Chapter 16-750 WAC
STATE NOXIOUS WEED LIST AND SCHEDULE OF MONETARY PENALTIES

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

16-750-010 Proposed noxious weed list. [Statutory Authority: RCW 17.10.080. WSR 87-05-016 (Order 18, Resolution No. 18), § 16-750-010, filed 2/11/87; WSR 86-07-024 (Order 17, Resolution No. 17), § 16-750-010, filed 3/13/86; WSR 85-07-003 (Order 16, Resolution No. 16), § 16-750-010, filed 3/7/85; WSR 84-06-047 (Order 15, Resolution No. 15), § 16-750-010, filed 3/6/84; WSR 83-07-042 (Order 14, Resolution No. 14), § 16-750-010, filed 3/17/83; WSR 82-06-045 (Order 13, Resolution No. 13), § 16-750-010, filed 3/3/82. Statutory Authority: Chapter 17.10 RCW. WSR 81-07-039 (Order 12, Resolution No. 12), § 16-750-010, filed 3/13/81; WSR 80-03-075 (Order 11, Resolution No. 11), § 16-750-010, filed 2/29/80; WSR 78-06-014 (Order 10, Resolution No. 10), § 16-750-010, filed 5/10/78; Order 8, § 16-750-010, filed 3/1/77; Order 7, § 16-750-010, filed 4/15/76; Order 5, § 16-750-010, filed 3/7/75; Order 4, § 16-750-010, filed 3/27/74; Order 3, § 16-750-010, filed 4/3/73; Order 2, § 16-750-010, filed 3/16/72; Order 1, § 16-750-010, filed 4/9/71.] Repealed by WSR 88-07-016 (Order 22, Resolution No. 22), filed 3/7/88. Statutory Authority: RCW 17.10.080.

16-750-150 State noxious weed control board—Executive secretary—Hiring and dismissal. [Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-150, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-150, filed 12/2/92, effective 1/2/93.] Repealed by WSR 19-24-052, filed 11/26/19, effective 1/1/20. Statutory Authority: Chapters 17.10 and 34.05 RCW.

16-750-175 State noxious weed control board—Reports. [Statutory Authority: Chapter 17.10 RCW. WSR 93-01-004, § 16-750-175, filed 12/2/92, effective 1/2/93.] Repealed by WSR 99-24-029, filed 11/23/99, effective 1/3/00. Statutory Authority: Chapter 17.10 RCW.

16-750-190 State noxious weed control board—Rule amendments. [Statutory Authority: Chapter 17.10 RCW. WSR 93-01-004, § 16-750-190, filed 12/2/92, effective 1/2/93.] Repealed by WSR 99-24-029, filed 11/23/99, effective 1/3/00. Statutory Authority: Chapter 17.10 RCW.

16-750-900 Noxious weeds—Civil infractions—Schedule of monetary penalties. [Statutory Authority: RCW 17.10.350. WSR 88-07-016 (Order 22, Resolution No. 22), § 16-750-900, filed 3/7/88.] Repealed by WSR 93-01-004, filed 12/2/92, effective 1/2/93. Statutory Authority: Chapter 17.10 RCW.

16-750-950 State noxious weed control board position numbers—Eligibility for voting. [Statutory Authority: RCW 17.10.030. WSR 89-16-007 (Order 28, Resolution No. 28), § 16-750-950, filed 7/21/89, effective 8/21/89.] Repealed by WSR 93-01-004, filed 12/2/92, effective 1/2/93. Statutory Authority: Chapter 17.10 RCW.

WAC 16-750-001 State noxious weed list—Purpose. In accordance with RCW 17.10.080 a state noxious weed list of the names of those plants which the state noxious weed control board finds to be highly

destructive, competitive, or difficult to control by cultural or chemical practices is adopted.

[Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-001, filed 11/23/99, effective 1/3/00; WSR 91-24-072, § 16-750-001, filed 12/2/91, effective 1/2/92. Statutory Authority: RCW 17.10.080. WSR 88-07-016 (Order 22, Resolution No. 22), § 16-750-001, filed 3/7/88.]

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

(a) "Action" means the transaction of the official business of the Washington state noxious weed control board including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, and final actions.

(b) "Board" means the Washington state noxious weed control board, or a duly authorized representative.

(c) "Director" means the director of the department of agriculture, or the director's appointed representative.

(d) "Executive secretary" means the executive secretary of the Washington state noxious weed control board.

(e) "Department" means the department of agriculture of this state.

(f) "Final action" means a collective positive or negative decision, or an actual vote by a majority of board members when sitting as a body or entity, upon a motion, proposal, resolution, or order.

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

(h) "Regular meetings" means recurring meetings held in accordance with a periodic schedule in compliance with applicable statute or rule.

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

(a) "Control" of noxious weeds means to prevent all seed production and to prevent the dispersal of all propagative parts capable of forming new plants.

(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 consist of 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 consist of 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 nonnative to Washington state noxious weeds.

(3) Any county noxious weed control board may enhance the clarity of any definition contained in subsection (2) of this section, making

that definition more specific, but shall not change its general meaning.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-003, filed 11/21/23, effective 1/1/24; WSR 10-03-046, § 16-750-003, filed 1/14/10, effective 2/14/10. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-003, filed 11/23/99, effective 1/3/00; WSR 97-06-108, § 16-750-003, filed 3/5/97, effective 4/5/97; WSR 93-01-004, § 16-750-003, filed 12/2/92, effective 1/2/93; WSR 91-24-072, § 16-750-003, filed 12/2/91, effective 1/2/92; WSR 91-01-016, § 16-750-003, filed 12/7/90, effective 1/7/91; WSR 90-01-004, § 16-750-003, filed 12/7/89, effective 1/7/90; WSR 88-18-001 (Order 24, Resolution No. 24), § 16-750-003, filed 8/25/88.]

WAC 16-750-004 Noxious weed region descriptions. The state of Washington is divided into six regions for the purpose of designating Class B noxious weeds.

(1) Region 1 description. A region containing all lands lying within the boundaries of Clallam, Jefferson, Grays Harbor, Mason, and Pacific counties.

(2) Region 2 description. A region containing all lands lying within the boundaries of San Juan, Whatcom, Skagit, Snohomish, Island, King, Kitsap, Pierce, and Thurston counties.

(3) Region 3 description. A region containing all lands lying within the boundaries of Lewis, Cowlitz, Wahkiakum, Clark, and Skamania counties.

(4) Region 4 description. A region containing all lands lying within the boundaries of Chelan, Douglas, Okanogan, Ferry, Stevens, and Pend Oreille counties.

(5) Region 5 description. A region containing all lands lying within the boundaries of Klickitat, Yakima, Kittitas, Grant, Adams, Lincoln, Spokane, and Whitman counties.

(6) Region 6 description. A region containing all lands lying within the boundaries of Benton, Franklin, Walla Walla, Columbia, Garfield, and Asotin counties.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 13-01-038, § 16-750-004, filed 12/12/12, effective 1/12/13. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-004, filed 11/23/99, effective 1/3/00; WSR 91-24-072, § 16-750-004, filed 12/2/91, effective 1/2/92; WSR 88-18-001 (Order 24, Resolution No. 24), § 16-750-004, filed 8/25/88.]

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

Common Name	Scientific Name
broom, French	*Genista monspessulana*
broom, Spanish	*Spartium junceum*
common crupina	*Crupina vulgaris*
cordgrass, common	*Spartina anglica*
cordgrass, dense-flowered	*Spartina densiflora*
cordgrass, salt meadow	*Spartina patens*
cordgrass, smooth	*Spartina alterniflora*
delta arrowhead	*Sagittaria platyphylla*

Common Name	Scientific Name
dyer's woad	*Isatis tinctoria*
eggleaf spurge	*Euphorbia oblongata*
false brome	*Brachypodium sylvaticum*
floating primrose-willow	*Ludwigia peploides*
flowering rush	*Butomus umbellatus*
garlic mustard	*Alliaria petiolata*
giant hogweed	*Heracleum mantegazzianum*
goatsrue	*Galega officinalis*
hydrilla	*Hydrilla verticillata*
Johnsongrass	*Sorghum halepense*
knapweed, bighead	*Centaurea macrocephala*
knapweed, Vochin	*Centaurea nigrescens*
kudzu	*Pueraria montana* var. *lobata*
meadow clary	*Salvia pratensis*
oriental clematis	*Clematis orientalis*
Palmer amaranth	*Amaranthus palmeri*
purple starthistle	*Centaurea calcitrapa*
reed sweetgrass	*Glyceria maxima*
ricefield bulrush	*Schoenoplectus mucronatus*
round leaf bittersweet	*Celastrus orbiculatus*
sage, clary	*Salvia sclarea*
sage, Mediterranean	*Salvia aethiopis*
silverleaf nightshade	*Solanum elaeagnifolium*
small-flowered jewelweed	*Impatiens parviflora*
South American spongeplant	*Limnobium laevigatum*
sunflower broomrape	*Orobanche cumana*
Syrian bean-caper	*Zygophyllum fabago*
Texas blueweed	*Helianthus ciliaris*
thistle, Italian	*Carduus pycnocephalus*
thistle, marsh	*Cirsium palustre*
thistle, milk	*Silybum marianum*
thistle, slenderflower	*Carduus tenuiflorus*
thistle, Turkish	*Carduus cinereus*
variable-leaf milfoil and hybrids	*Myriophyllum heterophyllum* *Myriophyllum heterophyllum x Myriophyllum hippuroides*
waterhemp	*Amaranthus tuberculatus*
wild four o'clock	*Mirabilis nyctaginea*

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 26-08-059, s
16-750-005, filed 3/27/26, effective 4/27/26; WSR 25-24-076, s
16-750-005, filed 12/1/25, effective 1/1/26; WSR 24-23-085, s
16-750-005, filed 11/19/24, effective 1/1/25; WSR 23-23-168, §
16-750-005, filed 11/21/23, effective 1/1/24; WSR 20-24-098, §

16-750-005, filed 11/30/20, effective 1/1/21; WSR 19-24-052, § 16-750-005, filed 11/26/19, effective 1/1/20; WSR 17-24-035, § 16-750-005, filed 11/29/17, effective 1/1/18; WSR 16-24-031, § 16-750-005, filed 11/30/16, effective 1/1/17; WSR 14-24-103, § 16-750-005, filed 12/2/14, effective 1/2/15; WSR 14-02-072, § 16-750-005, filed 12/30/13, effective 1/30/14; WSR 13-01-038, § 16-750-005, filed 12/12/12, effective 1/12/13; WSR 12-01-050, § 16-750-005, filed 12/15/11, effective 1/15/12; WSR 09-01-071, § 16-750-005, filed 12/15/08, effective 1/16/09; WSR 07-24-023, § 16-750-005, filed 11/28/07, effective 1/1/08; WSR 05-24-026, § 16-750-005, filed 11/30/05, effective 12/31/05; WSR 03-04-001, § 16-750-005, filed 1/22/03, effective 2/22/03. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-005, filed 11/23/99, effective 1/3/00; WSR 98-24-026, § 16-750-005, filed 11/23/98, effective 1/2/99; WSR 97-24-051, § 16-750-005, filed 11/26/97, effective 1/2/98. Statutory Authority: RCW 17.10.080. WSR 96-06-030, § 16-750-005, filed 2/29/96, effective 3/31/96. Statutory Authority: Chapter 17.10 RCW. WSR 93-01-004, § 16-750-005, filed 12/2/92, effective 1/2/93; WSR 91-24-072, § 16-750-005, filed 12/2/91, effective 1/2/92; WSR 91-01-016, § 16-750-005, filed 12/7/90, effective 1/7/91; WSR 90-01-004, § 16-750-005, filed 12/7/89, effective 1/7/90; WSR 88-24-002 (Order 26, Resolution No. 26), § 16-750-005, filed 11/29/88. Statutory Authority: RCW 17.10.080. WSR 88-07-016 (Order 22, Resolution No. 22), § 16-750-005, filed 3/7/88.]

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)	blueweed, *Echium vulgare*	(a)	regions 1, 2, 3, 4, 6
		(b)	region 5, except Spokane County
(2)	Brazilian elodea, *Egeria densa*	(a)	region 1, except Grays Harbor County
		(b)	region 2, except Kitsap County and Green Lake in King County
		(c)	King County of region 2, except lakes Dolloff, Fenwick, Union, Washington, and Sammamish, and the Sammamish River
		(d)	region 3, except Wahkiakum County
		(e)	regions 4, 5, and 6
(3)	bugloss, annual, *Lycopsis arvensis*	(a)	regions 1, 2, 3, 4, and 6
		(b)	region 5, except Spokane County
(4)	bugloss, common, *Anchusa officinalis*	(a)	regions 1, 2, 3, and 6
		(b)	All of region 4 except those areas lying within the Entiat River Valley between the Columbia River confluence and Stormy Creek in Chelan County
		(c)	region 5, except Spokane County
(5)	butterfly bush, *Buddleja davidii*	(a)	Grays Harbor County of region 1
		(b)	San Juan County of region 2
		(c)	Cowlitz County of region 3
(6)	camelthorn, *Alhagi maurorum*	(a)	regions 1, 2, 3, 4, 5, and 6
(7)	common fennel, *Foeniculum vulgare* (except bulbing fennel, *F. vulgare* var. *azoricum*)	(a)	region 1, except Jefferson County
		(b)	region 2, except King and Skagit counties
		(c)	region 3, except Clark County

	Name		Will be a "Class B designate" in all lands lying within:
		(d)	regions 4, 5, and 6
(8)	common reed, *Phragmites australis* (nonnative genotypes only)	(a)	regions 1, 2, 3, and 4
		(b)	region 5, except Grant County
		(c)	Asotin, Columbia, and Garfield counties of region 6
(9)	common tansy, *Tanacetum vulgare*	(a)	Clallam County of region 1
		(b)	Kitsap and San Juan counties of region 2
		(c)	Cowlitz County of region 3
		(d)	Adams and Lincoln counties of region 5
(10)	Dalmatian toadflax, *Linaria dalmatica* ssp. *dalmatica*	(a)	regions 1, 2, and 3
		(b)	Adams, Kittitas, and Lincoln counties of region 5
		(c)	Benton, Franklin, and Walla Walla counties of region 6
(11)	Eurasian watermilfoil, *Myriophyllum spicatum*	(a)	region 1, except Pacific County
		(b)	Island, Kitsap, and San Juan counties of region 2
		(c)	Clark and Cowlitz counties of region 3
		(d)	Chelan and Okanogan counties, and all lakes with public boat launches except Fan Lake in Pend Oreille County of region 4
		(e)	Adams, Kittitas, Lincoln, and Whitman counties of region 5
		(f)	Asotin, Columbia, and Garfield counties of region 6
(12)	European coltsfoot, *Tussilago farfara*	(a)	regions 1, 2, 3, 4, 5, and 6
(13)	fanwort, *Cabomba caroliniana*	(a)	regions 1, 2, 4, 5, and 6
		(b)	region 3, except Cowlitz County
(14)	gorse, *Ulex europaeus*	(a)	region 1, except Grays Harbor and Pacific counties
		(b)	regions 2, 3, 4, 5, 6
(15)	grass-leaved arrowhead, *Sagittaria graminea*	(a)	region 1
		(b)	region 2, except Snohomish County
		(c)	regions 3, 4, 5, and 6
(16)	hairy willow-herb, *Epilobium hirsutum*	(a)	regions 1, 3, and 4
		(b)	region 2, except Thurston and Whatcom counties
		(c)	region 5, except Klickitat County
		(d)	region 6, except Benton and Franklin counties
(17)	hanging sedge, *Carex pendula, Carex pendula subsp. pendula* and *Carex pendula subsp. agastachys*	(a)	regions 1, 3, 4, 5, and 6
		(b)	region 2, except for King County
(18)	hawkweed oxtongue, *Picris hieracioides*	(a)	regions 1, 2, 4, 5, and 6
		(b)	region 3, except Skamania County
(19)	hawkweed, orange, *Hieracium aurantiacum*	(a)	regions 1, 3, and 6
		(b)	region 2, except Whatcom County
		(c)	region 4, except Pend Oreille and Stevens counties
		(d)	region 5, except Kittitas and Spokane counties

	Name		Will be a "Class B designate" in all lands lying within:
(20)	hawkweeds: All nonnative species and hybrids of the Meadow subgenus (*Pilosella*), including, but not limited to, mouseear (*Hieracium pilosella*), pale (*H. lactucella*), queen-devil (*H. glomeratum*), tall (*H. piloselloides*), whiplash (*H. flagellare*), yellow (*H. caespitosum*), and yellow-devil (*H.* x *floribundum*)	(a)	region 1
		(b)	region 2, except Thurston County
		(c)	region 3, except Cowlitz County
		(d)	region 4, except Pend Oreille and Stevens counties
		(e)	region 5, except Klickitat and Spokane counties
		(f)	region 6
(21)	hawkweeds: All nonnative species and hybrids of the Wall subgenus (*Hieracium*), including, but not limited to, common (*Hieracium lachenalii*), European (*H. sabaudum*), polar (*H. atratum*), smooth (*H. laevigatum*), spotted (*H. maculatum*), and wall (*H. murorum*)	(a)	regions 1, 3, 5, and 6
		(b)	region 2, except King, Skagit, Snohomish, and Whatcom counties
		(c)	region 4, except Stevens County
(22)	herb-Robert, *Geranium robertianum*	(a)	regions 4, 5, and 6
(23)	hoary alyssum, *Berteroa incana*	(a)	regions 1, 2, 3, and 6
		(b)	region 4, except Pend Oreille and Ferry counties
		(c)	region 5, except Klickitat County
(24)	houndstongue, *Cynoglossum officinale*	(a)	regions 1, 2, and 3
		(b)	Chelan and Douglas counties of region 4
		(c)	Yakima, Grant and Adams counties of region 5
		(d)	Benton and Franklin counties of region 6
(25)	indigobush, *Amorpha fruticosa*	(a)	regions 1, 2, and 4
		(b)	Lewis County of region 3
		(c)	region 5, except Klickitat County
(26)	knapweed, black, *Centaurea nigra*	(a)	regions 1, 2, 3, 4, 5, and 6
(27)	knapweed, brown, *Centaurea jacea*	(a)	regions 1, 2, 3, 4, 5, and 6
(28)	knapweed, diffuse, *Centaurea diffusa*	(a)	region 1
		(b)	region 2
		(c)	region 3, except Cowlitz County
		(d)	Adams County of region 5
(29)	knapweed, meadow, *Centaurea* x *gerstlaueri*	(a)	regions 1 and 4
		(b)	region 2, except Whatcom County
		(c)	Thurston County of region 2, except below the ordinary high-water mark of the Nisqually River
		(d)	Lewis and Wahkiakum counties of region 3
		(e)	region 5, except Kittitas and Klickitat counties
		(f)	region 6, except Franklin and Walla Walla counties
(30)	knapweed, Russian, *Rhaponticum repens*	(a)	regions 1, 2, and 3
		(b)	Ferry and Pend Oreille counties of region 4
		(c)	Lincoln, Spokane, and Whitman counties of region 5
		(d)	Adams County of region 5, except for the area west of Highway 17 and north of Highway 26

	Name		Will be a "Class B designate" in all lands lying within:
		(e)	Asotin and Garfield counties of region 6
(31)	knapweed, spotted, *Centaurea stoebe*	(a)	region 1, except Grays Harbor
		(b)	region 2, except Whatcom County
		(c)	Clark, Lewis, and Wahkiakum counties of region 3
		(d)	Ferry and Douglas counties of region 4
		(e)	Adams, Grant and Yakima counties of region 5
		(f)	region 6, except Columbia and Walla Walla counties
(32)	knotweed, Bohemian, *Fallopia* x *bohemica*	(a)	Island and San Juan counties of region 2
		(b)	Skamania County of region 3
		(c)	region 4, 5, and 6
(33)	knotweed, giant, *Fallopia sachalinensis*	(a)	region 2, except King, Pierce, and Snohomish counties
		(b)	region 3, except Cowlitz and Lewis counties
		(c)	regions 4, 5, and 6
(34)	knotweed, Himalayan, *Persicaria wallichii*	(a)	region 1, except Pacific County
		(b)	region 2, except King and Pierce counties
		(c)	region 3, except Wahkiakum County
		(d)	region 4, 5, and 6
(35)	knotweed, Japanese, *Fallopia japonica*	(a)	Island, San Juan, and Whatcom counties of region 2
		(b)	Skamania County of region 3
		(c)	region 4, except Okanogan County
		(d)	region 5, except Spokane County
		(e)	region 6
(36)	kochia, *Bassia scoparia*	(a)	regions 1, 2, and 3
		(b)	Stevens and Pend Oreille counties of region 4
		(c)	Adams County of region 5
(37)	lesser celandine, *Ficaria verna*	(a)	region 1, 3, 4, 5, and 6
		(b)	region 2, except King and Whatcom counties
(38)	loosestrife, garden, *Lysimachia vulgaris*	(a)	regions 1, 2, 3, 4, 5, 6
(39)	loosestrife, purple, *Lythrum salicaria*	(a)	Clallam, Jefferson, and Mason counties of region 1
		(b)	region 2, except Kitsap, Skagit, and Snohomish counties
		(c)	Clark, Lewis, and Skamania counties of region 3
		(d)	region 4, except Douglas County
		(e)	region 5, except Grant and Spokane counties
		(f)	region 6, except Asotin and Franklin counties
(40)	loosestrife, wand, *Lythrum virgatum*	(a)	Clallam, Jefferson, and Mason counties of region 1
		(b)	region 2, except Kitsap, Skagit, and Snohomish counties
		(c)	Clark, Lewis, and Skamania counties of region 3
		(d)	region 4, except Douglas County
		(e)	region 5, except Grant and Spokane counties
		(f)	region 6, except Asotin and Franklin counties
(41)	Malta starthistle, *Centaurea melitensis*	(a)	regions 1, 2, and 3
		(b)	region 4, except T36 R38 in the area contained within Hwy 395/Hwy 20, Pingston Creek Road, and Highland Loop Road in Stevens County
		(c)	region 5, except Klickitat and Whitman counties

	Name		Will be a "Class B designate" in all lands lying within:
(42)	parrotfeather, *Myriophyllum aquaticum*	(a)	region 1, except Pacific County
		(b)	regions 2, 4, 5, and 6
		(c)	Clark and Skamania counties of region 3
(43)	perennial pepperweed, *Lepidium latifolium*	(a)	regions 1, 2, and 4
		(b)	region 3, except Clark and Cowlitz counties
		(c)	Kittitas, Lincoln and Spokane counties of region 5
		(d)	Columbia and Garfield counties of region 6
(44)	poison hemlock, *Conium maculatum*	(a)	Clallam, Mason, and Pacific counties of region 1
		(b)	region 2, except King, Skagit, and Whatcom counties
		(c)	Clark and Skamania counties of region 3
		(d)	Chelan, Douglas, and Pend Oreille counties of region 4
		(e)	Grant, Kittitas and Lincoln counties of region 5
(45)	policeman's helmet, *Impatiens glandulifera*	(a)	region 1, 3, 4, 5, and 6
		(b)	region 2, except Thurston and Whatcom counties
(46)	puncturevine, *Tribulus terrestris*	(a)	regions 1, 2, and 3
		(b)	Ferry, Pend Oreille, and Stevens counties of region 4
		(c)	region 5, except Grant, Klickitat, and Yakima counties
(47)	Ravenna grass, *Tripidium ravennae*	(a)	Cowlitz County of region 3
		(b)	region 4
		(c)	region 5, except Yakima County
		(d)	region 6, except Benton County
(48)	rough chervil, *Chaerophyllum temulum*	(a)	regions 1, 3, 4, 5, and 6
		(b)	region 2, except for King County
(49)	rush skeletonweed, *Chondrilla juncea*	(a)	regions 1, 2, and 3
		(b)	region 4, except all areas of Stevens County south of Township 29
		(c)	Kittitas and Yakima counties of region 5, and Adams County, except those areas lying east of Sage Road, the western border of Range 36
		(d)	Asotin County of region 6
(50)	saltcedar, *Tamarix ramosissima* (unless intentionally planted prior to 2004)	(a)	regions 1, 3, 4, 5, and 6
		(b)	region 2, except King and Thurston counties
(51)	Scotch broom, *Cytisus scoparius*	(a)	regions 4 and 6
		(b)	region 5, except Klickitat County
(52)	shiny geranium, *Geranium lucidum*	(a)	regions 1, 4, 5, and 6
		(b)	region 2, except King, Snohomish, and Thurston counties, and east of the Narrows Bridge in Pierce County
		(c)	region 3, except Clark County
(53)	spurge flax, *Thymelaea passerina*	(a)	region 4, except Okanogan County
		(b)	regions 5 and 6
(54)	spurge laurel, *Daphne laureola*	(a)	region 1, except Clallam and Jefferson counties
		(b)	region 2, except King, Kitsap, and Pierce counties
		(c)	region 3
		(d)	regions 4, 5, and 6
(55)	spurge, leafy, *Euphorbia virgata*	(a)	regions 1, 2, 3, and 4
		(b)	region 5, except Spokane County
		(c)	region 6, except Columbia County

	Name		Will be a "Class B designate" in all lands lying within:
(56)	spurge, myrtle, *Euphorbia myrsinites*	(a)	region 1, except Clallam and Jefferson counties
		(b)	region 2, except King, Kitsap, Pierce, and Whatcom counties
		(c)	regions 3, 5, and 6
		(d)	region 4, except Okanogan County
(57)	sulfur cinquefoil, *Potentilla recta*	(a)	region 1
		(b)	region 2, except Pierce and Thurston counties
		(c)	region 3, except Lewis and Skamania counties
		(d)	Adams, Grant, Lincoln, and Whitman counties of region 5
		(e)	region 6, except Asotin County
(58)	tansy ragwort, *Jacobaea vulgaris*	(a)	Island and San Juan counties of region 2
		(b)	Clark and Wahkiakum counties of region 3
		(c)	regions 4, 5, and 6
(59)	thistle, musk, *Carduus nutans*	(a)	regions 1, 2, 3, and 6
		(b)	region 4, except Douglas and Ferry counties
		(c)	region 5, except Kittitas County
(60)	thistle, plumeless, *Carduus acanthoides*	(a)	regions 1, 2, 3, 5, 6
		(b)	region 4, except those areas north of State Highway 20 in Stevens County
(61)	thistle, Scotch, *Onopordum acanthium*	(a)	regions 1, 2, 3, and 4
		(b)	region 5, except Spokane and Whitman counties
(62)	velvetleaf, *Abutilon theophrasti*	(a)	regions 1, 2, 3, 4, and 6
		(b)	region 5, except Yakima County
(63)	water primrose, *Ludwigia hexapetala*	(a)	regions 1, 2, 3, 4, 5, and 6
(64)	white bryony, *Bryonia alba*	(a)	regions 1, 2, 3, and 4
		(b)	region 5, except Whitman County
		(c)	Benton and Garfield counties of region 6
(65)	Wild basil/basil savory, *Clinopodium vulgare*	(a)	regions 1, 2, 4, 5, and 6
		(b)	region 3, except for Skamania County
(66)	wild chervil, *Anthriscus sylvestris*	(a)	regions 1, 3, 4, and 6
		(b)	region 2, except Whatcom County
		(c)	region 5, except Whitman County
(67)	yellow archangel, *Lamiastrum galeobdolon*	(a)	Clallam County of region 1
		(b)	Island, San Juan, Skagit, and Whatcom counties of region 2
		(c)	Cowlitz, Skamania, and Wahkiakum counties of region 3
		(d)	regions 4, 5, and 6
(68)	yellow floating heart, *Nymphoides peltata*	(a)	regions 1, 2, 3, and 6
		(b)	region 4, except Stevens County
		(c)	region 5, except Spokane County
(69)	yellow nutsedge, *Cyperus esculentus*	(a)	regions 1 and 4
		(b)	region 2, except Skagit and Thurston counties
		(c)	region 3, except Clark County
		(d)	region 5, except Klickitat and Yakima counties
		(e)	region 6, except Franklin and Walla Walla counties

	Name		Will be a "Class B designate" in all lands lying within:
(70)	yellow starthistle, *Centaurea solstitialis*	(a)	regions 1, 2, and 3
		(b)	region 4, except T36 R38 in the area contained within Hwy 395/Hwy 20, Pingston Creek Road, and Highland Loop Road in Stevens County
		(c)	region 5, except Klickitat, and Whitman counties

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 24-23-085, s 16-750-011, filed 11/19/24, effective 1/1/25; WSR 23-23-168, § 16-750-011, filed 11/21/23, effective 1/1/24; WSR 22-24-059, § 16-750-011, filed 12/1/22, effective 1/1/23; WSR 22-01-040, § 16-750-011, filed 12/7/21, effective 1/1/22; WSR 20-24-098, § 16-750-011, filed 11/30/20, effective 1/1/21; WSR 19-24-052, § 16-750-011, filed 11/26/19, effective 1/1/20; WSR 18-24-010, § 16-750-011, filed 11/26/18, effective 1/1/19; WSR 17-24-035, § 16-750-011, filed 11/29/17, effective 1/1/18; WSR 16-24-031, § 16-750-011, filed 11/30/16, effective 1/1/17; WSR 15-24-078, § 16-750-011, filed 11/30/15, effective 12/31/15; WSR 14-24-103, § 16-750-011, filed 12/2/14, effective 1/2/15; WSR 14-02-072, § 16-750-011, filed 12/30/13, effective 1/30/14; WSR 13-01-038, § 16-750-011, filed 12/12/12, effective 1/12/13; WSR 12-01-050, § 16-750-011, filed 12/15/11, effective 1/15/12; WSR 10-24-037, § 16-750-011, filed 11/22/10, effective 12/23/10; WSR 09-01-071, § 16-750-011, filed 12/15/08, effective 1/16/09; WSR 07-24-023, § 16-750-011, filed 11/28/07, effective 1/1/08; WSR 06-24-056, § 16-750-011, filed 12/4/06, effective 1/4/07; WSR 05-24-026, § 16-750-011, filed 11/30/05, effective 12/31/05; WSR 05-01-012, § 16-750-011, filed 12/2/04, effective 1/2/05. Statutory Authority: Chapter 17.10 RCW. WSR 04-13-014, § 16-750-011, filed 6/4/04, effective 7/5/04. Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 03-24-012, § 16-750-011, filed 11/20/03, effective 12/21/03; WSR 03-04-001, § 16-750-011, filed 1/22/03, effective 2/22/03. Statutory Authority: Chapter 17.10 RCW. WSR 01-24-035, § 16-750-011, filed 11/28/01, effective 12/29/01; WSR 00-24-017, § 16-750-011, filed 11/28/00, effective 1/2/01; WSR 99-24-029, § 16-750-011, filed 11/23/99, effective 1/3/00; WSR 98-24-026, § 16-750-011, filed 11/23/98, effective 1/2/99; WSR 97-24-051, § 16-750-011, filed 11/26/97, effective 1/2/98; WSR 97-06-108, § 16-750-011, filed 3/5/97, effective 4/5/97. Statutory Authority: RCW 17.10.080. WSR 96-06-030, § 16-750-011, filed 2/29/96, effective 3/31/96. Statutory Authority: Chapter 17.10 RCW. WSR 95-06-002, § 16-750-011, filed 2/16/95, effective 3/19/95; WSR 94-01-076, § 16-750-011, filed 12/10/93, effective 1/10/94; WSR 93-01-004, § 16-750-011, filed 12/2/92, effective 1/2/93; WSR 91-24-072, § 16-750-011, filed 12/2/91, effective 1/2/92; WSR 91-01-016, § 16-750-011, filed 12/7/90, effective 1/7/91; WSR 90-01-004, § 16-750-011, filed 12/7/89, effective 1/7/90; WSR 88-24-002 (Order 26, Resolution No. 26), § 16-750-011, filed 11/29/88; WSR 88-18-001 (Order 24, Resolution No. 24), § 16-750-011, filed 8/25/88. Statutory Authority: RCW 17.10.080. WSR 88-07-016 (Order 22, Resolution No. 22), § 16-750-011, filed 3/7/88.]

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

Common Name	Scientific Name
absinth wormwood	*Artemisia absinthium*
Austrian fieldcress	*Rorippa austriaca*
babysbreath	*Gypsophila paniculata*
beach grass, European, American, and hybrids	*Ammophila arenaria, A. breviligulata*, and *A. arenaria* x *breviligulata*
black henbane	*Hyoscyamus niger*
blackberry, evergreen	*Rubus laciniatus*
blackberry, Himalayan	*Rubus bifrons*
blackgrass	*Alopecurus myosuroides*
black locust	*Robinia pseudoacacia*
buffalobur	*Solanum rostratum*
cereal rye	*Secale cereale*
common barberry	*Berberis vulgaris*
common catsear	*Hypochaeris radicata*
common groundsel	*Senecio vulgaris*
common holly	*Ilex aquifolium,* except where commercially grown
common St. Johnswort	*Hypericum perforatum*
common teasel	*Dipsacus fullonum*
curly-leaf pondweed	*Potamogeton crispus*
English hawthorn	*Crataegus monogyna*
English ivy 4 cultivars only:	*Hedera hibernica* 'Hibernica'
	Hedera helix 'Baltica'
	Hedera helix 'Pittsburgh'
	Hedera helix 'Star'
Eurasian watermilfoil hybrid	*Myriophyllum spicatum* x *M. sibiricum*
field bindweed	*Convolvulus arvensis*
fragrant water lily	*Nymphaea odorata*
green alkanet	*Pentaglottis sempervirens*
hairy whitetop	*Lepidium appelianum*
hoary cress	*Lepidium draba*
Italian arum	*Arum italicum*
Japanese eelgrass	*Nanozostera japonica*
jointed goatgrass	*Aegilops cylindrica*
jubata grass	*Cortaderia jubata*
lawnweed	*Soliva sessilis*
longspine sandbur	*Cenchrus longispinus*
Medusahead	*Taeniatherum caput-medusae*
nonnative cattail species and hybrids	Including, but not limited to, *Typha angustifolia, T. domingensis* and *T.* x *glauca*
Norway maple	*Acer platanoides*
old man's beard	*Clematis vitalba*
oxeye daisy	*Leucanthemum vulgare*

Common Name	Scientific Name
pampas grass	*Cortaderia selloana*
perennial sowthistle	*Sonchus arvensis* ssp. *arvensis*
reed canarygrass	*Phalaris arundinacea*
Russian olive	*Elaeagnus angustifolia*
scentless mayweed	*Tripleurospermum inodorum*
smoothseed alfalfa dodder	*Cuscuta approximata*
spikeweed	*Centromadia pungens*
spiny cocklebur	*Xanthium spinosum*
spotted jewelweed	*Impatiens capensis*
Swainsonpea	*Sphaerophysa salsula*
thistle, bull	*Cirsium vulgare*
thistle, Canada	*Cirsium arvense*
tree-of-heaven	*Ailanthus altissima*
ventenata	*Ventenata dubia*
white cockle	*Silene latifolia*
wild carrot (except subs. sativus where grown commercially or for food)	*Daucus carota*
yellow flag iris	*Iris pseudacorus*
yellow toadflax	*Linaria vulgaris*

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 25-24-076, s 16-750-015, filed 12/1/25, effective 1/1/26; WSR 25-08-024, s 16-750-015, filed 3/25/25, effective 4/25/25; WSR 23-23-168, § 16-750-015, filed 11/21/23, effective 1/1/24; WSR 22-01-040, § 16-750-015, filed 12/7/21, effective 1/1/22; WSR 20-24-098, § 16-750-015, filed 11/30/20, effective 1/1/21; WSR 17-24-035, § 16-750-015, filed 11/29/17, effective 1/1/18; WSR 15-24-078, § 16-750-015, filed 11/30/15, effective 12/31/15; WSR 14-24-103, § 16-750-015, filed 12/2/14, effective 1/2/15; WSR 14-02-072, § 16-750-015, filed 12/30/13, effective 1/30/14; WSR 13-01-038, § 16-750-015, filed 12/12/12, effective 1/12/13; WSR 12-01-050, § 16-750-015, filed 12/15/11, effective 1/15/12; WSR 10-24-037, § 16-750-015, filed 11/22/10, effective 12/23/10; WSR 09-01-071, § 16-750-015, filed 12/15/08, effective 1/16/09; WSR 07-24-023, § 16-750-015, filed 11/28/07, effective 1/1/08; WSR 06-24-056, § 16-750-015, filed 12/4/06, effective 1/4/07; WSR 05-01-012, § 16-750-015, filed 12/2/04, effective 1/2/05. Statutory Authority: Chapter 17.10 RCW. WSR 04-13-014, § 16-750-015, filed 6/4/04, effective 7/5/04. Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 03-24-012, § 16-750-015, filed 11/20/03, effective 12/21/03; WSR 03-04-001, § 16-750-015, filed 1/22/03, effective 2/22/03. Statutory Authority: Chapter 17.10 RCW. WSR 01-24-035, § 16-750-015, filed 11/28/01, effective 12/29/01; WSR 00-24-017, § 16-750-015, filed 11/28/00, effective 1/2/01; WSR 99-24-029, § 16-750-015, filed 11/23/99, effective 1/3/00; WSR 98-24-026, § 16-750-015, filed 11/23/98, effective 1/2/99; WSR 97-06-108, § 16-750-015, filed 3/5/97, effective 4/5/97. Statutory Authority: RCW 17.10.080. WSR 96-06-030, § 16-750-015, filed 2/29/96, effective 3/31/96. Statutory Authority: Chapter 17.10 RCW. WSR 95-06-002, § 16-750-015, filed 2/16/95, effective 3/19/95; WSR 94-01-076, § 16-750-015, filed 12/10/93, effective

1/10/94; WSR 93-01-004, § 16-750-015, filed 12/2/92, effective 1/2/93; WSR 91-24-072, § 16-750-015, filed 12/2/91, effective 1/2/92; WSR 91-01-016, § 16-750-015, filed 12/7/90, effective 1/7/91; WSR 90-01-004, § 16-750-015, filed 12/7/89, effective 1/7/90; WSR 88-24-002 (Order 26, Resolution No. 26), § 16-750-015, filed 11/29/88. Statutory Authority: RCW 17.10.080. WSR 88-07-016 (Order 22, Resolution No. 22), § 16-750-015, filed 3/7/88.]

WAC 16-750-020 Noxious weeds—Civil infractions—Schedule of monetary penalties. Civil infractions under chapter 17.10 RCW shall be assessed a monetary penalty according to the following schedule:

(1) Any owner knowing of the existence of any noxious weeds on the owner's land who fails to control the noxious weeds may be assessed monetary penalties per parcel, per noxious weed species, per day after expiration of the notice to control filed pursuant to RCW 17.10.170 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 will be assessed as follows:

1st offense within five years	$ 500
2nd offense	750
3rd and any subsequent offense	1,000

(3) Any person who interferes with the carrying out of the provisions of chapter 17.10 RCW shall be assessed as follows:

1st offense within five years	$ 500
2nd offense	750
3rd and any subsequent offense	1,000

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-020, filed 11/21/23, effective 1/1/24. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-020, filed 11/23/99, effective 1/3/00; WSR 97-06-108, § 16-750-020, filed 3/5/97, effective 4/5/97; WSR 93-01-004, § 16-750-020, filed 12/2/92, effective 1/2/93.]

WAC 16-750-022 Noxious weed list—Listing process. The noxious weed list is adopted annually by the Washington state noxious weed control board. The listing process is open to the public, and there are several opportunities for participation. The process of considering changes to the list begins with the board's noxious weed committee. The weed listing process consists of the following steps each year:

(1) The board accepts proposals to make additions, deletions, or changes to the weed list between January and the end of April.

(2) Starting in May, the committee reviews and evaluates the proposals and may conduct additional research including literature reviews, surveys of counties, discussions with other states, and field investigations during its deliberations, which continue into September.

(3) The board considers the committee's recommendations in September and votes on which proposed changes to include in a public hearing, typically held in November.

(4) The board solicits public comment at the public hearing and makes its final decisions on proposed changes to the weed list after considering the testimony received.

(5) The new revised noxious weed list comes into effect January 1st.

(6) Proposals to add new species to the weed list that were not adopted by the board will not be reconsidered for future listing unless additional information is provided, including additional data from scientific and/or noxious weed professional sources regarding any invasive and noxious qualities of the species, as well as existing positive economic benefits.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-022, filed 11/21/23, effective 1/1/24; WSR 12-01-050, § 16-750-022, filed 12/15/11, effective 1/15/12.]

WAC 16-750-025 Plant monitor list—Purpose. The purpose of the monitor list is to gather more information on suspect weeds as well as monitor for occurrence or spread. Information collected may be used to justify future inclusion on the state noxious weed list. There is no regulatory aspect to this list. Reasons for plant inclusion on the monitor list include:

(1) There is reason to believe the species is invasive or poses a potential threat to Washington.

(2) Additional information is needed on distribution, abundance, or biology.

(3) The species was once present in Washington and on the state noxious weed list. It is now being monitored for reoccurrence.

(4) There is need to verify existence (site investigation), verify identification, and/or obtain voucher specimen.

(5) It exists in an adjacent state or province or occurs on an adjacent state or province's noxious weed list and is not known to occur in Washington.

Native species of Washington will not be included on the monitor list. Each weed included on the monitor list will be included by vote of the noxious weed committee. A sponsor is required in order to place a weed on the monitor list. The current monitor list is kept in the state noxious weed board office.

A sponsor will be point of contact for their monitor species. A sponsor will house the data and information collected. A sponsor will make available information for their species to the WSNWCB.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-025, filed 11/21/23, effective 1/1/24. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-025, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-025, filed 12/2/92, effective 1/2/93.]

WAC 16-750-100 State noxious weed control board—Description—Purpose. The board was created pursuant to chapter 17.10 RCW, Noxious weeds—Control boards. The board is a regulatory board with rule-making and administrative duties under chapter 17.10 RCW and an advisory board to the department regarding the state noxious weed program.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-100, filed 11/21/23, effective 1/1/24. Statutory Authority: Chapter 17.10 RCW. WSR 93-01-004, § 16-750-100, filed 12/2/92, effective 1/2/93.]

WAC 16-750-105 State noxious weed control board—Powers—Duties—Responsibilities. The powers and duties of the board include:

(1) Adopting rules defining the words "control," "contain," "eradicate," and the term "prevent the spread of noxious weeds";

(2) Conducting elections to the board, and adopting rules as set forth in this chapter establishing a position number for each elected position to the board and designating in which county noxious weed control board members are eligible to vote for each elected position;

(3) Electing officers, conducting meetings, holding hearings, appointing committees, entering upon any property to administer chapter 17.10 RCW, and adopting the necessary rules to carry out its powers and duties identified herein;

(4) When petitioned, holding a hearing in a county to determine the need for activation of the county noxious weed control board and, if such a need is found to exist, ordering the county legislative authority to activate and appoint members to such board;

(5) Each year or more often, adopting a state noxious weed list, classifying the weeds on the list, and entering written findings for the inclusion of each weed on the list;

(6) Sending a copy of the state noxious weed list to each activated county noxious weed control board, regional noxious weed control board, weed district, and each county legislative authority of each county with an inactivated noxious weed control board;

(7) When petitioned and following a hearing, ordering any county noxious weed board to include a noxious weed from the state list on the county board or district's weed list;

(8) Adopting a schedule of monetary penalties for each violation of chapter 17.10 RCW classified as a civil infraction and submitting the schedule to the appropriate courts;

(9) Employing an executive secretary whose qualifications, duties, and responsibilities are set forth in this chapter and RCW 17.10.070;

(10) Preparing and distributing a biennial written report showing the expenditure of state funds on noxious weed control; specifying how the funds were spent; the status of state, county, and district programs; recommending the continued best use of state funds; and recommending the long-term needs regarding weed control;

(11) Advising the director as provided for in chapter 17.10 RCW.

[Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-105, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-105, filed 12/2/92, effective 1/2/93.]

WAC 16-750-110 State noxious weed control board—Mission. The mission of the board is to serve as responsible stewards of Washington by protecting and preserving the land and resources from the degrading impact of noxious weeds.

The board believes that prevention is the best approach and may be achieved through full implementation of the intent of the state noxious weed law. To further that, the board strives for enhanced public awareness through improved educational efforts.

The board does not deal directly in control activities but rather works to achieve this end through others. For that reason, the board seeks to improve communication, gain cooperation, and improve coordination of the efforts for noxious weed control.

The board believes noxious weed control is best carried out by strong, adequately funded programs at the local level. To achieve this, the board strives to build public support for local programs and to empower those programs to be more successful.

[Statutory Authority: Chapter 17.10 RCW. WSR 98-24-026, § 16-750-110, filed 11/23/98, effective 1/2/99; WSR 93-01-004, § 16-750-110, filed 12/2/92, effective 1/2/93.]

WAC 16-750-115 State noxious weed control board—Membership. The board is comprised of nine voting members and three nonvoting members selected as follows:

(1) Four of the members are elected by the members of activated county noxious weed control boards eligible to vote for the elected position established by the state noxious weed board. Two members are elected from the west side of the state, the crest of the Cascades being the dividing line, and two from the east side of the state.

(2) The director is a voting member or the director's appointed representative.

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

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

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

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

(7) A statewide association representing county noxious weed coordinators appoints a nonvoting technical advisor.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-115, filed 11/21/23, effective 1/1/24. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-115, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-115, filed 12/2/92, effective 1/2/93.]

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

(2) The board calls for nominations to elected positions at least 60 days prior to expiration of position terms.

(3) The board sends ballots to eligible activated county noxious weed control boards or weed district directors by regular mail at least 45 days prior to expiration of each position term.

(4) Ballots must be returned no later than 30 days before expiration of each term. Only official ballots will be accepted. Photocopied ballots will be considered invalid.

(5) The board chairperson appoints a committee to count ballots and certify elections at least 30 days prior to expiration of each term.

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

(7) For the purpose of conducting nominations or elections, the board uses the current list of county noxious weed control board voting members and weed district directors.

(8) Any person who is a resident in and member of an activated county noxious weed control board in the counties represented by positions 1, 2, 3, and 4 may enter their name, or that of any qualified person in nomination for election to the board position by voting members of the above activated county noxious weed control boards.

(9) Any director of an active weed district formed under chapter 17.04 or 17.06 RCW may enter a name in nomination for election to position 5 on the board.

(10) Each candidate or each person nominating such candidate must complete a certificate of nomination, and must return it to the board postmarked by the date specified.

(11) The board creates a ballot listing the names in alphabetical order beginning with the last name first, of the candidates nominated to the position of the board: Provided, That the board shall remove the name of any person nominated who notifies the board in writing that they are unwilling to serve on the board.

(12) The ballot, along with the statement, if any, of each candidate in the election will be mailed by regular mail to each voting member of an activated county noxious weed control board or director of an active weed district. Only county board members or weed district directors within the established position area are eligible to vote for the board member to represent that area.

(13) Each voting member of an activated county noxious weed control board or director of an activated weed district may cast one vote for the candidates appearing on the appropriate ballot and return it to the board as provided above and as per the dates specified.

(14) The candidate receiving the highest number of votes is elected: Provided, That if the candidate fails to receive more than 50 percent of the votes cast in an election, a second election will be

held between such candidate and the candidate receiving the next highest votes and: Provided further, That if there is only one candidate, that candidate will be deemed elected unanimously.

(15) The term of office for all members of the board is four years from the date of election or appointment.

(16) Vacancies among board members appointed by the director will be filled by the director. Vacancies among elected members will be filled by special election by those entities eligible to elect that position for the expired term. Special elections follow the same procedure as regular elections and repeated as needed until position is filled. Board members appointed to fill vacancies will serve out the existing term.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 24-23-085, s 16-750-120, filed 11/19/24, effective 1/1/25; WSR 23-23-168, § 16-750-120, filed 11/21/23, effective 1/1/24. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-120, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-120, filed 12/2/92, effective 1/2/93.]

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

POSITION		VOTING ELIGIBILITY
(1) Westside, southern tier	(a)	Voting members of activated county noxious weed control boards in Grays Harbor, Mason, Thurston, Pierce, Lewis, Pacific, Wahkiakum, Cowlitz, Skamania, and Clark counties.
(2) Eastside, southern tier	(a)	Voting members of activated county noxious weed control boards in Adams, Whitman, Asotin, Garfield, Columbia, Walla Walla, Franklin, Benton, Klickitat, and Yakima counties.
(3) Westside, northern tier	(a)	Voting members of activated county noxious weed control boards in Whatcom, Skagit, San Juan, Island, Snohomish, King, Kitsap, Clallam, and Jefferson counties.

POSITION		VOTING ELIGIBILITY
(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.

[Statutory Authority: Chapter 17.10 RCW. WSR 93-01-004, § 16-750-125, filed 12/2/92, effective 1/2/93.]

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

(1) The officers of the board are the chairperson, vice chairperson, and secretary. The title of the chief administrative officer is the executive secretary.

(2) Duties of officers.

(a) The chairperson presides at all meetings of the board, has the power to appoint committees, acts as ex officio member of all committees except the executive committee, serves as chairperson of the executive committee, serves as official signer of agreements between the board and public or private agencies, and performs such other duties as pertain to the office.

(b) The vice chairperson performs the duties of the chairperson in the chairperson's absence, acts as an ex officio member of all committees, and any other duties delegated by the chairperson. The vice chairperson will assume the duties of and serve out the term of the chairperson upon permanent departure of the chairperson.

(c) The secretary is the official keeper of the minutes and, approves them, and presents them to the board for adoption. In the absence of the chairperson and vice chairperson, the secretary performs the duties of the chairperson.

(d) The duties of the executive secretary, in addition to administrative duties assigned elsewhere in this chapter, are to keep a record of the proceedings of the board, notify all board members, county noxious weed control boards, and weed districts of meetings, act as an ex officio nonvoting member of all committees, negotiate agreements with public and private agencies on behalf of the board, and perform other responsibilities as delegated by the chairperson.

(3) Term of office. Term of office for officers of the board is two years following elections held at the first board meeting in January and ending at the January meeting of the second year.

(4) Election of officers. Elections will be held every two years at the January meeting of the first year. Officers are elected by a majority vote of the voting members present.

(5) Vacancies of officers other than chairperson, shall be filled for the remainder of the term, by election of the voting board members present.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 24-23-085, s 16-750-130, filed 11/19/24, effective 1/1/25; WSR 23-23-168, § 16-750-130, filed 11/21/23, effective 1/1/24; WSR 14-24-103, § 16-750-130, filed 12/2/14, effective 1/2/15; WSR 12-01-050, § 16-750-130, filed 12/15/11, effective 1/15/12. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-130, filed 11/23/99, effective 1/3/00; WSR 97-06-108, § 16-750-130, filed 3/5/97, effective 4/5/97; WSR 93-01-004, § 16-750-130, filed 12/2/92, effective 1/2/93.]

WAC 16-750-135 State noxious weed control board—Meetings. (1) All meetings of the board are open and public and all persons are permitted to attend any meeting of the board, except as otherwise provided in the Open Public Meetings Act, chapter 42.30 RCW.

(2) Members of the public are not required, as a condition to attendance at a board meeting, to register names, other information, or otherwise to fulfill any condition prior to attending.

(3) Interruptions. In the event that any meeting is interrupted by any person as to render the orderly conduct of the meeting unfeasible, and order cannot be restored by the removal of individuals who are interrupting the meeting, the chairperson may order the meeting room cleared and continue in session or may adjourn the meeting and reconvene at another location selected by a majority vote of the board members present. In such a session, the board will follow the procedures set forth in the Open Public Meetings Act (RCW 42.30.050).

(4) Adoption of rules, regulations, resolution, etc. The board shall not adopt any rules, regulations, resolution, etc. except in a meeting open to the public and then only at a meeting, the date of which is fixed by rule, or at a meeting of which notice has been given according to the provisions of the Open Public Meetings Act. Any action taken at meetings failing to comply with this section is null and void.

(5) Regular meetings—Schedule—Publication in State Register—Notice of change. The board will meet at least five times per year and at other times determined by the chairperson or by a majority of the voting members. If any regular meeting falls on a holiday, the meeting will be held on the next business day. The executive secretary files with the code reviser a schedule of the time and place of regular meetings on or before January of each year for publication in the Washington State Register. Notice of any change from this meeting schedule will be published in the State Register for distribution at least 20 days prior to the rescheduled meeting date.

(6) Notice. Each board member, county noxious weed control board, and weed district will be notified of public meetings and provided an agenda within 10 days.

(7) Special meetings. The 10-day notice may be waived for special meetings which may be called at any time by the chairperson, director, or a majority of the voting board members. Special meeting notification shall follow the procedures for special meetings set forth in the Open Public Meetings Act (RCW 42.30.080).

(8) Adjournments. If a meeting is adjourned before the advertised time, a written notice will be posted at the meeting place that specifies when the meeting was adjourned.

(9) Executive sessions.

(a) The board may hold an executive session during a regular meeting which may be called by the chairperson or a majority of voting board members present. No official actions will be taken at executive sessions. Executive sessions may deal only with matters authorized by RCW 42.30.110.

(b) Before convening in executive session, the chairperson shall publicly announce the purpose of excluding the public from the meeting place and the time when the executive session will be concluded. The executive session may be extended to a later time by announcement of the chairperson.

(10) Agenda. The agenda will be prepared by the executive secretary in consultation with the chairperson. Items may be submitted by all board members to the executive secretary at least 15 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, they are requested to provide the chairperson or executive secretary with the reasons for the absence prior to the meeting. Any voting member who misses two consecutive board meetings without providing the chairperson or the executive secretary with the reasons for the absences prior to the meeting may be removed from the board, following due notice and a hearing. Removal procedures may be initiated by a quorum vote of the board.

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

(a) Five voting members constitute a quorum to conduct the affairs of the board.

(b) The chairperson may vote on all matters coming before the board.

(c) A roll call of all voting board members present may be requested on all motions by any member.

(d) All members have the right to move or second motions.

(e) Proxy voting is not permitted.

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

(14) Press releases. All press releases and official information concerning board activities will be released from the board office.

(15) Public participation.

(a) Any person wishing to make a formal presentation at a regularly scheduled meeting of the board must notify the executive secretary of the subject matter at least 15 days before the meeting.

(b) Permission to appear before the board will be granted by the executive secretary in consultation with the chairperson before the meeting. Permission includes the date and time of the meeting and the time set for formal presentation.

(c) The chairperson may, at their discretion, recognize anyone in the audience who indicates at the time of the meeting a desire to speak.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 24-23-085, s 16-750-135, filed 11/19/24, effective 1/1/25; WSR 23-23-168, § 16-750-135, filed 11/21/23, effective 1/1/24; WSR 09-01-071, §

16-750-135, filed 12/15/08, effective 1/16/09. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-135, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-135, filed 12/2/92, effective 1/2/93.]

WAC 16-750-137 State noxious weed control board—Conflict of interest. (1) When a member of the board is beneficially interested, directly or indirectly, in a contract, sale, lease, purchase or grant that may be made by, through, or is under the supervision of the SNWCB, in whole or in part, or when the member accepts, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in such contract, sale, lease, purchase or grant, the member shall:

(a) Recuse themselves from the board discussion regarding the specific contract, sale, lease, purchase or grant;

(b) Recuse themselves from the board vote on the specific contract, sale, lease, purchase or grant; and

(c) Refrain from attempting to influence the remaining SNWCB members in their discussion and vote regarding the specific contract, sale, lease, purchase or grant.

(2) When a board member has an interest, financial or otherwise, direct or indirect, or has engaged in a business or transaction or professional activity, or has incurred an obligation of any nature, that is in conflict with the proper discharge of that board member's official duties, including the adoption of the state noxious weed list, the member shall:

(a) Recuse themselves from the board discussion regarding the decision implicated by the board member's conflict of interest;

(b) Recuse themselves from the board vote on the decision implicated by the board member's conflict of interest; and

(c) Refrain from attempting to influence the remaining SNWCB members in their discussion and vote regarding the decision implicated by the board member's conflict of interest.

(3) Under subsection (2) of this section, a board member has an interest that is in conflict with the proper discharge of their duties when the interest substantially impairs their ability to perform their duties as a board member in an objective and nonbiased manner. For example, a board member has such a conflict of interest where that board member is engaged in, or has a beneficial interest in an entity that is engaged in, the commercial production of a species that is being considered for addition on the state noxious weed list.

(4) The prohibition against discussion set forth in subsections (1)(a) and (c), (2)(a) and (c) of this section shall not prohibit the member of the SNWCB from using their general expertise to educate and provide general information on the subject area to the other members.

(5) If recusal occurs pursuant to subsection (1) or (2) of this section, the member of the SNWCB shall disclose to the public the reasons for their recusal from any board action whenever recusal occurs. The SNWCB staff shall record each recusal and the basis for the recusal.

(6) Under subsection (1) of this section, "any other person" has a beneficial interest in a contract, sale, lease, purchase or grant when the other person bids or otherwise seeks to be awarded the contract, sale, lease, purchase or grant.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 24-23-085, s 16-750-137, filed 11/19/24, effective 1/1/25; WSR 23-23-168, § 16-750-137, filed 11/21/23, effective 1/1/24.]

WAC 16-750-140 State noxious weed control board—Committees. Standing committees shall fairly reflect the composition of the board and unless advertised and open to the public, not more than four voting members may attend a committee meeting.

(1) Executive committee. An executive committee is authorized to make recommendations regarding housekeeping and personnel matters, subject to board approval at the next scheduled board meeting. The chairperson appoints the executive committee with approval of the board.

(2) Standing committees. The standing committees of the board are: Budget, executive, legislative, noxious weed, and education. The board chairperson appoints the chairperson and other members of each committee.

(3) Ad-hoc committees may be appointed from time to time.

(4) Committee voting procedures.

(a) All members of a particular committee have the right to vote. Other members in attendance may enter into discussion, but shall have no vote.

(b) Proxy voting is not permitted.

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

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

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

(7) Committee recommendations.

(a) Committee recommendations are submitted to the board except when committees meet in conjunction with the board.

(b) Minority reports may be submitted by members of a committee, if signed by those members.

(8) Committee compensation. Board members attending meetings of committees will, upon request, be reimbursed on the same basis as for attendance at regularly called board meetings.

(9) All committee appointments will be reviewed in January of even-numbered years.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-140, filed 11/21/23, effective 1/1/24; WSR 19-24-052, § 16-750-140, filed 11/26/19, effective 1/1/20; WSR 12-01-050, § 16-750-140, filed 12/15/11, effective 1/15/12. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-140, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-140, filed 12/2/92, effective 1/2/93.]

WAC 16-750-142 State noxious weed control board—Executive secretary and education specialist—Hiring and dismissal. The board has the responsibility for hiring and removing from office the executive

secretary and education specialist. The executive secretary is an exempt employee. The executive secretary or education specialist 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 or education specialist, the chairperson and one member of the executive committee will confer with the employee 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 employee prior to any formal action taken by the board. The employee is granted 30 days preparation time for the hearing and is entitled to present evidence, to be assisted by favorable witnesses, and to confront unfavorable witnesses at the hearing.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-142, filed 11/21/23, effective 1/1/24; WSR 19-24-052, § 16-750-142, filed 11/26/19, effective 1/1/20.]

WAC 16-750-145 State noxious weed control board—Executive secretary—Definition. The executive secretary acts as the chief administrative officer for the board, duties of whom are fixed by the board which include, but are not limited to, as follows:

(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 board activities with the department, maintains a liaison and performs coordinating activities with other public and private agencies;

(4) Negotiates agreements, with consultation and approval of the board, with federal agencies, tribes, and other public and private agencies;

(5) Represents the board before the state legislature; coordinates the development, edits, and oversees the production of the biennial report to the county noxious weed boards and weed districts on how state funds were spent and recommendations for the continued best use of state funds for noxious weed control;

(6) Acts as the principal spokesperson of the board to the media, technical audiences, and the public;

(7) Provides technical advice to county noxious weed boards and weed districts on the state noxious weed law and related rules;

(8) Plans and coordinates statewide approaches to selected noxious weeds, assists in the development of statewide noxious weed survey standards, coordinates efforts with department weed specialists;

(9) 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;

(10) Ensures that the official records of the board are recorded and ensures their distribution; maintains all board records, acts as public records officer;

(11) Oversees fiscal management of the board's administrative budget and cooperates with the department in budget development;

(12) Supervises additional board employees, approves hiring, re-hiring, promotion, and termination of additional 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;

(13) Performs other assignments as determined by the board.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-145, filed 11/21/23, effective 1/1/24; WSR 19-24-052, § 16-750-145, filed 11/26/19, effective 1/1/20. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-145, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-145, filed 12/2/92, effective 1/2/93.]

WAC 16-750-146 State noxious weed control board—Education specialist—Definition. The education specialist duties whom are fixed by the board which include, but are not limited to, as follows:

(1) Supports and assists the educational and weed control efforts of county and regional noxious weed control boards and weed districts;

(2) Plans, prepares, and presents programs on noxious weed control, specific weed species, and the role of the board;

(3) 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;

(4) 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;

(5) Acts as an ex officio, nonvoting member of the education committee;

(6) Performs other assignments as determined by the board and/or executive secretary.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-146, filed 11/21/23, effective 1/1/24; WSR 19-24-052, § 16-750-146, filed 11/26/19, effective 1/1/20.]

WAC 16-750-155 State noxious weed control board—Exchange time. The board shall provide exchange time in lieu of overtime pay to its employees for hours worked in excess of forty hours per week. The time shall accrue on an hour-for-hour basis. Exchange time has no cash value.

[Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-155, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-155, filed 12/2/92, effective 1/2/93.]

WAC 16-750-160 State noxious weed control board—Antidiscrimination clause. No person shall be denied participation in any phase of the board's program activities because of race, color, religion, sex, marital status, national origin, age, physical, sensory, or mental handicap, or sexual orientation. This nondiscrimination shall extend to employment by the board including retirement, selection, hiring, promotion, benefits, and dismissal.

[Statutory Authority: Chapter 17.10 RCW. WSR 93-01-004, § 16-750-160, filed 12/2/92, effective 1/2/93.]

WAC 16-750-165 State noxious weed control board—Budget and finances. (1) All board funds must be expended in a manner consistent with board wishes. The executive secretary is authorized to make these expenditures as appropriate. All matters related to payment of compensation and other expenses of the board are subject to the State Budget and Accounting Act (chapter 43.88 RCW).

(2) Budget approval. The executive secretary prepares the biennial budget after consulting the budget committee. The budget will provide for costs associated with salary, personal benefits, travel, equipment, and goods and services for the operation of the board. A budget is reviewed by the board for recommendation to the department and office of financial management for approval.

(3) The board reserves the right to pursue additional funds for its administrative budget independent of the department.

[Statutory Authority: Chapters 17.10 and 34.05 RCW. WSR 23-23-168, § 16-750-165, filed 11/21/23, effective 1/1/24. Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-165, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-165, filed 12/2/92, effective 1/2/93.]

WAC 16-750-170 State noxious weed control board—Legal counsel. On an as needed basis, a member of the attorney general's staff will serve as legal counsel for the board.

[Statutory Authority: Chapter 17.10 RCW. WSR 93-01-004, § 16-750-170, filed 12/2/92, effective 1/2/93.]

WAC 16-750-180 State noxious weed control board—Rules of order. *Robert's Rules of Order* newly revised shall serve as parliamentary authority for procedures not covered in these rules.

[Statutory Authority: Chapter 17.10 RCW. WSR 93-01-004, § 16-750-180, filed 12/2/92, effective 1/2/93.]

WAC 16-750-185 State noxious weed control board—Access to public records and documents. (1) In accordance with the Public Records Disclosure Act of Washington, the board shall make available for public inspection and copying all public records, unless the record falls within the specific exemptions of RCW 42.17.260(6), 42.17.310,

42.17.315, or other statute which exempts or prohibits disclosure of specific information or records.

(2) The provisions of chapter 42.17 RCW shall be liberally construed to promote full access to public records so as to assure continuing public confidence and to assure the public interest will be fully protected.

(3) Place and times for inspection and copying. The executive secretary will make public records available for inspection upon request.

(4) Charges for copying. No fee shall be charged for the inspection of public records. The executive secretary may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records, which charges shall not exceed the amount necessary to reimburse the board for its actual costs incident to such copying.

(5) Responses to requests. Responses to requests for public records shall be made promptly. Within five business days of receiving a public record request the board will respond as follows:

(a) With the record requested;

(b) Acknowledgment of the request and a reasonable estimate of the time it will take to provide the requested records or documents;

(c) Denying the public record request.

Denials of requests will be accompanied by a written statement of the specific reasons the request is being denied and shall have received a prompt review and final determination by the board's executive committee. Additional time may be required to respond to a request due to time needed to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt. In acknowledging receipt of a public record request that is unclear, the executive secretary may ask the requestor to clarify what information the requestor is seeking. If the requestor fails to clarify the request, the board will not respond to it.

[Statutory Authority: Chapter 17.10 RCW. WSR 99-24-029, § 16-750-185, filed 11/23/99, effective 1/3/00; WSR 93-01-004, § 16-750-185, filed 12/2/92, effective 1/2/93.]