current and future.

State and Counties Build A Voice On National Weed Scene

The federal government can impact noxious weed control in Washington State – positively or negatively – in many and varied ways.

For those reasons, the State Weed Board has been represented at National Invasive Weed Awareness Week annually since 2003, and has been helping county weed coordinators participate yearly since 2004. Washingtonians representing WSU, The Nature Conservancy and Okanogan County have also participated.

Held in the nation’s capitol in late February and/or early March, National Invasive Weed Awareness Week (NIWAW) drew 160 attendees from 31 states in 2005.

NIWAW participants interact directly with top managers of the US Forest Service, Bureau of Land Management, Department of Defense, National Park Service and other agencies that together control tens of thousands of acres all across Washington. While these federal agencies are not subject to enforcement of state weed law, their cooperation is essential to the success of the efforts of every other agency and landowner. (See related success story concerning U.S. Forest Service.)

Numerous federal programs also have the potential to provide funding to assist state and local efforts. In



Lucy Loosestrife, a weed-control educational mascot originated in Whatcom County, is shown at the White House during NIWAW 2004. The weeklong event includes a weed education day for children at the U.S. Botanic Garden Conservatory.



Washingtonians at the 2004 National Invasive Weed Awareness Week included (left to right) Steve McGonigal of the State Weed Board, Laurel Baldwin of the Whatcom County Noxious Weed Control Board, Sheilah Kennedy of the Okanogan County Noxious Weed Control Board and Rick Johnson of the Thurston County Noxious Weed Control Board.

recent years, participants offered input to congressional members and staffers about a bill then known as S.144. Now passed into law and signed by the president, the Noxious Weed Control and Eradication Act (PL108-412) is awaiting appropriation to funnel federal funds through state governments to local “weed management entities,” which are defined in such a way that Washington’s county weed boards and weed districts would be eligible. Through another program, Thurston County Weed Coordinator Rick Johnson credits participation in NIWAW in 2004 with helping him to obtain a \$51,000 Salmon Restoration Grant from the U.S. Fish & Wildlife Service to control Brazilian elodea on the Chehalis River.

The federal government also has programs through which it pays landowners to manage land in particular ways. State Weed Board staff has used NIWAW as an avenue to discuss the Conservation Reserve Program administered by the Farm Service Agency of the U.S. Department of Agriculture. (See related article on CRP weed control.)

Education is a component of any good weed control program, and NIWAW is no exception. It includes an afternoon of educational activities designed to bring the weed control message to children. The week also includes a session with the many trade associations and other non-governmental organizations that are engaged in weed control or whose cooperation is needed for success.

To be successful, interaction with the federal government must be on going. See the “Work In Progress” section for discussion of two pieces of federal legislation the State Weed Board has voted to support.

State Weed Board and Counties Draw Attention To Weed Issues of Conservation Reserve Program

Complaints from county weed coordinators started State Weed Board staff on an escalating level of involvement with the Conservation Reserve Program during 2004.

Through the Conservation Reserve Program (CRP), the federal government pays farmers to idle cropland with the intention of producing environmental benefits, such as erosion

reduction and wildlife habitat. Because noxious weed control is a contract requirement, small amounts of the payments made are earmarked specifically for weed control work. If weeds are not controlled, payments are supposed to be reduced and, for repeat offenders, contracts terminated and earlier payments refunded.

Several county weed coordinators complained that land inspections and enforcement of contract weed control provisions seldom or never occurred in their counties, even on heavily-infested CRP ground. Some argued that the idling of farmland that had been denuded of its native groundcover increased weed problems in their counties, increasing their workload without increasing their staffing for inspections. Furthermore, they felt that they were being asked to enforce provision of contracts written by the federal government.

Managers of CRP spoke of staffing cuts in their agencies, and pointed out that they were not empowered to enforce state weed laws. The State Weed Board offered free hands-on education sessions in the identification of noxious weeds for CRP field staff.

After consulting with federal officials and other state's weed agencies at National Invasive Weed Awareness Week, State Weed Board staff teamed up with staff from the Whitman County Noxious Weed Control Board to organize a July, 2004 tour where all viewpoints would be represented. Whitman County Weed Coordinator Peggy Wright was asked to create an itinerary that would take participants to "the best, the worst and the average" CRP sites in that wheat-growing region. Invitations went to weed managers, WSDA's Farm Services Administration and National Resources Conservation Service, state legislators, Congressional offices, the press and others.



A tour of weed control issues on Conservation Reserve Program ground in Whitman County drew over 40 participants in July of 2004.

More than 40 people participated. The tour received front-page coverage in the *Whitman County Gazette*. Elected officials were well represented and asked to be kept informed of

subsequent developments. Weed managers from around the state listened to CRP staff intently, and all agreed that many of the tour stops were well maintained and appeared to achieve the program's goals. Still, by the end of the day, some could not understand why the owners of the most weed-infested sites still were not facing payment reductions and other penalties under their contracts.

In November of 2004, the State Weed Board's executive secretary was asked by the Washington Association of Wheat Growers to explain the concerns of the weed control community at a public forum on the future of the CRP program.

Later that month, the two top Farm Services Administration officials in Washington State traveled from Spokane to Skamania County to meet with the State Weed Board. Board members with decades of service said that such a high level of communication was unprecedented in their experience.

During the 2005 growing season, some county weed coordinators reported apparent improvement in weed control on CRP enrolled properties in their counties. The FSA issued a memo in which top CRP managers urged their field staff to stress the weed control provisions of the contract to participating property owners.

State Legislator Helps Stop Flow of Noxious Weeds

Irrigation water can bring bounty to the agricultural regions of eastern Washington. Under the wrong circumstances, such water can also bring noxious weeds.



Such was the situation in Grant County when the State Weed Board toured infestation sites in July of 2003.

Efforts to control yellow nutsedge were complicated by water flowing

A July 2003 tour (above) in Grant County showed irrigation water flowing through an infestation of yellow nutsedge, threatening all of the farmland downstream. In 2005 (right), pipe was installed to carry irrigation water through an infested area, as a result of a group effort to prevent the spread of yellow nutsedge in Grant County.



through the area in an irrigation delivery ditch operated by the Quincy-Columbia Basin Irrigation District. The Class B noxious weed, which spreads by dispersal

of underground nutlets, threatened to travel with the water to alfalfa, mint and corn fields beyond the infested area.

The Grant County Weed Board sought help from State Representative Janea Holmquist, according to County Weed Coordinator Jerry Janke. She worked to access funding through the state building construction account to pay for thousands of feet of high-capacity pipe to carry the water through the infested area.

With three quarters of the pipe now installed by the Irrigation District, the project is nearly complete. Soon all integrated pest management control options will be available to control the weed, and yellow nutsedge will be denied an unintended cruise downstream.

Smith Creek Broom Control Protects Mt. Helens Blast Zone

By Nikki Hollatz

The Skamania County Noxious Weed Board, under a participating agreement with the Gifford Pinchot National Forest, ended the 2005 field season with a long list of accomplishments. With three field crews of three, and projects ranging from Japanese

knotweed treatment, to Scotch broom control on the National Forest, the Weed Board covered a lot of ground and killed a lot of weeds. In a county that is 90 % public land, and stretches from the Columbia River north to Randle, and from the Mt. Adams Wilderness west across the county to Mt. St. Helens Volcanic Monument, weed control is a difficult task.



BEFORE (above): Estimated 14-acre Scotch broom infestation at Lower Smith Creek-Mt. St. Helens National Volcanic Monument. AFTER (right): Crew spent over 500 hours in 2005 manual treating site.



One project this past season that sticks out as being particularly successful has been the removal of scotch broom along the fork of the Smith Creek and Muddy River,

located in the Mt. St. Helens Volcanic Monument. Working with Peter Frenzen, monument

scientist, the Weed Board decided to tackle this large infestation of Scotch broom which was moving its way up towards the sensitive 'blast zone' area. An original approximation of the area estimated that there was about 14 acres of Scotch broom spread throughout this pumice laden landscape.

Due to the location of the site, its distance from the Weed Office in Stevenson, and the hike required to reach the site, it was decided that the realistic approach to working on this project would be to work ten- hour days and camp overnight. Amazingly the crews were excited to camp, and although not mandatory, they took this project on with a grave assault. In the end, the crews spent about 14 days, and ten nights up at the Monument. They cleared over 10 acres of Scotch broom before seeds were set, and plan on returning in 2006 to monitor their effort, and continue to remove the broom infestation.

The Skamania County Weed Board will continue to work with the Gifford Pinchot National Forest and the Monument staff in the future with the intention of protecting the native ecosystem and allowing primary succession to occur, 'weed free' and naturally.

Weed Biocontrol Project Expands to Statewide

"Northeast Counties and Tribe Winning With Bio-Controls," read the headline on one of the success stories in the 2003 Biennial Report. Since then, the program has been on the move, and is now statewide.

The WSU Washington State Invasive Weed Species Bioagent Enhancement Program in 2005 alone released 286,259 insects at 419 sites statewide to attack seven weed species. Targets of these natural weed enemies include musk thistle, purple loosestrife, diffuse, spotted and meadow knapweed, tansy ragwort, Scotch broom, Dalmatian toadflax, Canada thistle and others, according to Dan Fagerlie, Director of WSU Ferry County Extension, and the project director.



*An outbreak population of the knapweed seed head weevil, *Larinus minutus*, defoliates a knapweed plant. This bioagent lays its eggs on developing flower heads. The larvae will develop inside the seed head, eating up to 100 percent of the seeds. Large adult populations can stunt or kill plants.*

Usually imported from the native land of a noxious weed after extensive research, biological controls are frequently insects such as seed-feeding weevils, stem boring weevil larvae and others that sometimes kill plants and under other conditions reduce plant health and reproduction rates.

With staff members now in four offices throughout the state, the program is a cooperative effort to increase the integration of biological weed control methods into noxious weed control programs. The program is supported by the U.S. Forest Service, RAC boards,

Confederated Tribes of the Colville Reservation, WSU Extension offices, Washington State Dept. of Fish and Wildlife, the state weed board and county weed boards.

Biological control is not a weed eradication strategy. It is a long-term management method that can be combined with other techniques to suppress targeted weed populations to an acceptable level. It is most suitably used on large weed infestations where application of other control methods is economically prohibitive.

More information about the WSU Washington State Invasive Weed Species Bioagent Enhancement Program can be obtained by emailing fagerlie@wsu.edu or phoning 509 775-5235.

EXPENDITURES OF STATE FUNDS

All of Washington benefits from ensuring control of the state’s most serious noxious weeds. Even citizens whose properties are uninfested benefit because the effective control of noxious weeds protects their property and the recreation and natural areas they enjoy from similar infestations and related costs of control. Public awareness and education campaigns build diverse support for noxious weed control efforts. Recognizing the importance of noxious weed control, Washington has invested state general funds to support the current state and local noxious weed control programs for the last nine biennia.

During the first four biennial funding cycles after the creation of Washington’s noxious weed program in its current form, the state’s investment supported three programs: (1) the Department; (2) the Board; and (3) the grant program, where funds were used for local noxious weed control projects throughout Washington. Beginning in 1995, the Board shifted the focus of the noxious weed grant program into three components of statewide benefit: (1) education and public awareness; (2) special projects of statewide benefit; and (3) enforcement funds for the Department. The Board has continued this focus in the period between January of 2003 and June of 2005.

Biennium	Department	Board	Grant Program	Total
1987-1989 ¹	\$181,329	\$96,575	\$460,698	\$738,602
1989-1991	\$316,715	\$121,040	\$524,000	\$961,755
1991-1993	\$223,299	\$145,090 ²	\$506,000	\$874,389³
1993-1995	\$110,000	\$153,000	\$202,000	\$465,000⁴
1995-1997	\$123,746 ⁵	\$198,432	\$210,000	\$512,178
1997-1999	\$225,860 ⁵	\$386,277		\$612,137
1999-2001	\$248,450 ⁵	\$395,553		\$644,003
2001-2003	\$253,598 ⁶	\$378,153 ⁷		\$631,751
2003-2005	\$248,598 ⁸	\$390,706		\$639,304

¹Department (2 FTE) and Board (1 FTE) staff not hired until 1988.

²Clerical support previously paid by a separate account now included in Board budget.

³Includes a 1992 supplemental budget reduction of \$36,000.

⁴Includes a 1994 supplemental budget reduction of \$304,000.

⁵Does not include \$800,000 *Spartina* and purple loosestrife programs for which the Department is lead agency.

⁶Does not include \$2,268,532 *Spartina* and purple loosestrife programs for which the Department is lead agency.

⁷Figure reduced by \$21,000 one-time “efficiency savings” and \$6,000 carry forward reductions.

⁸Does not include \$2,768,500 *Spartina*, purple loosestrife and invasive knotweed programs for which the Department is lead agency.

The long-term budget history of the State Weed Board can be viewed graphically in Tables 7 and 8. Found on page 46, Table 7 shows the funding history in absolute dollars, without adjusting for inflations. Table 8, on page 47, shows the inflation-adjusted budget history. It illustrates that the purchasing power of the State Weed Board has been in decline. This impacts all aspects of the program. The impact is particularly noticeable in the Special Projects area.

Table 7. State Weed Board Long-Term Financial History
Dollars Per Biennium in Four Categories
Not Adjusted for Inflation

Biennium	87-89	89-91	91-93	93-95	95-97	97-99	99-01	01-03	03-05	05-07
Board (purple)	\$96,575	\$121,040	\$145,090	\$153,000	\$178,432	\$201,306	\$206,799	\$210,628	\$248,664	\$273,798
Grants (maroon)	\$460,698	\$524,000	\$506,000	\$202,000						
Education (yellow)				\$120,000	\$120,000	\$131,971	\$135,754	\$116,963	\$119,568	\$131,112
Special Projects (light blue)				\$90,040	\$90,040	\$53,000	\$53,000	\$53,396	\$22,474	\$14,750
Total	\$557,273	\$645,040	\$651,090	\$355,000	\$388,472	\$386,277	\$395,553	\$380,987	\$390,706	\$419,660

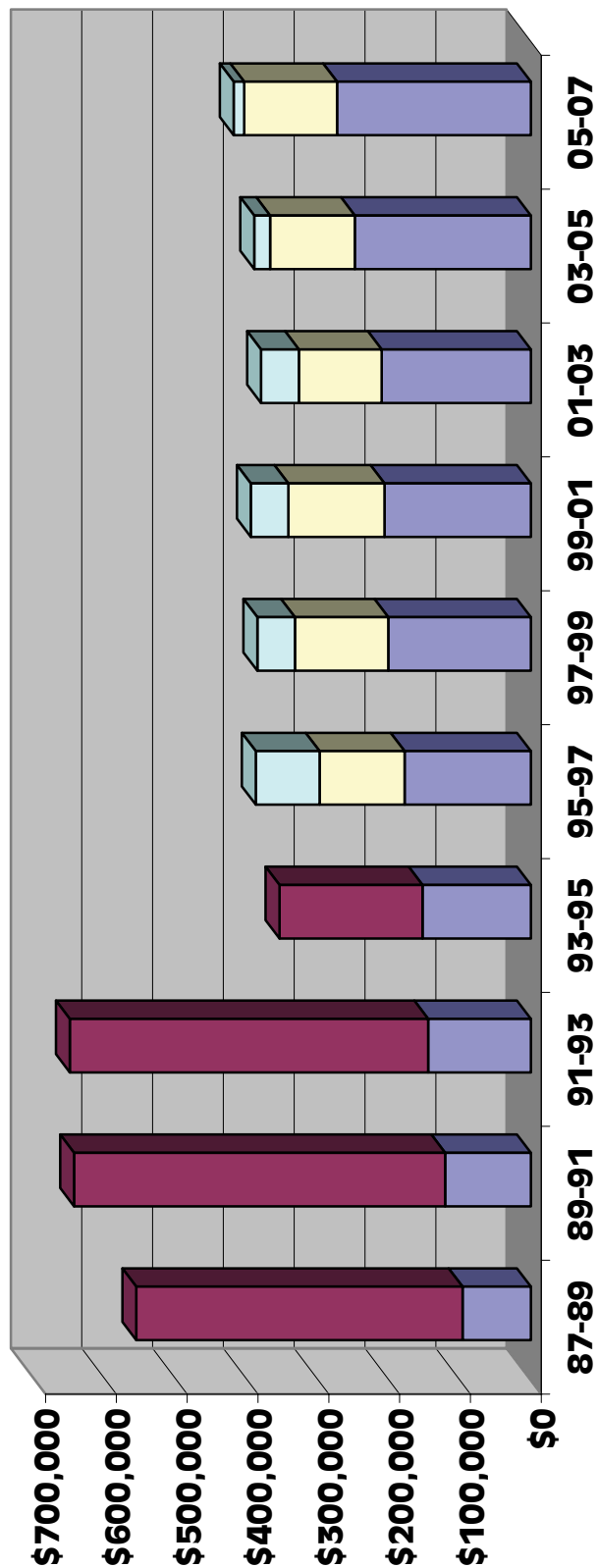
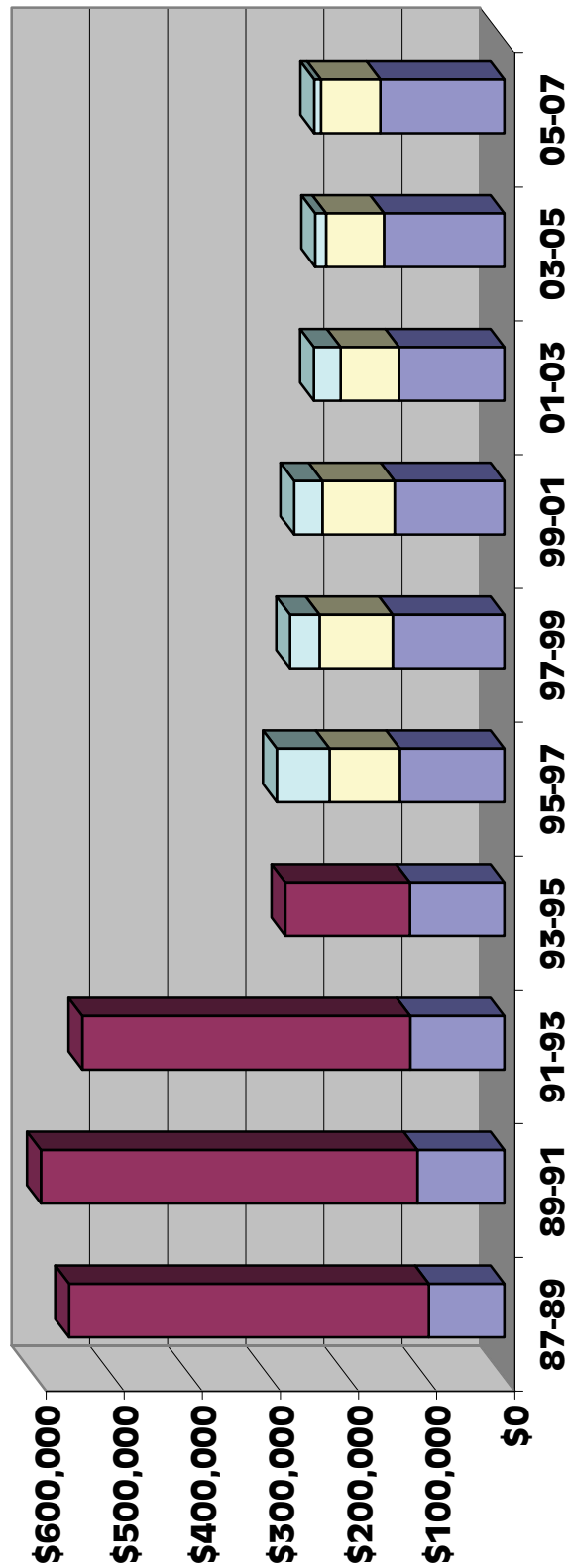


Table 8. Inflation Adjusted State Weed Board Long-Term Financial History

Dollars Per Biennium in Four Categories

Adjusted for Inflation: All figures in 1987 Dollar-equivalents

Biennium	87-89	89-91	91-93	93-95	95-97	97-99	99-01	01-03	03-05	05-07
Inflation Adjustment Factor	1	0.92	0.83	0.79	0.75	0.71	0.68	0.64	0.62	0.58
Board (purple)	\$96,575	\$111,356	\$120,424	\$120,870	\$133,824	\$142,927	\$140,623	\$134,801	\$154,171	\$158,802
Grants (maroon)	\$460,698	\$482,080	\$419,980	\$159,580						
Education (yellow)					\$90,000	\$93,699	\$92,312	\$74,856	\$74,132	\$76,044
Special Projects (light blue)					\$67,530	\$37,630	\$36,040	\$34,173	\$13,933	\$8,555
Inflation-Adjusted Total	\$557,273	\$593,436	\$540,404	\$280,450	\$291,354	\$274,256	\$268,975	\$243,830	\$242,236	\$243,401



The overall Board budget is only a small fraction of the amount spent on noxious weed control statewide. The vast majority of noxious weed control in Washington State is funded privately by property owners, as intended by the Legislature and required by RCW 17.10. Through its policies, the Board directs the noxious weed control efforts of county weed boards and weed districts, as well as public and private landowners. As part of its role, the Board tries to focus its limited resources on projects with the highest return on investments. Many of the Board's expenditures produce amplified and highly-leveraged benefits.

SUMMARY

Noxious weed control is an on-going, long-term component of a healthy, productive Washington. Washington's noxious weed control laws are some of the best in the country. However, a significant percentage of the county weed boards charged with administering RCW 17.10 are under-funded and understaffed. The State Noxious Weed Control Board, with its purchasing power steadily decreased by inflation, is unable to meet all of the steadily increasing requests for service and assistance.

The Washington State Noxious Weed Control Board recommends that the State continue to maximize and support the local investments made in noxious weed control by maintaining or increasing general fund support for Washington's noxious weed control program, including the State Weed Board. By maintaining or increasing this funding, the Board can continue to coordinate noxious weed control efforts in Washington and to help the county noxious weed boards and the weed districts do their jobs.

Appendices

CHAPTER 17.10 RCW

NOXIOUS WEEDS—CONTROL BOARDS

Sections

- 17.10.007 Purpose—Construction—1975 1st ex.s. c 13.
- 17.10.010 Definitions.
- 17.10.020 County noxious weed control boards—Created—Jurisdiction—Inactive status.
- 17.10.030 State noxious weed control board—Members—Terms—Elections—Meetings—Reimbursement for travel expenses.
- 17.10.040 Activation of inactive county noxious weed control board.
- 17.10.050 Activated county noxious weed control board—Members—Election—Terms—Meetings—Quorum—Expenses—Officers—Vacancy.
- 17.10.060 Activated county noxious weed control board—Weed coordinator—Authority—Rules and regulations.
- 17.10.070 State noxious weed control board—Powers—Report.
- 17.10.074 Director—Powers.
- 17.10.080 State noxious weed list—Hearing—Adoption—Dissemination.
- 17.10.090 State noxious weed list—Selection of weeds for control by county board.
- 17.10.100 Order to county board to include weed from state board’s list in county’s noxious weed list.
- 17.10.110 Regional noxious weed control board—Creation.
- 17.10.120 Regional noxious weed control board—Members—Meetings—Quorum—Officers—Effect on county boards.
- 17.10.130 Regional noxious weed control board—Powers and duties.
- 17.10.134 Liability of county and regional noxious weed control boards.
- 17.10.140 Owner’s duty to control spread of noxious weeds.
- 17.10.145 State agencies’ duty to control spread of noxious weeds.
- 17.10.154 Owners’ agreements with county noxious weed control boards—Terms—Enforcement.
- 17.10.160 Right of entry—Warrant for noxious weed search—Civil liability—Penalty for preventing entry.
- 17.10.170 Finding presence of noxious weeds—Notice for failure of owner to control—Control by county board—Liability of owner—Lien—Alternative.
- 17.10.180 Hearing on liability for expense of control—Notice—Review.
- 17.10.190 Notice and information as to noxious weed control.
- 17.10.201 Noxious weed control on federal and tribal lands—State and county cooperation.
- 17.10.205 Control of noxious weeds in open areas.
- 17.10.210 Quarantine of land—Order—Expense.
- 17.10.230 Violations—Penalty.
- 17.10.235 Selling product, article, or feed containing noxious weed seeds or toxic weeds—Penalty—Rules—Inspections—Fees.
- 17.10.240 Special assessments, appropriations for noxious weed control—Assessment rates.
- 17.10.250 Applications for noxious weed control funds.

- 17.10.260 Administrative powers to be exercised in conformity with administrative procedure act–Use of weed control substances subject to other acts.
- 17.10.270 Noxious weed control boards–Authority to obtain insurance or surety bonds.
- 17.10.280 Lien for labor, material, equipment used in controlling noxious weeds.
- 17.10.290 Lien for labor, material, equipment used in controlling noxious weeds–Notice of lien.
- 17.10.300 Lien for labor, material, equipment used in controlling noxious weeds–Claim–Filing–Contents.
- 17.10.310 Notice of infraction–Issuance.
- 17.10.350 Infraction–Penalty.
- 17.10.890 Deactivation of county noxious weed control board–Hearing.
- 17.10.900 Weed districts–Continuation–Dissolution–Transfer of assessment funds.
- 17.10.910 Severability–1969 ex.s. c 113.

RCW 17.10.007 Purpose–Construction–1975 1st ex.s. c 13. The purpose of this chapter is to limit economic loss and adverse effects to Washington’s agricultural, natural, and human resources due to the presence and spread of noxious weeds on all terrestrial and aquatic areas in the state.

The intent of the legislature is that this chapter be liberally construed, and that the jurisdiction, powers, and duties granted to the county noxious weed control boards by this chapter are limited only by specific provisions of this chapter or other state and federal law. [1997 c 353 § 1; 1975 1st ex.s. c 13 § 17. Formerly RCW 17.10.905.]

RCW 17.10.010 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

- (1) “Noxious weed” means a plant that when established is highly destructive, competitive, or difficult to control by cultural or chemical practices.
- (2) “State noxious weed list” means a list of noxious weeds adopted by the state noxious weed control board. The list is divided into three classes:
 - (a) Class A consists of those noxious weeds not native to the state that are of limited distribution or are unrecorded in the state and that pose a serious threat to the state;
 - (b) Class B consists of those noxious weeds not native to the state that are of limited distribution or are unrecorded in a region of the state and that pose a serious threat to that region;
 - (c) Class C consists of any other noxious weeds.
- (3) “Person” means any individual, partnership, corporation, firm, the state or any department, agency, or subdivision thereof, or any other entity.
- (4) “Owner” means the person in actual control of property, or his or her agent, whether the control is based on legal or equitable title or on any other interest entitling the holder to possession and, for purposes of liability, pursuant to RCW 17.10.170 or 17.10.210, means the possessor of legal or equitable title or the possessor of an easement: PROVIDED, That when the possessor of an easement has the right to control or limit the growth of vegetation

within the boundaries of an easement, only the possessor of the easement is deemed, for the purpose of this chapter, an “owner” of the property within the boundaries of the easement.

(5) As pertains to the duty of an owner, the words “control”, “contain”, “eradicate”, and the term “prevent the spread of noxious weeds” means conforming to the standards of noxious weed control or prevention in this chapter or as adopted by rule in chapter 16-750 WAC by the state noxious weed control board and an activated county noxious weed control board.

(6) “Agent” means any occupant or any other person acting for the owner and working or in charge of the land.

(7) “Agricultural purposes” are those that are intended to provide for the growth and harvest of food and fiber.

(8) “Director” means the director of the department of agriculture or the director’s appointed representative.

(9) “Weed district” means a weed district as defined in chapters 17.04 and 17.06 RCW.

(10) “Aquatic noxious weed” means an aquatic plant species that is listed on the state weed list under RCW 17.10.080.

(11) “Screenings” means a mixture of mill or elevator run mixture or a combination of varying amounts of materials obtained in the process of cleaning either grain or seeds, or both, such as light or broken grain or seed, weed seeds, hulls, chaff, joints, straw, elevator dust, floor sweepings, sand, and dirt. [1997 c 353 § 2; 1995 c 255 § 6; 1987 c 438 § 1; 1975 1st ex.s. c 13 § 1; 1969 ex.s. c 113 § 1.]

NOTES:

Severability--Effective date--1995 c 255: See RCW 17.26.900 and 17.26.901.

RCW 17.10.020 County noxious weed control boards--Created--Jurisdiction--Inactive status.

(1) In each county of the state there is created a noxious weed control board, bearing the name of the county within which it is located. The jurisdictional boundaries of each board are the boundaries of the county within which it is located.

(2) Each noxious weed control board is inactive until activated pursuant to the provisions of RCW 17.10.040. [1997 c 353 § 3; 1969 ex.s. c 113 § 2.]

RCW 17.10.030 State noxious weed control board--Members--Terms--Elections--Meetings--Reimbursement for travel expenses.

There is created a state noxious weed control board comprised of nine voting members and three nonvoting members. Four of the voting members shall be elected by the members of the various activated county noxious weed control boards, and shall be residents of a county in which a county noxious weed control board has been activated and a member of said board, and those qualifications shall continue through their term of office. Two of these members shall be elected from the west side of the state, the crest of the Cascades being the dividing line, and two from the east side of the state. The director of agriculture is a voting member of the board. One voting member shall be elected by the directors of the various active weed districts formed under chapter 17.04 or 17.06 RCW. The Washington state association of counties appoints one voting member who shall be a member

of a county legislative authority. The director shall appoint two voting members to represent the public interest, one from the west side and one from the east side of the state. The director shall also appoint three nonvoting members representing scientific disciplines relating to weed control. The term of office for all members of the board is three years from the date of election or appointment.

The board, by rule, shall establish a position number for each elected position of the board and shall designate which county noxious weed control board members are eligible to vote for each elected position. The elected members serve staggered terms. Elections for the elected members of the board shall be held thirty days prior to the expiration date of their respective terms. Nominations and elections shall be by mail and conducted by the board.

The board shall conduct its first meeting within thirty days after all its members have been elected. The board shall elect from its members a chair and other officers as may be necessary. A majority of the voting members of the board constitutes a quorum for the transaction of business and is necessary for any action taken by the board. The members of the board serve without salary, but shall be reimbursed for travel expenses incurred in the performance of their duties under this chapter in accordance with RCW 43.03.050 and 43.03.060. [1997 c 353 § 4; 1987 c 438 § 2; 1975-'76 2nd ex.s. c 34 § 23; 1969 ex.s. c 113 § 3.]

NOTES:

Effective date--Severability--1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 17.10.040 Activation of inactive county noxious weed control board. An inactive county noxious weed control board may be activated by any one of the following methods:

- (1) Either within sixty days after a petition is filed by one hundred registered voters within the county or, on its own motion, the county legislative authority shall hold a hearing to determine whether there is a need, due to a damaging infestation of noxious weeds, to activate the county noxious weed control board. If such a need is found to exist, then the county legislative authority shall, in the manner provided by RCW 17.10.050, appoint five persons to the county's noxious weed control board.
- (2) If the county's noxious weed control board is not activated within one year following a hearing by the county legislative authority to determine the need for activation, then upon the filing with the state noxious weed control board of a petition comprised either of the signatures of at least two hundred registered voters within the county, or of the signatures of a majority of an adjacent county's noxious weed control board, the state board shall, within six months of the date of the filing, hold a hearing in the county to determine the need for activation. If a need for activation is found to exist, then the state board shall order the county legislative authority to activate the county's noxious weed control board and to appoint members to the board in the manner provided by RCW 17.10.050.
- (3) The director, upon request of the state noxious weed control board, shall order a county legislative authority to activate the noxious weed control board immediately if an infestation of a class A noxious weed or class B noxious weed designated for control on the state noxious weed list is confirmed in that county. The county legislative authority may, as an alternative to activating the noxious weed board, combat the class A noxious weed or class B noxious weed with county resources and personnel operating with the authorities and responsibilities imposed by this chapter on a county noxious weed control board. No

county may continue without a noxious weed control board for a second consecutive year if the class A noxious weed or class B noxious weed has not been eradicated. [1997 c 353 § 5; 1987 c 438 § 3; 1975 1st ex.s. c 13 § 2; 1969 ex.s. c 113 § 4.]

RCW 17.10.050 Activated county noxious weed control board--Members--Election--Terms--Meetings--Quorum--Expenses--Officers--Vacancy.

(1) Each activated county noxious weed control board consists of five voting members appointed by the county legislative authority. In appointing the voting members, the county legislative authority shall divide the county into five geographical areas that best represent the county's interests, and appoint a voting member from each geographical area. At least four of the voting members shall be engaged in the primary production of agricultural products. There is one nonvoting member on the board who is the chair of the county extension office or an extension agent appointed by the chair of the county extension office. Each voting member of the board serves a term of four years, except that the county legislative authority shall, when a board is first activated under this chapter, designate two voting members to serve terms of two years. The board members shall not receive a salary but shall be compensated for actual and necessary expenses incurred in the performance of their official duties.

(2) The voting members of the board serve until their replacements are appointed. New members of the board shall be appointed at least thirty days prior to the expiration of any board member's term of office.

Notice of expiration of a term of office shall be published at least twice in a weekly or daily newspaper of general circulation in the section [geographical area] with last publication occurring at least ten days prior to the nomination. All persons interested in appointment to the board and residing in the geographical area with a pending nomination shall make a written application that includes the signatures of at least ten registered voters residing in the geographical area supporting the nomination to the county noxious weed control board. After nominations close, the county noxious weed control board shall, after a hearing, send the applications to the county legislative authority recommending the names of the most qualified candidates, and post the names of those nominees in the county courthouse and publish in at least one newspaper of general circulation in the county. The county legislative authority, within ten days of receiving the list of nominees, shall appoint one of those nominees to the county noxious weed control board to represent that geographical area during that term of office.

(3) Within thirty days after all the members have been appointed, the board shall conduct its first meeting. A majority of the voting members of the board constitutes a quorum for the transaction of business and is necessary for any action taken by the board. The board shall elect from its members a chair and other officers as may be necessary.

(4) In case of a vacancy occurring in any voting position on a county noxious weed control board, the county legislative authority of the county in which the board is located shall appoint a qualified person to fill the vacancy for the unexpired term. [1997 c 353 § 6; 1987 c 438 § 4; 1980 c 95 § 1; 1977 ex.s. c 26 § 6; 1975 1st ex.s. c 13 § 3; 1974 ex.s. c 143 § 1; 1969 ex.s. c 113 § 5.]

RCW 17.10.060 Activated county noxious weed control board--Weed coordinator--

Authority--Rules and regulations. (1) Each activated county noxious weed control board shall employ or otherwise provide a weed coordinator whose duties are fixed by the board but which shall include inspecting land to determine the presence of noxious weeds, offering technical assistance and education, and developing a program to achieve compliance with the weed law. The weed coordinator may be employed full time, part time, or seasonally by the county noxious weed control board. County weed board employment practices shall comply with county personnel policies. Within sixty days from initial employment the weed coordinator shall obtain a pest control consultant license, a pesticide operator license, and the necessary endorsements on the licenses as required by law. Each board may purchase, rent, or lease equipment, facilities, or products and may hire additional persons as it deems necessary for the administration of the county's noxious weed control program.

(2) Each activated county noxious weed control board has the power to adopt rules and regulations, subject to notice and hearing as provided in chapters 42.30 and 42.32 RCW, as are necessary for an effective county weed control or eradication program.

(3) Each activated county noxious weed control board shall meet with a quorum at least quarterly. [1997 c 353 § 7; 1987 c 438 § 5; 1969 ex.s. c 113 § 6.]

RCW 17.10.070 State noxious weed control board--Powers--Report. (1) In addition to the powers conferred on the state noxious weed control board under other provisions of this chapter, it has the power to:

(a) Employ a state noxious weed control board executive secretary, and additional persons as it deems necessary, to disseminate information relating to noxious weeds to county noxious weed control boards and weed districts, to coordinate the educational and weed control efforts of the various county and regional noxious weed control boards and weed districts, and to assist the board in carrying out its responsibilities;

(b) Adopt, amend, or repeal rules, pursuant to the administrative procedure act, chapter 34.05 RCW, as may be necessary to carry out the duties and authorities assigned to the board by this chapter.

(2) The state noxious weed control board shall provide a written report before January 1st of each odd-numbered year to the county noxious weed control boards and the weed districts showing the expenditure of state funds on noxious weed control; specifically how the funds were spent; the status of the state, county, and district programs; and recommendations for the continued best use of state funds for noxious weed control. The report shall include recommendations as to the long-term needs regarding weed control. [1998 c 245 § 3; 1997 c 353 § 8; 1987 c 438 § 6; 1975 1st ex.s. c 13 § 4; 1969 ex.s. c 113 § 7.]

RCW 17.10.074 Director--Powers. (1) In addition to the powers conferred on the director under other provisions of this chapter, the director, with the advice of the state noxious weed control board, has power to:

(a) Require the county legislative authority or the noxious weed control board of any county or any weed district to report to it concerning the presence, absence, or

estimated amount of noxious weeds and measures, if any, taken or planned for the control thereof;

(b) Employ staff as may be necessary in the administration of this chapter;

(c) Adopt, amend, or repeal rules, pursuant to the administrative procedure act, chapter 34.05 RCW, as may be necessary to carry out this chapter;

(d) Do such things as may be necessary and incidental to the administration of its functions pursuant to this chapter including but not limited to surveying for and detecting noxious weed infestations;

(e) Upon receipt of a complaint signed by a majority of the members of an adjacent county noxious weed control board or weed district, or by one hundred registered voters that are land owners within the county, require the county legislative authority or noxious weed control board of the county or weed district that is the subject of the complaint to respond to the complaint within forty-five days with a plan for the control of the noxious weeds cited in the complaint;

(f) If the complaint in (e) of this subsection involves a class A or class B noxious weed, order the county legislative authority, noxious weed control board, or weed district to take immediate action to eradicate or control the noxious weed infestation. If the county or the weed district does not take action to control the noxious weed infestation in accordance with the order, the director may control it or cause it to be controlled. The county or weed district is liable for payment of the expense of the control work including necessary costs and expenses for attorneys' fees incurred by the director in securing payment from the county or weed district. The director may bring a civil action in a court of competent jurisdiction to collect the expenses of the control work, costs, and attorneys' fees;

(g) In counties without an activated noxious weed control board, enter upon any property as provided for in RCW 17.10.160, issue or cause to be issued notices and citations and take the necessary action to control noxious weeds as provided in RCW 17.10.170, hold hearings on any charge or cost of control action taken as provided for in RCW 17.10.180, issue a notice of civil infraction as provided for in RCW 17.10.230 and 17.10.310 through [and] 17.10.350, and place a lien on any property pursuant to RCW 17.10.280, 17.10.290, and 17.10.300 with the same authorities and responsibilities imposed by these sections on county noxious weed control boards;

(h) Adopt a list of noxious weed seeds and toxic weeds which shall be controlled in designated articles, products, or feed stuffs as provided for in RCW 17.10.235.

(2) The moneys appropriated for noxious weed control to the department shall be used for administration of the state noxious weed control board, the administration of the director's powers under this chapter, the purchase of materials for controlling, containing, or eradicating noxious weeds, the purchase or collection of biological control agents for controlling noxious weeds, and the contracting for services to carry out the purposes of this chapter. In a county with an activated noxious weed control board, the director shall make every effort to contract with that board for the needed services.

(3) If the director determines the need to reallocate funds previously designated for county use, the director shall convene a meeting of the state noxious weed control board to seek its advice concerning any reallocation. [1997 c 353 § 9; 1987 c 438 § 7.]

RCW 17.10.080 State noxious weed list--Hearing--Adoption--Dissemination. (1) The state noxious weed control board shall each year or more often, following a hearing, adopt a state noxious weed list.

(2) Any person may request during a comment period established by the state weed board the inclusion, deletion, or designation change of any plant to the state noxious weed list.

(3) The state noxious weed control board shall send a copy of the list to each activated county noxious weed control board, to each weed district, and to the county legislative authority of each county with an inactive noxious weed control board.

(4) The record of rule making must include the written findings of the board for the inclusion of each plant on the list. The findings shall be made available upon request to any interested person. [1997 c 353 § 10; 1989 c 175 § 57; 1987 c 438 § 8; 1975 1st ex.s. c 13 § 5; 1969 ex.s. c 113 § 8.]

NOTES:

Effective date--1989 c 175: See note following RCW 34.05.010.

RCW 17.10.090 State noxious weed list--Selection of weeds for control by county board.

Each county noxious weed control board shall, within ninety days of the adoption of the state noxious weed list from the state noxious weed control board and following a hearing, select those weeds from the class C list and those weeds from the class B list not designated for control in the noxious weed control region in which the county lies that it finds necessary to be controlled in the county. The weeds thus selected and all class A weeds and those class B weeds that have been designated for control in the noxious weed control region in which the county lies shall be classified within that county as noxious weeds, and those weeds comprise the county noxious weed list. [1997 c 353 § 11; 1987 c 438 § 9; 1969 ex.s. c 113 § 9.]

RCW 17.10.100 Order to county board to include weed from state board's list in county's noxious weed list. Where any of the following occur, the state noxious weed control board may, following a hearing, order any county noxious weed control board or weed district to include a noxious weed from the state board's list in the county's noxious weed list:

(1) Where the state noxious weed control board receives a petition from at least one hundred registered voters within the county requesting that the weed be listed.

(2) Where the state noxious weed control board receives a request for inclusion from an adjacent county's noxious weed control board or weed district, which the adjacent board or district has included that weed in its county list, and the adjacent board or weed district alleges that its noxious weed control program is being hampered by the failure to include the weed on the county's noxious weed list. [1997 c 353 § 12; 1987 c 438 § 10; 1969 ex.s. c 113 § 10.]

RCW 17.10.110 Regional noxious weed control board--Creation. A regional noxious weed control board comprising the area of two or more counties may be created as follows:

Either the county legislative authority, or the noxious weed control board, or both, of two or more counties may, upon a determination that the purpose of this chapter will be served

by the creation of a regional noxious weed control board, adopt a resolution providing for a limited merger of the functions of their respective counties noxious weed control boards. The resolution becomes effective only when a similar resolution is adopted by the other county or counties comprising the proposed regional board. [1997 c 353 § 13; 1987 c 438 § 11; 1975 1st ex.s. c 13 § 6; 1969 ex.s. c 113 § 11.]

RCW 17.10.120 Regional noxious weed control board--Members--Meetings--Quorum--Officers--Effect on county boards. In any case where a regional noxious weed control board is created, the county noxious weed control boards comprising the regional board shall still remain in existence and shall retain all powers and duties provided for the boards under this chapter.

The regional noxious weed control board is comprised of the voting members and the nonvoting members of the component counties noxious weed control boards or county legislative authorities who shall, respectively, be the voting and nonvoting members of the regional board: PROVIDED, That each county shall have an equal number of voting members. The board may appoint other nonvoting members as deemed necessary. A majority of the voting members of the board constitutes a quorum for the transaction of business and is necessary for any action taken by the board. The board shall elect a chair from its members and other officers as may be necessary. Members of the regional board serve without salary but shall be compensated for actual and necessary expenses incurred in the performance of their official duties. [1997 c 353 § 14; 1987 c 438 § 12; 1969 ex.s. c 113 § 12.]

RCW 17.10.130 Regional noxious weed control board--Powers and duties. The powers and duties of a regional noxious weed control board are as follows:

(1) The regional board shall, within ninety days of the adoption of the state noxious weed list from the state noxious weed control board and following a hearing, select those weeds from the state list that it finds necessary to be controlled on a regional basis. The weeds thus selected shall also be contained in the county noxious weed list of each county in the region.

(2) The regional board shall take action as may be necessary to coordinate the noxious weed control programs of the region and adopt a regional plan for the control of noxious weeds. [1997 c 353 § 15; 1987 c 438 § 13; 1969 ex.s. c 113 § 13.]

RCW 17.10.134 Liability of county and regional noxious weed control boards. Obligations or liabilities incurred by any county or regional noxious weed control board or any claims against a county or regional noxious weed control board are governed by chapter 4.96 RCW or RCW 4.08.120: PROVIDED, That individual members or employees of a county noxious weed control board are personally immune from civil liability for damages arising from actions performed within the scope of their official duties or employment. [1997 c 353 § 16; 1987 c 438 § 14.]

RCW 17.10.140 Owner's duty to control spread of noxious weeds. (1) Except as is provided under subsection (2) of this section, every owner shall perform or cause to be

performed those acts as may be necessary to:

- (a) Eradicate all class A noxious weeds;
- (b) Control and prevent the spread of all class B noxious weeds designated for control in that region within and from the owner's property; and
- (c) Control and prevent the spread of all class B and class C noxious weeds listed on the county weed list as locally mandated control priorities within and from the owner's property.

(2) Forest lands classified under RCW 17.10.240(2), or meeting the definition of forest lands contained in RCW 17.10.240, are subject to the requirements of subsection (1)(a) and (b) of this section at all times. Forest lands are subject to the requirements of subsection (1)(c) of this section only within a one thousand foot buffer strip of adjacent land uses. In addition, forest lands are subject to subsection (1)(c) of this section for a single five-year period following the harvesting of trees for lumber. [1997 c 353 § 17; 1969 ex.s. c 113 § 14.]

RCW 17.10.145 State agencies' duty to control spread of noxious weeds. All state agencies shall control noxious weeds on lands they own, lease, or otherwise control through integrated pest management practices. Agencies shall develop plans in cooperation with county noxious weed control boards to control noxious weeds in accordance with standards in this chapter. All state agencies' lands must comply with this chapter, regardless of noxious weed control efforts on adjacent lands. [1997 c 353 § 18; 1995 c 374 § 75.]

NOTES:

Effective date--1995 c 374 §§ 69, 70, and 72-79: See note following RCW 16.24.130.

RCW 17.10.154 Owners' agreements with county noxious weed control boards--Terms--Enforcement. It is recognized that the prevention, control, and eradication of noxious weeds presents a problem for immediate as well as for future action. It is further recognized that immediate prevention, control, and eradication is practicable on some lands and that prevention, control, and eradication on other lands should be extended over a period of time. Therefore, it is the intent of this chapter that county noxious weed control boards may use their discretion and, by agreement with the owners of land, may propose and accept plans for prevention, control, and eradication that may be extended over a period of years. The county noxious weed control board may make an agreement with the owner of any parcel of land by contract between the landowner and the respective county noxious weed control board, and the board shall enforce the terms of any agreement. The county noxious weed control board may make any terms that will best serve the interests of the owners of the parcel of land and the common welfare that comply with this chapter. Agreements made under this section must include at least a one thousand foot buffer for all adjacent agricultural land uses. Noxious weed control in this buffer must comply with RCW 17.10.140(1). [1997 c 353 § 19; 1987 c 438 § 16.]

RCW 17.10.160 Right of entry--Warrant for noxious weed search--Civil liability--Penalty for preventing entry. Any authorized agent or employee of the county noxious weed control

board or of the state noxious weed control board or of the department of agriculture where not otherwise proscribed by law may enter upon any property for the purpose of administering this chapter and any power exercisable pursuant thereto, including the taking of specimens of weeds, general inspection, and the performance of eradication or control work. Prior to carrying out the purpose for which the entry is made, the official making such entry or someone in his or her behalf, shall make a reasonable attempt to notify the owner of the property as to the purpose and need for the entry.

(1) When there is probable cause to believe that there is property within this state not otherwise exempt from process or execution upon which noxious weeds are standing or growing and the owner refuses permission to inspect the property, a judge of the superior court or district court in the county in which the property is located may, upon the request of the county noxious weed control board or its agent, issue a warrant directed to the board or agent authorizing the taking of specimens of weeds or other materials, general inspection, and the performance of eradication or control work.

(2) Application for issuance and execution and return of the warrant authorized by this section shall be in accordance with the applicable rules of the superior court or the district courts.

(3) Nothing in this section requires the application for and issuance of any warrant not otherwise required by law: PROVIDED, That civil liability for negligence shall lie in any case in which entry and any of the activities connected therewith are not undertaken with reasonable care.

(4) Any person who improperly prevents or threatens to prevent entry upon land as authorized in this section or any person who interferes with the carrying out of this chapter shall be upon conviction guilty of a misdemeanor. [1997 c 353 § 20; 1987 c 438 § 17; 1969 ex.s. c 113 § 16.]

RCW 17.10.170 Finding presence of noxious weeds--Notice for failure of owner to control--Control by county board--Liability of owner--Lien--Alternative. (1) Whenever the county noxious weed control board finds that noxious weeds are present on any parcel of land, and that the owner is not taking prompt and sufficient action to control the noxious weeds, pursuant to the provisions of RCW 17.10.140, it shall notify the owner that a violation of this chapter exists. The notice shall be in writing and sent by certified mail, and shall identify the noxious weeds found to be present, order prompt control action, and specify the time, of at least ten days from issuance of the notice, within which the prescribed action must be taken. Upon deposit of the certified letter of notice, the noxious weed control authority shall make an affidavit of mailing that is prima facie evidence that proper notice was given. If seed or other propagule dispersion is imminent, immediate control action may be taken forty-eight hours following the time that notification is reasonably expected to have been received by the owner or agent by certified mail or personal service, instead of ten days. If a landowner received a notice of violation from the county noxious weed control board in a prior growing season, removal or destruction of all above ground plant parts may be required at the most effective point in the growing season, as determined by the county weed board, which may be before or after propagule dispersion.

- (2) The county noxious weed control board or its authorized agents may issue a notice of civil infraction as provided for in RCW 17.10.230, 17.10.310, and 17.10.350 to owners who do not take action to control noxious weeds in accordance with the notice.
- (3) If the owner does not take action to control the noxious weeds in accordance with the notice, the county board may control them, or cause their being controlled, at the expense of the owner. The amount of the expense constitutes a lien against the property and may be enforced by proceedings on the lien except as provided for by RCW 79.44.060. The owner is liable for payment of the expense, and nothing in this chapter shall be construed to prevent collection of any judgment on account thereof by any means available pursuant to law, in substitution for enforcement of the lien. Necessary costs and expenses including reasonable attorneys' fees incurred by the county noxious weed control board in carrying out this section may be recovered at the same time as a part of the action filed under this section. Funds received in payment for the expense of controlling noxious weeds shall be transferred to the county noxious weed control board to be expended as required to carry out the purposes of this chapter.
- (4) The county auditor shall record in his or her office any lien created under this chapter, and any lien shall bear interest at the rate of twelve percent per annum from the date on which the county noxious weed control board approves the amount expended in controlling the weeds.
- (5) As an alternative to the enforcement of any lien created under subsection (3) of this section, the county legislative authority may by resolution or ordinance require that each lien created be collected by the treasurer in the same manner as a delinquent real property tax, if within thirty days from the date the owner is sent notice of the lien, including the amount thereof, the lien remains unpaid and an appeal has not been made pursuant to RCW 17.10.180. Liens treated as delinquent taxes bear interest at the rate of twelve percent per annum and the interest accrues as of the date notice of the lien is sent to the owner: PROVIDED, That any collections for the lien shall not be considered as tax. [1997 c 353 § 21; 1987 c 438 § 18; 1979 c 118 § 1; 1975 1st ex.s. c 13 § 8; 1974 ex.s. c 143 § 3; 1969 ex.s. c 113 § 17.]

RCW 17.10.180 Hearing on liability for expense of control--Notice--Review. Any owner, upon request pursuant to the rules and regulation of the county noxious weed control board, is entitled to a hearing before the board on any charge or cost for which the owner is alleged to be liable pursuant to RCW 17.10.170 or 17.10.210. The board shall send notice by certified mail within thirty days, to each owner at the owner's last known address, as to any charge or cost and as to his or her right of a hearing. The hearing shall be scheduled within forty-five days of notification. Any determination or final action by the board is subject to judicial review by a proceeding in the superior court in the county in which the property is located, and the court has original jurisdiction to determine any suit brought by the owner to recover damages allegedly suffered on account of control work negligently performed: PROVIDED, That no stay or injunction shall lie to delay any control work subsequent to notice given pursuant to RCW 17.10.160 or pursuant to an order under RCW 17.10.210. [1997 c 353 § 22; 1987 c 438 § 19; 1969 ex.s. c 113 § 18.]

RCW 17.10.190 Notice and information as to noxious weed control. Each activated county noxious weed control board must publish annually, and at other times as may be appropriate, in at least one newspaper of general circulation within its area, a general notice. The notice shall direct attention to the need for noxious weed control and give other information concerning noxious weed control requirements as may be appropriate, or indicate where such information may be secured. In addition to the general notice required, the county noxious weed control board may use any appropriate media for the dissemination of information to the public as may be calculated to bring the need for noxious weed control to the attention of owners. The board may consult with individual owners concerning their problems of noxious weed control and may provide them with information and advice, including giving specific instructions and methods when and how certain named weeds are to be controlled. The methods may include some combination of physical, mechanical, cultural, chemical, and/or biological methods, including livestock. Publication of a notice as required by this section is not a condition precedent to the enforcement of this chapter. [1997 c 353 § 23; 1987 c 438 § 20; 1975 1st ex.s. c 13 § 9; 1969 ex.s. c 113 § 19.]

RCW 17.10.201 Noxious weed control on federal and tribal lands--State and county cooperation. (1) The state noxious weed control board shall:

- (a) Work with the various federal and tribal land management agencies to coordinate state and federal noxious weed control;
- (b) Encourage the various federal and tribal land management agencies to devote more time and resources to noxious weed control; and
- (c) Assist the various federal and tribal land management agencies by seeking adequate funding for noxious weed control.

(2) County noxious weed control boards and weed districts shall work with the various federal and tribal land management agencies in each county in order to:

- (a) Identify new noxious weed infestations;
- (b) Outline and plan necessary noxious weed control actions;
- (c) Develop coordinated noxious weed control programs; and
- (d) Notify local federal and tribal agency land managers of noxious weed infestations.

(3) The department of agriculture, county noxious weed control boards, and weed districts are authorized to enter federal lands, with the approval of the appropriate federal agency, to survey for and control noxious weeds where control measures of a type and extent required under this chapter have not been taken.

(4) The department of agriculture, county noxious weed control boards, and weed districts may bill the federal land management agency that manages the land for all costs of the noxious weed control performed on federal land. If not paid by the federal agency that manages the land, the cost of the noxious weed control on federal land may be paid from any funds available to the county noxious weed control board or weed district that performed the noxious weed control. Alternatively, the costs of noxious weed control on federal land may be paid from any funds specifically appropriated to the department of agriculture for that purpose.

(5) The department of agriculture, county noxious weed control boards, and weed districts are authorized to enter into any reasonable agreement with the appropriate authorities for the control of noxious weeds on federal or tribal lands.

(6) The department of agriculture, county noxious weed control boards, and weed districts shall consult with state agencies managing federal land concerning noxious weed infestation and control programs. [1997 c 353 § 34.]

RCW 17.10.205 Control of noxious weeds in open areas. Open areas subject to the spread of noxious weeds, including but not limited to subdivisions, school grounds, playgrounds, parks, and rights of way shall be subject to regulation by activated county noxious weed control boards in the same manner and to the same extent as is provided for all terrestrial and aquatic lands of the state. [1997 c 353 § 24; 1975 1st ex.s. c 13 § 16.]

RCW 17.10.210 Quarantine of land--Order--Expense. (1) Whenever the director, the county noxious weed control board, or a weed district finds that a parcel of land is so seriously infested with class A or class B noxious weeds that control measures cannot be undertaken thereon without quarantining the land and restricting or denying access thereto or use thereof, the director, the county noxious weed control board, or weed district, with the approval of the director of the department of agriculture, may issue an order for the quarantine and restriction or denial of access or use. Upon issuance of the order, the director, the county noxious weed control board, or the weed district shall commence necessary control measures and may institute legal action for the collection of costs for control work, which may include attorneys' fees and the costs of other appropriate actions.

(2) An order of quarantine shall be served, by any method sufficient for the service of civil process, on all persons known to qualify as owners of the land within the meaning of this chapter.

(3) The director shall, with the advice of the state noxious weed control board, determine how the expense of control work undertaken pursuant to this section, and the cost of any quarantine in connection therewith, is apportioned. [1997 c 353 § 25; 1987 c 438 § 22; 1969 ex.s. c 113 § 21.]

RCW 17.10.230 Violations--Penalty. Any owner knowing of the existence of any noxious weeds on the owner's land who fails to control such weeds in accordance with this chapter and rules and regulations in force pursuant thereto; or any person who enters upon any land in violation of an order in force pursuant to RCW 17.10.210; or any person who interferes with the carrying out of the provisions of this chapter has committed a civil infraction. [1987 c 438 § 23; 1979 c 118 § 2; 1969 ex.s. c 113 § 23.]

RCW 17.10.235 Selling product, article, or feed containing noxious weed seeds or toxic weeds--Penalty--Rules--Inspections--Fees. (1) The director of agriculture shall adopt, with the advice of the state noxious weed control board, rules designating noxious weed seeds which shall be controlled in products, screenings, or articles to prevent the spread of noxious weeds. The rules shall identify the products, screenings, and articles in which

the seeds must be controlled and the maximum amount of the seed to be permitted in the product, screenings, or article to avoid a hazard of spreading the noxious weed by seed from the product, screenings, or article. The director shall also adopt, with the advice of the state board, rules designating toxic weeds which shall be controlled in feed stuffs and screenings to prevent injury to the animal that consumes the feed. The rules shall identify the feed stuffs and screenings in which the toxic weeds must be controlled and the maximum amount of the toxic weed to be permitted in the feed. Rules developed under this section shall identify ways that products, screenings, articles, or feed stuffs containing noxious weed seeds or toxic weeds can be made available for beneficial uses.

(2) Any person who knowingly or negligently sells or otherwise distributes a product, article, screenings, or feed stuff designated by rule containing noxious weed seeds or toxic weeds designated for control by rule and in an amount greater than the amount established by the director for the seed or weed by rule is guilty of a misdemeanor.

(3) The department of agriculture shall, upon request of the buyer, inspect products, screenings, articles, or feed stuffs designated by rule and charge fees, in accordance with chapter 22.09 RCW, to determine the presence of designated noxious weed seeds or toxic weeds. [1997 c 353 § 26; 1987 c 438 § 30; 1979 c 118 § 4.]

RCW 17.10.240 Special assessments, appropriations for noxious weed control--

Assessment rates. (1) The activated county noxious weed control board of each county shall annually submit a budget to the county legislative authority for the operating cost of the county's weed program for the ensuing fiscal year: PROVIDED, That if the board finds the budget approved by the legislative authority is insufficient for an effective county noxious weed control program it shall petition the county legislative authority to hold a hearing as provided in RCW 17.10.890. Control of weeds is a benefit to the lands within any such section. Funding for the budget is derived from any or all of the following:

(a) The county legislative authority may, in lieu of a tax, levy an assessment against the land for this purpose. Prior to the levying of an assessment the county noxious weed control board shall hold a public hearing at which it will gather information to serve as a basis for classification and then classify the lands into suitable classifications, including but not limited to dry lands, range lands, irrigated lands, nonuse lands, forest lands, or federal lands. The board shall develop and forward to the county legislative authority, as a proposed level of assessment for each class, an amount as seems just. The assessment rate shall be either uniform per acre in its respective class or a flat rate per parcel rate plus a uniform rate per acre: PROVIDED, That if no benefits are found to accrue to a class of land, a zero assessment may be levied. The county legislative authority, upon receipt of the proposed levels of assessment from the board, after a hearing, shall accept or modify by resolution, or refer back to the board for its reconsideration all or any portion of the proposed levels of assessment. The amount of the assessment constitutes a lien against the property. The county legislative authority may by resolution or ordinance require that notice of the lien be sent to each owner of property for which the assessment has not been paid by the date it was due and that each lien created be collected by the treasurer in the same manner as delinquent real property tax, if within thirty days from the date the owner is sent notice of the lien, including the amount thereof, the lien remains unpaid and an appeal has not been made pursuant to RCW 17.10.180. Liens treated as delinquent

taxes bear interest at the rate of twelve percent per annum and the interest accrues as of the date notice of the lien is sent to the owner: PROVIDED FURTHER, That any collections for the lien shall not be considered as tax; or

(b) The county legislative authority may appropriate money from the county general fund necessary for the administration of the county noxious weed control program. In addition the county legislative authority may make emergency appropriations as it deems necessary for the implementation of this chapter.

(2) Forest lands used solely for the planting, growing, or harvesting of trees and which are typified, except during a single period of five years following clear-cut logging, by canopies so dense as to prohibit growth of an understory may be subject to an annual noxious weed assessment levied by a county legislative authority that does not exceed one-tenth of the weighted average per acre noxious weed assessment levied on all other lands in unincorporated areas within the county that are subject to the weed assessment. This assessment shall be computed in accordance with the formula in subsection (3) of this section.

(3) The calculation of the “weighted average per acre noxious weed assessment” is a ratio expressed as follows:

(a) The numerator is the total amount of funds estimated to be collected from the per acre assessment on all lands except (i) forest lands as identified in subsection (2) of this section, (ii) lands exempt from the noxious weed assessment, and (iii) lands located in an incorporated area.

(b) The denominator is the total acreage from which funds in (a) of this subsection are collected. For lands of less than one acre in size, the denominator calculation may be based on the following assumptions: (i) Unimproved lands are calculated as being one-half acre in size on the average, and (ii) improved lands are calculated as being one-third acre in size on the average. The county legislative authority may choose to calculate the denominator for lands of less than one acre in size using other assumptions about average parcel size based on local information.

(4) For those counties that levy a per parcel assessment to help fund noxious weed control programs, the per parcel assessment on forest lands as defined in subsection (2) of this section shall not exceed one-tenth of the per parcel assessment on nonforest lands. [1997 c 353 § 27; 1995 c 374 § 77; 1987 c 438 § 31; 1975 1st ex.s. c 13 § 10; 1969 ex.s. c 113 § 24.]

NOTES:

Effective date--1995 c 374 §§ 69, 70, and 72-79: See note following RCW 16.24.130.

RCW 17.10.250 Applications for noxious weed control funds. The legislative authority of any county with an activated noxious weed control board or the board of any weed district may apply to the director for noxious weed control funds when informed by the director that funds are available. Any applicant must employ adequate administrative personnel to supervise an effective weed control program as determined by the director with advice from the state noxious weed control board. The director with advice from the state noxious weed control board shall adopt rules on the distribution and use of noxious weed control account funds. [1997 c 353 § 28; 1987 c 438 § 32; 1975 1st ex.s. c 13 § 11; 1969 ex.s. c 113 § 25.]

RCW 17.10.260 Administrative powers to be exercised in conformity with administrative procedure act--Use of weed control substances subject to other acts. The administrative powers granted under this chapter to the director of the department of agriculture and to the state noxious weed control board shall be exercised in conformity with the provisions of the administrative procedure act, chapter 34.05 RCW, as now or hereafter amended. The use of any substance to control noxious weeds shall be subject to the provisions of the water pollution control act, chapter 90.48 RCW, as now or hereafter amended, the Washington pesticide control act, chapter 15.58 RCW, and the Washington pesticide application act, chapter 17.21 RCW. [1987 c 438 § 33; 1969 ex.s. c 113 § 28.]

RCW 17.10.270 Noxious weed control boards--Authority to obtain insurance or surety bonds. Each noxious weed control board may obtain such insurance or surety bonds, or both with such limits as they may deem reasonable for the purpose of protecting their officials and employees against liability for personal or bodily injuries and property damage arising from their acts or omissions while performing or in good faith purporting to perform their official duties. [1987 c 438 § 34; 1974 ex.s. c 143 § 5.]

RCW 17.10.280 Lien for labor, material, equipment used in controlling noxious weeds. Every activated county noxious weed control board performing labor, furnishing material, or renting, leasing or otherwise supplying equipment, to be used in the control of noxious weeds, or in causing control of noxious weeds, upon any property pursuant to the provisions of chapter 17.10 RCW has a lien upon such property for the labor performed, material furnished, or equipment supplied whether performed, furnished, or supplied with the consent of the owner, or his agent, of such property, or without the consent of said owner or agent. [1987 c 438 § 35; 1975 1st ex.s. c 13 § 13.]

RCW 17.10.290 Lien for labor, material, equipment used in controlling noxious weeds--Notice of lien. Every county noxious weed control board furnishing labor, materials, or supplies or renting, leasing, or otherwise supplying equipment to be used in the control of noxious weeds upon any property pursuant to RCW 17.10.160 and 17.10.170 or pursuant to an order under RCW 17.10.210 as now or hereafter amended, shall give to the owner or reputed owner or his agent a notice in writing, within ninety days from the date of the cessation of the performance of such labor, the furnishing of such materials, or the supplying of such equipment, which notice shall cover the labor, material, supplies, or equipment furnished or leased, as well as all subsequent labor, materials, supplies, or equipment furnished or leased, stating in substance and effect that such county noxious weed control board is furnishing or has furnished labor, materials and supplies or equipment for use thereon, with the name of the county noxious weed control board ordering the same, and that a lien may be claimed for all materials and supplies or equipment furnished by such county noxious weed control board for use thereon, which notice shall be given by mailing the same by registered or certified mail in an envelope addressed to the owner at his place of residence or reputed residence. [1987 c 438 § 36; 1975 1st ex.s. c 13 § 14.]

RCW 17.10.300 Lien for labor, material, equipment used in controlling noxious weeds--Claim--Filing--Contents. No lien created by RCW 17.10.280 exists, and no action to enforce

the same shall be maintained, unless within ninety days from the date of cessation of the performance of the labor, furnishing of materials, or the supplying of equipment, a claim for the lien is filed for record as provided in this section, in the office of the county auditor of the county in which the property, or some part of the property to be affected by the claim for a lien, is situated. The claim shall state, as nearly as may be, the time of the commencement and cessation of performing the labor, furnishing the material, or supplying the equipment, the name of the county noxious weed control board that performed the labor or caused the labor to be performed, furnished the material, or supplied the equipment, a description of the property to be charged with the lien sufficient for identification, the name of the owner, or reputed owner if known, or his or her agent, and if the owner is not known, that fact shall be mentioned, the amount for which the lien is claimed, and shall be signed by the county noxious weed control board, and be verified by the oath of the county noxious weed control board, to the effect that the affiant believes that claim to be just; and the claim of lien may be amended in case of action brought to foreclose the same, by order of the court, as pleadings may be, insofar as the interest of third parties shall not be affected by such an amendment. [1997 c 353 § 29; 1975 1st ex.s. c 13 § 15.]

RCW 17.10.310 Notice of infraction--Issuance. The county noxious weed control board may issue a notice of civil infraction if after investigation it has reasonable cause to believe an infraction has been committed. A civil infraction may be issued pursuant to RCW 7.80.005, 7.80.070 through 7.80.110, 7.80.120 (3) and (4), and 7.80.130 through 7.80.900. [1997 c 353 § 30; 1987 c 438 § 24.]

RCW 17.10.350 Infraction--Penalty. Any person found to have committed a civil infraction under this chapter shall be assessed a monetary penalty not to exceed one thousand dollars. The state noxious weed control board shall adopt a schedule of monetary penalties for each violation of this chapter classified as a civil infraction and submit the schedule to the appropriate court. If a monetary penalty is imposed by the court, the penalty is immediately due and payable. The court may, at its discretion, grant an extension of time, not to exceed thirty days, in which the penalty must be paid. Failure to pay any monetary penalties imposed under this chapter is punishable as a misdemeanor. [1997 c 353 § 31; 1987 c 438 § 28.]

RCW 17.10.890 Deactivation of county noxious weed control board--Hearing. The following procedures shall be followed to deactivate a county noxious weed control board:

- (1) The county legislative authority holds a hearing to determine whether there continues to be a need for an activated county noxious weed control board if:
 - (a) A petition is filed by one hundred registered voters within the county;
 - (b) A petition is filed by a county noxious weed control board as provided in RCW 17.10.240; or
 - (c) The county legislative authority passes a motion to hold such a hearing.
- (2) Except as provided in subsection (4) of this section, the hearing shall be held within sixty days of final action taken under subsection (1) of this section.

(3) If, after a hearing, the county legislative authority determines that no need exists for a county noxious weed control board, due to the absence of class A or class B noxious weeds designated for control in the region, the county legislative authority shall deactivate the board.

(4) The county legislative authority shall not convene a hearing as provided for in subsection (1) of this section more frequently than once a year. [1997 c 353 § 32; 1987 c 438 § 37.]

RCW 17.10.900 Weed districts--Continuation--Dissolution--Transfer of assessment funds. Any weed district formed under chapter 17.04 or 17.06 RCW prior to the enactment of this chapter, continues to operate under the provisions of the chapter under which it was formed: PROVIDED, That if ten percent of the landowners subject to any such weed district, and the county noxious weed control board upon its own motion, petition the county legislative authority for a dissolution of the weed district, the county legislative authority shall provide for an election to be conducted in the same manner as required for the election of directors under the provisions of chapter 17.04 RCW, to determine by majority vote of those casting votes, if the weed district will continue to operate under the chapter it was formed. The land area of any dissolved weed district becomes subject to the provisions of this chapter. Any district assessment funds may be transferred after the dissolution election under contract to the county noxious weed control board to fund the noxious weed control program. [1997 c 353 § 33; 1987 c 438 § 38; 1975 1st ex.s. c 13 § 12; 1969 ex.s. c 113 § 26.]

RCW 17.10.910 Severability--1969 ex.s. c 113. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of this act, or the application of the provision to other persons or circumstances is not affected. [1969 ex.s. c 113 § 27.]

Chapter 17.04 RCW

WEED DISTRICTS

Sections

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- 17.04.270 Districts organized under prior law—Reorganization.
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- 17.04.910 Continuation or dissolution of district—Noxious weed control boards.
Agricultural and vegetable seeds: Chapter 15.49 RCW.
Special purpose districts, expenditures to recruit job candidates: RCW 42.24.170.

RCW 17.04.010 Districts authorized—Area and boundaries. The boards of county commissioners of the respective counties may create a weed district or districts within their counties and enlarge any district, or reduce any district or create or combine or consolidate the districts, or divide or create new districts, from time to time, in the manner hereinafter provided, for the purpose of destroying, preventing and exterminating, or to prevent the introduction, propagation, cultivation or increase of, any particular weed, weeds or plants,

or all weeds or plants, including Scotch broom, which are now or may hereafter be classed by the agricultural experiment station of Washington State University as noxious weeds, or plants detrimental to or destructive of crops, fruit, trees, shrubs, valuable plants, forage, or other agricultural plants or produce. Any such district shall include not less than one section of land, and the boundaries thereof shall be along an established road, railroad, scab, uncleared or grazing land, or property line, or established lines, or some natural boundary, and shall include only cultivated or farming lands and shall not include any scab, uncleared or grazing land, except such as shall lie wholly within cultivated or farming lands within the districts, or which lie adjacent to such cultivated or farming lands and which are infested, or which may reasonably be expected to become infested, with the particular weed or weeds to be destroyed, prevented and exterminated by such district:

PROVIDED, That any quarter section of land, or lesser legal subdivision in single ownership, fifty percent of which is cultivated or farming land, shall be considered cultivated and farming land within the meaning of this chapter. [1961 c 250 § 1; 1937 c 193 §1; 1929 c125§1;RRS § 2771. Prior: 1921 c 150 § 1. Formerly RCW 17.04.010 and 17.04.020.]

RCW 17.04.030 Petition—Time, place and notice of hearing. Any one or more freeholders owning more than fifty percent of the acreage desired to be included within the proposed weed district may file a petition with the board of county commissioners praying that their land be included, either separately or with other lands included in the petition, in a weed district to be formed for the purpose of destroying, preventing or exterminating any one or all such weeds, or that such lands be included within a district already formed, or a new district or districts to be formed out of any district or districts then existing. Such petition shall state the boundaries of the proposed district, the approximate number of acres in the proposed district, the particular weed or weeds to be destroyed, prevented or exterminated, the general method or means to be used in such work, and shall contain a list of all known land owners within the proposed district, together with the addresses of such land owners. Upon the filing of such petition the board of county commissioners shall fix a time for a hearing thereon, and shall give at least thirty days' notice of the time and place of such hearing by posting copies of such notice in three conspicuous places within the proposed district, one copy of which shall be at the main entrance to the court house, and by mailing a copy of such notice to each of the land owners named in the petition at the address therein named, and if any of the land described in the petition be owned by the state, a copy thereof shall be mailed to the department of natural resources at Olympia. [1988 c 128 § 4; 1929 c 125 § 2; RRS § 2772. Prior: 1921 c 150 § 2. Formerly RCW 17.04.030 and 17.04.040.]

RCW 17.04.050 Board to determine petition— Resolution to create district. At the time and place fixed for such hearing the board of county commissioners shall determine whether such weed district shall be created and if such board determines that such district shall be created, it shall fix the boundaries thereof, but shall not modify the purposes of the petition with respect to the weed or weeds to be destroyed, prevented and exterminated as set forth in this petition, and shall not enlarge the boundaries of the proposed district, or enlarge or change the boundary or boundaries of any district or districts already formed without first giving notice to all land owners interested as provided in RCW 17.04.030. If the board shall determine that the weed district petitioned for shall be created it shall pass a resolution

to that effect and shall assign a number to such weed district which shall be the lowest number not already taken or adopted by a weed district in such county, and thereafter such district shall be known as “Weed District No.of..... County,” inserting in the first blank the number of the district and in the second the name of the county in which the district is organized. [1929 c 125 § 3; RRS §§ 2773, 2774. Prior: 1921 c 150 §§ 3, 4. Formerly RCW 17.04.050 and 17.04.060.]

RCW 17.04.070 Meetings—Qualifications of electors and directors—Elections—Officers—Bonds— Terms of office—Vacancies—Rules and regulations. If the board of county commissioners establish such district it shall call a special meeting to be held within such district for the purpose of electing three directors for such district. No person shall be eligible to hold the office of director who is not a qualified elector of the state of Washington and a resident and landowner within such district. Such meeting shall be held not less than thirty nor more than ninety days from the date when such district is established by such board.

Notice of such meeting shall be given by the county auditor by publication once a week for three successive weeks in a newspaper of general circulation in such district, and by posting such notice for not less than ten days before the date fixed for such meeting in three public places within the boundaries of such district. The notices shall state the object of the meeting and the time and place when the same shall be held.

At the time and place fixed for the meeting the county commissioner in whose commissioner district such district is located shall act as chairman and call the meeting to order. The chairman shall appoint two persons to assist him in conducting the election, one of whom shall act as clerk. If such county commissioner be not present the electors of such district then present shall elect a chairman of the meeting.

Every person who is a landowner within such district and a qualified elector of the state of Washington shall be entitled to vote at such meeting. Any person offering to vote may be challenged by any legally qualified elector of such district, and the chairman of such meeting shall thereupon administer to the person challenged an oath in substance as follows: “You do swear (or affirm) that you are a citizen of the United States and a qualified elector of the state of Washington and an owner of land within the boundaries of weed district No. of county (giving number of district and name of county).” If the challenged person shall take such oath or make such affirmation, he shall be entitled to vote; otherwise his vote shall not be received. Any person making a false oath, or affirmation, or any person illegally voting at such meeting, shall be punished as provided in the general election laws of the state for illegal voting.

The vote shall be by secret ballot, on white paper of uniform size and quality, of such arrangement that when names are written thereon, the same may be folded so as not to disclose the names. The elector shall write the names of three persons that he desires as the first directors of such district and shall fold his ballot and hand the same to the chairman of the meeting who shall deposit it in a ballot box provided for that purpose. The clerk shall thereupon write the name of such person on a list as having voted at such election. After all persons present and entitled to vote have voted, the chairman shall declare the election closed, and shall, with the assistance of the clerk and the other person appointed as assistant, proceed to count the ballots. The person receiving the greatest number of votes shall be

elected as director for a term ending three years from the first Monday in March following his election; the person receiving the second greatest number of votes shall be elected for a term ending two years from the first Monday in March following his election, and the person receiving the third greatest number of votes shall be elected for a term ending one year from the first Monday of March following his election.

Annually thereafter, there shall be held a meeting of the electors of such district on the last Monday in February, except that the directors may, by giving the same notice as is required for the initial meeting, fix an earlier time for the annual meeting on any nonholiday during the months of December, January or February. At such meeting one director shall be elected to succeed the director whose term will expire on the first Monday in March following. The directors shall call the annual meeting, and shall fix the time and place where the same shall be held and shall give the same notice thereof as provided for the initial meeting. The annual meeting shall be conducted in the same manner as is provided for the initial meeting, and the qualifications of electors at such annual meeting shall be the same as is required for the initial meeting. In conducting directors' elections, the chairman may accept nominations from the floor but voting shall not be limited to those nominated.

All directors shall hold office for the term for which they are elected, and until their successors are elected and qualified. In case of a vacancy occurring in the office of any director, the county commissioners of the county in which such district is located shall appoint a qualified person to fill the vacancy for the unexpired term. The board of directors shall elect one of its members chairman and may appoint a secretary who need not be a member of the board, and who shall be paid such compensation as the board may determine. Each director shall furnish a bond in the sum of one thousand dollars, which may be a surety company bond or property bond approved by the board of county commissioners, which bond shall be filed with the county commissioners and shall be conditioned for the faithful discharge of his duties. The cost of such bond shall be paid by the district the same as other expenses of the district. At any annual meeting the method for destroying, preventing and exterminating weeds of such district as set forth in the petition, and the rules and regulations adopted by such district, may be changed by a majority vote of the qualified electors present at such meeting, or a special meeting may be called for that purpose, notice of which meeting and of such proposed changes to be voted on, shall be given to all landowners residing within the district by mailing a copy of such notice and of such proposed changes to the address of such landowner at least one week before the date fixed for such special meeting. The qualified electors of any weed district, at any annual meeting, may make other weeds that are not on the petition subject to control by the weed district by a two-thirds vote of the electors present: PROVIDED,

That said weeds have been classified by the agricultural experiment station of Washington State University as noxious and: PROVIDED FURTHER, That the directors of the weed district give public notice in the manner required for initial meetings of the proposed new control of said weeds by the weed district. [1971 ex.s. c 292 § 15; 1961 c 250 § 2; 1929 c 125 § 4; RRS § 2774-1. Formerly RCW 17.04.070 through 17.04.140.] **Severability—1971 ex.s. c 292:** See note following RCW 26.28.010.

Elections: Chapter 29.85 RCW.

RCW 17.04.150 Powers—Weed inspector. The board of directors of such weed district shall have power:

- (1) To adopt rules and regulations, plans, methods and means for the purpose of destroying, preventing and exterminating the weed or weeds specified in the petition, and to supervise, carry out and enforce such rules, regulations, plans, methods and means.
- (2) To appoint a weed inspector and to require from him a bond in such sum as the directors may determine for the faithful discharge of his duties, and to pay the cost of such bond from the funds of such district; and to direct such weed inspector in the discharge of his duties; and to pay such weed inspector from the funds of such district such per diem or salary for the time employed in the discharge of his duties as the directors shall determine. [1961 c 250 § 3; 1929 c 125 § 9; RRS § 2778-1. Prior: 1921 c 150 § 6.]

RCW 17.04.160 Contiguous lands. Any city or town contiguous to or surrounded by a weed district formed under this chapter shall provide for the destruction, prevention and extermination of all weeds specified in the petition which are within the boundaries of such city or town, in the same manner and to the same extent as is provided for in such surrounding or contiguous weed district; and it shall be the duty of those in charge of school grounds, playgrounds, cemeteries, parks, or any lands of a public or quasi public nature when such lands shall be contiguous to, or within any weed district, to see that all weeds specified in the petition for the creation of such district are destroyed, prevented and exterminated in accordance with the rules and requirements of such district. [1929 c 125 § 6; RRS § 2775-1.]

Destruction of weeds, etc., city ordinance: RCW 35.21.310.

RCW 17.04.170 Indian reservation lands—United States lands. Any lands owned by any individual wholly or partly within the United States government Indian reservation may be included within a weed district formed under this chapter, and shall be subject to the same rules, regulations and taxes as other lands within the district; and the board of directors of any weed district are authorized to arrange with the officer or agent in charge of any United States lands, within or contiguous to any such district, for the destruction, prevention and extermination of weeds on such government lands. [1929 c 125 § 7; RRS § 2775-2.]

RCW 17.04.180 County and state lands. Whenever any lands belonging to the county are included within a weed district, the county legislative authority shall determine the amount of the taxes for which the lands would be liable if they were in private ownership, and the county legislative authority shall appropriate from the current expense fund of the county sufficient money to pay such amounts. Whenever any state lands are within any weed district, the county treasurer shall certify annually and forward to the appropriate state agency for payment a statement showing the amount of the tax to which the lands would be liable if they were in private ownership, separately describing each lot or parcel and, if delinquent, with interest and penalties consistent with RCW 84.56.020. [1991 c 245 § 1; 1984 c 7 § 18; 1971 ex.s. c 119 § 1; 1961 c 250 § 4; 1929 c 125 § 8; RRS § 2777. Prior: 1921 c 150 § 7.]

Severability—1984 c 7: See note following RCW 47.01.141.

RCW 17.04.190 Duties of weed inspector. It shall be the duty of the weed inspector to carry out the directions of the board of directors and to see that the rules and regulations adopted

by the board are carried out. He shall personally deliver or mail to each resident landowner within such district and to any lessee or person in charge of any land within such district and residing in such district, a copy of the rules and regulations of such district; and he shall personally deliver a copy thereof to nonresident landowners or shall deposit a copy of the same in the United States post office in an envelope with postage prepaid thereon addressed to the last known address of such person as shown by the records of the county auditor; and in event no such address is available for mailing he shall post a copy of such rules and regulations in a conspicuous place upon such land. A record shall be kept by the weed inspector of such dates of mailing, posting or delivering such rules and regulations. In case of any railroad such rules and regulations shall be delivered to the section foreman, or to any official of the railroad having offices within the state. Such rules and regulations must be delivered, posted or mailed by the weed inspector as herein provided at least ten days before the time to start any annual operations necessary to comply with such rules and regulations: PROVIDED, That after such district shall have been in operation two years such rules and regulations shall be delivered to resident landowners only once every three years, unless such rules and regulations are changed. [1961 c 250 § 5; 1929 c 125 § 10; RRS § 27782.]

RCW 17.04.200 Violation of rules and regulations— Notice to destroy weeds—

Destruction. (1) If the weed inspector, or the board of directors, shall find that the rules and regulations of the weed district are not being carried out on any one or more parcels of land within such district, the weed inspector shall give forthwith a notice in writing, on a form to be prescribed by the directors, to the owners, tenants, mortgagees, and occupants, or to the accredited resident agent of any nonresident owner of such lands within the district whereon noxious weeds are standing, being or growing and in danger of going to seed, requiring him to cause the same to be cut down, otherwise destroyed or eradicated on such lands in the manner and within the time specified in the notice, such time, however, not to exceed seven days. It shall be the duty of the county auditor and county treasurer to make available to the weed inspector lists of owners, tenants, and mortgagees of lands within such district;

(2) If a resident agent of any nonresident owner of lands where noxious weeds are found standing, being or growing cannot be found, the local weed inspector shall post said notice in the form provided by the directors in three conspicuous places on said land, and in addition to posting said notice the local weed inspector shall, at the same time mail a copy thereof by registered or certified mail with return receipt requested to the owner of such nonresident lands, if his post office address is known or can be ascertained by said inspector from the last tax list in the county treasurer's office, and it shall be the duty of the treasurer to furnish such lists upon request by the weed inspector. Proof of such serving, posting and mailing of notice by the weed inspector shall be made by affidavit forthwith filed in the office of the county auditor and it shall be the duty of the county auditor to accept and file such affidavits;

(3) If the weeds are not cut down, otherwise destroyed or eradicated within the time specified in said notice, the local weed inspector shall personally, or with such help as he may require, cause the same to be cut down or otherwise destroyed in the manner specified in said notice. [1961 c 250 § 6; 1937 c 193 § 2; 1929 c 125 § 11; RRS § 2778-3. Prior: 1921 c 150 § 9, part.]

RCW 17.04.210 Statement of expense—Hearing. The weed inspector shall keep an accurate account of expenses incurred by him in carrying out the provisions of this chapter

with respect to each parcel of land entered upon, and the prosecuting attorney of the county or the attorney for the weed district shall cause to be served, mailed or posted in the same manner as provided in this chapter for giving notice to destroy noxious weeds, a statement of such expenses, including description of the land, verified by oath of the weed inspector to the owner, lessee, mortgagee, occupant or agent, or person having charge of said land, and coupled with such statement shall be a notice subscribed by said prosecuting attorney or attorney for the weed district and naming a time and place when and where such matter will be brought before the board of directors of such district for hearing and determination, said statement or notice to be served, mailed or posted, as the case may be, at least ten days before the time for such hearing. [1961 c 250 § 7; 1929 c 125 § 12; RRS § 2778-4.]

RCW 17.04.220 Examination at hearing of expenses—Amount is tax on land—Effect of failure to serve notices. At the time of such hearing as provided in RCW 17.04.210, or at such time to which the same may be continued or adjourned, the board of directors shall proceed to examine expenses incurred by the weed inspector in controlling weeds on the parcel of land in question, and shall hear such testimony of such other persons who may have legal interest in the proceedings, and shall enter an order upon its minutes as to what amount, if any, is properly chargeable against the lands for weed control. Cost of serving, mailing and posting shall be added to any amount so found to be due and shall be considered part of the cost of weed control on the land in question. The amount so charged by the directors shall be a tax on the land on which said work was done after the expiration of ten days from the date of entry of said order, unless an appeal be taken as in this chapter provided, in which event the same shall become a tax at the time the amount to be paid shall be determined by the court; and the county treasurer shall enter the same on the tax rolls against the land for the current year and collect it, together with penalty and interest, as other taxes are collected, and when so collected the same shall be paid into the fund for such weed district: PROVIDED, That a failure to serve, mail or post any of the notices or statements provided for in this chapter, shall not invalidate said tax, but in case of such failure the lien of such tax shall be subordinate and inferior to the interests of any mortgagee to whom notice has not been given in accordance with the provisions of this chapter. [1961 c 250 § 8; 1929 c 125 § 13; RRS § 2778-5. Prior: 1921 c 150 § 5. FORMER PART OF SECTION: 1925 c 125 § 14 now codified in RCW 17.04.230.]

RCW 17.04.230 Appellate review—Notice—Cost bond. Any interested party may appeal from the decision and order of the board of directors of such district to the superior court of the county in which such district is located, by serving written notice of appeal on the chairman of the board of directors and by filing in the office of the clerk of the superior court a copy of said notice of appeal with proof of service attached, together with a good and sufficient cost bond in the sum of two hundred dollars, said cost bond to run to such district and in all respects to comply with the laws relating to cost bonds required of nonresident plaintiffs in the superior court. Said notice must be served and filed within ten days from the date of the decision and order of such board of directors, and said bond must be filed within five days after the filing of such notice of appeal. Whenever notice of appeal and the cost bond as herein provided shall have been filed with the clerk of the superior court, the clerk shall notify the board of directors of such district thereof, and such board shall forthwith certify to said court all notices and records in said matters, together with proof of

service, and a true copy of the order and decision pertaining thereto made by such board. If no appeal be perfected within ten days from the decision and order of such board, the same shall be deemed confirmed and the board shall certify the amount of such charges to the county treasurer who shall enter the same on the tax rolls against the land. When an appeal is perfected the matter shall be heard in the superior court de novo and the court's decision shall be conclusive on all persons served under this chapter: PROVIDED, That appellate review of the order or decision of the superior court in the manner provided by existing laws, and upon the conclusion of such review, the amount of charges and costs adjudged to be paid shall be certified by the clerk of the superior court to the county treasurer and said treasurer shall proceed to enter the same on his rolls against the lands affected. [1988 c 202 § 21; 1971 c 81 § 56; 1929 c 125 § 14; RRS § 2778-6. Formerly RCW 17.04.220, part, and 17.04.230.]

*Appeals to supreme court: **Rules of court:** See Rules of Appellate Procedure.*

Severability—1988 c 202: See note following RCW 2.24.050.

Cost bonds, civil procedure: RCW 4.84.210 through 4.84.240.

RCW 17.04.240 Assessments—Classification of property—Tax levy. The directors shall annually determine the amount of money necessary to carry on the operations of the district and shall classify the property therein in proportion to the benefits to be derived from the operations of the district and in accordance with such classification shall prorate the cost so determined and shall levy assessments to be collected with the general taxes of the county. In the event that any bonded or warrant indebtedness pledging tax revenue of the district shall be outstanding on April 1, 1951, the directors may, for the sole purpose of retiring such indebtedness, continue to levy a tax upon all taxable property in the district until such bonded or warrant indebtedness shall have been retired. [1957 c 13 § 2. Prior: 1951 c 107 § 1; 1929 c 125 § 5, part; RRS § 2774-2.]

Validating—1957 c 13: “The provisions of this act are retroactive and any actions or proceedings had or taken under the provisions of RCW 17.04.240, 17.04.250, 17.04.260, 17.08.050, 17.08.060, 17.08.070, 17.08.080, 17.08.090, 17.08.100 or 17.08.110 are hereby ratified, validated and confirmed.” [1957 c 13 § 14.]

RCW 17.04.245 Assessment—Tax roll—Collection. Such assessments as are made under the provisions of RCW 17.04.240, by the weed district commissioners, shall be spread by the county assessor on the general tax roll in a separate item. Such assessments shall be collected and accounted for with the general taxes, with the terms and penalties thereto attached. [1951 1st ex.s. c 6 § 1.]

RCW 17.04.250 District treasurer—Duties—Fund. The county treasurer shall be ex officio treasurer of such district and the county assessor and other county officers shall take notice of the formation of such district and of the tax levy and shall extend the tax on the tax roll against the property liable therefor the same as other taxes are extended, and such tax shall become a general tax against such property, and shall be collected and accounted for as other taxes, with the terms and penalties thereto attached. The moneys collected from such tax shall be paid into a fund to be known as “fund of weed district of county” (giving the number of district and name of county). All expenses in connection with the operation of

such district, including the expenses of initial and annual meetings, shall be paid from such fund, upon vouchers approved by the board of directors of such district. [1957 c 13 § 3. Prior: 1929 c 125 § 5, part; 1921 c 150 § 5; RRS § 2775.]

RCW 17.04.260 Limit of indebtedness. No weed district shall contract any obligation in any year in excess of the total of the funds which will be available during the current year from the tax levy made in the preceding year and funds received in the current year from services rendered and from any other lawful source, and funds accumulated from previous years. [1963 c 52 § 1; 1961 c 250 § 9; 1957 c 13 § 4. Prior: 1929 c 125 § 5, part; 1921 c 150 § 8; RRS § 2778.]

RCW 17.04.270 Districts organized under prior law—Reorganization. Any weed district heretofore organized under any law of the state of Washington may become a weed district under the provisions of this chapter and entitled to exercise all the powers and subject to the limitations of a weed district organized under this chapter by the election of three directors for such weed district which shall be done in the same manner as is provided in this chapter for the election of the first directors of a district organized under this chapter. [1929 c 125 § 15; RRS § 2778-7.]

RCW 17.04.280 Officials of district may enter lands—Penalty for prevention. All weed district directors, all weed inspectors, and all official agents of all weed districts, in the performance of their official duties, have the right to enter and go upon any of the lands within their weed district at any reasonable time for any reason necessary to effectuate the purposes of the weed district. Any person who prevents or threatens to prevent any lawful agent of the weed district, after said agent identifies himself and the purpose for which he is going upon the land, from entering or going upon the land within said weed district at a reasonable time and for a lawful purpose of the weed district, is guilty of a misdemeanor. [1961 c 250 § 10.]

RCW 17.04.900 Disincorporation of district located in county with a population of two hundred ten thousand or more and inactive for five years. See chapter 57.90 RCW.

RCW 17.04.910 Continuation or dissolution of district—Noxious weed control boards. See RCW 17.10.900.

Chapter 17.06 RCW

INTERCOUNTY WEED DISTRICTS

Sections

- 17.06.010 Definitions.
 - 17.06.020 Intercounty weed districts authorized.
 - 17.06.030 Petition for formation—Notice of hearing.
 - 17.06.040 Hearing—Boundaries—Order of establishment.
 - 17.06.050 Meetings—Qualifications of electors and directors— Elections—Officers—Bonds—Terms—Rules.
 - 17.06.060 Directors powers and duties—Taxation—Treasurer—Costs.
 - 17.06.070 Actions of county officers—Costs.
 - 17.06.900 Continuation or dissolution of district—Noxious weed control boards.
- Special purpose districts, expenditures to recruit job candidates: RCW 42.24.170.*

RCW 17.06.010 Definitions. As used in this chapter, unless the context indicates otherwise, “principal board of county commissioners”, “principal county treasurer”, and “principal county auditor” mean respectively those in the county of that part of the proposed intercounty weed district in which the greatest amount of acreage is located. [1959 c 205 § 1.]

RCW 17.06.020 Intercounty weed districts authorized. An intercounty weed district, including all or any part of two counties or more, may be created for the purposes set forth in RCW 17.04.010 by the joint action of the boards of county commissioners of the counties in which any portion of the proposed district is located. [1959 c 205 § 2.]

RCW 17.06.030 Petition for formation—Notice of hearing. Any one or more freeholders owning more than fifty percent of the acreage desired to be included within the proposed intercounty weed district may file a petition with the principal board of county commissioners praying that their land be included, either separately or with other lands included in the petition, in a weed district to be formed for the purpose of destroying, preventing or exterminating any one or all such weeds, or that such lands be included within a district already formed, or a new district or districts to be formed out of any district or districts then existing. Such petition shall state the boundaries of the proposed district, the approximate number of acres in the proposed district, the particular weed or weeds to be destroyed, prevented or exterminated, the general method or means to be used in such work, and shall contain a list of all known landowners within the proposed district, together with the addresses of such landowners. Upon the filing of such petition the principal board of county commissioners shall notify the other boards of commissioners, shall arrange a time for a joint hearing on the petition, and shall give at least thirty days’ notice of the time and place of such hearing by posting copies of such notice in three conspicuous places within the proposed district, and at the main entrance to the court house of each county, and by mailing

a copy of such notice to each of the landowners named in the petition at the address named therein. If any of the land described in the petition be owned by the state a copy thereof shall be mailed to the department of natural resources at Olympia. [1988 c 128 § 5; 1959 c 205 § 3.]

RCW 17.06.040 Hearing—Boundaries—Order of establishment. At the time and place fixed for such hearing, with the chairman of the principal board acting as chairman, the respective boards shall determine by a majority vote of each of the boards of county commissioners of the counties whether such intercounty weed district shall be created, and if they determine that such district shall be created, the respective boards shall fix the boundaries of the portion of the proposed district within their respective counties, but they shall not modify the purposes of the petition with respect to the weed or weeds to be destroyed, prevented and exterminated as set forth in the petition, and they shall not enlarge the boundary of the proposed district, or enlarge or change the boundary or boundaries of any district or districts already formed without first giving notice, as provided in RCW 17.06.030, to all landowners interested. If the respective bodies shall determine that the weed district petitioned for shall be created each such board shall thereupon enter an order establishing and defining the boundary lines of the proposed district within its respective county. A number shall be assigned to such weed district which shall be the lowest number not already taken or adopted by an intercounty weed district in the state, and thereafter such district shall be known as “weed district No. . . .”, inserting in the blank the number of the district.

If any county represented does not by a majority vote of its board of commissioners support the petition for an intercounty district, the petition shall be dismissed. [1959 c 205 § 4.]

RCW 17.06.050 Meetings—Qualifications of electors and directors—Elections—Officers—Bonds—Terms—Rules. If the respective boards of county commissioners establish such district the chairman of the principal board shall call a special meeting of landowners to be held within such district for the purpose of electing three directors for such district. No person shall be eligible to hold the office of director who is not a qualified elector of the state of Washington and a resident and landowner within such district. Such meeting shall be held not less than thirty nor more than ninety days from the date when such district is established.

Notice of such meeting shall be given by the principal county auditor by publication once a week for three successive weeks in a newspaper of general circulation in such district, and by posting such notice for not less than ten days before the date fixed for such meeting in three public places within the boundaries of such district. The notices shall state the object of the meeting and the time and place when the same shall be held.

At the time and place fixed for the meeting the chairman shall appoint two persons to assist him in conducting the election, one of whom shall act as clerk. If such chairman be not present the electors of such district then present shall elect a chairman of the meeting.

Every person who is a landowner within such district and a qualified elector of the state of Washington shall be entitled to vote at such meeting. Any person offering to vote

may be challenged by any legally qualified elector of such district, and the chairman of such meeting shall thereupon administer to the person challenged an oath in substance as follows: "You do swear (or affirm) that you are a citizen of the United States and a qualified elector of the state of Washington and an owner of land within the boundaries of weed district No. (giving number of district)." If the challenged person shall take such oath or make such affirmation, he shall be entitled to vote; otherwise his vote shall not be received. Any person making a false oath, or affirmation, or any person illegally voting at such meeting, shall be punished as provided in the general election laws of the state for illegal voting.

The vote shall be by secret ballot, on white paper of uniform size and quality, of such arrangement that when names are written thereon, the same may be folded so as not to disclose the names. The elector shall write the names of three persons that he desires as the first directors of such district and shall fold his ballot and hand the same to the chairman of the meeting who shall deposit it in a ballot box provided for that purpose. The clerk shall thereupon write the name of such person on a list as having voted at such election. After all persons present and entitled to vote have voted, the chairman shall declare the election closed, and shall, with the assistance of the clerk and the other person appointed as assistant, proceed to count the ballots. The person receiving the greatest number of votes shall be elected as director for a term ending three years from the first Monday in March following his election; the person receiving the second greatest number of votes shall be elected for a term ending two years from the first Monday in March following his election, and the person receiving the third greatest number of votes shall be elected for a term ending one year from the first day of March following his election.

Annually thereafter, there shall be held a meeting of the electors of such district on the first Monday in February. At such meeting one director shall be elected to succeed the director whose term will expire on the first Monday in March following. The directors shall call the annual meeting, and shall fix the time when and place where the same shall be held and shall give the same notice thereof as provided for the initial meeting. The annual meeting shall be conducted in the same manner as is provided for the initial meeting, and the qualifications of electors at such annual meeting shall be the same as is required for the initial meeting.

All directors shall hold office for the term for which they are elected, and until their successors are elected and qualified. In case of a vacancy occurring in the office of any director, the remaining members of the board of directors shall appoint a qualified person to fill the vacancy for the unexpired term. The board of directors shall elect one of its members chairman and may appoint a secretary who need not be a member of the board, and who shall be paid such compensation as the board may determine. Each director shall furnish a bond in the sum of one thousand dollars, which may be a surety company bond or property bond approved by the principal board of county commissioners, which bond shall be filed with the same board and shall be conditioned for the faithful discharge of his duties. The cost of such bond shall be paid by the district the same as other expenses of the district.

At any annual meeting the method for destroying, preventing and exterminating weeds of such district as set forth in the petition, and the rules and regulations adopted by such district, may be changed by a majority vote of the qualified electors present at such meeting, or a special meeting may be called for that purpose, notice of which meeting and of such proposed changes to be voted on, shall be given to all landowners residing within the district by mailing a copy of such notice and of such proposed changes to the address of such

landowner at least one week before the date fixed for such special meeting. [1971 ex.s. c 292 § 16; 1959 c 205 § 5.]

Severability—1971 ex.s. c 292: See note following RCW 26.28.010.

RCW 17.06.060 Directors powers and duties— Taxation—Treasurer—Costs. The board of directors of an intercounty weed district shall have the same powers and duties as the board of directors of a weed district located entirely within one county, and all the provisions of chapter 17.04 RCW are hereby made applicable to intercounty weed districts: PROVIDED, That in the case of evaluation, assessment, collection, apportionment, and any other allied power or duty relating to taxes in connection with the district, the action shall be performed by the officer or board of the county for that area of the district which is located within his respective county, and all materials, information, and other data and all moneys collected shall be submitted to the proper officer of the county of that part of the district in which the greatest amount of acreage is located. Any power which may be or duty which shall be performed in connection therewith shall be performed by the officer or board receiving such as though only a district in a single county were concerned. All moneys collected from such area constituting a part of such district that should be paid to such district shall be delivered to the principal county treasurer who shall be ex officio treasurer of such district. All other materials, information, or data relating to the district shall be submitted to the district board of directors.

Any costs or expenses incurred under this section shall be borne proportionately by each county involved. [1959 c 205 § 6.]

RCW 17.06.070 Actions of county officers—Costs. Whenever any action is required or may be performed by any county officer or board for all purposes essential to the maintenance, operation, and administration of the district, such action shall be performed by the respective officer or board of the county of that part of the district in which the greatest amount of acreage of the district is located.

All costs incurred shall be borne proportionately by each county in that ratio which the amount of acreage of the district located in that part of each county forming a part of the district bears to the total amount of acreage located in the whole district. [1959 c 205 § 7.]

RCW 17.06.900 Continuation or dissolution of district—Noxious weed control boards. See RCW 17.10.900.

Chapter 16-750 WAC

STATE NOXIOUS WEED LIST AND SCHEDULE OF MONETARY PENALTIES

WAC

- 16-750-001 State noxious weed list—Purpose.
- 16-750-003 Definitions.
- 16-750-004 Noxious weed region descriptions.
- 16-750-005 State noxious weed list—Class A noxious weeds.
- 16-750-011 State noxious weed list—Class B noxious weeds.
- 16-750-015 State noxious weed list—Class C noxious weeds.
- 16-750-020 Noxious weeds—Civil infractions—Schedule of monetary penalties.
- 16-750-025 Plant monitor list—Purpose.
- 16-750-100 State noxious weed control board—Description—Purpose.
- 16-750-105 State noxious weed control board—Powers—Duties—Responsibilities.
- 16-750-110 State noxious weed control board—Mission.
- 16-750-115 State noxious weed control board—Membership.
- 16-750-120 State noxious weed control board—Nominations—Elections—Terms of office—Vacancies.
- 16-750-125 State noxious weed control board position numbers—Eligibility for voting.
- 16-750-130 State noxious weed control board—Organization.
- 16-750-135 State noxious weed control board—Meetings.
- 16-750-140 State noxious weed control board—Committees.
- 16-750-145 State noxious weed control board—Executive secretary—Definition.
- 16-750-150 State noxious weed control board—Executive secretary—Hiring and dismissal.
- 16-750-155 State noxious weed control board—Exchange time.
- 16-750-160 State noxious weed control board—Antidiscrimination clause.
- 16-750-165 State noxious weed control board—Budget and finances.
- 16-750-170 State noxious weed control board—Legal counsel.
- 16-750-180 State noxious weed control board—Rules of order. 16-750-185 State noxious weed control board—Access to public records and documents.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 16-750-010 Proposed noxious weed list. [Statutory Authority: RCW 17.10.080, 87-05-016 (Order 18, Resolution No. 18), §16-750-010, filed 2/11/87; 86-07-024 (Order 17, Resolution No. 17), § 16-750-010, filed 3/13/86; 85-07-003 (Order 16, Resolution No. 16), § 16-750-010, filed 3/7/85; 84-06-047 (Order 15, Resolution No. 15), § 16-750-010, filed 3/6/84; 83-07-042 (Order 14, Resolution No. 14), § 16-750-010, filed 3/17/83; 82-06-045 (Order 13, Resolution No. 13), § 16-750-010, filed 3/3/82. Statutory Authority: Chapter 17.10 RCW. 81-07-039 (Order 12, Resolution No. 12), § 16-750-010, filed 3/13/81; 80-03-075 (Order 11, Resolution No. 11), § 16-750-010, filed 2/29/80; 78-06-014 (Order 10, Resolution No. 10), § 16-750-010, filed 5/10/78; Order 8, § 16-750-010, filed 3/1/77; Order 7, § 16-750-010, filed 4/15/76; Order 5, § 16-750-010, filed 3/7/75; Order 4, § 16-750-010, filed 3/27/74; Order 3, § 16-750-010, filed 4/3/73; Order 2, § 16-750-010, filed 3/16/72; Order 1, § 16-750-010, filed 4/9/71.] Repealed by 88-07-016 (Order 22, Resolution No. 22), filed 3/7/88. Statutory Authority: RCW 17.10.080.
- 16-750-175 State noxious weed control board—Reports. [Statutory Authority: Chapter 17.10 RCW. 93-01-004, § 16-750-175, filed 12/2/92, effective 1/2/93.] Repealed by 99-24-029, filed 11/23/99, effective 1/3/00. Statutory Authority: Chapter 17.10 RCW.
- 16-750-190 State noxious weed control board—Rule amendments. [Statutory Authority: Chapter 17.10 RCW. 93-01-004, § 16-750-190, filed 12/2/92, effective 1/2/93.] Repealed by 99-24-029, filed 11/23/99, effective 1/3/00. Statutory Authority: Chapter 17.10 RCW.

- 16-750-900 Noxious weeds—Civil infractions—Schedule of monetary penalties. [Statutory Authority: RCW 17.10.350. 88-07-016 (Order 22, Resolution No. 22), § 16-750-900, filed 3/7/88.] Repealed by 93-01-004, filed 12/2/92, effective 1/2/93. Statutory Authority: Chapter 17.10RCW.
- 16-750-950 State noxious weed control board position numbers—Eligibility for voting. [Statutory Authority: RCW 17.10.030. 89-16-007 (Order 28, Resolution No. 28), §16-750-950, filed 7/21/89, effective 8/21/89.] Repealed by 93-01-004, filed 12/2/92, effective 1/2/93. Statutory Authority: Chapter 17.10 RCW.

WAC 16-750-001 State noxious weed list—Purpose.

In accordance with RCW 17.10.080 a state noxious weed list of the names of those plants which the state noxious weed control board finds to be highly destructive, competitive, or difficult to control by cultural or chemical practices is adopted.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-001, filed 11/23/99, effective 1/3/00; 91-24-072, § 16-750-001, filed 12/2/91, effective 1/2/92. Statutory Authority: RCW 17.10.080. 88-07-016 (Order 22, Resolution No. 22), § 16-750-001, filed 3/7/88.]

WAC 16-750-003 Definitions. (1) The definitions in this section shall apply throughout this chapter, unless the context plainly requires otherwise:

- (a) “Action” means the transaction of the official business of the Washington state noxious weed control board including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, and final actions.
- (b) “Board” means the Washington state noxious weed control board, or a duly authorized representative.
- (c) “Director” means the director of the department of agriculture, or the director’s appointed representative.
- (d) “Executive secretary” means the executive secretary of the Washington state noxious weed control board.
- (e) “Department” means the department of agriculture of this state.
- (f) “Final action” means a collective positive or negative decision, or an actual vote by a majority of board members when sitting as a body or entity, upon a motion, proposal, resolution, or order.
- (g) “Meeting” means meetings at which action is taken.
- (h) “Regular meetings” means recurring meetings held in accordance with a periodic schedule in compliance with applicable statute or rule.

(2) The definitions in this subsection apply throughout this chapter, chapter 17.10 RCW, and any rules adopted thereunder unless the context plainly requires otherwise:

- (a) “Control” means to prevent all seed production and to prevent the dispersal of the following propagules of aquatic noxious weeds - turions, fragments, tubers, and nutlets.
- (b) “Contain” means to confine a noxious weed and its propagules to an identified area of infestation.
- (c) “Eradicate” means to eliminate a noxious weed within an area of infestation.
- (d) “Prevent the spread of noxious weeds” means to contain noxious weeds.

(e) Class A noxious weeds are those noxious weeds not native to the state that are of limited distribution or are unrecorded in the state and that pose a serious threat to the state.

(f) Class B noxious weeds are those noxious weeds not native to the state that are of limited distribution or are unrecorded in a region of the state and that pose a serious threat to that region.

(g) “Class B designate” means those Class B noxious weeds whose populations in a region or area are such that all seed production can be prevented within a calendar year.

(h) Class C are any other noxious weeds.

(3) Any county noxious weed control board may enhance the clarity of any definition contained in subsection (2) of this section, making that definition more specific, but shall not change its general meaning.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-003, filed 11/23/99, effective 1/3/00; 97-06-108, § 16-750-003, filed 3/5/97, effective 4/5/97; 93-01-004, § 16-750-003, filed 12/2/92, effective 1/2/93; 91-24-072, § 16-750-003, filed 12/2/91, effective 1/2/92; 91-01-016, § 16-750-003, filed 12/7/90, effective 1/7/91; 90-01-004, § 16-750-003, filed 12/7/89, effective 1/7/90; 88-18-001 (Order 24, Resolution No. 24), § 16-750-003, filed 8/25/88.]

WAC 16-750-004 Noxious weed region descriptions. The state of Washington is divided into ten regions for the purpose of designating Class B noxious weeds.

(1) Region 1 description. A region consisting of all lands lying within the boundaries of Clallam and Jefferson counties.

(2) Region 2 description. A region consisting of all lands lying within the boundaries of Whatcom, Skagit, Snohomish, San Juan, and Island counties.

(3) Region 3 description. A region consisting of:

(a) All lands lying within the boundaries of Okanogan County.

(b) All lands lying within the boundaries of Chelan and Douglas counties and north of Highway 2.

(4) Region 4 description. A region consisting of:

(a) All lands lying within the boundaries of Ferry, Stevens, and Pend Oreille counties.

(b) All lands lying within the boundaries of Spokane County and north of the Spokane River.

(5) Region 5 description. A region consisting of all lands lying within the boundaries of Grays Harbor, Mason, Kitsap, Thurston, Pierce, and King counties.

(6) Region 6 description. A region consisting of:

(a) All lands lying within the boundaries of Kittitas and Grant counties.

(b) All lands lying within the boundaries of Chelan and Douglas counties and south of Highway 2.

(c) All lands lying within the boundaries of Yakima County and north of Highway 12 from the Yakima – Lewis County line to Yakima and north of Highway 82 from Yakima to the Yakima – Kittitas County line.

(d) All lands lying within the boundaries of Ranges 28E, 29E, and 30E of Adams County.

(7) Region 7 description. A region consisting of:

(a) All lands lying within the boundaries of Lincoln and Whitman counties.

(b) All lands lying within the boundaries of Spokane County and south of the Spokane River.

(c) All lands lying within the boundaries of Ranges 31E, 32E, 33E, 34E, 35E, 36E, 37E, and 38E of Adams County.

(8) Region 8 description. A region consisting of all lands lying within the boundaries of Pacific, Lewis, Wahkiakum, Cowlitz, Skamania, and Clark counties.

(9) Region 9 description. A region consisting of:

(a) All lands lying within the boundaries of Benton and Klickitat counties.

(b) All lands lying within the boundaries of Yakima County and south of Highway 12 from the Yakima – Lewis County line to Yakima and south of Highway 82 from Yakima to the Yakima – Kittitas County line.

(c) All lands lying within the boundaries of Franklin County and west of Highway 395.

(10) Region 10 description. A region consisting of:

(a) All lands lying within the boundaries of Asotin, Garfield, Columbia, and Walla Walla counties.

(b) All lands lying within the boundaries of Franklin County and east of Highway 395.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-004, filed 11/23/99, effective 1/3/00; 91-24-072, § 16-750-004, filed 12/2/91, effective 1/2/92; 88-18-001 (Order 24, Resolution No. 24), § 16-750-004, filed 8/25/88.]

WAC 16-750-005 State noxious weed list—Class A noxious weeds.

Common Name	Scientific Name	Common Name	Scientific Name
bean-caper, Syrian	<i>Zygophyllum fabago</i>	knapweed, bighead	<i>Centaurea macrocephala</i>
blueweed, Texas	<i>Helianthus ciliaris</i>	knapweed, Vochin	<i>Centaurea nigrescens</i>
broom, Spanish	<i>Spartium junceum</i>	kudzu	<i>Pueraria montana var. lobata</i>
buffalobur	<i>Solanum rostratum</i>	lawnweed	<i>Soliva sessilis</i>
clary, meadow	<i>Salvia pratensis</i>	mustard, garlic	<i>Alliaria petiolata</i>
cordgrass, dense flower	<i>Spartina densiflora</i>	nightshade, silverleaf	<i>Solanum elaeagnifolium</i>
cordgrass, salt meadow	<i>Spartina patens</i>	sage, clary	<i>Salvia sclarea</i>
crupina, common	<i>Crupina vulgaris</i>	sage, Mediterranean	<i>Salvia aethiopsis</i>
flax, spurge	<i>Thymelaea passerina</i>	spurge, eggleaf	<i>Euphorbia oblongata</i>
four o'clock, wild	<i>Mirabilis nyctaginea</i>	starthistle, purple	<i>Centaurea calcitrapa</i>
goatsrue	<i>Galega officinalis</i>	thistle, Italian	<i>Carduus pycnocephalus</i>
hawkweed, yellow devil	<i>Hieracium floribundum</i>	thistle, milk	<i>Silybum marianum</i>
hogweed, giant	<i>Heracleum mantegazzianum</i>	thistle, slenderflower	<i>Carduus tenuiflorus</i>
hydrilla	<i>Hydrilla verticillata</i>	velvetleaf	<i>Abutilon theophrasti</i>
johnsongrass	<i>Sorghum halepense</i>	woad, dyers	<i>Isatis tinctoria</i>

[Statutory Authority: Chapters 17.10 and 34.05 RCW. 03-04-001, § 16-750005, filed 1/22/03, effective 2/22/03. Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-005, filed 11/23/99, effective 1/3/00; 98-24-026, § 16-750-005, filed 11/23/98, effective 1/2/99; 97-24-051, § 16-750-005, filed 11/26/97, effective 1/2/98. Statutory Authority: RCW 17.10.080.9606-030, § 16-750-005, filed 2/29/96, effective 3/31/96. Statutory Authority: Chapter 17.10 RCW. 93-01-004, § 16-750-005, filed 12/2/92, effective 1/2/93; 91-24-072, § 16-750-005, filed 12/2/91, effective 1/2/92; 91-01-016, § 16-750-005, filed 12/7/90, effective 1/7/91; 90-01-004, § 16-750-005, filed 12/7/89, effective 1/7/90; 88-24-002 (Order 26, Resolution No. 26), § 16-750-005, filed 11/29/88. Statutory Authority: RCW 17.10.080.88-07-016 (Order 22, Resolution No. 22), § 16-750-005, filed 3/7/88.]

WAC 16-750-011 State noxious weed list—Class B noxious weeds.

Name	Will be a “Class B designate” in all lands lying within:
(1) alyssum, hoary <i>Berteroa incana</i>	(a) regions 1, 2, 5, 6, 8, 9, 10 (b) region 3, except Okanogan County (c) Okanogan County, of region 3, except Ranges 29 through 31 East of Townships 37 through 40 North (d) Adams and Whitman counties of region 7.
(2) arrowhead, grass-leaved <i>Sagittaria graminea</i>	(a) regions 1, 3, 4, 6, 7, 8, 9, 10 (b) region 2 except Lake Roesiger, Lake Serene, Lake Loma and Echo Lake in Snohomish County (c) region 5 except Mason Lake in Mason County.
(3) blackgrass <i>Alopecurus myosuroides</i>	(a) regions 1, 2, 3, 5, 6, 8, 9, 10 (b) Ferry, Stevens, Pend Oreille counties of region 4 (c) Adams County of region 7.
(4) blueweed <i>Echium vulgare</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10 (b) region 7 except for an area starting at the Stevens County line on SR 291 south to the SR 291 bridge over the Little Spokane River, thence upstream along the Little Spokane River to the first Rutter Parkway Bridge; thence south along the Rutter Parkway to the intersection of Rutter Parkway and Indian Trail Road; thence southerly along Indian Trail Road to a point three miles south (on section line between sections 22 and 27, T-26N, R-42E); thence due west to a point intersecting the line between Ranges 41 and 42; thence north along this line to a point 1/4 mile south of Charles Road; thence northwesterly parallel to Charles Road to a point 1/4 miles south of the intersection of Charles Road and West Shore Road; thence northerly along West Shore Road to the Spokane River (Long Lake); thence southeasterly along the Spokane River to the point of beginning.
(5) broom, Scotch <i>Cytisus scoparius</i>	(a) regions 3, 4, 6, 7, 9, 10.
(6) bryony, white <i>Bryonia alba</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9 (b) region 7 except Whitman County (c) Franklin County of region 10.
(7) bugloss, common <i>Anchusa officinalis</i>	(a) regions 1, 2, 3, 5, 6, 8, 9, 10 (b) region 4 except Stevens and Spokane counties (c) Lincoln, Adams, and Whitman counties of region 7.
(8) bugloss, annual <i>Anchusa arvensis</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9 (b) Lincoln and Adams counties (c) Whitman County except ranges 43 through 46 East of Townships 16 through 20 North.
(9) camelthorn <i>Alhagi maurorum</i>	(a) regions 1, 2, 3, 4, 5, 7, 8, 9 (b) region 6 except those portions of Sections 23, 24, 25, and 29 through 36, T16N, R27E, W.M. lying outside Intercounty Weed District No. 52 and except Sections

Name	Will be a “Class B designate” in all lands lying within:
(10) carrot, wild <i>Daucus carota</i>	<p>1 through 12, T15N, R27E, W.M. in Grant County and except the area west of Highway 17 and north of Highway 26 in Adams County</p> <p>(c) Franklin, Columbia, Garfield, and Asotin counties of region 10</p> <p>(d) an area beginning at the Washington–Oregon border at the southwest portion of section 5, R32E, T6N, then north to the northwest corner of section 3, R32E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to southeast portion of section 15, R36E, T6N, at the Washington–Oregon border, then west along the Washington–Oregon border to the point of beginning.</p> <p>(a) regions 3, 7 (except where intentionally cultivated)</p> <p>(b) Spokane and Ferry counties of region 4 (except where intentionally cultivated)</p> <p>(c) region 6, except Yakima County (except where intentionally cultivated)</p> <p>(d) region 9, except Yakima County (except where intentionally cultivated)</p> <p>(e) region 10, except Walla Walla County (except where intentionally cultivated).</p>
(11) catsear, common <i>Hypochaeris radicata</i>	(a) regions 3, 4, 6, 7, 10 (b) region 9 except Klickitat County.
(12) chervil, wild <i>Anthriscus sylvestris</i>	(a) regions 1, 3, 4, 6, 7, 9, 10 (b) region 5 except those portions of Thurston County within T15, 16, 17N, R2, 3, 4W (c) region 2 except Guemes Island in Skagit County (d) region 8 except Clark County.
(13) cinquefoil, sulfur <i>Potentilla recta</i>	(a) regions 1, 3, 8, 10 (b) region 2 except Skagit County (c) region 4 except Stevens, Ferry, and Pend Oreille counties (d) region 5 except Thurston and Pierce counties (e) region 6 except Yakima County (f) region 7 except Spokane County (g) region 8 except Lewis County (h) region 9 except Klickitat County.
(14) cordgrass, smooth <i>Spartina alterniflora</i>	(a) regions 1, 3, 4, 5, 6, 7, 9, 10 (b) region 2 except Padilla Bay of Skagit County (c) region 8 except bays and estuaries of Pacific County.
(15) cordgrass, common <i>Spartina anglica</i>	(a) regions 1, 3, 4, 5, 6, 7, 8, 9, 10 (b) region 2 except bays and estuaries of Skagit and Island counties and except bays and estuaries north of Everett in Snohomish County.
(16) daisy, oxeye <i>Leucanthemum vulgare</i>	(a) regions 7, 10 (b) region 9 except those areas lying within Klickitat and Yakima counties west of Range 13 East

Name	Will be a “Class B designate” in all lands lying within:
(17) elodea, Brazilian <i>Egeria densa</i>	(c) region 6 except those areas lying within Yakima and Kittitas counties west of Range 13 E. (a) regions 3, 4, 6, 7, 9, 10 (b) Lewis County of region 8 (c) Clallam County of region 1 (d) King County of region 5, except lakes Washington, Sammamish, Union and Fenwick.
(18) fanwort <i>Cabomba caroliniana</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except T8N, R3W of Cowlitz County.
(19) fieldcress, Austrian <i>Rorippa austriaca</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9 (b) regions 7 and 10 except within the Palouse River Canyon from Big Palouse Falls to the Snake River.
(20) floating heart, yellow <i>Nymphoides peltata</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10 (b) region 4 except the Spokane River between Long Lake Dam and Nine Mile Dam.
(21) gorse <i>Ulex europaeus</i>	(a) regions 1, 3, 4, 6, 7, 9, 10 (b) Skagit and Whatcom counties of region 2 (c) Thurston, Pierce, and King counties of region 5 (d) Wahkiakum, Cowlitz, and Lewis counties of region 8.
(22) hawkweed, mouseear <i>Hieracium pilosella</i>	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10 (b) region 5 except Thurston County (c) Thurston County lying within T17N, R1W, S31; T16N, R2W, S30 W1/2; T16N, R3W, S25, SE1/4; T16N, R3W, S36, N1/2; T16N, R2W, S31, NW1/4.
(23) hawkweed, orange <i>Hieracium aurantiacum</i>	(a) regions 3, 6, 9, 10 (b) Clallam County of region 1 (c) Skagit County of region 2 (d) Ferry County of region 4 (e) Thurston and King counties of region 5 (f) Lincoln and Adams counties of region 7 (g) Lewis County of region 8.
(24) hawkweed, polar <i>Hieracium atratum</i>	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10 (b) region 5 outside the boundaries of Mt. Rainier National Park.
(25) hawkweed, queen-devil <i>Hieracium glomeratum</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10 (b) Ferry County of region 4.
(26) hawkweed, smooth <i>Hieracium laevigatum</i>	(a) regions 1, 3, 4, 5, 6, 7, 8, 9, 10 (b) San Juan, Island, and Skagit counties of region 2.
(27) hawkweed, yellow <i>Hieracium caespitosum</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 10 (b) region 4 except Stevens and Pend Oreille counties (c) region 9 except sections 32, 33 and 34 of T6N, R12E, and sections 4, 5, 6, and 7 of T5N, R12E, and section 12 of T5N, R11E, of Klickitat County.
(28) hedgeparsley <i>Torilis arvensis</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 8, 10 (b) Yakima, Benton, Franklin counties

Name	Will be a “Class B designate” in all lands lying within:
(29) helmet, policeman’s <i>Impatiens glandulifera</i>	(c) Klickitat County except those lands lying within T4N, R10E, R11E, R12E, R13E, R14E; T3N, R10E, R11E, R12E, R13E; T2N, R12E, R13E. (a) regions 1, 3, 4, 6, 7, 8, 9, 10 (b) region 2 except Whatcom County (c) region 5 except Pierce and Thurston counties.
(30) herb-Robert <i>Geranium robertianum</i>	(a) regions 3, 4, 6, 7, 9, 10
(31) houndstongue <i>Cynoglossum officinale</i>	(a) Kittitas County of region 6 (b) Douglas County of regions 3 and 6.
(32) indigobush <i>Amorpha fruticosa</i>	(a) regions 1, 2, 3, 4, 5, 6 (b) regions 7 and 10 except within 200 feet of the Snake River from Central Ferry downstream (c) regions 8, 9, and 10 except within 200 feet of the Columbia River.
(33) knapweed, black <i>Centaurea nigra</i>	(a) regions 1, 2, 3, 4, 7, 9, 10 (b) region 5 except that area below the ordinary highwater mark of the Nisqually River, beginning at Alder Dam and downstream to the mouth of the Nisqually River in Pierce and Thurston counties (c) region 6 except Kittitas County (d) region 8 except Clark County.
(34) knapweed, brown <i>Centaurea jacea</i>	(a) regions 1, 2, 3, 4, 7, 9, 10 (b) region 5 except that area below the ordinary highwater mark of the Nisqually River, beginning at Alder Dam and downstream to the mouth of the Nisqually River in Pierce and Thurston counties (c) region 6 except Kittitas County (d) region 8 except Clark County.
(35) knapweed, diffuse <i>Centaurea diffusa</i>	(a) regions 1, 2, 5, 8 (b) Grant County lying in Townships 13 through 16 North, Ranges 25 through 27 East; Townships 17 and 18 N., Ranges 25 through 30 East; Townships 19 and 20 North, Ranges 29 and 30 East; T21N, R23E, Sections 1 through 30; T21N, R26E., Sections 5, 6, 7, 8, 17, and 18; East 1/2 Township 21N, Range 27E.; T21N, Ranges 28 through 30 E; those portions of Townships 22 through 28N, Ranges 28 through 30 E.; those portions of Township 22 through 28N., Ranges 23 through 30E. lying in Grant County; all W.M. (c) Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22, 26, 27, 28, 31, 32, 33 and 34; T15N, R37E, western half of Sections 23, 24 and 25; T15N, R38E, Sections 2, 10, 11, 14, 15, 19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6

Name	Will be a “Class B designate” in all lands lying within:
(36) knapweed, meadow <i>Centaurea jacea x nigra</i>	(d) Franklin County of regions 9 and 10. (a) regions 1, 2, 3, 4, 7, 9, 10 (b) region 5 except that area below the ordinary highwater mark of the Nisqually River, beginning at Alder Dam and downstream to the mouth of the Nisqually River in Pierce and Thurston counties (c) region 6 except Kittitas County (d) region 8 except Clark County.
(37) knapweed, Russian <i>Acroptilon repens</i>	(a) regions 1, 2, 5, 7, 8 (b) region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County (c) Adams County of region 6 except for the area west of Highway 17 and North of Highway 26 (d) Intercounty Weed District No. 52 (e) region 10 except Franklin County.
(38) knapweed, spotted <i>Centaurea biebersteinii</i>	(a) regions 1, 2, 3, 5, 6, 9 (b) Ferry County of region 4 (c) Adams and Whitman counties of region 7 (d) region 8, except that portion of Lewis County below the ordinary high watermark of the Tilton River from Hwy. 508 to Lake Mayfield (e) region 10 except Garfield County.
(39) knotweed, Bohemian <i>Polygonum bohemicum</i>	(a) Kittitas County of region 6 (b) Chelan and Douglas counties of regions 3 and 6 (c) Pend Oreille County of region 4.
(40) knotweed, giant <i>Polygonum sachalinense</i>	(a) Kittitas County of region 6 (b) Pend Oreille County of region 4.
(41) knotweed, Himalayan <i>Polygonum polystachyum</i>	(a) Kittitas County of region 6 (b) Pend Oreille County of region 4 (c) Lewis County of region 8.
(42) knotweed, Japanese <i>Polygonum cuspidatum</i>	(a) Kittitas County of region 6 (b) Chelan and Douglas counties of regions 3 and 6 (c) Pend Oreille County of region 4.
(43) kochia <i>Kochia scoparia</i>	(a) Clallam County of region 1 (b) Skagit and Whatcom counties of region 2 (c) Pend Oreille County of region 4 (d) King County of region 5 (e) Kittitas County of region 6.
(44) lepyrodiclis <i>Lepyrodiclis holosteoides</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10 (b) region 7 except an area within Whitman County east of the Pullman–Wawawai Road from Wawawai to Pullman and south of State Highway 270 from Pullman to Moscow, Idaho.
(45) loosestrife, garden <i>Lysimachia vulgaris</i>	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10 (b) region 5 except King County

Name	Will be a “Class B designate” in all lands lying within:
(46) loosestrife, purple <i>Lythrum salicaria</i>	<p>(c) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line.</p> <p>(a) regions 1, 4, 7, 8</p> <p>(b) region 2 except Snohomish County</p> <p>(c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside</p> <p>(d) Grays Harbor, Mason, Kitsap, and Thurston counties of region 5</p> <p>(e) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line</p> <p>(f) Pierce County, except those areas lying within T2D, 21, 22N, R1W and R1E, all sections</p> <p>(g) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O’Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed</p>
(47) loosestrife, wand <i>Lythrum virgatum</i>	<p>(h) region 9 except Benton County</p> <p>(i) region 10 except Walla Walla County</p> <p>(j) Intercounty Weed Districts No. 51 and No. 52.</p> <p>(a) regions 1, 4, 7, 8</p> <p>(b) region 2 except Snohomish County</p> <p>(c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside</p> <p>(d) region 5 except King County</p> <p>(e) Those portions of King County lying north of I-90 and east of the line extending from SR522 to SR202 to E. Lake Sammamish Parkway; west of I-5 including Vashon Island; south of I-90 and east and south of I-405 to the county line</p> <p>(f) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O’Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed</p> <p>(g) region 9 except Benton County</p>

Name	Will be a "Class B designate" in all lands lying within:
(48) nutsedge, yellow <i>Cyperus esculentus</i>	<ul style="list-style-type: none"> (h) region 10 except Walla Walla County (i) Intercounty Weed Districts No. 51 and No. 52. (a) regions 1, 2, 3, 4, 5, 7, 8 (b) region 6 except those areas lying between State Highway 26 and State Highway 28, and westerly of Dodson Road in Grant County, and except S 1/2, Sec. 2, T20N, R25E., W.M. (c) region 9 except: <ul style="list-style-type: none"> (i) except those areas lying within the following boundary description within Yakima County: Beginning at the intersection of Highway 12 and Parker Heights Road and continuing easterly to Konnowac Pass Road follow said road north to the intersection of Konnowac Pass Road and Nightingale Road. The northern boundary shall be the Roza Canal, continuing from the established point at Nightingale Road. The boundaries will follow the Roza Canal easterly to the County Line Road. The east boundaries will be the Yakima/Benton County Line from a point beginning at the County Line and Highway 22 (near Byron) continuing westerly along Highway 22 (to near the city of Mabton) to the intersection of Highway 22 and the Reservation Boundary (Division Road) and continuing north to the Yakima River. Then it will follow the river northwest to the Wapato-Donald Road continuing north along said road to Highway 12 then Highway 12 to Parker Heights Road. (ii) an area lying southerly of State Route 14 and within T2N, Ranges 13 and 14 E of Klickitat County
(49) oxtongue, hawkweed <i>Picris hieracioides</i>	<ul style="list-style-type: none"> (d) region 10 except Walla Walla County. (a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except Skamania County.
(50) parrotfeather <i>Myriophyllum aquaticum</i>	<ul style="list-style-type: none"> (a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except Clark, Cowlitz, and Wahkiakum counties.
(51) pepperweed, perennial <i>Lepidium latifolium</i>	<ul style="list-style-type: none"> (a) regions 1, 2, 3, 4, 5, 7, 8, 10 (b) Intercounty Weed Districts No. 51 and 52 (c) Kittitas County of region 6 (d) Adams County of region 6 except for the area west of Highway 17 and north of Highway 26.
(52) primrose, water <i>Ludwigia hexapetala</i>	<ul style="list-style-type: none"> (a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except T8N, R3W, S14 of Cowlitz County.
(53) puncturevine <i>Tribulus terrestris</i>	<ul style="list-style-type: none"> (a) Skagit County of region 2 (b) Kittitas County of region 6 (c) Adams County (d) Clallam County of region 1.

Name	Will be a “Class B designate” in all lands lying within:
(54) ragwort, tansy <i>Senecio jacobaea</i>	(a) regions 3, 4, 6, 7, 9, 10 (b) region 5, that portion of Pierce County lying south or east of a boundary beginning at the White River and State Highway 410, then west along State Highway 410 to intersection with State Highway 162 (Orting) to intersection with Orville Road, then south along Orville Road to intersection with Kapowsin Highway (304th Street East), then west following Kapowsin Highway to intersection with State Route 7, then south along State Route 7 to intersection with State Route 702, then west along State Route 702 to intersection with State Route 507, then southwest along State Route 507 to intersection with the Nisqually River.
(55) Saltcedar <i>Tamarix ramosissima</i>	(a) regions 1, 2, 3, 4, 5, 7, 8, unless intentionally established prior to 2004 (b) region 6 except Grant County, unless intentionally established prior to 2004 (c) region 9 except Benton and Franklin counties, unless intentionally established prior to 2004 (d) region 10 except Franklin County, unless intentionally established prior to 2004.
(56) sandbur, long-spine <i>Cenchrus longispinus</i>	(a) regions 1, 2, 3, 4, 5, 7, 8 (b) Adams County of region 6 except for that area lying within Intercounty Weed District No. 52 (c) Intercounty Weed District No. 51 (d) Kittitas County of region 6.
(57) skeletonweed, rush <i>Chondrilla juncea</i>	(a) regions 1, 2, 3, 5, 8, 9 (b) Franklin County except T13N, R36E; and T14N, R36E (c) Adams County except those areas lying east of a line running north from Franklin County along the western boundary of Range 36 East to State Highway 26 then north on Sage Road until it intersects Lee Road, then due north until intersection with Providence Road, then east to State Highway 261, then north along State Highway 261 to its intersection with Interstate 90, henceforth on a due north line to intersection with Bauman Road, then north along Bauman Road to its terminus, then due north to the Lincoln County line. (d) region 6 except that portion lying within Grant County that is southerly of State Highway 28, northerly of Interstate Highway 90 and easterly of Grant County Road I Northwest (e) Stevens County north of Township 33 North of region 4 (f) Ferry and Pend Oreille counties of region 4 (g) Asotin County of region 10 (h) Garfield County south of Highway 12

Name	Will be a "Class B designate" in all lands lying within:
(58) sowthistle, perennial <i>Sonchus arvensis</i> <i>ssp. arvensis</i>	<ul style="list-style-type: none"> (i) Columbia County from the Walla Walla County line on Highway 12, all areas south of Turner Road; at Turner Road to the Garfield county line, all areas south and east of Turner Road (j) Whitman County lying in Ranges 43 through 46 East of Townships 15 through 20 North; T14N, Ranges 44 through 46 East; and T13N, Ranges 45 and 46 East. (a) regions 1, 2, 3, 4, 7, 8, 9, 10 (b) Adams County of region 6 (c) region 5 except for sections 28, 29, 30, 31, 32, and 33 in T19N, R1E of Thurston and Pierce counties.
(59) spurge, leafy <i>Euphorbia esula</i>	<ul style="list-style-type: none"> (a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10 (b) region 7 except as follows: <ul style="list-style-type: none"> (i) T27N, R37E, Sections 34, 35, 36; T27N, R38E, Sections 31, 32, 33; T26N, R37E, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 26; T26N, R38E, Sections 5, 6, 7, 8 of Lincoln County (ii) T24N, R43E, Section 12, Qtr. Section 3, Parcel No. 9068 of Spokane County.
(60) spurge, myrtle <i>Euphorbia myrsinites</i> L	<ul style="list-style-type: none"> (a) Pend Oreille County of region 4.
(61) starthistle, yellow <i>Centaurea solstitialis</i>	<ul style="list-style-type: none"> (a) regions 1, 2, 3, 5, 6, 8 (b) region 4 except those areas within Stevens County bounded by a line beginning at the intersection of State Highway 20 and State Highway 25, then north to intersection with Pinkston Creek Road, then east along Pinkston Creek Road to intersection with Highland Loop Road, then south along Highland Loop Road to intersection with State Highway 20, then west along State Highway 20 to intersection with State Highway 25 (c) region 7 except those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border (d) Franklin County (e) region 9 except Klickitat County (f) in all lands lying within Asotin County, Region 10, except as follows: T11N, R44E, Sections 25, 26, 27, 28, 29, 31, 32, 33, 34, and 35; T11N, R45E, Sections 21, 22, 23, and 25; T11N, R36E, Sections 19, 20, 21, 28, 29, 30, 31, 32, and 33; T10N, R44E, Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 15, and 16; T10N, R45E, Sections 23 and 24; T10N, R46E, Sections 7, 8, 17, 18, 19, 20, 21, 22, 27, 34, and 35; T9N, R46E, Sections 1, 2, 12, 13, 14, 23, 24, 25, 26, 35, and 36; T9N, R47E, Sections 18, 19, 30, and 31; T8N,

Name	Will be a “Class B designate” in all lands lying within:
	R46E, Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 23, and 24; T8N, R47E, Sections 8, 17, 18, 19, 20, 29, 30, 31, and 32.
(62) Swainsonpea <i>Sphaerophysa salsula</i>	(a) regions 1, 2, 3, 4, 5, 7, 8 (b) Columbia, Garfield, Asotin, and Franklin counties (c) an area beginning at the Washington–Oregon border at the southwest portion of Section 15, R32E, T6N, then north to the northwest corner of Section 3, R32E, T7N, then east to the northeast corner of Section 3, R36E, T7N, then south to the southeast portion of Section 15, R36E, T6N, at the Washington–Oregon border, then west along the Washington–Oregon border to the point of beginning (d) Weed District No. 3 of Grant County (e) Adams County of region 6.
(63) thistle, musk <i>Carduus nutans</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10 (b) Spokane and Pend Oreille counties.
(64) thistle, plumeless <i>Carduus acanthoides</i>	(a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10 (b) region 4 except those areas within Stevens County lying north of State Highway 20.
(65) thistle, Scotch <i>Onopordum acanthium</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9 (b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border (c) Franklin County.
(66) toadflax, Dalmatian <i>Linaria dalmatica</i> <i>ssp. dalmatica</i>	(a) regions 1, 2, 5, 8, 10 (b) Douglas County of region 3 lying south of T25N, west of R25E, and east of R28E (c) Okanogan County lying within T 33, 34, 35N, R19, 20, 21, 22E, except the southwest, southeast, and northeast quarters of the northeast quarter of section 27, T35N, R21E; and the northeast quarter of the southeast quarter of section 27, T35N, R21E (d) Kittitas, Chelan, Douglas, and Adams counties of region 6 (e) Intercounty Weed District No. 51 (f) Weed District No. 3 of Grant County (g) Lincoln and Adams counties (h) The western two miles of Spokane County of region 7 (i) region 9 except as follows: (i) those areas lying within Yakima County (ii) those areas lying west of the Klickitat River and within Klickitat County.
(67) watermilfoil, Eurasian <i>Myriophyllum spicatum</i>	(a) regions 1, 9, 10 (b) region 7 except Spokane County

- (c) region 8 except within 200 feet of the Columbia River
- (d) Adams County of region 6
- (e) in all water bodies of public access, except the Pend Oreille River, in Pend Oreille County of region 4.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. 05-01-012, § 16-750011, filed 12/2/04, effective 1/2/05. Statutory Authority: Chapter 17.10 RCW. 04-13-014, § 16-750-011, filed 6/4/04, effective 7/5/04. Statutory Authority: Chapters 17.10 and 34.05 RCW. 03-24-012, § 16-750-011, filed 11/20/03, effective 12/21/03; 03-04-001, § 16-750-011, filed 1/22/03, effective 2/22/03. Statutory Authority: Chapter 17.10 RCW. 01-24-035, § 16750-011, filed 11/28/01, effective 12/29/01; 00-24-017, § 16-750-011, filed 11/28/00, effective 1/2/01; 99-24-029, § 16-750-011, filed 11/23/99, effective 1/3/00; 98-24-026, § 16-750-011, filed 11/23/98, effective 1/2/99; 9724-051, § 16-750-011, filed 11/26/97, effective 1/2/98; 97-06-108, § 16-750011, filed 3/5/97, effective 4/5/97. Statutory Authority: RCW 17.10.080. 9606-030, § 16-750-011, filed 2/29/96, effective 3/31/96. Statutory Authority: Chapter 17.10 RCW. 95-06-002, § 16-750-011, filed 2/16/95, effective 3/19/95; 94-01-076, § 16-750-011, filed 12/10/93, effective 1/10/94; 93-01004, § 16-750-011, filed 12/2/92, effective 1/2/93; 91-24-072, § 16-750-011, filed 12/2/91, effective 1/2/92; 91-01-016, § 16-750-011, filed 12/7/90, effective 1/7/91; 90-01-004, § 16-750-011, filed 12/7/89, effective 1/7/90; 88-24-002 (Order 26, Resolution No. 26), § 16-750-011, filed 11/29/88; 8818-001 (Order 24, Resolution No. 24), § 16-750-011, filed 8/25/88. Statutory Authority: RCW 17.10.080. 88-07-016 (Order 22, Resolution No. 22), § 16750-011, filed 3/7/88.]

WAC 16-750-015 State noxious weed list—Class C noxious weeds.

Common Name	Scientific Name
babysbreath	<i>Gypsophila paniculata</i>
beard, old man’s	<i>Clematis vitalba</i>
bindweed, field	<i>Convolvulus arvensis</i>
butterfly bush	<i>Buddleja davidii</i>
canarygrass, reed	<i>Phalaris arundinacea</i>
cockle, white	<i>Silene latifolia ssp. alba</i>
cocklebur, spiny	<i>Xanthium spinosum</i>
cress, hoary	<i>Cardaria draba</i>
dodder, smoothseed alfalfa	<i>Cuscuta approximata</i>
goatgrass, jointed	<i>Aegilops cylindrica</i>
groundsel, common	<i>Senecio vulgaris</i>
hawkweed, nonnative species	<i>Hieracium sp.</i> , except species designated in the note in the left-hand column

Note: This listing includes all species of *Hieracium*, except the following:

- Species designated as Class A noxious weeds in WAC 16-750-005;
- Species designated as Class B noxious weeds in WAC 16-750-011;
- Native species designated below:
 - Canada hawkweed (*H. canadense*)
 - houndstongue hawkweed (*H. cynoglossoides*)
 - long-beaked hawkweed (*H. longiberbe*)
 - narrow-leaved hawkweed (*H. umbellatum*)
 - slender hawkweed (*H. gracile*)
 - western hawkweed (*H. albertinum*)
 - white-flowered hawkweed (*H. albiflorum*)
 - woolley-weed (*H. scouleri*)

Common Name

henbane, black
 iris, yellow flag
 ivy, English, 4 cultivars only:

mayweed, scentless
 poison-hemlock
 pondweed, curly-leaf
 reed, common, nonnative geno types
 rye, cereal
 spikeweed
 St. Johnswort, common
 tansy, common
 thistle, bull
 thistle, Canada
 toadflax, yellow
 water lily, fragrant
 whitetop, hairy
 willow-herb, hairy
 wormwood, absinth

Scientific Name

Hyoscyamus niger
Iris pseudocorus
Hedera hibernica ‘Hibernica’
Hedera helix ‘Baltica’
Hedera helix ‘Pittsburgh’
Hedera helix ‘Star’
Matricaria perforata
Conium maculatum
Potamogeton crispus
Phragmites australis
Secale cereale
Hemizonia pungens
Hypericum perforatum
Tanacetum vulgare
Cirsium vulgare
Cirsium arvense
Linaria vulgaris
Nymphaea odorata
Cardaria pubescens
Epilobium hirsutum
Artemisia absinthium

[Statutory Authority: Chapters 17.10 and 34.05 RCW. 05-01-012, § 16-750015, filed 12/2/04, effective 1/2/05. Statutory Authority: Chapter 17.10 RCW. 04-13-014, § 16-750-015, filed 6/4/04, effective 7/5/04. Statutory Authority: Chapters 17.10 and 34.05 RCW. 03-24-012, § 16-750-015, filed 11/20/03, effective 12/21/03; 03-04-001, § 16-750-015, filed 1/22/03, effective 2/22/03. Statutory Authority: Chapter 17.10 RCW. 01-24-035, § 16750-015, filed 11/28/01, effective 12/29/01; 00-24-017, § 16-750-015, filed 11/28/00, effective 1/2/01; 99-24-029, § 16-750-015, filed 11/23/99, effective 1/3/00; 98-24-026, § 16-750-015, filed 11/23/98, effective 1/2/99; 9706-108, § 16-750-015, filed 3/5/97, effective 4/5/97. Statutory Authority: RCW 17.10.080. 96-06-030, § 16-750-015, filed 2/29/96, effective 3/31/96. Statutory Authority: Chapter 17.10 RCW. 95-06-002, § 16-750-015, filed 2/16/95, effective 3/19/95; 94-01-076, § 16-750-015, filed 12/10/93, effective 1/10/94; 93-01-004, § 16-750-015, filed 12/2/92, effective 1/2/93; 9124-072, § 16-750-015, filed 12/2/91, effective 1/2/92; 91-01-016, § 16-750015, filed 12/7/90, effective 1/7/91; 90-01-004, § 16-750-015, filed 12/7/89, effective 1/7/90; 88-24-002 (Order 26, Resolution No. 26), § 16-750-015, filed 11/29/88. Statutory Authority: RCW 17.10.080. 88-07-016 (Order 22, Resolution No. 22), § 16-750-015, filed 3/7/88.]

WAC 16-750-020 Noxious weeds—Civil infractions—Schedule of monetary penalties.

Civil infractions under chapter 17.10 RCW shall be assessed a monetary penalty according to the following schedule:

(1) Any owner knowing of the existence of any noxious weeds on the owner’s land who fails to control the noxious weeds will be assessed the following monetary penalties. The penalties are assessed per parcel, per noxious weed species, per day after expiration of the notice to control filed pursuant to RCW 17.10.170:

(a) Any Class A noxious weed:

1st offense within five years	\$ 750
2nd and any subsequent offense	1,000

(b) Any Class B designate noxious weed in the noxious weed control region in which the land lies:

1st offense within five years	\$ 500
2nd offense	750
3rd and any subsequent offense	1,000

(c) Any Class B nondesignate noxious weed in the noxious weed control region in which the land lies; or any Class C noxious weed:

1st offense within five years	\$ 250
2nd offense	500
3rd offense	750
4th and any subsequent offense	1,000

(2) Any person who enters upon any land in violation of an order in force pursuant to RCW 17.10.210 will be assessed as follows:

1st offense within five years	\$ 500
2nd offense	750
3rd and any subsequent offense	1,000

(3) Any person who interferes with the carrying out of the provisions of chapter 17.10 RCW shall be assessed as follows:

1st offense within five years	\$ 500
2nd offense	750
3rd and any subsequent offense	1,000

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-020, filed 11/23/99, effective 1/3/00; 97-06-108, § 16-750-020, filed 3/5/97, effective 4/5/97; 93-01-004, § 16-750-020, filed 12/2/92, effective 1/2/93.]

WAC 16-750-025 Plant monitor list—Purpose. The purpose of the monitor list is to gather more information on suspect weeds as well as monitor for occurrence or spread. Information collected may be used to justify future inclusion on the state noxious weed list. There is no regulatory aspect to this list. Reasons for plant inclusion on the monitor list include:

- (1) There is reason to believe the species is invasive or poses a potential threat to Washington.
- (2) Additional information is needed on distribution, abundance, or biology.
- (3) The species was once present in Washington and on the state noxious weed list. It is now being monitored for reoccurrence.
- (4) There is need to verify existence (site investigation), verify identification, and/or obtain voucher specimen.
- (5) It exists in an adjacent state or province or occurs on an adjacent state or province's noxious weed list and is not known to occur in Washington.

Native species of Washington will not be included on the monitor list. Each weed included on the monitor list will be included by vote of the noxious weed committee. A sponsor is required in order to place a weed on the monitor list. The current monitor list is kept in the state noxious weed board office.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-025, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-025, filed 12/2/92, effective 1/2/93.]

WAC 16-750-100 State noxious weed control board—Description—Purpose. The board was created pursuant to chapter 17.10 RCW, Noxious weeds—Control boards. The board is an advisory board to the department regarding the state noxious weed program and has rule-making and administrative responsibilities under chapter 17.10 RCW.

[Statutory Authority: Chapter 17.10 RCW. 93-01-004, § 16-750-100, filed 12/2/92, effective 1/2/93.]

WAC 16-750-105 State noxious weed control board—Powers—Duties—Responsibilities.

The powers and duties of the board include:

- (1) Adopting rules defining the words “control,” “contain,” “eradicate,” and the term “prevent the spread of noxious weeds”;
- (2) Conducting elections to the board, and adopting rules as set forth in this chapter establishing a position number for each elected position to the board and designating in which county noxious weed control board members are eligible to vote for each elected position;
- (3) Electing officers, conducting meetings, holding hearings, appointing committees, entering upon any property to administer chapter 17.10 RCW, and adopting the necessary rules to carry out its powers and duties identified herein;
- (4) When petitioned, holding a hearing in a county to determine the need for activation of the county noxious weed control board and, if such a need is found to exist, ordering the county legislative authority to activate and appoint members to such board;
- (5) Each year or more often, adopting a state noxious weed list, classifying the weeds on the list, and entering written findings for the inclusion of each weed on the list;
- (6) Sending a copy of the state noxious weed list to each activated county noxious weed control board, regional noxious weed control board, weed district, and each county legislative authority of each county with an inactivated noxious weed control board;
- (7) When petitioned and following a hearing, ordering any county noxious weed board to include a noxious weed from the state list on the county board or district’s weed list;
- (8) Adopting a schedule of monetary penalties for each violation of chapter 17.10 RCW classified as a civil infraction and submitting the schedule to the appropriate courts;
- (9) Employing an executive secretary whose qualifications, duties, and responsibilities are set forth in this chapter and RCW 17.10.070;
- (10) Preparing and distributing a biennial written report showing the expenditure of state funds on noxious weed control; specifying how the funds were spent; the status of state, county, and district programs; recommending the continued best use of state funds; and recommending the long-term needs regarding weed control;
- (11) Advising the director as provided for in chapter 17.10 RCW.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-105, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-105, filed 12/2/92, effective 1/2/93.]

WAC 16-750-110 State noxious weed control board—Mission. The mission of the board is to serve as responsible stewards of Washington by protecting and preserving the land and resources from the degrading impact of noxious weeds.

The board believes that prevention is the best approach and may be achieved through full implementation of the intent of the state noxious weed law. To further that, the board strives for enhanced public awareness through improved educational efforts.

The board does not deal directly in control activities but rather works to achieve this end through others. For that reason, the board seeks to improve communication, gain

cooperation, and improve coordination of the efforts for noxious weed control.

The board believes noxious weed control is best carried out by strong, adequately funded programs at the local level. To achieve this, the board strives to build public support for local programs and to empower those programs to be more successful.

[Statutory Authority: Chapter 17.10 RCW. 98-24-026, § 16-750-110, filed 11/23/98, effective 1/2/99; 93-01-004, § 16-750-110, filed 12/2/92, effective 1/2/93.]

WAC 16-750-115 State noxious weed control board—Membership. The board is comprised of nine voting members and three nonvoting members selected as follows:

- (1) Four of the members are elected by the members of activated county noxious weed control boards eligible to vote for the elected position established by the state noxious weed board. Two members are elected from the west side of the state, the crest of the Cascades being the dividing line, and two from the east side of the state.
- (2) The director is a voting member.
- (3) One member is elected by the directors of activated weed districts formed under chapter 17.04 or 17.06 RCW.
- (4) The Washington state association of counties appoints one voting member who must be a member of a county legislative authority.
- (5) The director appoints two voting members to represent the public interest, one from the west side and one from the east side of the state.
- (6) The director appoints three nonvoting members representing scientific disciplines relating to weed control.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-115, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-115, filed 12/2/92, effective 1/2/93.]

WAC 16-750-120 State noxious weed control board—Nominations—Elections—Terms of office— Vacancies. (1) Nominations and elections to board positions are conducted by regular mail.

- (2) The board calls for nominations to elected positions at least sixty days prior to expiration of position terms.
- (3) The board sends ballots to eligible activated county noxious weed control boards or weed district directors by regular mail at least forty-five days prior to expiration of each position term.
- (4) Ballots must be returned no later than thirty days before expiration of each term. Only official ballots will be accepted. Photocopied ballots will be considered invalid.
- (5) The board chairperson appoints a committee to count ballots and certify elections at least thirty days prior to expiration of each term.
- (6) Results of elections are announced prior to the next scheduled board meeting.
- (7) For the purpose of conducting nominations or elections, the board uses the current list of county noxious weed control board voting members and weed district directors.
- (8) Any person who is a resident in and member of an activated county noxious weed control

board in the counties represented by positions 1, 2, 3, and 4 may enter his or her name, or that of any qualified person in nomination for election to the board position by voting members of the above activated county noxious weed control boards.

- (9) Any director of an active weed district formed under chapter 17.04 or 17.06 RCW may enter a name in nomination for election to position 5 on the board.
- (10) Each candidate or each person nominating such candidate must complete a certificate of nomination, and must return it to the board postmarked by the date specified.
- (11) The board creates a ballot listing the names in alphabetical order beginning with the last name first, of the candidates nominated to the position of the board: Provided, That the board shall remove the name of any person nominated who notifies the board in writing that he or she is unwilling to serve on the board.
- (12) The ballot, along with the statement, if any, of each candidate in the election will be mailed by regular mail to each voting member of an activated county noxious weed control board or director of an active weed district. Only county board members or weed district directors within the established position area are eligible to vote for the board member to represent that area.
- (13) Each voting member of an activated county noxious weed control board or director of an activated weed district may cast one vote for the candidates appearing on the appropriate ballot and return it to the board as provided above and as per the dates specified.
- (14) The candidate receiving the highest number of votes is elected: Provided, That if the candidate fails to receive more than fifty percent of the votes cast in an election, a second election will be held between such candidate and the candidate receiving the next highest votes and: Provided further, That if there is only one candidate, that candidate will be deemed elected unanimously.
- (15) The term of office for all members of the board is three years from the date of election or appointment.
- (16) Vacancies among board members appointed by the director will be filled by the director. Vacancies among elected members will be filled by special election by those entities eligible to elect that position for the expired term. Special elections follow the same procedure as regular elections. Board members appointed to fill vacancies will serve out the existing term.

(12/2/04) [Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-120, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-120, filed 12/2/92, effective 1/2/93.]

WAC 16-750-125 State noxious weed control board position numbers—Eligibility for voting. Position numbers for elected members of the board and those eligible to vote for each position are as follows:

POSITION

VOTING ELIGIBILITY

- | | |
|-----------------------------|--|
| (1) Westside, southern tier | (a) Voting members of activated county noxious weed control boards in Grays Harbor, Mason, Thurston, Pierce, Lewis, Pacific, Wahkiakum, Cowlitz, Skamania, and Clark counties. |
|-----------------------------|--|

- (2) Eastside, southern tier (a) Voting members of activated county noxious weed control boards in Adams, Whitman, Asotin, Garfield, Columbia, Walla Walla, Franklin, Benton, Klickitat, and Yakima counties.
- (3) Westside, northern tier (a) Voting members of activated county noxious weed control boards in Whatcom, Skagit, San Juan, Island, Snohomish, King, Kitsap, Clallam, and Jefferson counties.
- (4) Eastside, northern tier (a) Voting members of activated county noxious weed control boards in Okanogan, Ferry, Stevens, Pend Oreille, Spokane, Lincoln, Grant, Kittitas, Chelan, and Douglas counties.
- (5) Weed districts (a) Directors of activated weed districts in Washington.

[Statutory Authority: Chapter 17.10 RCW. 93-01-004, § 16-750-125, filed 12/2/92, effective 1/2/93.]

WAC 16-750-130 State noxious weed control board—Organization. The organization of the board is as follows:

- (1) The officers of the board are the chairperson, vice-chairperson, and secretary. The title of the chief administrative officer is the executive secretary.
- (2) Duties of officers.
 - (a) The chairperson presides at all meetings of the board, has the power to appoint committees, acts as ex officio member of all committees except the executive committee, serves as chairperson of the executive committee, serves as official signer of agreements between the board and public or private agencies, and performs such other duties as pertain to the office.
 - (b) The vice-chairperson performs the duties of the chairperson in his or her absence, acts as an ex officio member of all committees, and any other duties delegated by the chairperson. The vice-chairperson will assume the duties of and serve out the term of the chairperson upon permanent departure of the chairperson.
 - (c) The secretary is the official keeper of the minutes and, approves them, and presents them to the board for adoption. In the absence of the chairperson and vice-chairperson, the secretary performs the duties of the chairperson.
 - (d) The duties of the executive secretary, in addition to administrative duties assigned elsewhere in this chapter, are to keep a record of the proceedings of the board, notify all board members, county noxious weed control boards, and weed districts of meetings, act as an ex officio nonvoting member of all committees, negotiate agreements with public and private agencies on behalf of the board, and perform other responsibilities as delegated by the chairperson.
- (3) Term of office. Term of office for officers of the board is twelve months effective July 27 of the year elected and ending July 26 of the following year.
- (4) Election of officers. Elections will be held at the first meeting of the fiscal year in July. Officers are elected by a majority vote of the voting members present.
- (5) Vacancies of officers other than chairperson, shall be filled by election of the voting board members present.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-130, filed 11/23/99, effective 1/3/00; 97-06-108, § 16-750-130, filed 3/5/97, effective 4/5/97; 93-01-004, § 16-750-130, filed 12/2/92, effective 1/2/93.]

- WAC 16-750-135 State noxious weed control board—Meetings.** (1) All meetings of the board are open and public and all persons are permitted to attend any meeting of the board, except as otherwise provided in the Open Public Meetings Act, chapter 42.30 RCW.
- (2) Members of the public are not required, as a condition to attendance at a board meeting, to register names, other information, or otherwise to fulfill any condition prior to attending.
- (3) Interruptions. In the event that any meeting is interrupted by any person as to render the orderly conduct of the meeting unfeasible, and order cannot be restored by the removal of individuals who are interrupting the meeting, the chairperson may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by a majority vote of the board members present. In such a session, the board will follow the procedures set forth in the Open Public Meetings Act (RCW 42.30.050).
- (4) Adoption of rules, regulations, resolution, etc. The board shall not adopt any rules, regulations, resolution, etc. except in a meeting open to the public and then only at a meeting, the date of which is fixed by rule, or at a meeting of which notice has been given according to the provisions of the Open Public Meetings Act. Any action taken at meetings failing to comply with this section is null and void.
- (5) Regular meetings—Schedule—Publication in State Register—Notice of change. The board will meet once every two months and at other times determined by the chairperson or by a majority of the voting members. If any regular meeting falls on a holiday, the meeting will be held on the next business day. The executive secretary files with the code reviser a schedule of the time and place of regular meetings on or before January of each year for publication in the Washington State Register. Notice of any change from this meeting schedule will be published in the State Register for distribution at least twenty days prior to the rescheduled meeting date.
- (6) Notice. Ten days notice of all meetings will be given by mailing a copy of the notice and agenda to each board member, county noxious weed control board, and weed district.
- (7) Special meetings. The ten-day notice may be waived for special meetings which may be called at any time by the chairperson, director, or a majority of the voting board members. Special meeting notification shall follow the procedures for special meetings set forth in the Open Public Meetings Act (RCW 42.30.080).
- (8) Adjournments. If a meeting is adjourned before the advertised time, a written notice will be posted at the meeting place that specifies when the meeting was adjourned.
- (9) Executive sessions.
- (a) The board may hold an executive session during a regular meeting which may be called by the chairperson or a majority of voting board members present. No official actions will be taken at executive sessions. Executive sessions may deal only with matters authorized by RCW 42.30.110.
- (b) Before convening in executive session, the chairperson shall publicly announce the purpose of excluding the public from the meeting place and the time when the executive session will be concluded. The executive session may be extended to a later time by announcement of the chairperson.

- (10) **Agenda.** The agenda will be prepared by the executive secretary in consultation with the chairperson. Items may be submitted by all board members to the executive secretary at least fifteen days prior to the board meeting.
- (11) **Attendance.** Each board member is expected to attend all board and assigned committee meetings. In the event a board member is unable to attend, he or she is requested to provide the chairperson or executive secretary with the reasons for the absence prior to the meeting. Any voting member who misses two consecutive board meetings without providing the chairperson or the executive secretary with the reasons for the absences prior to the meeting may be removed from the board, following due notice and a hearing. Removal procedures may be initiated by a quorum vote of the board.
- (12) **Voting procedures.** Board voting procedures on all matters are as follows:
 - (a) Five voting members constitute a quorum to conduct the affairs of the board.
 - (b) The chairperson may vote on all matters coming before the board.
 - (c) A roll call of all voting board members present may be requested on all motions by any member.
 - (d) All members have the right to move or second motions.
 - (e) Proxy voting is not permitted.
- (13) **Minutes.** The minutes of all regular and special meetings, except executive sessions, will be promptly recorded and such records are open to public inspection.
- (14) **Press releases.** All press releases and official information concerning board activities will be released from the board office.
- (15) **Public participation.**
 - (a) Any person wishing to make a formal presentation at a regularly scheduled meeting of the board must notify the executive secretary of the subject matter at least fifteen days before the meeting.
 - (b) Permission to appear before the board will be granted by the executive secretary in consultation with the chairperson before the meeting. Permission includes the date and time of the meeting and the time set for formal presentation.
 - (c) The chairperson may, at his or her discretion, recognize anyone in the audience who indicates at the time of the meeting a desire to speak.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-135, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-135, filed 12/2/92, effective 1/2/93.]

WAC 16-750-140 State noxious weed control board—Committees. Standing committees shall fairly reflect the composition of the board and unless advertised and open to the public, not more than four voting members may attend a committee meeting.

- (1) **Executive committee.** An executive committee is authorized to deal with housekeeping and personnel matters, subject to board approval at the next scheduled board meeting. The chairperson appoints the executive committee with approval of the board.
- (2) **Standing committees.** The standing committees of the board are: Budget, executive, noxious weed, and education. The board chairperson appoints the chairperson and other members of each committee.

- (3) Ad-hoc committees may be appointed from time to time.
- (4) Committee voting procedures.
 - (a) All members of a particular committee have the right to vote. Other members in attendance may enter into discussion, but shall have no vote.
 - (b) Proxy voting is not permitted.
 - (c) All questions decided by the committee will be by majority of the committee members present.
- (5) Advisory committees. Advisory committees are established by the board as deemed necessary to the functioning of the board. Advisory committees are limited in their scope to the purposes determined by the board.
- (6) Notice. Notice of committee meetings shall be given to the executive secretary.
- (7) Committee reports.
 - (a) Committee reports and recommendations are submitted to the board in writing except when committees meet in conjunction with the board.
 - (b) Minority reports may be submitted by members of a committee, if signed by those members.
- (8) Committee compensation. Board members attending meetings of committees will, upon request, be reimbursed on the same basis as for attendance at regularly called board meetings.
- (9) All committee appointments will be reviewed in July of even-numbered years.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-140, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-140, filed 12/2/92, effective 1/2/93.]

WAC 16-750-145 State noxious weed control board—Executive secretary—Definition.

The executive secretary acts as the chief administrative officer for the board and:

- (1) Implements and administers the statutes, administrative rules, and policies of the noxious weed control program assigned to the board;
- (2) Plans, develops, and prepares administrative rules and policies for the state noxious weed control program in conjunction with the board and the department; arranges public hearings in compliance with the Administrative Procedure Act and acts as chief hearing officer for the board; conducts elections for positions on the board;
- (3) Coordinates the educational and weed control efforts of county and regional noxious weed control boards and weed districts;
- (4) Coordinates board activities with the department, maintains a liaison and performs coordinating activities with other public and private agencies;
- (5) Negotiates agreements, on behalf of the board, with federal agencies, tribes, and other public and private agencies;
- (6) Represents the board before the state legislature; coordinates the development, edits, and oversees the production of the biennial report to the county noxious weed boards and weed districts on how state funds were spent and recommendations for the continued best use of

state funds for noxious weed control;

- (7) Plans, prepares, and presents programs on noxious weed control, specific weed species, and the role of the board; acts as the principal spokesperson of the board to the media, technical audiences, and the public;
- (8) Maintains a collection of scientific and technical information relating to noxious weeds and integrated vegetation management; prepares written findings for the inclusion of species on the state noxious weed list;
- (9) Develops, maintains, and ensures dissemination of information relating to noxious weeds to county noxious weed control boards and weed districts and keeps the general public and program participants informed of board activities and accomplishments;
- (10) Provides technical advice to county noxious weed boards and weed districts on the state noxious weed law and related rules;
- (11) Plans and coordinates statewide approaches to selected noxious weeds, assists in the development of statewide noxious weed survey standards, coordinates efforts with department weed specialists;
- (12) Coordinates the activities of the board by scheduling all regular and committee meetings; in consultation with the chair, prepares meeting agendas; prepares all board correspondence; updates board on local, state, and federal noxious weed activities; acts as an ex officio, nonvoting member of all committees;
- (13) Records the official minutes of the board and ensures their distribution; maintains all board records, acts as public record officer;
- (14) Oversees fiscal management of the board's administrative budget and cooperates with the department in budget development;
- (15) Supervises all board employees, approves hiring, rehiring, promotion, and termination of all board employees and ensures these processes and any disciplinary actions comply with state and department personnel policies; notifies board and department prior to initiating an adverse personnel action against any employee;
- (16) Performs other assignments as determined by the board.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-145, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-145, filed 12/2/92, effective 1/2/93.]

WAC 16-750-150 State noxious weed control board—Executive secretary—Hiring

and dismissal. The board has the responsibility for hiring and removing from office the executive secretary. The executive secretary may be dismissed by a majority vote of the full board upon the recommendation of the chairperson and the executive committee. Prior to initiating a dismissal the executive committee will notify the department. Neglect of duty, gross inefficiency, gross incompetence, gross misconduct, malfeasance or willful violation of obligations may give cause for a recommendation for dismissal or dismissal. Before any action is taken by the board to dismiss the executive secretary, the chairperson and one member of the executive committee will confer with the executive secretary and provide in writing and fully explain the charges and contemplated recommendation for dismissal. The privilege of a hearing before the executive committee or full board will be granted to the executive secretary prior to any formal action taken by the board. The executive secretary is

granted thirty days preparation time for the hearing and is entitled to present evidence, to be assisted by favorable witnesses, and to confront unfavorable witnesses at the hearing.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-150, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-150, filed 12/2/92, effective 1/2/93.]

WAC 16-750-155 State noxious weed control board—Exchange time. The board shall provide exchange time in lieu of overtime pay to its employees for hours worked in excess of forty hours per week. The time shall accrue on an hour-for-hour basis. Exchange time has no cash value.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-155, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-155, filed 12/2/92, effective 1/2/93.]

WAC 16-750-160 State noxious weed control board—Antidiscrimination clause. No person shall be denied participation in any phase of the board’s program activities because of race, color, religion, sex, marital status, national origin, age, physical, sensory, or mental handicap, or sexual orientation. This nondiscrimination shall extend to employment by the board including retirement, selection, hiring, promotion, benefits, and dismissal.

[Statutory Authority: Chapter 17.10 RCW. 93-01-004, § 16-750-160, filed 12/2/92, effective 1/2/93.]

WAC 16-750-165 State noxious weed control board—Budget and finances. (1) All board funds must be expended in a manner consistent with board wishes. The executive secretary is authorized to make these expenditures as appropriate. All matters related to payment of compensation and other expenses of the board are subject to the State Budget and Accounting Act (chapter 43.88 RCW).

(2) Budget approval. The executive secretary prepares the biennial budget after consulting the budget committee. The budget will provide for costs associated with salary, personal benefits, travel, equipment, and goods and services for the operation of the board. The budget is reviewed by the board for recommendation to and approval by the department and office of financial management.

(3) The board reserves the right to pursue additional funds for its administrative budget independent of the department.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-165, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-165, filed 12/2/92, effective 1/2/93.]

WAC 16-750-170 State noxious weed control board—Legal counsel. On an as needed basis, a member of the attorney general’s staff will serve as legal counsel for the board.

[Statutory Authority: Chapter 17.10 RCW. 93-01-004, § 16-750-170, filed 12/2/92, effective 1/2/93.]

WAC 16-750-180 State noxious weed control board—Rules of order. *Robert’s Rules of Order* newly revised shall serve as parliamentary authority for procedures not covered in these rules.

[Statutory Authority: Chapter 17.10 RCW. 93-01-004, § 16-750-180, filed 12/2/92, effective 1/2/93.]

WAC 16-750-185 State noxious weed control board—Access to public records and

documents. (1) In accordance with the Public Records Disclosure Act of Washington, the board shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of RCW 42.17.260(6), 42.17.310, 42.17.315, or other statute which exempts or prohibits disclosure of specific information or records.

- (2) The provisions of chapter 42.17 RCW shall be liberally construed to promote full access to public records so as to assure continuing public confidence and to assure the public interest will be fully protected.
- (3) Place and times for inspection and copying. The executive secretary will make public records available for inspection upon request.
- (4) Charges for copying. No fee shall be charged for the inspection of public records. The executive secretary may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records, which charges shall not exceed the amount necessary to reimburse the board for its actual costs incident to such copying.
- (5) Responses to requests. Responses to requests for public records shall be made promptly. Within five business days of receiving a public record request the board will respond as follows:
 - (a) With the record requested;
 - (b) Acknowledgment of the request and a reasonable estimate of the time it will take to provide the requested records or documents;
 - (c) Denying the public record request.

Denials of requests will be accompanied by a written statement of the specific reasons the request is being denied and shall have received a prompt review and final determination by the board's executive committee. Additional time may be required to respond to a request due to time needed to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt. In acknowledging receipt of a public record request that is unclear, the executive secretary may ask the requestor to clarify what information the requestor is seeking. If the requestor fails to clarify the request, the board will not respond to it.

[Statutory Authority: Chapter 17.10 RCW. 99-24-029, § 16-750-185, filed 11/23/99, effective 1/3/00; 93-01-004, § 16-750-185, filed 12/2/92, effective 1/2/93.]

How You Can Participate

The State Noxious Weed List is a prioritized listing of Washington's noxious weeds. The list is divided into three classes, each with different requirements for control.

Class A noxious weeds are the highest priority species on the state list. These noxious weeds are new invaders that are present in only very limited amounts in Washington. Control is required for all Class A species.

Class B noxious weed are the second highest priority. These noxious weeds infest some regions of the state but not others. The regions that do not yet have well established infestations of Class B noxious weeds are designated for mandatory control. In the regions where Class B noxious weeds have become established, control is a local option.

Class C noxious weed are established throughout much of the state. Control of these noxious weeds is a local option.

The list is updated on an annual basis by the Washington State Noxious Weed Control Board (Board). The process of considering changes to the list is led by the Board's Noxious Weed Committee. This scientific committee is composed of Board representatives, scientific advisors to the Board, selected county coordinators, and representatives from the Native Plant Society and the horticultural industries. There are many opportunities for the county noxious weed control boards and other interested groups or citizens to participate in the weed listing process. The committee has revised the timeline for the weed listing process, in order to increase opportunities for public participation. The following annual steps compose the weed listing process:

CALL FOR SUGGESTIONS

Early in the year, the Board will send out a general call for suggested additions, changes, or deletions to the list. This mailing will be sent to all counties, to interest groups, and to members of the general public who have previously expressed on interest in the listing process. The Board will also send out a general press release to announce the call for suggestions. This suggestion period will be open until the end of March (see below for information on developing a successful suggestion).

INITIAL REVIEW

The Noxious Weed Committee will hold their first meeting in April or May to consider possible changes to the list. This committee meeting is open to the public and participation is welcome. All suggestions will be reviewed and discussed, and presentations may be made by their proponents. If proponent of specific changes to not present enough information, the committee may request additional details from them. Many requests require some degree of research or field verification by committee members.

RESEARCH, FIELD INVESTIGATIONS, AND INITIAL REVIEW OF CHANGES

During May and June, the committee will conduct any needed research on suggested changes to the weed list. This research may include literature searches, surveys of county programs, discussions with other states, and/or field investigations. The committee will develop an initial recommendation for public comment.

FINAL COMMITTEE RECOMMENDATION

The committee will meet again in July to review the results of the research and field investigations and the public comments on the initial recommendations. Proponents are welcome to present additional information to the committee on their suggested changes. This committee meeting is also open to the public and participation is welcome. The committee will vote on their final recommended changes, if any, and prepare a report for the Board. The report will list the recommended changes and all other suggestions, along with a brief summary of the reasons for decision. The committee considers all available information on the biology, behavior, distribution, and control of each suggested species when making a decision to recommend listing as a noxious weed. Additional information may result in a latter decision to remove a species from the list. The committee will work with Board staff to develop informational handouts on any new species being considered for listing. At this point the full Board steps back into the process and they initiate the last two steps:

PUBLIC HEARING

The Board will consider the recommendations from the committee during their September Board meeting and decide on a final proposal. The Board will issue an informational press release on the proposed changes to the general media and to counties, interest groups, and other interested parties. The proposal is published in the State Register. A public hearing will be scheduled, usually in November, to solicit public comment on the proposed changes to the list.

FINAL BOARD CONSIDERATION AND DECISION

The Board will consider the public testimony received and make a final decision on changes to the weed list. The new weed list typically becomes effective in January and the Board actively distributes the new list to interested parties and the general public.

The key to a prioritized and prevention-oriented noxious weed list is accuracy. If the list does not accurately represent what is on the ground, then we will not be directing our resources in the most effective way. The State Noxious Weed Control Board cannot maintain the weed list on their own – your assistance is essential. We need everyone’s eyes and ears to help us keep ahead of the game. You can participate by recommending changes to the list when you hear about or see new species threatening the state, when your knowledge of infestation patterns suggests that a species may not be listed in the correct class, when infestation levels have changed and a Class B designation changes is needed, or when you feel that a species is no longer appropriate for the list. A successful request includes the following information:

- Scientific and common name of the species in question;
- Background on the biology and properties of the species;
- Location and infestation information – where, when, and how much;
- Control history, if available;
- Evidence of behavior in other locations;
- Specific change requested; and
- Reasons for the request.

Not all of this information will be available for all requests, but each item will help the committee to evaluate the request. Please feel free to contact the Washington State Noxious Weed Control Board (360- 902-1901) for samples of past recommendations. Your county noxious weed control board and WSU cooperative extension agent are also good sources of information. Thank you for your interest in protecting Washington’s resources from the devastating impact of noxious weeds!



Tansy ragwort, Senecio jacobaea, a Class B noxious weed, is toxic and can be lethal to cattle and horses.