

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

State of Washington

NOXIOUS WEED CONTROL BOARD

(name of governing body)

DEPARTMENT OF AGRICULTURE

(agency name, if applicable)

Resolution No. 19

Administrative Order No. 19

(1) Be it resolved by the State Noxious Weed Control 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; amending 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 Control 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: statutory changes contained in chapter 438, law of 1987 necessitate the immediate amendment of this chapter in order to avoid interruptions in local noxious weed control programs. 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 and is intended to administratively implement that statute. laws of 1987; and sec. 28, ch. 438, laws of 1987.
[ ] (b) This rule is promulgated pursuant to RCW 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 July 27, 1987 FILED

JUL 27 1987

CODE REVISER'S OFFICE WSR 87-16-030

By [Signature] Chairperson Title

Chapter 16-750 WAC  
STATE NOXIOUS WEED CONTROL BOARD (~~(PROPOSED~~  
~~NOXIOUS WEED LIST)~~)

WAC 16-750-010 (~~(Proposed)~~) State noxious weed list. In accordance with RCW 17.10-080 as amended by section 8, chapter 438, laws of 1987, a (~~(proposed)~~) state noxious weed list comprising the names of those plants which the state noxious weed control board finds when established to be (~~(injuriously to crops, livestock, or other property)~~) highly destructive, competitive, or difficult to control by cultural or chemical practices is hereby adopted as follows:

Class C noxious weeds:

**English or  
common name**

**Botanical or  
scientific name**

Austrian fieldcress	Rorippa austriaca
Austrian peaweed	Sphaerophysa salsula
Baby's Breath	Gypsophila paniculata
Bindweed, field	Convolvulus arvensis
Bindweed, hedge	Convolvulus sepium
Black Henbane	Hyoscyamus niger
Blue Lettuce	Lactuca pulchella
Blueweed, Texas	Helianthus ciliaris
Bracken, western	Pteridium aquilinum
Camelthorn	Alhagi camelorum
Canada Thistle	Cirsium arvense
Dalmation Toadflax	Linaria dalmatica
Gorse	Ulex europaeus
Hairy whitetop	Cardaria pubescens
Hoary Cress or White Top	Cardaria draba
Hydrilla	Hydrilla verticillata
Johnsongrass	Sorghum halepense
Leafy Spurge	Euphorbia esula
Mullein, common	Verbascum thapsus
Nightshade, bitter	Solanum dulcamara
Nightshade, silverleaf	Solanum elaeagnifolium
Nutsedge, yellow	Cyperus esculentus
Oxeye Daisy	Chrysanthemum leucanthemum
Pepperweed, perennial	Lepidium latifolium
Quackgrass	Agropyron repens
Rush Skeletonweed	Chondrilla juncea

**English or  
common name**

St. Johnswort  
Scotch Broom  
Sowthistle, perennial  
Tansy, common  
Waterhemlock, western  
Watermilfoil, Eurasian  
Wormwood, Absinthe  
Yellow Toadflax  
Bull Thistle  
Houndstongue  
Musk Thistle  
Plumeless Thistle  
Poison Hemlock  
Scotch Thistle  
Tansy Ragwort  
Wild carrot or Queen  
Annes lace  
Cocklebur  
Dodder  
Goatgrass, jointed  
Kochia  
Medusahead  
Puncturevine  
Rye  
Sandbur, longspine  
Orange Hawkweed  
Yellow Hawkweed  
Dyers woad  
Knapweed, black  
Knapweed, brown  
Knapweed, diffuse  
Knapweed, meadow  
Knapweed, russian  
Knapweed, spotted  
Knapweed, short fringed  
Yellow Starthistle

**Botanical or  
scientific name**

Hypericum perforatum  
Cytisus scoparius  
Sonchus arvensis  
Tanacetum vulgare  
Cicuta douglasii  
Myriophyllum spicatum  
Artemisia absinthium  
Linaria vulgaris  
Cirsium vulgare  
Cynoglossum officinale  
Carduus nutans L.  
Carduus acanthoides  
Conium maculatum  
Onopordum acanthium  
Senecio jacobaea  
  
Daucus carota  
Xanthium spp.  
Cuscuta spp.  
Aegilops cylindrica  
Kochia scoparia  
Taeniatherum asperum  
Tribulus terrestris  
Secale cereale L.  
Cenchrus longispinus  
Hieracium aurantiacum L.  
Hieracium pratense  
Isatis tinctoria  
Centaurea nigra  
Centaurea jacea  
Centaurea diffusa  
Centaurea pratensis  
Centaurea repens  
Centaurea maculosa  
Centaurea nigrescens  
Centaurea solstitialis

**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 (5) 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 (5) 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 (5) 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 (5) 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 (5) years \$ 500  
2nd offense 750  
3rd and any subsequent offense 1,000