



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (4/25/96)

Agency:
WA State Noxious Weed Control Board

- Permanent Rule**
- Emergency Rule**
- Expedited Repeal**

(1) Date of adoption: January 21, 1997

(2) Purpose: The State Noxious Weed Board has amended the State Noxious Weed List to add species determined to be noxious and to change areas designated for control of some noxious weeds. Additional changes were made to clarify aquatic noxious weed control standards and civil infraction units and to streamline state weed board officer nominations and terms of office.

(3) Citation of existing rules affected by this order:
Repealed:
Amended: WAC 16-750.003, .005, .011, .015, .020, and .130
Suspended:

(4) Statutory authority for adoption: Chapter 17.10 RCW
Other authority:

PERMANENT RULE ONLY

Adopted under notice filed as WSR 96-20-112 on 10-2-96 (date).

Describe any changes other than editing from proposed to adopted version:

One species proposed for listing as a Class C noxious weed was not listed. One species proposed for listing as a Class C noxious weed was listed as a Class A noxious weed.

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date).

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

(6) Effective date of rule:

**Permanent Rules
or Expedited Repeal**

- 31 days after filing
- Other (specify) _____*

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Emergency Rules

- Immediately
- Later (specify) _____

NAME (TYPE OR PRINT)
Laurie McLellan

SIGNATURE
Laurie McLellan

TITLE Executive Secretary

DATE 3-4-97

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAR 5 1997

TIME 8:50 AM
PM

WSR 97-06-108

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New _____	Amended _____	Repealed _____
Federal rules or standards:	New _____	Amended _____	Repealed _____
Recently enacted state statutes:	New _____	Amended _____	Repealed _____

The number of sections adopted at the request of a nongovernmental entity:

New _____ Amended 1 Repealed _____

The number of sections adopted on the agency's own initiative:

New _____ Amended 6 Repealed _____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New _____ Amended 3 Repealed _____

The number of sections adopted using:

Negotiated rule making:	New _____	Amended _____	Repealed _____
Pilot rule making:	New _____	Amended _____	Repealed _____
Other alternative rule making:	New _____	Amended _____	Repealed _____

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

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

(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) "Person" means any individual, partnership, corporation, firm, or any other entity.

(g) "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.

(h) "Meeting" means meetings at which action is taken.

(i) "Regular meetings" means recurring meetings held in accordance with a periodic schedule declared by statute or rule.

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

(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.

AMENDATORY SECTION (Amending WSR 96-06-030, filed 2/29/96, effective 3/31/96)

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

Common Name	Scientific Name
bean-caper, Syrian	Zygophyllum fabago
blueweed, Texas	Helianthus ciliaris
buffalobur	Solanum rostratum
<u>clary, meadow</u>	<u>Salvia sclarea</u>
cordgrass, salt meadow	Spartina patens
crupina, common	Crupina vulgaris
four o'clock, wild	Mirabilis nyctaginea
hawkweed, mouseear	Hieracium pilosella
hogweed, giant	Heracleum mantegazzianum
hydrilla	Hydrilla verticillata
johnsongrass	Sorghum halepense
knapweed, bighead	Centaurea macrocephala
knapweed, Vochin	Centaurea nigrescens
mallow, Venice	Hibiscus trionum
nightshade, silverleaf	Solanum elaeagnifolium
peganum	Peganum harmala
sage, Mediterranean	Salvia aethiopsis
starthistle, purple	Centaurea calcitrapa
thistle, Italian	Carduus pycnocephalus
thistle, milk	Silybum marianum
thistle, slenderflower	Carduus tenuiflorus
unicorn-plant	Proboscidea louisianica
velvetleaf	Abutilon theophrasti
woad, dyers	Isatis tinctoria

AMENDATORY SECTION (Amending WSR 96-06-030, filed 2/29/96, effective 3/31/96)

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) 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.
(2) 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.
- (3) broom, Scotch
Cytisus scoparius
- (4) bryony, white
Bryonia alba
- (5) bugloss, common
Anchusa officinalis
- (6) bugloss, annual
Anchusa arvensis
- (7) fanwort
Cabomba caroliniana
- (8) camelthorn
Alhagi maurorum
- (9) catsear, common
Hypochaeris radicata
- (10) cinquefoil, sulfur
Potentilla recta
- (a) regions 3,4,6,7,9,10.
- (a) regions 1,2,3,4,5,6,8,9
(b) region 7 except Whitman County
(c) Franklin County of region 10.
- (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.
- (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.
- (a) regions 1,2,3,4,5,6,7,9,10
(b) region 8 except T8N, R3W of Cowlitz County.
- (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
(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 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 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 3,4,6,7,((9))10
(b) region 9 except Klickitat County.
- (a) regions 1,3,((6))8,10
(b) region 2 except Skagit County

- (11) Cordgrass, smooth
Spartina alterniflora
- (12) cordgrass, common
Spartina anglica
- (13) daisy, oxeye
Leucanthemum vulgare
- (14) deadnettle, hybrid
Lamium hybridum
- (15) elodea, Brazilian
Egeria densa
- (16) fieldcress, Austrian
Rorippa austriaca
- (17) gorse
Ulex europaeus
- (18) hawkweed, orange
Hieracium aurantiacum
- (19) hawkweed, yellow
Hieracium caespitosum
- (20) hedgeparsley
Torilis arvensis
- (21) indigobush
Amorpha fruticosa
- (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
- ~~((f))~~ (g) region 8 except Lewis County
- ~~((g))~~ (h) region 9 except Klickitat County.
- (a) regions 1,3,4,5,6,7,9,10
- (b) region 2 except ~~((bays and estuaries))~~ Padilla Bay of Skagit County
- (c) region 8 except bays and estuaries of Pacific County.
- (a) regions 1,3,4,5,6,7,8,9,10
- (b) region 2 except bays and estuaries of Skagit~~((,))~~ and Island~~((, and Snohomish))~~ counties and except bays and estuaries north of Everett in Snohomish County.
- (a) regions 7,10
- (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 1,3,4,5,6,7,8,9,10
- (b) region 2 except Skagit County.
- (a) regions 3,4,6,7,9,10
- (b) Lewis County of region 8.
- (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.
- (a) regions 3,4,6,7,9,10
- (b) Skagit County of region 2
- (c) Thurston and Pierce counties of region 5
- (d) Wahkiakum, Cowlitz, and Lewis counties of region 8.
- (a) regions 3,6,9,10
- (b) Ferry County of region 4
- (c) Thurston County of region 5
- (d) Lincoln and Adams counties of region 7.
- (a) regions 1,2,3,5,6,7,8,~~((9,))~~10
- (b) region 4 except north of T32N in Pend Oreille County and east Highway 395 and north of Highway 20 in Stevens County
- (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.
- (a) regions 1,2,3,4,5,6,7,8,10
- (b) Yakima, Benton, Franklin counties
- (c) Klickitat County except those lands lying within T4N, R10E, R11E, R12E, R13E, R14E; T3N, R10E, R11E, R12E, R13E; T2N, R12E, R13E.
- (a) regions 1,2,3,4,5,6
- (b) regions 7 and 10 except within 200 feet of the Snake River from Central Ferry downstream

- (22) knapweed, black
Centaurea nigra
- (23) knapweed, brown
Centaurea jacea
- (24) knapweed, diffuse
Centaurea diffusa
- (25) knapweed, meadow
Centaurea jacea x nigra
- (26) knapweed, Russian
Acroptilon repens
- (27) knapweed, spotted
Centaurea biebersteinii
- (28) kochia
kochia scoparia
- (29) lepyrodiclis
Lepyrodiclis holosteoides
- ((29)) (30) loosestrife, garden
Lysimachia vulgaris
- ((30)) (31) loosestrife, purple
Lythrum salicaria
- (c) regions 8, 9, and 10 except within 200 feet of the Columbia River.
- (a) regions 1,2,3,4,5,7,9,10
- (b) region 6 except Kittitas County
- (c) region 8 except Clark County.
- (a) regions 1,2,3,4,5,7,9,10
- (b) region 6 except Kittitas County
- (c) region 8 except Clark County.
- (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.
- (a) regions 1,2,3,4,5,7,9,10
- (b) region 6 except Kittitas County
- (c) region 8 except Clark County.
- (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.
- (a) regions 1,2,3,5,6,8,9
- (b) Ferry County of region 4
- (c) Adams and Whitman counties of region 7
- (d) region 10 except Garfield County.
- (a) Pend Oreille County of region 4
- (b) Kittitas County of region 6.
- (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.
- (a) regions 1,2,3,4,6,7,8,9,10
- (b) region 5 except King County.
- (a) regions 1,4,7,8
- (b) region 2 except Snohomish County

~~((34))~~ (32) loosestrife, wand
Lythrum virgatum

~~((32))~~ (33) nutsedge, yellow
Cyperus esculentus

- (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 the area west of the Urban Growth Line, as defined in the King County Comprehensive Plan, and south of I-90, but not including Vashon Island, of King County
- (e) 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
- (f) region 9 except Benton County
- (g) region 10 except Walla Walla County
- (h) Intercounty Weed Districts No. 51 and No. 52.
- (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) 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
- (f) region 9 except Benton County
- (g) region 10 except Walla Walla County
- (h) 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:
 - (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

(d) region 10 except Walla Walla County.

- (a) regions 1,2,3,4,5,6,7,9,10
- (b) region 8 except Skamania County.
- (a) regions 1,2,3,4,5,6,7,9,10
- (b) region 8 except Clark, Cowlitz, and Wahkiakum counties.

~~((33))~~ (34) oxtongue,
hawkweed
Picris hieracioides
~~((34))~~ (35) parrotfeather
Myriophyllum aquaticum

~~((35))~~ (36) pepperweed,
perennial
Lepidium latifolium

- (a) regions 1,2,3,4,5,7,8,10
- (b) Grant County lying northerly of Township 21, North, W.M.
- (c) Intercounty Weed Districts No. 51 and 52
- (d) Kittitas County of region 6
- (e) Adams County of region 6 except for the area west of Highway 17 and north of Highway 26.

(37) puncturevine
Tribulus terrestris
~~((36))~~ (38) ragwort, tansy
Senecio jacobaea

- (a) Kittitas County of region 6.
- (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.

- ((37)) (39) sandbur, longspine
Cenchrus longispinus
- ((38)) (40) skeletonweed, rush
Chondrilla juncea
- ((39)) (41) sowthistle, perennial
Sonchus arvensis
ssp. arvensis
- ((40)) (42) spurge, leafy
Euphorbia esula
- (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
- (a) regions 1,2,3,5,8,9
(b) Franklin County except T13N, R36E; and T14N, R36E
(c) Adams County except those areas lying west 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 E Northwest
(e) ~~(Pend Oreille and)~~ Stevens ~~(counties)~~ county north of Township 33 North of region 4
(f) Ferry ~~(County)~~ and Pend Oreille counties of region 4
(g) Asotin County of region 10
(h) Garfield and Columbia counties south of Highway 12
(i) 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,~~(5,)~~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.
- (a) regions 1,2,3,4,5,6,8,9,10
(b) region 7 except as follows:
(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.

- ((41)) (43) starthistle, yellow
Centaurea solstitialis
- (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, 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.
- ((42)) (44) Swainsonpea
Sphaerophysa salsula
- (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.
- ((43)) (45) thistle, musk
Carduus nutans
- ((44)) (46) thistle, plumeless
Carduus acanthoides
- (a) regions 1,2,3,5,6,7,8,9,10
 - (b) Spokane and Pend Oreille counties.
- ((45)) (47) thistle, Scotch
Onopordum acanthium
- (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.
- ((46)) (48) toadflax, Dalmatian
Linaria dalmatica
ssp. dalmatica
 - (a) regions 1,2,5,8,10
 - (b) Kittitas, Chelan, Douglas, and Adams counties of region 6
 - (c) Intercounty Weed District No. 51
 - (d) Weed District No. 3 of Grant County
 - (e) Lincoln and Adams counties
 - (f) The western two miles of Spokane County of region 7
 - (g) 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.
- ((47)) (49) watermilfoil, Eurasian
Myriophyllum spicatum
 - (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.

AMENDATORY SECTION (Amending WSR 96-06-030, filed 2/29/96, effective 3/31/96)

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

Common Name	Scientific Name
babysbreath	<i>Gypsophila paniculata</i>
bindweed, field	<i>Convolvulus arvensis</i>
canarygrass, reed	<i>Phalaris arundinacea</i>
carrot, wild	<i>Daucus carota</i>
chervil, wild	<i>Anthriscus sylvestris</i>
cockle, white	<i>Silene latifolia</i> ssp. <i>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>
henbane, black	<i>Hyoscyamus niger</i>
houndstongue	<i>Cynoglossum officinale</i>
knotweed, Japanese	<i>Polygonum cuspidatum</i>
(kochia	<i>Kochia scoparia</i>)
mayweed, scentless	<i>Matricaria perforata</i>
mullein, common	<i>Verbascum thapsus</i>
nightshade, bitter	<i>Solanum dulcamara</i>
poison-hemlock	<i>Conium maculatum</i>
(puncturevine	<i>Tribulus terrestris</i>)
rocket, garden	<i>Eruca vesicaria</i> ssp. <i>sativa</i>
rye, cereal	<i>Secale cereale</i>
saltcedar	<i>Tamarix</i> species
snapdragon, dwarf	<i>Chaenorrhinum minus</i>
spikeweed	<i>Hemizonia pungens</i>

St. Johnswort, common
tansy, common
toadflax, yellow
thistle, bull
thistle, Canada
whitetop, hairy
wormwood, absinth

Hypericum perforatum
Tanacetum vulgare
Linaria vulgaris
Cirsium vulgare
Cirsium arvense
Cardaria pubescens
Artemisia absinthium

AMENDATORY SECTION (Amending WSR 93-01-004, filed 12/2/92, effective 1/2/93)

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 such weeds in accordance with chapter 17.10 RCW and the rules and regulations in force pursuant thereto shall be assessed ~~((as follows))~~ the following monetary penalties. The penalties shall be 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 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

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

(1) The officers of the board shall be chairperson, vice-chairperson, and secretary. The title of chief administrative officer shall be the executive secretary.

(2) Duties of officers.

(a) The chairperson shall preside at all meetings of the board, has the power to appoint committees, shall act 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 shall perform such other duties as pertain to the office.

(b) The vice-chairperson shall perform the duties of the chairperson in his or her absence, shall act as an ex officio member of all committees, and any other duties delegated by the chairperson. The vice-chairperson shall assume the duties of and serve out the term of the chairperson upon permanent departure of same.

(c) The secretary shall be the official keeper of the minutes and shall approve them and present the minutes to the board for adoption. In the absence of the chairperson and vice-chairperson, the secretary will perform the duties of the chairperson.

(d) The duty of the executive secretary, in addition to administrative duties assigned elsewhere in this chapter, will be 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 shall be for twelve months effective July 27 of the year elected and ending July 26 of the following year. (~~Officers may serve for and be reelected for a maximum of three consecutive terms.~~)

(4) Election of officers. (~~The nominating committee shall be responsible for presenting nominations for officers. The board chairperson shall appoint a nominating committee in May. This nominating committee shall consist of not less than three voting members: One from the west side of the state, one from the east side, and one member at large. The nominations shall be presented and elections~~) Elections will be held at the first meeting of the fiscal year in July. Officers shall be 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.