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State Noxious Weed Laws, Lists, Regulations and Policies

Below is a list of state contacts. Please contact individual States Departments of Agriculture for the most current laws, regulations and state noxious weed lists for your area.

Arizona

Arizona Department of Agriculture
Plant Services Division
1688 West Adams
Phoenix, AZ 85007
(602)542-3309
(602)542-0999 FAX

California

California Department of Agriculture
Integrated Pest Control
1220 N St., Rm A-357
Sacramento, CA 94203
(916)654-0768

Colorado

Colorado Department of Agriculture
State Weed Coordinator
Department of Plant Industry
700 Kipling Street, Suite 4000
Lakewood, CO 80215-5894
(303) 239-4182
(303) 239-4177 FAX

Idaho

Idaho Department of Agriculture
Vegetation Management Bureau
2270 Old Penitentiary Road
Boise, ID 83701
(208)332-8529
(208)334-4062 FAX

Montana

Montana Department of Agriculture
Noxious Weed Section
P.O. Box 200201
Helena, MT 59620-0201
(406) 444-5400
(406) 444-7336 FAX

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Nevada

Nevada Division of Agriculture
350 Capitol Hill Ave.
Reno, NV 89502
(702)688-1180
(702)688-1178 FAX

New Mexico

New Mexico Department of Agriculture
Division of Agricultural & Environmental Sciences
P.O. Box 30005, Dept. 3AQ
Las Cruces, NM 88003-8005
(505)646-3208
(505)646-5966 FAX

North Dakota

North Dakota Dept. of Agriculture
Noxious Weed Division
600 East Blvd., 6th Floor
Bismarck, ND 58505-0020
(701)328-2379
(701)328-4567 FAX

Oklahoma

Oklahoma Dept. of Agriculture
Plant Industry & Consumer Services Div.
2800 North Lincoln Blvd.
Oklahoma City, OK 73105-4298
(405)521-3864
(405)522-4584

Oregon

Oregon Department of Agriculture
635 Capitol St., NE
Salem, OR 97310
(503)378-4987

South Dakota

South Dakota Department of Agriculture
445 East Capitol
Anderson Building
Pierre, SD 57501
(605)773-3796

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Utah

Utah Department of Agriculture
Noxious Weed Survey, Detection and Control
350 North Redwood Road
PO Box 146500
Salt Lake City, UT 84114-6500
(801)538-7180
(801)538-7189

Washington

Washington State Department of Agriculture
Yakima Plant Protection
Yakima, WA 98903
(509)576-3039
(509)454-7858 FAX

Washington State Noxious Weed Board
1851 South Central Pl., Ste 211
Kent, WA 98031-7507

Wyoming

Wyoming Department of Agriculture
2219 Carey Ave
Cheyenne, WY 82002
(307)777-6585
(307)777-6593 FAX

Not all states provided information on their programs. See contacts above for specific information.

CALIFORNIA NOXIOUS WEED LAW

Organization:

The California Department of Food and Agriculture has three programs that involve weed control: 1) Weed and Vertebrate Program—this mainly deals with weeds on the “A” list that are not widespread in the State, with some exceptions. Facets of this program include detection surveys, control/eradication activities, Global Positioning System and Geographical Information System for mapping and education/training programs for identification of target species.

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In California, the 58 counties are represented by 54 County Agricultural Commissioners (four Commissioners represent two counties). The County Agricultural Commissioners (CACs) are an integral part of our program. The Commissioner's staff often assists in detection surveys and control/eradication activities. In addition, CACs are responsible for enforcing quarantine regulations at the local level. The CACs are an active partner with the Biocontrol Program's efforts to establish and distribute biocontrol agents for weeds control. An annual report of our activities is available upon request.

Noxious Weed List:

The designated noxious weed list is established at the state level and must be followed by all counties. Individual counties also have the option to include additional weeds in their area.

Funding:

This program is mainly funded by the General Fund (\$1.49 million). Some monies come from specific agencies for specific weeds. USDA-APHIS gives \$15,000 for eradicating the federal noxious weed *Salsola vermiculata*. Los Angeles County Flood Control, Los Angeles County Parks and Recreation, and the U.S. Army Corps of Engineers gives monies er eradicate alligatorweed (*Alternanthera philoxeroides*) in Los Angeles County (\$37,000, \$5,000 and \$12,000 respectively). The *Hydrilla* Program is mainly funded (\$1.8 million) through other agencies such as California Department of Boating and Waterways, California Department of Water Resources, USDI-Bureau of Reclamation, and some local agency monies plus in-kind services from USDI-Bureau of Land Management. The Biocontrol Program mainly works on more widespread weeds, not subject to eradication. However, some of the "A" rated weeds have had agents released on them. This program receives some monies from state and federal sources, but is primarily funded through the General Fund (\$1.36 million).

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**COLORADO NOXIOUS
WEED ACT**

Organization:

The board of county commissioners of each county or governing body of each municipality is responsible for the management of undesirable plants within their respective jurisdictional boundaries. The Colorado Department of Agriculture is responsible for overseeing the Colorado Noxious Weed Act.

Noxious Weed List:

The state law designates 67 plant species as noxious weeds. These species are not required to be managed across the state. Rather, the board of commissioners or governing body of a municipality determines which species are required for management and may designate additional undesirable plants, within its respective jurisdictional boundaries after a public hearing.

Funding:

The costs associated with the noxious weed management plan are paid from the noxious weed management fund of each county, often derived from the county's general fund but infrequently from a local mill levy. The cost of weed control is the landowner's or land agency's responsibility.

A state grant program exists to which any Colorado landowner, manager, or organization may apply. The program is funded annually by a \$225,000 appropriation from the CO general fund. The fund is administered by the Colorado Department of Agriculture with assistance from the CO Agriculture Commission and an evaluation team comprised of diverse interests.

**IDAHO NOXIOUS WEED
LAW**

Organization:

In Idaho, each county is also a weed district. The county commissioner is the weed authority and hires a weed superintendent to enforce the program. The law specifies that landowners must control their own weeds and cover the expenses themselves.

A new revision in Idaho's weed law states that all control efforts must be directed at eradication. However, special management zones are set up to designate areas where weed infestations are beyond economically feasible control

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levels. Special management zones are listed at the state agricultural office and the county weed office. Prospective commodity buyers check the listing to rule out the possibility of noxious weed seed infestation.

Noxious Weed List:

The primary noxious weed list is established at the state level but within the rules and regulations of the state law. Idaho legislators placed the primary noxious weed list in the rules and regulations so that as weed species were changed, the decision didn't require a vote.

Funding:

Funding for weed control is appropriated through a county mill levy up to 6/10 of a mill. The county can increase this level and is excluded from a 1% increase limitation. The cost of weed control is the landowner's or land agency's responsibility.

Cost-share funds are also available to counties through a legislative appropriation budgeted at approximately \$100,000 annually.

MONTANA NOXIOUS WEED LAW

Organization:

Every county in Montana is designated a weed district area. County commissioners appoint a weed board to administrate the weed control program. Each weed control district must develop a management plan. The plan must include goals and priorities, distribution and abundance of noxious weed species, and an estimate of personnel cost, operation, and equipment for the program.

Noxious Weed List:

The designated noxious weed list is established at the state level and must be followed by all counties. Individual counties also have the option to include additional weeds in their area.

Funding:

Funding for weed control is collected at the county level. A county can levy up to a 2 mills to fund the weed district. Funding may also be derived from the general county fund, however that doesn't happen very often.

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A state grant program exists which counties or groups within a county may solicit. The cost-share program is funded from a \$2.5 million Noxious Weed Trust Fund financed by interest from the Trust and a \$1.50 per licensed vehicle surcharge. State officials then distribute funds through a competitive grants program based on recommendations from a citizens Advisory Council. Most requests are received from local cooperatative landowner groups within a county, targeting control of a specific weed.

UTAH NOXIOUS WEED LAW

Organization:

Each county is designated as a weed district. There is a County Commissioner over the program that hires a County Weed Supervisor to conduct and enforce the program through the County Weed Board. Any management plans, etc., are completed on a county basis. The counties also provide the funds for any weed control completed in their area of jurisdiction. Noxious weed control is the responsibility of all land owners. Control can be done by the county and the expenses added to the tax bill. However, this is rarely done.

There is a state noxious weed committee that was created in an amendment to the Utah Noxious Weed Act in 1989. Membership is as follows:

Utah Department of Agriculture, USU Agricultural Experiment Station, USU Extension Service, Utah Association for Counties, Private Agricultural Industry

Noxious Weed List:

The designated noxious weed list is established at the state level and must be followed by all counties. Individual counties add noxious weeds to their official list. If someone wanted to get a weed listed on the state they would petition the State Department of Agriculture with the information about the plant. The Department will than make the decision whether the weed should be list or not.

In addition to the official list of state noxious weeds there is also a list of what is call New and Invading Potential Noxious Weeds.

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Funding:

There is no tax or levy set up to fund the noxious weed program state wide. Each county develops their own means of funding for any work on noxious weeds.

Policy Statement

New and Invading Potential Noxious Weeds

The Commissioner of Agriculture has declared 17 weeds as Noxious Weeds in the State of Utah. This was done under authority of the Utah Noxious Weed Act. These weeds were declared noxious because of their threat to the agricultural industry in the State. They are injurious to public health, crops, livestock, land, or other property.

The Department recognizes that there are other weeds that have the potential to become a threat to agriculture and may at some time be considered for declaration as a State Noxious Weed. Many of them are found in neighboring states. They may be considered as invading weeds in those states or may have been declared noxious weeds.

Department—Intent—Desire—Warning

1. It is the intent of the Department to publish a list of New and Invading weeds that have been identified as having the potential to become a State Noxious Weed. Also,
2. It is the intent of the Department to monitor New and Invading weeds and to collect information and data pertaining to them. Also,
3. It is the desire of the Department to keep the number of declared Noxious Weeds to a minimum.

Therefore; it is the Department of Agriculture's desire and intent to impress individuals and agencies with the need and importance to be aware of New and Invading

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weeds. And to issue a warning concerning the neglect of these weeds.

County weed departments, private property owners, farmers, ranchers, and state and federal agencies are encouraged to be aware of the presence of these New and Invading weeds on their property. The Department encourages all property owners to develop and implement control measures that will control and prevent the spread of these invading weeds. It is the desire of the Department to prevent these invading weeds from reaching a level of infestation that would require them to be declared a State Noxious Weed. Counties where known infestations of these weeds occur are encouraged to declare these New and Invading weeds as County Noxious Weeds. And to develop and implement control programs against these weeds.

WYOMING NOXIOUS WEED LAW

Organization:

All land within the state, including federal, state, private, and municipally owned lands, are included in a district. Weed and pest district boundaries and county boundaries are the same. Municipalities with a population of 5,000 or greater may establish and administer their own program. They receive 85% of funds collected within the city and 15% is retained by the county to provide technical assistance.

County commissions appoint a district board which oversees the district activities. District boards have certain duties and powers issued by state statutes. The district must employ a certified supervisor. Cost-share programs may be established at the discretion of the district board.

Noxious Weed and Pest List:

The noxious weed and pest list is designated at the state level between the State Board of Agriculture and the Wyoming Weed and Pest Council and must be followed by all districts. Individual districts may request that up to 2 additional weeds or pests be added to a declared list if it poses significant or detrimental threat within the district. The addition only applies to their districts.

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Funding:

Regular Program: Funding for the district program is derived from a one mill levy assessed upon all property within the county. This tax is not part of the general county or city mill levies. Funds collected are used to carry out the act within the district. Special funding may be requested from the state legislature. If a weed or pest is seriously endangering areas of the state, assistance in control may be provided by legislative appropriation for this purpose.

Weed and Pest Special Management Program: An additional one mill may be assessed within the county to implement the special management program. The option to initiate this program is at the discretion of the district board and county commissioners. If the program is implemented the district has to establish management zones, complete an inventory survey, and establish management criteria. Assistance to a district's coordinated program may also be provided by legislative appropriation.