

Chapter 16-750 WAC

STATE NOXIOUS WEED LIST AND SCHEDULE OF MONETARY PENALTIES

WAC

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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 Repealed by 93-01-004, filed 12/2/92, effective 1/2/93.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.

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.

(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

bean-caper, Syrian
blueweed, Texas
brome, false
broom, Spanish
buffalobur
bulrush, ricefield
clary, meadow
cordgrass, common
cordgrass, dense flower
cordgrass, salt meadow
cordgrass, smooth
crupina, common
flax, surge
four o'clock, wild
geranium, shiny
goatsrue
hawkweed, European
hawkweed, yellow devil
hogweed, giant
hydrilla
johnsongrass
knapweed, bighead
knapweed, Vochin
kudzu
milfoil, variable-leaf
mustard, garlic
nightshade, silverleaf
primrose-willow, floating

Scientific Name

Zygophyllum fabago
Helianthus ciliaris
Brachypodium sylvaticum
Spartium junceum
Solanum rostratum
Schoenoplectus mucronatus
Salvia pratensis
Spartina anglica
Spartina densiflora
Spartina patens
Spartina alterniflora
Crupina vulgaris
Thymelaea passerina
Mirabilis nyctaginea
Geranium lucidum
Galega officinalis
Hieracium sabaudum
Hieracium floribundum
Heracleum mantegazzianum
Hydrilla verticillata
Sorghum halepense
Centaurea macrocephala
Centaurea nigrescens
Pueraria montana var. lobata
Myriophyllum heterophyllum
Alliaria petiolata
Solanum elaeagnifolium
Ludwigia peploides

Common Name	Scientific Name	[Statutory Authority: Chapters 17.10 and 34.05 RCW. 09-01-071, § 16-750-005, filed 12/15/08, effective 1/16/09; 07-24-023, § 16-750-005, filed 11/28/07, effective 1/1/08; 05-24-026, § 16-750-005, filed 11/30/05, effective 12/31/05; 03-04-001, § 16-750-005, 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 17.10.080.96-06-030, § 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.]
rush, flowering	<i>Butomus umbellatus</i>	
sage, clary	<i>Salvia sclarea</i>	
sage, Mediterranean	<i>Salvia aethiopsis</i>	
spurge, eggleaf	<i>Euphorbia oblongata</i>	
starthistle, purple	<i>Centaurea calcitrapa</i>	
sweetgrass, reed	<i>Glyceria maxima</i>	
thistle, Italian	<i>Carduus pycnocephalus</i>	
thistle, milk	<i>Silybum marianum</i>	
thistle, slenderflower	<i>Carduus tenuiflorus</i>	
velvetleaf	<i>Abutilon theophrasti</i>	
woad, dyers	<i>Isatis tinctoria</i>	

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

		Will be a "Class B designate" in all lands lying within:	
(1)	Name		
	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.
	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.
	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.
	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.
	broom, Scotch <i>Cytisus scoparius</i>	(a)	regions 3, 4, 6, 7, 9, 10.
	bryony, white <i>Bryonia alba</i>	(a)	regions 1, 2, 3, 4, 5, 6, 8, 9
		(b)	region 7 except Whitman County
		(c)	Franklin and Asotin counties of region 10.
	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.
	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
		(d)	Asotin County of region 10.
	butterfly bush <i>Buddleja davidii</i>	(a)	Pend Oreille County of region 4
		(b)	Grays Harbor County, and that portion of Thurston County lying below the ordinary high-water mark of the Nisqually River in region 5

		Will be a "Class B designate" in all lands lying within:	
Name			
(10)	camelthorn <i>Alhagi maurorum</i>	(c)	Kittitas County of region 6
		(d)	Lincoln County of region 7.
		(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 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
(11)	carrot, wild <i>Daucus carota</i>	(c)	Franklin, Columbia, Garfield, and Asotin counties of region 10
		(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.
		(a)	regions 3, 7 (except where intentionally cultivated)
		(b)	Spokane and Ferry counties of region 4 (except where intentionally cultivated)
(12)	catsear, common <i>Hypochaeris radicata</i>	(c)	region 6, except Yakima County (except where intentionally cultivated)
		(d)	region 9, except Yakima County (except where intentionally cultivated)
		(e)	region 10, except Walla Walla County (except where intentionally cultivated).
		(a)	regions 3, 4, 6, 7, 10
		(b)	region 9 except Klickitat County.
(13)	chervil, wild <i>Anthriscus sylvestris</i>	(a)	regions 1, 3, 4, 5, 6, 7, 9, 10
		(b)	region 2 except Guemes Island in Skagit County
(14)	cinquefoil, sulfur <i>Potentilla recta</i>	(c)	region 8 except Clark County.
		(a)	regions 1, 3, 8, 10
(15)	daisy, oxeye <i>Leucanthemum vulgare</i>	(b)	region 2 except Skagit County
		(c)	region 4 except Stevens, Ferry, and Pend Oreille counties
		(d)	region 5 except Thurston County
		(e)	region 6 except Yakima County
		(f)	region 7 except Spokane County
		(g)	region 8 except Lewis County
		(h)	region 9 except Klickitat County.
		(a)	regions 7, 10
(16)	elodea, Brazilian <i>Egeria densa</i>	(b)	region 9 except those areas lying within Klickitat and Yakima counties west of Range 13 East
		(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
(17)	fanwort <i>Cabomba caroliniana</i>	(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.
		(a)	regions 1, 2, 3, 4, 5, 6, 7, 9, 10
(18)	fennel, common <i>Foeniculum vulgare</i> (except var. <i>azoricum</i>)	(b)	region 8 except T8N, R3W of Cowlitz County.
		(a)	regions 3, 4, 6, 7, 8, 9, 10
		(b)	region 1 except the incorporated areas of Port Townsend
(19)	fieldcress, Austrian <i>Rorippa austriaca</i>	(c)	region 2 except the incorporated areas of Anacortes and Mount Vernon
		(d)	region 5 except King and Kitsap counties.
		(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.

		Will be a "Class B designate" in all lands lying within:	
Name			
(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, Island, and Whatcom counties of region 2
		(c)	Thurston, Kitsap, Pierce, and King counties of region 5
		(d)	Wahkiakum, Clark, Skamania, 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 1, 3, 6, 9, 10
		(b)	Skagit County of region 2
		(c)	Ferry County of region 4
		(d)	Pierce, Thurston and King counties of region 5
		(e)	Lincoln and Adams counties of region 7
		(f)	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)	helmet, policeman's <i>Impatiens glandulifera</i>	(a)	regions 1, 3, 4, 6, 7, 8, 9, 10
		(b)	region 2 except Whatcom County
		(c)	region 5 except Thurston County.
(29)	herb-Robert <i>Geranium robertianum</i>	(a)	regions 3, 4, 6, 7, 9, 10
(30)	houndstongue <i>Cynoglossum officinale</i>	(a)	Kittitas County of region 6
(31)	indigobush <i>Amorpha fruticosa</i>	(b)	Douglas and Chelan counties of regions 3 and 6.
		(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.
(32)	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.
(33)	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.

		Will be a "Class B designate" in all lands lying within:	
Name			
(34)	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
		(d)	Franklin County of regions 9 and 10.
(35)	knapweed, meadow <i>Centaurea jacea x 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.
(36)	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.
(37)	knapweed, spotted <i>Centaurea stoebe</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.
(38)	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
		(d)	Asotin County of region 10.
(39)	knotweed, giant <i>Polygonum sachalinense</i>	(a)	Kittitas County of region 6
		(b)	Pend Oreille County of region 4
		(c)	Asotin County of region 10.
(40)	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
		(d)	Asotin County of region 10.
(41)	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
		(d)	Asotin County of region 10.
(42)	kochia <i>Kochia scoparia</i>	(a)	Regions 1, 2, 5, 8
		(b)	Pend Oreille County of region 4
		(c)	Kittitas County of region 6.
(43)	laurel, spurge <i>Daphne laureola</i>	(a)	regions 3, 4, 6, 7, 8, 9, 10
		(b)	San Juan, Snohomish and Skagit counties of region 2
		(c)	Grays Harbor and Mason counties of region 5.
(44)	lawnweed <i>Soliva sessilis</i>	(a)	regions 1, 2, 3, 4, 6, 7, 8, 9, 10

Name	Will be a "Class B designate" in all lands lying within:
(45)	lepyrodiolis <i>Lepyrodiolis holosteoides</i>
	(b) region 5 except King and Thurston counties. (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.
(46)	loosestrife, garden <i>Lysimachia vulgaris</i>
	(a) regions 1, 2, 3, 4, 6, 7, 8, 9, 10 (b) region 5 except King County (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.
(47)	loosestrife, purple <i>Lythrum salicaria</i>
	(a) regions 1, 4, 7, 8 (b) region 2 except Snohomish County (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside (d) Grays Harbor, Mason, Kitsap, and Thurston counties of region 5 (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 (f) Pierce County, except those areas lying within T2D, 21, 22N, R1W and R1E, all sections (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 (h) region 9 except Benton County (i) region 10 except Walla Walla County (j) Intercounty Weed Districts No. 51 and No. 52.
(48)	loosestrife, wand <i>Lythrum virgatum</i>
	(a) regions 1, 4, 7, 8 (b) region 2 except Snohomish County (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside (d) region 5 except King County (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 (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 (g) region 9 except Benton County (h) region 10 except Walla Walla County (i) Intercounty Weed Districts No. 51 and No. 52.
(49)	nutsedge, yellow <i>Cyperus esculentus</i>
	(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:

Name	Will be a "Class B designate" in all lands lying within:
	(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
(50) oxtongue, hawkweed <i>Picris hieracioides</i>	(d) region 10 except Walla Walla County.
(51) parrotfeather <i>Myriophyllum aquaticum</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except Skamania County.
(52) pepperweed, perennial <i>Lepidium latifolium</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except Clark, Cowlitz, and Wahkiakum counties. (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.
(53) poison-hemlock <i>Conium maculatum</i>	(a) Clallam County and that area lying within Port Townsend city limits in Jefferson County of region 1 (b) Snohomish and San Juan counties of region 2 (c) Pend Oreille County of region 4 (d) Kitsap and Thurston counties of region 5 (e) Kittitas County of region 6 (f) Lincoln County of region 7 (g) Clark County of region 8.
(54) primrose, water <i>Ludwigia hexapetala</i>	(a) regions 1, 2, 3, 4, 5, 6, 7, 9, 10 (b) region 8 except T8N, R3W, S14 of Cowlitz County.
(55) puncturevine <i>Tribulus terrestris</i>	(a) Skagit County of region 2 (b) Kittitas County of region 6 (c) Adams County (d) Clallam County of region 1.
(56) 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.

Name	Will be a "Class B designate" in all lands lying within:
(57) reed, common, nonnative genotypes <i>Phragmites australis</i>	(a) region 1 (b) Island, San Juan and Snohomish counties of region 2 (c) Okanogan County of region 3 (d) Pend Oreille and Stevens counties of region 4 (e) region 5 except Grays Harbor and Pierce counties (f) Kittitas County of region 6 (g) Yakima County of regions 6 and 9 (h) Lincoln County of region 7 (i) Clark and Lewis counties of region 8 (j) Klickitat County of region 9 (k) Asotin County of region 10.
(58) 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.
(59) sandbur, longspine <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 (e) Asotin County of region 10.
(60) skeletonweed, rush <i>Chondrilla juncea</i>	(a) regions 1, 2, 3, 5, 8 (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) region 9 except the Dallesport area in Klickitat County lying within Township 2N, Ranges 13 and 14 (h) Asotin County of region 10 (i) Garfield County south of Highway 12 (j) 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 (k) 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.
(61) sowthistle, perennial <i>Sonchus arvensis ssp. arvensis</i>	(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.
(62) spurge, leafy <i>Euphorbia esula</i>	(a) regions 1, 2, 3, 4, 5, 6, 8, 9, 10 (b) region 7 except as follows:

Name		Will be a "Class B designate" in all lands lying within:	
		(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.
(63)	spurge, myrtle <i>Euphorbia myrsinites</i> L	(a)	Pend Oreille County of region 4
		(b)	Along the Asotin, Grande Ronde, and Snake rivers and in all other areas that are not an actively cultivated garden in Asotin County of region 10.
(64)	starthistle, yellow <i>Centaurea solstitialis</i>	(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)	lands west of Shumaker Grade and south of Mill Road in Asotin County.
(65)	Swainsonpea <i>Sphaerophysa salicifolia</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.
(66)	thistle, musk <i>Carduus nutans</i>	(a)	regions 1, 2, 3, 5, 6, 7, 8, 9, 10
		(b)	Spokane and Pend Oreille counties.
(67)	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.
(68)	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.
(69)	toadflax, Dalmatian <i>Linaria dalmatica</i> ssp. <i>dalmatica</i>	(a)	regions 1, 2, 5, 8, 10
		(b)	Douglas County of region 3 lying south of T25N and west of R25E

Name	Will be a "Class B designate" in all lands lying within:
	(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: <ul style="list-style-type: none"> (i) those areas lying within Yakima County (ii) those areas lying west of the Klickitat River and within Klickitat County.
(70) 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. 09-01-071, § 16-750-011, filed 12/15/08, effective 1/16/09; 07-24-023, § 16-750-011, filed 11/28/07, effective 1/1/08; 06-24-056, § 16-750-011, filed 12/4/06, effective 1/4/07; 05-24-026, § 16-750-011, filed 11/30/05, effective 12/31/05; 05-01-012, § 16-750-011, 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, § 16-750-011, 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; 97-24-051, § 16-750-011, filed 11/26/97, effective 1/2/98; 97-06-108, § 16-750-011, filed 3/5/97, effective 4/5/97. Statutory Authority: RCW 17.10.080. 96-06-030, § 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; 93-01-004, § 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; 88-18-001 (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), § 16-750-011, filed 3/7/88.]

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

noxious weeds.

Common Name	Scientific Name
archangel, yellow	<i>Laniastrum galeobdolon</i>
babysbreath	<i>Gypsophila paniculata</i>
beard, old man's	<i>Clematis vitalba</i>
bindweed, field	<i>Convolvulus arvensis</i>
blackberry, evergreen	<i>Rubus laciniatus</i>
blackberry, Himalayan	<i>Rubus armeniacus</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, common	<i>Hieracium lachenalii</i>
hawkweed, other 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*)

Common Name	Scientific Name
– long-beaked hawkweed (<i>H. longiberbe</i>)	
– narrow-leaved hawkweed (<i>H. umbellatum</i>)	
– slender hawkweed (<i>H. gracile</i>)	
– western hawkweed (<i>H. albertinum</i>)	
– white-flowered hawkweed (<i>H. albiflorum</i>)	
– woolley-weed (<i>H. scouleri</i>)	
henbane, black	<i>Hyoscyamus niger</i>
iris, yellow flag	<i>Iris pseudacorus</i>
ivy, English, 4 cultivars only:	<i>Hedera hibernica</i> 'Hibernica'
	<i>Hedera helix</i> 'Baltica'
	<i>Hedera helix</i> 'Pittsburgh'
	<i>Hedera helix</i> 'Star'
mayweed, scentless	<i>Matricaria perforata</i>
pondweed, curly-leaf	<i>Potamogeton crispus</i>
rye, cereal	<i>Secale cereale</i>
spikeweed	<i>Hemizonia pungens</i>
St. Johnswort, common	<i>Hypericum perforatum</i>
tansy, common	<i>Tanacetum vulgare</i>
thistle, bull	<i>Cirsium vulgare</i>
thistle, Canada	<i>Cirsium arvense</i>
toadflax, yellow	<i>Linaria vulgaris</i>
water lily, fragrant	<i>Nymphaea odorata</i>
whitetop, hairy	<i>Cardaria pubescens</i>
willow-herb, hairy	<i>Epilobium hirsutum</i>
wormwood, absinth	<i>Artemisia absinthium</i>

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.

(12/15/08)

[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.

[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.

POSITION	VOTING ELIGIBILITY
(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 at least five times per year 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: Chapters 17.10 and 34.05 RCW. 09-01-071, § 16-750-135, filed 12/15/08, effective 1/16/09. 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.]

(12/15/08)

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.]

