



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: WASHINGTON STATE NOXIOUS WEED CONTROL BOARD

Permanent Rule

Emergency Rule

(1) Date of adoption: November 18, 1992

(2) Purpose: To amend the state noxious weed list and add to this chapter rules of practice and procedure for the Washington State Noxious Weed Control Board.

(3) Citation of existing rules affected by this order:

Repealed: WAC 16-750-900 and WAC 16-750-950

Amended: WAC 16-750-003, -005, -011, -015,

Suspended:

(4) Authority for adoption:

Statute: Chapter 17.10 R.C.W.

Other Authority:

(5.1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 92-20-081 on October 6, 1992 (date).

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

The Washington State Noxious Weed Control proposed to designate yellow nutsedge in Walla Walla County which would have required prevention of all seed production in this county. Because of public testimony opposing this action yellow nutsedge will not be designated in Walla Walla County at this time.

(5.2) EMERGENCY RULE ONLY

Pursuant to 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:

(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

Emergency Rules

31 days after filing

Immediately

Other (specify) _____ *

Later (specify) _____

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

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

Ray Fann

SIGNATURE

Ray Fann by Catherine Hovanic AS Exec. Sec.

TITLE
Chairman, WA State Noxious Weed Board

DATE
12/2/92

3:52
93-01-004⁰

AMENDATORY SECTION (Amending WSR 91-24-072, filed 12/2/91, effective 1/2/92)

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" ((and "state board")) means the Washington state noxious weed control board ((of this state)), or a duly authorized representative.

~~((b))~~ (c) "Director" means the director of the department of agriculture ((of this state)), or ((a duly authorized)) the director's appointed representative.

~~((c))~~ (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.

~~((d))~~ (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.

(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 ((whose introduction to the state of Washington was not intentional, or whose intentional introduction poses)) that pose a serious threat to the state ((for which no containment is assured by the owner)).

(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 re any other noxious weed.

(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 91-24-072, filed 12/2/91, effective 1/2/92)

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 |
| ((ehervil, wild)) | ((Anthriscus sylvestris)) |
| cordgrass, salt meadow | Spartina patens |
| crupina, common | Crupina vulgaris |
| four o'clock, wild | Mirabilis nyctaginea |
| hawkweed, mouseear | Hieracium pilosella |
| ((hedgeparsley)) | ((Feris arvensis)) |
| hogweed, giant | Heracleum mantegazzianum |
| johnsongrass | Sorghum halepense |
| knapweed, bighead | Centaurea macrocephala |
| knapweed, Vochin | Centaurea nigrescens |
| mallow, Venice | Hibiscus trionum |
| nightshade, silverleaf | Solanum elaeagnifolium |
| peganum | Peganum hamala |
| sage, Mediterranean | Salvia aethiopsis |
| ((snapdragon, dwarf)) | ((Chaenorhinum minus)) |
| starthistle, purple | Centaurea calcitrapa |
| thistle, Italian | Carduus pycnocephalus |
| thistle, milk | Silybum marianum |
| thistle, slenderflower | Carduus tenuiflorus |
| unicom-plant | Proboscidea louisianica |
| velvetleaf | Abutilon theophrasti |
| woad, dyers | Isatis tinctoria |

AMENDATORY SECTION (Amending WSR 91-24-072, filed 12/2/91, effective 1/2/92)

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 ((and Whitman counties)) <u>County</u> of region 7. |

blueweed
Echium vulgare

- (3) broom, Scotch
Cytisus scoparius
- (4) bryony, white
Bryonia alba
- (5) bugloss, common
Anchusa officinalis
- (6) bugloss, annual
Anchusa arvensis
- (7) camelthorn
Alhagi pseudalhagi

- (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.
- 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) ((Ferry County of region 4)) region 4 except Stevens and Spokane counties
- (c) Lincoln, Adams, and Whitman counties of region 7
- ((d)) Pend Oreille County north of the northernmost boundary of T-33N.)
- (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 1,2,3,4,5,7,8,9
- (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
- (c) ((T16N, R29E; T16N, R30E; T15N, R28E except Sec. 5; T15N, R29E; T15N, R30E
- (d)) Franklin, Columbia, Garfield, and Asotin counties of region 10
- ((e)) (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.
- (8) catsear, common
Hypochaeris radicata
- (9) Cordgrass, smooth
Spartina alterniflora
- (10) cordgrass, common
Spartina anglica
- (11) daisy, oxeye
Chrysanthemum leucanthemum
- (12) deadnettle, hybrid
Lamium hybridum
- ((13)) dogtailgrass, hedgehog
Cynosurus echinatus
- (14) Fieldcress, Austrian
Rorippa austriaca
- (15) ((goatgrass, jointed
Aegilops cylindrica
- (16)) gorse
Ulex europaeus
- ((17)) (16) hawkweed, orange
Hieracium aurantiacum
- ((18)) (17) hawkweed, yellow
Hieracium pratense
- (18) hedge parsley
Torilis arvensis
- (a) regions 3,4,6,7,9,10.
- (a) regions 1,3,4,5, 6,7,9,10
- (b) region 2 except bays and estuaries 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, Island, and Snohomish counties.
- (a) regions ((6,))7,((9,))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 3,4,6,7,10~~
- (b) ~~region 9 except Klickitat County.)~~
- (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 1,2,5,8~~
- (b) ~~Ferry County of region 4~~
- (c) ~~Grant and Adams counties of region 6~~
- (d) ~~Franklin County of regions 9 and 10~~
- (e) ~~Intercounty Weed District No. 51.~~
- (a) regions 3,4,6,7,9,10
- (b) Skagit County of region 2
- (c) Thurston and Pierce counties of region 5
- ((e)) (d) Wahkiakum and Cowlitz 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.
- (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.

- idigobush
Amorpha fruticosa
- (20) knapweed, black
Centaurea nigra
- (21) knapweed, brown
Centaurea jacea
- (22) knapweed, diffuse
Centaurea diffusa
- (23) knapweed, meadow
Centaurea jacea x nigra
- (24) knapweed, Russian
*Acroptilon
 repens*
- (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.
- (a) regions 1,2,3,4,5,7,9,10
 (b) region 6 except Kititas
 County
 (c) region 8 except Clark County.
- (a) regions 1,2,3,4,5,7,9,10
 (b) region 6 except Kititas
 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 East; those
 portions of Townships 22
 through 28N, Ranges 28
 through 30 E.; those
 portions of Township 22
 through 28N., Ranges 23
 through 30 E. lying in
 Grant County; all W.M.
- (c) ((Adams County except those
 areas within T15N, R36E,
 Section 36; T15N, R37E,
 Sections 22,23,24,25,26,27,28,
 31,32,33 and 34; T15N, R38E,
 Sections 2,10,11,14,15,19 and
 20; T16N, R38E, Sections 34
 and 35; T17N, R37E, Sections
 5 and 6; T18N, R37E, Sections
 29,30,31 and 32))
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 Kititas
 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 Reserva-
 tion within Ferry County
- (c) Adams County ((except those
 areas in the Main Land Coulee
 Drainage area of T17N, R32E,
 Sections 19,20,25,27,28,29,32,
 33,34,35 and 36; T17N, R33E,
 Sections 16,17,19,20 and 30;
 and those areas within the
 Lower Crab Creek drainage area

(25) knapweed, spotted
Centaurea maculosa

(26) lepyrodielis
Lepyrodiclis holsteoides

(27) loosestrife, garden
Lysimachia vulgaris

(28) loosestrife, purple
Lythrum salicaria

(29) loosestrife, wand
Lythrum virgatum

of T15N, R28E, sections
6; and the western half of
T16N, R28E)) of region 6

- (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) 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
- (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 1,4,7,8
- (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

(30) nutsedge, yellow
Cyperus esculentus

(31) oxtongue, hawkweed
Picris hieracioides

(32) pepperweed, perennial
Lepidium latifolium

(33) ragwort, tansy
Senecio jacobaea

(34) sandbur, longspine
Cenchrus longispinus

- of the section line of the location of County Road 11 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:
((i)) those areas lying between State Highway 26 and State Highway 28, and westerly of Dodson Road in Grant County, and except ((5)) S 1/2, Sec. 2, T20N, R25E., W.M.
((ii) ~~those areas lying in Yakima County~~)
- (c) region 9 except:
(i) ((~~those areas lying in Yakima County~~))
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 1,2,3,4,5,7,8,10
- (b) Grant County lying northerly of Township 21, North, W.M.
- (c) Intercounty Weed Districts No. 51 and 52.
- (a) regions 3,4,6,7,9,10.
- (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.

keletonweed, rush
Chondrilla juncea

- (a) regions 1,2,3,5,8,9
- (b) Franklin County except T13N, R36E; and T14N, R36E
- (c) Adams County except those areas lying east of a boundary line running north from Franklin County along the western boundary of Range 36 East to State Highway 26 then east on State Highway 26 to State Highway 261 then north on State Highway 261 to Sutton Road then east on Sutton Road to Snyder Road then north on Snyder Road extended to Providence Road then west on Providence Road to Klein Road then north on Klein Road to Wellsandt Road then east on Wellsandt Road to Interstate 90 then east on I-90 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 north of Township 33 North
- (f) Ferry County
- (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.

- (36) sowthistle, perennial
Sonchus arvensis arvensis
- (37) spurge, leafy
Euphorbia esula

- (a) regions 1,2,3,4,5,7,8,9,10.
- (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.

- (38) starthistle, yellow
Centaurea solstitialis

- (a) regions 1,2,3,4,5,6,8
- (b) 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

- (c) Franklin County
 (d) region 9 except Klickitat County
 (e) 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.
- (39) Swainsonpea
Sphaerophysa salsida
 (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.
- (40) thistle, musk
Carduus nutans
 (a) regions 1, 2, 3, 5, 6, 7, 8, 9, 10
 (b) Spokane and Pend Oreille counties.
- (41) thistle, plumeless
Carduus acanthoides
 (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.
- (42) 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.
- (43) toadflax, Dalmatian
Linaria genistifolia
spp. dalmatica
 (a) regions 1, 2, 5, 8, 10
 (b) Kittitas, Chelan, Douglas, Adams counties of region 6
 (c) Intercountry 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

(44) watermilfoil,
Eurasian
Myriophyllum spicatum

- (g) region 9 except as follow
 - (i) those areas lying within Yakima County
 - (ii) those areas lying west of the Klickitat River and within Klickitat County.
- (a) regions 1,8,9,10
- (b) region 7 except Spokane County.

AMENDATORY SECTION (Amending WSR 91-24-072, filed 12/2/91, effective 1/2/92)

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

| Common Name | Scientific Name |
|----------------------------|-----------------------------------|
| babysbreath | Gypsophila paniculata |
| bindweed, field | Convolvulus arvensis |
| carrot, wild | Daucus carota |
| catchfly, conical | Silene conoidea |
| <u>chervil, wild</u> | <u>Anthriscus sylvestris</u> |
| cocklebur, spiny | Xanthium spinosum |
| cress, hoary | Cardaria draba |
| dodder, smoothseed alfalfa | Cuscuta approximata |
| garden rocket | Eruca vesicaria spp. sativa |
| <u>goatgrass, jointed</u> | <u>Aegilops cylindrica</u> |
| henbane, black | Hyoscyamus niger |
| houndstongue | Cynoglossum officinale |
| kochia | Kochia scoparia |
| mayweed, scentless | Matricaria maritima var. agrestis |
| mullein, common | Verbascum thapsus |
| nightshade, bitter | Solanum dulcamara |
| poison-hemlock | Conium maculatum |
| puncturevine | Tribulus terrestris |
| rye, cereal | Secale cereale |
| <u>snapdragon, dwarf</u> | <u>Chaenorrhinum minus</u> |
| spikeweed | Hemizonia pungens |
| St. Johnswort, common | Hypericum perforatum |
| tansy, common | Tanacetum vulgare |
| toadflax, yellow | Linaria vulgaris |
| thistle, bull | Cirsium vulgare |
| thistle, Canada | Cirsium arvense |
| whiteweed, hairy | Cardaria pubescens |
| wormwood, absinth | Artemisia absinthium |

NEW SECTION

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:

(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 |

NEW SECTION

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 legal or regulatory aspect to this list. Reasons for plant inclusion on the monitor list include:

(1) A 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) A 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 from Washington.

Native species c 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 and will require a sponsor for monitoring. The current monitor list is kept in the state noxious weed board office.

NEW SECTION

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.

NEW SECTION

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 designate 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, 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) Employee, an executive secretary use qualifications, duties, and responsibilities are set forth in this chapter and RCW 17.10.060;

(10) Preparing and distributing a biennial written report showing the funds disbursed by the department to each noxious weed control board or weed district, specifying how the funds were spent, 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.

NEW SECTION

WAC 16-750-110 State noxious weed control board--Mission.

The mission of the board is to serve as responsible stewards of the land and resources of Washington by protecting and preserving the agricultural lands and natural resources of the state from the degrading impact of exotic, invasive 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.

NEW SECTION

WAC 16-750-115 State noxious weed control board--Membership.

The board shall be comprised of nine voting members and three nonvoting members selected as follows:

(1) Four of the members shall be 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 such members shall be elected from the west side of the state, the crest of the Cascades being the dividing line, and two from the east side of the state.

(2) The director shall be a voting member.

(3) One member shall be elected by the directors of activated weed districts formed under chapter 17.04 or 17.06 RCW.

(4) The Washington state association of counties shall appoint one voting member who shall be a member of a county legislative authority.

(5) The director shall appoint two voting members to represent the public interest, one from the west side and one from the east side of the state.

(6) The director shall appoint three nonvoting members representing scientific disciplines relating to weed control.

NEW SECTION

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

(2) The board shall call for nominations to elected positions sixty days prior to expiration of position terms.

(3) The board shall send ballots to eligible activated county noxious weed control boards or weed district directors by regular mail forty-five days prior to expiration of each position term.

(4) Ballots shall be returned no later than thirty days before expiration of each term.

(5) The board chairperson shall appoint a committee to count ballots and certify elections thirty days prior to expiration of each term.

(6) Results of elections shall be announced prior to the next scheduled board meeting.

(7) For the purpose of conducting nominations or elections, the board shall use 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 shall complete a certificate of nomination, and shall return it to the board postmarked by the date specified.

(11) The board shall create 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 such election shall 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 thereon.

(14) The candidate receiving the highest number of votes shall be deemed elected: *Provided*, That if such candidate fails to receive more than fifty percent of the votes cast in an election, a second election shall be held between such candidate and the candidate receiving the next highest votes and: *Provided further*, That if there is only one candidate, said candidate shall be deemed elected unanimously.

(15) The term of office for all members of the board shall be three years from the date of election or appointment.

(16) Vacancies among board members appointed by the director shall be filled by the director. Vacancies among elected members shall be filled by special election by those entities eligible to elect that position for the expired term. Special elections follow the same procedure set forth for regular elections.

NEW SECTION

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

| POSITION | VOTING ELIGIBILITY |
|-----------------------------|--|
| (1) Westside, southern tier | (a) Voting members of activated county noxious weed control boards in Grays Harbor, Mason, Thurston, Pierce, Lewis, Pacific, Wahkiakum, Cowlitz, Skamania, and Clark counties. |
| (2) Eastside, southern tier | (a) Voting members of activated county noxious weed control boards in Adams, Whitman, Asotin, Garfield, Columbia, Walla Walla, Franklin, Benton, Klickitat, and Yakima counties. |
| (3) Westside, northern tier | (a) Voting members of activated county noxious weed control boards in Whatcom, Skagit, San Juan, Island, Snohomish, King, Kitsap, Clallam, and Jefferson counties. |
| (4) Eastside, northern tier | (a) Voting members of activated county noxious weed control boards in Okanogan, Ferry, Stevens, Pend Oreille, Spokane, Lincoln, Grant, Kittitas, Chelan, and Douglas counties. |
| (5) Weed districts | (a) Directors of activated weed districts in Washington. |

NEW SECTION

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 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.

NEW SECTION

WAC 16-750-135 State noxious weed control board--Meetings.

(1) All meetings of the board shall be open and public and all persons shall be 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 shall not be required, as a condition to attendance at a board meeting, to register names, other information, or otherwise to fulfill any condition precedent to attendance.

(3) Interruptions. In the event that any meeting is interrupted by any person as to render the orderly conduct of such 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 shall be null and void.

(5) Regular meetings--Schedule--Publication in State Register--Notice of change. The board shall meet once every two months and at other times determined by the chairperson or by a majority of the voting members. If any regular meeting falls on a holiday, such regular meetings shall be held on the next business day. The executive secretary shall file with the code reviser a schedule of the time and place of such meetings on or before January of each year for publication in the Washington State Register. Notice of any change from such meeting schedule shall 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 shall 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. The chairperson may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the executive secretary may declare the meeting adjourned to a stated time and place. He or she shall cause a written notice of the adjournment to be given in the same manner as provided for special meetings, unless such notice is waived as provided for special meetings. Whenever any meeting is adjourned a copy of the order or notice of adjournment shall be conspicuously posted immediately after the time of the adjournment on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings.

(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 shall be taken at executive sessions which shall be binding. Executive sessions shall 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 stated later time by announcement of the chairperson.

(10) Agenda. The agenda shall 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.

(12) Voting procedures. Board voting procedures on all matters shall be as follows:

(a) Five voting members shall 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 and second motions.

(e) There shall be no proxy voting.

(13) Minutes. The minutes of all regular and special meetings, except executive sessions, shall be promptly recorded and such records shall be open to public inspection.

(14) Press releases. All press releases and official information concerning board activities shall 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 shall notify the executive secretary of the subject matter at least fifteen days before the meeting.

(b) Permission to appear before the board shall be granted by the executive secretary in consultation with the chairperson before the meeting. Permission shall include 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.

NEW SECTION

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. There shall be an executive committee authorized to deal with housekeeping and personnel matters, subject to board approval at the next scheduled board meeting. The chairperson shall appoint the executive committee with approval of the board.

(2) Standing committees. The standing committees of the board shall be: Budget, executive, grant program, noxious weed, and

education. The board chairperson shall appoint 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 shall have the right to vote. Other members in attendance may enter into discussion, but shall have no vote.

(b) There shall be no proxy voting.

(c) All questions decided by the committee shall be by majority of the committee members present.

(5) Advisory committees. Advisory committees shall be established by the board as deemed necessary to the functioning of the board. Advisory committees shall be limited in their scope to the purposes determined by the board.

(6) Committee of the whole. The chairperson may, from time to time, direct that items of major importance be discussed in the committee of the whole. Meetings of the committee of the whole shall be chaired by the chairperson. When meeting as a committee of the whole, all voting members shall have the right to vote. There shall be no proxy voting.

(7) Notice. Notice of committee meetings shall be given to the executive secretary.

(8) Committee reports. (a) Committee reports and recommendations shall be 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 said members.

(9) Committee compensation. Board members attending meetings of committees shall be reimbursed on the same basis as for attendance at regularly called board meetings.

NEW SECTION

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 governor, legislature, 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) Coordinates with the department on the administration of the noxious weed grant program; advises and assists local county and weed district agencies in preparing state noxious weed control grants; provides technical advice to county noxious weed boards and weed districts on the state noxious weed law and related rules;

(11) Plans and coordinates state-wide approaches to selected noxious weeds, assists in the development of state-wide 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 records on the noxious weed grant program and on county noxious weed boards and weed districts; 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.

NEW SECTION

WAC 16-750-150 State noxious weed control board--Executive secretary--Hiring and dismissal. The board shall have 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.

NEW SECTION

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.

NEW SECTION

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.

NEW SECTION

WAC 16-750-165 State noxious weed control board--Budget and finances. (1) All board funds shall 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 shall be subject to the State Budget and Accounting Act (chapter 43.88 RCW).

(2) Budget approval. The executive secretary shall prepare 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 shall be 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 or the noxious weed grant account independent of the department.

NEW SECTION

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.

NEW SECTION

WAC 16-750-175 State noxious weed control board--Reports. The board shall provide a written report before January 1 of each odd-numbered year to the governor, the legislature, the county noxious weed control boards, and weed districts. The report shall include:

- (1) Funds disbursed by the department to each noxious weed control board or district;
 - (2) Specifically how funds were spent;
 - (3) Recommendations for the continued best use of state funds;
- and
- (4) Long-term needs regarding weed control.

NEW SECTION

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.

NEW SECTION

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(5), 42. .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.

NEW SECTION

WAC 16-750-190 State noxious weed control board--Rule amendments. Rules will be reviewed annually and may be amended at any regular or special meeting by a majority vote of voting members present, after appropriate rule-making notification and a public hearing.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-750-900 Noxious weeds--Civil infractions--Schedule of monetary penalties.
- WAC 16-750-950 State noxious weed control board position numbers--Eligibility for voting.