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KITSAP COUNTY NOXIOUS WEED CONTROL BOARD DRAFT RULES AND REGULATIONS

1. INTRODUCTION

By institution and authority of the Kitsap County Board of Commissioners, all lands within the County except Indian and federal are subject to the direction of the Kitsap County Noxious Weed Control Board with respect to control of listed noxious weeds.

The weed board carries out the mandates of the state weed control law, Chapter 17.10 RCW. These RULES AND REGULATIONS are adopted as necessary for the administration of the county's noxious weed control program.

The mission of the weed board is to educate property owners to be responsible stewards of the land and resources of Kitsap County by protecting and preserving all lands and natural resources of the county from the degrading impact of invasive noxious weeds; and to provide quality, timely and responsible service to the residents of Kitsap County in a cost efficient manner..

2. DEFINITIONS

These RULES AND REGULATIONS specifically include all Definitions included in RCW 17.10.010 and Chapter 16-750 WAC. Unless a different meaning is plainly required by the context, the following words or phrases shall have the following meanings:

- 2.1 WEED BOARD means the six appointed members of the Kitsap County Noxious Weed Control Board.
- 2.2 INTEGRATED PEST MANAGEMENT (IPM) is defined in Chapter 17.15 RCW. A copy of the Kitsap County Noxious Weed Control Board's current Policy is included in this document.
- 2.3 NOTICE shall mean notifying (at a minimum the county paper of record) media with press or news releases.

3. WEED BOARD

- 3.1 ORGANIZATION. This organization has been activated as the Kitsap County Noxious Weed Control Board, hereinafter called the weed board.
- 3.2 MEMBERSHIP. The weed board consists of six members. The five voting members shall reside in and represent the constituents within the boundaries of each of the school districts within Kitsap County. One nonvoting member shall be appointed by the chief county extension agent. RCW 17.10.050.
 - 3.2.1 Bremerton District
 - 3.2.2 Central District
 - 3.2.3 North Kitsap District
 - 3.2.4 South Kitsap District
 - 3.2.5 Bainbridge Island District

- 3.3 ELIGIBILITY TO SERVE. RCW 17.10.050(1) requires that four of five voting members be engaged in primary production of agricultural products. There is no requirement that agriculture be a primary source of income for these members. Any questions concerning qualifications can be addressed by the County Commissioners.
- 3.4 APPOINTMENT TO THE WEED BOARD. Members of the weed board are appointed and confirmed by the Kitsap County Commissioners. to serve four-year terms.
- 3.5 WEED BOARD MEMBER IN GOOD STANDING. A weed board member in good standing shall abide by these RULES AND REGULATIONS and the laws of the State of Washington. Board members shall attend regular board meetings with no more than up to 6 explained absences per year or half of the number of meetings per year. Prior notification must be given to the Chair if unable to attend a meeting. Board members shall be familiar with statutes and regulations pertaining to the Weed Board.
- 3.6 WSU/COOPERATIVE EXTENSION. WSU Cooperative Extension shall provide educational, informational and technical expertise to the weed board.
- 3.7 RULES OF ORDER. Robert's Rules of Order governs this organization in all parliamentary situations that are not provided for in the law or other portions of these adopted RULES AND REGULATIONS.
- 3.8 RESPONSIBILITIES OF THE WEED BOARD AND ITS MEMBERS. The individual members of the weed board shall represent the people of the district from which each is appointed. The weed board shall represent Kitsap County and the people of the county as a whole. As provided in RCW 17.10 and County policy the weed board:
 - 3.8.1 Administers the noxious weed control program by establishing policies and procedures in accordance with statutes and legislative direction.
 - 3.8.2 Adopts RULES AND REGULATIONS which include its IPM Policy and Weed List.
 - 3.8.3 Members may serve on committees of the weed board or participate in work sessions and briefings with the Kitsap County Commissioners or its delegates.
 - 3.8.4 Conducts enforcement hearings, applies liens on properties and conducts other Public Hearings and meetings as necessary during the year.
 - 3.8.5 Proposes applications for grants.
 - 3.8.6 Holds a public hearing prior to adoption of land classifications for assessment purposes.
 - 3.8.7 Submits to the Kitsap County Commissioners a proposed level of assessment, should it be necessary, to be collected in the next year, for each class of land within the county.
 - 3.8.8 Sets coordinator position qualifications; holds interviews; makes position selection; conducts an annual performance evaluation and has employee termination authority in a manner consistent with county personnel policy.
 - 3.8.9 In conjunction with the coordinator, proposes an annual budget for operation of the noxious weed control program.

- 3.8.10 Per RCW 17.10.050(2), advertises for and accepts applications for appointment to the weed board as required and recommends the appointment of the most qualified applicant for each position to the Kitsap County Commissioners.
- 3.9 QUORUM AND VOTING MAJORITY. The quorum and voting majority requirements are specified in RCW 17.10.050(3). Three voting members of the board shall constitute a quorum for the transaction of business and shall be necessary for any action taken by the weed board.
- 3.10 MEETINGS. The weed board shall meet at least quarterly at such times and places agreed to by the weed board. All meetings will be open to the public unless the weed board or any committees it establishes choose by majority vote to conduct a meeting or portion thereof in executive session.
- 3.10.1 Agenda. An agenda prepared by the Chair in consultation with other members shall be provided as least three days prior to any regular meeting. Members may designate items to be included. All agendas will include a time and space allocation for “Public Comment”.
- 3.10.2 Notice of Regular Meetings. Notice of the time and place of all regular meetings shall be posted in an appropriate newspaper serving County residents and appear at least five days prior to the date of the meeting.
- 3.10.3 Special Meetings. Special meetings of the weed board may be held at any place and time whenever called by any four members. Notice of the time and place of any special meeting shall be given by the member(s) calling the meeting by mail, e-mail or by personal communication at least five days prior to the date of the meeting. The business to be transacted and the purpose of any special meeting shall be specified in the form of an agenda in the notice.
- 3.10.4 Organizational Meetings. Each November, the weed board shall conduct a meeting to:
- 3.10.4.1 Establish a regular meeting date for the next calendar year.
 - 3.10.4.2 Establish a location for its regular meetings.
 - 3.10.4.3 Elect officers who shall serve for one calendar year. Officers shall include a chair who shall preside according to the guidelines of the code of parliamentary procedure, a vice-chair who shall act for the chair in his/her absence, and a secretary.
- 3.11 COMPENSATION. Weed board members shall receive compensation for actual, necessary expenses incurred in the performance of their official duties through the county’s regular voucher system. Members shall request such reimbursement by completing and signing official travel vouchers, and returning them to the coordinator. Expenses eligible for compensation shall include but are not limited to; travel, out-of-county meals, out-of-county motel rooms, out-of-state travel and registrations.

- 3.12 COMMITTEES. Through the use of committees, weed board responsibilities may be apportioned among its members, its staff and interested non-member citizens of the county. Committees may be appointed by the weed board for specific purposes. These committees shall not be decision making entities. Functioning committees shall present reports and recommendations to the weed board for consideration in public meetings. Membership is open to interested citizens of Kitsap County. Each committee shall consist of at least one voting member.
- 3.13 OFFICERS. The officers of the weed board shall be a chairperson, a vice-chairperson and secretary. All must be voting members of the weed board. The Chair shall preside at meetings and any committees exercising any authority of the weed board. It is the duty and responsibility of the Chair to enforce any and all rules of procedure and to control and direct all weed board discussions and comments.
4. EMPLOYEES
- 4.1 NOXIOUS WEED CONTROL COORDINATOR. The coordinator, as the weed board's agent, is department director of the weed agency. The coordinator's duties include but are not limited to those specified in RCW 17.10.060, these adopted RULES AND REGULATIONS, coordinator job description and the policies and procedures of Kitsap County.
- In addition to the duties and job functions outlined in the classification specification, the weed board has delegated to the coordinator full administrative responsibilities for; hiring, supervising and disciplining employees, authority to approve payments for expenditures, out-of-county travel, advance travel requests and travel reimbursements.
- 4.2 WRITTEN JOB SPECIFICATIONS. Written county job specifications for all regular employees are located in the noxious weed control office and are available upon request.
5. PURCHASING AND INVENTORY PROCEDURES. Purchasing and inventory practices shall be maintained in accordance with the Kitsap County policies and established state and county audit requirements.
- 5.1 GRANT PURCHASING AND INVENTORY PROCEDURES. Special terms and conditions required under any awarded grants shall be observed as defined by the grant documentation.
- 5.1.1 Equipment purchased with grant moneys shall be so documented.
6. RULES AND REGULATIONS. Adopted subject to RCW 17.10.060(2), shall stand in lieu of weed board constitution and bylaws. An INTEGRATED PEST MANAGEMENT POLICY (IPM) is adopted annually by the weed board. It directs the work of the weed agency and is an integral part of these RULES AND REGULATIONS. Following annual adoption, these RULES AND REGULATIONS may be amended following public hearing.
- 6.1 A proposed amendment shall be distributed to members and staff at least two weeks prior to the public hearing when it will be considered.

- 6.2 Staff shall cause notice to be published stating that amendments to the RULES AND REGULATIONS are to be considered, and public comment taken in a public hearing.
- 6.3 Following an opportunity for public comment and discussion, voting members of the weed board shall, by formal motion and vote, determine the outcome of the proposed amendment either at the public hearing or at a later open public meeting.
- 6.4 Unless another date is specifically stated, amendments shall take immediate effect.
7. PUBLICITY. The public shall be advised of the services and assistance which will be offered.
 - 7.1 AMERICANS WITH DISABILITIES ACT. All news releases and advertisements shall be in compliance with the Americans With Disabilities Act.
8. SEVERABILITY. These REGULATIONS are intended to be supplemental to the provisions of Chapter 17.10 RCW. If any provision of these REGULATIONS or their application to any person or circumstance is held invalid the remainder of these REGULATIONS or the application of that provision to any other person or circumstance is not affected. RCW 17.10.910.

INTEGRATED PEST MANAGEMENT POLICY

9. IPM GOAL STATEMENT. The Kitsap County Noxious Weed Board is concerned about protecting life, health and the environment, and works to preserve wildlife habitat, native plant species, and livestock on agricultural lands, urban and recreational acreage, and all other lands in Kitsap County. The Board recognizes that noxious weeds pose environmental and public health risks. The Board has applied an Integrated Pest Management (IPM) approach since the creation of the Noxious Weed Control Program in 2005 to fulfill the requirements of the Washington State Noxious Weed Law, RCW 17.10. Integrated Pest Management, as defined by RCW 17.15, is a coordinated decision-making and action process that uses the most appropriate pest control methods and strategy in an environmentally and economically sound manner to meet programmatic pest control objectives. The elements of the Kitsap County Noxious Weed Control Board's IPM plan include:
 - a) Preventing noxious weed problems;
 - b) Monitoring for the presence of noxious weeds and weed damage;
 - c) Treating noxious weed problems to reduce populations using strategies that may include biological, cultural, mechanical, and chemical control methods – always considering human health, ecological impact, feasibility, and cost-effectiveness;
 - d) Minimizing the use of chemical pesticides by offering information on alternative control methods and educating property owners who choose to use chemical controls on their correct use; and
 - e) Evaluating the effects and efficacy of noxious weed control treatments.

The primary emphasis of the Kitsap County Noxious Weed Control Program is on prevention and education. Landowners, by state law, are responsible for controlling noxious weeds on their properties. The Board does not require landowners to use herbicides. Landowners are given

information about a variety of weed control options and are encouraged to give full consideration to all control methods prior to using herbicides.

In order to provide landowners with accurate information, all Noxious Weed Control Program field staff are required by the Board to obtain a Washington State Pesticide consultant's license, be knowledgeable about the laws and safety requirements for pesticide use, and to maintain their licenses through continuing education. Staff may engage in manual and biological weed control methods as well as judicious use of herbicides on priority weeds as approved by the Washington State Departments of Ecology (DOE) and Agriculture (WSDA). Infrequently, in cases of enforcement, a control contractor may apply herbicides after full consideration of other weed control methods. Landowners are given an option to request non-chemical control in enforcement cases.

Herbicides discussed with landowners who choose to use them, and those used in enforcement cases, must be approved by the WSDA for specific applications. No herbicides are recommended that have been determined to be carcinogenic, developmental toxins, mutagenic, or causing reproductive effects by the U.S Environmental Protection Agency, or other reliable sources or studies. Herbicides used for noxious weed control will be of low acute toxicity and biodegradable.

10. DEFINITIONS.

- 10.1 ACTION LEVEL. An action level is determined by the dominance level rating. The action level is that dominance level at which staff begins mandatory contact procedures.
- 10.2 BIOLOGICAL CONTROL. The deliberate use of natural enemies, as approved by the Animal/Plant Health Inspection Service, APHIS, to suppress plant populations. These natural enemies may be insects, mites, fungi or plant pathogens. This usually reduces weeds to ecologically and/or economically unimportant levels.
- 10.3 BOLT. The stage of plant development when the stalk or stem that will bear blossom or flowers elongates.
- 10.4 CHEMICAL CONTROL. The use of herbicides (pesticides used to kill or inhibit plant growth) approved for use in the state of Washington and Kitsap County, and properly applied as per manufacturer instructions.
- 10.5 CONTROL. Prevention of all seed production, and prevent the dispersal the following propagules of aquatic noxious weeds - turions, fragments, tubers and nutlets, per Chapter 16-750-003(2)(a) WAC.
- 10.6 CRITICAL AREAS. Those areas specified as such in Kitsap County Code chapter 21A.24.
- 10.7 CULTURAL CONTROL. The use of management tools such as revegetation, restoration, fertilization, implementation of grazing management systems.
- 10.8 ENFORCED CONTROL. Enforcement action taken by the agency requiring landowners to comply with the state weed law.

- 10.9 FOREST DESIGNATIONS. Those forest lands classified as subject to noxious weed control requirements by RCW 17.10.150(c), following the harvesting of trees for timber.
- 10.10 FOREST ROADS. All roadways open to public access, any time during the year, leading from forest lands into agriculture areas. One forest road acre is measured as 8 feet wide on each side of the road surface for .5 mile.
- 10.11 MONITORING. Gathering and recording site specific information. As a component of IPM, monitoring means regularly inspecting the places where noxious weeds are most likely to appear.
- 10.12 NOXIOUS WEED. Any non-native plant which, when established, is highly destructive, competitive or difficult to control by cultural or chemical practices. All species addressed in the Plan are on Washington State's Noxious Weed list.
- 10.13. RIGHTS-OF-WAY. All streets, roadways, utility corridors (phone, gas and transmission), railroads, etc., and the attached easements.

11. OBJECTIVE: **KITSAP COUNTY NOXIOUS WEED LIST FOR 2005.** The weed board has adopted the following **2005 Kitsap County Noxious Weed List**, which includes those species designated by WAC 16-750 for control in Kitsap County.

Boldfaced names indicate changes or additions to the previous year's list.

2005 Kitsap County Noxious Weed List

CLASS A (eradication required in state and Kitsap County)	
Common Name	Scientific Name
bean-caper, Syrian	<i>Zygophyllum fabago</i>
blueweed, Texas	<i>Helianthus ciliaris</i>
broom, Spanish	<i>Spartium junceum</i>
buffalobur	<i>Solanum rostratum</i>
clary, meadow	<i>Salvia pratensis</i>
cordgrass, dense flower	<i>Spartina densiflora</i>
cordgrass, salt meadow	<i>Spartina patens</i>
crupina, common	<i>Crupina vulgaris</i>
flax, spurge	<i>Thymelaea passerina</i>
four o'clock, wild	<i>Mirabilis nyctaginea</i>
goatsrue	<i>Galega officinalis</i>
hawkweed, yellow devil	<i>Hieracium floribundum</i>
hogweed, giant	<i>Heracleum mantegazzianum</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 var. lobata</i>
lawnweed	<i>Soliva sessilis</i>
mustard, garlic	<i>Alliaria petiolata</i>
nightshade, silverleaf	<i>Solanum elaeagnifolium</i>
sage, clary	<i>Salvia sclarea</i>
sage, Mediterranean	<i>Salvia aethiopis</i>
spurge, eggleaf	<i>Euphorbia oblongata</i>
starthistle, purple	<i>Centaurea calcitrapa</i>
thistle, Italian	<i>Carduus pycnocephalus</i>
thistle, milk	<i>Silybum marianum</i>
thistle, slenderflower	<i>Carduus tenuiflorus</i>
velvetleaf	<i>Abutilon theophrasti</i>
woad, dyers	<i>Isatis tinctoria</i>

CLASS B (control may be required in Kitsap County)	
Common Name	Scientific Name
alyssum, hoary	<i>Bertoroa incana</i>
arrowhead, grass leaved	<i>Sagittaria graminea</i>
blackgrass	<i>Alopecurus myosuroides</i>
blueweed, viper's bugloss	<i>Echium vulgare</i>
broom, Scotch	<i>Cytisus scoparius</i>
bryony, white	<i>Bryonia alba</i>
bugloss, annual	<i>Anchusa arvensis</i>
bugloss, common	<i>Anchusa officinalis</i>
camelthorn	<i>Alhagi maurorum</i>
carrot, wild	<i>Daucus carota</i>
chervil, wild	<i>Anthriscus sylvestris</i>
cinquefoil, sulfur	<i>Potentilla recta</i>
cordgrass, common	<i>Spartina anglica</i>
cordgrass, smooth	<i>Spartina alterniflora</i>
daisy, oxeye	<i>Leucanthemum vulgare</i>
elodea, Brazilian	<i>Egeria densa</i>
fanwort	<i>Cabomba caroliniana</i>
fieldcress, Austrian	<i>Rorippa austriaca</i>
floating heart, yellow	<i>Nymphoides peltata</i>
gorse	<i>Ulex europaeus</i>
hawkweed, mouseear	<i>Hieracium pilosella</i>
hawkweed, orange	<i>Hieracium aurantiacum</i>
hawkweed, polar	<i>Hieracium atratum</i>
hawkweed, queen-devil	<i>Hieracium glomeratum</i>
hawkweed, smooth	<i>Hieracium laevigatum</i>
hawkweed, yellow	<i>Hieracium caespitosum</i>
hedgearsley	<i>Torilis arvensis</i>
helmet, policeman's	<i>Impatiens glandulifera</i>
knapweed, black	<i>Centaurea nigra</i>
knapweed, brown	<i>Centaurea jacea</i>
knapweed, diffuse	<i>Centaurea diffusa</i>
knapweed, meadow	<i>Centaurea jacea x nigra</i>
knapweed, Russian	<i>Acroptilon repens</i>
knapweed, spotted	<i>Centaurea biebersteinii</i>
kochia	<i>Kochia scoparia</i>
knotweed, Bohemian	<i>Polygonum bohemicum</i>
knotweed, giant	<i>Polygonum sachalinense</i>
knotweed, Himalayan	<i>Polygonum polystachyum</i>
knotweed, Japanese	<i>Polygonum cuspidatum</i>
lepyrodiclis	<i>Lepyrodiclis holosteoides</i>
loosestrife, garden	<i>Lysimachia vulgaris</i>
loosestrife, purple	<i>Lythrum salicaria</i>

CLASS B (control may be required in Kitsap County)	
nutsedge, yellow	<i>Cyperus esculentus</i>
oxtongue hawkweed	<i>Picris hieracioides</i>
parrotfeather	<i>Myriophyllum aquaticum</i>
pepperweed, perennial	<i>Lepidium latifolium</i>
primrose, water	<i>Ludwigia hexapetala</i>
ragwort, tansy	<i>Senecio jacobaea</i>
saltcedar	<i>Tamarix ramosissima</i>
sandbur, longspine	<i>Cenchrus longispinus</i>
skeletonweed, rush	<i>Chondrilla juncea</i>
sowthistle, perennial	<i>Sonchus arvensis</i>
spurge, leafy	<i>Euphorbia esula</i>
starthistle, yellow	<i>Centaurea solstitialis</i>
swainsonpea	<i>Sphaerophysa salsula</i>
thistle, musk	<i>carduus nutans</i>
thistle, plumeless	<i>Carduus acanthoides</i>
thistle, Scotch	<i>Onopordum acanthium</i>
toadflax, Dalmatian	<i>Linaria dalmatica</i> ssp. <i>dalmatica</i>
watermilfoil, Eurasian	<i>Myriophyllum spicatum</i>

CLASS C (control may be required in Kitsap County)	
Common Name	Scientific Name
hawkweeds, non-native and invasive	<i>Hieracium</i> spp.
toadflax, yellow	<i>Linaria vulgaris</i>
willowherb, hairy	<i>Epilobium hirsutum</i>
wormwood, absinth	<i>Artemisia absinthium</i>

bindweed, field	<i>Convolvulus arvensis</i>
canarygrass, reed	<i>Phalaris arundinacea</i>
groundsel, common	<i>Senecio vulgaris</i>
herb Robert	<i>Geranium robertianum</i>
iris, yellow flag	<i>Iris pseudacorus</i>
ivy, English (four cultivars listed)	<i>Hedera hibernica</i> 'Hibernica' <i>Hedera helix</i> 'Baltica' <i>Hedera helix</i> 'Pittsburgh' <i>Hedera helix</i> 'Star'
old man's beard	<i>Clematis vitalba</i>
poison-hemlock	<i>Conium maculatum</i>
spurge, myrtle	<i>Euphorbia myrsinites</i>
reed, common (non-native genotypes)	<i>Phragmites australis</i>
St. Johnswort, common	<i>Hypericum perforatum</i>
tansy, common	<i>Tanacetum vulgare</i>
thistle, bull	<i>Cirsium vulgare</i>

thistle, Canada	<i>Cirsium arvense</i>
water lily, fragrant	<i>Nymphaea odorata</i>

11.1 SPECIAL AQUATIC PLANT SPECIES. Aquatic species such as Eurasian watermilfoil (*Myriophyllum spicatum*), parrotfeather (*Myriophyllum aquaticum*), purple loosestrife (*Lythrum salicaria*) may be found growing in Kitsap County. Because of their growth patterns and habitat, it may be difficult, if not impossible, to determine ownership of the infestations. For this reason, standard procedures to enforce RCW 17.10, such as those included in these RULES AND REGULATIONS, may not apply. A combination of procedures or approaches may be necessary. This board may work cooperatively and provide support to outside agencies to prevent and control aquatic weed infestations as appropriate. This board asks that the State Noxious Weed Control Board address this issue to find procedures by which these species can be controlled.

11.2.1 Eurasian watermilfoil has been and continues to be a major problem in several Kitsap County lakes.

11.2.2 Purple loosestrife. This agency will continue to survey for the presence of, and notify and provide information to landowners about controlling infestations of this species.

12. STRATEGY: PRIORITIZATION

12.1 PRIORITY WEED SPECIES

Priorities for 2005 are species selected by the Kitsap County Noxious Weed Control Board as priority targets for Kitsap County control efforts. They include but are not limited to the following: giant hogweed, knapweeds, thistles, policeman's helmet, rush skeletonweed, purple loosestrife, tansy ragwort, spartina (cordgrass), butterfly bush, reed canarygrass, poison hemlock and knotweeds.

13. STRATEGY: PREVENTION – NOXIOUS WEED EDUCATION

13.1 DEFINITION. The program strives to enlist the cooperation of the public in the identification and control of noxious weeds throughout the County. Staff will use multiple educational vehicles to increase public awareness and cooperation. Prevention includes those management practices that prevent the contamination of an area by a noxious weed.

13.2 PREVENTION TACTICS

Provide technical and educational information to landowners, agencies and various groups about weed identification and control.

13.2.2 Monitor locations where new invasions are apt to occur.

13.2.3 Encourage human behavior changes, including:

13.2.3.1 Keeping vehicles out of weed infested sites.

13.2.3.2 Cleaning equipment including weed agency vehicles.

13.2.3.3 Taking care not to use weed contaminated gravel or soil.

13.2.4 Encourage appropriate land management activities, including:

13.2.4.1 Retaining contaminated plant material and/or soil on site.

13.2.4.2 Using certified seed and weed free hay (where available).

- 13.2.4.3 Using a seed mix for revegetation work that includes a fast early growing species to provide dense vegetation on disturbed sites.
- 13.2.4.4 Using Best Pasture Management Practices, such as proper stocking rates, rotational grazing, etc.
- 13.2.4.5 Maintaining as much ground cover as possible and limiting the amount of soil disturbance to meet regeneration needs.
- 13.2.4.6 Using clean gravel and fill material.
- 13.2.4.7 Using approved disposal practices, depending on the weed species.

14. STRATEGY: MONITORING SITES

14.1 TACTIC: ESTABLISHING NEED FOR INSPECTION

- 14.1.1 Inspections of property are carried out according to the schedule outlined by the coordinator.
- 14.1.2 Previously recorded sites require an on-site inspection when noxious weeds are *not* visible from off-site.
- 14.1.3 Inspections are necessary when there is reason to expect that noxious weeds may be present. These may include but are not limited to:
 - 14.1.3.1 Oral or written complaints made by third parties.
 - 14.1.3.2 Staff survey activities.
- 14.1.4 Complaints may be prioritized for action by the coordinator.

14.2 TACTIC: DETERMINING DOMINANCE RATINGS, ACTION LEVELS, INFESTATION MEASUREMENTS.

- 14.2.1 An action level is determined by the dominance level rating. The action level is that dominance level at which staff begins mandatory contact procedures.

<p>DOMINANCE LEVEL OF TARGET SPECIES</p> <p>Species is present.</p>
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- 14.2.2 All species on the weed list, anywhere within the county, require mandatory contact procedures.

14.3 TACTIC: SURVEYS AND INITIAL INSPECTIONS

- 14.3.1 Field work will be performed year round. The coordinator will assign survey routes, and a list of roads surveyed shall be turned in to the coordinator. Surveys require actively searching for noxious weeds by driving/walksaps all roads and areas in a district, including:
 - 14.3.1.1 State, county, city and town highways, roads and streets.
 - 14.3.1.2 Open forest roads.
 - 14.3.1.3 Open private roads, and utility rights-of-way.
 - 14.3.1.4 Pastures, fields, meadows visible from the roads.
 - 14.3.1.5 Parks and other open areas and public lands.

14.3.2 In addition to these surveys, the following inspection schedule involving previously recorded sites should be completed within the guideline dates given.

14.3.3 This schedule is subject to adjustment relative to growth conditions.

INSPECTION SCHEDULE - Surveys for new sites and inspections of previously recorded sites should follow these guidelines including, but not limited to the following weeds:

Ongoing

Report all new infestations of any noxious weed found throughout the year.

March

Begin to survey for gorse, knapweeds, knotweeds and early emerging species.

April

Survey all known infestations of knotweeds, garlic mustard, giant hogweed, gorse, knapweeds.

May

Survey for infestations of knotweeds, garlic mustard, giant hogweed, knapweeds, tansy ragwort, purple and garden loosestrife, sulfur cinquefoil, hawkweeds, policeman's helmet.

June

Survey for infestations of knotweeds, garlic mustard, giant hogweed, goatsrue, knapweeds, purple and garden loosestrife, policeman's helmet, sulfur cinquefoil, tansy ragwort, hawkweeds, goatsrue, parrotfeather, and yellow nutsedge.

July

Survey for infestations of knotweeds, giant hogweed, knapweeds, purple and garden loosestrife, policeman's helmet, tansy ragwort, hawkweeds, kochia, and yellow nutsedge.

August

Survey for knotweeds, purple loosestrife, garden loosestrife, policeman's helmet, yellow nutsedge, and tansy ragwort.

September - October

Complete follow-up and new surveys.

November – March

Survey for milk thistle, gorse, garlic mustard seedlings, knotweeds and other persistent and woody weed species when weather permits.

14.4 TACTIC: INSPECTION. Attempting to make contact with the landowner is mandatory (see Mandatory Landowner Contact Attempts – Section 14.6).

14.4.1 Knock on the door (if possible).

14.4.2 Identify yourself and show your identification.

14.4.3 Use this opportunity to educate the landowner regarding purpose of the noxious weed control program and noxious weeds.

14.4.4 Always attempt to obtain the occupant's permission prior to inspecting the property. If permission cannot be obtained, entry may be obtained in accordance with RCW 17.10.160.

- 14.4.5 Act with care whenever you do enter a property:
 - 14.4.5.1 Watch out for the presence of dogs.
 - 14.4.5.2 Leave gates as you found them.
 - 14.4.5.3 Respect the landowner's property.
 - 14.4.5.4 Record location, dominance level, cover class and growth stage of noxious weeds found.
 - 14.4.5.5 Record specific critical areas, habitat type and land use.
 - 14.4.5.6 Record any visible control efforts.
 - 14.4.5.7 Record size of infestation.
- 14.4.6 Record all pertinent data in daily log, to provide an accurate assessment of the current situation, each time you inspect a property.

14.5 TACTIC: RESPONDING TO COMPLAINTS

- 14.5.1 When a complaint has been made by anyone, the staff will inspect the area for the suspected weed to verify the reported infestation.
 - 14.5.1.1 If the inspection finds it is not the suspected weed, or another noxious weed, report to the coordinator.
 - 14.5.1.2 When a complaint is verified, contact attempts, as outlined in Section 14.6, are required.
 - 14.5.1.2.1 Advise the landowner of the problems related to the noxious weed.
 - 14.5.1.2.2 Ask for compliance.
- 14.5.2 When possible the staff should notify the person making the complaint as to whether noxious weeds were present. Tell him/her what follow-up action can/will be taken.

14.6 TACTIC: MANDATORY LANDOWNER CONTACT ATTEMPTS. The following contact steps are listed by priority. Each contact attempt shall be accurately recorded in the daily log.

- 14.6.1 Attempt to talk to an adult on site.
- 14.6.2 Attempt contact by telephone, making no fewer than three tries, recording each with date and time in the daily log.
 - 14.6.2.1 Make one telephone attempt in the morning, one in the afternoon, and one outside of normal working hours.
 - 14.6.2.2 Make all telephone attempts from county telephones - either cellular, office or by assigned SCAN cards (for long distance).
- 14.6.3 Mail a post card or letter with mailing date, parcel number of property and staff person's name, asking landowner to contact the weed office.
 - 14.6.3.1 File a photocopy of the postcard or letter in the contact file or in the mass mailing folder with a list of addresses and an affidavit of mailing.
 - 14.6.3.2 Have any other mail to the landowner, including email, approved by the coordinator before mailing.
- 14.6.4 If all attempts outlined above have been made but contact with landowner has not been achieved, take case to the coordinator. The coordinator will review the case and will decide on possible enforcement efforts.

14.7 TACTIC: CONSULTATION/CONTACTS

- 14.7.1 Work with each landowner to help them understand and meet the requirements of RCW 17.10.
 - 14.7.1.1 Identify yourself as a Kitsap County Noxious Weed Control Program employee and show identification.
 - 14.7.1.1 Talk with the landowner about land-use plans.
 - 14.7.1.2 Review past control efforts.
 - 14.7.1.3 Help landowner to identify noxious weeds present.
 - 14.7.1.4 Provide landowner with a recommendation.
 - 14.7.1.5 Establish with landowner a target date by which the noxious weeds will be controlled or eradicated before seeding and prior to enforcement proceedings.
 - 14.7.1.6 Start or update the daily log.
 - 14.7.1.7 Record any commitment or non-commitment of the landowner to control the noxious weeds on his/her property.
- 14.7.2 Making “contact” consists of:
 - 14.7.2.1 Meeting one-on-one with the landowner on the property.
 - 14.7.2.2 Receiving a letter from the landowner or an agent for the landowner.
 - 14.7.2.3 Talking on the telephone with the landowner or agent and recording the conversation in the daily log.
- 14.7.3 Leaving a message on an answering machine is NOT contact with a landowner. If the landowner leaves a message on this agency’s voice mail in which they affirm a commitment to control, this may be recorded in daily log as a contact.

15. STRATEGY: CONTROLS

15.1 TACTIC: DIRECT CONTROL

- 15.1.1 Actions by employees or agents of the weed board, or by people under contract to the weed board, shall use those biological, cultural, mechanical, chemical and/or manual methods determined to be most economical and effective for site.

15.2 TACTIC: RECOMMENDATIONS/ADVICE

- 15.2.1 IPM advice shall be written to provide landowners with various options, combining methods and tactics specific to their situation and include:
 - 15.2.1.1 Information derived from bulletins.
 - 15.2.1.2 Copies of bulletins when possible.
 - 15.2.1.3 Recognition of critical areas specific to that site.
 - 15.2.1.4 Whether or not this agency recommends a herbicide.
 - 15.2.1.5 Rates/precaution sheets are provided if a landowner decides to use a herbicide.
 - 15.2.1.6 Public response cards.
- 15.2.2 Recommendations for the use of herbicides shall follow strict adherence to manufacturer and agency guidelines.
 - 15.2.2.1 Although some publications recommend using herbicides, such use may or may not be appropriate.
 - 15.2.2.2 If herbicide use is not appropriate, the recommendation given will specifically state that it should not be used.

- 15.2.3 Oral recommendations given upon the landowner's insistence (e.g. "I don't want a piece of paper, just tell me...") shall follow the same guidelines as written recommendations.
- 15.2.4 Record issuance of recommendations in daily log.

16. STRATEGY: EDUCATION

- 16.1 NOXIOUS WEED EDUCATION AND OUTREACH strives to enlist the cooperation of the public in the search for noxious weed species throughout the county.
 - 16.1.1 The county's noxious weed program's education focus is one-on-one, on-site with the landowner owning the infested property. Details of this education are spelled out in TACTIC: CONSULTATION/CONTACTS and TACTIC: INSPECTION.
 - 16.1.2 The county's noxious weed education program shall also:
 - 16.1.2.1 Distribute educational materials, informational brochures and flyers to acquaint people with noxious weeds and the impact of their spread.
 - 16.1.2.2 Provide information and education presentations as requested and appropriate.
 - 16.1.2.3 Provide information through the media, the Internet and other forms of mass communication.
 - 16.1.3 In cooperation with WSU Cooperative Extension, the education program will be designed to meet the requests of constituents to assist them with specific weeds in specific locations.
 - 16.1.4 Community education programs may be authorized only by the coordinator.
- 16.2 TACTIC: ASSISTANCE
 - 16.2.1 Give information to the public.
 - 16.2.2 Remind landowners that all weed loads needing to go to the landfill should be bagged. Yardwaste composting is encouraged when the weed species can be safely composted.
 - 16.2.3 Advise that the presence of biological agents on a property does not relieve a landowner of his/her responsibility to control the target noxious weed.
 - 16.2.4 Staff may remove the final few noxious weeds which might remain (e.g. the single large tansy ragwort growing by the landowner's mailbox or the half dozen knapweed plants along 10 miles of road) after the landowner has taken rigorous action to reduce his/her infestation.
 - 16.2.5 If there is a significant inability (through financial hardship or physical disability) for the landowners to control weeds, after consultation and approval by the coordinator, assistance may be offered as follows:
 - 16.2.5.1 Cost-share assistance according to Weed Board approved guidelines.
 - 16.2.5.2 In-house control of priority class A noxious weeds where necessary.
- 16.3 TACTIC: RESPONSE TO REQUESTS FOR INFORMATION
 - 16.3.1 Emphasize, in response to requests for general information:

This weed board recommends the use of integrated pest management for weed control.

- 16.3.2 Respond to inquiries on non-noxious weeds at a lower priority level than on listed noxious weeds.
- 16.3.3 Refer non-noxious weed inquiries to the WSU Master Gardeners or other appropriate agencies, if you cannot directly respond in a timely manner.
- 16.3.4 Provide printed literature as appropriate.
- 16.3.5 Refer all requests for inspection of properties outside of Kitsap County to the coordinator.
- 16.4 TACTIC: SPECIMEN IDENTIFICATIONS. Inquiries and requests for weed identification may come in face-to-face contacts, by telephone, or on-site on a landowner's property.
 - 16.4.1 Give a sample to the coordinator for identification if the species cannot be identified within a reasonable time as determined by the coordinator. The coordinator shall forward it to Washington State University if unable to identify it in a timely manner
 - 16.4.2 Give priority for identification to suspected noxious weeds.
 - 16.4.3 Give the coordinator those plants identified as noxious weeds so she/he can schedule field follow-up.
 - 16.4.4 Send any plant identified as a noxious weed that was previously not known to be in Kitsap County to WSU for verification of identification.
 - 16.4.5 Register all plant specimens to be sent to WSU for identification with the coordinator.
 - 16.4.6 File WSU result reports with coordinator.

17. STRATEGY: ENFORCEMENT

This strategy shall use an impartial and consistent program with the landowners of Kitsap County.

- 17.1 DUTY TO CONTROL (Reference RCW 17.10.140, RCW 17.10.150, RCW 17.10.154). EACH LANDOWNER or LAND USER shall perform, or cause to be performed, such acts as may be necessary to control and to prevent the spread of noxious weeds from his/her land.
- 17.2 FAILURE TO CONTROL NOXIOUS WEEDS (Reference RCW 17.10.170, RCW 17.10.205, RCW 17.10.230, RCW 17.10.280). The penalties for violation of the state weed law or any of the weed board's RULES AND REGULATIONS, shall be those provided by Chapter 17.10 RCW, Chapter 16-750 WAC, and any amendments passed by the legislature.
 - 17.2.1 When the weed board finds that a landowner is failing to comply with the requirements of RCW 17.10, or an order of the weed board, it shall issue a Notice of Violation.

17.2.2 The definition of and penalties for commission of a civil infraction shall be those provided by RCW Chapter 17.10, WAC Chapter 16-750 and any other applicable laws or court rules pertaining to civil infractions.

17.3 TACTIC: INITIATE NOTICE OF VIOLATION. If, after completing each of the steps outlined in INSPECTION and MANDATORY LANDOWNER CONTACT ATTEMPTS, contact with a landowner cannot be made AND a violation of the state noxious weed law is found to be present, OR a previously contacted landowner is found to be in violation of the noxious weed law and is not taking adequate control steps, action to enforce compliance may be taken.

17.3.1 Begin enforcement by making sure that the daily log record for this property is complete and up-to-date.

17.3.2 Make sure that all infested properties parcel numbers are included (coordinator will verify).

17.3.3 Make sure the estimated size of infestation is listed and accurate (coordinator will verify).

17.3.4 Confirm that all inspections, attempts to contact, contacts and consultations are accurately recorded (coordinator will verify).

17.3.5 Make sure that the narrative is complete and all pertinent conversations are recorded (coordinator will verify).

Note: The coordinator will not authorize a Notice of Violation without an adequate narrative.

17.3.6 Record any control efforts already made, answering the following questions: What kind? How much accomplished? With what result? What percentage of control has been achieved? How large is area of remaining infestation?

17.3.7 Note what steps were taken to locate the landowner, if contact has not been made.

- Telephone directory assistance.
- Cole directory or Internet directory.
- Talk with neighbors.
- Other (specify).

17.3.8 Place on file a hard-copy printout of the County Assessor/Treasurer data base record to guarantee accuracy of all parcel numbers and the landowner's name.

17.3.9 The coordinator shall make a decision on enforcement based on the narrative and an evaluation of compliance.

17.4 TACTIC: NOTICE OF VIOLATION. The weed board delegates to the coordinator the authority to issue a Notice of Violation in accordance with the requirements of RCW Chapter 17.10.

17.4.1 Deliver a Notice of Violation by certified mail or process service.

17.4.1.1 Have the Notice of Violation served by non-uniformed process service to a particular landowner when there is evidence of a history of non-delivery, refused and/or unclaimed certified mail.

- 17.4.1.2 Do not have the Notice of Violation served to the landowner's place of business unless other attempts at service have failed. Further, when other people are present an attempt shall be made to serve the violation in a discrete manner.
- 17.4.1.3 Record the date of violation, date of Notice and expiration date of Notice in the daily log.
- 17.4.1.4 The Notice of Violation must allow the individual to whom it is directed 10 days to respond, pursuant to RCW 17.10.170. However, if seed dispersion is imminent, immediate control action may be taken forty-eight hours following the time that notification is reasonably expected to have been received by the owner or agent by certified mail or personal service.
- 17.4.1.5 In figuring numbers of days, RCW 1.12.040 specifies: The first day is not counted, but the final day is counted unless it falls on a Sunday or Holiday, when the final day becomes the first day following that Sunday or Holiday.
- 17.4.2 Record the affidavit of mailing and proof of delivery (green card or process server's affidavit of delivery) in daily log and file them with the copies of the Notice.
- 17.4.3 Follow-up after the time period provided in the Notice of Violation has elapsed:
 - 17.4.3.1 Re-inspect for control action.
 - 17.4.3.2 Record re-inspection date and dominance in daily log.
 - 17.4.3.3 Photograph and gather evidence.
- 17.4.4 Record any response by the landowner. If the landowner fails to comply but agrees to control, the coordinator may extend the violation expiration date at his/her discretion. The coordinator will:
 - 17.4.4.1 Alert appropriate staff about expiration dates and any extension dates daily for the staff's information.
 - 17.4.4.2 Provide, in any extension, a time frame allowing the agency to act effectively if the landowner still fails to comply.
- 17.4.5 Record date of extension of expiration and any additional narration in daily log.

17.5 TACTIC: NOTICE OF CIVIL INFRACTION

- 17.5.1 The weed board delegates to the coordinator the authority to issue a Notice of Civil Infraction.
 - 17.5.1.1 When a landowner plainly intends no compliance and growth stage of the noxious weeds makes enforced control ineffective, issue a civil infraction.
 - 17.5.1.2 When budget constraints make control action cost prohibitive, issue a civil infraction.
 - 17.5.1.3 Issue a civil infraction only for any on-going violations.
 - 17.5.1.4 Deliver Notice of Civil Infraction to any employee or agent of an owner who accepts service on behalf of the owner.
 - 17.5.1.5 Furnish a copy of the Notice of Civil Infraction to the landowner by certified mail within five (5) days of issuance.

- 17.6 TACTIC: CONTROL BY WEED BOARD AT OWNER'S EXPENSE
 - 17.6.1 The weed board delegates to the coordinator the authority to issue a signed and dated Work Order that will:
 - 17.6.1.1 Specify name of person or company doing control work.
 - 17.6.1.2 Detail the statutory right-of-entry to the property.
 - 17.6.1.3 Specify property location, identification and property owner.
 - 17.6.1.4 Describe work to be accomplished.
 - 17.6.1.5 Provide warning of reentry intervals if some control work has been done.
 - 17.6.1.6 Furnish the weed office's contact name and telephone number.
 - 17.6.1.7 Specify the control method to be used.
 - 17.6.2 After actual control work is completed, prepare and mail a packet to the landowner, containing the following documents, within 30 days of cessation of work.
 - 17.6.2.1 The individual must be sent an invoice listing all related expenses:
 - 17.6.2.1.1 Cost of service and/or postage.
 - 17.6.2.1.2 A flat \$100.00 fee for administrative costs.
 - 17.6.2.1.3 Cost of contractor, or other cost of actual control performed. The minimum charge for enforcement work is \$250, including the \$100 administrative fee, and is authorized for any contractor charge that is billed at \$150 or less
 - 17.6.2.1.4 Cost of disposal at the Kitsap County Landfill.
 - 17.6.2.1.5 A charge of \$0.10 per page of any documentation specifically requested by the landowner.
 - 17.6.2.2 The individual must be sent a statement of the right to a hearing pursuant to RCW 17.10.180.
 - 17.6.2.2.1 A notice should be included stating that if the invoice is not paid, a lien will be filed and recorded on the property pursuant to RCW 17.10.290. Payment is due within 45 days of receipt of bill.
 - 17.6.2.3 The invoice and statement of a right to a hearing are sent by certified mail to the last/best address of landowner and a copy is to be sent by regular mail.
 - 17.6.2.4 Staff will schedule a weed board hearing for the cited landowner if a timely request has been received by the weed board.
 - 17.6.2.4.1 Mail, by certified and regular mail, notice of the date on which the hearing has been scheduled.
- 17.7 TACTIC: REINSPECTION OF SITES
 - 17.7.1 Staff shall re-inspect as many infestation sites as possible to evaluate effectiveness of control methods being used.
 - 17.7.2 As many infestation sites as possible on which control work has been completed, whether by the landowner or through enforcement actions, should be re-inspected by October 1.
 - 17.7.2.1 If regrowth is found, staff follows mandatory landowner contact steps to assure that the infestation is again controlled.

17.8 TACTIC: HEARING BEFORE THE WEED BOARD

17.8.1 HEARING ON LIABILITY. The procedures for hearings required by the state weed law, and liability of any owner or agent for any charge or cost shall be those provided by RCW 17.10.180 and the weed board's RULES AND REGULATIONS.

17.8.2 The weed board may hear a landowner's case in a regularly scheduled weed board meeting or a special weed board meeting that may be called for this purpose.

17.8.2.1 Schedule the hearing within 45 days of notification.

17.8.2.2 Do not distribute details of the materials to be covered in the hearing to the board before the hearing.

17.8.3 The weed board may not modify any penalties related to a Notice of Civil Infraction.

17.9 TACTIC: LIEN IMPOSITION

17.9.1 The weed board shall file liens on the landowner's property as authorized pursuant to RCW Chapter 17.10.

17.9.1.1 File the lien within the 90-day time provision of RCW 17.10.300 if full payment of billing has not been received. File liens as soon as possible if changes in property ownership or other complications are likely.

17.9.1.2 Send the following to the landowner within five (5) business days of filing lien in the Kitsap County Auditor's Office:

17.9.1.2.1 A copy of the lien.

17.9.1.2.2 A statement of amount due.

18. STRATEGY: EVALUATION

18.1 EVALUATION FOR COMPLIANCE WITH RCW 17.10, the state noxious weed law, is necessary to measure the program's accomplishment of its stated goals and objectives.

18.2 EVALUATION METHODOLOGY uses records of inspections, contacts, controls and field observations to measure progress made, evaluate infestation trends, estimate invasion threats, generate statistical summaries, etc.