

# OPTION C

**IDAPA 02  
TITLE 06  
CHAPTER 22**

**02.06.22 - NOXIOUS WEED RULES**

**000. LEGAL AUTHORITY.**

This chapter is adopted under the legal authority of Section 22-2403, Idaho Code. (3-30-01)

**001. TITLE AND SCOPE.**

**01. Title.** The title of this chapter is IDAPA 02.06.22, "Noxious Weed Rules." (3-30-01)

**02. Scope.** These rules identify those noxious weeds which have been officially designated by the Director as Noxious Weeds in the state of Idaho, designates articles capable of disseminating noxious weeds, requires treatment of articles to prevent dissemination of noxious weeds and provides authority to designate cooperative weed management areas for management of noxious weeds. (3-30-07)

**002. WRITTEN INTERPRETATIONS.**

There are no written interpretations of these rules. (3-30-01)

**003. ADMINISTRATIVE APPEAL.**

There is no provision for administrative appeals before the Idaho State Department of Agriculture under this chapter. (3-30-01)

**004. PUBLIC RECORDS ACT COMPLIANCE.**

These rules are public records and are available for inspection and copying at the department. (3-30-01)

**005. OFFICE, OFFICE HOURS, MAILING ADDRESS AND STREET ADDRESS.**

**01. Physical Address.** The central office of the Idaho State Department of Agriculture is located at 2270 Old Penitentiary Road, Boise, Idaho 83712. (3-30-07)

**02. Office Hours.** Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (3-30-01)

**03. Mailing Address.** The mailing address for the central office is Idaho State Department of Agriculture, P. O. Box 790, Boise, Idaho 83701. (3-30-01)

**006. PUBLIC RECORDS ACT COMPLIANCE.**

These rules are public records available for inspection and copying at the Department and the State law library. (3-30-07)

**007. -- 009. (RESERVED)**

**010. DEFINITIONS.**

The Department adopts those definitions as set forth in Section 22-2402, Idaho Code, and in addition, adopts the following: (3-30-07)

**01. Early Detection and Rapid Response (EDRR).** Finding invasive plant species during the initial

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stages of colonization and then responding within the same season to initiate eradication of the invasive plant species. (3-30-07)

**02. Implements of Husbandry.** Every vehicle, including self-propelled units, designed or adapted and used exclusively in agricultural, horticultural, dairy and livestock growing and feeding operations when being incidentally operated as an implement of husbandry. Such implements include, but are not limited to, combines, discs, dry and liquid fertilizer spreaders, cargo tanks, harrows, hay balers, harvesting and stacking equipment, pesticide applicator equipment, plows, swathers, mint tubs and mint wagons, and farm wagons. A farm tractor when attached to or drawing any implement of husbandry shall be construed to be an implement of husbandry. Implements of husbandry do not include semi trailers, nor do they include motor vehicles or trailers, unless their design limits their use to agricultural, horticultural, dairy or livestock growing and feeding operations. (3-30-07)

**03. Subtaxa(on).** A supplementary piece of identifying information in a plant's or animal's scientific name. (3-29-17)

**011. ABBREVIATIONS.**

**01. CWMA.** Cooperative Weed Management Area. (3-30-07)

**02. EDRR.** Early Detection/Rapid Response. (3-30-07)

**03. ISDA.** Idaho State Department of Agriculture. (3-30-07)

**012. -- 099. (RESERVED).**

**100. NOXIOUS WEEDS - DESIGNATIONS.**

The weeds listed on the Statewide Prohibited Genera, EDRR, Containment, and Control lists are hereby officially designated and published as noxious. (3-29-17)

**01. Statewide Prohibited Genera Noxious Weed List.** (3-29-17)

**a.** All plants and plant parts in the generas of: *Cytisus*, *Genista*, *Spartium*, and *Chamaecytisus* additionally including "all" subtaxa of these plant genera are prohibited in Idaho. (3-29-17)

**b.** Weeds listed in the Prohibited Genera list may exist in varying populations throughout the state. The concentration of these weeds is at a level where control and/or eradication may be possible. A written plan for weeds on the Statewide Prohibited Genera Noxious Weed List shall be developed by the control authority that specifies active control methods to reduce known populations in not more than five (5) years. The plan shall be available to the Department upon request. (3-29-17)

**02. Statewide EDRR Noxious Weed List.** If any of the listed plants (Subsection 100.02) are found to occur in Idaho, they shall be reported to the Department within ten (10) days following positive identification by the University of Idaho or other qualified authority as approved by the Director. These weeds shall be eradicated during the same growing season as identified.

Common Name	Scientific Name
1. Brazilian Elodea	1. <i>Egeria densa</i>
2. Common/European Frogbit	2. <i>Hydrcharis morsus-ranae</i>
3. Fanwort	3. <i>Cobomba caroliniana</i>

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4.	Feathered Mosquito Fern	4.	<i>Azolla pinnata</i>
5.	Giant Hogweed	5.	<i>Heracleum mantegazzianum</i>
6.	Giant Salvinia	6.	<i>Salvinia molesta</i>
7.	Hydrilla	7.	<i>Hydrilla verticillata</i>
8.	Iberian Starthistle	8.	<i>Centaurea iberica</i>
9.	Policeman's Helmet	9.	<i>Impatiens glandulifera</i>
10.	Purple Starthistle	10.	<i>Centaurea calcitrapa</i>
11.	Squarrose Knapweed	11.	<i>Centaurea triumfetti</i>
12.	Syrian Beancaper	12.	<i>Zygophyllum fabago</i>
13.	Tall Hawkweed	13.	<i>Hieracium piloselloides</i>
14.	Variable-Leaf-Milfoil	14.	<i>Myriophyllum heterophyllum</i>
15.	Water Chestnut	15.	<i>Trapa natans</i>
16.	Water Hyacinth	16.	<i>Eichhornia crassipes</i>
17.	Yellow Devil Hawkweed	17.	<i>Hieracium glomeratum</i>
18.	Yellow Floating Heart	18.	<i>Nymphoides pelata</i>

(3-29-17)

**03. Statewide Control Noxious Weed List.** Weeds listed in the control list are known to exist in varying populations throughout the state. The concentration of these weeds is at a level where control or eradication, or both, may be possible. A written plan for weeds on the Statewide Control Noxious Weed List shall be developed by the control authority that specifies active control methods to reduce known populations in not more than five (5) years. The plan shall be available to the Department upon request.

Common Name		Scientific Name	
1.	Black Henbane	1.	<i>Hyoscyamus niger</i>
2.	Bohemian Knotweed	2.	<i>Polygonum X bohemicum</i>
3.	Buffalobur	3.	<i>Solanum rostratum</i>
4.	Common Crupina	4.	<i>Crupina vulgaris</i>
5.	Common Reed (Phragmites)	5.	<i>Phragmites australis</i>
6.	Dyer's Woad	6.	<i>Isatis tinctoria</i>
7.	Eurasian Watermilfoil	7.	<i>Myriophyllum spicatum</i>

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8.	Giant Knotweed	8.	<i>Polygonum sachalinense</i>
9.	Japanese Knotweed	9.	<i>Polygonum cuspidatum</i>
10.	Johnsongrass	10.	<i>Sorghum halepense</i>
11.	Matgrass	11.	<i>Nardus stricta</i>
12.	Meadow Knapweed	12.	<i>Centaurea debeauxii</i>
13.	Mediterranean Sage	13.	<i>Salvia aethiopis</i>
14.	Musk Thistle	14.	<i>Carduus nutans</i>
15.	Orange Hawkweed	15.	<i>Hieracium aurantiacum</i>
16.	Parrotfeather Milfoil	16.	<i>Myriophyllum aquaticum</i>
17.	Perennial Sowthistle	17.	<i>Sonchus arvensis</i>
18.	Russian Knapweed	18.	<i>Acroptilon repens</i>
19.	Scotch Broom	19.	<i>Cytisus scoparius</i>
20.	Small Bugloss	20.	<i>Anchusa arvensis</i>
21.	Vipers Bugloss	21.	<i>Echium vulgare</i>
22.	Yellow Hawkweed	22.	<i>Hieracium caespitosum</i>

(3-29-10)

#### 04. Statewide Containment Noxious Weed List.

Weeds listed in the containment noxious weeds list are known to exist in various populations throughout the state. Weed control efforts may be directed at reducing or eliminating new or expanding weed populations while known and established weed populations, as determined by the weed control authority, may be managed by any approved weed control methodology, as determined by the weed control authority.

	Common Name		Scientific Name
1.	Canada Thistle	1.	<i>Cirsium arvense</i>
2.	Curlyleaf Pondweed	2.	<i>Potamogeton crispus</i>
3.	Dalmatian Toadflax	3.	<i>Linaria dalmatica ssp. dalmatica</i>
4.	Diffuse Knapweed	4.	<i>Centaurea diffusa</i>
5.	Field Bindweed	5.	<i>Convolvulus arvensis</i>
6.	Flowering Rush	6.	<i>Butomus umbellatus</i>
7.	Hoary Alyssum	7.	<i>Berteroa incana</i>

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8.	Houndstongue	8.	<i>Cynoglossum officinale</i>
9.	Jointed Goatgrass	9.	<i>Aegilops cylindrica</i>
10.	Leafy Spurge	10.	<i>Euphorbia esula</i>
11.	Millium	11.	<i>Millium vernale</i>
12.	Oxeye Daisy	12.	<i>Leucanthemum vulgare</i>
13.	Perennial Pepperweed	13.	<i>Lepidium latifolium</i>
14.	Plumeless Thistle	14.	<i>Carduus acanthoides</i>
15.	Poison Hemlock	15.	<i>Conium maculatum</i>
16.	Puncturevine	16.	<i>Tribulus terrestris</i>
17.	Purple Loosestrife	17.	<i>Lythrum salicaria</i>
18.	Rush Skeletonweed	18.	<i>Chondrilla juncea</i>
19.	Saltcedar	19.	<i>Tamarix sp.</i>
20.	Scotch Thistle	20.	<i>Onopordum acanthium</i>
21.	Spotted Knapweed	21.	<i>Centaurea stoebe</i>
22.	Tansy Ragwort	22.	<i>Senecio jacobaea</i>
23.	White Bryony	23.	<i>Bryonia alba</i>
24.	Whitetop (Hoary Cress)	24.	<i>Cardaria draba</i>
25.	Yellow Flag Iris	25.	<i>Iris psudocorus</i>
26.	Yellow Starthistle	26.	<i>Centaurea solstitialis</i>
27.	Yellow Toadflax	27.	<i>Linaria vulgaris</i>

(3-29-10)

**05. Designation of Articles Capable of Disseminating Noxious Weeds.** The following articles are designated by the Director as capable of disseminating noxious weeds: (7-1-93)

- a. Construction equipment, road building and maintenance equipment, and implements of husbandry. (3-30-07)
- b. Motorized vehicles such as, all-terrain vehicles, motorcycles, and other off-road vehicles and non-motorized vehicles such as bicycles and trailers. (3-30-07)
- c. Grain and seed. (7-1-93)
- d. Hay, straw and other material of similar nature. (7-1-93)

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- e. Nursery stock including plant material propagated for the support of aquarium, pet, or horticultural activities. (3-30-07)
- f. Feed and seed screenings. (7-1-93)
- g. Fence posts, fencing and railroad ties. (7-1-93)
- h. Sod. (7-1-93)
- i. Manure, fertilizers and material of similar nature. (7-1-93)
- j. Soil, sand, mulch, and gravel. (3-30-07)
- k. Boats, personal watercraft, watercraft trailers, and items of a similar nature. (3-30-07)

## **101. POISONOUS PLANTS – DESIGNATIONS.**

**01. Poisonous Plants.** The following list of plants are designated as poisonous and capable of harming humans, wildlife, equine, or bovine individuals or populations by risk of ingestion. The plants listed below shall be regulated by the County Weed Superintendent as designated by the location of the listed plants.

- a. Taxus baccata (English Yew) and all subtaxa
- b. Taxus cuspidate (Japanese Yew) and all subtaxa

**02. Designation of High Risk Areas.** The County Weed Superintendent may designate areas that interface with wildlife habitat as a high risk area. The County Weed Superintendent may require that all poisonous plants located in high risk areas be destroyed, and prohibit propagation of poisonous plants in high-risk areas.

**03. Designation of Low-Risk Areas.** The County Weed Superintendent may designate areas that do not interface with wildlife habitat as a low-risk area. Poisonous plants located within a low-risk area are not subject to regulation.

~~101.2. -- 199. (RESERVED)~~

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## **200. TREATMENT OF ARTICLES.**

**01. Duty.** It shall be the duty of every person, before removing any article from any place that is infested with noxious weeds or before moving the article onto any public roadway, to enclose, clean, or treat the article in a manner that will prevent the spread of noxious weeds. (1-15-91)

**02. Treatment.** No article containing noxious weed propagules shall be sold or furnished to any person within this state, until it has been treated in a manner sufficient to eliminate all noxious weed propagating capability except when sold or furnished to a person for the purpose of destroying the viability of the noxious weed propagules. (1-15-91)

**201. -- 599. (RESERVED)**

## **600. PENALTIES FOR VIOLATIONS.**

Any person violating any of the provisions of these rules will be subject to the penalty provisions of Title 22, Chapter 24, Idaho Code. (3-30-07)

**601. -- 999. (RESERVED)**