

**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 16-752-500 Establishing wetland and aquatic weed quarantine.** Washington waters and wetlands are threatened by nonnative, aggressive weeds that destroy the commercial, aesthetic, fish and/or wildlife habitat, and recreational value of these areas. These rooted or freely floating plant species, when established, form dense stands or mats that clog irrigation systems and waterways, displace native species, alter fish and wildlife habitat, and/or seriously impact recreational use of the waterways.

Several species of *Spartina*, generally known as cordgrasses, are nonnative, highly aggressive weeds that have invaded salt water estuarine areas on the Washington coast, displacing native species and threatening bird and mammal habitats and the shellfish industry.

The director of agriculture, pursuant to the powers provided in chapters [17.10](#), [15.13](#) and [17.24](#) RCW, finds that the regulation and exclusion of these plants and plant parts are necessary to preserve Washington waters and wetlands, both fresh water and estuarine, from new or additional infestation. These requirements and restrictions, contained in WAC [16-752-500](#) through [16-752-525](#), are in addition to the requirements contained in WAC [232-12-271](#), "Criteria for planting aquatic plants and releasing wildlife," administered by the Washington state department of fish and wildlife.

[Statutory Authority: Chapters [17.10](#), [17.24](#), and [34.05](#) RCW. 04-19-004, § 16-752-500, filed 9/2/04, effective 10/3/04. Statutory Authority: Chapters [17.24](#), [17.10](#), and [15.13](#) RCW. 01-01-014, § 16-752-500, filed 12/6/00, effective 1/6/01. Statutory Authority: RCW [17.10.235](#) and chapter [17.24](#) RCW. 92-07-024, § 16-752-500, filed 3/10/92, effective 4/10/92.]

**WAC 16-752-505 Wetland and aquatic weed quarantine -- Regulated articles.** All plants and plant parts of the following are regulated articles under this chapter:

Scientific Name	Common Name
<i>Butomus umbelatus</i>	flowering rush
<i>Cabomba caroliniana</i>	fanwort
<i>Crassula helmsii</i>	Australian swamp stonecrop
<i>Egeria densa</i>	Brazilian elodea
<i>Epilobium hirsutum</i>	hairy willow herb
<i>Glossostigma diandrum</i>	mud mat
<i>Hydrilla verticillata</i>	hydrilla
<i>Hydrocharis morsus-ranae</i>	European frog-bit
<i>Lagarosiphon major</i>	African elodea
<i>Ludwigia hexapetala</i>	water primrose
<i>Lysimachia vulgaris</i>	garden loosestrife
<i>Murdannia keisak</i>	marsh dew flower, Asian spiderwort
<i>Myriophyllum aquaticum</i>	parrotfeather
<i>Myriophyllum spicatum</i>	Eurasian watermilfoil

<i>Najas minor</i>	slender-leaved naiad, brittle naiad
<i>Nymphoides peltata</i>	yellow floating heart
<i>Sagittaria graminea</i>	grass-leaved arrowhead
<i>Sagittaria platyphylla</i>	delta arrowhead
<i>Spartina alterniflora</i>	smooth cordgrass
<i>Spartina anglica</i>	common cordgrass
<i>Spartina densiflora</i>	dense-flowered cordgrass
<i>Spartina patens</i>	salt meadow cordgrass
<i>Trapa natans</i>	water chestnut, bull nut
<i>Trapa bicornus</i>	water caltrap, devil's pod, bat nut
<i>Utricularia inflata</i>	swollen bladderwort

[Statutory Authority: Chapters [17.10](#), [17.24](#), and [34.05](#) RCW. 04-19-004, § 16-752-505, filed 9/2/04, effective 10/3/04. Statutory Authority: Chapters [17.24](#), [17.10](#), and [15.13](#) RCW. 01-01-014, § 16-752-505, filed 12/6/00, effective 1/6/01. Statutory Authority: RCW [17.10.235](#) and chapter [17.24](#) RCW. 92-07-024, § 16-752-505, filed 3/10/92, effective 4/10/92.]

**WAC 16-752-507 Wetland and Aquatic weed quarantine -- Quarantine area.** The area under the wetland and aquatic weed quarantine includes all counties within the state of Washington and all states, territories, and districts of the United States.

[Statutory Authority: RCW [17.10.235](#) and chapter [17.24](#) RCW. 92-07-024, § 16-752-507, filed 3/10/92, effective 4/10/92.]

**WAC 16-752-510 Wetland and aquatic weed quarantine -- Prohibited acts.** It is prohibited to transport, buy, sell, offer for sale, or to distribute plants or plant parts of the regulated plants, listed in WAC [16-752-505](#), into or within the state of Washington. It is further prohibited to intentionally transplant wild plants and/or plant parts of these species within the state of Washington.

[Statutory Authority: RCW [17.10.235](#) and chapter [17.24](#) RCW. 92-07-024, § 16-752-510, filed 3/10/92, effective 4/10/92.]

**WAC 16-752-515 Wetland and aquatic weed quarantine -- Exemptions.** The prohibition on transporting plants or plant parts in WAC [16-752-510](#) shall not apply to plants or plant parts collected for herbariums, research in control methods, creation of pressed specimens for educational or identification purposes and other scientific activities, except that all activities requiring live plants, except pressed specimens, are conducted under permit from the director and are conducted in such a way that no infestation is created. No permit is required to transport plants or plant parts, as a part of a noxious weed control activity, to a sanitary landfill, to be burned, or otherwise for disposition, if such activities are conducted under the supervision of an official weed control agency or other public agency with management responsibilities for the control efforts and are conducted in such a manner that seed dispersal or dispersal of propagative materials to uninfested areas is prevented. No permit is required for live plants for educational or training purposes, if the specimens are disposed of in such a manner as to prevent infestation.

[Statutory Authority: Chapters [17.24](#), [17.10](#), and [15.13](#) RCW. 01-01-014, § 16-752-515, filed 12/6/00, effective 1/6/01. Statutory Authority: RCW [17.10.235](#) and chapter [17.24](#) RCW. 92-07-024, § 16-752-515, filed 3/10/92, effective 4/10/92.]

**WAC 16-752-520 Wetland and aquatic weed quarantine -- Disposition of regulated articles.** Any plants or plant parts transported, bought, sold, offered for sale, or planted in violation of this order shall be subject to destruction or shipment out-of-state if the department determines that such shipment may be done without danger of infestation. Any action will be at the expense of the owner or the owner's agent and without compensation.

[Statutory Authority: Chapters [17.24](#), [17.10](#), and [15.13](#) RCW. 01-01-014, § 16-752-520, filed 12/6/00, effective 1/6/01. Statutory Authority: RCW [17.10.235](#) and chapter [17.24](#) RCW. 92-07-024, § 16-752-520, filed 3/10/92, effective 4/10/92.]

**WAC 16-752-525 Wetland and aquatic weed quarantine -- Penalties.** Any person who violates the terms of this quarantine, as provided in WAC [16-752-500](#) through [16-752-520](#), or who aids and abets in such violation, shall be subject to criminal and/or civil penalties provided by law.

[Statutory Authority: RCW [17.10.235](#) and chapter [17.24](#) RCW. 92-07-024, § 16-752-525, filed 3/10/92, effective 4/10/92.]