

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

STATE NOXIOUS WEED BOARD

(name of governing body)

DEPARTMENT OF AGRICULTURE

(agency name, if applicable)

Resolution No. 21

Administrative Order No. 21

(1) Be it resolved by the State Noxious Weed Board

acting at Ellensburg, Washington (place)

that it does adopt the annexed rules relating to:

The state noxious weed list and a schedule of monetary penalties in chapter 16-750 WAC.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on These rules shall take effect:
[ ] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
[ ] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, the State Noxious Weed Board, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is:

In order to maintain continuity, it is necessary to extend the emergency adoption of rules until the rules are permanently adopted. These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[x] (a) This rule is promulgated pursuant to RCW 17.10.080 as amended by Sec. 8, Ch. 438, laws of 1987; and Sec. 28, Ch. 438 laws of 1937 and is intended to administratively implement that statute.
[ ] (b) This rule is promulgated pursuant to RCW laws of 1937 which directs that the

(agency) has authority to implement the provisions of (name of act or RCW citation)

[ ] (c) This rule is promulgated under the general rule-making authority of the

(agency) as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this governing body, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED January 20, 19 88

STATE OF WASHINGTON FILED

JAN 20 1988

By Art G. Losey Chairperson Pro tem Title

CODE REVISER'S OFFICE WSR 88-03-059

NEW SECTION

WAC 16-750-001 STATE NOXIOUS WEED LIST--PURPOSE. In accordance with RCW 17.10.080 a state noxious weed list comprising 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 hereby adopted in this chapter.

NEW SECTION

WAC 16-750-005 STATE NOXIOUS WEED LIST--CLASS A NOXIOUS WEEDS. Class A noxious weeds are as follows:

(1) All those weeds which have not been reported in the state of Washington as of January 1, 1984, and whose introduction to the state of Washington was not intentional, or whose intentional introduction poses a serious threat to the state for which no control is assured and which is included in one or more of the following publications:

(a) "A Checklist of Names for 3000 Vascular Plants of Economic Importance," by Edward E. Terrell, Steven R. Hill, John H. Wiersema and William E. Rice. USDA-ARS Ag. handbook number 505, revised October 1986;

(b) "A Geographical Atlas of World Weeds," by LeRoy Holm, Juan V. Pancho, James P. Herberger and Donald L. Plucknett. John Wiley and Sons, New York, 1979;

(c) "The World's Worst Weeds, Distribution and Biology," by LeRoy G. Holm, Donald L. Plucknett, Juan V. Pancho and James P. Herberger. University Press of Hawaii, Honolulu, 1977;

(d) "Economically Important Foreign Weeds--Potential Problems in the United States," by Clyde F. Reed, USDA-ARS Ag. handbook number 498, 1977;

(e) The federal noxious weed list, 7.360.200 CFR;

(f) The state noxious weed list of any state; and

(2)

## COMMON NAME

## SCIENTIFIC NAME

blueweed, Texas	<i>Helianthus ciliaris</i>
buffalobur	<i>Solanum rostratum</i>
crupina, common	<i>Crupina vulgaris</i>
garden rocket	<i>Eruca vesicaria</i> spp. <i>sativa</i>
hedgeparsley	<i>Torilis arvensis</i>
johnsongrass	<i>Sorghum halepense</i>
knapweed, bighead	<i>Centaurea macrocephala</i>
knapweed, featherhead	<i>Centaurea trichocephala</i>
knapweed, Vochin	<i>Centaurea nigrescens</i>
mallow, Venice	<i>Hibiscus trionum</i>
nightshade, silverleaf	<i>Solanum elaeagnifolium</i>
rupturewort	<i>Herniaria cineria</i>
snapdragon, dwarf	<i>Chaenorrihinum minus</i>
unicorn-plant	<i>Proboscidea louisianica</i>
velvetleaf	<i>Abutilon theophrasti</i>
woad, dyers	<i>Isatis tinctoria</i>

NEW SECTION

WAC 16-750-011 STATE NOXIOUS WEED LIST--CLASS B NOXIOUS WEEDS. Class B noxious weeds are as follows:

COMMON NAME	SCIENTIFIC NAME
apera, interrupted	Apera interrupta
blueweed	Echium vulgare
broom, Scotch	Cytisus scoparius
bryony, white	Bryonia alba
bugloss, common	Anchusa officinalis
camelthorn	Alhagi pseudalhagi
catsear, spotted	Hypochaeris radicata
daisy, oxeye	Chrysanthemum leucanthemum
dogtailgrass, hedgehog	Cynosurus echinatus
foxtail, slender	Alopecurus myosuroides
goatgrass, jointed	Aegilops cylindrica
gorse	Ulex europaeus
hawkweed, orange	Hieracium aurantiacum
hawkweed, yellow	Hieracium pratense
indigobush	Amorpha fruticosa
knapweed, black	Centaurea nigra
knapweed, brown	Centaurea jacea
knapweed, diffuse	Centaurea diffusa
knapweed, meadow	Centaurea jacea X nigra
knapweed, Russian	Centaurea repens
knapweed, spotted	Centaurea maculosa
lepyrodiclis	Lepyrodiclis holosteoides
lythrum, purple	Lythrum salicaria
medusahead	Taeniatherum caput-medusae
nutsedge, yellow	Cyperus esculentus
oxtongue, hawkweed	Picris hieracioides
peaweed, Austrian	Sphaerophysa salsula
pepperweed, perennial	Lepidium latifolium
ragwort, tansy	Senecio jacobaea
sage, Mediterranean	Salvia aethiopsis
sandbur, longspine	Cenchrus longispinus
skeletonweed, rush	Chondrilla juncea
sowthistle, perennial	Sonchus arvensis
spurge, leafy	Euphorbia esula
starthistle, yellow	Centaurea solstitialis
thistle, musk	Carduus nutans
thistle, plumeless	Carduus acanthoides
thistle, Scotch	Onopordum acanthium
toadflax, Dalmatian	Linaria genistifolia spp. dalmatica
ventenata	Ventenata dubia
watermilfoil, Eurasian	Myriophyllum spicatum

NEW SECTION

WAC 16-750-015 STATE NOXIOUS WEED LIST--CLASS C NOXIOUS WEEDS.  
Class C noxious weeds are as follows:

COMMON NAME	SCIENTIFIC NAME
babysbreath	Gypsophila paniculata
bindweed, field	Convolvulus arvensis
carrot, wild	Daucus carota
cocklebur, spiny	Xanthium spinosum
cress, hoary	Cardaria draba
dodder	Cuscuta spp.
henbane, black	Hyoscyamus niger
houndstongue	Cynoglossum officinale
jimsonweed	Datura stramonium
kochia	Kochia scoparia
mullein, common	Verbascum thapsus
nightshade, bitter	Solanum dulcamara

COMMON NAME	SCIENTIFIC NAME
poison-hemlock	Conium maculatum
puncturevine	Tribulus terrestris
quackgrass	Agropyron repens
rye, cereal	Secale cereale
St. Johnswort, common	Hypericum perforatum
tansy, common	Tanacetum vulgare
toadflax, yellow	Linaria vulgaris
thistle, bull	Cirsium vulgare
thistle, Canada	Cirsium arvense
whitetop, hairy	Cardaria pubescens
wormwood, absinth	Artemisia absinthium

NEW SECTION

WAC 16-750-900 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 such weeds in accordance with chapter 17.10 RCW and the rules and regulations in force pursuant thereto shall be assessed as follows:

(a) Any class A noxious weed:

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

(b) Any class B noxious weed that has been designated for control 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 noxious weed that has not been designated for control 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 shall 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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-750-010 PROPOSED NOXIOUS WEED LIST.