PARK COUNTY LONG-TERM NOXIOUS WEED MANAGEMENT PLAN FOR SUBDIVISIONS AND OTHER REGULATED DEVELOPEMENT
2024

I. PURPOSE:

The purpose of these requirements is to familiarize the person, agency, and/or local government unit hereafter called the Cooperator, with the State of Wyoming's Weed and Pest Control Act of 1973, the Wyoming Weed Management Strategic Plan, and Park County Regulations as well as any legal requirements placed upon the Cooperator by the State of Wyoming Weed Control Act, Wyoming Weed Management Strategic Plan, and Park County Regulations.

A secondary purpose is to allow the Park County Weed and Pest Control District to determine if a potential noxious weed problem exists in an area to be developed/disturbed and to work with the Cooperator in formulating a Long-Term Noxious Weed Management Plan consistent (and realistic) with the Wyoming Weed and Pest Control Act, Wyoming Weed Management Strategic Plan, and Park County Regulations.

II. DEFINITIONS:

BOARD:	Park County Weed and Pest Control District Board of Directors.
COMMISSIONERS:	Board of Park County Commissioners.
COOPERATOR:	Landowner/Developer or person(s) having legal authority to carry out the requirements of the Long Term Weed Management Plan.
DEVELOPMENT:	All activities involving earth disturbance to improved or unimproved real estate and requiring a permit; the placement, construction, erection, reconstruction, movement, and alteration of structures or buildings; construction of roads, driveways, and parking areas; placement of paved areas; construction of drainage improvements or alterations of the historic flow of drainage patterns and amounts; installation of utilities; division of a parcel of land into two (2) or more parcels where the division is subject to subdivision regulation; any mining or excavation, or drilling operations; and any extension of use of land.

DISTRICT:	Park County Weed and Pest Control District, which is in turn directed by the Park County Weed and Pest Control District Board and managed by a Weed Control Supervisor/Coordinator.
NOXIOUS WEED:	Any non-native plant species established or that may be established in the State and as described in WY§ 11-5-102 (a) (viii)which may render land unfit for agriculture, forestry, livestock, wildlife, or other beneficial uses or that may harm native plant communities and that is designated as a statewide noxious weed by rule of the Wyoming Weed and Pest Control Act Designated List or as a Park County declared noxious weed (WY§11-5-102 (a)(xi) by rule of the Board.
NOXIOUS WEED MANAGEMENT:	The planning and implementation of a coordinated program in order to manage the spread of noxious weeds which may include biological, chemical, cultural, and/or mechanical control methods or a combination thereof.
REVEGETATION:	The act or process of seeding, planting, and/or otherwise reestablishing a cover of beneficial plants which may include the use of recommended plant species, proper methods/timing, fertilization, and the use of certified seed.
PLANNING AND ZONING BOARD:	The Board of Park County Planning and Zoning Commission

III. THE GOALS OF THE PARK COUNTY WEED AND PEST CONTROL DISTRICT:

The District recognizes and complies with the State of Wyoming Weed and Pest Control Act for all of its responsibilities and authority. A copy of this Act can be obtained from the Park County Weed and Pest Control Office.

The goals of the District are threefold:

1) To **manage** the spread of noxious weeds while developing effective long- term integrated weed management programs that implement chemical, cultural, biological, and mechanical weed control techniques.
2) To **increase awareness and knowledge** of the Wyoming Weed and Pest Control Act, noxious weeds and their impacts, and proper integrated weed control techniques.

3) To **build and implement programs** that help promote cooperative efforts between groups, agencies, and individuals.

Methods to obtain these goals revolve around the development of an effective *integrated weed management* program which includes:

- Prevention, detecting, containing, controlling, and wherever possible eradicating infestations.
- Promote management of noxious weeds on lands owned or controlled by public and private entities within the confines of the District.
- Releasing and redistributing approved Biological Control Agents.
- Using and promoting proper chemical, mechanical, and cultural control techniques.
- Revegetation with approved certified seed for effective competition with noxious species
- Providing educational presentations and information.
- Offering programs to help residents in Park County implement integrated noxious weed control programs.

Further information can be obtained from Park County Weed and Pest Control District.

WYOMING WEED & PEST CONTROL ACT DESIGNATED LIST
Designated Noxious Weeds WY §. 11-5-102 (a) (xi)
and
Prohibited Noxious Weeds WY § 11-12-104

2018

State Designated List

(1) Field bindweed (*Convolvulus arvensis)*
(2) Canada thistle *(Cirsium arvense)*
(3) Leafy spurge *(Euphorbia esula)*
(4) Perennial sowthistle *(Sonchus arvensis)*
(5) Quackgrass *(Agropyron repens*)
(6) Hoary cress (whitetop) *(Cardaria draba and Cardaria pubescens)*
(7) Perennial pepperweed (giant whitetop) *(Lepidium latifolium)*
(8) Ox-eye daisy *(Chrysanthemum leucanthemum)*
(9) Skeletonleaf bursage *(Franseria discolor)*
(10) Russian knapweed *(Acroptilon repens)*
(11) Yellow toadflax *(Linaria vulgaris)*
(12) Dalmatian toadflax (*Linaria dalmatica)*
(13) Scotch thistle *(Onopordum acanthium)*
(14) Musk thistle *(Carduus nutans)*
(15) Common burdock *(Arctium minus)*
(16) Plumeless thistle *(Carduus acanthoides)*
(17) Dyers woad *(Isatis tinctoria)*
(18) Houndstongue *(Cynoglossum officinale)*
(19) Spotted knapweed *(Centaurea maculosa)*
(20) Diffuse knapweed *(Centaurea diffusa)*
(21) Purple loosestrife *(Lythrum salicaria)*
(22) Saltcedar *(Tamarix spp.)*
(23) Common St. Johnswort *(Hypericum perforatum)*
(24) Common Tansy *(Tanacetum vulgare)*
(25) Russian olive *(Elaeagnus angustifolia)*
(26) Black Henbane *(Hyoscyamus Niger)*
(27) Common Mullein *(Verbascum thapsus)*
(28) Yellow starthistle *(Centaurea solstitialis)*
(29) Ventenata *(Ventenata dubia)*
(30) Medusahead rye *(Taeniatherum caput-medusae)*
(31) Palmer amaranth *(Amaranthus palmeri)*

Park County Declared List

(1) Baby's Breath (*Gypsophila paniculata)*
(2) Blue mustard (Chorispora tenella)
(3) Bull thistle (*Cirsium vulgare*)
(4) Chicory (*Cichorium intybus*)
(5) Dame's rocket *(Hesperis matronalis)*
(6) Duncecap larkspur *(Delphinium occidentale)*
(7) Emerald Ash borer *(Agrilus planipennis)*Pest species
(8) Hoary Alyssum (*Berteroa incana)*
(9) Lanceleaf Sage (*Salvia reflexa*)
(10) Plains larkspur/Geyer larkspur *(Delphinium geyeri)*
(11) Redstem filaree (*Erodium cicutarium*)
(12) Showy Milkweed (*Asclepias speciosa*)
(13) Sulphur cinquefoil *(Potentilla recta)*
(14) White Campion (*Silene latifolia***)**
(15) Wild four o'clock (*Mirabilis nyctaginea*)
(16) Wild licorice Glycyrrhiza lepidota
(17) Grass thrips *Anaphothrips obscurus*

IV. REQUIREMENTS MANDATED BY STATE LAW:

WY § 11-5-109. Inspection of land; remedial requirements; cost to landowner.

(a) Whenever the district board has probable cause to believe that there exists land infested by weeds or pests which are liable to spread and contribute to the injury or detriment of others, it shall make or have made an investigation of the suspected premises through the use of lawful entry procedures. The designated representative of the district board, after giving the landowner written notice, may go upon premises within the district, through the use of lawful entry procedures, without interference or obstruction for purposes of making a reasonable investigation of the infested area. Notice is deemed to have been given if it is deposited in a United States post office by certified mail with sufficient postage, addressed to the last known address of the landowner at least five (5) days before entry.

(b) If the suspected area is found to be infested, the district board, by resolution adopted by two-thirds (2/3) of its members, shall confirm such fact. The district board may set forth minimum remedial requirements for control of the infested area.

(c) The district board shall deliver, by certified mail, to the address of the landowner appearing on the most recent tax roles of the district:
   (i) A copy of the resolution;
   (ii) A statement of the cost of fulfilling the requirements; and
   (iii) A request that the requirements contained in the resolution be carried out at the owner's expense within a designated period of time or on a cooperative basis.

(d) At the request of the landowner, the district board shall hold a hearing in accordance with the Wyoming Administrative Procedure Act.

(e) A landowner who is responsible for an infestation and fails or refuses to perform the remedial requirements for the control of the weed or pest on the infested area within the time designated may be fined not more than fifty dollars ($50.00) per day for each day of violation and not more than a total of two thousand five hundred dollars ($2,500.00) per year as determined by the court. Any person accused under this act is entitled to a trial by jury. The accumulated fines under this section are a lien against the property of the landowner from the day notice is delivered to the landowner by the district board. All fines shall be deposited with the county treasurer and credited to the county school fund.

V. SUBDIVISION AND/OR OTHER DEVELOPMENT PLANNING REQUIREMENTS OF THE PARK COUNTY WEED AND PEST CONTROL DISTRICT:

NOTE: Long Term Noxious Weed Management Plans are reviewed, approved and/or disapproved by the Park County Weed and Pest Control District. Submit completed Long Term Noxious Weed Management Plans for review, at least 30 days prior to the Weed Control Board monthly meeting. The Weed and Pest Control Board monthly meeting is scheduled on the last Tuesday of each month.

1) **Requirements for Subdivision and/or other Development.**

(a) Prior to approval of final plat, site plan review, or special use permit, a Long-Term Noxious Weed Management must be completed by the Cooperator and submitted to the Park County Weed and Pest Control District Office. This plan must specify the methods to be used for:

(1) Control of current noxious weed infestations
(2) The revegetation of all disturbed soil with a suitable certified perennial grass mixture to compete with noxious weeds
(3) The revegetation of all disturbed lands with certified perennial grasses and shrub species, with consideration being given for both the competitiveness of the grasses and their ability to withstand herbicidal treatments
(4) Acknowledging the responsibility of all landowners (current and future) to control and prevent the spread of noxious weeds from their property to the detriment of others
(5) Annual inspection of the subdivision by Park County Weed and Pest Control District Official for a period of up to five years
(6) Annual submittal to the Planning Coordinator of the approved weed inspection report signed by a Park County Weed and Pest District official for a period of up to five years

This plan is subject to approval by the Board, which may require revisions to bring the plan into compliance with the State's and District's Noxious Weed lists and the Wyoming Weed and Pest Control Act. This plan also indicates that the cooperator is familiar with the relevant sections of the Wyoming Weed and Pest Control Act, Wyoming Weed Management Strategic Plan and Park County Regulations.

A Long-Term Noxious Weed Management Plan Template accompanies this document. Please include a copy of the subdivision plat or other relevant maps when submitting the Long-Term Noxious Weed Management Plan to the Park County Weed and Pest Control District Office.

(b) Prior to final approval a Memoranda of Understanding (included) must be entered into by the District and the Cooperator indicating that the Cooperator has been informed of and is in compliance with:

(1) The Long Term Noxious Weed Management Plan submitted by the Cooperator
(2) The Wyoming Weed and Pest Control Act
(3) Park County Regulations

(c) With submittal of the Memoranda of Understanding include:

(1) Copy of the subdivision covenants (if applicable) regarding noxious weed management (see Section VI, 2, of this document for covenant requirements).

(2) Documentation that the Long Term Noxious Weed Management Plan has been implemented. Documentation should include date(s) when weed control and/or revegetation methods listed in the Long-Term Noxious Weed Management Plan were completed. If applicable, provide name(s) of contractors who completed the work.

2) Noxious Weed Requirements for Subdivision Covenants

In order to comply with the Long-Term Noxious Weed Management Plan, the Park County Weed and Pest Control District requires that the following items be addressed in the covenants of each subdivision within Park County relating to noxious weeds. ***Please attach that portion of the Covenants pertaining to noxious weed control.***

(a) Landowners are responsible for the control of noxious weeds on their own individual lots as stated in the Wyoming Weed and Pest Control Act. If a Home Owners Association exists, then this may be the responsibility of that Home Owners Association if spelled out specifically in that document. Should the Home Owners Association disband, the individual land owners will then be responsible.

(b) The Home Owners Association* is responsible for noxious weed control in all parks, open spaces, community areas, trails and roadways, as well as any unsold lots within the subdivision. Each landowner is then responsible for the subdivision roadway adjoining their property. The Home Owners Association will also act as the contact point for any noxious weed complaints within the subdivision.

If there is no Home Owners Association then the Cooperator or Landowners as a whole are responsible for noxious weed control in the parks, open spaces, community areas, trails and roadways in addition to any ***unsold*** *lots.*

(c) No owner or occupant shall allow or permit any noxious weeds to grow or ripen upon any lot. Each owner agrees to comply with the weed management plan required by Park County Weed and Pest Control for property located in this subdivision. A copy of this plan may be obtained from the "Developer/Cooperator", Park County Weed and Pest Control District, or from the Park County Clerk. ***Any noxious weeds growing or ripening on any unsold lots and/or adjacent roadways (private subdivision) will be the responsibility of the Developer/Cooperator.***

*(Note: Home Owners Association refers to the subdivisions Homeowner, Business, Property Association, etc. as named in the subdivisions covenants or recorded on the plat.)

Example: Covenants are as follows:

"The control of noxious weeds by the Home Owners Association on those areas for which the Home Owners Association is responsible and the control of state designated and county declared noxious weeds by individual owners on their respective lots shall be as set forth and specified under the Wyoming Weed and Pest Control Act and the rules and regulations of the Park County Subdivision Regulations. The landowner shall be responsible for the control of the state designated and county declared noxious weeds on his or her own lot. Both unimproved and improved lots shall be managed for noxious weeds. In the event a landowner does not control the noxious weeds, after 10 days notice from the Home Owners Association, the Home Owners Association may cause the noxious weeds to be controlled. The cost and expense associated with such weed management shall be collected as allowed by Wyoming state law (W.S. 11-05-109). The Home Owners Association is responsible for control of state and county declared noxious weeds in the subdivision's parks, open spaces, community areas, trails, and roadways."

It is also recommended that a statement regarding nuisance weed species are addressed in any covenants that might be developed for the subdivision or property.