

RESOLUTION 2017-43

Revision of the Moffat County Noxious Weed Management Plan

WHEREAS, the statutes of the State of Colorado declares, under the Colorado Noxious Weed Act (CRS 35-5.5-105.(1)), the board of county commissioners for each county in the state shall adopt a noxious weed management plan for all of the unincorporated lands within the county, and such plan shall include all of the requirements and duties imposed by this article, and

WHEREAS, the code of regulations of the State of Colorado provides, under the Rules Pertaining to the Administration and Enforcement of the Colorado Noxious Weed Act (8 CCR 1206-2), requirements and goals for the control of noxious weeds in all counties within Colorado, and

WHEREAS, a local weed advisory board, appointed by the board of county commissioners shall have the power and duty to develop a recommended management plan for the integrated management of designated noxious weeds and recommended management criteria for noxious weeds within the area governed by the local government, and

WHEREAS, the appointed Moffat County Noxious Weed Advisory Board recommends this plan, in consistency with 8 CCR 1206-2, and

WHEREAS, under CRS 35-5.5-107.(5), the local governing body shall have the sole and final authority to approve, modify or reject the management plan, management criteria, management practice, and any other decision or recommendation of the local advisory board, and

NOW, THEREFORE, BE IT RESOLVED, by the Moffat County Board of County Commissioners that this Moffat County Noxious Weed Management Plan shall replace the 1991 Undesirable Plant Management Plan and is hereby established to protect the ecological function, economic viability and aesthetic value of our private and public lands.

Adopted this 7<sup>th</sup> day of March, 2017.

Frank D. Moe

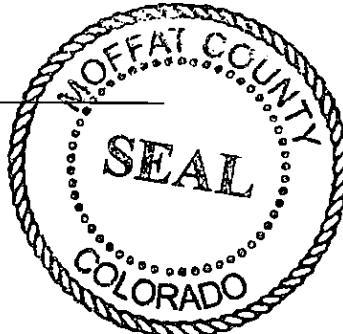
Frank Moe, Chair  
Moffat County Board of County Commissioners

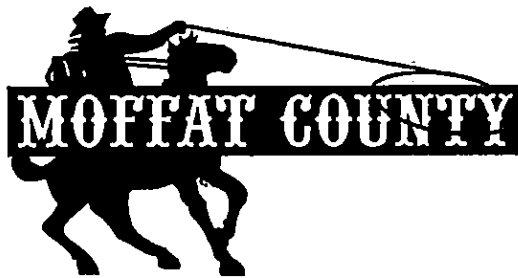
STATE OF COLORADO )  
  )  
COUNTY OF MOFFAT )

I, Lila Herod, Moffat County Clerk and Ex-officio to the Board of County Commissioners, do hereby certify that the above and foregoing is a true and complete copy of the resolution, as adopted by the Board of County Commissioners on the date stated.

Witness, my hand and the seal of said County this 7<sup>th</sup> day of March, 2017

Lila Herod  
(Deputy) Clerk and Ex-officio to the County Commissioners





**Moffat County**  
**Noxious Weed Management Plan**

**March, 2017**

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## I. INTRODUCTION

### A. *Background*

The Colorado Noxious Weed Act, Colorado Revised Statute 35-5.5 (Attachment 1), requires that all local governments shall adopt a noxious weed management plan for all lands within the territorial limits of the municipality (35-5.5-106). Adopted plans should be developed by an appointed advisory committee and should “consider the elements of integrated management [...], as well as all appropriate and available control and management methods, seeking those methods which are least environmentally damaging and which are practical and economically feasible” (35-5.5-102(1)). Section 35-5.5-104 states, “It is the duty of all persons to use integrated methods to manage noxious weeds if the same are likely to be materially damaging to the land of neighboring landowners.”

Additionally, the Rules Pertaining to the Administration and Enforcement of the Colorado Noxious Weed Act, 8 CCR 1206-29 (Attachment 2) specifies specific weeds that shall be managed, as well as, management goals, timeframes and appropriate integrated management methods which would be acceptable for each species.

### B. *Plan Objectives*

The three primary objective of this plan are to:

1. meet the requirements of the Colorado Noxious Weed Act and the Rules Pertaining to the Administration and Enforcement of the Colorado Noxious Weed Act
2. consolidate relevant information and inform landowners and land managers of the state weed management goals and rules which apply, specifically in Moffat County
3. define the roles and responsibilities of stakeholders within Moffat County jurisdiction

### C. *Scope of Plan*

The scope and intent of this plan is to communicate noxious weed treatment and prevention requirements to all landowners and managers within Moffat County jurisdictions. Programmatic strategies of local governments and landowner groups will not be detailed in this plan. As referenced throughout the document, applicable processes and services supported by Moffat County can be found in the Moffat County Weed and Pest Program Overview document (Attachment 3), which will be updated annually or as programmatic shifts occur.

### D. *Jurisdiction*

This plan applies to all lands within Moffat County jurisdiction, and does not include properties within city or town jurisdictions. Properties within city or town limits should refer to noxious weed management plans established by the appropriate city or town.

## II. EDUCATION

Education is a key part of Integrated Weed Management. Moffat County, in conjunction with the Colorado State University Extension shall provide educational opportunities to the public that align with the goals set out by the State of Colorado. For more information on current educational weed programs supported by Moffat County Weed and Pest, refer to the current Attachment 3.

## III. WEED MANAGEMENT REQUIREMENTS

Noxious weeds will be managed in Moffat County, consistent with the goals of the Colorado Department of Agriculture. See Attachment 4 for complete and current lists of Colorado Noxious Weeds.

### A. *List A Noxious Weeds*

List A weeds are defined in the Colorado Noxious Weed Act (25-5.5-108) as, “rare noxious weed species that are subject to eradication wherever detected statewide in order to protect neighboring lands and the state as a whole.”

There are currently no confirmed List A species known to exist within Moffat County jurisdictions at this time.

Based upon historic information provided by the Colorado Department of Agriculture, the following List A species have been identified in Moffat County and are believed to have been eradicated:

- Mediterranean sage
- Myrtle Spurge
- Purple loosestrife
- Yellow Star thistle

In the event that a List A Species is identified in Moffat County, Moffat County Weed and Pest Manager will be responsible for coordinating with the Moffat County Noxious Weed Advisory Board immediately to revise this portion of the County Weed Plan and develop an aggressive education and eradication plan under the Attachment 3.

8 CCR 1206-2, Part 3.5 specifies, “Within one year of detection, any local governing body with a population of any List A species must provide to the State Weed Coordinator mapping data pertinent to each population including: A. Species Name B. Population location(s) including distribution and abundance C. Estimated infested acreage.”

To support Moffat County’s compliance with this requirement, it shall be the responsibility of all landowners, land managers and commercial pesticide applicators to report List A infestations to the

Moffat County Weed and Pest Department. Reports shall be submitted within a week of discovery and the information describe above shall be included. For more information on how Moffat County processes weed reports, refer to the current Attachment 3.

To ensure landowners, land managers, and local commercial pesticide applicators are familiar with the identification and risks of current List A species, it shall be the responsibility of Moffat County Weed and Pest, to support a List A education program. For specifics on Moffat County's List A education program, refer to Attachment 3.

In the instance that a List A species is identified within Moffat County, it shall be the responsibility of Moffat County Weed and Pest Management to communicate with the Colorado Department of Agriculture regarding this infestation. It shall also be the responsibility of Moffat County to oversee the eradication of the infestation. For more details on Moffat County's protocol for List A weed response, refer the current Attachment 3.

### *B. List B Noxious Weeds*

List B weeds are defined in the Colorado Noxious Weed Act (25-5.5-108) as, "noxious weed species with discrete statewide distributions that are subject to eradication, containment, or suppression in portions of the state designated by the commissioner in order to stop the continued spread of these species."

There are several list B noxious weeds in Moffat County and for many of those, very specific containment and suppression goals have been established by the state. See the Moffat County List B Requirements (Attachment 5), and the Moffat County List B Containment and Suppression Maps (Attachment 6) for a summary of the List B noxious weed that exist in Moffat County, and the associated management goals.

8CCR 1206-2 Part 4.4. states, "It is a violation [...] to allow any plant of any population of List B species designated for elimination [...] to produce seed or develop other reproductive propagules after the time specified in the plan for elimination,"; additionally, 8 CCR 1206-2 Part 4.6 states, "Within one year of detection, any local governing body with a population of any List B species for which the Commissioner has developed and implemented a state noxious weed management plan must provide to the State Weed Coordinator mapping data pertinent to distribution and abundance of such species in a form prescribed by the State Weed Coordinator."

To fulfill these expectations, landowners, land managers and commercial pesticide applications shall report any and all List B species infestations that are identified outside of established containment boundaries (see Attachment 6). It shall be the responsibility of Moffat County to annually report these and all other identified List B species to the Colorado Department of Agriculture.

### *C. List C Noxious Weeds*

List C weeds are defined in the Colorado Noxious Weed Act (25-5.5-108) as, "widespread and well-established noxious weed species for which control is recommended but not required by the state, although local governing bodies may require management."

There are no additional requirements for controlling or reporting List C noxious weeds in Moffat County. For more information on Moffat County's supported List C programs, refer to Attachment 3.

#### *D. "Watch List" Weeds*

In addition to the three rankings for noxious weeds, the State of Colorado also designates "Watch List" weed species. By definition (8CCR 1206-2.6.2), "Watch list species are species for which the Commissioner, in consultation with the state noxious weed advisory committee, local government, and other interested parties, has determined to pose a potential threat to the agricultural productivity and environmental values of the lands of the state. The Watch List is intended to serve advisory and education purposes only."

In Moffat County, all landowners, land managers and commercial pesticide applicators shall report known infestations of Watch List species to the Moffat County Weed and Pest Department, as they are identified and where they are affecting rangeland and/or cropland production. It will be the responsibility of the Moffat County Weed and Pest Department to implement appropriate education and response protocols. Refer to the Attachment 3 for more information of Watch List response.

### **IV. ACCEPTABLE MANAGEMENT METHODS**

#### *A. Integrated Pest Management*

Noxious weeds should be managed using integrated management techniques that are appropriate for the phenology and location of the weed species of interest. See Attachment 7 for a species-specific summary of acceptable integrated treatment methods that are approved for use in Moffat County.

#### *B. Chemical Free Weed Management Guidelines*

Under section 35-5.5-105(1) of the Colorado Noxious Weed Act, in regards to the powers of the County Commissioners, it is stated, "Guidelines may be included that address no pesticide noxious weed management plans". The following guidelines for chemical free management options do not excuse landowners or managers from managing noxious weeds per state objectives.

Some landowners and managers may desire to use chemical-free or organic weed management options. Moffat County in cooperation with CSU Extension shall support chemical free management options by providing educational resources and chemical free weed management planning. See Attachment 3 for details.

Chemical free weed management may be conducted by any landowner or land manager with no documented management plan or Chemical Free Management Agreement required, unless the weed infestation meets one or more of the following criteria:

- is comprised of a List A species

- is comprised of a List B species which exists outside of defined containment boundaries (See Attachment B for species-specific containment area definitions and maps).
- has been reported to Moffat County Weed and Pest by neighbors, with a concern of spread
- active seed dispersal has been observed and reported to Moffat County from public access point (i.e. public land, county road, State HWY, etc.)

Where one or more of these criteria exist, Moffat County Weed and Pest Management will contact and work with the landowner or land manager to determine chemical free management feasibility and develop an approved Chemical Free Weed Management Agreement. For more information on Chemical Free Weed Management Agreements refer to Attachment 3.

## **V. ENFORCEMENT**

Where landowners and/or land managers are observed or reported to be in violation of Colorado noxious weed management rules and objectives, it shall be the responsibility of Moffat County Weed and Pest Management to respond as the Moffat County organization deems feasible and effective. Refer to the Attachment 3 for details on enforcement protocol.



**TITLE 35. AGRICULTURE**  
**PEST AND WEED CONTROL**  
**ARTICLE 5.5. COLORADO NOXIOUS WEED ACT**

**35-5.5-101. Short title**

This article shall be known and may be cited as the "Colorado Noxious Weed Act".<sup>1</sup>

**35-5.5-102. Legislative declaration - rule of construction**

(1) In enacting this article the general assembly finds and declares that there is a need to ensure that all the lands of the state of Colorado, whether in private or public ownership, are protected by and subject to the jurisdiction of a local government empowered to manage undesirable plants as designated by the state of Colorado and the local governing body. In making such determination the general assembly hereby finds and declares that certain undesirable plants constitute a present threat to the continued economic and environmental value of the lands of the state and if present in any area of the state must be managed. It is the intent of the general assembly that the advisory commissions appointed by counties and municipalities under this article, in developing undesirable plant management plans, consider the elements of integrated management as defined in this article, as well as all appropriate and available control and management methods, seeking those methods which are least environmentally damaging and which are practical and economically reasonable.

(1.5) The general assembly hereby finds and declares that:

(a) Noxious weeds have become a threat to the natural resources of Colorado, as thousands of acres of crop, rangeland, and habitat for wildlife and native plant communities are being destroyed by noxious weeds each year;

(b) An organized and coordinated effort must be made to stop the spread of noxious weeds and that such an effort can best be facilitated by a state coordinator who will assist in building local coalitions and coordinate the efforts of state, federal, local, and private landowners in developing plans for the control of noxious weeds without unnecessarily disrupting the development of such lands;

(c) The designation and classification of noxious weeds into categories for immediate eradication, containment, and suppression will further assist the state in coordinating efforts to stop the spread of noxious weeds;

(d) Because the spread of noxious weeds can largely be attributed to the movement of seed and plant parts on motor vehicles, and because noxious weeds are becoming an increasing maintenance problem on highway right-of-ways in this state, additional resources are needed to fight the spread of noxious weeds; and

(e) The use of moneys in the noxious weed management fund to assist local governing bodies and affected landowners in the eradication, containment, or suppression of noxious weeds best serves the citizens of Colorado.

(2) This article is in addition to article 5 of this title and is intended to be an expansion of, not a

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<sup>1</sup> Cross references: For authority of boards of county commissioners to conduct agricultural research, see article 24 of title 30.

substitution for, the provisions of said article 5.

### **35-5.5-103. Definitions**

As used in this article, unless the context otherwise requires:

(1) (Deleted by amendment, L. 96, p. 764, § 5, effective May 23, 1996.)

(2) "Alien plant" means a plant species that is not indigenous to the state of Colorado.

(3) (Deleted by amendment, L. 96, p. 764, § 5, effective May 23, 1996.)

(4) "Commissioner" means the commissioner of the department of agriculture or his or her designee.

(4.5) "Department" means the department of agriculture.

(5) "District" means a local governing body's geographic description of a land area where noxious weeds are to be managed.

(6) (Deleted by amendment, L. 96, p. 764, § 5, effective May 23, 1996.)

(7) "Federal agency" means each agency, bureau, or department of the federal government responsible for administering or managing federal land.

(8) "Federal land manager" means the federal agency having jurisdiction over any federal lands affected by the provisions of this article.

(9) "Integrated management" means the planning and implementation of a coordinated program utilizing a variety of methods for managing noxious weeds, the purpose of which is to achieve specified management objectives and promote desirable plant communities. Such methods may include but are not limited to education, preventive measures, good stewardship, and the following techniques:

(a) "Biological management", which means the use of an organism to disrupt the growth of noxious weeds.

(b) "Chemical management", which means the use of herbicides or plant growth regulators to disrupt the growth of noxious weeds.

(c) "Cultural management", which means methodologies or management practices that favor the growth of desirable plants over noxious weeds, including maintaining an optimum fertility and plant moisture status in an area, planting at optimum density and spatial arrangement in an area, and planting species most suited to an area.

(d) "Mechanical management", which means methodologies or management practices that physically disrupt plant growth, including tilling, mowing, burning, flooding, mulching, hand-pulling, hoeing, and grazing.

(10) "Landowner" means any owner of record of federal, tribal, state, county, municipal, or private land.

(10.5) "Local advisory board" means those individuals appointed by the local governing body to advise on matters of noxious weed management.

(11) "Local governing body" means the board of county commissioners of a county, the city council of a city and county or statutory or home rule city, the board of trustees of a statutory town or home rule town, or the board of selectmen or city council of a territorial charter municipality, as the context so requires.

(11.4) "Local noxious weed" means any plant of local importance that has been declared a noxious weed by the local governing body.

(11.6) "Management" means any activity that prevents a plant from establishing, reproducing, or dispersing itself.

(11.7) "Management objective" means the specific, desired result of integrated management efforts and includes:

(a) "Eradication" which means reducing the reproductive success of a noxious weed species or specified noxious weed population in largely uninfested regions to zero and permanently eliminating the species or population within a specified period of time. Once all specified weed populations are eliminated or prevented from reproducing, intensive efforts continue until the existing seed bank is exhausted.

(b) "Containment" which means maintaining an intensively managed buffer zone that separates infested regions, where suppression activities prevail, from largely uninfested regions, where eradication activities prevail.

(c) "Suppression" which means reducing the vigor of noxious weed populations within an infested region, decreasing the propensity of noxious weed species to spread to surrounding lands, and mitigating the negative effects of noxious weed populations on infested lands. Suppression efforts may employ a wide variety of integrated management techniques.

(d) "Restoration" which means the removal of noxious weed species and reestablishment of desirable plant communities on lands of significant environmental or agricultural value in order to help restore or maintain said value.

(12) "Management plan" means the noxious weed management plan developed by any person or the local advisory board using integrated management.

(13) (Deleted by amendment, L. 96, p. 764, § 5, effective May 23, 1996.)

(14) "Municipality" has the meaning set forth in [section 31-1-101 \(6\), C.R.S.](#)

(15) "Native plant" means a plant species that is indigenous to the state of Colorado.

(16) "Noxious weed" means an alien plant or parts of an alien plant that have been designated by rule as being noxious or has been declared a noxious weed by a local advisory board, and meets one or more of the following criteria:

(a) Aggressively invades or is detrimental to economic crops or native plant communities;

(b) Is poisonous to livestock;

(c) Is a carrier of detrimental insects, diseases, or parasites;

(d) The direct or indirect effect of the presence of this plant is detrimental to the environmentally sound management of natural or agricultural ecosystems.

(16.2) "Noxious weed management" means the planning and implementation of an integrated program to manage noxious weed species.

(17) "Person" or "occupant" means an individual, partnership, corporation, association, or federal, state, or local government or agency thereof owning, occupying, or controlling any land, easement, or right-of-way, including any city, county, state, or federally owned and controlled highway, drainage or irrigation ditch, spoil bank, borrow pit, gas and oil pipeline, high voltage electrical transmission line, or right-of-way for a canal or lateral.

(18) "Plant growth regulator" means a substance used for controlling or modifying plant growth processes without appreciable phytotoxic effect at the dosage applied.

(18.5) "State noxious weed" means any noxious weed identified by the commissioner by rule after notifying and consulting with the state noxious weed advisory committee created in [section 35-5.5-108.7](#).

(18.6) "State weed coordinator" means the state weed coordinator under contract with or appointed by the commissioner pursuant to [section 35-5.5-117](#).

(19) and (20) (Deleted by amendment, L. 96, p. 764, § 5, effective May 23, 1996.)

(21) "Weed" means any undesirable plant.

#### **35-5.5-104. Duty to manage noxious weeds**

It is the duty of all persons to use integrated methods to manage noxious weeds if the same are likely to be materially damaging to the land of neighboring landowners.

#### **35-5.5-104.5. Intentional introduction, cultivation, or sale of noxious weeds - costs**

(1) (a) It shall be unlawful to intentionally introduce, cultivate, sell, offer for sale, or knowingly allow to grow in violation of this article or any rule promulgated hereunder in this state any noxious weed designated pursuant to [section 35-5.5-108 \(2\) \(a\)](#); except that this prohibition shall not apply to:

(I) Research sanctioned by a state or federal agency or an accredited university or college;

(II) Activities specifically permitted by the commissioner;

(III) Noxious weed management plans that are part of an approved reclamation plan pursuant to [section 34-32-116 \(7\)](#) or [34-32.5-116 \(4\), C.R.S.](#);

(IV) Noxious weed management activities that are conducted on disturbed lands as part of an approved reclamation plan pursuant to [section 34-33-111 \(1\), C.R.S.](#); or

(V) Noxious weed management activities that are part of activities conducted on disturbed lands pursuant to [section 34-60-106 \(12\), C.R.S.](#)

(b) It shall not be a violation of this section for a person to knowingly allow to grow a state noxious weed that is being properly managed in accordance with the rules promulgated by the commissioner.

(2) Any entity or person that violates the provisions of this section shall be responsible for the costs associated with remediation of the noxious weeds. In assessing the cost of remediation, the commissioner may include both actual immediate and estimated future costs to achieve specified management objectives.

### **35-5.5-105. Noxious weed management - powers of county commissioners**

(1) The board of county commissioners of each county in the state shall adopt a noxious weed management plan for all of the unincorporated lands within the county. Such plan shall include all of the requirements and duties imposed by this article. Guidelines may be included that address no pesticide noxious weed management plans. In addition to and not in limitation of the powers delegated to boards of county commissioners in [section 30-11-107](#) and article 15 of title 30, C.R.S., article 5 of this title, and elsewhere as provided by law, the board of county commissioners may adopt and provide for the enforcement of such ordinances, resolutions, rules, and other regulations as may be necessary and proper to enforce said plan and otherwise provide for the management of noxious weeds within the county, subject to the following limitation: No county ordinance, rule, resolution, other regulation, or exercise of power pursuant to this article shall apply within the corporate limits of any incorporated municipality, nor to any municipal service, function, facility, or property, whether owned by or leased to the incorporated municipality outside the municipal boundaries unless the county and municipality agree otherwise pursuant to part 2 of article 1 of title 29, C.R.S., or article 20 of title 29, C.R.S.

(2) (a) The board of county commissioners shall provide for the administration of the noxious weed management plan authorized by this article through the use of agents, delegates, or employees and may hire additional staff or provide for the performance of all or part of the management plan through outside contract. Any agent, delegate, employee, staff, or contractor applying or recommending the use of chemical management methods shall be certified by the department of agriculture for such application or recommendation. Costs associated with the administration of the noxious weed management plan shall be paid from the noxious weed management fund of each county.

(b) Subject to the direction of the board of county commissioners, an agent of the county appointed or employed under this subsection (2) may exercise the powers and duties granted to, and perform the duties of, a county pest inspector in accordance with articles 4 and 5 of this title.

(3) The board of county commissioners may cooperate with other counties and municipalities for the exercise of any or all of the powers and authorities granted by this article. Such cooperation shall take the form of an intergovernmental agreement pursuant to part 2 of article 1 of title 29, C.R.S., or article 20 of title 29, C.R.S.

### **35-5.5-106. Noxious weed management - municipal authority**

(1) The governing body of each municipality in the state shall adopt a noxious weed management plan for all lands within the territorial limits of the municipality. In addition to and independent of the powers elsewhere delegated by law, the governing body of a municipality may adopt and provide for the enforcement of such ordinances, resolutions, rules, and other regulations as may be necessary and proper to enforce said plan and otherwise provide for the management of noxious weeds within the municipality, subject to the following limitation: No municipal ordinance, resolution, rule, other regulation, or exercise of power pursuant to this article shall apply to unincorporated lands or facilities outside the corporate limits of the municipality, except such lands or facilities which are owned by or leased to the municipality, unless the municipality and the county otherwise agree pursuant to part 2 of article 1 of title 29, C.R.S.,

or article 20 of title 29, C.R.S.

(2) The governing body of the municipality shall provide for the administration of the noxious weed management plan authorized by this article through the use of agents, delegates, or employees and may hire additional staff or provide for the performance of all or part of the noxious weed management plan through outside contract. Any agent, delegate, employee, staff, or contractor applying or recommending the use of chemical management methods shall be certified by the department of agriculture for such application or recommendation.

(3) The governing body may cooperate with counties and other municipalities for the exercise of any or all of the powers and authorities granted by this article. Such cooperation shall take the form of an intergovernmental agreement pursuant to part 2 of article 1 of title 29, C.R.S., or article 20 of title 29, C.R.S.

(4) To the degree that a municipality has, upon enactment of this article, or subsequent to that date, adopted an ordinance or ordinances for the management of noxious weeds, the adoption of such an ordinance or ordinances shall be deemed to satisfy the requirement for the adoption of a noxious weed management plan imposed by this article.

### **35-5.5-107. Local advisory board - formation - duties**

(1) The governing body of each county and municipality shall appoint a local advisory board. The local governing body, at its sole option, may appoint itself, or a commission of landowners, to act as the local advisory board for that jurisdiction. The members of each local advisory board shall be residents of the unincorporated portion of the county or residents of the municipality, as the case may be, and in the case of a county, at least a majority of the members of the local advisory board shall be landowners of over forty acres.

(2) In the event a county or municipality elects to cooperate with another county or municipality for any of the purposes set forth in this article, the membership of the local advisory board shall be determined by the governing bodies of such cooperating local governments.

(3) Each local advisory board shall annually elect a chairman and secretary. A majority of the members of the board shall constitute a quorum for the conduct of business.

(4) Local advisory boards shall have the power and duty to:

(a) Develop a recommended management plan for the integrated management of designated noxious weeds and recommended management criteria for noxious weeds within the area governed by the local government or governments appointing the local advisory board. The management plan shall be reviewed at regular intervals but not less often than once every three years by the local advisory board. The management plan and any amendments made thereto shall be transmitted to the local governing body for approval, modification, or rejection.

(b) Declare noxious weeds and any state noxious weeds designated by rule to be subject to integrated management;

(c) Recommend to the local governing body that identified landowners be required to submit an individual integrated management plan to manage noxious weeds on their property.

(5) The local governing body shall have the sole and final authority to approve, modify, or reject the

management plan, management criteria, management practice, and any other decision or recommendation of the local advisory board.

(6) The state weed coordinator shall review any recommendations of a local advisory board appointed pursuant to article 5 of this title and note any inconsistencies between the recommendations of the state weed coordinator or the commissioner and any such local advisory board.

### **35-5.5-108. Designated noxious weeds - rules - legislative declaration**

(1) The general assembly hereby finds and declares that the noxious weeds designated by rule are a present threat to the economic and environmental value of the lands of the state of Colorado and declare it to be a matter of statewide importance that the governing bodies of counties and municipalities include plans to manage such weeds as part of their duties pursuant to this article.

(2) (a) The state list of plant species that are designated as noxious weeds shall be designated by rule and shall be managed under the provisions of this article. On and after August 6, 2003, the commissioner shall classify noxious weeds into one of a minimum of three categories, including:

(I) "List A", which means rare noxious weed species that are subject to eradication wherever detected statewide in order to protect neighboring lands and the state as a whole;

(II) "List B", which means noxious weed species with discrete statewide distributions that are subject to eradication, containment, or suppression in portions of the state designated by the commissioner in order to stop the continued spread of these species;

(III) "List C", which means widespread and well-established noxious weed species for which control is recommended but not required by the state, although local governing bodies may require management.

(b) A local governing body may adopt eradication, containment, or suppression standards that are more stringent than the standards adopted by the commissioner.

(2.1) The commissioner shall review and revise, as necessary, the state noxious weed list at least once every three years.

(2.3) The commissioner shall develop and implement by rule state noxious weed management plans for noxious weed species classified as list A or list B species. For each noxious weed species, each management plan shall designate the management objectives for all lands of the state appropriate to achieve the stated purpose of the species classification.

(2.5) The commissioner shall prescribe integrated management techniques to achieve specified management objectives for each listed species after consulting with the state noxious weed advisory committee. The prescribed management techniques shall be mandatory techniques for list A species and populations of list B species designated for eradication. The commissioner shall develop management techniques pursuant to science-based methodologies, peer reviewed studies, or any other method that is based on credible research.

(2.6) The classifications made pursuant to paragraph (a) of subsection (2) of this section shall primarily reflect the known distribution of the designated species, the feasibility of current control technologies to achieve specified management objectives, and the costs of carrying out the prescribed state weed management plan.

(2.7) (a) The commissioner shall also adopt rules for granting compliance waivers to local governing bodies and landowners; except that a waiver may not be granted to the affected landowner when a landowner has wilfully or wantonly violated the provisions of this section or [section 35-5.5-104.5](#) or [35-5.5-108.5](#) attempts to delay eradication of a species without just cause.

(b) Such rules shall include:

(I) A process by which a local governing body or an affected landowner may petition the commissioner to change the management objectives specified in a state noxious weed management plan;

(II) The criteria used to evaluate such petitions; and

(III) Time frames in which the commissioner shall grant or deny such petitions.

(c) Actions sufficient to implement the management objective for a noxious weed species shall continue until the commissioner grants a waiver pursuant to this subsection (2.7).

(3) The board of county commissioners or governing body of a municipality may declare additional noxious weeds, within its jurisdictional boundaries, after a public hearing with thirty days prior notice to the public. Any declaration of additional noxious weeds pursuant to this subsection (3) shall include the management objectives for all affected landowners.

#### **35-5.5-108.5. Responsibilities related to eradication of designated noxious weeds - commissioner - local governing bodies - affected landowners**

(1) This section shall apply to noxious weeds that have been classified as list A species and to populations of list B species designated for eradication pursuant to [section 35-5.5-108 \(2\) \(a\)](#). This section shall govern the responsibilities of the commissioner, local governing bodies, and affected landowners.

(2) Duties of commissioner. (a) The commissioner may enforce the provisions of this section as necessary to ensure the cooperation of local governing bodies and affected landowners.

(b) The commissioner shall provide:

(I) Educational resources to local governing bodies and affected landowners regarding the eradication of list A species and populations of list B species designated for eradication. Such education shall include an explanation of why the species has been listed for eradication, the prescribed techniques for eradication in the most cost-effective manner, and the duties of the local governing body and affected landowner regarding such eradication.

(II) Financial or in-kind resources to local governing bodies or affected landowners to eradicate list A species and populations of list B species designated for eradication from the available moneys in the noxious weed management fund created in [section 35-5.5-116](#). Such financial or in-kind resource allocation shall be determined by the commissioner according to the identified benefits to the citizens of Colorado, the surrounding community, and the affected landowners.

(III) The inventory and mapping infrastructure necessary to facilitate the classification of state noxious weeds and the development and implementation of state noxious weed management plans.

(3) Duties of local governing bodies. (a) In compliance with the rules promulgated by the commissioner, a local governing body shall initiate and maintain communications with landowners who are affected by list



A species and populations of list B species designated for eradication by the commissioner.

(b) In addition to the existing powers and duties of a local governing body provided in this article a local governing body shall:

(I) Provide affected land owners with technical assistance for the eradication of list A species and populations of list B species designated for eradication by the commissioner;

(II) Carry out sufficient measures, including project oversight and enforcement, as may be necessary to ensure the eradication of list A species and populations of list B species designated for eradication by the commissioner;

(III) Provide the commissioner with assistance in disseminating financial resources to affected landowners and mapping data pursuant to rules promulgated by the commissioner; and

(IV) Determine the cost of eradication to be borne by affected landowners.

(c) Local governing bodies may apply to the commissioner for a waiver of compliance with an eradication designation pursuant to [section 35-5.5-108 \(2.7\)](#).

(d) If the commissioner determines, in consultation with the local governing body, that the most cost-effective manner to eradicate designated noxious weeds is for the commissioner to implement an eradication program, the commissioner may implement the eradication program directly.

(4) Duties of affected landowners or occupants. Except as provided pursuant to [section 35-5.5-104.5 \(1\) \(a\)](#), an affected landowner or occupant whose property may be affected by list A species or by populations of list B species designated for eradication shall allow the commissioner or local weed control officials access to such property for the purpose of immediate inspection and eradication when at least one of the following events has occurred:

(a) The affected landowner or occupant has requested the inspection;

(b) A neighboring landowner or occupant has reported a suspected noxious weed infestation and requested an inspection; or

(c) An authorized agent of the local government or commissioner has made a visual observation from a public right-of-way or area and has reason to believe that a noxious weed infestation exists.

(5) (a) If verbal permission to inspect the land by the affected landowner is not obtained, no entry upon any premises, lands, or places shall be permitted until the local governing body has notified the affected landowner that such inspection is pending by certified mail if the landowner's mailing address is within the United States or mailed in a comparable manner to a landowner whose mailing address is outside of the United States. Where possible, inspections shall be scheduled and conducted with the concurrence of the affected landowner or occupant. A local governing body may notify an affected landowner in an electronic format, in addition to notice by certified mail.

(b) (I) If, after ten days with no response from the affected landowner or upon denial of access before the expiration of ten days, the inspector may seek an inspection warrant issued by a municipal, county, or district court having jurisdiction over the land. The court shall issue an inspection warrant upon presentation by the local governing body of an affidavit stating:

(A) The information that gives the inspector reasonable cause to believe that any provision of this section, [section 35-5.5-104.5](#), or [section 35-5.5-108](#), is being or has been violated;

(B) The affected landowner has failed to respond or the landowner or occupant has denied access to the inspector; and

(C) A general description of the location of the affected land.

(II) No affected landowner or occupant shall deny access to an authorized agent of the local governing body or the commissioner in possession of an inspection warrant.

(6) An affected landowner shall notify a lessee or occupant of affected lands of all notices of inspection and eradication efforts on such lands as soon as practicable.

(7) The local governing body of the county or municipality having jurisdiction over private and public lands on which list A species or populations of list B species designated for eradication are found shall notify the affected landowner or occupant of such lands by certified mail if the landowner's mailing address is within the United States or mailed in a comparable manner to a landowner whose mailing address is outside of the United States. The notice shall name the noxious weeds, identify eradication as the required management objective, advise the affected landowner or occupant to commence eradication efforts within a specified period or condition, and state the integrated weed management techniques prescribed by the commissioner for eradication. Where possible, the local governing body shall consult with the affected landowner or occupant in the development of a plan for the eradication of noxious weeds on the premises or land.

(8) Within five days after the local governing body mails notification, the landowner shall comply with the terms of the notification or submit an acceptable plan and schedule for the completion of the management objective.

(9) (a) In the event the affected landowner or occupant fails to comply with the notice to eradicate the identified noxious weeds and implement an appropriate eradication program, the local governing body having authority over the public or private land shall:

(I) Provide for and complete the eradication of such noxious weeds at such time, upon such notice, and in such manner consistent with achieving the management objective as the local governing body deems appropriate; and

(II) Do one of the following:

(A) Assess the whole cost of the eradication, including up to one hundred percent of inspection, eradication, and other incidental costs in connection with eradication, upon the lot or tract of land where the noxious weeds are located; except that no local governing body shall levy a tax lien against land it administers as a part of a public right-of-way. Such assessment shall be a lien against each lot or tract of land until paid and shall have priority over all other liens except general taxes and prior special assessments. Such assessment may be certified to the county treasurer of the county in which the property is located and collected and paid over in the same manner as provided for the collection of taxes. Any funds collected pursuant to this section shall be utilized in furtherance of the local governing body's weed management efforts.

(B) In the event the state board, department, or agency fails to comply with the notice to eradicate the identified noxious weeds, the local governing body in whose jurisdiction the infestation is located may

enter upon such lands and undertake the management of such noxious weeds or cause the same to be done. The expenses associated with inspection and eradication shall be paid by the state board, department, or agency that has jurisdiction over the lands. An agreement for reimbursement shall be reached within two weeks after the date such statement of expense for eradication is submitted by the local governing body. Such reimbursement agreement shall be in writing. If no reimbursement agreement has been reached or the amount reflected in the agreement is not paid upon presentation, the amount in the agreement shall be submitted to the state controller, who shall treat such amount as an encumbrance on the budget of the state board, department, or agency involved or such charge may be recovered in any court with jurisdiction over such lands. The expense associated with eradication may be recovered in any court with jurisdiction over such infested land.

(b) No local governing body shall provide for or compel the eradication of list A species and populations of list B species designated for eradication or list B noxious weeds on private or public property pursuant to this subsection (9) without first applying the same measures to any land or rights-of-way owned or administered by the local governing body that are adjacent to the property.

(10) The local governing body, through its delegates, agents, or employees, shall have the right to enter upon any premises, lands, or places during reasonable business hours for the purpose of ensuring compliance with the requirements of this section concerning noxious weed eradication.

(11) No agent, employee, or delegate of a local governing body shall have a cause of action against an affected landowner or occupant for personal injury or property damages while on private or public land for purposes of eradication of noxious weeds except when such damages were the result of gross negligence, recklessness, or intentional action by the landowner.

(12) If, in the opinion of the commissioner, any local governing body fails to adequately perform any of the duties set forth in this section, the commissioner is authorized to conduct any of the functions or duties of a local governing body pursuant to this section.

(13) The commissioner or the local governing body may require the affected landowner to pay a portion of the costs associated with eradication of the noxious weeds.

(14) An affected landowner may apply to the commissioner for a waiver of compliance with an eradication designation pursuant to [section 35-5.5-108 \(2.7\)](#).

(15) For the purposes of this section, an "occupant" shall not include the owner of an easement or right-of-way.

### **35-5.5-108.7. State noxious weed advisory committee - repeal**

(1) (a) (I) There is hereby created the state noxious weed advisory committee, referred to in this section as the "state advisory committee". The state advisory committee consists of seventeen members. Fifteen members are appointed by the commissioner and serve without per diem compensation or expenses. Of the fifteen members:

(A) At least one member represents private and public landowners or land managers;

(B) At least two members represent weed management professionals from the federal, state, or local levels;

(C) At least one member represents public or private weed scientists;

(D) At least two members represent local governing bodies;

(E) Four members must be agricultural producers, as defined in [section 35-1-102](#); and

(F) At least three members represent knowledgeable resource specialists or industries, including environmental organizations.

(II) The remaining two members are:

(A) One nonvoting member who is appointed by the Colorado department of transportation with the approval of the commissioner; and

(B) One nonvoting member who is appointed by the department of natural resources with the approval of the commissioner.

(III) Representation on the state advisory committee must reflect the different geographic areas of the state equally, to the greatest extent possible. Members of the state advisory committee that represent the various stakeholders and regions shall solicit input from similar stakeholders within each member's area of expertise and region of the state. Members of the state advisory committee shall communicate the committee's recommendations to the region and stakeholders represented by each member.

(b) Staggered appointments shall be made so that not more than eight members' terms expire in any one year, and thereafter appointments shall be for terms of two years each. Appointees shall be limited to two full terms each. Each state advisory committee member shall hold office until the expiration of the term for which such member is appointed or until a successor has been duly appointed.

(c) In the event of a vacancy on the state advisory committee, the commissioner shall fill such vacancy promptly to allow a quorum of the state advisory committee to function.

(d) The commissioner may remove any member of the state advisory committee for misconduct, incompetence, or neglect of duty.

(e) A quorum of the state advisory committee shall elect or appoint annually a chairman and a vice-chairman.

(f) A quorum of the state advisory committee shall be a majority of the members appointed to the state advisory committee.

(g) The state advisory committee shall meet at least quarterly.

(2) The state advisory committee shall make recommendations to the commissioner concerning the:

(a) Designation of state noxious weeds;

(b) Classification of state noxious weeds;

(c) Development and implementation of state weed management plans;

(d) Prescribed techniques for eradication, containment, and suppression of state noxious weeds; and

(e) Management of noxious weeds on surface waters and public lands.

(3) Recommendations of the state advisory committee shall be made by a majority vote of the members of the state advisory committee.

(4) The state advisory committee shall periodically assess the progress made to implement the provisions of [sections 35-5.5-104.5](#), [35-5.5-108.5](#), [35-5.5-108.7](#), and [35-5.5-108 \(2\) \(a\)](#); measure the results and effectiveness of endeavors to eradicate, contain, and suppress noxious weeds within this state; and recommend to the commissioner ways to enhance statewide efforts to stop the spread of noxious weeds.

(5) This section is repealed, effective September 1, 2023. Prior to the repeal, the state noxious weed advisory committee is reviewed under [section 2-3-1203, C.R.S.](#)

### **35-5.5-109. Private lands - management of noxious weeds - charges**

(1) The local governing body, through its delegates, agents, and employees, shall have the right to enter upon any premises, lands, or places, whether public or private, during reasonable business hours for the purpose of inspecting for the existence of noxious weed infestations, when at least one of the following circumstances has occurred:

(a) The landowner or occupant has requested an inspection;

(b) A neighboring landowner or occupant has reported a suspected noxious weed infestation and requested an inspection; or

(c) An authorized agent of the local government has made a visual observation from a public right-of-way or area and has reason to believe that a noxious weed infestation exists.

(2) (a) No entry upon any premises, lands, or places shall be permitted until the landowner or occupant has been notified by certified mail that such inspection is pending. Where possible, inspections shall be scheduled and conducted with the concurrence of the landowner or occupant.

(b) If after receiving notice that an inspection is pending the landowner or occupant denies access to the inspector of the local governing body, the inspector may seek an inspection warrant issued by a municipal, county, or district court having jurisdiction over the land. The court shall issue an inspection warrant upon presentation by the local governing body, through its agent or employee, of an affidavit stating: The information which gives the inspector reasonable cause to believe that any provision of this article is being or has been violated; that the occupant or landowner has denied access to the inspector; and a general description of the location of the affected land. No landowner or occupant shall deny access to such land when presented with an inspection warrant.

(3) The local governing body of the county or municipality having jurisdiction over private lands upon which noxious weeds are found shall have the authority, acting directly or indirectly through its agent or staff, to notify the landowner or occupant of such lands, advising the landowner or occupant of the presence of noxious weeds. Said notice shall name the noxious weeds, advise the landowner or occupant to manage the noxious weeds, and specify the best available control methods of integrated management. Where possible, the local governing body shall consult with the affected landowner or occupant in the development of a plan for the management of noxious weeds on the premises or lands.

(4) (a) Within a reasonable time after receipt of notification, which at no time shall exceed ten days, the landowner or occupant shall either:

(I) Comply with the terms of the notification;

(II) Acknowledge the terms of the notification and submit an acceptable plan and schedule for the completion of the plan for compliance; or

(III) Request an arbitration panel to determine the final management plan.

(b) The arbitration panel selected by the local governing body shall be comprised of a weed management specialist or weed scientist, a landowner of similar land in the same county, and a third panel member chosen by agreement of the first two panel members. The landowner or occupant shall be entitled to challenge any one member of the panel, and the local governing body shall name a new panel member from the same category. The decision of the arbitration panel shall be final.

(5) (a) In the event the landowner or occupant fails to comply with the notice to manage the identified noxious weeds or implement the plan developed by the arbitration panel, the local governing body has the authority to:

(I) Provide for and compel the management of such noxious weeds at such time, upon such notice, and in such manner as the local governing body shall prescribe by ordinance or resolution; and

(II) Assess the whole cost thereof, including up to twenty percent for inspection and other incidental costs in connection therewith, upon the lot or tract of land where the noxious weeds are located; except that no local governing body shall levy a tax lien against land it administers as part of a public right-of-way. Such assessment shall be a lien against each lot or tract of land until paid and shall have priority over all other liens except general taxes and prior special assessments. Such assessment may be certified to the county treasurer of the county in which the property is located and collected and paid over in the same manner as provided for the collection of taxes. Any funds collected pursuant to this section shall be deposited in the local governing body's weed fund or any similar fund.

(b) No local governing body shall provide for or compel the management of noxious weeds on private property pursuant to this subsection (5) without first applying the same or greater management measures to any land or rights-of-way owned or administered by the local governing body that are adjacent to the private property.

(c) No local governing body shall assess the cost of providing for or compelling the management of noxious weeds on private property until the level of management called for in the notice or the management plan developed by the arbitration panel has been successfully achieved.

(6) The local governing body, through its delegates, agents, and employees, shall have the right to enter upon any premises, lands, or places, whether public or private, during reasonable business hours for the purpose of ensuring compliance with the requirements of this article concerning noxious weed management and any other local requirements.

(7) No agent, employee, or delegate of a local governing body shall have a civil cause of action against a landowner or occupant for personal injury or property damage incurred while on public or private land for purposes consistent with this article except when such damages were willfully or deliberately caused by the landowner.

### **35-5.5-110. Public lands - control of undesirable plants - charges**

(1) It is the duty of each state board, department, or agency that administers or supervises state lands to manage noxious weeds on any lands under its jurisdiction using the methods prescribed by the local governing body in whose jurisdiction such state lands are located. The local governing body may give notice to any such state board, department, or agency advising of the presence of noxious weeds and naming them. Such notice shall specify the best available methods of integrated management that are not in conflict with federal law or contractual restrictions included in federal land conveyances to the state. Wherever possible, the local governing body shall consult with the affected state board, department, or agency in the development of a plan for the management of noxious weeds on the premises or lands.

(2) (a) Within a reasonable time after receipt of notification, which at no time shall exceed ten days, the state board, department, or agency shall do one of the following:

(I) Comply with the terms of the notification;

(II) Acknowledge the terms of the notification and submit an acceptable plan and schedule for the completion of the plan for compliance;

(III) Request an arbitration panel to determine the final management plan.

(b) The arbitration panel selected by the local governing body shall be comprised of a weed management specialist or weed scientist, a landowner of similar land in the same county, and a third panel member chosen by agreement of the first two panel members. The state board, department, or agency shall be entitled to challenge any one member of the panel, and the local governing body shall name a new panel member from the same category. The decision of the arbitration panel shall be final.

(3) In the event the state board, department, or agency fails to comply with the notice to manage the identified noxious weeds or implement the plan developed by the arbitration panel, the local governing body in whose jurisdiction the infestation is located may enter upon such lands and undertake the management of such noxious weeds or cause the same to be done, the expense thereof to be a proper charge against said state board, department, or agency which has jurisdiction over the lands. An agreement for payment shall be reached within two weeks after the date such an expense is submitted, with respect to the amount of reimbursement to be paid. Such agreement shall be in writing. If no agreement has been reached and if the charge is not immediately paid, such charge shall be submitted to the controller, who shall treat such amount as an encumbrance on the budget of the state board, department, or agency involved, or such charge may be recovered in any court with jurisdiction over such lands. Any state board, department, or agency may enter into a contract with the local governing body to authorize the management of noxious weeds on state-administered land on terms and conditions satisfactory to both parties.

(4) In addition to the requirements of subsection (3) of this section, the division shall enter into agreements with local governing bodies for the control of weeds on any property the division owns in fee title or has effective surface control over pursuant to a long-term lease or easement agreement. For purposes of this subsection (4) and subsection (5) of this section, "long-term lease or easement agreement" means any lease or easement agreement that exceeds ten years. Agreements between the division and local governing bodies for weed control shall describe the terms and conditions of weed control, provide an annual estimated budget for such weed control, and identify specific weed control responsibilities for the division and the property owner, if different than the division. Weed control agreements required pursuant to this subsection (4) shall be executed on or before July 1, 1997.

(5) Any weed control expense incurred by a local governing body pursuant to subsection (3) of this section on any lands held by the division in fee title or by long-term lease or easement agreement, as described in subsection (4) of this section, and for which a weed control agreement as described in subsection (4) of this section has been signed, and which costs are in accordance with that long-term agreement, shall be deemed correct and final and shall be paid by the division pursuant to [section 33-1-110 \(6.5\), C.R.S.](#)

### **35-5.5-111. Cooperation with federal and state agencies**

The local governing bodies of all counties and municipalities in this state are hereby authorized to enter into cooperative agreements with federal and state agencies for the integrated management of noxious weeds within their respective territorial jurisdictions.

### **35-5.5-112. Public rights-of-way - management of noxious weeds - charges**

It shall be the duty of each local governing body and each state board, department, or agency to confirm that all public roads, public highways, public rights-of-way, and any easements appurtenant thereto, under the jurisdiction of each such entity, are in compliance with this article, and any violations of this article shall be the financial responsibility of the appropriate local governing body or state board, department, or agency.

### **35-5.5-113. Public nuisance - abatement**

All noxious weeds, at any and all stages, their carriers, and any and all premises, plants, and things infested or exposed to infestation therewith may be declared to be a public nuisance by the local governing body having jurisdiction over the lands upon which said noxious weeds are situated. Once declared, such nuisances are subject to all laws and remedies relating to the prevention and abatement of nuisances. The local governing body, in a summary manner or otherwise, may take such action, including removal and destruction, with reference to such nuisance as in its discretion appears necessary. The remedies of this section shall be in addition to all other remedies provided by law.

### **35-5.5-114. Review of compliance on federal land. (Repealed)**

#### **35-5.5-114.1. Survey of compliance on federal land**

On or before January 1, 1998, the state weed coordinator shall survey those counties that include significant amounts of federal land to determine the level of cooperation and compliance by the federal government with this article.

### **35-5.5-115. Rules**

The commissioner shall promulgate rules as necessary to carry out the purposes of this article, which rules shall include a designation of state noxious weeds.

### **35-5.5-116. Noxious weed management fund - creation - allocation of funds**

(1) There is hereby created in the office of the state treasurer the noxious weed management fund. The fund consists of any civil penalties collected pursuant to [section 35-5.5-118](#); any gifts, donations, and grants received pursuant to [section 35-1-104 \(1\) \(cc\)](#); and any moneys appropriated or transferred thereto by the general assembly. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. The general assembly shall annually appropriate state moneys in the fund to the department of agriculture for the purposes specified in this section. Any unexpended and unencumbered moneys from an appropriation from the fund remain available for expenditure by the department in the next fiscal year without further appropriation.

(2) The interest earned on moneys in the noxious weed management fund and appropriated to the department of agriculture shall be expended for costs incurred by the department of agriculture in administering this article, and any moneys appropriated that exceed the amount needed for such costs may be expended for noxious weed management projects in accordance with this section.

(3) The department may expend moneys through grants or contracts to communities, weed control districts, or other entities it considers appropriate for noxious weed management projects.

(4) The department may expend moneys for the following purposes:

(a) Noxious weed management programs with local weed control districts, if expenses are shared with such districts;

(b) With the approval of the agricultural commission, the department may make special grants to local weed control districts to eradicate or contain state noxious weeds, which grants may be issued without matching funds from the district;

(c) Administrative expenses incurred by the department;

(d) Any project the agricultural commission determines will significantly contribute to the management of noxious weeds within the state;

(e) With the approval of the agricultural commission, grants to the Colorado state university cooperative extension service, the Colorado state university experiment station, and universities for weed management research, evaluation, and education;

(f) Employment of a new and innovative noxious weed management project or the development, implementation, or demonstration of any noxious weed management project that may be proposed, implemented, or established by local, state, or national organizations, whether public or private. Such expenditures shall be shared with such organizations.

(5) If a new and potentially harmful noxious weed is discovered growing in the state and its presence is verified by the department, the governor may declare a noxious weed emergency. In the absence of necessary funding from other sources, the department is authorized to allocate up to fifty thousand dollars of the principal in the noxious weed management fund to government agencies for emergency relief to manage or confine the new noxious weed species.



### **35-5.5-117. The state weed coordinator**

(1) There shall be designated in the department of agriculture a state weed coordinator, who shall be under contract with or appointed by the commissioner.

(2) The state weed coordinator shall:

(a) Develop a recommended management plan for the integrated management of designated noxious weeds within state-owned lands;

(b) Facilitate cooperation between federal, state, and local land managers in the formation of a memorandum of understanding;

(c) Provide guidance and coordination for local governmental weed managers.

### **35-5.5-118. Civil penalties**

(1) (a) Any person who violates this article or any rule adopted pursuant to this article is subject to a civil penalty, as determined by the commissioner. The penalty shall not exceed one thousand dollars per violation; except that such penalty may be doubled if it is determined that the person has violated the provision or rule more than once. No civil penalty shall be imposed unless and until the person charged is given notice and opportunity for a hearing pursuant to article 4 of title 24, C.R.S.

(b) In addition to any civil penalties assessed pursuant to paragraph (a) of this subsection (1), any person who violates the provisions of [section 35-5.5-104.5](#), [35-5.5-108](#), or [35-5.5-108.5](#), or any rule adopted to implement these sections, shall, upon an order of the commissioner, pay the cost of inspection and eradication of list A or list B noxious weed species, including, but not limited to, any immediate remediation costs, the estimated cost of future eradication, any administrative costs, and any court cost and attorney fees incurred by the commissioner in enforcing [section 35-5.5-104.5](#), [35-5.5-108](#), or [35-5.5-108.5](#), or any rule adopted to implement these sections. The commissioner may not enforce such order unless and until the person charged is given notice and opportunity for a hearing pursuant to article 4 of title 24, C.R.S. All moneys due and owing pursuant to this paragraph (b) shall be payable to the department for the payment and reimbursement of enforcement and costs associated with such enforcement and are hereby continuously appropriated to the department for such purpose.

(2) If the commissioner is unable to collect a civil penalty, payment of costs imposed pursuant to subsection (1) of this section, or if the person fails to pay all or a specified portion of such penalty or payment, the department may bring suit in any court of competent jurisdiction to recover such amount plus costs and attorney fees.

(3) Before imposing any civil penalty or payment of costs, the commissioner may consider the effect of such penalty or payment of costs on the ability of the person charged to stay in business.

(4) All civil penalties and payment of costs collected pursuant to this section shall be deposited in the noxious weed management fund created in [section 35-5.5-116](#).

### **35-5.5-119. County funding**

The board of county commissioners is authorized to levy a special tax, subject to the approval of the voters, upon every dollar of valuation of assessment of taxable property within the county for the purpose of creating a county fund to control noxious weeds; except that the amount raised from such levy in any one year shall not exceed the amount raised by five mills.

## Conservation Services Division

### 8 CCR 1206-2

#### RULES PERTAINING TO THE ADMINISTRATION AND ENFORCEMENT OF THE COLORADO NOXIOUS WEED ACT

##### Part 1 Definitions

- 1.1. "Act" means the Colorado Noxious Weed Act, §§ 35-5.5-101 through 119, C.R.S. (2003).
- 1.2. "Compliance waiver" means a written exemption granted to a local governing body or landowner by the Commissioner that releases the local governing body and/or landowner from certain management obligations for a specific population of a List A or List B species.
- 1.3. "Elimination" means the removal or destruction of all emerged, growing plants of a population of List A or List B species designated for eradication by the Commissioner. It is the first step in achieving eradication and is succeeded by efforts to detect and destroy newly emerged plants arising from seed, reproductive propagule, or remaining root stock for the duration of the seed longevity for the particular species.
- 1.4. "Infested acreage" means an area of land containing a noxious weed species, defined by the actual perimeter of the infestation as delineated by the canopy cover of the plants and excluding areas not infested.
- 1.5. "Population" means a group of designated noxious weeds of the same species occupying a particular geographic region and capable of interbreeding.
- 1.6. "Ordinary high water mark" means that line on the shore of any river or perennial or intermittent stream established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.
- 1.7. "Public open space" means publicly-owned land that is managed for its natural or agricultural value.
- 1.8. All definitions in Section 35-5.5-103, CRS apply to these Rules.

##### Part 2 General Provisions

- 2.1. At any time, affected persons may suggest and the Commissioner may approve additional prescribed integrated management techniques not specified in these Rules for the eradication, elimination, containment, or suppression of designated state noxious weeds. Such approval may

be site-specific or broadly applicable. The Commissioner will publish a list on the Colorado Department of Agriculture website (<http://www.ag.state.co.us/csd/weeds/Weedhome.html>) of the herbicides, cultural techniques, and mechanical techniques approved for use under the specific state noxious weed management plans for List A and List B species.

- 2.2. As a condition for granting a compliance waiver releasing a local governing body and/or landowner from certain management obligations, the Commissioner may require the local governing body and/or landowner to implement other specified management actions with respect to a specific population.
- 2.3. No recommendations or requirements in these Rules concerning the use of herbicides are intended to contradict or supersede any other federal, state or local law regulating herbicide use. All use of herbicides to achieve any management objectives specified in these Rules must comply with all applicable federal, state and local legal requirements, including but not limited to compliance with all directions for use, cautionary statements and any other requirements in the labeling of the particular herbicide product.

### **Part 3 List A Noxious Weed Species**

- 3.1. List A of the Colorado noxious weed list comprises the following noxious weed species:

African rue (*Peganum harmala*) [Rule 3.6.1.]

Camelthorn (*Alhagi maurorum*) [Rule 3.6.2.]

Common crupina (*Crupina vulgaris*) [Rule 3.6.3.]

Cypress spurge (*Euphorbia cyparissias*) [Rule 3.6.4.]

Dyer's woad (*Isatis tinctoria*) [Rule 3.6.5.]

Elongated mustard (*Brassica elongata*) [Rule 3.6.18.]

Flowering rush (*Butomus umbellatus*) [Rule 3.6.24]

Giant reed (*Arundo donax*) [Rule 3.6.19.]

Giant salvinia (*Salvinia molesta*) [Rule 3.6.6.]

Hairy willow-herb (*Epilobium hirsutum*) [Rule 3.6.23]

Hydrilla (*Hydrilla verticillata*) [Rule 3.6.7.]

Japanese knotweed (*Polygonum cuspidatum*) [Rule 3.6.20.]

Giant knotweed (*Polygonum sachalinense*) [Rule 3.6.21.]

Bohemian knotweed (*Polygonum x bohemicum*) [Rule 3.6.22.]

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Meadow knapweed (*Centaurea nigrescens*) [Rule 3.6.8.]

Mediterranean sage (*Salvia aethiopsis*) [Rule 3.6.9.]

Medusahead (*Taeniatherum caput-medusae*) [Rule 3.6.10.]

Myrtle spurge (*Euphorbia myrsinites*) [Rule 3.6.11.]

Orange hawkweed (*Hieracium aurantiacum*) [Rule 3.6.12.]

Parrotfeather (*Myriophyllum aquaticum*) [Rule 3.6.25]

Purple loosestrife (*Lythrum salicaria*) [Rule 3.6.13.]

Rush skeletonweed (*Chondrilla juncea*) [Rule 3.6.14.]

Squarrose knapweed (*Centaurea virgata*) [Rule 3.6.15.]

Tansy ragwort (*Senecio jacobaea*) [Rule 3.6.16.]

Yellow starthistle (*Centaurea solstitialis*) [Rule 3.6.17.]

- 3.2. All populations of List A species in Colorado are designated by the Commissioner for eradication.
- 3.3. It is a violation of these rules to allow any plant of any population of any List A species to produce seed or develop other reproductive propagules.
- 3.4. Prescribed management techniques must be applied to every population of List A noxious weeds present in Colorado to achieve the following objectives:
  - A. The plants of every population of List A species must be eliminated prior to seed development.
  - B. Once all mature plants are eliminated, appropriate efforts must be made to detect and eliminate new plants arising from seed, reproductive propagule, or root stock for the duration of the seed longevity for the particular species.
  - C. In order to ensure that seeds or other reproductive propagules are not produced or spread, any plant with flowers, seeds, or other reproductive propagules must be placed in sealed plastic bags and disposed of by:
    1. high intensity burning in a controlled environment that completely destroys seed viability;
    2. removal of plant materials to a solid waste landfill which covers refuse daily with six inches of soil or alternative material; or
    3. any other method approved by the Commissioner.

- 3.5. Within one year of detection, any local governing body with a population of any List A species must provide to the State Weed Coordinator mapping data pertinent to each population including:
- A. Species name
  - B. Population location(s) including distribution and abundance
  - C. Estimated infested acreage
- 3.6. State Noxious Weed Management Plans for List A Noxious Weed Species
- 3.6.1. African rue (*Peganum harmala*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for African rue:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is unknown.
- 3.6.2. Camelthorn (*Alhagi maurorum*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for camelthorn:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is at least several years.
- 3.6.3. Common crupina (*Crupina vulgaris*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for common crupina:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.

- C. Seed longevity is three years.
- 3.6.4. Cypress spurge (*Euphorbia cyparissias*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for cypress spurge:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is estimated to be eight years.
- 3.6.5. Dyer's woad (*Isatis tinctoria*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for dyer's woad:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is at least eight years.
- 3.6.6. Giant salvinia (*Salvinia molesta*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for giant salvinia:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, water drawdown (controlled water drainage), and hand-removal, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.
  - D. Spore longevity is negligible.

- 3.6.7. Hydrilla (*Hydrilla verticillata*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for hydrilla:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, water drawdown (controlled water drainage), and hand-removal, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered reproductive propagules.
  - D. Seed longevity is unknown.
- 3.6.8. Meadow knapweed (*Centaurea nigrescens*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for meadow knapweed:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is estimated to be at least seven years.
- 3.6.9. Mediterranean sage (*Salvia aethiopsis*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for Mediterranean sage:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is unknown.
- 3.6.10. Medusahead (*Taeniatherum caput-medusae*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for medusahead:

- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, prescribed fire in conjunction with herbicide application, and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is at least two years.
- 3.6.11. Myrtle spurge (*Euphorbia myrsinites*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for myrtle spurge:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is estimated to be eight years.
- 3.6.12. Orange hawkweed (*Hieracium aurantiacum*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for orange hawkweed:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is estimated to be eight years.
- 3.6.13. Purple loosestrife (*Lythrum salicaria*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for purple loosestrife:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.



- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.
  - D. Seed longevity is unknown but at least ten years.
- 3.6.14. Rush skeletonweed (*Chondrilla juncea*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for rush skeletonweed:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is at least three years.
- 3.6.15. Squarrose knapweed (*Centaurea virgata*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for squarrose knapweed:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, prescribed fire in conjunction with herbicide application, and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - C. Seed longevity is at least three years.
- 3.6.16. Tansy ragwort (*Senecio jacobaea*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for tansy ragwort:
- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.

- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- C. Seed longevity is at least sixteen years.

3.6.17. Yellow starthistle (*Centaurea solstitialis*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for yellow starthistle:

- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, prescribed fire in conjunction with herbicide application, and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- C. Seed longevity is at least ten years.

3.6.18. Elongated mustard (*Brassica elongata*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for elongated mustard:

- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- C. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

3.6.19. Giant reed (*Arundo donax*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for giant reed:

- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.

- C. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.
- D. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

3.6.20. Japanese knotweed (*Polygonum cuspidatum*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for Japanese knotweed:

- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- C. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.
- D. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

3.6.21. Giant knotweed (*Polygonum sachalinense*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for Giant knotweed:

- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- C. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.
- D. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

3.6.22. Bohemian knotweed (*Polygonum x bohemicum*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for Bohemian knotweed:

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- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- C. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.
- D. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

3.6.23. Hairy willow-herb (*Epilobium hirsutum*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for hairy willow-herb:

- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- C. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

3.6.24. Flowering rush (*Butomus umbellatus*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for flowering rush:

- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, water drawdown (controlled water drainage), and hand-removal, or other mechanical techniques approved by the Commissioner.
- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- C. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered reproductive propagules.

- D. Seed longevity is unknown. Reproduction by seed is rare; most plants are sterile. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent reproduction.

3.6.25. Parrotfeather (*Myriophyllum aquaticum*). In addition to the requirements set forth in this Part 3 for the management of all List A species, the following conditions also apply for parrotfeather:

- A. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner, water drawdown (controlled water drainage), and hand-removal, or other mechanical techniques approved by the Commissioner.
- B. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- C. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered reproductive propagules.
- D. Seed longevity is unknown. Reproduction by seed is rare; seeds are seldom encountered outside its native range. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent reproduction.

#### **Part 4 List B Noxious Weed Species**

4.1. List B of the Colorado noxious weed list comprises the following noxious weed species:

Absinth wormwood (*Artemisia absinthium*) [Rule 4.7.1.; Figures 1.01-1.03]

Black henbane (*Hyoscyamus niger*) [Rule 4.7.6.; Figures 5.01-5.02]

Bouncingbet (*Saponaria officinalis*) [Rule 4.7.29.; Figures 26.01-26.03]

Bull thistle (*Cirsium vulgare*) [Rule 4.7.19.; Figures 16.01-16.05]

Canada thistle (*Cirsium arvense*) [Rule 4.7.34.; Figures 30.01-30.06]

Chinese clematis (*Clematis orientalis*) [Rule 4.7.2.]

Common tansy (*Tanacetum vulgare*) [Rule 4.7.30.; Figures 27.01-27.03]

Common teasel (*Dipsacus fullonum*) [Rule 4.7.24.; Figures 21.01-21.10]

Corn chamomile (*Anthemis arvensis*) [Rule 4.7.22.; Figures 19.01-19.05]

Cutleaf teasel (*Dipsacus laciniatus*) [Rule 4.7.25.; Figures 22.01-22.03]

Dalmatian toadflax, broad-leaved (*Linaria dalmatica*) [Rule 4.7.12.; Figures 11.01-11.10]

Dalmatian toadflax, narrow-leaved (*Linaria genistifolia*) [Rule 4.7.12.; Figures 11.01-11.10]

Dame's rocket (*Hesperis matronalis*) [Rule 4.7.26.; Figures 23.01-23.07]

Diffuse knapweed (*Centaurea diffusa*) [Rule 4.7.7.; Figures 6.01-6.11]

Eurasian watermilfoil (*Myriophyllum spicatum*) [Rule 4.7.20.; Figures 17.07-17.02]

Hoary cress (*Cardaria draba*) [Rule 4.7.16.; Figures 13.01-13.21]

Houndstongue (*Cynoglossum officinale*) [Rule 4.7.10.; Figures 9.01-9.13]

Jointed goatgrass (*Aegilops cylindrica*) [Rule 4.7.27.; Figures 24.01-24.12]

Leafy spurge (*Euphorbia esula*) [Rule 4.7.13.; Figures 12.01-12.19]

Mayweed chamomile (*Anthemis cotula*) [Rule 4.7.22.; Figures 19.01-19.05]

Moth mullein (*Verbascum blattaria*) [Rule 4.7.28.; Figures 25.01-25.03]

Musk thistle (*Carduus nutans*) [Rule 4.7.21.; Figures 18.01-18.10]

Oxeye daisy (*Leucanthemum vulgare*) [Rule 4.7.8.; Figures 7.01-7.16]

Perennial pepperweed (*Lepidium latifolium*) [Rule 4.7.11.; Figures 10.01-10.14]

Plumeless thistle (*Carduus acanthoides*) [Rule 4.7.3.; Figures 2.01-2.02]

Russian knapweed (*Acroptilon repens*) [Rule 4.7.17.; Figures 14.01-14.11]

Russian-olive (*Elaeagnus angustifolia*) [Rule 4.7.35.; Figures 31.01-31.16]

Salt cedar (*Tamarix chinensis*, *T. parviflora*, and *T. ramosissima*) [Rule 4.7.5.; Figures 4.01- 4.13]

Scentless chamomile (*Tripleurospermum perforatum*) [Rule 4.7.22.; Figures 19.01-19.05]

Scotch thistle (*Onopordum acanthium*) [Rule 4.7.23.; Figures 20.01-20.14]

Scotch thistle (*Onopordum tauricum*) [Rule 4.7.23.; Figures 20.01-20.14]

Spotted knapweed (*Centaurea stoebe*) [Rule 4.7.4.; Figures 3.01-3.04]

Spotted x diffuse knapweed hybrid (*Centaurea x psammogena* = *C. stoebe* x *C. diffusa*) [Rule 4.7.4.; Figures 3.01-3.04]

Sulfur cinquefoil (*Potentilla recta*) [Rule 4.7.18.; Figures 15.01-15.04]

Wild caraway (*Carum carvi*) [Rule 4.7.31.; Figures 28.01-28.02]

Yellow nutsedge (*Cyperus esculentus*) [Rule 4.7.32.; Figures 29.01-29.05]

Yellow toadflax (*Linaria vulgaris*) [Rule 4.7.9.; Figures 8.01-8.14]

Yellow x Dalmatian toadflax hybrid (*Linaria vulgaris* x *L. dalmatica*) [Rule 4.7.12.; Figures 11.01-11.10]

- 4.2. List B noxious weed species are species for which the Commissioner, in consultation with the state noxious weed advisory committee, local governments, and other interested parties, develops and implements state noxious weed management plans designed to stop the continued spread of these species. List B species must be managed in accordance with all the provisions of this Part 4, including any applicable state noxious weed management plans. Until a plan for a particular species is developed and implemented by rule, all persons are recommended to manage that species.
- 4.3. Local governing bodies and other interested parties are encouraged to make special note of the distribution and abundance of bull thistle, musk thistle, Scotch thistle, common teasel, cutleaf teasel, jointed goatgrass, and Eurasian watermilfoil as the Commissioner will consult with the state noxious weed advisory committee, local governments, and other interested parties, in order to update and implement state noxious weed management plans in 2015-2016 designed to stop the continued spread of these species.
- 4.4. It is a violation of these rules to allow any plant of any population of a List B species designated for elimination by the Commissioner in a state noxious weed management plan (Rules 4.7.1-4.7.23) to produce seed or develop other reproductive propagules after the time specified in the plan for elimination.
- 4.5. Prescribed management techniques must be applied to every population of List B species designated for elimination by the Commissioner in a state noxious weed management plan (Rules 4.7.1-4.7.23) to achieve the following objectives:
  - A. The plants of every population of List B species designated for elimination must be eliminated prior to seed development in the year specified.
  - B. Any population that is discovered in areas designated for elimination subsequent to the year specified for elimination must be eliminated prior to the development of viable seed. If the population is discovered after seed development has occurred, then efforts must be made to minimize the dispersion of seed and elimination is required prior to seed development in the following year.
  - C. Once all plants are eliminated, appropriate efforts must be made in subsequent years to detect and eliminate new plants arising from seed, reproductive propagule, or root stock prior to seed development for the duration of the seed longevity for the particular species.

- D. In order to ensure that seeds or other reproductive propagules are not produced or spread, any plant with flowers, seeds, or other reproductive propagules must be placed in sealed plastic bags and disposed of by:
1. high intensity burning in a controlled environment that completely destroys seed viability;
  2. removal of plant materials to a solid waste landfill which covers refuse daily with six inches of soil or alternative material; or
  3. any other method approved by the Commissioner.
- 4.6. Within one year of detection, any local governing body with a population of any List B species for which the Commissioner has developed and implemented a state noxious weed management plan must provide to the State Weed Coordinator mapping data pertinent to distribution and abundance of such species in a form prescribed by the State Weed Coordinator.
- 4.7. State Noxious Weed Management Plans for List B Noxious Weed Species
- 4.7.1. Absinth wormwood (*Artemisia absinthium*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for absinth wormwood:
- A. Elimination of all populations is required prior to seed development in 2018 and each year thereafter in all Colorado counties except for Eagle, El Paso, Garfield, Gunnison, Mesa, Ouray, Pitkin, and Weld counties.
  - B. Except as specified in Part 4.7.1F and Part 4.7.1G, elimination of all populations in Eagle, El Paso, Mesa, Ouray, and Weld counties is required prior to seed development in 2020 and each year thereafter.
  - C. Elimination of all populations in Garfield County is required prior to seed development in 2010 and each year thereafter for all land outside the boundaries of an area demarcated by the southern and eastern borders of Garfield County, Interstate Highway 70 on the north, and State Highways 82 and 133 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.1F and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 1.01).
  - D. Elimination of all populations in Gunnison County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) Latitude 38°52'21.2"N on the north; Longitude 107°7'16.8"W, Latitude 38°41'21.6"N, and Longitude 107°0'28.8"W on the west;



Latitude 38°30'8.4"N on the south; and Longitude 106°52'51.6"W, Latitude 38°41'21.6"N; and Longitude 106°56'33.8"W on the east; and (Area 2) the eastern and northern borders of Gunnison County, Longitude 107°16'59.9"W on the west, and Latitude 39°2'14"N on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.1F and as otherwise specified in this Section, for all lands within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 1.02).

- E. Elimination of all populations in Pitkin County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the northern and western borders of Pitkin County, Latitude 39°7'26.6"N on the south, and Longitude 106°44'20.3"W on the east. except as specified in Part 4.7.1F and Part 4.7.1G for all lands within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 1.03).
- F. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- G. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2018, and each year thereafter.
- H. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- I. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- J. Seed longevity is estimated to be three to four years. Infested sites must be monitored for at least five years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.2. Chinese clematis (*Clematis orientalis*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for Chinese clematis:

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- A. Elimination of all populations is required prior to seed development in 2018 and each year thereafter in all Colorado counties except for Clear Creek, El Paso, Garfield, Gilpin, Gunnison, Jefferson, Mesa, Ouray, and Rio Grande counties.
  - B. Except as specified in Part 4.7.2D and in Part 4.7.2E, elimination of all populations in Clear Creek, El Paso, Garfield, Gilpin, Gunnison, Jefferson, Mesa, Ouray, and Rio Grande counties is required prior to seed development in 2020 and each year thereafter.
  - C. The Commissioner may determine that some populations cannot safely be eliminated because of the steepness or instability of the mountainous terrain on which they are located. In such cases, the requirement for elimination may be waived.
  - D. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
  - E. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2020, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2020, and each year thereafter.
  - F. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and digging, or other mechanical techniques approved by the Commissioner.
  - G. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - H. Seed longevity is unknown. Infested sites must be monitored for at least ten years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.3. Plumeless thistle (*Carduus acanthoides*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for plumeless thistle:
- A. Elimination of all populations is required prior to seed development in 2018 and each year thereafter in all Colorado counties except for Garfield, Gunnison, and Jefferson counties, and those counties specified in Part 4.7.3E.

- B. Except as specified in Part 4.7.3F and Part 4.7.3G, elimination of all populations in Jefferson County is required prior to seed development in 2020 and each year thereafter.
- C. Elimination of all populations in Garfield County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the southern and eastern borders of Garfield County and Interstate Highway 70 on the north and west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.3F and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 2.01).
- D. Elimination of all populations in Gunnison County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Gunnison County, State Highway 133 on the west, Latitude 39°3'6.15"N on the south, and Longitude 107°7'51.49"W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.3F and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 2.02).
- E. Except as specified in Part 4.7.3F and part 4.7.3G, suppression is the specified State management objective for all populations in Eagle and Pitkin counties.
- F. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- G. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2018, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2018, and each year thereafter.
- H. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the

Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.

- I. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - J. Seed longevity is unknown. Infested sites must be monitored for at least ten years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.4. Spotted knapweed (*Centaurea stoebe*) and Spotted x diffuse knapweed hybrid (*Centaurea x psammogena*; *C. stoebe* x *C. diffusa*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for spotted knapweed and spotted x diffuse knapweed hybrid:
- A. Elimination of all populations is required prior to seed development in 2018 and each year thereafter in all Colorado counties except for Alamosa, Boulder, Clear Creek, Costilla, Dolores, Eagle, El Paso, Fremont, Garfield, Gilpin, Jefferson, Larimer, La Plata, Mesa, Moffat, Montezuma, Montrose, Ouray, Park, Rio Blanco, Rio Grande, and Summit counties.
  - B. Except as specified in Part 4.7.4G and Part 4.7.4H, elimination of all populations in Alamosa, Boulder, Clear Creek, Dolores, Eagle, Fremont, Garfield, Gilpin, Jefferson, Larimer, Mesa, Moffat, Montezuma, Montrose, Ouray, Park, Rio Blanco, and Rio Grande counties is required prior to seed development in 2020 and each year thereafter.
  - C. Elimination of all populations in Costilla County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 37°18'56.24"N, Camino Tio Irving, State Highway 159 and County Road X on the north; County Roads 12 and P, and State Highway 159 on the west; the southern border of Costilla County; and Longitude 105°16'12.14"W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.4G and as otherwise specified in this Section, for all lands within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 3.01).
  - D. Elimination of all populations in El Paso County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern, northern, and western borders of El Paso County; and Latitude 38°48'30.13"N, US Highway 24, and State Highway 94 on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet

beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.4G and as otherwise specified in this Section, for all lands within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 3.02).

- E. Elimination of all populations in La Plata County is required prior to seed development in 2020 and each year thereafter for all land outside the boundaries of an area demarcated by US Highway 160 on the north, County Roads 141 and 136 on the east, Latitude 37°1'14.31"N connecting County Road 136 where it joins State Highway 140 and the La Plata River, the La Plata River and County Road 105 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.4G and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 3.03).
- F. Elimination of all populations in Summit County is required prior to seed development in 2018 and each year thereafter for all land beyond 600-feet from the center of State Highway 9 between the northern border of Summit County and the town limits of Silverthorne. Except as specified in Part 4.7.4G and Part 4.7.4H, for all lands within the area described above suppression is the specified State management objective (see Rule 4.8, Figure 3.04).
- G. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- H. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2018, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2018, and each year thereafter.
- I. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.

- J. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - K. Seed longevity is estimated to be at least eight years. Infested sites must be monitored for at least nine years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.5. Salt cedar (*Tamarix chinensis*, *T. parviflora*, and *T. ramosissima*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for any salt cedar populations in public open space areas, and any populations within 300 feet of any intermittent or perennial streams, rivers, water conveyance ditches, ponds, lakes and reservoirs, whether natural or man-made. These conditions also apply to any salt cedar populations that are directly contiguous to any salt cedar populations within this 300-foot treatment area.
- A. Elimination of all populations is required prior to seed development in 2019 and each year thereafter in all Colorado counties except for Adams, Arapahoe, Archuleta, Broomfield, Delta, Dolores, Eagle, El Paso, Fremont, Huerfano, Jefferson, La Plata, Larimer, Lincoln, Morgan, Ouray, Rio Blanco, San Miguel, Sedgwick, Washington, Weld, and Yuma counties, and those counties specified in Part 4.7.5P.
  - B. Except as specified in Part 4.7.5Q and part 4.7.5R, elimination of all populations in Arapahoe, Archuleta, Jefferson, Larimer, Lincoln, Ouray, Rio Grande, Sedgwick, Washington, and Weld counties is required prior to seed development in 2021 and each year thereafter.
  - C. Elimination in Adams County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the northern, western, and southern borders of Adams County, and toll road E-470, State Highway 2 (also known as Sable Boulevard and South 4th Avenue), East Bridge Street, and North Main Street on the east; and (Area 2) the northern, western, and southern borders of Adams County, and toll road E-470. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.5Q and as otherwise specified in this Section, for all lands within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.01).
  - D. Elimination in Broomfield County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the western and southern borders of Broomfield County, State

Highway 128 and Interlocken Loop on the east, and US Highway 36 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.5Q and as otherwise specified in this Section, for all lands within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.02).

- E. Elimination in Delta County is required prior to seed development in 2021 and each year thereafter for all land beyond: (Area 1) a mile from the center of the Gunnison River between the Town of Delta and the western border of Delta County; and (Area 2) 0.25 mile from the center of the Uncompahgre River between the confluence of the Uncompahgre River and the Gunnison River and the southern border of Delta County; and (Area 3) 0.25 mile from the center of Roubideau Creek between the confluence of Roubideau Creek and the Gunnison River and the southern border of Delta County. Except as specified in Part 4.7.5Q and part 4.7.5R, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.03).
- F. Elimination in Dolores County is required prior to seed development in 2019 and each year thereafter for outside the boundaries of an area demarcated by: (Area 1) the northern, western and southern borders of Dolores County, and the Dolores River on the east; and (Area 2) the northern borders of Dolores County and Disappointment Road (also known as County Road D), County Road 18 on the west, County Roads H and 27 on the south, and County Road 29 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.5Q and as otherwise specified in this Section, for all lands within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.04).
- G. Elimination in Eagle County is required prior to seed development in 2021 and each year thereafter for all land beyond: (Area 1) a mile from the center of the Colorado River between the confluence of the Colorado River and Piney River and the western border of Eagle County; and (Area 2) a mile from the center of the Eagle River between the confluence of the Eagle River and Squaw Creek and the confluence of the Eagle River and the Colorado River. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.5Q and as

otherwise specified in this Section, for all lands within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.05).

- H. Elimination in El Paso County is required prior to seed development in 2019 and each year thereafter for all land beyond seven miles from the center of Fountain Creek between the intersection of Fountain Creek and US Highway 24 and the southern border of El Paso County. Except as specified in Part 4.7.5Q and part 4.7.5R, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.06).
- I. Elimination in Fremont County is required prior to seed development in 2019 and each year thereafter for all land beyond: (Area 1) a mile from the center of the Arkansas River between the eastern and western borders of Fremont County; and (Area 2) a mile from the center of the Copper Gulch Between the headwaters of Copper Gulch and the confluence of Copper Gulch and the Arkansas River; and (Area 3) a mile from the center of the Tallahassee Creek River between the confluence of the Tallahassee Creek and Kelly Creek and the confluence of the Tallahassee Creek and the Eagle River. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.5Q and as otherwise specified in this Section, for all lands within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.07).
- J. Elimination in Huerfano County is required prior to seed development in 2021 and each year thereafter for all land beyond: (Area 1) 0.25 mile from the center of the Huerfano River between Interstate 25 and the northern border of Huerfano County; and (Area 2) 0.25 mile from the center of the Cucharas River between the intersection of the Cucharas River and County Road 430 and the northern border of Huerfano County. Except as specified in Part 4.7.5Q and part 4.7.5R, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.08).
- K. Elimination in La Plata County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the western, southern, and eastern borders of La Plata County and Latitude 37°27'24.0"N on the north. Except as specified in Part 4.7.5Q and part 4.7.5R, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.09).
- L. Elimination in Morgan County is required prior to seed development in 2021 and each year thereafter for all land beyond 5.0 mile from the center of the South Platte River between the western and eastern borders of Morgan County. Except as specified in Part 4.7.5Q and part 4.7.5R, for all land within the areas described



above, suppression is the specified State management objective (see Rule 4.8, Figure 4.10).

- M. Elimination in Rio Blanco County is required prior to seed development in 2019 and each year thereafter for all land beyond: (Area 1) 0.5 mile from the center of the White River between the confluence of the White River and Yellow Creek and the western border of Rio Blanco County; and (Area 2) 0.5 mile from the center of Douglas Creek between the southern border of Rio Blanco County and the confluence of Douglas Creek and Cathedral Creek. Except as specified in Part 4.7.5Q and part 4.7.5R, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.11).
- N. Elimination in San Miguel County is required prior to seed development in 2021 and each year thereafter for all land beyond: (Area 1) 0.5 mile from the center of the Dolores River between the northern and southern borders of San Miguel County; and (Area 2) 0.5 mile from the center of Disappointment Creek between the southern border of San Miguel County and the confluence of Disappointment Creek and the Dolores River. Except as specified in Part 4.7.5Q and part 4.7.5R, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.12).
- O. Elimination of all populations in Yuma County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern and southern borders of Yuma County; County Road CC, County Road 5, US Highway 385 on the east; and County Road 7 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.4Q and as otherwise specified in this Section, for all lands within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 4.13).
- P. Except as specified in Part 4.7.5Q and part 4.7.5R, suppression is the specified State management objective for all populations in Alamosa, Bent, Crowley, Garfield, Kiowa, Las Animas, Mesa, Moffat, Montezuma, Montrose, Otero, Prowers, and Pueblo counties.
- Q. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- R. All populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by

2019, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 300 feet beyond the ordinary high water mark by 2019, and each year thereafter.

- S. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, sawing, or other mechanical techniques approved by the Commissioner.
- T. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
- U. Seed longevity is less than one year. Infested sites must be monitored for at least one year after the populations have been eliminated and treatments must be repeated when necessary to prevent stump and root re-sprouting.

4.7.6. Black henbane (*Hyoscyamus niger*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for black henbane:

- A. Elimination of all populations is required prior to seed development in 2018 and each year thereafter in all Colorado counties except for Costilla, Eagle Grand, Moffat, Rio Blanco, Rio Grande, and Saguache counties.
- B. Except as specified in Part 4.7.6E and Part 4.7.6F, elimination of all populations in Costilla, Eagle, Grand, Moffat, and Rio Grande counties is required prior to seed development in 2020 and each year thereafter.
- C. Elimination of all populations in Rio Blanco County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by County Road 5 on the west and south, County Road 3 and the Main Prong of Dry Fork Piceance Creek on the east, and County Road 22 on the east and north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.6E and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 5.01).
- D. Elimination of all populations in Saguache County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by: (AREA 1) the northern border of Saguache County; Longitude 106°48'18.0"W on the west; Latitude 38°11'37.25"N, Longitude

106°41'24.17"W, and Latitude 38°16'44.98"N on the south; and Longitude 106°34'42.15"W on the east; and (Area 2) the northern and western borders of township T46N R10E, County Road LL57, US Highway 285, and State Highway 114 on the north; County Roads 41G and 38A on the west; the southern border of Saguache County on the south; and State Highway 17, County Road AA, Latitude 38°6'1.05"N, and the eastern border of Saguache County on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.6E and as otherwise specified in this Section, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 5.02).

- E. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
  - F. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2018, and each year thereafter. For the mainstem of the Rio Grande where it forms the boundary between Conejos and Costilla counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2018, and each year thereafter.
  - G. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - H. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - I. Seed longevity is estimated to be at least four years. Infested sites must be monitored for at least four years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.7. Diffuse knapweed (*Centaurea diffusa*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for diffuse knapweed:
- A. Elimination of all populations is required prior to seed development in 2019 and each year thereafter in all Colorado counties except for Adams, Arapahoe,

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Boulder, Chaffee, Custer, Dolores, Eagle, Fremont, Grand, Gunnison, Huerfano, Larimer, Lincoln, Mesa, Montezuma, Montrose, Morgan, Ouray, Park, Pueblo, Rio Blanco, Summit, Teller, Weld, Yuma and those counties specified in Part 4.7.7N.

- B. Except as specified in Part 4.7.7O and part 4.7.7P, elimination of all populations in Chaffee, Custer, Dolores, Eagle, Fremont, Grand, Gunnison, Lincoln, Mesa, Montrose, Park, Rio Blanco, Teller, and Yuma counties is required prior to seed development in 2021 and each year thereafter.
- C. Elimination of all populations in Adams County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the western border of Adams County, the southern border of Adams County and US Highway 36 on the south, Imboden Road on the east, and East 120th Avenue, Interstates 76 and 25 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.7O and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.01).
- D. Elimination of all populations in Arapahoe County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Arapahoe County, and South Wolf Creek Road, East Baughman Road, and South Strasburg Road on the east. Except as specified in Part 4.7.7O and Part 4.7.7P, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.02).
- E. Elimination of all populations in Boulder County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Boulder County, Longitude 105°19'33.2"W on the west, the southern border of Boulder County, and the eastern border of Boulder County, State Highways 7, 157, and 119, and Longitude 105°11'20.9"W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.7O and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.03).
- F. Elimination of all populations in Huerfano County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by US Highway 160 on the north, Longitude 105°59'40"W

on the east, Latitude 37°25'54"N on the south, and Longitude 105°3'57"W on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.7O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.04).

- G. Elimination of all populations in Larimer County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the North Fork of the Big Thompson River and the Big Thompson River on the north, Longitude 105° 3'25"W and the eastern border of Larimer County on the east, the southern border of Larimer County, and Longitude 105° 37'45"W on the west; and (Area 2) County Road 54G and Rist Canyon Road (County Road 52E) on the north, County Road 27 on the west, US Highway 34 on the south, and US Highway 287 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.7O and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.05).
- H. Elimination of all populations in Montezuma County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by Lebanon Road (County Road 25) and US Highway 491 on the west, US Highway 160 on the south, and State Highway 184 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.7O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.06).
- I. Elimination of all populations in Morgan County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by State Highway 71 on the west, County Road EE and Latitude 40°26'13"N on the south, and the eastern and northern borders of Morgan County. Except as specified in Part 4.7.7O and Part 4.7.7P, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.07).
- J. Elimination of all populations in Ouray County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries

of an area demarcated by (Area 1) Latitude 36°14'52"N on the north, Longitude 107°57'56.5"W on the west, Latitude 38°13'34"N on the south, and Longitude 107°55'25.8"W on the east, and (Area 2) US Highway 550 on the west, County Road 14 and Latitude 38°3'26.3"N on the south, Longitude 107°37'36.3"W on the east, and Latitude 38°7'45"N on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.7O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.06).

- K. Elimination of all populations in Pueblo County must be completed prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the western, southern, and eastern borders of Pueblo County and the Arkansas River on the north. Except as specified in Part 4.7.7O and Part 4.7.7P, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.09).
- L. Elimination of all populations in Summit County is required prior to seed development in 2021 and each year thereafter for all land beyond 1 mile from the center of State Highway 9 between the northern border of Summit County and Interstate 70. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.7O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.10).
- M. Elimination of all populations in Weld County must be completed prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by US Highway 85 on the west, County Road 42 and Latitude 40°17'27.7"N on the south, the eastern border of Weld County, Longitude 107°8'42.7"W and County Road 97 on the east, and State Highway 14 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.7O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 6.11).
- N. Except as specified in Part 4.7.7O and Part 4.7.7P, suppression is the specified State management objective for all populations in Broomfield, Denver, Douglas, El Paso, Elbert, and Jefferson counties.

- O. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
  - P. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2019, and each year thereafter.
  - Q. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - R. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - S. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.8. Oxeye daisy (*Leucanthemum vulgare*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for oxeye daisy:
- A. Elimination of all populations is required prior to seed development in 2018 and each year thereafter in all Colorado counties except for Archuleta, Boulder, Chaffee, Clear Creek, Conejos, Delta, Dolores, Douglas, El Paso, Fremont, Garfield, Gilpin, Grand, Gunnison, Jackson, La Plata, Lake, Larimer, Mesa, Mineral, Moffat, Montezuma, Montrose, Rio Blanco, Rio Grande, and San Miguel counties, and those counties specified in Part 4.7.8T.
  - B. Except as specified in Part 4.7.8T and in Part 4.7.8U, elimination of all populations in Chaffee, Clear Creek, Douglas, El Paso, Fremont, Jackson, Larimer, Montezuma, Rio Blanco, and Rio Grande counties is required prior to seed development in 2020 and each year thereafter.
  - C. Elimination of all populations in Archuleta County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Archuleta County and US Highway 160, County Road 500, Rio Blanco, and US Highway 84 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified

in Part 4.7.8T and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.01).

- D. Elimination of all populations in Boulder County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Boulder County, Longitude 105°37'38.2"W on the west, the southern border of Boulder County, and Longitude 105°27'40.5"W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.8T and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.02).
- E. Elimination of all populations in Conejos County is required prior to seed development in 2018 and each year thereafter for all land beyond a ½-mile from the center of County Road 250 and State Highway 17 between the town limits of Platoro and County Road 101. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.8T and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.03).
- F. Elimination of all populations in Delta County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of the areas demarcated by (Area 1) the eastern and northern borders of Delta County; Longitude 107°37'17.56"W and Stevens Gulch Road on the west; and State Highway 133 on the south and (Area 2) NW Sage Avenue and Latitude 38°54'53.94"N on the north; Longitude 108°2'26.96"W, Fairlamb Road, and Oak Creek Road on the west, North Road on the south, and State Highway 65 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.8T and as otherwise specified in this Section, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.04).
- G. Elimination of all populations in Dolores County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by 38.00 Road on the north and west, the southern



border of Dolores County, and State Highway 145 on the east. Except as specified in Part 4.7.8T and in Part 4.7.8U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.05).

- H. Elimination of all populations in Garfield County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Garfield County; and Interstate 70 and Buford Road on the west. Except as specified in Part 4.7.8T and in Part 4.7.8U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.06).
- I. Elimination of all populations in Gilpin County is required prior to seed development in 2020 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Gilpin County; and State Highway 119 on the west. Except as specified in Part 4.7.8T and in Part 4.7.8U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.07).
- J. Elimination of all populations in Grand County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of the areas demarcated by (Area 1) Willow Creek Latitude 40° 17'7.74"N to the confluence North Inlet of Grand Lake and Ptarmigan Creek, North Inlet and Latitude 40° 15'23.05"N on the north; the eastern and southern borders of Grand County; and LATITUDE 39°43'15.51"N, BOBTAIL CREEK, Williams Fork River, US Highway 40, and State Highway 125 on the west; and (Area 2) the northern and western borders of Grand County; US Highway 40 on the east: and State Highway 134 on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.8T and as otherwise specified in this Section, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.08).
- K. Elimination of all populations in Gunnison County is required prior to seed development in 2020 and each year thereafter for all land outside the boundaries of the areas demarcated by (AREA 1) the northern border of Gunnison County; Henderson Creek, County Road 265, and State Highway 133 on the west; Latitude 39°3'32.83"N to the confluence of Crystal River and South Fork Crystal River on the south; and Crystal River on the east; (Area 2) Latitude 38°56'18.67"N, East River, and Latitude 38°52'35.97"N on the north; Longitude 107°5'53"W, County Road 730, and State Highway 135 on the west; and County Roads 10 and 743 on the south; Longitude 106°45'52.24"W on the east; and (Area 3) Latitude 38°36'22.73"N on the north, Longitude 106°27'24.20"W on the west, the southern border of Gunnison County on the south, and US Highway 50

and eastern border of Gunnison County on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.8T and as otherwise specified in this Section, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.09).

- L. Elimination of all populations in La Plata County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of areas demarcated by the eastern and northern borders of La Plata County; Hermosa Creek and US Highway 550 on the west; County Roads 310, 318, 172, and 151 on the South. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.8T and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.10).
- M. Elimination of all populations in Lake County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern, northern, and western borders of Lake County and township line T10S. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.8T and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.11).
- N. Elimination of all populations in Mesa County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the southern and eastern borders of Mesa County; township line T9S on the north; and County Road 58.6 and State Highways 330 and 65 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.8T and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.12).

- O. Elimination of all populations in Mineral County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 37°30'47"N on the north, the eastern and southern borders of Mineral County, and Longitude 106°55'26"W on the west. Except as specified in Part 4.7.8T and in Part 4.7.8U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.13).
- P.. Elimination of all populations in Moffat County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the northern and eastern borders of Moffat County, Latitude 40°48'47"N on the south, AND STATE HIGHWAY 13 ON THE WEST; AND (AREA 2) the southern and eastern borders of Moffat County; Latitude 40°27'17"N on the north; and County Road 30 and Longitude 107°44'3"W on the west. Except as specified in Part 4.7.8T and in Part 4.7.8U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.14).
- Q. Elimination of all populations in Montrose County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the southern and eastern borders of Montrose County, US Highway 50 and Main St on the north, and US Highway 550; and (Area 2) the northern border of Montrose County, State Highway 141 on the west, the southern border of Montrose County, and the Uncompahgre National Forest border and the eastern border of Montrose County on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.8T and as otherwise specified in this Section, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.15).
- R. Elimination of all populations in San Miguel County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by McKenzie Creek and County Road Z60 on the north, the eastern and southern borders of San Miguel County, and County Road 49G, Beaver Creek, and the San Miguel River to its confluence with McKenzie Creek, on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.8T and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 7.16).

- S. Except as specified in Part 4.7.8T and in Part 4.7.8U, suppression is the specified State management objective for all populations in Eagle, Jefferson, Ouray, Pitkin, Routt, San Juan, and Summit Counties.
  - T. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
  - U. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2018, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2018, and each year thereafter.
  - V. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
  - W. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - X. Seed longevity is estimated to be at least thirty-eight years. Infested sites must be monitored for at least thirty-nine years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.9. Yellow toadflax (*Linaria vulgaris*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for yellow toadflax:
- A. Elimination of all populations is required prior to seed development in 2019 and each year thereafter in all Colorado counties except for Adams, Alamosa, Archuleta, Boulder, Chaffee, Clear Creek, Denver, El Paso, Elbert, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Jackson, La Plata, Lake, Larimer, Mineral, Montezuma, Montrose, Ouray, Park, Pitkin, Rio Blanco, Rio Grande, San Miguel, and Teller counties, and those counties specified in Part 4.7.9Q.
  - B. Except as specified in Part 4.7.9R and Part 4.7.9S, elimination of all populations in Adams, Alamosa, Boulder, Chaffee, Fremont, Gilpin, Hinsdale, Jackson, Larimer, Montezuma, Montrose, Ouray, Park, Pitkin, and Teller counties is required prior to seed development in 2021 and each year thereafter.

- C. Elimination of all populations in Archuleta County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 37°18'45"N on the north, Longitude 107°3'46"W on the west, Latitude 37°14'59"N on the south, and Longitude 107°0'7"W on the east. Except as specified in Part 4.7.9R and Part 4.7.9S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.01).
- D. Elimination of all populations in Clear Creek County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Clear Creek County and Longitude 105°32'24.7"W on the west. Except as specified in Part 4.7.9R and Part 4.7.9S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.02).
- E. Elimination of all populations in Denver County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Denver County and Peña Boulevard and East 56th Avenue on the east. Except as specified in Part 4.7.9R and Part 4.7.9S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.03).
- F. Elimination of all populations in El Paso County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the western and northern borders of El Paso County, Ramah Highway on the east, and Judge Orr Road, Eastonville Road, Woodmen Road, Marksheffel Road, Link Road, Old Pueblo Road, Latitude 38°36'10.3"N, eastern border of Fort Carson, and Latitude 38°45'54"N on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.9R, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.04).
- G. Elimination of all populations in Elbert County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the western and southern borders of Elbert County, West Bijou Creek on the east, and State Highway 86 the north, and (Area 2) Comanche Creek Road on the west, Latitude 39°29'57.6"N on the north, Longitude 104°11'20.6"W on the east, Latitude 39°22'33.5"N on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the

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area immediately downstream. Except as specified in Part 4.7.9R, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.05).

- H. Elimination of all populations in Garfield County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the northern and eastern borders of Garfield County, Latitude 39°44'5.5"N, Main Elk Creek, and Elk Creek on the east, Interstate 70 on the south, and State Highway 13 and the western border of Garfield County on the west, and (Area 2) Interstate 70, Longitude 107°15'5"W, and Latitude 39°29'59"N on the north, the eastern and southern borders of Garfield County, and Longitude 107°22'55"W on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.9R, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.06).
- I. Elimination of all populations in Grand County is required prior to seed development in 2021 and each year thereafter for all land beyond two miles from the center of Williams Fork River from its confluence with Boham Creek to Williams Fork Reservoir and two miles beyond the ordinary high water mark at the Williams Fork Reservoir. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.9R, for all land the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.07).
- J. Elimination of all populations in Gunnison County is required prior to seed development in 2021 and each year thereafter for all land beyond 1.5 miles from the center of State Highway 135 and Gothic Road (County Road 317) between the intersection of State Highway 135 and County Road 742, and the intersection of Gothic Road (County Road 317) and the East River. Except as specified in Part 4.7.9R and Part 4.7.9S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.08).
- K. Elimination of all populations in La Plata County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 37°28'11.9"N on the north, Longitude 107°46'41"W and County Road 234, State Highway 172 on the east, Latitude 37°11'48.7"N, County Road 141, State Highway 140, and County Road 100 on the south, and County Road 105, US Highway 160, and the western border of La Plata County on the west. Within these boundaries, all populations that are

located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.9R, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.09).

- L. Elimination of all populations in Lake County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the northern and eastern borders of Lake County, Latitude 39°11'11.5"N, Longitude 106°16'18.9"W, and the southern border of Lake County on the south, and Longitude 106°21'33.9"W on the west. Except as specified in Part 4.7.9R and Part 4.7.9S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.10).
- M. Elimination of all populations in Mineral County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the western and southern borders of Mineral County, US Highway 160 on the east, and Latitude 37°28'35.8"N on the north. Except as specified in Part 4.7.9 R and Part 4.7.9S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.11).
- N. Elimination of all populations in Rio Blanco County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the the northern, eastern, and southern borders of Rio Blanco County, and State Highway 13 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.9R, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.12).
- O. Elimination of all populations in Rio Grande County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern border of Rio Grande County, County Road 8S, State Highway 15, US Highway 160, and Latitude 37°37'57"N on the south, the western border of Rio Grande County, and the Rio Grande River, Woman Creek, and the northern Border of Rio Grande County on the north. Except as specified in Part 4.7.9R and Part 4.7.9S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.13).
- P. Elimination of all populations in San Miguel County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries

of an area demarcated by State Highway 62 on the northern, the eastern and southern borders of San Miguel County, and Bilk Creek and the San Miguel River on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.9R, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.14).

- Q. Except as specified in Part 4.7.9R and Part 4.7.9S, suppression is the specified State management objective for all populations in Douglas, Eagle, Jefferson, Routt, San Juan, and Summit counties.
- R. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- S. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2019, and each year thereafter.
- T. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling seedlings, or other mechanical techniques approved by the Commissioner.
- U. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- V. Seed longevity is estimated to be at least ten years. Infested sites must be monitored for at least ten years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.10. Houndstongue (*Cynoglossum officinale*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for houndstongue:

- A. Elimination of all populations is required prior to seed development in 2018 and each year thereafter in all Colorado counties except for Baca, Broomfield, Boulder, Costilla, Delta, Denver, Dolores, Douglas, Fremont, Grand, Gunnison, Hinsdale, Huerfano, Jackson, Mesa, Moffat, Montezuma, Montrose, Pueblo, San Miguel, and Summit counties, and those counties specified in Part 4.7.10O.



- B. Except as specified in PART 4.7.10P and in PART 4.7.10Q, elimination of all populations in Baca, Broomfield, Costilla, Denver, Douglas, Fremont, Hinsdale, Jackson, and Montezuma counties is required prior to seed development in 2020 and each year thereafter.
- C. Elimination of all populations in Boulder County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Boulder County; Longitude 105°22'46"W on the west, the southern border of Boulder County, and State Highway 93, US Highway 36, State Highway 119, and US Highway 287 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.01).
- D. Elimination of all populations in Delta County is required prior to seed development in 2048 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the southern and eastern borders of Delta County, township line T15S on the north, range line R92W and State Highway 92 on the west, and (Area 2) the Grand Mesa National Forest border on the north, range line R94W on the west, State Highway 92 on the south, and range line R93W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.02).
- E. Elimination of all populations in Dolores County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Dolores County and County Roads 31.0 and D on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.03).
- F. Elimination of all populations in Grand County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries

of an area demarcated by the northern and western borders of Grand County, Latitude 40°0'6.6"N on the south, and US Highway 40 and State Highway 125 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.04).

- G. Elimination of all populations in Gunnison County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the northern and western borders of Gunnison County, Latitude 38°53'10"N on the south, and Longitude 107°10'55"W on the east; (Area 2) Latitude 38°56'3.5"N on the north, Longitude 107°1'53"W on the west, Latitude 38°51'7.2"N on the south, and Longitude 106°53'46"W and County Road 738 on the east; and (Area 3) western border of Gunnison County; State Highway 92 on the north; US Highway 50, and County Roads 25 (Blue Mesa Cutoff Road) and 25A (Willow Road) on the east; and Latitude 38°20'4"N on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.05).
- H. Elimination of all populations in Huerfano County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the western border of Huerfano County; Latitude 37°22'39.9"N and Dodgeton Creek on the south; State Highway 12, Ryus Avenue, County Roads 450, 451, 160, and 520 on the east; and County Road 5202, Dog Springs Arroyo, and Latitude 37°36'49.4"N on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.06).
- I. Elimination of all populations in Mesa County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the northern and eastern borders of Mesa County; Latitude 38°56'5"N on the south; and, Longitude 108° 18'47"W, US Interstate 70, Latitude 39° 14'57"N, and Longitude 108°41'15"W on the west; and

(Area 2) the western border of Mesa County; township line T15S on the south; Longitude 108°40'37.7"W and JS.00 Road on the east; and Little Park Road (CS.00 Road) and DS.00 Road on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream.. Except as specified in Part 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.07).

- J. Elimination of all populations in Moffat County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by the southern, eastern, and northern borders of Moffat County, and State Highway 13, US Highway 40, and the western border of Moffat County on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in PART 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.08).
- K. Elimination of all populations in Montrose County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by (Area1) US Highway 50 on the north, the eastern and southern borders of Montrose County, and US Highway 550 on the west; and (Area2) Latitude 38°19'55"N on the north, the eastern and southern borders of Montrose County, and Naturita Creek and Longitude 108°30'0"W on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.09).
- L. Elimination of all populations in Pueblo County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the western and southern borders of Pueblo County; Longitude 104°38'38.5"W and Prairie Avenue on the east; and State Highway 96 on the north; (Area 2) Latitude 38°24'3.8"N, Gobatti Road, and Purcell Boulevard on the north; State Highway 45 on the west; US Highway 50 and State Highway 47 on the south; Baculite Mesa (503) Road and Longitude 104°32'51"W on the east; and (Area 3) DOT Test Road on the north; Longitude 104°27'28.4"W, State Highway 231, County Road 331, and 36th Lane on the

west; Latitude 38°11'3"N, County Road 3325, and Grape Road on the south; 58th Lane, County Road 702, US Highway 50, State Highway 209 and 96, and County Road 601 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figures 9.10 and 9.11).

- M. Elimination of all populations in San Miguel County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the southern border of San Miguel County; County Road 44Z on the west; County Road M44, 46M, and G49 on the north; and Longitude 108°47.5"W on the east; (Area 2) the eastern border of San Miguel County; State Highway 62 on the north; County Road 58P on the west; and County Road T60, State Highway 145 (Colorado Avenue), County Road K69, and Latitude 37°55'12.7"N on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.10P and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.12).
- N. Elimination of all populations in Summit County is required prior to seed development in 2018 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the northern border of Summit County, range line R81W on the west, township line T3S on the south, and range line R79W on the east; and (Area 2) the northern border of Summit County, range line R78W on the west, Interstate Highway 70 and township line T5S on the south, and range line R77W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in PART 4.7.10P and as otherwise specified in this Section, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 9.13).
- O. Except as specified in Part 4.7.10P and Part 4.7.10Q, suppression is the specified State management objective for all populations in Eagle, Garfield, Jefferson, La Plata, Larimer, Ouray, Pitkin, Rio Blanco, Routt, and San Juan counties.

- P. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- Q. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2018, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, and the mainstem of the Rio Grande where it forms the boundary between Conejos and Costilla counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2018, and each year thereafter.
- R. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- S. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- T. Seed longevity is estimated to be at least three years. Infested sites must be monitored for at least four years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.11 Perennial pepperweed (*Lepidium latifolium*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for perennial pepperweed:

- A. Elimination of all populations is required prior to seed development in 2019 and each year thereafter in all Colorado counties except for Adams, Archuleta, Bent, Boulder, Chaffee, Conejos, Costilla, Custer, Denver, El Paso, Elbert, Gunnison, Jefferson, La Plata, Larimer, Mesa, Mineral, Moffat, Montezuma, Montrose, Morgan, Ouray, Prowers, Rio Blanco, Rio Grande, Saguache, Summit, and Weld counties, and those counties specified in Part 4.7.11R.
- B. Except as specified in Part 4.7.11S and Part 4.7.11T, elimination of all populations in Archuleta, Bent, Chaffee, Custer, El Paso, Elbert, Gunnison, La Plata, Mineral, Montezuma, Montrose, Prowers, Rio Blanco, and Summit counties is required prior to seed development in 2021 and each year thereafter.
- C. Elimination of all populations in Adams County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the northern, western, and southern borders

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of Adams County, and toll road E-470, State Highway 2 (also known as Sable Boulevard and South 4th Avenue), East Bridge Street, and North Main Street on the east; and (Area 2) the northern, western, and southern borders of Adams County, and toll road E-470. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.11S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.01).

- D. Elimination of all populations in Boulder County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern and southern borders of Boulder County, State Highway 93 and US Highway 36 on the west, and State Highway 66 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.11S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.02).
- E. Elimination of all populations in Conejos County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Conejos County; and US Forest Service Road 103, State Highway 17, County Road 250, Latitude 37°14'40"N, and Longitude 106°20'22.6"W on the west. Except as specified in Part 4.7.11S and Part 4.7.11T, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.03).
- F. Elimination of all populations in Costilla County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern, southern, and western borders of Costilla County; and State Highway 142, County Road P, State Highway 159, and Latitude 37°11'58.2"N on the north. Except as specified in Part 4.7.11S and Part 4.7.11T, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.04).
- G. Elimination of all populations in Denver County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Denver County and Toll Road E-470 on the east. Except as specified in Part 4.7.11S and Part 4.7.11T, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.05).

- H. Elimination of all populations in Jefferson County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the western, northern, and eastern borders of Jefferson County; and Deckers Road, County Road 126, Ouray Road, Pine Valley Road, and US Highway 285 on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.11S, for all other land within the County, suppression is the specified State management objective (see Rule 4.8, Figure 10.06).
- I. Elimination of all populations in Larimer County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern and southern borders of Larimer County, US Highway 287 on the west, County Roads 80 and 82 (Buckeye Road) on the north. Except as specified in Part 4.7.11S and Part 4.7.11T, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.07).
- J. Elimination of all populations in Mesa County is required prior to seed development in 2021 and each year thereafter for all land beyond two miles from the center of the Colorado River between the northern and western borders of Mesa County. Except as specified in Part 4.7.11S and Part 4.7.11T, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.08).
- K. Elimination of all populations in Moffat County is required prior to seed development in 2019 and each year thereafter for all land beyond (Area 1) two miles from the center of the Green River between the western border of Moffat County and the confluence of the Green River and Vermillion Creek, and two miles from the center of Vermillion Creek between the intersection of Vermillion Creek and State Highway 318 and the confluence of Vermillion Creek and The Green River; (Area 2) one mile from the center of US Highway 40 between its intersection with County Road 64W on the west and East Victory Way on the east, and one mile from the center of State Highway 13 between its intersection with County Road 54 on the north and County Road 93 on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.11S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.09).
- L. Elimination of all populations in Morgan County is required prior to seed development in 2021 and each year thereafter for all land beyond two miles from the center of the South Platte River between the eastern and western borders of

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Morgan County. Except as specified in Part 4.7.11S and Part 4.7.11T, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure).

- M. Elimination of all populations in Ouray County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern border of Ouray County, County Roads 8 and 10, US Highway 550, and County Road 24 on the south, County Road 1 on the west, and Latitude 37°11'58.2"N on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.11S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.11).
- O. Elimination of all populations in Rio Grande County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern and southern borders of Rio Grande County, Longitude 106°16'28.7"W and Latitude 37°38'59"N on the south, the western border of Rio Grande County on the west, and Latitude 37°44'49.3"N and the northern border of Rio Grande County on the north. Except as specified in Part 4.7.11S and Part 4.7.11T, for all other land within the county, suppression is the specified State management objective (see Rule 4.8, Figure 10.12).
- P. Elimination of all populations in Saguache County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the southern border of Saguache County; County Roads 43, E, and 42, and Longitude 106°13'53"W on the west; State Highway 114, US Highway 285, and County Road GG on the north; County Roads 65, DD, 64, and V.5, and Longitude 105°48'47"W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.11S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.13).
- Q. Elimination of all populations in Weld County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the western and southern borders of Weld County, US Highway 85, State Highway 392, County Roads 68 on the south, and County Road 97 and Longitude 104°8'51.9"W on the east, and State Highway 14 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the



downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.11S, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 10.14).

- R. Except as specified in Part 4.7.11S and Part 4.7.11.T, suppression is the State management objective for all populations in Alamosa, Eagle, Garfield, and Pueblo counties.
- S. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- T. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2019, and each year thereafter. For the mainstem of the Rio Grande where it forms the boundary between Conejos and Costilla counties, and the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2019, and each year thereafter.
- U. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner.
- V. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- W. Seed longevity is unknown. Infested sites must be monitored for at least ten years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.12. Dalmatian toadflax (*Linaria dalmatica* and *Linaria genistifolia*) and yellow x Dalmatian toadflax hybrid (*Linaria vulgaris* x *L. dalmatica*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for Dalmatian toadflax and yellow x Dalmatian toadflax hybrid:

- A. Elimination of all populations is required prior to seed development in 2019 and each year thereafter in all Colorado counties except for Arapahoe, Boulder, Broomfield, Chaffee, Denver, Dolores, Douglas, Eagle, El Paso, Garfield, La Plata, Lake, Mesa, Moffat, Montezuma, Routt, Summit, and Weld counties, and those counties specified in Part 4.7.12M.

- B. Except as specified in Part 4.7.12N, elimination of all populations in Denver, Dolores, El Paso, La Plata, Lake, Mesa, Montezuma, and Summit counties is required prior to seed development in 2021 and each year thereafter.
- C. Elimination of all populations in Arapahoe County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Arapahoe County and toll road E-470 on the east. Except as specified in Part 4.7.12N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 11.01).
- D. Elimination of all populations in Boulder County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Boulder County, and Longitude 105°18'18"W on the west. Except as specified in Part 4.7.12N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 11.02).
- E. Elimination of all populations in Broomfield County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the western and southern borders of Broomfield County, State Highway 128 and Interlocken Loop on the east, and US Highway 36 on the north. Except as specified in Part 4.7.12N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 11.03).
- F. Elimination of all populations in Chaffee County is required prior to seed development in 2021 and each year thereafter for all land (Area 1) outside the boundaries of an area demarcated by the Arkansas River on the east, Latitude 38°48'22.4"N and Cottonwood Pass Road on the south, Longitude 106°15'31"W on the west, and Latitude 38°52'8.3"N, County Road 356, and Latitude 38°52'2.7"N on the north; and (Area 2) beyond a mile from the center of County Road 162 Between Fish Hatch Road and the intersection of Chalk Creek and County Road 162 by Chalk Lake. Except as specified in Part 4.7.12N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 11.04).
- G. Elimination of all populations in Douglas County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern, northern, and western borders of Douglas County and Latitude 39°18'15.6"N on the south. Except as specified in Part 4.7.12N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 11.05).
- H. Elimination of all populations in Eagle County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the northern and western borders of Eagle County, Sweetwater Road (County Road 40) on the south, Colorado River Road

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(County Road 301), Derby Mesa Loop (County Road 39), and Sunnyside Road on the east, and (Area 2) all land beyond 1.5 miles from the center of Interstate 70 Between Hells Pocket Road and Bighorn Road. Except as specified in Part 4.7.12N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 11.06).

- I. Elimination of all populations in Garfield County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 39°37'30"W on the north, the eastern border of Garfield County, Latitude 39°26'7"N on the south, and Divide Creek and Longitude 107°37'16"W on the west. Except as specified in Part 4.7.12N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 11.07).
- J. Elimination of all populations in Moffat County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the southern border of Moffat County; the eastern border of Moffat County and County Road 36 on the east; County Road 18, Latitude 40°37'21.5"N, and County Road 7 on the north, County Roads 17 and 51 on the west, Except as specified in Part 4.7.12N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 11.08).
- K. Elimination of all populations in Routt County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the western border of Routt County, Latitude 40°23'38.8"N on the south, County Road 27, US Highway 40, County Road 70, Longitude 107°10'7.8"W, and County Road 80 on the east, County Roads 56 and 76 on the north. Except as specified in Part 4.7.12 N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 11.09).
- L. Elimination of all populations in Weld County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the northern and western borders of Weld County, County Road 126 and Latitude 40°53'59.7"N on the south, and Longitude 104°38'21.7"W on the east. Except as specified in Part 4.7.12N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 11.10).
- M. Except as specified in Part 4.7.12N, suppression is the specified State management objective for all populations in Jefferson and Larimer counties.
- N. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.

- O. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling seedlings, or other mechanical techniques approved by the Commissioner.
  - P. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - Q. Seed longevity is estimated to be at least ten years. Infested sites must be monitored for at least ten years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.13. Leafy spurge (*Euphorbia esula*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for leafy spurge:
- A. Elimination of all populations is required prior to seed development in 2019 and each year thereafter in all Colorado counties except for Adams, Arapahoe, Archuleta, Boulder, Chaffee, Custer Delta, Eagle, El Paso, Fremont, Garfield, Gilpin, Grand, Huerfano, La Plata, Lincoln, Mesa, Moffat, Montezuma, Montrose, Morgan, Ouray, Pitkin, Pueblo, Rio Blanco, Routt, San Miguel, Sedgwick, Summit, Teller, and Weld counties, and those counties specified in Part 4.7.13W.
  - B. Except as specified in Part 4.7.13X and 4.7.13Y, elimination of all populations in Chaffee, Custer, Delta, Garfield, Gilpin, Grand, Lincoln, Mesa, Montezuma, Montrose, Pitkin, San Miguel, and Sedgwick counties is required prior to seed development in 2021 and each year thereafter.
  - C. Elimination of all populations in Adams County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the northern, western, and southern borders of Adams County and Toll Road E-470 and Interstate 76 on the east, and (Area 2) the northern, western, and southern borders of Adams County and Toll Road E-470 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.01).
  - D. Elimination of all populations in Arapahoe County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Arapahoe County and Strasburg Road on the east. Except as specified in Part 4.7.13X and in Part 4.7.13Y, for all land within the area described above,

suppression is the specified State management objective (see Rule 4.8, Figure 12.02).

- E. Elimination of all populations in Archuleta County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by US Highway 160 on the east and south, Piedra Road (County Road 600) on the west, and Latitude 37°19'9.8"N on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.03).
- F. Elimination of all populations in Boulder County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by Overland Road on the north, State Highway 72 on the west, Lefthand Canyon Road on the south, and County Road 94 (Overland Road) on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.04).
- G. Elimination of all populations in Eagle County is required prior to seed development in 2021 and each year thereafter for all land (Area 1) outside the boundaries of an area demarcated by the western, northern, and eastern borders of Eagle County and Latitude 39°48'45"N on the south, and (Area 2) beyond seven miles from the center of Interstate 70 between the western border of Eagle County and the intersection of Interstate 70 and Vail Road. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.05).
- H. Elimination of all populations in El Paso County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the western, northern, and eastern borders of El Paso County and Latitude 38°56'28"N on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this

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area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.06).

- I. Elimination of all populations in Fremont County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the western and northern borders of Fremont County, High Park Road (County Road 11) and State Highway 9 on the east, and US Highway 50 on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.07).
- J. Elimination of all populations in Huerfano County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Huerfano County and Longitude 104°53'7.7"W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.08).
- K. Elimination of all populations in La Plata County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the western border of La Plata County, US Highway 160, County Roads 105 and 100, and State Highway 140 on the west, the southern border of La Plata County, Longitude 108°5'41"W, Reservation Road 111, County Roads 136 and 141, Basin Creek, Latitude 37°12'55"N and on the south, County Road 213, US Highway 550, and Junction Creek on the east, and Latitude 37°22'23.6"N on the north, and (Area 2) the eastern and southern borders of La Plata County, State Highway 172 on the west, and State Highway 151, County Roads 334 and 335 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.09).

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- L. Elimination of all populations in Moffat County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) Longitude 108°47'44"W on the west, the northern border of Dinosaur National Monument on the south, Longitude 108°37'44"W on the east, and County Roads 10 and 56 on the north; (Area 2) Latitude 40°56'19.4"N on the north, Longitude 107°28'27.9"W on the east, State Highway 13 and County Road 108 on the south, and County Road 3 on the west; and (Area 3) the eastern border of Moffat County, State Highway 317 on the south, State Highway 13, Longitude 107°37'12.8"W, County Roads 64, 204, and 7 on the west, and County Roads 31, 24, and 22, State Highway 13, and County Road 20 of the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figures 12.10 and 12.11).
  
- M. Elimination of all populations in Morgan County is required prior to seed development in 2021 and each year thereafter for all land beyond two miles from the center of the South Platte River between the western and eastern borders of Morgan County. Except as specified in Part 4.7.13X and in Part 4.7.13Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.12).
  
- N. Elimination of all populations in Ouray County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by Dallas Creek on the north, the Uncompahgre River and Longitude 107°44'57"W on the east, Latitude 38°3'45"N on the south, and East Fork Dallas Creek and Dallas Creek on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.13).
  
- O. Elimination of all populations in Pueblo County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the western and southern borders of Pueblo County; Interstate 25, State Highway 165, Crow Cutoff, Burnt Mill Road, Waterbarrel Road, State Highway 78, and Siloam Road on the east; and State Highway 96 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part

4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.14).

- P. Elimination of all populations in Rio Blanco County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) State Highway 64 on the north, Hay Gulch Road (County Road 127) on the east, Dry Fork Road (County Road 22) on the south, Piceance Creek Road (County Road 5) on the west; (Area 2) the northern border of Rio Blanco County, Longitude 107°44'23.9"W and Thornsburg Road (County Road 15) on the east, Latitude 40°5'7.4"N and Threemile Gulch on the South, and Strawberry Creek Road and Wilson Creek Road on the west; and (Area 3) Latitude 38°52'23.5"N on the south, Longitude 107°45'44.6"W on the west, Little Beaver Road, Upper Beaver Road, Latitude 40°2'2.3"N, and East Beaver Creek on the north, and Longitude 107°37'2.6"W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.15).
- Q. Elimination of all populations in Routt County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) Longitude 107°11'11"W on the east, County Road 29 and the East Fork of the Williams Fork River on the south, the western border of Routt County, and the southern border of the Medicine Bow-Routt National Forest on the north, and (Area 2) the northern border of Routt County, Longitude 107°14'40.4"W on the west, Latitude 40°56'44.7"N on the south, and County Road 129 and US Forest Service Road 551 on the east. Except as specified in Part 4.7.13X and in Part 4.7.13Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.16).
- R. Elimination of all populations in Summit County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 39°41'15"N and the northern border of Summit County on the north, Longitude 105°59'60"W on the east, Latitude 39°27'31.1"N on the south, and Longitude 106°7'30"W on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.17).



- S. Elimination of all populations in Teller County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern border of Teller County, Latitude 38°53'26.8"N on the south, the western border of Teller County, and Latitude 39°0'18.5"N on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12.18).
- T. Elimination of all populations in Weld County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the western and southern borders of Weld County, US Highway 85, State Highway 392, County Roads 68 on the south, and County Road 97 and Longitude 104°8'51.9"W on the east, and State Highway 14 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.13X, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 12. 19).
- W. Except as specified in Part 4.7.13X and in Part 4.7.13Y, suppression is the specified State management objective for all populations in Alamosa, Denver, Douglas, Jefferson, and Larimer counties.
- X. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- Y. All populations in this state that are within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be eliminated prior to seed development in 2019 and each year thereafter.
- Z. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and digging or hand-pulling seedlings, or other mechanical techniques approved by the Commissioner.
- AA. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.

- AB. Seed longevity is estimated to be at least 8 years. Infested sites must be monitored for at least 8 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.14. Spurred anoda (*Anoda cristata*). Removed from this Rule in 2014. 4.7.15. Venice mallow (*Hibiscus trionum*). Removed from this Rule in 2014.
- 4.7.16. Hoary cress (*Cardaria draba*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for hoary cress:
- A. Elimination of all populations is required prior to seed development in 2019 and each year thereafter in all Colorado counties except for Adams, Alamosa, Arapahoe, Archuleta, Bent, Boulder, Broomfield, Chaffee, Conejos, Costilla, Douglas, El Paso, Fremont, Grand, Gunnison, Jackson, Kit Carson, Larimer, Las Animas, Logan, Mineral, Montezuma, Montrose, Morgan, Prowers, Rio Blanco, Rio Grande, Saguache, San Miguel, Sedgwick, and Weld counties, and those counties specified in Part 4.7.16X.
  - B. Except as specified in Part 4.7.16Y and in Part 4.7.16Z, elimination of all populations in Arapahoe, Bent, Costilla, Douglas, Grand, Gunnison, Jackson, Kit Carson, Mineral, and Prowers counties is required prior to seed development in 2021 and each year thereafter.
  - C. Elimination of all populations in Adams County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Adams County and State Highway 79 on the east. Except as specified in Part 4.7.16Y and in Part 4.7.16Z, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.01).
  - D. Elimination of all populations in Alamosa County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the western and southern borders of Alamosa County, South 112 Road on the east, Latitude 37°34'32.6"N and County Road 0.0 (Stanley Road) on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.02).
  - E. Elimination of all populations in Archuleta County is required prior to seed development in 2019 and each year thereafter for all land beyond a mile from the center of US Highway 160 between County Road 700 (Cat Creek Road) and US Highway 84. Within these boundaries, all populations that are located within the

area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.03).

- F. Elimination of all populations in Boulder County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern and southern borders of Boulder County, State Highway 93 and US Highway 36 on the west, and State Highway 66 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.04).
- G. Elimination of all populations in Broomfield County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the western, southern, and eastern borders of Broomfield County, and West 136th Avenue and Aspen St on the northern. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.05).
- H. Elimination of all populations in Chaffee County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by US Highway 285 on the west, US Highway 50 on the south, and State Highway 291 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.06).
- I. Elimination of all populations in Conejos County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Conejos County; and US Forest Service Road 103, State Highway 17, County Road 250, Latitude 37°14'40"N, and Longitude 106°20'22.6"W on the west.

Except as specified in Part 4.7.16Y and Part 4.7.16Z, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.07).

- J. Elimination of all populations in El Paso County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area beyond (Area 1) a mile from the center of US Highway 24 between Ute Pass Avenue and the intersection of US Highway 24 and French Creek, and (Area 2) two miles from the center of Interstate 25 between Fillmore Street and the southern border of El Paso County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.08).
- K. Elimination of all populations in Fremont County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 38° 29'59"N on the north, the eastern and southern borders of Fremont County, and Longitude 105° 15'1"W on the west. Except as specified in Part 4.7.16Y and in Part 4.7.16Z, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.09).
- L. Elimination of all populations in Larimer County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the southern and eastern borders of Larimer County, Latitude 40°47'45.5"N and County Road 76 on the north, and Longitude 105°13'14.4"W on the west. Except as specified in Part 4.7.16Y and in Part 4.7.16Z, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.10).
- M. Elimination of all populations in Las Animas County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by Longitude 104°32'10.9"W on the west; County Roads 67.4, 69.8, and 69.6, Goddard Avenue, US Highway 160, Main Street, County Road 24.6 (Gray Creek Road), and County Road 22 on the south; Longitude 104°18'50.5"W on the east; and County Roads 40, 83.3, 42, and 83, and Latitude 38°18'48.3"N on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.11).

- N. Elimination of all populations in Logan County is required prior to seed development in 2019 and each year thereafter for all land beyond 1.5 miles from the center of the South Platte River between the eastern and southern borders of Logan County. Except as specified in Part 4.7.16Y and in Part 4.7.16Z, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.12).
- O. Elimination of all populations in Montezuma County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern border of Montezuma County, Latitude 37°11'54.1"N on the south, Longitude 108°39'47"W on the west, and State Highway 184 and US Highway 160 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.13).
- P. Elimination of all populations in Montrose County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the western border of Montrose County, West Paradox Creek and the Bureau of Land Management Border on the north, the Dolores River on the east, and State Highway 90 on the south; (Area 2) the southern border of Montrose County, Longitude 108°36'11.3"W and State Highway 141 on the west, Tabeguache Creek on the north, and the western border of the Uncompahgre National Forest, Longitude 108°24'27.8"W, and the San Miguel River on the east; and (Area 3) the northern border of Montrose County; Ironstone Canal, CQ Lateral, Shavano Valley Road, State Highway 90, County Road 62.5, and Davewood Road on the west; the southern border of Montrose County and Latitude 38°19'55"N on the south; and Cimarron Road, the Cimarron River, the Gunnison River, and the western border of the Black Canyon of the Gunnison National Park on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.14).
- Q. Elimination of all populations in Morgan County is required prior to seed development in 2021 and each year thereafter for all land beyond two miles from the center of the South Platte River between the eastern and western borders of Morgan County. Except as specified in Part 4.7.16Y and in Part 4.7.16Z, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.15).

- R. Elimination of all populations in Rio Blanco County is required prior to seed development in 2021 and each year thereafter for all land (Area 1) beyond 0.5 mile from the center of the White River between the western border of Rio Blanco County and Kenny Reservoir; (Area 2) outside the boundaries of an area demarcated by the northern border of Rio Blanco County, Wilson Creek Road and Strawberry Creek Road on the east, Latitude 40°7'11.8"N on the south, and Smith Gulch on the west; and (Area 3) outside the boundaries of an area demarcated by the northern border of Rio Blanco County on the north and the Medicine Bow – Routt National Forest border on the east, south, and west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.16).
- S. Elimination of all populations in Rio Grande County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern and southern borders of Rio Grande County, Longitude 106°16'28.7"W and Latitude 37°38'59"N on the south, the western border of Rio Grande County on the west, and Latitude 37°44'49.3"N and the northern border of Rio Grande County on the north. Except as specified in Part 4.7.16Y and Part 4.7.16Z, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.17).
- T. Elimination of all populations in Saguache County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the southern border of Saguache County; County Roads 43, E, and 42, and Longitude 106°13'53"W on the west; State Highway 114, US Highway 285, and County Road GG on the north; County Roads 65, DD, 64, and V.5, and Longitude 105°48'47"W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 300 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.18).
- U. Elimination of all populations in San Miguel County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the northern border of San Miguel County, State Highway 141 on the west, Latitude 38°6'59.2"N on the south, and State Highway 145 and County Road 47Z on the east, and (Area 2) the eastern and southern borders of San Miguel County, Bilk Creek, and the San Miguel River on the west, and State Highway 62 on the north. Within these boundaries, all

populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.19).

- V. Elimination of all populations in Sedgwick County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by beyond a mile from the center of the South Platte River between the western and northern borders of Sedgwick County. Except as specified in Part 4.7.16Y and Part 4.7.16Z, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.20).
- W. Elimination of all populations in Weld County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the western and southern borders of Weld County, US Highway 85, County Roads 42, Latitude 40°17'21.7"N on the south, and County Road 97 and Longitude 104°8'51.9"W on the east, and State Highway 14 on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.16Y, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 13.21).
- X. Except as specified in Part 4.7.16Y and in Part 4.7.16Z, suppression is the specified State management objective for all populations in Custer, Delta, Denver, Eagle, Garfield, Huerfano, Jefferson, La Plata, Mesa, Moffat, Ouray, Pitkin, Pueblo, and Routt counties.
- Y. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- Z. All populations in this state that are within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2019, and each year thereafter. For the mainstem of the Rio Grande where it forms the boundary between Conejos and Costilla counties, and the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2019, and each year thereafter.

- AA. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling seedlings, or other mechanical techniques approved by the Commissioner.
  - AB. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - AC. Seed longevity is estimated to be at least three years. Infested sites must be monitored for at least three years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.17. Russian knapweed (*Centaurea repens*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for Russian knapweed:
- A. Elimination of all populations is required prior to seed development in 2019 and each year thereafter in all Colorado counties except for Adams, Arapahoe, Archuleta, Boulder, Broomfield, Chaffee, Cheyenne, Conejos, Denver, Dolores, El Paso, Elbert, Fremont, Gunnison, Huerfano, Jefferson, La Plata, Larimer, Las Animas, Lincoln, Mineral, Morgan, Ouray, Rio Blanco, Rio Grande, Saguache, and Weld counties and those counties specified in Part 4.7.17N.
  - B. Except as specified in Part 4.7.17O and 4.7.17P, elimination of all populations in Arapahoe, Archuleta, Boulder, Broomfield, Cheyenne, Denver, Dolores, El Paso, Gunnison, Huerfano, Jefferson, Lincoln, Mineral, Morgan, Rio Blanco, and Saguache counties is required prior to seed development in 2021 and each year thereafter.
  - C. Elimination of all populations in Adams County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the southern border of Adams County and US Highway 36 on the south, Imboden Road on the east, East 152nd Avenue on the north, and Interstate 76, State Highway 2, US Highway 6, and Interstate 270 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.17O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.01).
  - D. Elimination of all populations in Chaffee County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by State Highway 291 on the east, US Highway 285 on the west, Latitude 38°30'7.5"N on the south. Within these boundaries, all

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populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.17O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.02).

- E. Elimination of all populations in Conejos County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Conejos County, and Longitude 106°12'45.3"W, Romero Canyon, County Road 232A, and Longitude 106°15'45.5"W on the west. Except as specified in Part 4.7.17O and in Part 4.7.17P, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.03).
- F. Elimination of all populations in Elbert County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Elbert County, and Elbert Road, State Highway 86, and Kiowa-Bennett Road on the east. Except as specified in Part 4.7.17O and in Part 4.7.17P, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.04).
- G. Elimination of all populations in Fremont County is required prior to seed development in 2021 and each year thereafter for all land beyond (Area 1) two miles from the center of US Highway 50 between Spike Buck Gulch and the eastern border of Fremont County, and (Area 2) two miles from the center of State Highway 115 between the western border of Fort Carson and US Highway 50. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.17O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.05).
- H. Elimination of all populations in La Plata County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern, western, and southern borders of La Plata County, and the southern border of the San Juan National Forest. Except as specified in Part 4.7.17O and in Part 4.7.17P, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.06).
- I. Elimination of all populations in Larimer County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries

of an area demarcated by the eastern and southern borders of Larimer County, US Highway 287 on the west, County Roads 80 and 82 (Buckeye Road) on the north. Except as specified in Part 4.7.17O and in Part 4.7.17P, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.07).

- J. Elimination of all populations in Las Animas County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) Longitude 104°34'43.5"W on the west, Latitude 37°7'24.1"N on the south, County Roads 85.5, 22, 81.5, US Highway 350, 81.6, and 81 on the east, and County Roads 36 and 75.1, Leitensdorfer Arroyo, and Latitude 37°15'10.5"N on the north; and (Area 2) County Road 64 and Latitude 37°27'11.2"N on the north, Longitude 104°3'59.7"W on the east, County Roads 38, 107, 40, 40.9, and 75.1 on the south, and County Roads 83.3, 42, 42.5, 87, 52, 52.9, and 91 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.17O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.08).
- K. Elimination of all populations in Ouray County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Ouray County, US Highway 550 on the east, State Highway 62 on the south, and Longitude 107° 52'31"W on the west. Except as specified in Part 4.7.17O and in Part 4.7.17P, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.09).
- L. Elimination of all populations in Rio Grande County is required prior to seed development in 2019 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern and southern borders of Rio Grande County, Longitude 106°16'28.7"W and Latitude 37°38'59"N on the south, the western border of Rio Grande County on the west, and Latitude 37°44'49.3"N and the northern border of Rio Grande County on the north. Except as specified in Part 4.7.17O and in Part 4.7.17P, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.10).
- M. Elimination of all populations in Weld County is required prior to seed development in 2021 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern and southern borders of Weld County, Interstate 25 on the west, and County Road 52 and Latitude 37°38'59"N on the north. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the

downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.17O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 14.11).

- N. Except as specified in Part 4.7.17O and in Part 4.7.17P, suppression is the specified State management objective for all populations in Alamosa, Costilla, Crowley, Custer, Delta, Eagle, Garfield, Kiowa, Mesa, Moffat, Montezuma, Montrose, Otero, and Pueblo Counties.
- O. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- P. All populations in this state that are within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2019, and each year thereafter.
- Q. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling or digging seedlings, mowing, or other mechanical techniques approved by the Commissioner.
- R. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- S. Seed longevity is estimated to be at least three years. Infested sites must be monitored for at least three years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.18. Sulfur cinquefoil (*Potentilla recta*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for sulfur cinquefoil:

- A. Elimination of all populations is required prior to seed development in 2012 and each year thereafter in all Colorado counties except for Larimer, Montrose, Pitkin, and Teller counties and those counties specified in Part 4.7.18F.
- B. Elimination of all populations in Larimer County is required prior to seed development in 2012 and each year thereafter for all land outside the boundaries of an area demarcated by the North Fork Cache La Poudre River on the north, Longitude 105° 33'44"W, Forest Service Road 517 on the south, and Forest Service Road 173 on the west and of an area demarcated by the North Fork of the Big Thompson River on the north, County Road 43 on the east, Longitude

105° 29'58"W, Latitude 40° 18'45"N, and Longitude 105° 33'45"W. Except as specified in Part 4.7.18G, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 15.01).

- C. Elimination of all populations in Montrose County is required prior to seed development in 2012 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 38° 30'0"N, Longitude 108° 7'28"W, Latitude 38° 26'14"N, and Roubideau Creek on the west. Except as specified in Part 4.7.18G, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 15.02).
- D. Elimination of all populations in Pitkin County is required prior to seed development in 2012 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Pitkin County, Longitude 106° 56'17"W, Longitude 39° 14'59"N, and Latitude 107° 3'48"W. Except as specified in Part 4.7.18G, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 15.03).
- E. Elimination of all populations in Teller County is required prior to seed development in 2012 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 38° 48'48"N, the eastern border of Teller County, Longitude 105° 3'43"W, County Roads 8 and 82 on the south, State Highway 67 and Carr Avenue on the south, and Longitude 105° 11'17"W. Except as specified in Part 4.7.18G, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 15.04).
- F. Except as specified in Part 4.7.18G, suppression is the specified State management objective for all populations in Boulder and Jefferson counties.
- G. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- H. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- I. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- J. Seed longevity is estimated to be at least three years. Infested sites must be monitored for at least three years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

- 4.7.19. Bull thistle (*Cirsium vulgare*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for bull thistle:
- A. Elimination of all populations is required prior to seed development in 2015 and each year thereafter in all Colorado counties except for Boulder, Gunnison, La Plata, Moffat and Rio Blanco counties and those counties specified in Part 4.7.19G.
  - B. Elimination of all populations in Boulder County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by State Highway 66 on the north, US Highway 287 on the east, the southern border of Boulder County, and US Highway 36 on the west. Except as specified in Part 4.7.19H, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 16.01).
  - C. Elimination of all populations in Gunnison County is required prior to seed development in 2015 and each year thereafter for all land outside the North Fork Gunnison Watershed. Except as specified in Part 4.7.19H, for all land within this watershed, suppression is the specified State management objective (see Rule 4.8, Figure 16.02).
  - D. Elimination of all populations in La Plata County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern and eastern borders of La Plata County, US Highway 160 on the south, and the western border of La Plata County. Except as specified in Part 4.7.19H, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 16.03).
  - E. Elimination of all populations in Moffat County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern and southern borders of Moffat county and County Road 40D, US Highway 40 until it intersects County Road 14A, County Road 14A, County Road 40M, County Road 25 until it intersects the Little Snake River, the Little Snake River until it intersects County Road 21, County Road 21, and County Road 4 on the west. Except as specified in Part 4.7.19H, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 16.04).
  - F. Elimination of all populations in Rio Blanco County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Rio Blanco County and State Highway 13, State Highway 64, and County Road 65 on the west. Except as specified in Part 4.7.19H, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 16.05).

- G. Except as specified in Part 4.7.19H, suppression is the specified State management objective for all populations in Broomfield, Chaffee, Dolores, Eagle, Garfield, Grand, Lake, Mesa, Montezuma, Montrose, Ouray, Pitkin, Routt, San Miguel, Summit, and Routt counties.
- H. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- I. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- J. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- K. Seed longevity is estimated to be up to at least three years. Infested sites must be monitored for at least three years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.20. Eurasian watermilfoil (*Myriophyllum spicatum*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for Eurasian watermilfoil:

- A. Elimination of all populations is required prior to seed or rooted fragment development in 2015 and each year thereafter in all Colorado counties except for Arapahoe, and Denver counties and those counties specified in Part 4.7.20D.
- B. Elimination of all populations in Arapahoe County is required prior to seed or root plant fragment development in 2015 and each year thereafter within the area between the ordinary high water mark of any river or perennial or intermittent stream and outside the perimeter of Cherry Creek Reservoir. For all water within the perimeter of Cherry Creek Reservoir, suppression is the specified State management objective (see Rule 4.8, Figure 17.01).
- C. Elimination of all populations in Denver County is required prior to seed or rooted plant fragment development in 2015 and each year thereafter within the area between the ordinary high water mark of any river or perennial or intermittent stream and outside the perimeter of Marston Lake. For all water within the perimeter of Marston Lake, suppression is the specified State management objective (see Rule 4.8, Figure 17.02).
- D. Suppression is the specified State management objective for all populations in Alamosa, Boulder, Fremont, Jefferson and Weld counties.

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- E. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, or other mechanical techniques approved by the Commissioner.
  - F. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
  - G. Seed longevity is not an important factor for this species. Infested sites must be monitored continuously after the populations have been eliminated and treatments must be repeated when necessary to prevent reestablishment from plant fragmentation.
- 4.7.21. Musk thistle (*Carduus nutans*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for musk thistle:
- A. Except as specified in Part 4.7.21N, elimination of all populations is required prior to seed development in 2015 and each year thereafter in all Colorado counties except for Archuleta, Jackson, Mesa, Moffat, Park, Phillips, Rio Blanco, Routt, Sedgwick, and Yuma counties and those counties specified in Part 4.7.21L.
  - B. Except as specified in Part 4.7.21N, elimination of all populations in Archuleta County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Archuleta County, US Highway 160 and US Highway 84 on the east, and the southern and western borders of Archuleta County. Except as specified in Part 4.7.21M and Part 4.7.21N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 8.01).
  - C. Except as specified in Part 4.7.21N, elimination of all populations in Jackson County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Jackson County, State Highway 127 and State Highway 125 on the east, and CR 6W on the south and west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.21M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 18.02).
  - D. Except as specified in Part 4.7.21N, elimination of all populations in Mesa County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Mesa County and Longitude 108°23'36"W. Within these

boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.21M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 18.03).

- E. Except as specified in Part 4.7.21N, elimination of all populations in Moffat County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern and southern borders of Moffat county and County Road 40D, US Highway 40 until it intersects County Road 14A, County Road 14A, County Road 40M, County Road 25 until it intersects the Little Snake River, the Little Snake River until it intersects County Road 21, County Road 21, and County Road 4 on the west. Except as specified in Part 4.7.21M and Part 4.7.21N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 18.04).
- F. Except as specified in Part 4.7.21N, elimination of all populations in Park County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by US Highway 285 on the north, the eastern border of Park County, County Road 211 on the south, and County Road 77 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.21M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 18.05).
- G. Except as specified in Part 4.7.21N, elimination of all populations in Phillips County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Phillips County, County Roads 29, 38, 31, 24, and 29 on the east, and the southern and western borders of Phillips County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.21M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 18.06).
- H. Except as specified in Part 4.7.21N, elimination of all populations in Rio Blanco County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern,



eastern, and southern borders of Rio Blanco County and State Highway 13, State Highway 64, and County Road 65 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.21M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 18.07).

- I. Except as specified in Part 4.7.21N, elimination of all populations in Routt County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by US Highway 40 on the north, and the eastern, southern, and western borders of Routt County. Except as specified in Part 4.7.21M and Part 4.7.21N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 18.08).
- J. Except as specified in Part 4.7.21N, elimination of all populations in Sedgwick County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by County Road 20 on the north, County Road 55 on the east, County Road 12 on the south, and US Highway 385 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.21M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 18.09).
- K. Except as specified in Part 4.7.21N, elimination of all populations in Yuma County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by County Road 52 and County Road 53 on the north, County Road M on the east, US Highway 34 on the south, and State Highway 59 on the west and of an area demarcated by US Highway 34 on the north, the eastern and southern borders of Yuma County, and County Road V, US Highway 36, and County Roads AA, Z, 20, CC, 26, and U on the west. Except as specified in Part 4.7.21M and Part 4.7.21N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 18.10).
- L. Except as specified in Part 4.7.21M and Part 4.7.21N, suppression is the specified State management objective for all populations in Adams, Arapahoe, Boulder, Broomfield, Chaffee, Clear Creek, Custer, Delta, Denver, Dolores, Douglas, Eagle, Elbert, El Paso, Gilpin, Grand, Fremont, Garfield, Gunnison, Jefferson, La Plata, Lake, Logan, Montezuma, Montrose, Ouray, Pitkin, Pueblo, San Miguel, Summit, and Weld.

- M. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- N. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2016 and each year thereafter.
- O. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- P. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- Q. Seed longevity is estimated to be at least ten years. Infested sites must be monitored for at least ten years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.22. Scentless chamomile (*Tripleurospermum perforatum*), Corn chamomile (*Anthemis arvensis*), and Mayweed chamomile (*Anthemis cotula*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for scentless, corn, and mayweed chamomile:

- A. Except as specified in Part 4.7.22I, elimination of all populations is required prior to seed development in 2016 and each year thereafter in all Colorado counties except for Delta, Gilpin, Gunnison, Mesa and Park counties and those counties specified in Part 4.7.22G.
- B. Except as specified in Part 4.7.22I, elimination of all populations in Delta County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by the northern and eastern borders of Delta County, State Highway 133 and State Highway 92 on the south, and State Highway 65 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.22H and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 19.01).

- C. Except as specified in Part 4.7.22I, elimination of all populations in Gilpin County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 39°48'45"N, and the eastern and southern borders of Gilpin County. Except as specified in Part 4.7.22H and Part 4.7.22I, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 19.02).
- D. Except as specified in Part 4.7.22I, elimination of all populations in Gunnison County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by the northern and eastern border of Gunnison County, US Highway 50 on the south until it transects with the southern border of Gunnison County, the southern border of Gunnison county, US Highway 50 on the south, and the western border of Gunnison County. Except as specified in Part 4.7.22H and Part 4.7.22I, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 19.03).
- E. Except as specified in Part 4.7.22I, elimination of all populations in Mesa County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Mesa County, and by Longitude 108°11'14"W. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.22H and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 19.04).
- F. Except as specified in Part 4.7.22I, elimination of all populations in Park County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by the northern and eastern borders of Park County, Latitude 39°11'3"N, and the western border of Park County. Except as specified in Part 4.7.22H and Part 4.7.22I, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 19.05).
- G. Except as specified in Part 4.7.22H and Part 4.7.22I, suppression is the specified State management objective for all populations in Clear Creek, Eagle, Grand, Gunnison, Jefferson, Lake, La Plata, Pitkin, Routt, and Summit counties.
- H. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- I. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark

on both banks and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2016 and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2016 and each year thereafter.

- J. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- K. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- L. Seed longevity is estimated to be up to ten years. Infested sites must be monitored for at least ten years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.23 Scotch thistle (*Onopordum acanthium* and *Onopordum tauricum*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for Scotch thistle:

- A. Except as specified in Part 4.7.23R, elimination of all populations is required prior to seed development in 2015 and each year thereafter in all Colorado counties except for Delta, El Paso, Fremont, Garfield, Gunnison, Las Animas, Logan, Mesa, Moffat, Montezuma, Pitkin, Pueblo, Rio Blanco, and Weld counties and those counties specified in Part 4.7.23P.
- B. Except as specified in Part 4.7.23R, elimination of all populations in Delta County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern and eastern borders of Delta County, the southern border until it intersects with State Highway 92, State Highway 92 on the south, and State Highway 65 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.01).
- C. Except as specified in Part 4.7.23R, elimination of all populations in El Paso County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border

of El Paso County, State Highway 83 on the east and the south, State Highway 115, US Highway 24 on the south, and the western border of El Paso county. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.02).

- D. Except as specified in Part 4.7.23R, elimination of all populations in Fremont County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Fremont County and County Road 401B, State Highway 115, US Highway 50, County Road 441B, and County Road 509B on the west. Except as specified in Part 4.7.23Q and Part 4.7.23R, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.03).
- E. Except as specified in Part 4.7.23R, elimination of all populations in Garfield County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Garfield County, and Longitude 108°9'6"W. Except as specified in Part 4.7.23Q and Part 4.7.23R, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.04).
- F. Except as specified in Part 4.7.23R, elimination of all populations in Gunnison County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Gunnison County, Longitude 106°52'27"W, Latitude 38°40'8"N, and the western border of Gunnison County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.05).
- G. Except as specified in Part 4.7.23R, elimination of all populations in Las Animas County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by County Road 66.1 and County Road 66 on the north, Interstate 25 on the east, County Road 44 and County Road 46 on the south, and Longitude 104°48'45"W. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water

mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.06).

- H. Except as specified in Part 4.7.23R, elimination of all populations in Logan County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by State Highway 14 on the north, County Road 25 on the east, County Road 18 on the south, and County Roads 20 and 11 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.07).
- I. Except as specified in Part 4.7.23R, elimination of all populations in Mesa County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Mesa County, and the Gunnison River and the Colorado River on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.08).
- J. Except as specified in Part 4.7.23R, elimination of all populations in Moffat County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Moffat County, and Longitude 108°11'5"W. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.09).
- K. Except as specified in Part 4.7.23R, elimination of all populations in Montezuma County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude

37°22'32"N, County Road 44, US Highway 160, and County Road 45 on the east, Latitude 37°18'44"N, County Road G on the South, and County Roads 38.75 and 39 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.10).

- L. Except as specified in Part 4.7.23R, elimination of all populations in Pitkin County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Pitkin County, Longitude 106°52'27"W, and the southern and western borders of Pitkin County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.11).
- M. Except as specified in Part 4.7.23R, elimination of all populations in Pueblo County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the Upper Arkansas Watershed. Except as specified in Part 4.7.23Q and Part 4.7.23R, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.12).
- N. Except as specified in Part 4.7.23R, elimination of all populations in Rio Blanco County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Rio Blanco County, and State Highway 13 and County Road 7 on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.13).
- O. Except as specified in Part 4.7.23R, elimination of all populations in Weld County is required prior to seed development in 2015 and each year thereafter for all land outside the boundaries of an area demarcated by County Road 90 and State Highway 14 on the north, County Road 73 on the east, State Highway 52

and County Road 45 on the south, the southern border of Weld County, and the western border of Weld County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.23Q and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 20.14).

- P. Except as specified in Part 4.7.23Q and Part 4.7.23R, suppression is the specified State management objective for all populations in Adams, Arapahoe, Boulder, Broomfield, Denver, Dolores, Douglas, Eagle, Garfield, Grand, Huerfano, Jefferson, and La Plata counties.
- Q. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- R. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2016 and each year thereafter.
- S. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- T. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques or mechanical techniques other than those approved by the Commissioner.
- U. Seed longevity is estimated to be up to seven years. Infested sites must be monitored for at least three years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.24. Common teasel (*Dipsacus fullonum*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for common teasel:

- A. Elimination of all populations is required prior to seed development in 2014 and each year thereafter in all Colorado counties except for Adams, Arapahoe, Boulder, Chaffee, El Paso, Jefferson, Larimer, Logan, Pueblo and Weld and those counties specified in Part 4.7.24L.

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- B. Elimination of all populations in Adams County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Adams County, Hayesmount Road on the east, and the southern and western borders of Adams County. Except as specified in Part 4.7.24M and Part 4.7.24N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 21.01).
- C. Elimination of all populations in Arapahoe County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Arapahoe County, State Highway 470 on the east, and the southern and western borders of Arapahoe County. Except as specified in Part 4.7.24M and Part 4.7.24N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 21.02).
- D. Elimination of all populations in Boulder County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern border of Boulder County, and State Highway 93 and US Highway 36 on the west. Except as specified in Part 4.7.24M and Part 4.7.24N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 21.03).
- E. Elimination of all populations in Chaffee County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 38°37'32.524"N, the eastern border of Chaffee County, Latitude 38°30'2.288"N, and Longitude 106°11'20.411"W. Except as specified in Part 4.7.24M and Part 4.7.24N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 21.04).
- F. Elimination of all populations in El Paso County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of El Paso County, Interstate 25 on the east. State Highway 24 until it intersects with Fountain Creek, Fountain Creek on the east and the southern and western border of El Paso County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.24M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 21.05).
- G. Elimination of all populations in Jefferson County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries

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of an area demarcated by the northern and eastern borders of Jefferson County, County Road 97 and US Highway 285 on the south, and the western border of Jefferson County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2014, and each year thereafter. Except as specified in Part 4.7.24M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 21.06).

- H. Elimination of all populations in Larimer County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 40°41'17.811"N, the eastern and southern borders of Larimer County, and Longitude 105°15'8.446"W. Within, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.24M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 21.07).
- I. Elimination of all populations in Logan County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by US Highway 6 north to Sterling, then U.S. Highway 138 to the eastern border of Logan County, Interstate 76, and the southern border of Logan County. Except as specified in Part 4.7.24M and Part 4.7.24N, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 21.08).
- J. Elimination of all populations in Pueblo County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Pueblo County, the eastern border of Pueblo County, Latitude 38°7'28.008"N, Longitude 104°56'13.356"W, and the southern and western borders of Pueblo County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.24M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 21.09).

- K. Elimination of all populations in Weld County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 40°26'17.543"N, Longitude 104°22'28.738"W, Latitude 40°18'45.522"N, US Highway 85, and the southern and western borders of Weld County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.24M and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 21.10).
- L. Except as specified in Part 4.7.24M and Part 4.7.24N, suppression is the specified State management objective for all populations in Broomfield and Denver counties.
- M. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- N. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2014, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2014, and each year thereafter.
- O. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- P. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
- Q. Seed longevity is estimated to be at least five years. Infested sites must be monitored for at least six years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.25. Cutleaf teasel (*Dipsacus laciniatus*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for cutleaf teasel:

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- A. Elimination of all populations is required prior to seed development in 2014 and each year thereafter in all Colorado counties except for Adams, Jefferson, and Weld and those counties specified in Part 4.7.25E.
- B. Elimination of all populations in Adams County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Adams County, Hayesmount Road on the east, and the southern and western borders of Adams County. Except as specified in Part 4.7.25F and Part 4.7.25G, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 22.01).
- C. Elimination of all populations in Jefferson County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern and eastern borders of Jefferson County, County Road 97 and US Highway 285 on the south, and the western border of Jefferson County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2014, and each year thereafter. Except as specified in Part 4.7.25F and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 22.02).
- D. Elimination of all populations in Weld County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 40°26'17.543"N, Longitude 104°22'28.738"W, Latitude 40°18'45.522"N, US Highway 85, and the southern and western borders of Weld County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.25F and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 22.03).
- E. Except as specified in Part 4.7.25F and Part 4.7.25G, suppression is the specified State management objective for all populations in Broomfield and Denver counties.
- F. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.

- G. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2014, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2014, and each year thereafter.
- H. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- I. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
- J. Seed longevity is estimated to be at least five years. Infested sites must be monitored for at least six years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.26. Dame's rocket (*Hesperis matronalis*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for dame's rocket:

- A. Elimination of all populations is required prior to seed development in 2014 and each year thereafter in all Colorado counties except for Adams, Boulder, Denver, Larimer, Logan, Mesa, Moffat, Pueblo, and Summit and those counties specified in Part 4.7.26K.
- B. Except as specified in Parts 4.7.26L and Part 4.7.26M, elimination of all populations in Logan County is required prior to seed development in 2015 and each year thereafter.
- C. Except as specified in Parts 4.7.26L and Part 4.7.26M, elimination of all populations in Moffat County is required prior to seed development in 2016 and each year thereafter.
- D. Elimination of all populations in Adams County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Adams County, Longitude 104°48'32.078"W, and the southern and western border of Adams County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream

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boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.26L and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 23.01).

- E. Elimination of all populations in Boulder County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by northern, eastern, and southern borders of Boulder County and State Highway 72 and State Highway 7 north of the junction with State Highway 72 north to the county line, on the west. Except as specified in Part 4.7.26L and Part 4.7.26M, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 23.02).
- F. Elimination of all populations in Denver County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by northern border of Denver County, Chambers Road on the east, and the southern and western borders of Denver County. Except as specified in Part 4.7.26L and Part 4.7.26M, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 23.03).
- G. Elimination of all populations in Larimer County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 40°45'8.026"N, and the eastern, southern and western border of Larimer County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.26L and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 23.04).
- H. Elimination of all populations in Mesa County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the western and northern borders of Mesa County, Longitude 108°18'37.128"W until it intersects with the southern border of Mesa County, the southern border until it intersects with the Gunnison River, the Gunnison River, and Latitude 39°3'33.868"N. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.26L and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 23.05).

- I. Elimination of all populations in Pueblo County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 38°7'33.068"N, Longitude 104°52'32.32"W, and the southern and western border of Pueblo County. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.26L and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 23.06).
- J. Elimination of all populations in Summit County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 39°41'5.354"N, Longitude 106°0'1.095"W, the southern border of Summit county, State Highway 91 and Interstate 70, and Longitude 106°7'32.266"W. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.26L and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 23.07).
- K. Except as specified in Parts 4.7.26L and Part 4.7.26M, suppression is the specified State management objective for all populations in Broomfield and Jefferson counties.
- L. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- M. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2014, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2014, and each year thereafter.
- N. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.

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- O. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
  - P. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.27. Jointed goatgrass (*Aegilops cylindrica*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for jointed goatgrass:
- A. Elimination of all populations is required prior to seed development in 2014 and each year thereafter in all Colorado counties except for Archuleta, Boulder, Broomfield, Delta, Denver, Dolores, Jefferson, Las Animas, Moffat, Montezuma, Pueblo, and Routt and those counties specified in Part 4.7.27N.
  - B. Elimination of all populations in Archuleta County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 37°15'1.38"N, Longitude 107°14'57.993"W, Latitude 7°3'49.422"N, Longitude 107°7'30.054"W, the southern border of Archuleta County, and Longitude 107°18'46.152"W. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.01).
  - C. Elimination of all populations in Boulder County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Boulder County, and Longitude 105°18'46.968"W. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.02).
  - D. Elimination of all populations in Broomfield County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Broomfield County, Sheridan Boulevard on the east, and the southern and western border of Broomfield County. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.03).
  - E. Elimination of all populations in Delta County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 39°0'0.22"N, Longitude 107°52'31.684"W, Latitude 38°52'30.716"N, and Longitude 107°56'17.69"W. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.04).



- F. Elimination of all populations in Denver County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Denver County, Havana Street and Havana Way on the east, and the southern and western border of Denver County. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.05).
- G. Elimination of all populations in Dolores County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Dolores County, the Dolores River on the east, and the southern and western border of Dolores County. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.06).
- H. Elimination of all populations in Jefferson County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern and eastern borders of Jefferson County, County Road 97 and US Highway 285 on the south, and the western border of Jefferson County. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.07).
- I. Elimination of all populations in Las Animas County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern border of Las Animas County and Longitude 103°15'7.862"W . Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.08).
- J. Elimination of all populations in Moffat County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 40°33'45.731"N, the eastern border of Moffat County, Latitude 40°26'15.46"N, and Longitude 107°45'5.875"W. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.09).
- K. Elimination of all populations in Montezuma County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern border of Montezuma County, Longitude 108°37'11.445"W, Latitude 37°29'58.16"N, and the western border of Montezuma County. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.10).

- L. Elimination of all populations in Pueblo County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude 38°11'16.617"N, Longitude 104°37'30.986"W, and the southern and western border of Pueblo County. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.11).
- M. Elimination of all populations in Routt County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by State Highway 40 on the north, County Road 51 on the east and south, and County Road 37 and Shelton Lane on the west. Except as specified in Part 4.7.27O, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 24.12).
- N. Except as specified in Part 4.7.27O, suppression is the specified State management objective for all populations in Baca, Garfield, La Plata, Logan, Mesa, Montrose, Ouray, Phillips, Otero, San Miguel, and Yuma counties.
- O. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- P. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, tilling, or other mechanical techniques approved by the Commissioner.
- Q. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
- R. Seed longevity is estimated to be at least five years. Infested sites must be monitored for at least six years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.28. Moth mullein (*Verbascum blattaria*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for moth mullein:

- A. Elimination of all populations is required prior to seed development in 2014 and each year thereafter in all Colorado counties except for Boulder, Larimer, and Pueblo and those counties specified in Part 4.7.28E.
- B. Elimination of all populations in Boulder County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern border of Boulder

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County and Longitude 105°18'49.647"W. Except as specified in Part 4.7.28F, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 25.01).

- C. Elimination of all populations in Larimer County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by State Highway 34 on the north, State Highway 287 on the east, the southern border of Larimer County, and State Highway 36 on the west. Except as specified in Part 4.7.28F, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 25.02).
- D. Elimination of all populations in Pueblo County is required prior to seed development in 2014 and each year thereafter for all land outside the boundaries of an area demarcated by State Highway 165 on the north, Interstate 25 on the east, and the southern and western border of Pueblo County. Except as specified in Part 4.7.28F, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 25.03).
- E. Except as specified in Part 4.7.28F, suppression is the specified State management objective for all populations in Broomfield, Chaffee, and Lake counties.
- F. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- G. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, tilling, or other mechanical techniques approved by the Commissioner.
- H. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
- I. Seed longevity is estimated to be over 100 years. Infested sites must be monitored for at least twenty years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.29. Bouncingbet (*Saponaria officinalis*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for bouncingbet:

- A. Elimination of all populations is required prior to seed development in 2016 and each year thereafter in all Colorado counties except for Denver, Larimer and Pueblo counties, and those counties specified in Part 4.7.29E.

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- B. Elimination of all populations in Denver County is required prior to seed development in 2016 and each year thereafter for all lands in the county located east of Havana Street and south of Hampden Avenue. Except as specified in Parts 4.7.29F and G, for all lands in the county located west of Havana Street and north of Hampden Avenue, suppression is the specified State management objective (see Rule 4.8, Figure 26.01).
- C. Elimination of all populations in Larimer County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by, the eastern, southern, and western borders of Larimer County and Latitude 40° 45' 8" N. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.29F and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 26.02).
- D. Elimination of all populations in Pueblo County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by, the southern and western borders of Pueblo County, CO Highway 96/Frontier Pathways Scenic & Historic Byway to the north, and Interstate 25 to the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.29F and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 26.03).
- E. Except as specified in Part 4.7.29F and Part 4.7.9G, suppression is the specified State management objective for all populations in Jefferson County.
- F. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- G. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2014, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2016, and each year thereafter.

- H. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and other mechanical techniques approved by the Commissioner.
  - I. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
  - J. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.30. Common tansy (*Tanacetum vulgare*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for common tansy:
- A. Elimination of all populations is required prior to seed development in 2016 and each year thereafter in all Colorado counties except for Boulder, Garfield, and Jackson counties.
  - B. Elimination of all populations in Boulder County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by Lefthand Canyon Dr. on the north, Longitude 105° 21' 59", Fourmile Canyon Dr. on the south, and Longitude 105° 25' 46". Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.30E and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 27.01).
  - C. Elimination of all populations in Garfield County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by Interstate 70 on the north, the eastern and southern borders of Garfield County, and Longitude 105° 21' 59" until it intersects Alkali Creek, then Alkali Creek on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial of intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.30E and as otherwise specified in this Section for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 27.02).
  - D. Elimination of all populations in Jackson County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by the borders of the incorporated town of Walden as of

2012. Except as specified in Part 4.7.30E and Part 4.7.30F, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 27.03).

- E. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
- F. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2016, and each year thereafter.
- G. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, mowing, or other mechanical techniques approved by the Commissioner.
- H. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
- I. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.31. Wild caraway (*Carum carvi*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for wild caraway:

- A. Elimination of all populations is required prior to seed development in 2016 and each year thereafter in all Colorado counties except for Larimer and Summit counties and those counties specified in Part 4.7.31D.
- B. Elimination of all populations in Larimer County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by the western and northern borders of Larimer County, Longitude 105° 41' 19" on the east, and State Highway 14 on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.31E and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 28.01).

- C. Elimination of all populations in Summit County is required prior to seed development in 2016 and each year thereafter for all land outside the boundaries of an area demarcated by Interstate 70 on the south, and the western, northern, and eastern borders of Summit County. Except as specified in Part 4.7.31E and Part 4.7.31F, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 28.02).
  - D. Except as specified in Part 4.7.31E and Part 4.7.31F, suppression is the specified State management objective for all populations in Jefferson, Rio Grande and Routt counties.
  - E. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis.
  - F. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2016, and each year thereafter. For the mainstem of the South Platte River where it forms the boundary between Douglas and Jefferson counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2014, and each year thereafter.
  - G. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, tilling or other mechanical techniques approved by the Commissioner.
  - H. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
  - I. Seed longevity is unknown. Infested sites must be monitored for at least 10 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.
- 4.7.32. Yellow nutsedge (*Cyperus esculentus*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for yellow nutsedge:
- A. Elimination of all populations is required prior to seed development in 2017 and each year thereafter in all Colorado counties except for Boulder, Delta, Mesa, Weld, and Yuma counties, and those counties specified in Part 4.7.32G.
  - B. Elimination of all populations in Boulder County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries

of an area demarcated by the northern, eastern, and southern borders of Boulder County, and Longitude 105°18'18.0"W on the west. Except as specified in Part 4.7.32H and Part 4.7.32I, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 29.01).

- C. Elimination of all populations in Delta County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Delta County, and US Highway 50 on the east. Except as specified in Part 4.7.32H and in Part 4.7.32I, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 29.02).
- D. Elimination of all populations in Mesa County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern, northern, and western borders of Mesa County, and Latitude 38°59'1.0"N on the south. Except as specified in Part 4.7.32H and in Part 4.7.32I, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 28.03).
- E. Elimination of all populations in Weld County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries of an area demarcated by State Highway 14 on the north, US Highway 85 on the east, County Road 74 on the south, and County Road 55 and Longitude 108°32'46.0"W on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.32H and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 29.04).
- F. Elimination of all populations in Yuma County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries of an area demarcated by US Highway 36 on the north, County Road V on the west, and the southern and eastern borders of Yuma County. Except as specified in Part 4.7.32H and Part 4.7.32I, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 29.05).
- G. Except as specified in Part 4.7.32H and Part 4.7.32I, suppression is the specified State management objective for all populations in Bent, Costilla, Denver, Douglas, Eagle, Jefferson, Lincoln, and San Juan counties.



- H. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking, must be eliminated prior to seed development on an annual basis.
- I. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2017, and each year thereafter. For the mainstem of the Rio Grande where it forms the boundary between Conejos and Costilla counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2017, and each year thereafter.
- J. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, or other mechanical techniques approved by the Commissioner.
- K. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
- L. Seed longevity is unknown. Infested sites must be monitored for at least ten years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.33. Quackgrass (*Elymus repens*). Moved to List C in 2014.

4.7.34. Canada thistle (*Cirsium arvense*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for Canada thistle:

- A. Elimination of all populations is required prior to seed development in 2017 and each year thereafter in all Colorado counties except for Alamosa, Conejos, Las Animas, Mesa, Prowers, and Weld counties, and those counties specified in Part 4.7.34H.
- B. Elimination of all populations in Alamosa County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries of an area demarcated by the western, southern, and eastern borders of Alamosa County, and US Highway 160, State Highway 17, County Road 0.0 (Stanley Road) on the north. Except as specified in Part 4.7.34I and Part 4.7.34J, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 30.01).
- C. Elimination of all populations in Conejos County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries of an area demarcated by the southern and eastern borders of Conejos County,

Latitude 37°18'1.0"N on the north, and Longitude 106°22'51.0"W on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. For the mainstem of the Rio Grande where it forms the boundary between Conejos and Costilla counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2017, and each year thereafter. Except as specified in Part 4.7.34I and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 30.02).

- D. Elimination of all populations in Las Animas County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries of an area demarcated by County Road 40.0 on the north, County Road 85.0 (Hoehne Road) on the west, US Highway 160 on the south, and Longitude 104°18'56.0"W on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.34I and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 30.03).
- E. Elimination of all populations in Mesa County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries of an area demarcated by the eastern, northern, and western borders of Mesa County, and Latitude 38°59'1.0"N on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.34I and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 30.04).
- F. Elimination of all populations in Prowers County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Prowers County, and County Roads 21.00, N.00, and 19.00, Highway 196, and US Highway 385 on the west. Except as specified in Part 4.7.34I and Part 4.7.34J, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 30.05).
- G. Elimination of all populations in Weld County is required prior to seed development in 2017 and each year thereafter for all land outside the boundaries

of an area demarcated by the northern, western, and southern borders of Weld County, and the lower eastern border of Weld County, County Road 74, State Highway 392, County Road 77, County Road 136, and County Road 79 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet the treatment requirement for the area immediately downstream. Except as specified in Part 4.7.34I and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 30.06).

- H. Except as specified in Part 4.7.34I and Part 4.7.34J, suppression is the specified State management objective for all populations in Adams, Arapahoe, Archuleta, Bent, Boulder, Broomfield, Chaffee, Cheyenne, Costilla, Crowley, Custer, Delta, Denver, Dolores, Douglas, Eagle, El Paso, Elbert, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Huerfano, Jackson, Jefferson, Kit Carson, La Plata, Lake, Larimer, Lincoln, Logan, Mineral, Moffat, Montezuma, Montrose, Morgan, Otero, Ouray, Park, Phillips, Pitkin, Pueblo, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel, Sedgwick, Summit, Teller and Yuma counties.
- I. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking, must be eliminated prior to seed development on an annual basis.
- J. All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2017, and each year thereafter. For the mainstem of the Rio Grande where it forms the boundary between Conejos and Costilla counties, all populations need to be eliminated on both banks from the center of the mainstem river to 15 feet beyond the ordinary high water mark by 2017, and each year thereafter.
- K. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner, and mowing or other mechanical techniques approved by the Commissioner.
- L. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
- M. Seed longevity is estimated to be up to 20 years. Infested sites must be monitored for at least 20 years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.7.35. Russian-olive (*Elaeagnus angustifolia*). In addition to the requirements set forth in this Part 4 for the management of all List B species, the following conditions also apply for any Russian-olive populations in public open space areas, and any populations within 100 feet of any intermittent or perennial streams, rivers, water conveyance ditches, ponds, lakes and reservoirs, whether natural or man-made. These conditions also apply to any Russian-olive populations that are directly contiguous to any Russian-olive populations within this 100-foot treatment area.

- A. Elimination is required prior to seed development in 2022 and each year thereafter in all Colorado counties except for Arapahoe, Boulder, Chaffee, Conejos, Crowley, Delta, Dolores, El Paso, Larimer, Las Animas, Moffat, Montrose, Morgan, Prowers, Rio Blanco, and San Miguel Counties and those counties specified in Part 4.7.35S.
- B. Elimination in Archuleta County is required prior to seed development in 2017 and each year thereafter.
- C. Elimination in Arapahoe County is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Arapahoe County, and Interstate Highway 70 on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 100 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet or exceed the treatment requirement for the area immediately downstream by 2018, and each year thereafter. Except as specified in Part 4.7.35T and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.01).
- D. Elimination in Boulder County is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Boulder County, and Longitude 105°18'18.0"W on the west. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.02).
- E. Elimination in Chaffee County is required prior to seed development in 2022 and each year thereafter for: (Area 1) all land beyond a ½-mile from the center of the Arkansas River between the Town of Americus and the western border of Chaffee County; and (Area 2) all land beyond ½-mile from the center of the South Arkansas River between County Road 210 and its confluence with the Arkansas River; and (Area 3) all land beyond a mile from the center of Harrington Gulch from the headwater to its confluence with the Arkansas River. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.03).

- F. Elimination in Conejos County is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Conejos County, and Longitude 106°8'58.0"W and State Highway 15 on the west. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.04).
- G. Elimination in Crowley County is required prior to seed development in 2022 and each year thereafter for all land beyond a ½-mile from the center of the following stream segments: (Area1) the Colorado Canal between the western border of Crowley County and Lake Henry; (Area 2) Bob Creek from the headwaters to Lake Meredith Reservoir; and (Area 3) Horse Creek between the northern and southern borders of Crowley County. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.05).
- H. Elimination in Delta County is required prior to seed development in 2022 and each year thereafter for: (Area1) all land beyond a mile from the center of the North Fork of the Gunnison River between the Town of Paonia and its confluence with the Gunnison River; and (Area 2) all land beyond a mile from the center of the Gunnison River between its confluence with the North Fork of the Gunnison River and its confluence with Cummings Gulch; and (Area 3) all land beyond ½ mile from the center of the Uncompahgre River between the southern border of Delta County and its confluence with the Gunnison River. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.06).
- I. Elimination in Dolores County is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, western, and southern borders of Dolores County, and the Dolores River on the east. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.07).
- J. Elimination in El Paso County is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by the southern, western, and northern borders of El Paso County, and County Road 405, Falcon Highway, County Road 463, and Peyton Highway on the east. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 100 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet or exceed the treatment requirement for the area immediately downstream by 2018, and each year thereafter. Except as specified in Part 4.7.35T and as otherwise specified in this Section, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.08).

- K. Elimination in Larimer County is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by the northern, eastern, and southern borders of Larimer County, and Longitude 105°20'20.0"W on the west. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.09).
- L. Elimination in Las Animas County is required prior to seed development in 2022 and each year thereafter for all land beyond a ½-mile from the center of the Purgatoire River between Trinidad Lake and County Road 32.0. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.10).
- M. Elimination in Moffat County is required prior to seed development in 2022 and each year thereafter for all lands within a ½ mile from the center of the following stream segments: (Area1) the Little Snake River between the northern border of Moffat County and County Road 10; (Area 2) the Yampa River between the eastern border of Moffat County and County Road 25; and (Area 3) the Yampa River between the eastern boundary of T6N R99W Section 26 and the western border of Moffat County. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land outside the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.11).
- N. Elimination in Montrose County is required prior to seed development in 2022 and each year thereafter for all lands beyond a ½-mile from the center of the following stream segments: (Area 1) the Dolores River between the northern and southern borders of Montrose County; (Area 2), West Paradox Creek between the western boundary of the Manti-La Sal National Forest and its confluence with the Dolores River; (Area 3), the San Miguel River between the southern border of Montrose County and its confluence with the Dolores River; and (Area 4) Naturita Creek between the southern border of Montrose County and its confluence with the San Miguel River; and outside an area demarcated by the northern, eastern, and southern borders of Montrose County, and Longitude 108°7'25.0"W on the west. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 100 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet or exceed the treatment requirement for the area immediately downstream by 2018, and each year thereafter. Except as specified in Part 4.7.35T and as otherwise specified in this Section, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.12).
- O. Elimination in Morgan County is required prior to seed development in 2022 and each year thereafter for all land beyond a mile from the center of the South Platte River between the western and eastern borders of Morgan County. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the area described

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above, suppression is the specified State management objective (see Rule 4.8, Figure 31.13).

- P. Elimination in Prowers County is required prior to seed development in 2022 and each year thereafter for all land beyond a mile from the center of the Arkansas River between the western and eastern borders of Prowers County. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the area described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.14).
- Q. Elimination in Rio Blanco County is required prior to seed development in 2022 and each year thereafter for all lands beyond a ½-mile from the center of the following stream segments: (Area 1) the White River between the western border of Rio Blanco County and its confluence with Curtis Creek to the east of the Town of Meeker; (Area 2) and Douglas Creek between the southern border of Rio Blanco County and its confluence with the White River. Except as specified in Part 4.7.35T and Part 4.7.35U, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.15).
- R. Elimination in San Miguel County is required prior to seed development in 2022 and each year thereafter for all land beyond a ½-mile from the center of the following stream segments: (Area 1) the Dolores River between its confluence with Summit Canyon Creek and its confluence with Blue Canyon Creek; (Area 2) Bishop Canyon Creek between the northern boundary of T43N R19W Section 32 and County Road 6H; and (Area 3) Chico Creek between State Highway 141 and the southern border of San Miguel County; and outside an area demarcated by County Road U29 on the west, the northern border of Montrose County and State Highway 145 on the north, County Road 44Z on the east, and Latitude 38°3'58.0"N on the south. Within these boundaries, all populations that are located within the area from the center of any river or perennial or intermittent stream to 100 feet beyond the ordinary high water mark on both banks, and that are within ¼-mile of the downstream boundary of this area, must be treated to meet or exceed the treatment requirement for the area immediately downstream by 2018, and each year thereafter. Except as specified in Part 4.7.35T and as otherwise specified in this Section, for all land within the areas described above, suppression is the specified State management objective (see Rule 4.8, Figure 31.16).
- S. Except as specified in Part 4.7.35T and Part 4.7.35U, suppression is the specified State management objective in Alamosa, Baca, Bent, Costilla, Douglas, Garfield, Huerfano, Jefferson, Lincoln, Logan, Mesa, Montezuma, and Pueblo Counties.
- T. All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking, must be eliminated prior to seed development on an annual basis.

- U. All populations that are located within the area from the center of any river or perennial or intermittent stream to 100 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by 2018, and each year thereafter.
- V. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and hand-pulling, digging, sawing, or other mechanical techniques approved by the Commissioner.
- W. Prescribed integrated management techniques do not include the use of any biocontrol agents, herbicides, cultural techniques, or mechanical techniques other than those approved by the Commissioner.
- X. Seed longevity is estimated to be at least three years. Infested sites must be monitored for at least four years after the populations have been eliminated and treatments must be repeated when necessary to prevent stump and root re-sprouting.

4.8. Figures 1.01 – 31.16



## **Part 5 List C Noxious Weed Species**

5.1. List C of the Colorado noxious weed list comprises the following noxious weed species:

- Bulbous bluegrass (*Poa bulbosa*)
- Chicory (*Cichorium intybus*)
- Common burdock (*Arctium minus*)
- Common mullein (*Verbascum thapsus*)
- Common St. Johnswort (*Hypericum perforatum*)
- Downy brome (*Bromus tectorum*)
- Field bindweed (*Convolvulus arvensis*)
- Halogeton (*Halogeton glomeratus*)
- Johnsongrass (*Sorghum halepense*)
- Perennial sowthistle (*Sonchus arvensis*)
- Poison hemlock (*Conium maculatum*)
- Puncturevine (*Tribulus terrestris*)
- Quackgrass (*Elymus repens*)
- Redstem filaree (*Erodium cicutarium*)
- Velvetleaf (*Abutilon theophrasti*)
- Wild proso millet (*Panicum miliaceum*)

5.2. List C noxious weed species are species for which the Commissioner, in consultation with the state noxious weed advisory committee, local governments, and other interested parties, will develop and implement state noxious weed management plans designed to support the efforts of local governing bodies to facilitate more effective integrated weed management on private and public lands. The goal of such plans will not be to stop the continued spread of these species but to provide additional education, research, and biological control resources to jurisdictions that choose to require management of List C species.

## **Part 6 Watch List Species**

6.1. The Watch List is comprised of the following species:

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Asian mustard (*Brassica tournefortii*)  
Baby's breath (*Gypsophila paniculata*)  
Bathurst burr, Spiny cocklebur (*Xanthium spinosum*)  
Brazilian egeria, Brazilian elodea (*Egeria densa*)  
Common bugloss (*Anchusa officinalis*)  
Common reed (*Phragmites australis*)  
Garden Loosestrife (*Lysimachia vulgaris*)  
Garlic mustard (*Alliaria petiolata*)  
Himalayan blackberry (*Rubus armeniacus*)  
Japanese blood grass/cogongrass (*Imperata cylindrica*)  
Meadow hawkweed (*Hieracium caespitosum*)  
Onionweed (*Asphodelus fistulosus*)  
Purple pampas grass (*Cortaderia jubata*)  
Scotch broom (*Cytisus scoparius*)  
Sericea lespedeza (*Lespedeza cuneata*)  
Swainsonpea (*Sphaerophysa salsula*)  
Syrian beancaper (*Zygophyllum fabago*)  
Water hyacinth (*Eichhornia crassipes*)  
Water lettuce (*Pistia stratiotes*)  
White bryony (*Bryonia alba*)  
Woolly distaff thistle (*Carthamus lanatus*)  
Yellow flag iris (*Iris pseudacorus*)  
Yellow floatingheart (*Nymphoides peltata*)  
Yellowtuft (*Alyssum murale*, *Alyssum corsicum*)

- 6.2. Watch List weed species are species for which the Commissioner, in consultation with the state noxious weed advisory committee, local governments, and other interested parties, has determined to pose a potential threat to the agricultural productivity and environmental values of the lands of the state. The Watch List is intended to serve advisory and educational purposes only. Its purpose is to encourage the identification and reporting of these species to the Commissioner in order to facilitate the collection of information to assist the Commissioner in determining which species should be designated as noxious weeds. The Commissioner may place a plant species on the Watch List if any of the following are present:
- 6.2.1. The plant species is not known to occur in the state, but its noxious characteristics are recognized by another state or states in the region.
  - 6.2.2. The plant species is not known to occur in the state, but has been found to exhibit noxious characteristics in agricultural lands and/or native plant communities similar to those found in Colorado.
  - 6.2.3. The plant species with suspected noxious qualities as determined by the use of a plant assessment process is present in the state but its distribution and effect on agricultural and natural lands is undetermined at this time.
- 6.3. Once the noxious characteristics and distribution of plant species on the Watch List are better known, the Commissioner, in consultation with the state noxious weed advisory committee, local governments, and other interested parties, may act to place a species on List A or List B, or may remove it from the Watch List.

#### **Part 7 Compliance Waiver**

- 7.1. Local governing bodies and landowners with any population of any List A species or population of any List B species may apply for a compliance waiver granted by the Commissioner.
- 7.2. To apply for a compliance waiver, local governing bodies or landowners must submit a written petition to the State Weed Coordinator via mail (Colorado Department of Agriculture, 305 Interlocken Parkway, Broomfield, CO 80021), fax (303) 466-2860, or email ([weeds@state.co.us](mailto:weeds@state.co.us) with "Attention: noxious weed petition" in the subject line). The Department will only consider a petition for waiver during the growing season of the target weed when the extent of the problem can be properly evaluated at the site for which the petition is submitted. The petition should provide specific information pertinent to the reevaluation of the specified management objective for the target weed in a specified geographic region.
- 7.3. The Commissioner will evaluate petitions using the following criteria:
- A. The known distribution of the target weed species in the specified geographic region;
  - B. The feasibility of current control technologies to achieve the management objective for the target population;
  - C. The cost of carrying out the management objective specified in the target weed management plan; and

- D. Any other site-specific information that establishes that the specified management objective is not feasible for a specific population in a specified geographic region.

Petitioners must address these criteria and explain specifically what conditions exist that establish that the specified management objective is not viable.

- 7.4. The Commissioner will grant or deny a petition within fifteen business days of receiving it.
- 7.5. The Commissioner may revoke a compliance waiver at any time if the information provided in the petition was incomplete or inaccurate, or if conditions change such that the specified management objective becomes viable.

## **Part 8 Statements of Basis, Specific Statutory Authority and Purpose**

### **8.1. February 11, 2004 – Effective May 3, 2004**

#### **Statutory Authority**

These permanent rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S. (2003).

#### **Purpose**

The purpose of these permanent rules is to: (1) repeal all of the existing permanent rules for the administration and enforcement of the Colorado Noxious Weed Act, §§ 35-5.5-101 through 119, C.R.S. (2003), currently published at 8 C.C.R. 1203-15 (including the Statement of Basis, Purpose and Statutory Authority as well as Rules 1 through 3) and; (2) replace the current permanent rules with new permanent rules which implement the Colorado Noxious Weed Act as amended by the General Assembly in its 2003 regular session. Specifically, the purposes of these new permanent rules are to designate state noxious weeds, classify state noxious weeds into three categories (List A, B, and C), develop and implement state noxious weed management plans for List A noxious weed species, prescribe integrated management techniques to achieve eradication of List A species, and provide a process for granting compliance waivers to local governing bodies and landowners in order to develop and implement a coordinated, statewide effort to stop the spread of noxious weeds and mitigate their impacts to agriculture and the environment.

#### **Factual and Policy Issues**

The factual and policy issues encountered in the proposal of these permanent rules are as follows:

1. Several million acres of Colorado are infested with invasive non-indigenous plants that are continuing to spread to uninfested lands and increase in abundance.
2. A number of these species, designated as state noxious weeds, aggressively invade or are detrimental to economic crops or native plant communities, are poisonous to livestock, are carriers of detrimental insects, diseases, or parasites, or are detrimental, directly or indirectly, to the environmentally sound management of natural or agricultural systems.

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3. Noxious weeds are a present threat to the economic and environmental value of the lands of the state of Colorado and it is a matter of statewide importance that the governing bodies of counties and municipalities manage such weeds in a coordinated manner across the state. Lack of such coordination makes weed management efforts unnecessarily costly and limits the effectiveness of public and private efforts to control such noxious weeds.
4. A broad array of public and private organizations support efforts to develop and implement a coordinated, statewide effort to stop the spread of noxious weeds.
5. Classifying designated noxious weeds into specific management categories will provide a means to focus public and private resources strategically and in a cost-effective manner.
6. By eradicating rare noxious weed species quickly (List A), these species can be prevented from establishing permanent populations in Colorado from which they will spread to harm the agricultural and environmental values of the lands of Colorado.
7. It is important that local governing bodies and affected landowners apply integrated management techniques that will achieve the specified management objectives, particularly for eradication. Some techniques are more effective than others (prescribed) and some techniques are likely to be ineffective or contribute to the spread of the weed species (not prescribed). Prescribing integrated management techniques to achieve specified management objectives will help landowners achieve management objectives such as eradication in a timely manner while limiting environmental damage, effort, and cost.
8. By stopping the spread of well-established species (List B), the values of uninfested lands for agriculture or the environment can be protected and the costs of land management to private and public landowners can be limited or reduced.
9. By educating the public about improved management for widespread species (List C), the harm associated with these species can be reduced and such efforts can be made more cost-effective for many citizens.
10. To accomplish the goals associated with List A (statewide eradication) and List B (halted spread) it is necessary to develop and implement statewide plans to coordinate appropriate actions at the private, local, state, and federal levels. Without such plans, it will be difficult to focus public and private resources strategically and in a cost-effective manner to achieve these goals.
11. In order to provide flexibility to respond to changing circumstances with respect to the distribution of weed populations, it is important to provide the state, local governing bodies, and landowners with a process to amend the requirement to eradicate a particular noxious weed. Without such a compliance waiver process, these rules may become unnecessarily burdensome.
12. The absence of rules to implement a coordinated statewide effort to manage noxious weeds results in increased management costs to public and private interests, a reduction

in the effectiveness of individual efforts, and the continued loss of agricultural and environmental values to the invasion of noxious weeds.

## **8.2. March 4, 2005 – Effective May 2, 2005**

### **Statutory Authority**

These amendments to the rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S. (2004).

### **Purpose**

The purposes of these amendments to the rules are to: (1) designate additional species of noxious weeds for inclusion in the current categories (Lists A, B, C) listed in Parts 3, 4 and 5 of the existing Rules; (2) reclassify some of the currently listed noxious weeds to different categories; (3) develop and implement new state noxious weed management plans for additional species listed for statewide eradication (List A); (4) develop and implement state noxious weed management plans for selected List B species and; (5) identify priority List B species, among other possible List B species, for which the Commissioner intends to develop and implement state noxious weed management plans.

### **Factual Basis**

The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:

1. It is necessary to periodically adjust the state noxious weed list to address emerging plant pest threats as they become known to the state.
2. The current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act state that the Commissioner will develop and implement state noxious weed management plans for selected List B species.
3. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List B species.
4. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties.

## **8.3. March 9, 2006 – Effective May 30, 2006**

### **Statutory Authority**

These amendments to the rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S. (2005).

### **Purpose**

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The purposes of these amendments to the rules are to: (1) develop and implement state noxious weed management plans for selected List B species and (2) identify priority List B species, among other possible List B species, for which the Commissioner intends to develop and implement state noxious weed management plans. The rule will also be moved to the Conservation Services Division section of the CCR and renumbered to 8 CCR 1206-2 to reflect a reorganization in the Colorado Department of Agriculture moving the noxious weed program to this division.

### **Factual Basis**

The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:

1. The current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act state that the Commissioner will develop and implement state noxious weed management plans for selected List B species.
2. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List B species.
3. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties.

### **8.4. May 3, 2007 – Effective July 1, 2007**

#### **Statutory Authority**

These amendments to the rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S. (2005).

#### **Purpose**

The purposes of these amendments to the rules are to: (1) develop and implement state noxious weed management plans for selected List B species, (2) revise existing state noxious weed management plans for selected List B species, and (3) identify priority List B species, among other possible List B species, for which the Commissioner intends to develop and implement state noxious weed management plans.

### **Factual Basis**

The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:

1. The current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act state that the Commissioner will develop and implement state noxious weed management plans for selected List B species.

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2. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List B species.
3. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties.
4. To maintain the effectiveness of implemented plans, it will be necessary to modify periodically containment boundaries and dates identified for elimination of populations designated for eradication.

#### **8.5. August 12, 2008 – Effective September 30, 2008**

##### **Statutory Authority**

These amendments to the rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S. (2007).

##### **Purpose**

The purposes of these amendments to the rules are to: (1) develop and implement state noxious weed management plans for selected List B species; (2) revise existing state noxious weed management plans for selected List B species; (3) reclassify two of the currently listed noxious weeds to different categories; and (4) identify priority List B species, among other possible List B species, for which the Commissioner intends to develop and implement state noxious weed management plans.

##### **Factual and Policy Issues**

The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:

1. The current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act state that the Commissioner will develop and implement state noxious weed management plans for selected List B species.
2. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List B species.
3. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties.

#### **8.6. July 16, 2009 – Effective August 30, 2009**

##### **Statutory Authority**

These amendments to the rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S. (2008).

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## Purpose

The purposes of these amendments to the rules are to: (1) develop and implement state noxious weed management plans for selected List B species; (2) revise existing state noxious weed management plans for selected List B species; (3) reclassify one of the currently listed noxious weeds to a different category; (4) eliminate one of the currently listed noxious weeds from one of two categories; and (5) identify priority List B species, among other possible List B species, for which the Commissioner intends to develop and implement state noxious weed management plans.

The proposed amendments to the rules are as follows:

1. Deletion from Rule 4.3 of the existing language stating that noxious weed management plans will be developed for Eurasian watermilfoil, Hoary cress, Russian knapweed, and sulfur cinquefoil for 2008 – 2009.
2. Addition to Rule 4.3 of new language to establish noxious weed management plans for Eurasian watermilfoil, scentless chamomile, musk thistle, bull thistle, and Scotch thistle for 2009-2010.
3. Addition of Mesa County to the list of Colorado counties in Rule 4.7.11A where elimination of Perennial pepperweed is required.
4. Addition of a new paragraph B to Rule 4.7.11 to require elimination of all populations of Perennial pepperweed in Mesa County prior to seed development in 2012.
5. Addition of new Rule 4.7.16 to establish noxious weed management plans for Hoary cress (*Cardaria draba*).
6. Addition of new Rule 4.7.17 to establish noxious weed management plans for Russian knapweed (*Centaurea repens*).
7. Addition of new Rule 4.7.18 to establish noxious weed management plans for Sulfur cinquefoil (*Potentilla recta*).
8. Addition of figures 149 to 185 in Rule 4.8 map numbers to reflect the new noxious weed management plans for Hoary cress, Russian knapweed, and Sulfur cinquefoil.
9. Deletion of Jointed goatgrass (*Aegilops cylindrical*) from List C in Rule 5.1.
10. Addition of Redstem filaree (*Erodium cicutarium*) to List C in Rule 5.1.

## Factual and Policy Issues

The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:

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1. The current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act state that the Commissioner will develop and implement state noxious weed management plans for selected List B species.
2. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List B species.
3. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties. The proposed plans include weed management plans for Hoary cress (*Cardaria draba*), Russian knapweed (*Centaurea repens*), and sulfur cinquefoil (*Potentilla recta*).
4. To maintain the effectiveness of implemented plans, it will be necessary to modify periodically containment boundaries and dates identified for elimination of populations designated for eradication. Dates specified for elimination that expire by 2009 will be reviewed and modified accordingly.
5. As per the recommendation of the Colorado Noxious Weed Advisory Committee, the removal of Jointed goatgrass (*Aegilops cylindrical*) from List C as it has previously been added to List B.
6. As per the recommendation of the Colorado Noxious Weed Advisory Committee, the addition of Redstem filaree (*Erodium cicutarium*) to List C as populations are too numerous in the state to feasibly require elimination.

#### **8.7. June 10, 2010 – Effective July 30, 2010**

##### **Statutory Authority**

These amendments to the rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S. (2009).

##### **Purpose**

The purpose of these amendments to the rules are to: (1) develop and implement state noxious weed management plans for selected List B species; (2) revise existing state noxious weed management plans for selected List B species; (3) add “ordinary high water mark” to the definitions; (4) revise existing rules to incorporate definition of ordinary high water mark; (5) identify priority List B species, among other possible List species, for which the Commissioner intends to develop and implement state noxious weed management plans; (6) make non-substantive edits to clarify where the exceptions requiring elimination along roads and streams apply; and (7) correct non-substantive typographical errors and update internal citations to reflect new rules.

The specific amendments to the rules are as follows:

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1. Delete from Rule 4.3 the existing language stating that noxious weed management plans will be developed for Eurasian watermilfoil, scentless chamomile, musk thistle, bull thistle, and Scotch thistle for 2009 - 2010.
2. Add to Rule 4.3 new language to initiate the development and implementation noxious weed management plans for Dame's rocket, Russian-olive, Common teasel, Cutleaf teasel, Canada thistle, and Quackgrass in 2010 – 2011.
3. Add "ordinary high water mark" to Part 1 Definitions, 1.7.
4. Replace current language referring to high water line with new language using the definition of "ordinary high water mark" in the Rules for the following species: Chinese clematis, leafy spurge, hoary cress, and Russian knapweed.
5. Add new Rule 4.7.19 to establish a noxious weed management plan for Bull thistle (*Cirsium vulgare*).
6. Add new Rule 4.7.20 to establish a noxious weed management plan for Eurasian watermilfoil (*Myriophyllum spicatum*).
7. Add new Rule 4.7.21 to establish a noxious weed management plan for Musk thistle (*Carduus nutans*).
8. Add of new Rule 4.7.22 to establish a noxious weed management plan for Scentless chamomile (*Matricaria perforata*).
9. Add new Rule 4.7.23 to establish a noxious weed management plan for Scotch thistle (*Onopordum acanthium* and *Onopordum tauricum*).
10. Add new figures 186 to 222 in Rule 4.8 to reflect the new noxious weed management plans for Bull thistle, Eurasian watermilfoil, Musk thistle, Scentless chamomile, and Scotch thistle.
11. Add Routt County to the list of Colorado counties in Rule 4.7.16U where suppression of Hoary cress is the specified state management objective.
12. Make non-substantive edits to language in Rules 4.7.1, Absinth wormwood; 4.7.2, Chinese clematis; 4.7.3, Plumeless thistle; 4.7.4, Spotted knapweed; 4.7.6, Black henbane; 4.7.7, Diffuse knapweed; 4.7.8, Oxeye daisy; 4.7.9, Yellow toadflax; 4.7.10, Houndstongue; 4.7.11, Perennial pepperweed; 4.7.12, Dalmatian toadflax; 4.7.13, Leafy spurge; 4.7.16, Hoary cress; 4.7.17, Russian knapweed; and 4.7.18 Sulfur cinquefoil to clarify where the exceptions requiring elimination along roads and streams apply.
13. Revise existing language on figures 1-185 to reflect non-substantive edits to clarify that exceptions requiring elimination along roads and streams apply.
14. Correct non-substantive typos in the following rules: 4.4; 4.5; 4.7.4C; and 4.7.7T.

## **Factual and Policy Issues**

The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:

1. The current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act require the Commissioner to develop and implement state noxious weed management plans for selected List B species.
2. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List B species.
3. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties. The proposed plans include weed management plans for Bull thistle (*Cirsium vulgare*), Eurasian watermilfoil (*Myriophyllum spicatum*), Musk thistle (*Carduus nutans*), Scentless chamomile (*Matricaria perforate*), and Scotch thistle (*Onopordum acanthium* and *Onopordum tauricum*).
4. To maintain the effectiveness of implemented plans, it is necessary to modify periodically containment boundaries and dates specified for elimination of populations designated for eradication. Routt County is being added to the list of counties where suppression is the state management objective for hoary cress in 4.7.16U based on new data the department received in 2010.
5. The new definition of “Ordinary High water mark” is intended to clarify the areas adjacent to streams and rivers in which certain species must be eliminated.

### **8.8. November 8, 2011 – Effective December 30, 2011**

#### **Statutory Authority**

These amendments to the rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S.

#### **Purpose**

The purpose of these amendments to the rules are to: (1) designate additional species of noxious weeds for inclusion in the current categories (Lists A and C) listed in Parts 3 and 5 of the existing Rules; (2) move one noxious weed species from List A to the Watch List, and delete its management plan from Part 3; (3) develop and implement new state noxious weed management plans for additional species listed for statewide eradication (List A); (4) develop and implement state noxious weed management plans for selected List B species; (5) correct a management plan in Part 4; (6) add a new list (Watch List) at Part 6 and (7) correct non-substantive typographical errors and update internal citations to reflect new rules.

The specific amendments to the rules are as follows:

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1. Add to Rule 3.1 the following species: Elongated mustard (*Brassica elongata*), Giant reed (*Arundo donax*), Japanese knotweed (*Polygonum cuspidatum*), Giant knotweed (*Polygonum sachalinense*) and Bohemian knotweed(*Polygonum x bohemicum*).
2. Move *Sericea lespedeza* (*Lespedeza cuneata*) from List A to the Watch List.
3. Delete 3.6.15, the management plan for *Sericea lespedeza* (*Lespedeza cuneata*).
4. Add new Rule 3.6.18 to establish a noxious weed management plan for Elongated mustard (*Brassica elongata*).
5. Add new Rule 3.6.19 to establish a noxious weed management plan for Giant reed (*Arundo donax*).
6. Add new Rule 3.6.20 to establish a noxious weed management plan for Japanese knotweed (*Polygonum cuspidatum*).
7. Add new Rule 3.6.21 to establish a noxious weed management plan for Giant knotweed (*Polygonum sachalinense*).
8. Add new Rule 3.6.22 to establish a noxious weed management plan for Bohemian knotweed (*Polygonum x bohemicum*).
9. Revise Rule 4.7.17.S to correct management techniques for Russian knapweed (*Centaurea repens*); and to remove Jefferson from list of counties in 4.7.17.A.
10. Revise Rule 4.7.22.G. to add Jefferson to the list of counties in 4.7.22.A.
11. Add new Rule 4.7.24 to establish a noxious weed management plan for Common teasel (*Dipsacus fullonum*).
12. Add new Rule 4.7.25 to establish a noxious weed management plan for Cutleaf teasel (*Dipsacus laciniatus*).
13. Add new Rule 4.7.26 to establish a noxious weed management plan for Dame's rocket (*Hesperis matronalis*).
14. Add new Rule 4.7.27 to establish a noxious weed management plan for Jointed goatgrass (*Aegilops cylindrica*).
15. Add new Rule 4.7.28 to establish a noxious weed management plan for Moth mullein (*Verbascum blattaria*).
16. Add new figures 223 through 257 to Rule 4.8 to reflect the new noxious weed management plans for common teasel, cutleaf teasel, dame's rocket, jointed goatgrass and moth mullein,
17. Add to Rule 5.1 Bulbous bluegrass (*Poa bulbosa*).

18. Add a new Part 6 Watch List Species.
19. Make non-substantive corrections of typographical errors in the rule in sections 4.7.4.E, 4.7.5.D, and 5.1.

### **Factual and Policy Issues**

The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:

1. The Colorado Noxious Weed Act authorizes the Commissioner to designate by rule those species placed in List A and subject to eradication wherever detected statewide in order to protect neighboring lands and the state as a whole. The following new species have been determined to present a threat to the economic and environmental value of the state of Colorado are placed on List A: Elongated mustard (*Brassica elongata*), Giant reed (*Arundo donax*), Japanese knotweed (*Polygonum cuspidatum*), Giant knotweed (*Polygonum sachalinense*), and Bohemian knotweed (*Polygonum x bohemicum*)
2. The current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act state that the Commissioner will develop and implement state noxious weed management plans for selected List A and List B species.
3. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List A and List B species.
4. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties. The proposed plans include weed management plans for List A species Elongated mustard (*Brassica elongata*), Giant reed (*Arundo donax*), Japanese knotweed (*Polygonum cuspidatum*), Giant knotweed (*Polygonum sachalinense*), and Bohemian knotweed (*Polygonum x bohemicum*), and List B species Common teasel (*Dipsacus fullonum*), Cutleaf teasel (*Dipsacus laciniatus*), Dame's rocket (*Hesperis matronalis*), Jointed goatgrass (*Aegilops cylindrical*), and Moth mullein (*Verbascum blattaria*).
5. The change to Rule 3.1 and 3.6.16 is due in order to move *Sericea lespedeza* (*Lespedeza cuneata*) from List A to the Watch List based on information gathered about the species that makes it less likely to appear in the state, but still worthy of continuing observation.
6. The change to Rule 4.7.17.A is due in order to implement Jefferson County's request that it be removed from the list of counties excepted from the requirement of eliminating Russian knapweed (*Centaurea repens*) from within its borders.
7. The change to Rule 4.7.17.S is due in order to correct the management techniques for Russian knapweed (*Centaurea repens*) which include hand pulling and digging. Due to the extensive root systems of this species, hand pulling and digging are not considered to

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be effective in most instances, while mowing in combination with herbicide application is considered more effective.

8. The change to Rule 5.1 adds Bulbous bluegrass (*Poa bulbosa*) to List C, reflecting its invasive qualities as determined by a plant assessment process, and also recognizing its widespread distribution.
9. The change to Part 6 of the rule is due in order to create a new, non-regulatory invasive species list, called the Watch List. The purpose of the list is to encourage the identification and reporting of these species so that, in consultation with the state noxious weed advisory committee, local governments and other interested parties, the Commissioner may determine which of these species should be designated as noxious weeds.

#### **8.9. August 6, 2012 - Effective September 30, 2012**

##### **Statutory Authority**

These amendments to the rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S.

##### **Purpose**

The purpose of these amendments to the rules are to: (1) designate additional plant species for inclusion on the Watch List; (2) develop and implement state noxious weed management plans for selected List B species; (3) correct scientific names of six noxious weed species to remain consistent with authoritative sources; (4) add management plan maps to accompany new management plans; and (5) correct non-substantive typographical errors and update internal citations to reflect new rules.

The specific amendments to the rules are as follows:

1. Correct in Rule 3.1, 3.6.2, and 3.6.8 the scientific names for camelthorn and meadow knapweed.
2. Correct in Rule 4.1, 4.7.4, 4.7.8, and 4.7.22 the scientific names for oxeye daisy, quackgrass, scentless chamomile and spotted knapweed.
3. Revise Rule 4.7.13 A and F to require Custer County to eradicate leafy spurge in its jurisdiction.
4. Revise Rule 4.7.22 to combine management plans for corn chamomile (*Anthemis arvensis*) and mayweed chamomile (*Anthemis cotula*), with the existing management plan for scentless chamomile (*Tripleurospermum perforatum*).
5. Add new Rule 4.7.29 to establish a noxious weed management plan for bouncingbet (*Saponaria officinalis*).

6. Add new Rule 4.7.30 to establish a noxious weed management plan for common tansy (*Tanacetum vulgare*).
7. Add new Rule 4.7.31 to establish a noxious weed management plan for wild caraway (*Carum carvi*).
8. Add to Rule 6.1 garlic mustard (*Alliaria petiolata*) and yellow flag iris (*Iris pseadocorus*).
9. Add new figures 258 through 264, revise figures 204 through 208, and remove figure 123 to Rule 4.8 to reflect the new noxious weed management plans for corn chamomile, mayweed chamomile, bouncingbet, common tansy and wild caraway.
10. Revise rule 4.3 to update species of special interest for future management plans.
11. Make non-substantive corrections of typographical errors in the rule in section 6.1.

### **Factual and Policy Issues**

The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:

1. The current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act state that the Commissioner will develop and implement state noxious weed management plans for selected List A and List B species.
3. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List A and List B species.
4. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties. The proposed plans include weed management plans for List B species corn chamomile (*Anthemis arvensis*), mayweed chamomile (*Anthemis cotula*), bouncingbet (*Saponaria officinalis*), common tansy (*Tanacetum vulgare*) and wild caraway (*Carum carvi*). The management plans for the chamomiles are combined due to the similarity of the species, distribution, and management measures.
5. The change to Rule 4.7.13 A and F is due in order to implement Custer County's request that it be removed from the list of counties exempted from the requirement of eliminating leafy spurge (*Euphorbia esula*) from within its borders.
6. The change to Rule 6.1 is to add garlic mustard (*Alliaria petiolata*) and yellow flag iris (*Iris pseadocorus*) to the Watch List, given their current unknown noxious qualities and the need for closer statewide observation.

### **8.10. February 12, 2014 – Effective March 30, 2014**

#### **Statutory Authority**

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These amendments to the rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S.

## Purpose

The purpose of these amendments to the rules are to: (1) designate additional plant species for inclusion on the Watch List; (2) develop and implement state noxious weed management plans for selected List B species; (3) revise parts of the rule pertaining to roadway and water vectors; (4) add management plan maps to accompany new management plans; and (5) correct non-substantive typographical errors and update internal citations to reflect new rules.

The specific amendments to the rules are as follows:

1. In Part 1, Definitions, delete the definition of “Division” and add the definition of “Public open space”.
2. Revise timeframes of List B management plans to replace the current specific year requirement with an ongoing goal requirement.
3. Revise Rule 4.3 to update the species of special interest for future management plan revisions.
4. Revise public road ROW language for Rules 4.7.1.E, 4.7.2.H, 4.7.3.H, 4.7.4.D, 4.7.6.H, 4.7.7.V, 4.7.8.T, 4.7.9.X, 4.7.10.P, 4.7.11.V, 4.7.12.T, 4.7.13.AD, 4.7.16.V, 4.7.17.Q, 4.7.18.G, 4.7.19.H, 4.7.21.M, 4.7.22.H, 4.7.23.Q, 4.7.24.M, 4.7.25.F, 4.7.26.L, 4.7.27.L, 4.7.28.F, 4.7.29.F, 4.7.30.E, and 4.7.31.E.
5. Revise Rule 4.7.13 to correct typographical errors.
6. Revise requirements for stream corridor management for Rules 4.7.21.C,D,F,G,H,J,N; 4.7.22.B,E,I; 4.7.23.B,C,F,G,H,I,J,K,L,N,O,R; 4.7.24.F,G,H,J,K,N; 4.7.25.C,D,G; 4.7.26.D,G,H,I,J,M; 4.7.29.C,D,G; 4.7.30.B,C,F; and 4.7.31.B,F.
7. Revise Rules 4.7.24, 4.7.25, 4.7.26, 4.7.27, 4.7.28, 4.7.29, 4.7.30 and 4.7.31, to add standard language for management techniques and seed longevity that were previously inadvertently omitted.
8. Add new Rule 4.7.32 to establish noxious weed management plans for yellow nutsedge (*Cyperus esculentus*).
9. Add new Rule 4.7.33 to establish noxious weed management plans for quackgrass (*Elymus repens*).
10. Add new Rule 4.7.34 to establish noxious weed management plans for Canada thistle (*Cirsium arvense*).
11. Add new Rule 4.7.35 to establish noxious weed management plans for Russian-olive (*Elaeagnus angustifolia*).

12. Add to Rule 6.1 Brazilian egeria, Brazilian elodea (*Egeria densa*), parrotfeather (*Myriophyllum aquaticum*), yellow floatingheart (*Nymphoides peltata*) and yellowtuft (*Alyssum murale*, *Alyssum corsicum*).
13. Make non-substantive changes in Rules 3.6, 4.7 and 6.1 to correct typographical errors.
14. Add new figures 266-294 to reflect new noxious weed management plans for yellow nutsedge, quackgrass, Canada thistle and Russian-olive.
15. Revise figures 195, 196, 198, 199, 200, 202, 204, 207, 209, 210, 213, 214, 215, 216, 217, 218, 219, 221, 222, 227, 228, 229, 231, 232, 234, 235, 236, 239, 240, 241, 242, 259, 260, 261, 262, 264 to correct references to the rule narrative.
16. Remove figure 23 in order to update a previous change to the management objective for diffuse knapweed in Gilpin County.
17. Revise rule 7 to clarify compliance waiver procedures due to the establishment of Rule 4.7.35 (Russian-olive).

### **Factual and Policy Issues**

The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:

1. The current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act state that the Commissioner will develop and implement state noxious weed management plans for selected List A and List B species.
3. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List A and List B species.
4. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties. The proposed plans include weed management plans for List B species yellow nutsedge (*Cyperus esculentus*) (4.7.32), quackgrass (*Elymus repens*) (4.7.33), Canada thistle (*Cirsium arvense*) (4.7.34), and Russian-olive (*Elaeagnus angustifolia*) (4.7.35).
5. The plan developed to control Russian-olive (4.7.35) requires removal in public open spaces and along intermittent and perennial streams and rivers, lakes and reservoirs. While planted originally for windbreaks and landscaping, Russian-olive has spread along waterways and has degraded wildlife habitat, replaced native trees such as cottonwoods and willows in many areas, and has disrupted agricultural operations by invading pastures and blocking irrigation facilities.
6. The changes to Rules 4.7.1, 4.7.2, 4.7.3, 4.7.4, 4.7.6, 4.7.7, 4.7.8, 4.7.9, 4.7.10, 4.7.11, 4.7.12, 4.7.13, 4.7.16, 4.7.17, 4.7.18, 4.7.19, 4.7.21, 4.7.22, 4.7.23, 4.7.24, 4.7.25, 4.7.26, 4.7.27, 4.7.28, 4.7.29, 4.7.30, and 4.7.31 regarding road ROWs are due in order

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to clarify the extent of treatment required along public roads and parking areas, and that such treatments are to occur annually.

7. The changes to Rules 4.7.21, 4.7.22, 4.7.23, 4.7.24, 4.7.25, 4.7.26, 4.7.29, 4.7.30 and 4.7.31 regarding stream corridor management are due in order to clarify the extent of treatment required along the state's waterways, and to synchronize the treatment of such waterways across county boundaries and when a waterway forms the boundary between counties.
8. The change to Rule 6.1 adds Brazilian egeria, Brazilian elodea (*Egeria densa*), parrotfeather (*Myriophyllum aquaticum*), yellow floatingheart (*Nymphoides peltata*) and yellotuft (*Alyssum murale*, *Alyssum corsicum*) to the Watch List, given their current unknown noxious qualities and the need for closer statewide observation.

#### **8.11. November 12, 2014 – Effective December 30, 2014**

##### **Statutory Authority**

These amendments to the rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S.

##### **Purpose**

The purpose of these amendments to the rules are to: (1) designate an additional plant species for inclusion on List A, and an additional plant species to inclusion to the Watch List; (2) revise figure numbering to add clarity to the rule; (3) Update management plans for seven species; (4) remove two plant species from List B, and move one plant species from List B to List C; and (5) correct non-substantive typographical errors and update internal citations to reflect new rules.

The specific amendments to the rules are as follows:

1. In Parts 3.1 and 3.6.23, add hairy willow-herb (*Epilobium hirsutum*) to List A.
2. In Parts 4.1, 4.7 and 4.8, revise figure numbers for all List B species.
3. In Part 4.1, remove quackgrass (*Elymus repens*), spurred anoda (*Anoda cristata*) and Venice mallow (*Hibiscus trionum*) from List B.
4. Revise Rule 4.3 to update the species of special interest for future management plan revisions.
5. Revise Rules 4.7.1, 4.7.4, 4.7.5, 4.7.8, and 4.7.10 to update the monitoring period for these List B species: absinth wormwood (*Artemisia absinthium*), spotted knapweed (*Centaurea stoebe*), salt cedar (*Tamarix chinensis*, *T. parviflora*, and *T. ramosissima*), oxeeye daisy (*Leucanthemum vulgare*), and houndstongue (*Cynoglossum officinale*).
6. Revise Rule 4.7.1 to update the management plans for absinth wormwood (*Artemisia absinthium*).

7. Revise Rule 4.7.2 to update the management plans for Chinese clematis (*Clematis orientalis*).
8. Revise Rule 4.7.3 to update the management plans for plumeless thistle (*Carduus acanthoides*).
9. Revise Rule 4.7.4. to update the management plans for spotted knapweed (*Centaurea stoebe*).
10. Revise Rule 4.7.6 to update the management plans for black henbane (*Hyoscyamus niger*).
11. Revise Rule 4.7.8 to update the management plans for oxeye daisy (*Leucanthemum vulgare*).
12. Revise Rule 4.7.10 to update the management plans for houndstongue (*Cynoglossum officinale*).
13. Remove management plans for spurred anoda (*Anoda cristata*) (4.7.14), Venice mallow (*Hibiscus trionum*) (4.7.15) and quackgrass (*Elymus repens*) (4.7.33).
14. In Part 5.1, add quackgrass (*Elymus repens*) to List C.
15. In Part 6.1, add garden loosestrife (*Lysimachia vulgaris*) to the Watch List, and remove hairy willow-herb (*Epilobium hirsutum*) from the Watch List.

### **Factual and Policy Issues**

The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:

1. The current rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act state that the Commissioner will develop and implement state noxious weed management plans for selected List A and List B species.
2. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List A and List B species.
3. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties. The proposed plans include weed management plans for List B species absinth wormwood (*Artemisia absinthium*), Chinese clematis (*Clematis orientalis*), plumeless thistle (*Carduus acanthoides*), spotted knapweed (*Centaurea stoebe*), black henbane (*Hyoscyamus niger*), for oxeye daisy (*Leucanthemum vulgare*), and houndstongue (*Cynoglossum officinale*).

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4. After consulting with noxious weed experts, weed managers, agricultural producers and the state noxious weed advisory committee, it was determined that quackgrass (*Elymus repens*), spurred anoda (*Anoda cristata*) and Venice mallow (*Hibiscus trionum*) no longer met the criteria for List B. Quackgrass was moved to List C and spurred anoda and Venice mallow will no longer be included in the noxious weed list.
5. The numerical revisions to existing figures for List B species were done in order to bring additional clarity to these rules, and to establish a more coherent approach to mapping figures, especially given that these maps will continue to be revised and updated in future years.
6. The changes to the Watch List reflect the determination that hairy willow-herb may pose in the near future a significant threat to agricultural productivity and native plant communities of the state, and should be eradicated while still possible, thus warranting its placement on List A. Garden loosestrife has been found in limited areas of the state and has exhibited invasive qualities, and thus merits closer statewide observation prior to any listing decision.

#### **8.12. November 10, 2015 – Effective December 30, 2015**

##### **Statutory Authority**

These amendments to the Rules are adopted by the Commissioner of Agriculture pursuant to his authority under the Colorado Noxious Weed Act, §§ 35-5.5-108 and 115, C.R.S.

##### **Purpose**

The purposes of these amendments to the Rules are to: (1) designate two species for inclusion on List A, and two hybrid species for inclusion on List B; (2) Update management plans for nine species; (3) revise figure numbering to add clarity to the Rule; and (4) correct non-substantive typographical errors and update internal citations to reflect new Rules.

The specific amendments to the Rules are as follows:

1. Move flowering rush (*Butomus umbellatus*) from the Watch List to List A [Rule 3.6.24].
2. Move parrotfeather (*Myriophyllum aquaticum*) from the Watch List to List A [Rule 3.6.25].
3. In Parts 4.1 and 4.7.4., add spotted x diffuse knapweed hybrid (*Centaurea x psammogena* = *C. stoebe* x *C. diffusa*) to List B.
4. In Parts 4.1 and 4.7.12., add yellow x Dalmatian toadflax hybrid (*Linaria vulgaris* x *L. dalmatica*) to List B.
5. Revise Rule 4.3 to update the species of special interest for future management plan revisions.

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6. Revise Rule 4.7.5 to update the management plan for salt cedar (*Tamarix chinensis*, *T. parviflora*, and *T. ramosissima*).
7. Revise Rule 4.7.7 to update the management plan for diffuse knapweed (*Centaurea diffusa*).
8. Revise Rule 4.7.9., to update the management plan for yellow toadflax (*Linaria vulgaris*).
9. Revise Rule 4.7.11., to update the management plan for perennial pepperweed (*Lepidium latifolium*).
10. Revise Rule 4.7.12. to update the management plan for Dalmatian toadflax (*Linaria dalmatica* and *Linaria genistifolia*) and yellow x Dalmatian toadflax hybrid (*Linaria vulgaris* x *L. dalmatica*), including the addition of the hybrid species.
11. Revise Rule 4.7.13., to update the management plan for leafy spurge (*Euphorbia esula*).
12. Revise Rule 4.7.16 to update the management plan for hoary cress (*Cardaria draba*).
13. Revise Rule 4.7.17., to update the management plan for Russian knapweed (*Centaurea repens*).
14. Revise Rule 4.7.35., to update the management plan for Russian-olive (*Elaeagnus angustifolia*).
15. Delete Figures 3.01-3.04, 4.01, 4.02, 6.04-6.07, 6.09, 6.11, 6.12, 6.14, 8.01, 8.03, 8.06, 8.09, 8.12, 8.14, 8.15, 8.18-8.20, 10.02, 10.04, 10.06-10.08, 10.11, 10.14, 10.16, 11.01, 11.06, 11.10-11.13, 11.16, 12.05, 12.06, 12.09, 12.10, 12.13, 12.14, 12.18, 12.19, 12.23, 12.24, 13.02, 13.08-13.10, 13.13-13.16, 13.18, 14.01, 14.02, 14.05, 14.08, 14.09, and 14.11-14.13 to update the management plan for spotted x diffuse knapweed hybrid (*Centaurea* x *psammogena* = *C. stoebe* x *C. diffusa*), salt cedar (*Tamarix chinensis*, *T. parviflora*, and *T. ramosissima*), diffuse knapweed (*Centaurea diffusa*), yellow toadflax (*Linaria vulgaris*), perennial pepperweed (*Lepidium latifolium*), Dalmatian toadflax (*Linaria dalmatica* and *Linaria genistifolia*) and yellow x Dalmatian toadflax hybrid (*Linaria vulgaris* x *L. dalmatica*), leafy spurge (*Euphorbia esula*), hoary cress (*Cardaria draba*), and Russian knapweed (*Centaurea repens*).
16. Delete and replace Figures 4.03-4.05, 6.01-6.03, 6.08, 6.10, 6.13, 6.15, 8.02, 8.04, 8.05, 8.07, 8.08, 8.10, 8.11, 8.13, 8.16, 8.17, 10.01, 10.03, 10.05, 10.09, 10.10, 10.12, 10.13, 10.15, 10.17, 10.18, 11.02-11.05, 11.07-11.09, 11.14, 11.15, 11.17, 12.01-12.04, 12.07, 12.08, 12.11, 12.12, 12.15-12.17, 12.20-12.22, 12.25-12.27, 13.01, 13.03-13.07, 13.11, 13.12, 13.17, 13.19, 14.03, 14.04, 14.06, 14.07, 14.10, and 14.14 to update the management plan for salt cedar (*Tamarix chinensis*, *T. parviflora*, and *T. ramosissima*), diffuse knapweed (*Centaurea diffusa*), yellow toadflax (*Linaria vulgaris*), perennial pepperweed (*Lepidium latifolium*), Dalmatian toadflax (*Linaria dalmatica* and *Linaria genistifolia*) and yellow x Dalmatian toadflax hybrid (*Linaria vulgaris* x *L. dalmatica*), leafy spurge (*Euphorbia esula*), hoary cress (*Cardaria draba*), and Russian knapweed (*Centaurea repens*).

17. Add Figures 3.01-3.04, 4.01-4.13, 6.01-6.11, 8.01-8.14, 10.01-10.14, 11.01-11.10, 12.01-12.19, 13.01-13.21, and 14.01-14.11 to update the management plan for spotted x diffuse knapweed hybrid (*Centaurea x psammogena* = *C. stoebe* x *C. diffusa*), salt cedar (*Tamarix chinensis*, *T. parviflora*, and *T. ramosissima*), diffuse knapweed (*Centaurea diffusa*), yellow toadflax (*Linaria vulgaris*), perennial pepperweed (*Lepidium latifolium*), Dalmatian toadflax (*Linaria dalmatica* and *Linaria genistifolia*) and yellow x Dalmatian toadflax hybrid (*Linaria vulgaris* x *L. dalmatica*), leafy spurge (*Euphorbia esula*), hoary cress (*Cardaria draba*), and Russian knapweed (*Centaurea repens*).
18. These revisions incorporate changes as a result of the Department's Regulatory Efficiency Review Process.

### **Factual and Policy Issues**

The factual and policy issues encountered in the proposal of these amendments to the Rules are as follows:

1. The current Rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act state that the Commissioner will develop and implement state noxious weed management plans for selected List A and List B species.
2. State noxious weed management plans are necessary in order to coordinate appropriate actions at the private, local, state, and federal levels that will halt the continued spread of these List A and List B species.
3. The proposed plans have been developed in consultation with the state noxious weed advisory committee, local governments, and other interested parties. The proposed plans include weed management plans for the following List B species: spotted x diffuse knapweed hybrid (*Centaurea x psammogena* = *C. stoebe* x *C. diffusa*), salt cedar (*Tamarix chinensis*, *T. parviflora*, and *T. ramosissima*), diffuse knapweed (*Centaurea diffusa*), yellow toadflax (*Linaria vulgaris*), perennial pepperweed (*Lepidium latifolium*), Dalmatian toadflax (*Linaria dalmatica* and *Linaria genistifolia*) and yellow x Dalmatian toadflax hybrid (*Linaria vulgaris* x *L. dalmatica*), leafy spurge (*Euphorbia esula*), hoary cress (*Cardaria draba*), Russian knapweed (*Centaurea repens*) and Russian-olive (*Elaeagnus angustifolia*).
4. The changes to List A reflect the determination that flowering rush (*Butomus umbellatus*) and parrotfeather (*Myriophyllum aquaticum*) may pose in the near future a significant threat to agricultural productivity and native plant communities of the state, and should be eradicated while still possible, thus warranting their placement on List A.

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## Moffat County Weed and Pest Management

### Program Overview

Revision Date: 03/14/2017

#### Introduction

This document is meant to provide clarification of the protocols and processes utilized by Moffat County Weed and Pest Management. This document is meant to be updated and revised annually to reflect any potential programmatic changes due to budget modification, new initiatives, grant offerings, etc. This document also serves to support the requirements established in the Moffat County Noxious Weed Management Plan.

#### General Department Outreach

Moffat County will provide the following communication and outreach efforts to ensure the public at large is aware of the program offerings provided by the department for this year:

1. **Program Overview Document** – this document will be updated annually to reflect the intent of the department for the coming pest management season. In general, all updates will be completed prior to the close of the 1st quarter of each year, and prior to any deadlines for applications to receive services. This document will be made available to the public on the Moffat County Weed and Pest Management Website.
2. **Program Open House** – the Moffat County Weed and Pest Department will offer an Open House where elected officials and members of the public may attend and receive an overview of the services that will be offered for the year. Tentatively, this Open House will take place prior to any deadlines for applications to receive services. If this event is well attended and deemed beneficial to the public (event feedback surveys will be requested), the intent is to provide this open house annually.
3. **Moffat County Pest Management Workshop** – Moffat County Weed and Pest, in collaboration with CSU Extension and NRCS will host a workshop where private, public and commercial pesticide applicators can receive Continuing Education Credits (CECs) for the renewal of their licenses. Tentatively, this workshop is scheduled from May 15<sup>th</sup>. If this event is well attended and deemed beneficial to the public, the intent is to offer this workshop annually.

#### Mosquito Abatement Programs

(PENDING)

#### Noxious Weed Abatement Programs

Moffat County's Noxious Weed Abatement Programs are implemented, in conjunction with the Moffat County Noxious Weed Management Plan (2017) and the various requirements set forward by the Colorado Department of Agriculture. The primary program components include:

1. **Noxious Weed Identification, Education and Incentive Programs**
  - a. **General Weed Education**

To support general weed identification and education, Moffat County will strive to provide general educational resources to the community, free of charge through various venues.

Moffat County/CSU Extension Office - Various handouts and take-home materials are available at all times at the Moffat County/CSU Extension Office, including but not limited to Moffat County State



Noxious Weed Identification Booklets and Pesticide Application Information. Additionally, the contact information for the Moffat County Noxious Weed Manager is available at the front desk and any questions and/or concerns may be directed to the Manager at any time. The Manager will respond to all calls.

Educational Booths – The Moffat County Weed and Pest Management Department will provide a hands-on educational booths at various, applicable events, including but not limited to the Moffat County Fair. This booth will include educational materials such as educational handouts, general weed awareness information, noxious weed models, hands-on educational opportunities for kids and more.

Pesticide Applicator Training – in conjunction with CSU Extension, Moffat County will provide pesticide applicator training which will be made available to the Moffat County Weed and Pest Staff, as well as private applicators and commercial applicators. The training will be free of cost to private applicators, and a minimal fee will be charged to commercial applicators and their technicians. This training will tentatively take place in May.

**b. List A Education /Reporting Incentive**

The Moffat County Noxious Weed Management Plan requires that landowners, land managers and commercial pesticide applicators are aware of List A species and report any known infestations to Moffat County. Additionally, the MCNWMP requires Moffat County to support a List A education program. In addition to the General Department Outreach and General Education offerings described above, the List A education program will consist of the following:

List A Bounty Program – The List A Weed Bounty Program will focus on educating the public on the risks of List A species, List A species identification and incentivizing the reporting and treatment of List A species. This program will provide a cash reward for every new, confirmed infestation of List A species reported.

Compensation through this program will continue until the budget set for the bounty programs has been depleted.

Public Announcements – at the commencement of the growing season, Moffat County will publish at least one educational article in the local newspaper(s) that will detail why List A species are a concern, the identification of List A Species and what people should do if they identify a List A Species. The List A Bounty Program will also be communicated.

**c. List B Education / Reporting Incentive**

List B Species of Interest Bounty Program – The Colorado Department of Agriculture has declared that each year leading to 2021, a short list of List B species shall be emphasized for identification, mapping and reporting to the state. Each year, a bounty program shall be implemented for the mapping and reporting of applicable species of interest. Citizens will be paid a bounty of \$5.00/ infested acre, with an individual cap of \$100.00 for infestations of interest which the county is not already aware of.

In 2017, both 2017 and 2018 species will be the species of interest in regards to this program. The bounty program will be applicable towards the mapping and reporting of any infestations of species not already known in Moffat County, and for infestations of species known to exist in Moffat County, but which exist outside of the containment boundaries set by the state:

- Houndstongue – only outside of containment area
- Oxeye daisy – only outside of containment area
- Plumeless thistle – county-wide, must be differentiated from musk thistle

Compensation through this program will continue until the combined budget set for the bounty programs has been depleted.

Weed Pulling Bounty Program – to encourage suppression efforts of biennial weeds, Moffat County will support a bounty program where members of the public can manually remove (cut, dig, etc.) biennial weeds and can be paid by the lb. for the removed weeds. The current rate per lb. for the Weed Bounty Program is \$0.20/ lb or \$500.00/ton.

Compensation through this program will continue until the combined budget set for the bounty programs has been depleted.

Public Announcement – at the commencement of the growing season, Moffat County will publish at least one educational article in local newspaper(s) (including but not limited to the Craig Daily Press) that will explain what List B species are and describe the reporting requirements for infestations identified outside of the state containment boundaries.

**d. List C Education**

Education efforts for List C species will be included in General Weed Education efforts.

**e. Watch List Education**

Education efforts for Watch List species will be included in General Weed Education efforts.

**f. Other Noxious Weed Reporting and Treatment Incentive Programs**

Yampa River Leafy Spurge Project – to support the continued mapping effort of the Yampa River Leafy Spurge Project, Moffat County will offer an incentive program for private landowners who spray leafy spurge on their property. Private landowners can submit their complete application records (requirements for minimum information, including photos will be communicated), and for every 2 hours of spraying the landowner will be placed in a drawing to receive 20 hours of spraying services + materials in the year to follow.

The reporting incentive program described above (section 1.(c)) will also be extended for all unknown leafy spurge infestations both within suppression areas and outside of the containment area.

**2. Noxious Weed Management Services**

**a. Weed Spraying**

Weed Control on Moffat County Properties – Moffat County will maintain control of weed infestations on all County-owned and operated properties and county roads.

Weed and Pest Management Partnerships – Moffat County will offer weed and pest management services at a discounted rate, under approved partnerships. Any group of citizens may submit an application for Cooperative Weed and Pest Management Partnership. This form is available at the

Moffat County Extension Office or online at: <https://www.colorado.gov/pacific/moffatcounty/weed-and-pest-management>. To ensure a partnership application is considered in the current calendar year, applications should be received by April 1<sup>st</sup>. Any applications that are not accepted within the year that they are submitted will automatically be considered in the years to follow.

Partnerships must intend to meet an objective consistent with the county weed plan and prioritization of partnerships will be based off of these objectives as well as the number of partners and quantity of funds available. The 2017 rate for partnership spraying is \$25.00/ man hour + materials. Once a partnership is accepted, Moffat County will facilitate the development of a weed management plan for the proposed area, including a timeline of how long the partnership will be supported.

Weed Management for Individuals – For individuals in need of weed spraying services, Moffat County recommends that landowners contact a commercial applicator. Contact information for commercial applicators will be provided at the Moffat County Extension Office. If time allows, Moffat County may spray the properties of individuals in need of weed control. The 2017 rate for individual spraying is \$65.00/ man hour + materials. Partnership services shall be prioritized above individual spraying.

**b. Chemical Free Weed Management Plan Development**

Moffat County will provide chemical free weed management consultation and plan development to landowners who would not like to use pesticides. These plans must be consistent with the list of approved treatment methods listed in the County Weed Plan.

**c. Private Landowner Management Consultation**

Where landowners simply request consultation on identification and treatment of weeds, Moffat County will provide field visits upon request and provide management consultation and references.

**3. Noxious Weed Enforcement and Response**

**a. List A**

Per the MCNWMP, in the instance that a List A species is acknowledged by the Moffat County Weed and Pest Manager, either by personal observance, reported by a landowner or reported by a 3<sup>rd</sup> party, it is the responsibility of Moffat County to report this infestation to the Colorado Department of Agriculture and it is also the responsibility of Moffat County to oversee the eradication of the infestation. Moffat County's response protocol will include the following:

- 1) Obtain geographical location of the infestation (legal description, parcel number, GPS, etc.)
- 2) Obtain contact information for the landowner where the infestation exists
- 3) Contact landowner to request access from the landowner onto the property. If telephone contact is available, the first attempt will be made to schedule the visit by phone. If telephone contact is not obtained, the Moffat County Weed and Pest Manager will follow the steps outlined in Section 35-5.5-108.5.4-15 of the Colorado Noxious Weed Act.
- 4) Conduct field visit and assess infestation
- 5) Work with the landowner and schedule the eradication of the infestation, using a method that the landowner is comfortable with and the Acceptable Treatment Methods detailed in the County Weed Plan, is listed.

**b. List B**

List B infestations reported to Moffat County Weed and Pest by 3<sup>rd</sup> parties within established suppression areas will be responded to, using the following protocol:

- 1) Obtain geographical location of the infestation (legal description, parcel number, GPS, etc.)
- 2) A drive-by or site visit via neighboring property will be conducted to confirm the infestation.
- 3) Contact information for the landowner where the infestation exists will be obtained.
- 4) A letter along with educational materials relevant to the species of concern, a list of applicable county services and a list of contractor referrals will be sent to the landowner.

In the instance that a List B species is acknowledged by the Moffat County Weed and Pest Manager outside of established containment boundaries, either by personal observance, reported by a landowner or reported by a 3<sup>rd</sup> party, it is the responsibility of Moffat County to track, report and offer support to contain the infestation. Moffat County's response protocol will include the following:

- 1) Obtain geographical location of the infestation (legal description, parcel number, GPS, etc.)
- 2) Obtain contact information for the landowner where the infestation exists
- 3) Contact landowner to request access from the landowner onto the property. If telephone contact is available, the first attempt will be made to schedule the visit by phone. If telephone contact is not obtained, a letter requesting a site visit, along with educational materials relevant to the suspected infestation, a list of applicable county services and a list of contractor referrals will be sent to the landowner.
- 4) If consent is received, a field visit will be conducted
- 5) Work with the landowner and schedule the eradication of the infestation, offering supported programs where applicable and using a method that the landowner is comfortable with and which is listed in the Acceptable Treatment Methods detailed in the County Weed Plan.

**c. List C**

Moffat County does not support an enforcement or response protocol for reported List C infestations at this time.

**d. Watch List**

In the instance that a Watch List Species Infestation is identified and where rangeland and/or cropland production is consequently affected, Moffat County Weed and Pest will respond using the following protocol:

- 1) Obtain geographical location of the infestation (legal description, parcel number, GPS, etc.)
- 2) A drive-by or site visit via neighboring property will be conducted to confirm the infestation.
- 3) Contact information for the landowner where the infestation exists will be obtained.

- 4) A letter along with educational materials relevant to the species of concern, a list of applicable county services and a list of contractor referrals will be sent to the landowner.

**Agricultural Pest Abatement**

(PENDING)

## Colorado Noxious Weeds (including Watch List), effective December 30, 2015

### **List A Species (25)**

<i>Common</i>	<i>Scientific</i>
African rue	(Peganum harmala)
Bohemian knotweed	(Polygonum x bohemicum)
Camelthorn	(Alhagi maurorum)
Common crupina	(Crupina vulgaris)
Cypress spurge	(Euphorbia cyparissias)
Dyer's woad	(Isatis tinctoria)
Elongated mustard	(Brassica elongata)
Flowering rush	(Butomus umbellatus)
Giant knotweed	(Polygonum sachalinense)
Giant reed	(Arundo donax)
Giant salvinia	(Salvinia molesta)
Hairy willow-herb	(Epilobium hirsutum)
Hydrilla	(Hydrilla verticillata)
Japanese knotweed	(Polygonum cuspidatum)
Meadow knapweed	(Centaurea nigrescens)
Mediterranean sage	(Salvia aethiopis)
Medusahead	(Taeniatherum caput-medusae)
Myrtle spurge	(Euphorbia myrsinites)
Orange hawkweed	(Hieracium aurantiacum)
Parrotfeather	(Myriophyllum aquaticum)
Purple loosestrife	(Lythrum salicaria)
Rush skeletonweed	(Chondrilla juncea)
Squarrose knapweed	(Centaurea virgata)
Tansy ragwort	(Senecio jacobaea)
Yellow starthistle	(Centaurea solstitialis)

### **List B Species (37)**

<i>Common</i>	<i>Scientific</i>
Absinth wormwood	(Artemisia absinthium)
Black henbane	(Hyoscyamus niger)
Bouncingbet	(Saponaria officinalis)
Bull thistle	(Cirsium vulgare)
Canada thistle	(Cirsium arvense)
Chinese clematis	(Clematis orientalis)
Common tansy	(Tanacetum vulgare)
Common teasel	(Dipsacus fullonum)
Corn chamomile	(Anthemis arvensis)
Cutleaf teasel	(Dipsacus laciniatus)
Dalmatian toadflax, broad-leaved	(Linaria dalmatica)
Dalmatian toadflax, narrow-leaved	(Linaria genistifolia)
Dame's rocket	(Hesperis matronalis)
Diffuse knapweed	(Centaurea diffusa)
Eurasian watermilfoil	(Myriophyllum spicatum)
Hoary cress	(Cardaria draba)

Houndstongue	(Cynoglossum officinale)
Jointed goatgrass	(Aegilops cylindrica)
Leafy spurge	(Euphorbia esula)
Mayweed chamomile	(Anthemis cotula)
Moth mullein	(Verbascum blattaria)
Musk thistle	(Carduus nutans)
Oxeye daisy	(Leucanthemum vulgare)
Perennial pepperweed	(Lepidium latifolium)
Plumeless thistle	(Carduus acanthoides)
Russian knapweed	(Acroptilon repens)
Russian-olive	(Elaeagnus angustifolia)
Salt cedar	(Tamarix chinensis, T. parviflora, and T. ramosissima)
Scentless chamomile	(Tripleurospermum perforata)
Scotch thistle	(Onopordum acanthium, O. tauricum)
Spotted knapweed	(Centaurea stoebe)
Spotted x diffuse knapweed hybrid	(Centaurea x psammogena = C. stoebe x C. diffusa)
Sulfur cinquefoil	(Potentilla recta)
Wild caraway	(Carum carvi)
Yellow nutsedge	(Cyperus esculentus)
Yellow toadflax	(Linaria vulgaris)
Yellow x Dalmatian toadflax hybrid	(Linaria vulgaris x L. dalmatica)

### **List C Species (16)**

<i>Common</i>	<i>Scientific</i>
Bulbous bluegrass	(Poa bulbosa)
Chicory	(Cichorium intybus)
Common burdock	(Arctium minus)
Common mullein	(Verbascum thapsus)
Common St. Johnswort	(Hypericum perforatum)
Downy brome	(Bromus tectorum)
Field bindweed	(Convolvulus arvensis)
Halogeton	(Halogeton glomeratus)
Johnsongrass	(Sorghum halepense)
Perennial sowthistle	(Sonchus arvensis)
Poison hemlock	(Conium maculatum)
Puncturevine	(Tribulus terrestris)
Quackgrass	(Elymus repens)
Redstem filaree	(Erodium cicutarium)
Velvetleaf	(Abutilon theophrasti)
Wild proso millet	(Panicum miliaceum)

### **Watch List Species (24)**

<i>Common</i>	<i>Scientific</i>
Asian mustard	(Brassica tournefortii)
Baby's breath	(Gypsophila paniculata)
Bathurst burr, Spiney cocklebur	(Xanthium spinosum)
Brazilian egeria, Brazilian elodea	(Egeria densa)

Common bugloss	( <i>Anchusa officinalis</i> )
Common reed	( <i>Phragmites australis</i> )
Garden loosestrife	( <i>Lysimachia vulgaris</i> )
Garlic mustard	( <i>Alliaria petiolata</i> )
Himalayan blackberry	( <i>Rubus armeniacus</i> )
Japanese blood grass/cogongrass	( <i>Imperata cylindrica</i> )
Meadow hawkweed	( <i>Hieracium caespitosum</i> )
Onionweed	( <i>Asphodelus fistulosus</i> )
Purple pampas grass	( <i>Cortaderia jubata</i> )
Scotch broom	( <i>Cytisus scoparius</i> )
Sericea lespedeza	( <i>Lespedeza cuneata</i> )
Swainsonpea	( <i>Sphaerophysa salsula</i> )
Syrian beancaper	( <i>Zygophyllum fabago</i> )
Water hyacinth	( <i>Eichhornia crassipes</i> )
Water lettuce	( <i>Pistia stratiotes</i> )
White bryony	( <i>Bryonia alba</i> )
Woolly distaff thistle	( <i>Carthamus lanatus</i> )
Yellow flag iris	( <i>Iris pseudacorus</i> )
Yellow floatingheart	( <i>Nymphoides peltata</i> )
Yellowtuft	( <i>Alyssum murale, A. corsicum</i> )



Attachment 5. Moffat County List B Requirements  
Per 8CCR 1206-2

**The following two items apply to all List B:**

<b>Road Buffer Requirement :</b>	"All populations on public land in this state that are within 15 feet from the edge of any public road and any immediately adjacent area used for parking must be eliminated prior to seed development on an annual basis."
<b>Water Buffer Requirement (see colmn 'Water Buffer Effective Year'):</b>	"All populations that are located within the area from the center of any river or perennial or intermittent stream to 15 feet beyond the ordinary high water mark on both banks, and are within ¼-mile of the downstream boundary of the county, must be treated to meet the higher treatment requirement of the two counties by [insert 'Water Buffer Effective Year'], and each year thereafter."

**The following species-specific goals apply in Moffat County:**

<b>Weed Species</b>	<b>Map Page</b>	<b>Page(s)</b>	<b>Water Buffer Effective Year</b>	<b>Goal</b>	<b>Goal Effective Year</b>	<b>Seed Life (Years)</b>	<b>Monitoring Requirement (Years)</b>
Black henbane	none	22-24	2018	Elimination of all populations prior to seed development	2020	10	4
Bull thistle	254	62-63	NONE	Elimination of all populations prior to seed development, except in supression area.	2015	3	3
Canada thistle	none	88-90	2017	Suppression for all populations, excluding road buffer and water buffer	2017	20	20
Dalmatian toadflax	193	44-46	NONE	Elimination of all populations prior to seed development, except in supression area.	2019	10	10
Hoary cress	none	52-57	2019	Suppression for all populations, excluding road buffer	2019	3	3
Houndstongue	167	35-40	2018	Elimination of all populations prior to seed development, except in supression area.	2018	3	4
Jointed goatgrass	315	79-82	NONE	Elimination of all populations prior to seed development, except in supression area.	2014	5	6

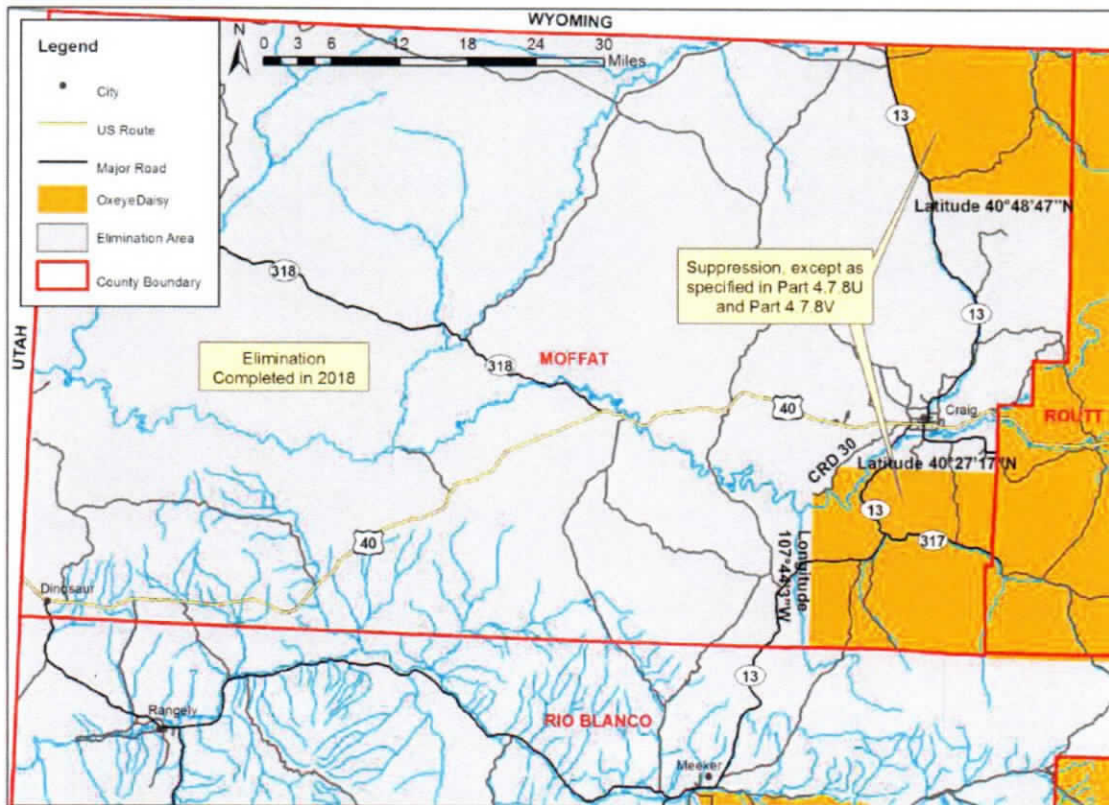
Attachment 5. Moffat County List B Requirements  
Per 8CCR 1206-2

Leafy spurge	205, 206	46-51	2019	Elimination of all populations prior to seed development, except in suppression area.	2021	8	8
Musk thistle	261	64-67	2016	Elimination of all populations prior to seed development, except in suppression area.	2015	10	10
Oxeye daisy	143	27-32	2018	Elimination of all populations prior to seed development, except in suppression area.	2018	38	38
Perennial pepperweed	181	40-44	2019	Elimination of all populations prior to seed development, except in suppression area.	2019	unknown	10
Plumeless thistle	none	15-17	2018	Elimination of all populations prior to seed development	2018	unknown	10
Russian knapweed	none	58-61	2019	suppression for all populations in Moffat County, excluding road buffer	2019	3	3
Russian-olive	351	90-94	2018, buffer extended to 100 ft.	Elimination of all populations prior to seed development, except in suppression area.	2022	3	4
Scotch thistle	281	68-72	2016	Elimination of all populations prior to seed development, except in suppression area.	2015	7	3

**Oxeye daisy** (*Leucanthemum vulgare*)

Figure 7.15

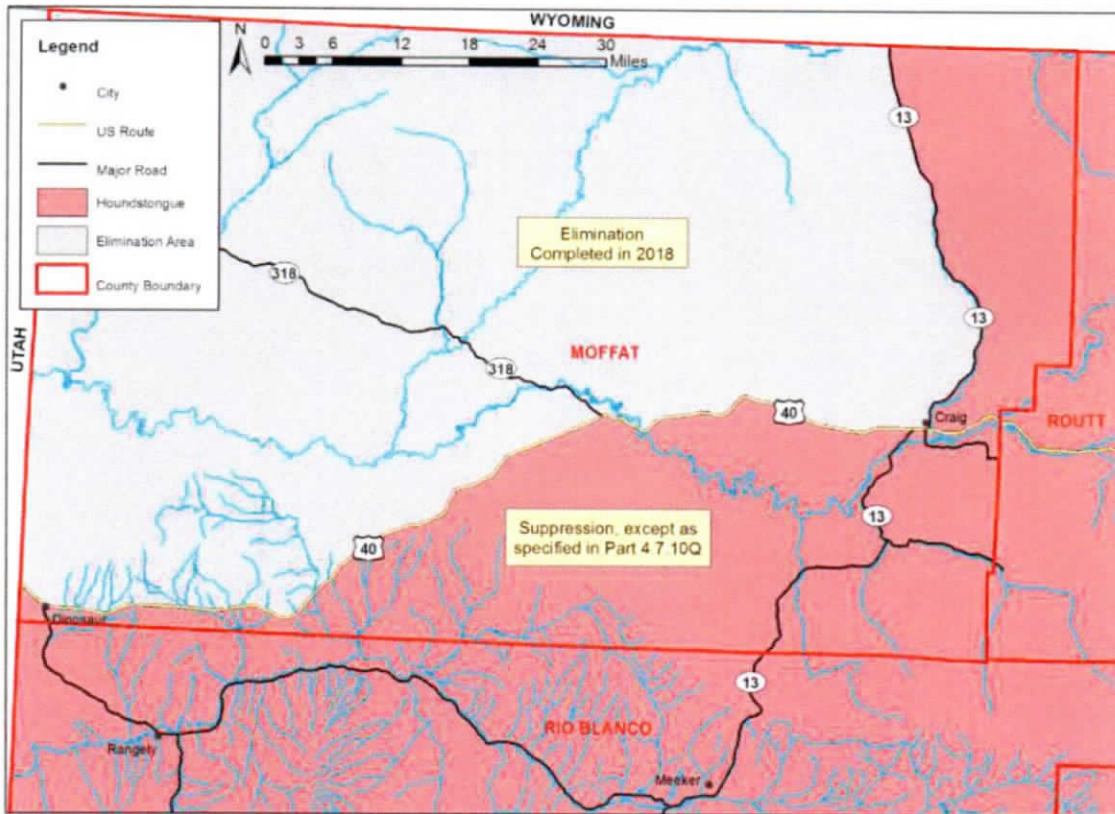
Moffat County



**Houndstongue** (*Cynoglossum officinale*)

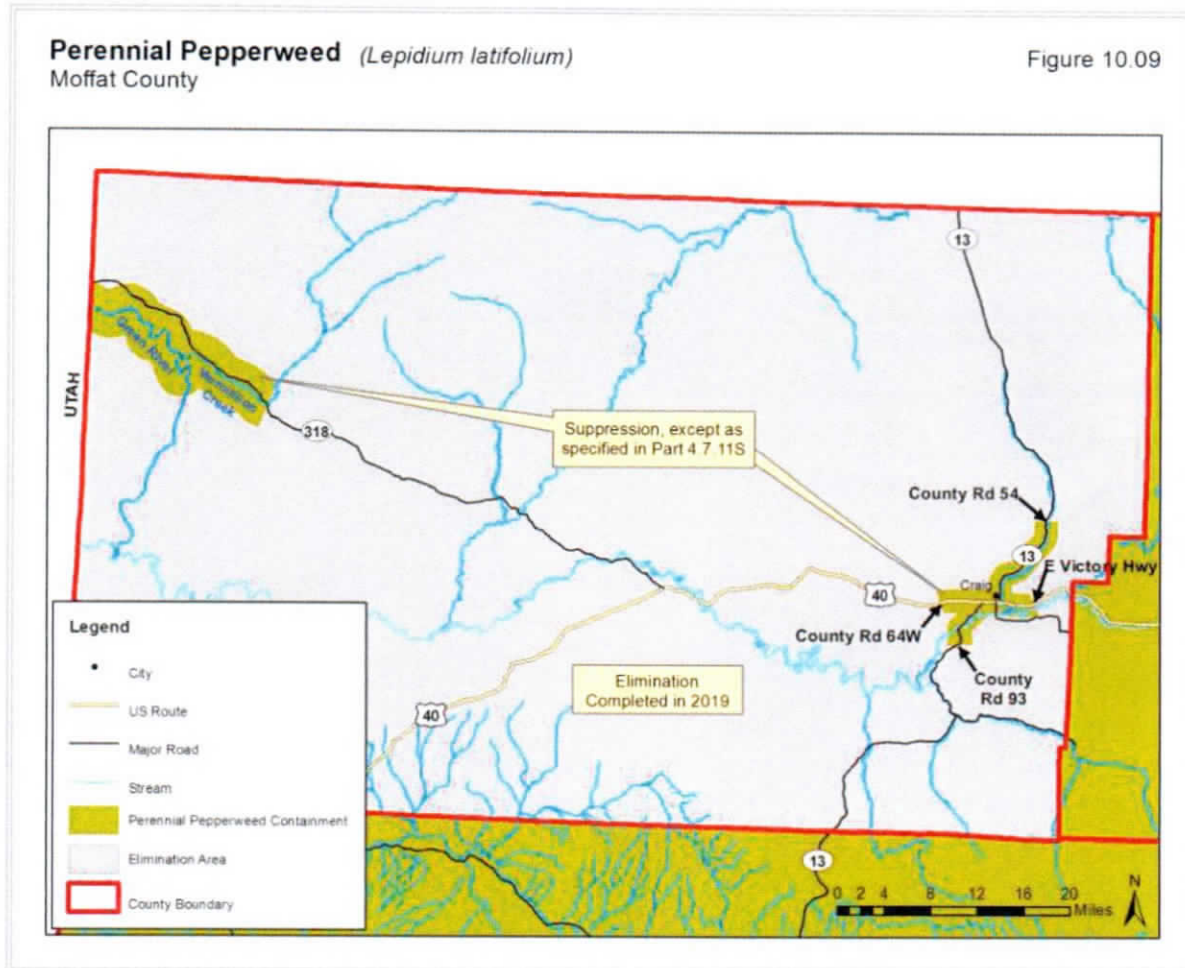
Figure 9.08

Moffat County



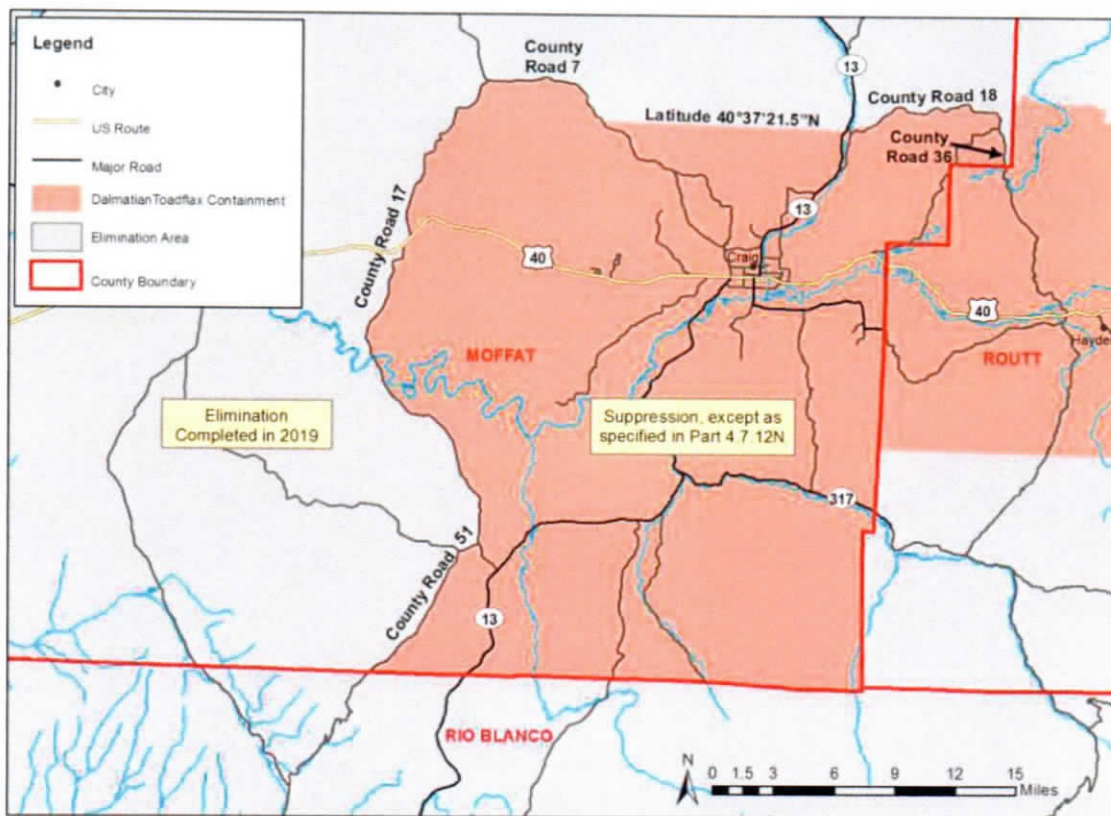
**Perennial Pepperweed** (*Lepidium latifolium*)  
Moffat County

Figure 10.09



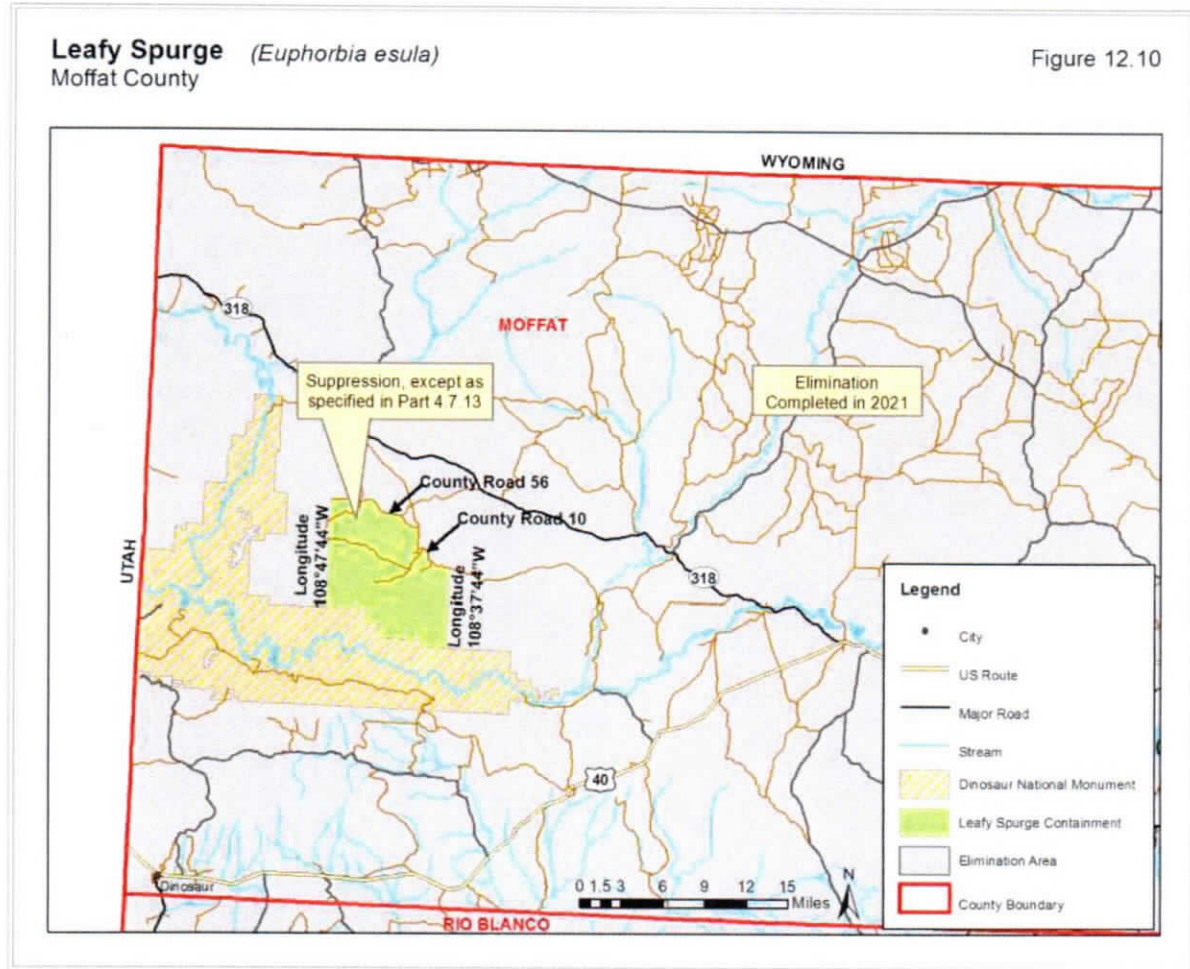
**Dalmatian Toadflax and Yellow x Dalmatian Toadflax Hybrid**  
Moffat County  
(*Linaria dalmatica* and *L. vulgaris* x *L. dalmatica*)

Figure 11.08



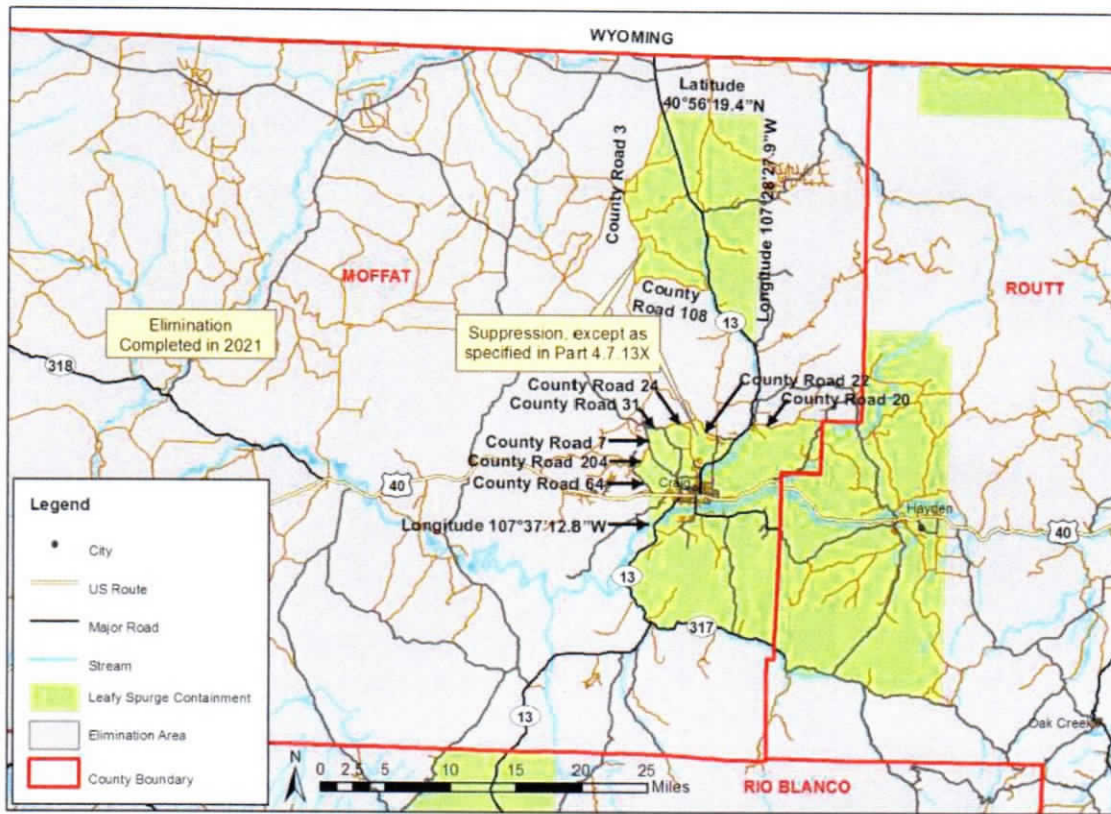
**Leafy Spurge** (*Euphorbia esula*)  
Moffat County

Figure 12.10



**Leafy Spurge** (*Euphorbia esula*)  
Moffat County

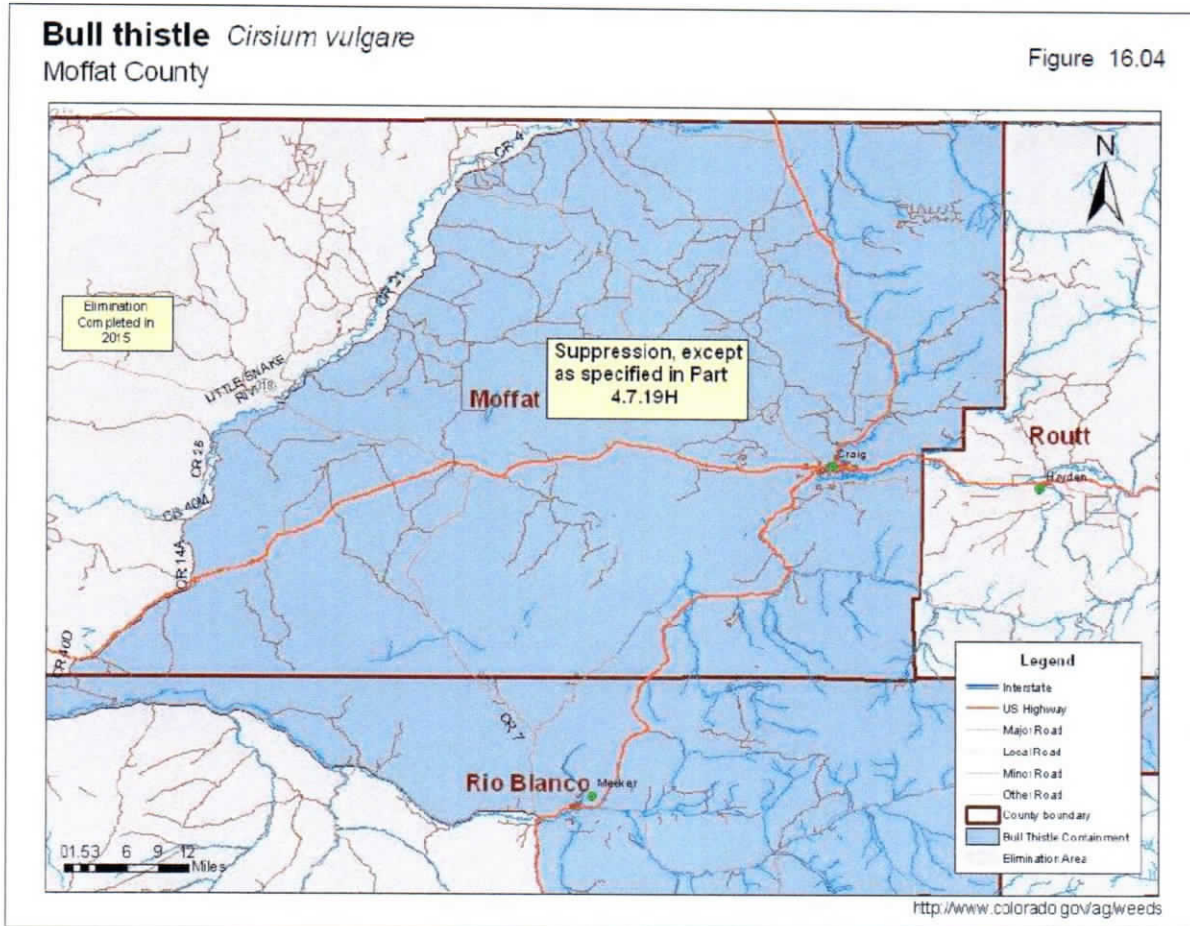
Figure 12.11





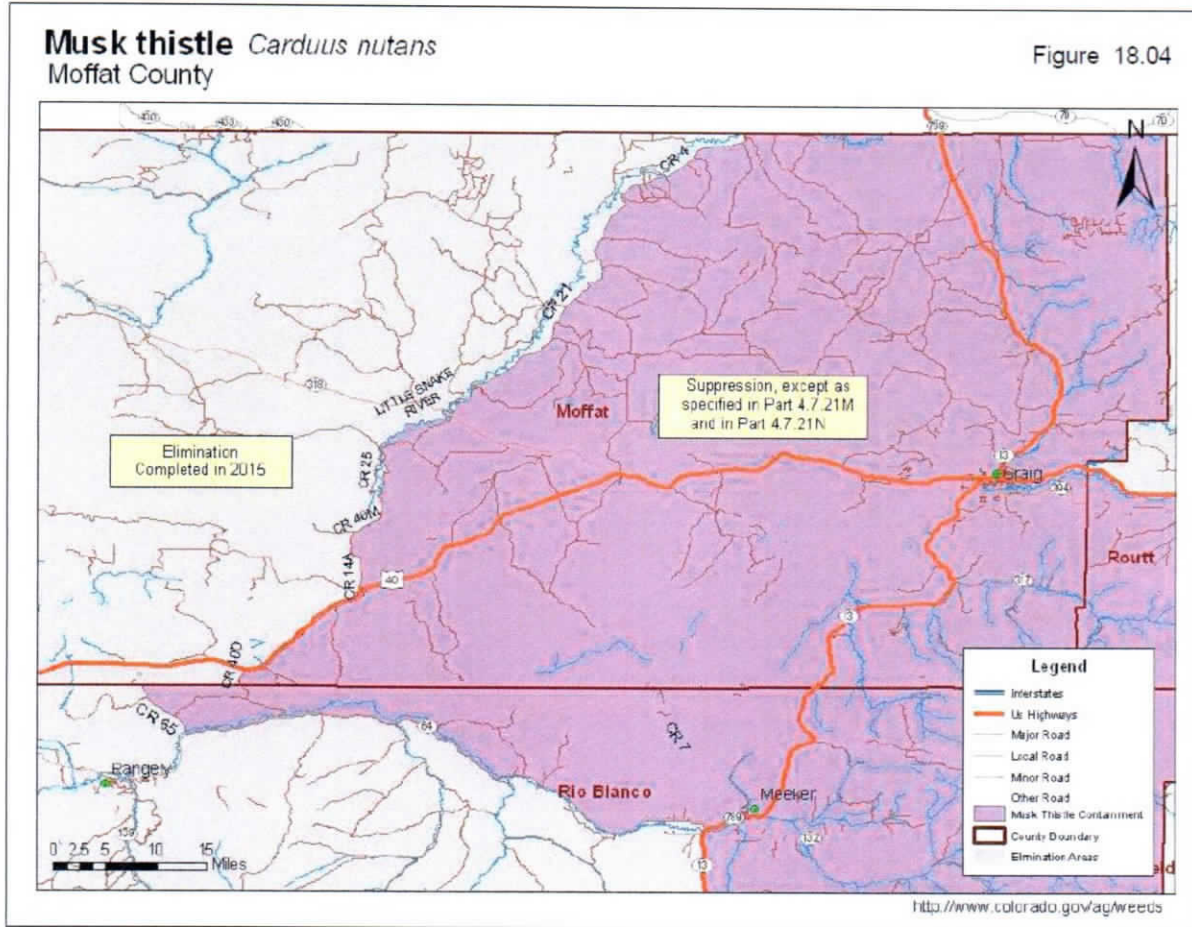
**Bull thistle** *Cirsium vulgare*  
Moffat County

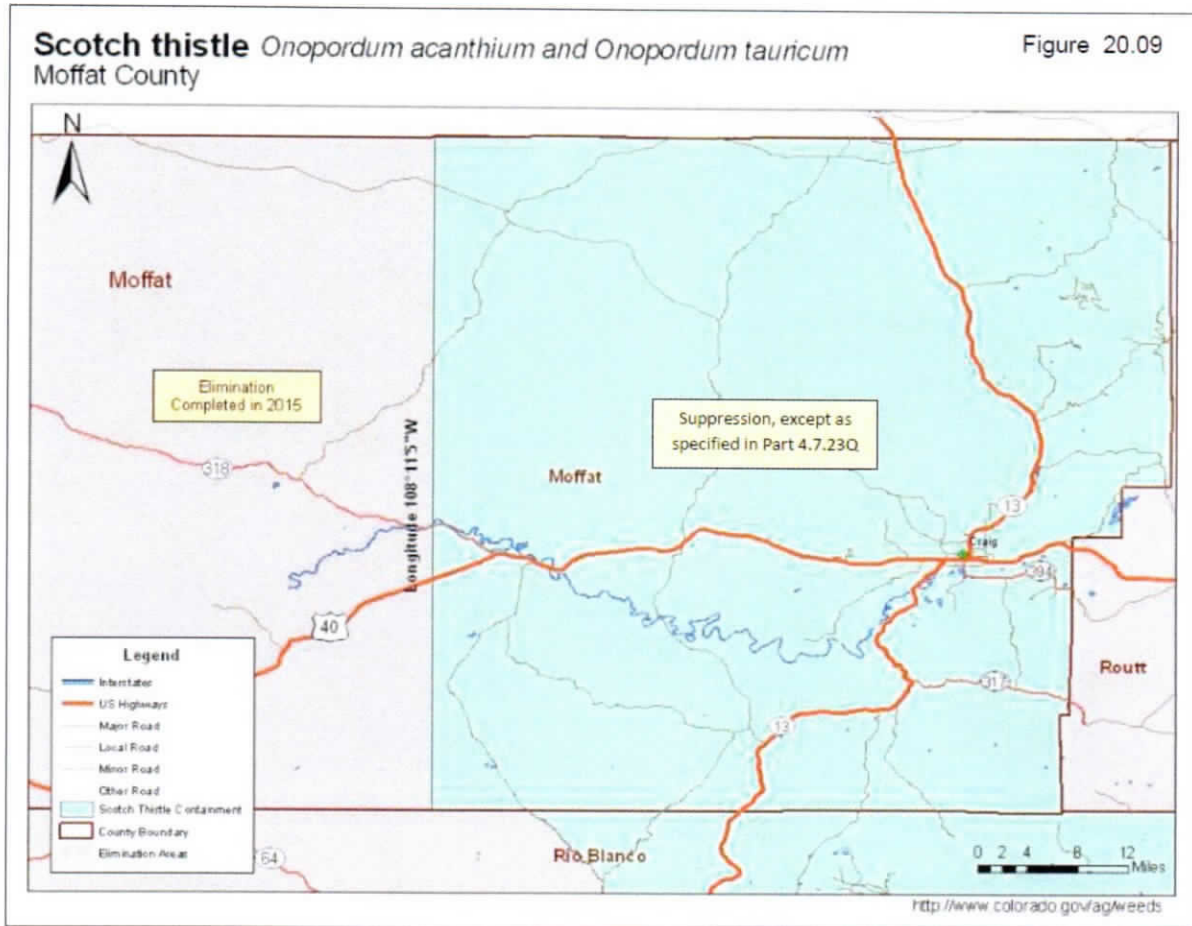
Figure 16.04

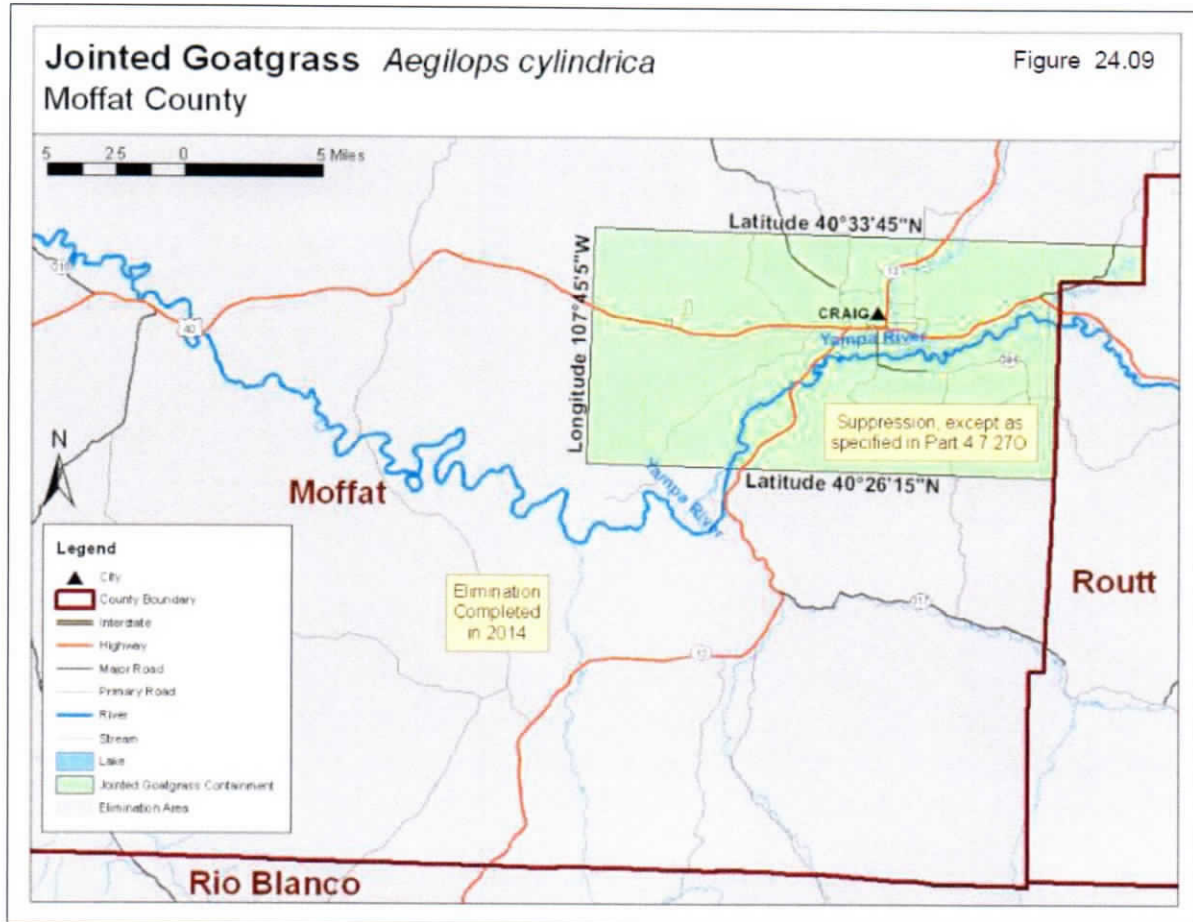


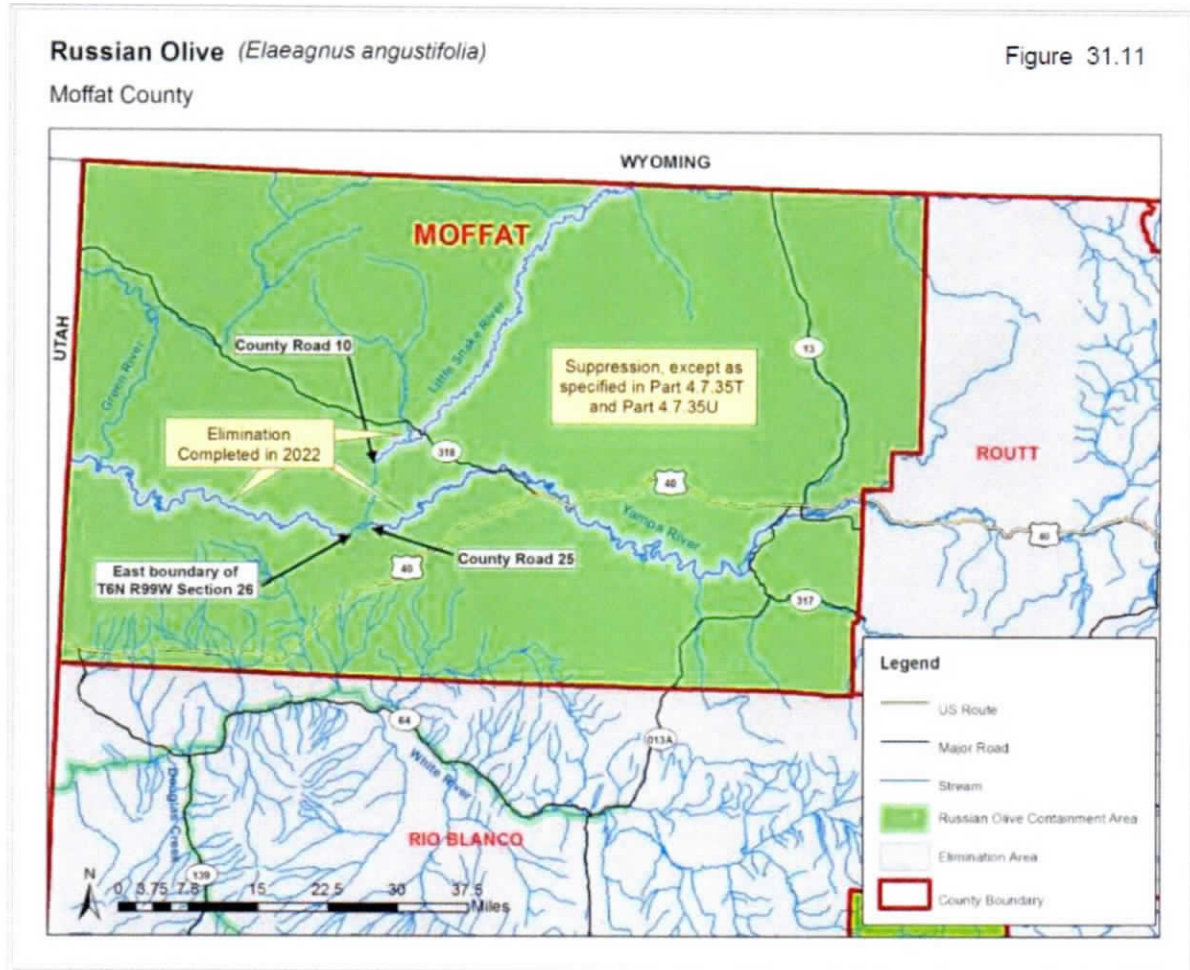
**Musk thistle** *Carduus nutans*  
Moffat County

Figure 18.04









Appendix 7: Moffat County Noxious Weed Management Plan  
Acceptable Integrated Treatment Methods

State List	Common Name (Scientific Name)	Lifecycle	Chemical	Herbivory		Mechanical		
			Herbicide	Grazing	Biological	Pulling	Mow / Top Removal	Tilling
B	Black Henbane ( <i>Hyoscyamus niger</i> )	Biennial	X			X	X	X
B	Bull thistle ( <i>Cirsium vulgare</i> )	Biennial	X			X	X	X
B	Canada thistle ( <i>Cirsium arvense</i> )	Perennial	X		X			
B	Dalmatian toadflax ( <i>Linaria dalmatica</i> )	Perennial	X		X			
B	Hoary cress ( <i>Cardaria draba</i> )	Perennial	X				X**	
B	Houndstongue ( <i>Cynoglossum officinale</i> )	Biennial	X			X	X	X
B	Jointed goatgrass ( <i>Aegilops cylindrica</i> )	Annual	X			X	X	X
B	Leafy Spurge ( <i>Euphorbia esula</i> )	Perennial	X	X	X	X*		
B	Musk thistle ( <i>Carduus nutans</i> )	Biennial	X		X	X	X	X
B	Oxeye daisy ( <i>Leucanthemum vulgare</i> )	Perennial	X					
B	Perennial pepperweed ( <i>Lepidium latifolium</i> )	Perennial	X					
B	Plumeless thistle ( <i>Carduus acanthoides</i> )	Biennial	X			X	X	X
B	Russian knapweed ( <i>Acroptilon repens</i> )	Perennial	X		X			
B	Russian-olive ( <i>Elaeagnus angustifolia</i> )	Perennial	X					
B	Scotch thistle ( <i>Onopordum acanthium/tauricum</i> )	Biennial	X			X	X	X

\* Hand-pulling of Leafy Spurge is typically not effective; however, this method is recognized as an acceptable method of reducing seed dispersal in areas where pesticides are not an option and where leafy spurge presence is very low, such as in Dinosaur National Monument.

\*\* Mowing must be done repetitively over a long period of time to deplete plant reserves. Works best in combination with chemical methods.