

Proposed Updates to State Noxious Weed Law RCW 17.10

RCW 17.10 provides for the creation of the state noxious weed board, activation of county noxious weed boards, the state noxious weed list, landowner responsibilities in noxious weed control, and the ability of employees of the state weed board, county weed boards, or WSDA to carry out the noxious weed law. The changes in this draft are primarily technical changes regarding internal processes with the intent to improve the ability of the state noxious weed board, county noxious weed boards, and WSDA to carry out their duties and authorities assigned under this chapter.

RCW 17.10.010 (4) Updating the definition of “Owner” to include deed parcels, right-of-ways, and undefined lots.

RCW 17.10.010 (12) Addition of the definition of “Parcel”- means real property having a parcel number or deeded real property, right-of-way, undefined lot, or a lot having a legal description.

RCW 17.10.030 Addition of a state noxious weed board non-voting technical advisor appointed by a statewide association representing county noxious weed coordinators.

RCW 17.10.050 (1) Insuring consultation between county noxious weed control boards and county legislative authority pertaining to board member appointment. Decreasing the requirement from four to three board members required to be engaged in the primary production of agricultural products. Updating verbiage from “chair” to “director” of the county extension office.

RCW 17.10.050 (2) Adding the statement “If the county legislative authority fails to appoint a nominee within the thirty-day period, the nominee will be appointed by the county noxious weed board” to insure appointment of members to the county noxious weed boards.

RCW 17.10.050 (4) Clarifying process in which a vacant board position must be filled.

RCW 17.10.060 (1) Insuring that county weed board employment practices are consistent with county policies. The word “comply” was changed to “consistent” to emphasize board autonomy yet consistency with county policies. Also updated pesticide license requirements for county noxious weed coordinators.

RCW 17.10.070 Adding a state noxious weed board Education Specialist exempt position.

RCW 17.10.074 (2) Adding section (2) under the WSDA director’s powers which require action to be taken upon receipt of a complaint pertaining to uncontrolled infestations of regulated noxious weed species within a county jurisdiction. The “may” in this section was changed to “must” to emphasize the required actions.

RCW 17.10.100 Technical verbiage edits

RCW 17.10.140 (2) Restructured section, adding control requirement of class B and C selected for local control noxious weed species for forestland owners within a two hundred foot buffer of all roads unless properly abandoned, navigable rivers, gravel pits, log yards, and staging areas.

The intent is to insure that noxious weed infestations are not being spread via these vectors including but not limited to shade tolerant species.

RCW 17.10.145 (1) Added that agencies must appoint a liaison for noxious weed control. Agencies are already required to develop noxious weed plans. The intent is to have a specific contact person(s) within each agency and help insure interagency communications.

RCW 17.10.145 (3) Added section (3) to insure noxious weed assessment payments to the county noxious weed board from state agencies which own or manage lands within that county.

RCW 17.10.235 Technical verbiage edits

RCW 17.10.240 (1) In regards to a county noxious weed board petitioning for a hearing regarding their budget, the word "shall" was changed to "may" because this is optional and not required if the board does not want to request a hearing. The time limit of "thirty days prior to the adoption of the county budget" was added to give boards adequate time to adjust their budgets before adoption.

RCW 17.10.890 Describing the process by which a county noxious weed board may be deactivated, emphasizing the absence of class A or class B noxious weeds within the county.

RCW 17.10.890 (3) The "shall" in this statement was changed to "may" because after a hearing the deactivation of a noxious weed board is still optional and not required.

These changes to RCW 17.10 help insure the purpose of this chapter; limiting economic loss and adverse effects to Washington's agriculture, natural, and human resources due to the presence and spread of noxious weeds on all terrestrial and aquatic areas in the state (RCW 17.10.007).