

WAC 16-752-001 Definitions. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires:

(1) "Director" means the director of agriculture of this state, or a duly authorized representative.

(2) "Department" means the Washington state department of agriculture.

(3) "Person" means any individual, partnership, corporation, association, agency, or organized group of persons whether or not incorporated.

(4) "Hay" means the harvested herbage of forage plants, including but not limited to grasses, legumes, sedges and rushes.

(5) "State board" means the Washington state noxious weed control board.

(6) "Applicant" means a project sponsor.

(7) "BARS" means the budgeting, accounting, and reporting system of municipal fiscal management.

(8) "Environmental checklist" means the form in WAC [197-11-960](#).

(9) "Executive secretary" means the state noxious weed control board executive secretary.

(10) "Integrated pest management" means a decision-making process which combines all feasible control techniques into a program for managing targeted noxious weeds including but not limited to prevention, monitoring, consideration of alternative methods, and evaluation.

(11) "Local noxious weed control agency" means any activated county or regional noxious weed control board created under chapter [17.10](#) RCW, any weed district created under chapter [17.04](#) RCW, or any intercounty weed district created under chapter [17.06](#) RCW.

(12) "Monitoring" means inspecting to gather and record site specific information on which decisions about treatment choices are to be based.

(13) "Objectives" means statements of precise outcomes which can be measured to determine actual accomplishments.

(14) "Principal investigator" means the person under whose direction the noxious weed control project will be carried out such as the county weed control coordinator or county weed control board chairperson.

(15) "Project sponsor" means the county legislative authority of a county with an activated noxious weed control board, a local weed control agency, or a combination of two or more agencies acting through a lead agency, responsible for implementing an approved project.

(16) "Public benefits" means those services, goods, or other benefits, whether tangible or intangible, which accrue to persons other than those on whose property weed control measures pursuant to this chapter are undertaken.

(17) "Public costs" means those costs, whether tangible or intangible, which accrue to persons other than those on whose property weed control measures pursuant to this chapter are undertaken.

(18) "Significant environmental harm" means a reasonable likelihood of more than a moderate

adverse impact on environmental quality as set forth in WAC [197-11-794](#).

[Statutory Authority: Chapter [17.10](#) RCW. 90-20-002 (Order 2054), § 16-752-001, filed 9/20/90, effective 10/21/90; 88-04-044 (Order 1963), § 16-752-001, filed 1/29/88. Statutory Authority: RCW [17.10.235](#)(2). 86-19-060 (Order 1907), § 16-752-001, filed 9/16/86.]

WAC 16-752-600 Establishing the noxious weed seed and plant quarantine. Washington agriculture, environmental quality and natural resources are threatened by nonnative, aggressive species of noxious weeds. A number of these noxious weeds are transported and sold within the state of Washington both as nursery plants and as seeds in packets of flower seeds or "wildflower mixes." Subsequent "escape" of these ornamentals has been a documented source of a number of infestations and has resulted in large public and private expenditures by landowners and land managers, weed boards, and weed districts and the department of agriculture to achieve the control mandated in chapter [17.10](#) RCW. The director of agriculture, pursuant to the powers provided in chapters [17.10](#) and [17.24](#) RCW, finds that regulation of the sale of these seed packets and plants is necessary to protect Washington agriculture and natural resources and prevent public and private costs of control.

Note: For rules prescribing the limits of prohibited and restricted noxious weed seeds as contaminants in certified seed, see WAC [16-300-010](#) through [16-300-025](#).

[Statutory Authority: Chapters [17.24](#), [17.10](#) RCW. 00-24-021, § 16-752-600, filed 11/28/00, effective 12/29/00; 92-07-025, § 16-752-600, filed 3/10/92, effective 4/10/92.]

WAC 16-752-605 Noxious weed seed and plant quarantine -- Quarantine area. The area under the noxious weed seed and plant quarantine includes all counties within the state of Washington and all states, territories, and districts of the United States.

[Statutory Authority: Chapters [17.10](#) and [17.24](#) RCW. 92-07-025, § 16-752-605, filed 3/10/92, effective 4/10/92.]

WAC 16-752-610 Noxious weed seed and plant quarantine -- Regulated articles. All plants, plant parts, and seeds in packets, blends, and "wildflower mixes" of the following listed species are regulated under the terms of this noxious weed seed and plant quarantine:

Scientific Name	Common Names
Abutilon theophrasti	velvetleaf
Alliaria petiolata	garlic mustard
Amorpha fruticosa	indigobush, lead plant
Anchusa officinalis	common bugloss, alkanet, anchusa
Anthriscus sylvestris	wild chervil
Carduus acanthoides	plumeless thistle
Carduus nutans	musk thistle, nodding thistle
Carduus pycnocephalus	Italian thistle
Carduus tenuiflorus	slenderflower thistle
Centaurea calcitrapa	purple starthistle
Centaurea diffusa	diffuse knapweed
Centaurea jacea	brown knapweed, rayed

	knapweed, brown centaury horse-knobs, hardheads
<i>Centaurea jacea</i> x <i>nigra</i>	meadow knapweed
<i>Centaurea</i> <i>biebersteinii</i>	spotted knapweed
<i>Centaurea</i> <i>macrocephala</i>	bighead knapweed
<i>Centaurea nigra</i>	black knapweed
<i>Centaurea</i> <i>nigrescens</i>	Vochin knapweed
<i>Chaenorrhinum</i> <i>minus</i>	dwarf snapdragon
<i>Crupina vulgaris</i>	common crupina
<i>Cytisus scoparius</i>	Scotch broom
<i>Daucus carota</i>	wild carrot, Queen Anne's lace
<i>Echium vulgare</i>	blueweed, blue thistle, blue devil, viper's bugloss, snake flower
<i>Euphorbia esula</i>	leafy spurge
<i>Euphorbia oblongata</i>	eggleaf spurge
<i>Galega officinalis</i>	goatsrue
<i>Helianthus ciliaris</i>	Texas blueweed
<i>Heracleum</i> <i>mantegazzianum</i>	giant hogweed, giant cow parsnip
<i>Hibiscus trionum</i>	Venice mallow, flower-of-an- hour, bladder ketmia, modesty, shoo-fly
<i>Hieracium</i> <i>aurantiacum</i>	orange hawkweed, orange paintbrush, red daisy flameweed, devil's weed, grim- the-collier
<i>Hieracium</i> <i>caespitosum</i>	yellow hawkweed, yellow paintbrush, devil's paintbrush, yellow devil, field hawkweed, king devil
<i>Hieracium</i> <i>floribundum</i>	yellow devil hawkweed
<i>Hieracium pilosella</i>	mouseear hawkweed
<i>Impatiens</i> <i>glandulifera</i>	policeman's helmet
<i>Isatis tinctoria</i>	dyers' woad
<i>Kochia scoparia</i>	kochia, summer-cyprus, burning-bush, fireball, Mexican fireweed
<i>Lepidium latifolium</i>	perennial pepperweed
<i>Leucanthemum</i> <i>vulgare</i>	oxeye daisy, white daisy, whiteweed, field daisy, marguerite, poorland flower

Linaria dalmatica spp. dalmatica	Dalmatian toadflax
Mirabilis nyctaginea	wild four o'clock, umbrella-wort
Onopordum acanthium	Scotch thistle
Polygonum cuspidatum	Japanese knotweed
Polygonum polystachyum	Himalayan knotweed
Polygonum sachalinense	giant knotweed
Polygonum x bohemicum	Bohemian knotweed, Japanese and giant knotweed hybrid
Proboscidea louisianica	unicorn-plant
Pueraria montana var. lobata	kudzu
Salvia aethiopis	Mediterranean sage
Salvia pratensis	meadow clary
Salvia sclarea	clary sage
Senecio jacobaea	tansy ragwort
Silybum marianum	milk thistle
Solanum elaagnifolium	silverleaf nightshade
Solanum rostratum	buffaloburr
Soliva sessilis	lawnweed
Sorghum halepense	johnsongrass
Spartium junceum	Spanish broom
Tamarix ramosissima	saltcedar
Thymelaea passerina	spurge flax
Torilis arvensis	hedgearsley
Ulex europaeus	gorse, furze
Zygophyllum fabago	Syrian bean-caper

[Statutory Authority: Chapters [17.10](#), [17.24](#), and [34.05](#) RCW. 04-19-004, § 16-752-610, filed 9/2/04, effective 10/3/04. Statutory Authority: Chapters [17.24](#), [17.10](#), [15.13](#) RCW. 02-12-030, § 16-752-610, filed 5/29/02, effective 6/29/02. Statutory Authority: Chapters [17.24](#), [17.10](#) RCW. 00-24-021, § 16-752-610, filed 11/28/00, effective 12/29/00; [98-13-008](#), § 16-752-610, filed 6/4/98, effective 7/5/98. Statutory Authority: Chapters [17.10](#) and [17.24](#) RCW. 92-07-025, § 16-752-610, filed 3/10/92, effective 4/10/92.]

WAC 16-752-620 Noxious weed seed and plant quarantine -- Prohibited acts. It is prohibited to transport, buy, sell, offer for sale, or to distribute plants or plant parts of the regulated species listed in WAC [16-752-610](#) into or within the state of Washington or to sell, offer for sale, or distribute seed packets of the seed, flower seed blends, or wildflower mixes of these regulated species into or within the state of Washington.

[Statutory Authority: Chapters [17.10](#) and [17.24](#) RCW. 92-07-025, § 16-752-620, filed 3/10/92, effective 4/10/92.]

WAC 16-752-630 Noxious weed seed and plant quarantine -- Exceptions. The prohibition on transporting of plants and plant parts established in WAC [16-752-620](#) does not apply to plants or plant parts collected for herbariums, research in control methods, creation of pressed specimens, or for educational or identification purposes and other scientific activities, as long as all such activities are conducted in such a manner as to prevent infestation. In addition, plants or plant parts may be transported, as a part of a noxious weed control activity, to a sanitary landfill, to be burned, or otherwise for disposal under the supervision of a noxious weed control agency.

[Statutory Authority: Chapters [17.24](#), [17.10](#) RCW. 00-24-021, § 16-752-630, filed 11/28/00, effective 12/29/00; 92-07-025, § 16-752-630, filed 3/10/92, effective 4/10/92.]

WAC 16-752-640 Noxious weed seed and plant quarantine -- Permits. The director may allow the movement of materials, otherwise prohibited, by special permit. Such permit shall specify the terms and conditions under which movement is allowed.

[Statutory Authority: Chapters [17.10](#) and [17.24](#) RCW. 92-07-025, § 16-752-640, filed 3/10/92, effective 4/10/92.]

WAC 16-752-650 Noxious weed seed and plant quarantine -- Disposal of regulated articles. Any plants, plant parts, or seed packets transported, bought, sold, or offered for sale in violation of WAC [16-752-600](#) through [16-752-650](#) are subject to destruction or shipment out-of-state or other disposition in a manner prescribed by the director to prevent infestation. Any such action will be at the expense of the owner or the owner's agent and without compensation.

[Statutory Authority: Chapters [17.24](#), [17.10](#) RCW. 00-24-021, § 16-752-650, filed 11/28/00, effective 12/29/00; 92-07-025, § 16-752-650, filed 3/10/92, effective 4/10/92.]

WAC 16-752-660 Noxious weed seed and plant quarantine -- Penalties. Any person who violates the terms of the noxious weed quarantine, as provided in WAC [16-752-600](#) through [16-752-650](#), or who aids or abets in such violation, shall be subject to the civil and/or criminal penalties provided in chapter [17.24](#) RCW.

[Statutory Authority: Chapters [17.10](#) and [17.24](#) RCW. 92-07-025, § 16-752-660, filed 3/10/92, effective 4/10/92.]