

WSR 26-04-021  
PROPOSED RULES  
NOXIOUS WEED  
CONTROL BOARD

[Filed January 23, 2026, 12:20 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-24-077.

Title of Rule and Other Identifying Information: Chapter 16-750 WAC, State noxious weed list and schedule of monetary penalties. The Washington state noxious weed control board (WSNWCB) is proposing to amend pronouns and the state noxious weed list for 2026.

Hearing Location(s): On March 10, 2026, at 1:00 p.m., at Chelan County Fire Department, 232 East Wapato Avenue, Chelan, WA 98816; and via Zoom at <https://us02web.zoom.us/j/7061977054?omn=81696641971>.

Date of Intended Adoption: March 11, 2026.

Submit Written Comments to: Mary Burrows, WSNWCB, P.O. Box 42560, Olympia, WA 98504-2560, email [mfee@agr.wa.gov](mailto:mfee@agr.wa.gov) [[mary.burrows@agr.wa.gov](mailto:mary.burrows@agr.wa.gov)] or [noxiousweeds@agr.wa.gov](mailto:noxiousweeds@agr.wa.gov), fax 360-902-2053, by Friday, March 6, 2026.

Assistance for Persons with Disabilities: Contact Mary Burrows, phone 360-561-4428, fax 360-902-2053, TTY 800-833-6388, email [Mary.Burrows@agr.wa.gov](mailto:Mary.Burrows@agr.wa.gov), by Friday, March 6, 2026.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The Washington state noxious weed list provides the basis for noxious weed control efforts for county noxious weed control boards and other entities. It also provides guidelines for the state noxious weed control board. This proposal updates the noxious weed list, pronouns, and language throughout chapter 16-750 WAC. The anticipated effects include having an effective and efficient noxious weed list and guidelines for the administration of WSNWCB.

Updates to the noxious weed list: WAC 16-750-005 Class A noxious weed addition is sunflower broomrape, *Orobanche cumana*.

Reasons Supporting Proposal: Under RCW 17.10.080, WSNWCB is charged with updating the state noxious weed list on an annual basis to ensure it accurately reflects the noxious weed control priorities and noxious weed distribution. Under RCW 17.10.070, WSNWCB is charged with adopting, amending, or repealing rules, pursuant to the Administrative Procedure Act, chapter 34.05 RCW, as may be necessary to carry out the duties and authorities assigned to WSNWCB by this chapter.

WAC 16-750-005, *Orobanche cumana* is known to cause major crop losses within one to two seasons and to persist in the soil for more than 50 years once established. It is highly invasive, producing over 700,000 dust like seeds per flowering stalk that are moved with wind, water, animals, and disturbance.

*Orobanche cumana* is a devastating root parasite of sunflower (*Helianthus annuus*) and other members of Asteraceae (the sunflower family), and can lead to significant crop losses. Not only does *Orobanche cumana* pose a risk to sunflower producers in the state, but it could also have wide reaching impacts to the availability of export markets for agricultural commodities grown in the area. This could include seed and hay producers. One reason for the potential impact on export markets is due to the small and sticky seeds produced by the plant, which spread easily and can result in seed contamination.

This detection is especially concerning due to the aggressive nature of this parasitic weed and its potential to spread rapidly if left unmanaged. *Orobanche cumana* poses a serious threat to commercial

sunflower production and could cause significant impacts to growers, processors, exporters and the agricultural economy if not swiftly contained.

Statutory Authority for Adoption: RCW 17.10.070 and 17.10.080.

Statute Being Implemented: Chapter 17.10 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: WSNWCB, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Mary Burrows, 1111 Washington Street S.E., Olympia, WA 98504, 360-561-4428.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

WSNWCB is not one of the agencies listed in this section.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party; and rule content is explicitly and specifically dictated by statute.

Scope of exemption for rule proposal:

Is fully exempt.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. This pest was found for the first time in North America in Yakima County. The United States Department of Agriculture and Washington state department of agriculture (WSDA) have positively identified it through lab testing. An emergency listing of this pest was granted to ensure proper control measures continue. Now a permanent listing is being proposed.

At this time, only one infestation has been identified. No businesses are selling this species or growing this species for sale. Yakima County has done the control work in-house for the one known infestation. No small businesses have or will incur any costs for this listing. This is a preventative measure to ensure that this species does not cause harm to Washington state's agriculture, small business, ecosystems, and landowners.

Class A noxious weed listing is appropriate, as this noxious weed is not native to the state and of limited distribution and poses a serious threat to the state. This listing will also complement the WSDA emergency quarantine, for which rule-making efforts are already in progress. Moreover, a Class A noxious weed listing will provide crucial education and outreach to the public, as well as a regulatory tool to county noxious weed control boards to help ensure its mandatory eradication by public and private landowners if it is detected elsewhere in Washington state.

A copy of the detailed cost calculations may be obtained by contacting Mary Fee [Burrows], P.O. Box 42560, Olympia, WA 98504-2560, phone 360-561-4428, fax 360-902-2094, TTY 800-833-6388, email Mary.Burrows@agr.wa.gov.

January 23, 2026  
Mary Burrows  
Executive Secretary

RDS-6955.1

AMENDATORY SECTION (Amending WSR 25-24-076, filed 12/1/25, effective 1/1/26)

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

<b>Common Name</b>	<b>Scientific Name</b>
broom, French	<i>Genista monspessulana</i>
broom, Spanish	<i>Spartium junceum</i>
common crupina	<i>Crupina vulgaris</i>
cordgrass, common	<i>Spartina anglica</i>
cordgrass, dense-flowered	<i>Spartina densiflora</i>
cordgrass, salt meadow	<i>Spartina patens</i>
cordgrass, smooth	<i>Spartina alterniflora</i>
delta arrowhead	<i>Sagittaria platyphylla</i>
dyer's woad	<i>Isatis tinctoria</i>
eggleaf spurge	<i>Euphorbia oblongata</i>
false brome	<i>Brachypodium sylvaticum</i>
floating primrose-willow	<i>Ludwigia peploides</i>
flowering rush	<i>Butomus umbellatus</i>
garlic mustard	<i>Alliaria petiolata</i>
giant hogweed	<i>Heracleum mantegazzianum</i>
goatsrue	<i>Galega officinalis</i>
hydrilla	<i>Hydrilla verticillata</i>
Johnsongrass	<i>Sorghum halepense</i>
knapweed, bighead	<i>Centaurea macrocephala</i>
knapweed, Vochin	<i>Centaurea nigrescens</i>
kudzu	<i>Pueraria montana</i> var. <i>lobata</i>
meadow clary	<i>Salvia pratensis</i>
oriental clematis	<i>Clematis orientalis</i>
Palmer amaranth	<i>Amaranthus palmeri</i>
purple starthistle	<i>Centaurea calcitrapa</i>
reed sweetgrass	<i>Glyceria maxima</i>
ricefield bulrush	<i>Schoenoplectus mucronatus</i>
round leaf bittersweet	<i>Celastrus orbiculatus</i>
sage, clary	<i>Salvia sclarea</i>
sage, Mediterranean	<i>Salvia aethiopsis</i>
silverleaf nightshade	<i>Solanum elaeagnifolium</i>
small-flowered jewelweed	<i>Impatiens parviflora</i>
South American spongeplant	<i>Limnobium laevigatum</i>
<u>Sunflower broomrape</u>	<i>Orobanche cumana</i>
Syrian bean-caper	<i>Zygophyllum fabago</i>
Texas blueweed	<i>Helianthus ciliaris</i>
thistle, Italian	<i>Carduus pycnocephalus</i>
thistle, marsh	<i>Cirsium palustre</i>

<b>Common Name</b>	<b>Scientific Name</b>
thistle, milk	<i>Silybum marianum</i>
thistle, slenderflower	<i>Carduus tenuiflorus</i>
thistle, Turkish	<i>Carduus cinereus</i>
variable-leaf milfoil and hybrids	<i>Myriophyllum heterophyllum</i> <i>Myriophyllum heterophyllum x Myriophyllum hippuroides</i>
waterhemp	<i>Amaranthus tuberculatus</i>
wild four o'clock	<i>Mirabilis nyctaginea</i>