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States' Noxious Weed Statutes and Regulations: *Colorado*



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Colorado Revised Statutes
Title 35. Agriculture
Article 35.5 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".

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 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)

(1) 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) 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:

(1) 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.

§ 35-5.5-116. 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.

Code of Colorado Regulations

Department of Agriculture

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.

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 one or more plants of a noxious weed species.

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 (*Fallopia japonica*) [Rule 3.6.20.]
Giant knotweed (*Fallopia sachalinense*) [Rule 3.6.21.]
Bohemian knotweed (*Fallopia x bohemicum*) [Rule 3.6.22.]
Meadow knapweed (*Centaurea x moncktonii*) [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]

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:

3.4.1. The plants of every population of List A species must be eliminated prior to seed development.

3.4.2. 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.

3.4.3. 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:

3.4.3.1. High intensity burning in a controlled environment that completely destroys seed viability;

3.4.3.2. Removal of plant materials to a solid waste landfill which covers refuse daily with six inches of soil or alternative material; or

3.4.3.3. 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 in a form prescribed by the Commissioner, pertinent to each population including, but not limited to:

3.5.1. Species name

3.5.2. Population location(s) including distribution and measure of abundance (e.g., percent cover, total number of plants, density per unit area)

3.5.3. 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:

3.6.1.1. 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.

3.6.1.2. 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.

3.6.1.3. 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:

3.6.2.1. 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.

3.6.2.2. 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.

3.6.2.3. 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:

3.6.3.1. 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.

3.6.3.2. 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.

3.6.3.3. 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:

3.6.4.1. 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.

3.6.4.2. 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.

3.6.4.3. 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:

3.6.5.1. 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.

3.6.5.2. 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.

3.6.5.3. 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:

3.6.6.1. 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.

3.6.6.2. 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.

3.6.6.3. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.

3.6.6.4. 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:

3.6.7.1. 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.



3.6.7.2. 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.

3.6.7.3. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered reproductive propagules.

3.6.7.4. Seed longevity is unknown.

3.6.8. Meadow knapweed (*Centaurea x moncktonii*). 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:

3.6.8.1. 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.

3.6.8.2. 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.

3.6.8.3. 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:

3.6.9.1. 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.

3.6.9.2. 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.

3.6.9.3. 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:

3.6.10.1. 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.

3.6.10.2. 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.

3.6.10.3. 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:

3.6.11.1. 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.

3.6.11.2. 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.

3.6.11.3. 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:

3.6.12.1. The prescribed integrated management techniques are limited to the use of herbicides approved by the Commissioner.

3.6.12.2. 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.

3.6.12.3. 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:

3.6.13.1. 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.

3.6.13.2. 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.

3.6.13.3. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.

3.6.13.4. 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:

3.6.14.1. 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.

3.6.14.2. 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.

3.6.14.3. 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:

3.6.15.1. 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.

3.6.15.2. 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.

3.6.15.3. 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:

3.6.16.1. 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.

3.6.16.2. 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.

3.6.16.3. 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:

3.6.17.1. 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.



3.6.17.2. 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.

3.6.17.3. 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:

3.6.18.1. 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.

3.6.18.2. 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.

3.6.18.3. 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.

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:

3.6.19.1. 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.

3.6.19.2. 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.

3.6.19.3. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.

3.6.19.4. 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.

3.6.20. Japanese knotweed (*Fallopia japonica*). 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:

3.6.20.1. 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.

3.6.20.2. 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.

3.6.20.3. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.

3.6.20.4. 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.

3.6.21. Giant knotweed (*Fallopia 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:

3.6.21.1. 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.

3.6.21.2. 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.

3.6.21.3. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.

3.6.21.4. 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.

3.6.22. Bohemian knotweed (*Fallopia 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:

3.6.22.1. 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.

3.6.22.2. 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.

3.6.22.3. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered plant propagules.



3.6.22.4. 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.

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:

3.6.23.1. 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.

3.6.23.2. 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.

3.6.23.3. 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.

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:

3.6.24.1. 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.

3.6.24.2. 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.

3.6.24.3. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered reproductive propagules.

3.6.24.4. Seed longevity is unknown. Reproduction by seed is rare; most plants are sterile. 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 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:

3.6.25.1. 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.

3.6.25.2. 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.

3.6.25.3. Any efforts to physically remove plants must prevent fragmentation as stem fragments are considered reproductive propagules.

3.6.25.4. 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 ten 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 4.8.1.]
Black henbane (*Hyoscyamus niger*) [Rule 4.8.6.]
Bouncingbet (*Saponaria officinalis*) [Rule 4.8.29.]
Bull thistle (*Cirsium vulgare*) [Rule 4.8.19.]
Canada thistle (*Cirsium arvense*) [Rule 4.8.34.]
Chinese clematis (*Clematis orientalis*) [Rule 4.8.2.]
Common tansy (*Tanacetum vulgare*) [Rule 4.8.30.]
Common teasel (*Dipsacus fullonum*) [Rule 4.8.24.]
Cutleaf teasel (*Dipsacus laciniatus*) [Rule 4.8.25.]
Dalmatian toadflax, broad-leaved (*Linaria dalmatica*) [Rule 4.8.12.]
Dalmatian toadflax, narrow-leaved (*Linaria genistifolia*) [Rule 4.8.12.]
Dame's rocket (*Hesperis matronalis*) [Rule 4.8.26.]
Diffuse knapweed (*Centaurea diffusa*) [Rule 4.8.7.]
Eurasian watermilfoil (*Myriophyllum spicatum*) [Rule 4.8.20.]
Hoary cress (*Lepidium draba*) [Rule 4.8.16.]
Houndstongue (*Cynoglossum officinale*) [Rule 4.8.10.]
Jointed goatgrass (*Aegilops cylindrica*) [Rule 4.8.27.]
Leafy spurge (*Euphorbia esula*) [Rule 4.8.13.]
Mayweed/stinking chamomile (*Anthemis cotula*) [Rule 4.8.22.]
Moth mullein (*Verbascum blattaria*) [Rule 4.8.28.]
Musk thistle (*Carduus nutans*) [Rule 4.8.21.]
Oxeye daisy (*Leucanthemum vulgare*) [Rule 4.8.8.]
Perennial pepperweed (*Lepidium latifolium*) [Rule 4.8.11.]
Plumeless thistle (*Carduus acanthoides*) [Rule 4.8.3.]
Russian knapweed (*Rhaponticum repens*) [Rule 4.8.17.]
Russian-olive (*Elaeagnus angustifolia*) [Rule 4.8.35.]
Salt cedar (*Tamarix chinensis* and *T. ramosissima*) [Rule 4.8.5.]
Scentless chamomile (*Tripleurospermum inodorum*) [Rule 4.8.22.]



Scotch thistle (*Onopordum acanthium*) [Rule 4.8.23.]
Scotch thistle (*Onopordum tauricum*) [Rule 4.8.23.]
Spotted knapweed (*Centaurea stoebe* ssp. *micranthos*) [Rule 4.8.4.]
Spotted x diffuse knapweed hybrid (*Centaurea x psammogena*) [Rule 4.8.4.] Sulfur cinquefoil (*Potentilla recta*) [Rule 4.8.18.]
Wild caraway (*Carum carvi*) [Rule 4.8.31.]
Yellow nutsedge (*Cyperus esculentus*) [Rule 4.8.32.]
Yellow toadflax (*Linaria vulgaris*) [Rule 4.8.9.]
Yellow x Dalmatian toadflax hybrid (*Linaria vulgaris* x *L. dalmatica*) [Rule 4.8.12.]⁴

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. In addition, the Commissioner gathers data on List B species on a rotation schedule to determine and develop subsequent management plans as set forth in Part 4.3.

4.3. Local governing bodies and other interested parties should, to the maximum extent possible, report the distribution and abundance of common teasel, cutleaf teasel, yellow toadflax, Dalmatian toadflax, and yellow x Dalmatian toadflax hybrid in a form prescribed by the Commissioner. 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 2022 designed to stop the continued spread of these species.

4.3.1. For any local governing body reporting a population of the species named in Part 4.3 above, that local governing body should, to the maximum extent possible and within one year of detection of the species, provide to the State Weed Coordinator accurate geo- referenced mapping data pertinent to the distribution and abundance of such List B species in a form prescribed by the Commissioner, including but not limited to:

4.3.1.1. Species name

4.3.1.2. Population location(s) including distribution and a measure of abundance (e.g., percent cover, total number of plants, density per unit area)

4.3.1.3. Estimated infested acreage

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 4.8.1- 4.8.35) 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 4.8.1 - 4.8.35) to achieve the following objectives:



4.5.1. The plants of every population of List B species designated for elimination must be eliminated prior to seed development in the year specified.

4.5.2. 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.

4.5.3. 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.

4.5.4. 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:

4.5.4.1. High intensity burning in a controlled environment that completely destroys seed viability;

4.5.4.2. Removal of plant materials to a solid waste landfill which covers refuse daily with six inches of soil or alternative material; or

4.5.4.3. Any other method approved by the Commissioner.

4.6 All List B populations that are located within an entity's jurisdiction or control and that are located within any boundary described in Part 4.8 below, from the center of any river or perennial or intermittent stream 100 feet beyond the ordinary high-water mark on both banks, and that are within one-quarter mile of the downstream boundary of this area, must be:

4.6.1 Treated to meet or exceed the treatment requirements for the area immediately downstream by 2022, and each year thereafter, except as noted below;

4.6.2 Where a river passes through one county to another county, treated to meet or exceed the higher treatment requirement of the two counties by 2022, and each year thereafter; or

4.6.3 For the main stem of the South Platte River where it forms the boundary between Douglas and Jefferson Counties; the main stem of the Rio Grande River where it forms the boundary between Conejos and Costilla Counties; the main stem of the Fryingpan River where it forms the boundary between Eagle and Pitkin Counties; or the main stem of the Arkansas River where it forms the boundary between Crowley and Otero Counties, eliminated on both banks from the center of the main stem river to 100 feet beyond the ordinary high water mark by 2022 and each year thereafter.



4.7 All List B populations on public land within an entity's jurisdiction or control must be eliminated prior to seed development and on an annual basis when those populations are located within 15 feet from the edge of any public roads, public highways, public rights-of-way, and any easements appurtenant thereto.

4.8. State Noxious Weed Management Plans for List B Noxious Weed Species

4.8.1. 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:

4.8.1.1. Except as noted below, elimination of all populations is required prior to seed development in 2030 and each year thereafter in all Colorado counties.

4.8.1.2. For Gunnison County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T50N R1E to R1W and T49N R1W. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the areas described above, suppression is the specified state management objective.

4.8.1.3. For Larimer County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T6N R68W Sec 19 and 30 and T6N R69W Sec 24 and 25. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.1.4. 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.

4.8.1.5. 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.

4.8.1.6. 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.

4.8.2. 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:

4.8.2.1. Except as noted below, elimination of all populations is required prior to seed development in 2030 and each year thereafter in all Colorado counties.



4.8.2.2. For Adams County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated to the north, west, and south by Adams County line and to the east by the eastern boundary of T3S R67W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.2.3. For Arapahoe County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated to the north and west by the Arapahoe County line and to the south and east by the southern and eastern boundary of T4S R67W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.2.4. For Clear Creek County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T3S R73W to R74W and T4S R72W to R74W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.2.5. For Denver County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T3S R67W to R68W and T4S R67W to R68W up to the northern, western, southern, and eastern Denver County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.2.6. For Jefferson County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T3S R69W to R71W and T4S R69W to R71W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.2.7. For Garfield County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T5S R90W to R92W Sec 25 to 36, T6S R91W to R92W Sec 1 to 12, and T6S R93W Sec 1 to 3 and 10 to 12. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.2.8. For Gilpin County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated to the north by the northern boundary of T3S R72W to R73W and to the south, west, and east by the southern and eastern Gilpin county line. Except as otherwise specified in Parts 4.6 and 4.7, for all



land within the area described above, suppression is the specified state management objective.

4.8.2.9. The Commissioner may determine that some populations in Clear Creek and Jefferson Counties 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 if the Commissioner grants a waiver consistent with Part 7 of these Rules.

4.8.2.10. 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.

4.8.2.11. 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.

4.8.2.12. 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.

4.8.3. 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:

4.8.3.1. Except as noted below, elimination of all populations is required prior to seed development in 2018 and each year thereafter in all Colorado counties.

4.8.3.2. For Eagle County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated to the north by the northern boundary of T6S R83W to R87W; to the west and south by the western and southern Eagle County line; and to the east by the eastern Roaring Fork Hydrologic Unit Code 8-digit Subbasin boundary, the eastern boundary of T7S R83W Sec 1, 2, and 12, and the eastern boundary of T6S R83W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.3.3. For Garfield County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as: (Area 1) the northwestern Roaring Fork Hydrologic Unit Code 8-Digit Subbasin boundary and the southern and eastern Garfield County line; and (Area 2) T7S R93W to R95W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.3.4. For Gunnison County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as the northern and eastern Gunnison County line and the Roaring Fork Hydrologic Unit Code 8-Digit Subbasin boundary. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.3.5. For Pitkin County, elimination of all populations is required prior to seed development in 2030 and each year for all land outside an area demarcates as the norther, western, southern and eastern Pitkin County line, and the eastern Roaring Fork Hydrologic Unit Code-8 Subbasin boundary. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.3.6. 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.

4.8.3.7. 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.

4.8.3.8. 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.

4.8.4. Spotted knapweed (*Centaurea stoebe* L. ssp *micranthos*) and Spotted x diffuse knapweed hybrid (*Centaurea x psammogena*). 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:

4.8.4.1. Except as noted below, elimination of all populations is required prior to seed development in 2028 and each year thereafter in all Colorado counties.

4.8.4.2. For Archuleta County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated to the north by the northern boundary of T36N R2, T37N R2W, and T36N R3W to R4W up to the northern Archuleta County line and the northern boundary of T35N R5W to R6W; to the west by the western Archuleta County line and the western boundary of T34N to T33N R5W; to the south by the southern boundary of T34N R4 to R5W T33N R5W, T34 R4W, T34N R3W, T36N R2W, and T36N R2W; and to the east by the eastern boundary of T33N R5W, T34N R4W, T34N to T35N R3W, and T36N R2W. Except as otherwise specified in Parts 4.6 to 4.7, for all



land within the area described above, suppression is the specified state management objective.

4.8.4.3. For Boulder County, elimination of all populations is required prior to seed development in 2028 for all land outside an area demarcated as T3N R71W, T2N R71W to R72W, T1N R71W to R72W, and T1S R71W to R73W to the southern Boulder County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.4.4. For Chaffee County, elimination of all populations is required prior to seed development in 2028 for all land outside an area demarcated as T12S to T15S R79W, T51N R7E, T13S to T15S R78w, T51N R8E, T50N R8E to T48N R83, T13s R77W, and T49N R8E to R9E to the southern and eastern Chaffee County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.4.5. For Clear Creek County, elimination of all populations is required prior to seed development in 2028 for all land outside an area demarcated as the northern and eastern Clear Creek County line, and the entirety of T3S to T4S R73W, and T4S to T5S R72W. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective..

4.8.4.6. For Custer County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T24S R27W. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.4.7. For Dolores County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T39N R14W to the southern Dolores County line. Except as otherwise specified in Parts 4.6 and 4.7,



for all lands within the area described above, suppression is the specified state management objective.

4.8.4.8. For Douglas County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T7S to T10S R66W and T9S to T10S R65W to the eastern Douglas County line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.4.9. For Elbert County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T9S to T10S R65W to the western Elbert County line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.4.10. For El Paso County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T11S R65W to R66W, T12S R65W to R67W, T13S R64W to R67W, T14S R66W to R67W, and T15S R65W to T66W. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.4.11. For Fremont County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T48N to T49N R9E to the western Fremont County line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.4.12. For Garfield County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) T3S R92W to R93W; (Area 2) T8S R92W to R95W to the southern Garfield County line; and (Area 3) T7S R99W to R101W and T8S R99W to R100W to the southern Garfield County line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.4.13. For Gilpin County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T1S R72W to R73W, T2S R72W to R73W, and T3S R72W to R73W to the northern, southern, and eastern Gilpin County line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.



4.8.4.14. For Hinsdale County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T37N R3W. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.4.15. For Jackson County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T11N to T12N R82W. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.4.16. For Jefferson County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T4S R70W to T8S R70W to the southwestern Jefferson County line; T4S R71W to T7S R71W; and T4S to T7S R72W to the western Jefferson County line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.4.17. For La Plata County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) to the north by the northern boundary of T36N R11W; to the west by the western La Plata County line and the western boundary of T33N R13W; to the south by the southern boundary of T33N R12W to R13W; and to the east by the eastern boundary of T33N to T34N R12W and T34N to T36N R11; and (Area 2) T34N to T37N R6W to the eastern La Plata County line. Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.4.18. For Larimer County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated to the north by the northern boundary of T11N R70W to R73W; to the west by the western boundary of T4N to T5N R73W, T6N to T7N R72W, and T8N to T11N R73W; to the south by the southern Larimer County line and the southern boundary of T5N R70W, T7N R69W, and T9N R68W; and to the east by the eastern boundary of T4N R71W, T5N to T6N R70W, T7N to T8N R69W, T9N R68W, and T10N to T11N R70W. Except as otherwise specified in Part 4.6 to 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.4.19. For Mesa County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) T8S R99W to R100W to the northern Mesa County line; (Area 2) T50N R14W to R16W and T49N R15W to R16W to the southern and eastern Mesa County line; and (Area 3) T8S



R92W to R95W up to the northern Mesa County line, T9S R92W to R93W, and T10S R92W to R93W. Except as otherwise specified in Part 4.6 to 4.7, for all land within the area described above, suppression is the specific state management objective.

4.8.4.20. For Mineral County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T37N R2W. Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specific state management objective.

4.8.4.21. For Montrose County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated to the north by the northern boundary of T49N R14W to R16W to the northern Montrose County line; and the entirety of T48N R13W to R14W, T47N R10W to R14W to the Montrose County line, and T46N R12W to R13W. Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specific state management objective.

4.8.4.22. For Ouray County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T47N R10W to R11W. Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specific state management objective.

4.8.4.23. For Park County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T13S R77W. Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specific state management objective.

4.8.4.24. For Pitkin County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T9S to T10S R88W and T10S R89W. Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specific state management objective.

4.8.4.25. For Rio Blanco County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T1N R89W to R91W, T1S R90W to R92W, and T2S R90W to R93W. Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specific state management objective.

4.8.4.26. For Routt County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land



outside an area demarcated as T10N to T12N R86W. Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specific state management objective.

4.8.4.27. For Saguache County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T48N R9E to R8E, T47N R9E to R8E, and T46N R9E. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above suppression is the specified state management objective.

4.8.4.28. 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.

4.8.4.29. 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.

4.8.4.30. 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.

4.8.5. Salt cedar (*Tamarix chinensis*, 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 to any salt cedar populations: (i) in public open space areas; (ii) within 100 feet of any intermittent or perennial streams, rivers, water conveyance ditches, ponds, lakes and reservoirs, whether natural or man-made; (iii) along and within that corridor; and (iv) any contiguous populations that spread outside of that corridor.

4.8.5.1. Except as notes below, elimination of all populations is required prior to seed development in 2028 and each year thereafter in all Colorado counties.

4.8.5.2. For Bent County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area within one mile of the Arkansas River on both sides from the western Bent County line to the eastern Bent County Line and within one mile of the Purgatoire River both sides from the western Bent County line to the confluence of the Arkansas River. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.5.3. For Crowley County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land



outside an area within one mile of the Arkansas River to the southern Crowley County line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.5.4. For Delta County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T15S R94W to R95W, T15S R96W to R97W, and T4S R3E to T14S R98W up to one half of a mile on the south side of the Gunnison River and within one half of a mile of the Uncompahgre River on both sides to the southern Delta County line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.5.5. For Fremont County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area within one mile of the Arkansas River on both sides from the eastern Fremont County line to the western boundary of T19S R68W. Except as otherwise specified in Parts 4.6 and 4.7 for all land within the areas described above, suppression is the specified state management objective.

4.8.5.6. For Garfield County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area within one half of a mile of the Colorado River from the eastern boundary of T5S R91W and T6S R91W to the southern Garfield County line and within one half of a mile of State Highway 13 on both sides from T5S R93W Sec 6 to the Colorado River. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.5.7. For Gunnison County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T49N R2W to R4W. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.5.8. For Huerfano County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area within one mile of the Huerfano River on both sides from the Huerfano County line to the western boundary of T26S R68W to T27S R68W and within one mile of the Cucharas River on both sides from the Huerfano County line to the western boundary of T28S R66W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.5.9. For Larimer County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land



outside an area demarcated by T9N R68W to R69W, the western boundary of T4N to T9N R69W, the southern boundary of T4N R68W to R69W, and the eastern boundary of T4N to T9N R68W. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.5.10. For Las Animas County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area: (Area 1) within one mile of the Apishapa River on both sides from the Las Animas County line to the western boundary of T30S R64W; and (Area 2) within one mile of the Las Animas River on both sides from the Las Animas County line to the western boundary to T33S R64W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.5.11. For Mesa County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated to the north by the northern boundary of Interstate-70 from the Colorado state line to the eastern boundary of the Town of Palisade, within one half of a mile of the Colorado River both sides to the northern Mesa County line, and to the north by T3S R2E; to the south within one half of a mile of the Colorado River from the Colorado state line and the southern boundary of T1N R3W, T11S R102W, T12S R1010W and T1S R1W, and within one half of a mile of the Gunnison River on both sides to the southern Mesa County line; and to the east by the eastern boundary of T1S R1E Sec 24, 25, and 26, T2S R1E, and T3S R2E; and (Area 2) within one half of a mile of the Dolores River on both sides from the Colorado state line to the southern Mesa County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.5.12. For Moffat County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside the area: (Area 1) within one half of a mile of the Little Snake River on both sides from the Colorado state line to the junction of the Yampa River; T9N R98W Sec 33 to 35 and T8N R98W Sec 2, 11, 14, 23, 26, 35, and 36; within a one half of a mile of the Yampa River on both sides from the eastern boundary of T6N R95W Sec 2 and 11 west to Deerlodge Trailhead at the terminus of State Highway 40M; T8N R96W Sec 26, 27, 34, and 35 and T7N R96W Sec 2, 3, 10, and 11; and (Area 2) T6N R92W to R93W and T5N R92W to R93. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.5.13. For Montezuma County, elimination of all populations is required prior to seed development in 2028 and each year thereafter



for all land outside an area demarcated by the northern boundary of T36N R14W to R15W, T37N R16W to R20W, the western Colorado state line, the southern boundary of T35N R14W to R20W, and the eastern boundary of T35N to T36N R14W and T37N R16W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.5.14. For Montrose County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area: (Area 1) within one half of a mile of the Dolores River on both sides from the northern Montrose County line to the southern Montrose County line and within one half of a mile of the San Miguel River from the confluence with the Dolores River to the eastern and southern boundary of T48N R17W Sec 4; and (Area 2) within one half of a mile of the Uncompahgre River on both sides from the northern Montrose County line to the southern boundary of T49N R9W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.5.15. For Otero County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area: (Area 1) within one mile of the Arkansas River on both sides from the western and northern Crowley County line to the eastern Crowley County line and up to the northern Crowley County line and within one mile of the Apishapa River on both sides from the confluence with the Arkansas River to the western Crowley County line; and (Area 2) within one mile of the Purgatoire River on both sides from the eastern Otero County line to the southern Otero County line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the specified state management objective.

4.8.5.16. For Prowers County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area within one mile of the Arkansas River on both sides from the western Prowers County line to the Colorado state line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the state management objective.

4.8.5.17. For Pueblo County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area within one mile of the Arkansas River on both sides from the western Pueblo County line to the eastern Pueblo County line; within one mile of the Saint Charles River on both sides from the confluence with the Arkansas River to the western boundary of T23S R66W; within one mile of the Huerfano River on both sides from the confluence of the Arkansas River to the southern Pueblo County boundary; and within one mile of the Cucharas River on both sides from the confluence of the Huerfano



River to the southern Pueblo County line. Except as otherwise specified in Parts 4.6 and 4.7, for all lands within the area described above, suppression is the state management objective.

4.8.5.18. For San Miguel County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area within one mile of the Dolores River from the northern San Miguel County line to the confluence with Spring Creek; and within one half of a mile of Spring Creek on both sides from the confluence with the Dolores River to the eastern boundary of T43N R16W Sec 26 and 35. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.5.19. 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.

4.8.5.20. 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.

4.8.5.21. 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.

4.8.6. 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:

4.8.6.1. Except as noted below, elimination of all populations is required prior to seed development in 2030 and each year thereafter in all Colorado counties.

4.8.6.2. For Saguache County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area to the north and west by the Rio Grande National Forest System boundary, to the south by the southern boundary of T44N R5E to R7E, and to the east by the eastern boundary of T44N to T45N R7E to the Rio Grande National Forest System boundary. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.6.3. 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.



4.8.6.4. 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.

4.8.6.5. 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.

4.8.7. 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:

4.8.7.1. Except as noted above, elimination of all populations is required prior to seed development in 2028 and each year thereafter in all Colorado counties.

4.8.7.2. For Archuleta County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern Archuleta County line, the western boundary of T35N to T36N R2W and T33N to T34N R2W, the southern boundary of T33N R1E to R2W, and the eastern boundary of T33N R1E, T34N to T36N R1W, and T37N R1E. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.3. For Boulder County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern, eastern, and southern Boulder County line and the western boundary of T1S R73W to T3N R73W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.4. For Clear Creek County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern and eastern Clear Creek County line, the southern boundary of T5S R72W and T4S R73W to R74W, and the western boundary of T3S to T4S R74W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.5. For Custer County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern Custer County line, the western and southern boundaries of T46N R12E, T22S R73W, and T23S to T24S R72W, and the eastern boundary of T21S to T24S R72W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.7.6. For Douglas County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern boundary of T8S R65W and the northern Douglas County line, the western Douglas County line to the southern boundary of T9S R70W, the southern boundary of T9S R69W to R70W and the southern Douglas County line, and the eastern Douglas County line and the eastern boundary of T6S to T7S R66W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.7. For Eagle County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T4S R82W to R83W and T5S R79W to R84W to the eastern Eagle County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.8. For El Paso County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) to the north by the northern boundary of T11S R62W to R68W; to the west by the western boundary of T11S to T13S R68W, T14S R67W, T15S R66W, and T16S to T17S R65W; to the south by the southern boundary of T13S R68W, T14S R67W, T15S R66W, T17S R65W, and T12S R62W to R64W; and to the east by the eastern boundary of T11S to T12S R62W and T13S to T17S R65W; and (Area 2) the entirety of T17S R67W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.9 For Elbert County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as the entirety of T8S R63W to R64W and T8S to T10S R65W to the western Elbert County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.10. For Fremont County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside the boundaries of an area demarcated as T17S R68W, T18S R68W to R73W, T19S R68W to R73W, T20S R70W to R73W, and T47N to T48N R12E. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.11. For Garfield County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T4S R90W to R91W, T5S R90W to R92W, T6S R92W to R94W, T7S R94W to R96W, T8S R95W to R100W to the



southern Garfield County line, T5S R100W to R102W, T6S R101W to R102W, and T7S R101W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.12. For in Huerfano County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) T25S R66W to R67W to the northern Huerfano County line; and (Area 2) T28S R66W to R69W, T29S R65W to R69W, and T30S R68W to R69W to the Huerfano County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.13. For Jefferson County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the eastern, northern, and western Jefferson County line to the western boundary of T8S to T9S R71W and the southern boundary of T9S R71W to T9S R70W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.14. For La Plata County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) T36N to T37N R9W; and (Area 2) T35N R10W to R11W, T34N R11W, T34N R11W to R12W, T33N R12W, and T32N R13W. Except as otherwise specified in Parts 4.6 to 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.15. For Larimer County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T12N R70W to R71W to the northern Larimer County line, T11N R70W to R71W, T10N R70W to R71W, T9N R68W to R73W, T8N R70W to R73W, T7N R69W to R71W, T6N R69W to R72W, T5N R69W to R73W, and T4N R69W to R73W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.16. For Las Animas County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T29S R65W to the western Las Animas County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.17. For Mesa County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land



outside an area demarcated as T8S R95W to R101W to the northern Mesa County line, T9S R95W to R98W, and T10S R95W to R97W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.18. For Mineral County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T37N R1E to R1W to the southern Mineral County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.19. For Moffat County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T3N R92W to the southern Moffat County line. Except as otherwise specified in parts 4.6 and 4.7, for all land within the area Described Above, suppression is the specified state management objective.

4.8.7.20. For Montrose County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T47N R16W to R17W, T46N R14W to R17W, and T45N R12W to R14W to the southern Montrose County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.21. For Pueblo County, elimination of all populations must be completed prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T24S R66W to R67W and T25S R6W to R67W to the southern Pueblo County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.22. For Rio Blanco County, elimination of all populations must be completed prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T2N to T3N R91W to the northern Rio Blanco County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.23. For San Miguel County, elimination of all populations must be completed prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T45N R12W to R14W to the northern San Miguel County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.7.24. For Summit County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land demarcated as: (Area 1) T2S R79W to R80W to the northern and eastern Summit County line; and (Area 2) T5S R77W to R79W to the western Summit County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.7.25. 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.

4.8.7.26. 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.

4.8.7.27. 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.

4.8.8. 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:

4.8.8.1. Except as noted below, elimination of all populations is required prior to seed development in 2030 and each year thereafter in all Colorado counties.

4.8.8.2. For Archuleta County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as: (Area 1) T35N to T36N R5W to the western Archuleta County line; and (Area 2) T36N R1W to R2W, T3N R1E to R2W, and T34N R1W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.3. For Boulder County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T1S R72W to R73W to the southern Boulder County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.8.4. For Delta County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by the northern and eastern Delta County line, Longitude 108°W, and Latitude 39°N. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.5. For Dolores County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area within one half of a mile of the West Dolores River on both sides from the intersection of County Roads 145 and 535 and northeast to the intersection of County Road 52/FSR 611. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.6 For Eagle County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as: (Area 1) T2S R81W to the eastern Eagle County line; and (Area 2) from the eastern Eagle County line, T4S R79W, T5S R79W to R82W, T6S R79W to R84W, and T7S R79W to T81W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.7. For Garfield County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T7S R89W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.8. For Gilpin County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T1S R27W to R73W to the northern Gilpin County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.9. For Grand County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside the areas demarcated by: (Area 1) T3N R82W Sec 5, 8, and 17; (Area 2) T1S R75W to R76W and T2S R75W to R79W to the western Grand County line; and (Area 3) T3N R76W to R 77W and T4N R76W to R77W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.8.10. For Gunnison County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside the areas demarcated as T11S R88W to R89W and T10S R89W to the northern Gunnison County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.11. For Hinsdale County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated to the north by the northern boundary of T38N R3W to R4W and T37N R6W and to the west, south, and east by the western, southern, and eastern Hinsdale County line. Except as otherwise specified in Parts 4.6 to 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.12. For La Plata County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside areas demarcated by: (Area 1) T37N R6W to R7W, T36N R6W to R7W, and T35N R6W to the eastern La Plata County line; and (Area 2) T38N R8W to R9W and T39N R8W to R9W to the northern La Plata County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.13. For Mesa County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T8S R91W, T9S R91W to R92W, T10S R91W to R94W, and T11S R91W to R95W to the southern Mesa County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.14. For Mineral County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by T37N R1E. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.15. For Montezuma County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area: (Area 1) within one-half of a mile of the West Dolores River on both sides from the northern Montezuma County line to the intersection with Highway 145; and (Area 2) T38N R13E Sec 31 and 32. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.8.16. For Montrose County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as: (Area 1) T49N R14W Sec 19 to 23, 26



to 30, and 31 to 35 to the northern Montrose County line and T48N R14W Sec 4 and 9; and (Area 2) T49N R13W Sec 23, 26, and 34 and 35 and T48N R13W Sec 4. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.8.17. For Pitkin County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as: (Area 1) T10S R84W Sec 4 to 6, 7 to 9, 16 to 18, 19 to 21, 28 to 30, and 31 to 33; T10S R85W; T10S R86W Sec 1 to 2, 11 to 12, 13 to 14, 23 to 24, 25 to 26, and 35 to 36; and T11S R85W; and (Area 2) T10S R88W to R89W and T11S R88W and T11S R89W to the southern and western Pitkin County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.8.18. For San Juan County, eliminations of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T40N R8W to R9W to the western San Juan County line and T39N R8W to R9W to the southern San Juan County line. Except as otherwise specified in Parts 4.6 to 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.8.19. For San Miguel County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T42N. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.8.20. For Summit County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by: (Area 1) the eastern, northern, and western Summit County line to the southern boundary of T2S R78W to R81W; and (Area 2) T4S R78W to R79W, T5S R77W to R79W, T6S R78W to R79W, and T7S R78W to R79W to the western Summit County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.8.21. 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.

4.8.8.22. 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.



4.8.8.23. 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.

4.8.9. 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:

4.8.9.1. Except as noted below, elimination of all populations is required prior to seed development in 2022 and each year thereafter in all Colorado counties.

4.8.9.2. For Archuleta County, elimination of all populations is required prior to seed development in 2022 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.3. For Clear Creek County, elimination of all populations 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 Clear Creek County and Longitude 105°32'24.7"W on the west. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.4. For Denver County, elimination of all populations 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 Denver County and Peña Boulevard and East 56th Avenue on the east. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.5. For El Paso County, elimination of all populations is required prior to seed development in 2022 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.9.6. For Elbert County, elimination of all populations is required prior to seed development in 2022 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.7. For Garfield County, elimination of all populations is required prior to seed development in 2022 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.8. For Grand County, elimination of all populations is required prior to seed development in 2022 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.9. For Gunnison County, elimination of all populations is required prior to seed development in 2022 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.10. For La Plata County, elimination of all populations is required prior to seed development in 2022 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.9.11. For Lake County, elimination of all populations 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 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.12. For Mineral County, elimination of all populations is required prior to seed development in 2022 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.13. For Rio Blanco County, elimination of all populations 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 Rio Blanco County, and State Highway 13 on the east. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.14. For Rio Grande County, elimination of all populations is required prior to seed development in 2022 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.15. For San Miguel County, elimination of all populations is required prior to seed development in 2022 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.9.16. For Douglas, Eagle, Jefferson, Routt, San Juan, and Summit Counties, suppression is the state management objective for all populations, except as otherwise specified in Parts 4.6 and 4.7.



4.8.9.17. 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.

4.8.9.18. 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.

4.8.9.19. 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.

4.8.10. 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:

4.8.10.1. Except as noted below, elimination of all populations is required prior to seed development in 2030 and each year thereafter in all Colorado counties.

4.8.10.2. For Archuleta County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as: (Area 1) to the north by the northern boundary of T32N R1E to R2E, to the west by the western boundary of T32N R1E, to the south by the southern Archuleta County line, and to the east by the eastern boundary of the Oso Tunnel; (Area 2) to the north by the northern Archuleta County line; to the west by the western boundary of T36N R4W Sec 4, 9, 18, 9, 30, and 31; T36N R5W Sec 13 and 25; and T35N R4W Sec 6, 7 and 18; to the south by the southern boundary of T35N R4W Sec 13 to 18 and T36N R3W Sec 1 TO 6; and to the east by the eastern boundary of T35N R4W Sec 1, 12, and 13; T36N R4W; and T36N R3W Sec; and (AREA 3) to the north and the west by the northern and western Archuleta County line, to the south by the southern boundary of T35N R5N Sec 18 and 20, and to the east by the eastern boundary of T35N R5W Sec 5, 8, 17 and 20, and T36N R5W Sec 6, 7, 18, 20, 29 and 32. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.3. For Boulder County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated to the north by the northern boundary of T1N R1W Sec 31 to 36, T1N R72W Sec 31 to 36, and T1N R73W Sec 35 to 36; to the west by the western boundary of T1N R73W Sec 35, T1S R73W Sec 2, 11, 14, 23, and 26, and T1S R72W Sec 25 and 35; to the south by to the southern Boulder County line; and to the east by the eastern boundary of T1S R71W and T1N R71W Sec 36. Except as otherwise specified in Parts



4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.4. For Custer County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as: (Area 1) T21S R73W and T46N R12E to the northern Custer County line; and (Area 2) T22S to T23S R69W to the eastern Custer County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, Suppression is the specified state management objective.

4.8.10.5. For Delta County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated to the east and north by the eastern and northern Delta County line; to the west by the western boundary of Longitude 108°W and the western edge of T12S to T15S R91W; and to the south by the southern boundary of Latitude 39N and the Delta County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.6. For Douglas County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as: (Area 1) to the north and west by the northern and western Douglas County line, to the south by the southern boundary of T6S R68W Sec 29 and 30 and T6S R69W Sec 25 and 26, and to the east by the eastern boundary of T6S R68W Sec 5, 8, 17, 20, and 29; and (Area 2) T7S R68W Sec 19 and 30 and T7S R69W Sec 24 and 25. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.7. For Fremont County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T19S R73W to T48N R10E, T20S R73W to T47N R10E to the southwestern Fremont County line, and T46N R11E to R12E to the southern Fremont County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.8. For Garfield County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as: (Area 1) T5S R100W Sec 20 to 24, 26 to 27, and 34 to 35; T5S R99W Sec 19, 20, 29, 30, 31, and 32; T6S R100W Sec 1 to 12; and T6S R99W SEC 6 and 7; (Area 2) T7S R99W Sec 26 to 35; T7S R100W SEC 25 to 27 and 34 to 36; T8S R99W Sec 3 to 10; and T8S R100W Sec 1 to 4, and 9 to 12; and (Area 3) to the north by the northern boundary of T2S R87W, T2S R88W Sec 1, T1N R88W, and the northern Garfield County line; to the west by the western boundary of Longitude 108°W;



and to the south and east by the southern and eastern Garfield County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.9. For Grand County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by: (Area 1) to the north by the boundary of T3N R81W Sec 31 and 32 and T2N R76W to R82W; to the west and south by the Grand County line; and to the east by the eastern boundary of T2N R76W, T1N R77W, and T1S to T2S R78W; and (Area 2) T5N R82W Sec 15, 22, 23, 26, 27, 33, and 34; and T4N R82W Sections 1 to 4 and 9 and. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.10. For Gunnison County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside the boundaries of an area demarcated by: (Area 1) to the north and west to the northern Gunnison County line, to the south by the southern boundary of T15S R89W to R90W and T13S R86W to R88W, and to the east by the eastern boundary of T12S to T13S R86W and T14S to T15S R89W; (Area 2) T47N R6W Sec 31 and 32, T46N R6W, T47N R6W, T46N R7W Sec 1, 2, 11 to 13, and 24 and 25 to the western Gunnison County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.11. For Hinsdale County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside the boundaries of an area demarcated by: (Area 1) T38N R5W Sec 12 to 14, 22, 23, 27, 33, and 34; T37N R5W Sec 4, 8, 9, 17, 18, 19, 20, 29, 30, 31, and 32; and T37N R6W Sec 13, 24, 25, and 36 to the western Hinsdale County line; and (Area 2) T37N R3W Sec 14 to 18 and 19 to 23; and T37N R4W Sec 3 to 5, 8 to 9, 13 to 17, and 20 to 24 to the southern Hinsdale County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.12. For Huerfano County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T29S to T31S R68W and T29S to T31S R69W to the southern Huerfano County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.13. For Jackson County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by T5N R82W Sec 15, 22, and 23 to the southern Jackson County line. Except as otherwise specified in Parts 4.6 and 4.7, for all



land within the area described above, suppression is the specified state management objective.

4.8.10.14. For Jefferson County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by: (Area 1) T4S R70W Sec 25 to 26; T5S R70W; and T5S R71W Sec 25, 26, 35, and 36; (Area 2) T5S R68W Sec 31 to 32; T5S R69W Sec 36; T6S R68W Sec 5 to 8, 19, 20, 29, and 30; and T6S R69W Sec 1 to 3, 10 to 12, 13 to 15, 22 to 24, and 25 to 27; (Area 3) T7S R70W Sec 16, 21 to 23, 26, and 27; and (Area 4) T6S R70W Sec 22 to 36 and T7S R70W Sec 5 and 6. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.15. For La Plata County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as: (Area 1) T37N R11W Sec 28 and 33; T36N R11W Sec 4 to 6, 7 to 9, 16 to 18, 19 to 21, 28 to 30, and 31 to 33; T36N R12W Sec 13, 21 to 24, 25 to 29, and 31 to 36; T35N R11W Sec 4 to 6, 8, 9, 16, and 17; and T35N R12W Sec 1 to 7 and 18 to the western La Plata County line; and (Area 2) to the north by the northern boundary of T37N R6W to R7W Sec 13 to 18; T37N R8W Sec 13, 14, and 3 to 6; and the northern La Plata County line from T39N R8W Sec 19 to T39N R10W Sec 24; and T36N R10W Sections 21 to 24; to the west by the western boundary of T39N R10W Sec 13 and 24; T38N R9W; T37N R9W Sec 6 and 7, 17, 20, 29, and 32; T36N R9W Sec 5, 8, 17, 19, 30, and 31; T36N R10W Sec 21, 28, and 33; and T35N R9W Sec 6; to the south by the southern boundary of T35N R6W Sec 14 and 3 to 6; T35N R7W to R9W Sec 1 to 6; and T36N R10W Sec 33 to 36; and to the east by the eastern La Plata County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specific state management objective.

4.8.10.16. For Larimer County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by the northern Colorado state line, the western boundary of T5N to T12N R73W, the southern boundary of T4N R69W to R73W, and the eastern boundary of T4N R69W, T5N to T8N R68W, and T9N to T12N R69W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specific state management objective.

4.8.10.17. For Mesa County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by the northern, southern, and eastern Mesa County line and the western boundary of Longitude 108°W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.10.18. For Montezuma County, elimination of all populations 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 border of Moffat County, T38N R11W Sec 28 to 30 and 31 to 33; T38N R12W Sec 9 to 11, 14 to 16, 23, 25, and 26; T37N R11W Sec 4 to 9, 16 to 21, and 28 to 33; T37N R12W Sec 19 to 36; T37N R13W Sec 23, 24, 25, 26, and 31 to 36; T36N R11W, Sec 6, 7, and 18; T36N R12W Sec 1 to 6, 9 to 16, 19 to 21, and 29 to 32; T36N R13W, Sec 21 to 28, 35, and 36; T35N R12W Sec 6, 7, and 18; and T35N R13W Sec 1, 2, 11, 12, 13, and 14 to the eastern Montezuma County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.19. For Montrose County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside the boundaries of an area demarcated as T46N R10W to R13W and T47N R10W to R13W to the eastern and southern Montrose County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.20. For Ouray County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by: (Area 1) the northern and western Ouray County line, the southern boundary of T46N R10W Sec 35 and 36, and the eastern boundary of T46N R10W and T47N R10W to the northern Ouray County line; and (Area 2) T44N to T46N R7W to the eastern Ouray County line and T44N R8W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.21. For Pueblo County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated as T22S to T23S R68W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.22. For Rio Blanco County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by the northern Rio Blanco County line; the western boundary of T1N to T3N R92W and T1S to T4S R94W; the southern Rio Blanco County line; and the eastern boundary of T2N R88W and T3N R87W Sec 20, 29, and 32. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.23. For San Juan County, elimination of all populations is required prior to seed development in 2030 and each year thereafter



for all land outside an area demarcated as T39N R8W Sec 7 and 18, T39N R9W Sec 7 to 18, and T39N R10W Sec 12 and 13 to the southern San Juan County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.24. For Summit County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside an area demarcated by by Longitude 106°W; the eastern, northern and western Summit County boundary; and the southern boundary of T4S R77W Sec 31 to 34, T4S R78W, and T4S R79W Sec 35. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.10.25. For Eagle and Pitkin Counties, suppression is the state management objective for all populations, except as otherwise specified in Parts 4.6 and 4.7.

4.8.10.26. 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.

4.8.10.27. 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.

4.8.10.28. 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.

4.8.11. 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:

4.8.11.1. Except as noted below, elimination of all populations is required prior to seed development in 2026 and each year thereafter in all Colorado counties.

4.8.11.2. For Adams County, elimination of all populations is required prior to seed development in 2026 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. Except as



otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.3. For Boulder County, elimination of all populations is required prior to seed development in 2026 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.4. For Conejos County, elimination of all populations is required prior to seed development in 2026 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.5. For Costilla County, elimination of all populations is required prior to seed development in 2026 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.6. For Denver County, elimination of all populations is required prior to seed development in 2026 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.7. For Jefferson County, elimination of all populations is required prior to seed development in 2026 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.8. For Larimer County, elimination of all populations is required prior to seed development in 2026 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.9. For Mesa County, elimination of all populations is required prior to seed development in 2026 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.10. For Moffat County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area: (Area 1) within 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; and (Area 2) within 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.11. For Morgan County, elimination of all populations is required prior to seed development in 2026 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.12. For Ouray County, elimination of all populations is required prior to seed development in 2026 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.13. For Rio Grande County, elimination of all populations is required prior to seed development in 2026 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 otherwise specified in Parts 4.6



and 4.7, for all other land within the county, suppression is the specified state management objective.

4.8.11.14. For Saguache County, elimination of all populations is required prior to seed development in 2026 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.15. For Weld County, elimination of all populations is required prior to seed development in 2026 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.11.16. For Alamosa, Eagle, Garfield, and Pueblo Counties, suppression is the state management objective for all populations, except as otherwise specified in Parts 4.6 and 4.7.

4.8.11.17. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner.

4.8.11.18. 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.

4.8.11.19. 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.

4.8.12. 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:

4.8.12.1. Except as noted below, elimination of all populations is required prior to seed development in 2022 and each year thereafter in all Colorado counties.



4.8.12.2. For Arapahoe County, elimination of all populations 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 toll road E-470 on the east. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.12.3. For Boulder County, elimination of all populations 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"W on the west. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.12.4. For Broomfield County, elimination of all populations is required prior to seed development in 2022 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.12.5. For Chaffee County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by: (Area 1) 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.12.6. For Douglas County, elimination of all populations is required prior to seed development in 2022 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.12.7. For Eagle County, elimination of all populations is required prior to seed development in 2022 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 (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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.12.8. For Garfield County, elimination of all populations is required prior to seed development in 2022 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.12.9. For Moffat County, elimination of all populations 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 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.12.10. For Routt County, elimination of all populations is required prior to seed development in 2022 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.12.11. For Weld County, elimination of all populations 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 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.12.12. For Jefferson and Larimer Counties, suppression is the state management objective, except as otherwise specified in Part 4.6 and 4.7.

4.8.12.13. 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.



4.8.12.14. 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.

4.8.12.15. 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.

4.8.13. 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:

4.8.13.1. Except as noted below, elimination of all populations is required prior to seed development in 2028 and each year thereafter in all Colorado counties.

4.8.13.2. For Adams County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by T3S R67W to R68W to the western and southern Adams County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.3. For Arapahoe County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: Area 1) T5S R66W to R67W to the southern Arapahoe County line; and (Area 2) T5S R62W to R64W to the southern Arapahoe County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.4. For Archuleta County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated to the north by the northern Archuleta County line, to the west by the western boundary of T34N to T36N R3W, to the south by the southern boundary of T34N R1W to R3W, and to the east by the eastern boundary of T34N to T3N R1W and T36N R2W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.5. For Boulder County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T2N R71W to R72W and T1N R71W to R72W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.13.6. For Clear Creek County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by: (Area 1) T3S R75W to the northern Clear Creek County line; and (Area 2) T3S R72W to R73W to the northern and eastern Clear Creek County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.7. For Custer County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) T21S to T23S R69W to the northern and eastern Custer County line; and (Area 2) T22S to T25S R72W and T22S to T24S R73W to the southern Custer County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.8. For Denver County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) T3S R67W to R68W to the northern and eastern Denver County line; and (Area 2) T5S R67W Sec 2 to 6, and 8 and 9 to the southern Denver County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.9. For Delta County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T13S R91W to R92W and T14S R91W to R92W to the eastern Delta County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.10. For Dolores County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as the entirety of T39N R11W to R14W to the southern Dolores County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.11. For Douglas County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) T6S R68W to R69W to the northern and western Douglas County line; and (Area 2) T8S R70W to the western Douglas County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.13.12. For Elbert County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T6S R62W to R64W; T7S R62W to R64W; T8S R63W to R64W; and T9S R63W to R64W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.13. For El Paso County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern El Paso County line and T11S to T13S R67W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.14. For Fremont County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the Fremont County line; T16S R72W to R73W; T17S R71W to R73W; and T18S R71W to R73W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.15. For Gilpin County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T2S to T3S R72W and T3S R73W to the southern Gilpin County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.16. For Gunnison County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T13S to T14S R90W to the western Gunnison County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.17. For Jefferson County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) T3S R70W; (Area 2) T6S R69W to the eastern Jefferson County line; and (Area 3) T7S to T8S R70W to the eastern Jefferson County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.18. For Hinsdale County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T37N R2W to R3W. Except as otherwise specified



in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.19. For Huerfano County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by: (Area 1) T25S R71W to R72W; and (Area 2) T27S R70W to R71W and T28S R70W to R71W to the western and southern Huerfano County line, T29S R68W to R70W to the western Huerfano County line. Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.20. For Larimer County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern boundary of T9N R68W to R71W and T10N R72W to R73W; the western boundary of T5N to T7N R70W and T8N to T10N R73W; the southern boundary of T5N R63W to R65W, T6N R66W to R67W, T6N R68W Sec 13 to 18, T6N R69W Sec 13 to 18, T6N R70W Sec 13 and 14, and County Road 27 to the western boundary of T7N R70W Sec 30 and T8N R71W to R73W; and the eastern boundary of T5N R63W, T6N to T7N R65W, T8N R66W, T9N R68W, and T10S R72W . Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.21. For Mesa County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) T1N R1E, T1N R1W, T1S R1W, and T1S R1E; (Area 2) T13S to T14S R100W; and (Area 3) T8S R96W and R97W to the northern Mesa County line, T9S R96W to R97W, T10S R96W to R97W, and T11S R96W to R97W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.22. For Mineral County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T37N R2W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.23. For Montezuma County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T39N R11W to R14W to the northern Montezuma County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.24. For Pueblo County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land



outside an area demarcated by T21S to T23S R68W to the northern and western Pueblo County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.25. For Rio Blanco County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside the boundaries of an area demarcated by T1N R89W to R92W, T1S R90W to R92W, T2S R90W to R92W. Except as otherwise specified in Parts 4.6 and 4.7 for all land within the area described above, suppression is the specified state management objective.

4.8.13.26. For Saguache County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by T24S R33W and T2S R72W to R73W to the eastern Saguache County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.27. For Weld County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by T8N R66W to R67W, T7N R65W to R67W, and T6N R65W to R67W to the western Weld County line and T5N R63W to R65W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.13.28. 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.

4.8.13.29. 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.

4.8.13.30. Seed longevity is estimated to be at least eight years. Infested sites must be monitored for at least eight years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.8.14. Spurred anoda (*Anoda cristata*). Removed from List B in 2014.

4.8.15. Venice mallow (*Hibiscus trionum*). Removed from List B in 2014.

4.8.16. Hoary cress (*Lepidium 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:



4.8.16.1. Except as noted below, elimination of all populations is required prior to seed development in 2026 and each year thereafter in all Colorado counties.

4.8.16.2. For Adams County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land an area demarcated by the northern, western, and southern borders of Adams County to the eastern boundary of T1S R66W and T2s to T3s R67W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.3. For Alamosa County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated by the northern, western and southern borders of Alamosa County to the eastern boundary of T36N to T38N R11E and T39N to 40N R10E. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.4. For Arapahoe County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated by the northern, western, and southern Arapahoe County line to the eastern boundary of T4S to T5S R67W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.5. For Archuleta County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated as T37N R2W, T36N R2W to R4W, T35N R1W to R5W, T34N R1E to R4W, T33N R1E to R1W, and T32N R1E. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.6. For Boulder County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated by the northern, eastern and southern borders of Boulder County to the western boundary of T1S to T1N R69W and T2N to T3N R70W. Except as specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.7. For Chaffee County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as T48N to T51N R8E and T50N to T51N R7E. Except as otherwise specified in Parts 4.6 and 4.7, for all



land within the area described above, suppression is the specified state management objective.

4.8.16.8. For Cheyenne County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as: (Area 1) T13S to T14S R51W; and (Area 2) T13S to T15S R48W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.9. For Conejos County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated by T36N R7E to R11E to the northern Conejos County line, T35N R7E to R11E, T34N R8E to R10E, and T33N R8E to R10E. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.10. For Custer County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated by the entirety of T22S R72W to R73W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.11. For Delta County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as T13S R91W to R96W and T14S R91W to R87W to the northwestern Delta County line, T4S R3E, T15S R91W to R97W, and T51N R6W to R12W to the southern Delta County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.12. For Denver County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated by the northern, western, and southern Denver County line to the eastern boundary of T3S R67W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.13. For Dolores County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as T39N R15W to R17W to the southern Dolores County line. Except as otherwise specified



in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.14. For Douglas County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated to the north and west by the northern and western Douglas County line, to the south by the southern boundary of T7S R67W to R69W, and to the east by the eastern boundary of T6S to T7S R67W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.15. For Eagle County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated as T5S R84W to R85W and T6S R84W to R86W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.16. For El Paso County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated as T12S to T14S R67W, T12S to T16S R66W, and T15S to T16S R65W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.17. For Fremont County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated by T18S R68W to R70W and T19S R68W to R70W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.18. For Garfield County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as: (Area 1) T7S R91W to R94W and T8S R91W to R94W to the southern Eagle County line; and (Area 2) to the north by the northern boundary of T5S R100W to R104W; to the west by the western Colorado state line; to the south by the southern Garfield County line; and to the east by the eastern boundary of T5S R100W, T6S R99W, T7S R98W, and T8S R98W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.16.19. For Gunnison County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as: (Area 1) T10S R90W Sec 32 to 34; T11S R90 Sec 1 to 5; and T11S R89W Sec 4 to 6 and 9 and 16; and (Area 2) T13S to T15S R89W; T50N R4W; T48N to T50N R5W; T13S to T15S R90W; and T48N to T51N R5W to the western Gunnison County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.20. For Huerfano County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as: (Area 1) T27S R70W; (Area 2) T25S to T28S R66W and T25S to T28S R67W to the northern Huerfano County line; and (Area 3) T29S R68W to R69W and T30S R68W to R69W to the western Huerfano County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.21. For Jefferson County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated by the northern, eastern, and southeastern Jefferson County line to the western boundary of T2S to T7S R69W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.22. For Kit Carson County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as: (Area 1) T95S R47W to R49W; and (Area 2) T5S to T8S R43W and T5S R44W to the northern Kit Carson County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area demarcated above, suppression is the specified state management objective.

4.8.16.23. For La Plata County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as: (Area 1) T36N to T37N R6W to the eastern La Plata County line; and (Area 2) T35N R69W to R10W, T34N R8W to R9W, T34N R7W to R8W, and T33N R7W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area demarcated above, suppression is the specified state management objective.

4.8.16.24. For Larimer County, elimination of all populations is required prior to seed development in 2026 and each year



thereafter for all land outside an area demarcated as T9N to T10N R73W; T8N to T9N R72W; T8N to T9N R71W; T4N to T9N R70W; T4N to T9N R69W; and T5N to T9N R68W to the eastern Larimer County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.25. For Lincoln County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated as T14S R52W to R54W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.26. For Logan County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as T11N R48W and T10N R48W to R50W to the eastern borders of Logan County, T9N R49W to R52W, T8N R49W to R51W, and T7N R51W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.27. For Mesa County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside of an area demarcated by: (Area 1) T8S R91W to R94W to the northern Mesa County line and T9S R91W to R94W; (Area 2) T8S R98W to R104W to the northern Mesa County line; (Area 3) T2N R2W to R3W and T1N R2W to R3W; and (Area 4) T10S R96W to R98W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the state management objective.

4.8.16.28. For Moffat County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated as T7N R90W to R95W, T6N R90W to R95W, T5N R89W to R95W, and T4N R93W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the state management objective.

4.8.16.29. For Montezuma County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated to the north by the northern boundary of T36N R12W to T36N R13W and the northern Montezuma County line; to the west by the western boundary of T34N to T39N R14W; to the south by the southern boundary of T34N R13W to R17W; and to the east by the eastern boundary of T35N R13W



and T36N R12W to the eastern Montezuma County line and T37 to T39N R14W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.30. For Montrose County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as: (Area 1) to the east and north by the eastern and northern Montrose County line; to the west by the western boundary of T46N R8W, T47N to T48N R10W, T49N R11W, and T50N to T51N R12; to the south by the southern boundary of T48N R6W to R7W and the southern Montrose County line; and (Area 2) T46N R12W to R18W and T45N R12W to R15W to the southern Montrose County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.31. For Ouray County, elimination of all populations is required prior to seed development in 20236 and each year thereafter for all land outside an area demarcated by T47N R8W to R10W to the northern Ouray County line and T46N R8W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.32. For Pueblo County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated by T24S R67W and T2S R66W to R67W to the southern Pueblo County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.33. For Rio Grande County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated by the northern and eastern borders of Rio Grande County to the western boundary of T40N R4E, T39N R6E, and T37N to T38N R7E. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.34. For Routt County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as T7N R84W to R85W and T6N R84W to R85W. Except as otherwise specified in Part 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.16.35. For Saguache County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated by: (Area 1) T47N R9E and T47N to T48N R8E to the northern Saguache County line; and (Area 2) T4N R6E to R10E, T44N R6E to R10E, T43N R6E to R10E, T42N R5E to R9E, and T41N R5E to R9E to the southern border of Saguache County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.36. For San Miguel County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land an area demarcated by T45N R12W to R15W to the northern San Miguel County line, T44N R12W to R15W, and T43N R12W to R15W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.37. For Sedgwick County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as T11N R46W to R47W to the western the western borders of Sedgwick County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.38. For Weld County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated by: (Area 1) T6N to T7N R67W to the western Weld County line and T6N R66W; and (Area 2) T1N R66W, T1N to T4N R67W, and T1N to T4N R68W to the western and southern borders of Weld County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.39. For Yuma County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside an area demarcated as T1N to T5S R43W and T1N to T5S R44W to the southern Yuma County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.16.40. For Broomfield County, suppression is the specified state management objective for all populations, except as otherwise specified in Part 4.6 and 4.7.



4.8.16.41. 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.

4.8.16.42. 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.

4.8.16.43. 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.

4.8.17. Russian knapweed (*Rhaponticum 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:

4.8.17.1. Except as noted below, elimination of all populations is required prior to seed development in 2028 and each year thereafter in all Colorado counties.

4.8.17.2. For Adams County, elimination of all populations is required prior to seed development in 2028 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. Except as otherwise specified Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.3. For Chaffee County, elimination of all populations is required prior to seed development in 2028 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.4. For Conejos County, elimination of all populations is required prior to seed development in 2028 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 otherwise specified in



Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.5. For Elbert County, elimination of all populations is required prior to seed development in 2028 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.6. For Fremont County, elimination of all populations is required prior to seed development in 2028 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.7. For La Plata County, elimination of all populations is required prior to seed development in 2028 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.8. For Larimer County, elimination of all populations is required prior to seed development in 2028 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.9. For Las Animas County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) Longitude $104^{\circ}34'43.5''\text{W}$ on the west, Latitude $37^{\circ}7'24.1''\text{N}$ 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 $37^{\circ}15'10.5''\text{N}$ on the north; and (Area 2) County Road 64 and Latitude $37^{\circ}27'11.2''\text{N}$ 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.10. For Ouray County, elimination of all populations is required prior to seed development in 2028 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.11. For Rio Grande County, elimination of all populations is required prior to seed development in 2028 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.12. For Weld County, elimination of all populations is required prior to seed development in 2028 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.17.13. For Alamosa, Costilla, Crowley, Custer, Delta, Eagle, Garfield, Kiowa, Mesa, Moffat, Montezuma, Montrose, Otero, and Pueblo Counties, suppression is the state management objective for all populations, except as otherwise specified in Parts 4.6 and 4.7.

4.8.17.14. 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.



4.8.17.15. 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.

4.8.17.16. 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.

4.8.18. 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:

4.8.18.1. Except as noted below, elimination of all populations is required prior to seed development in 2024 and each year thereafter in all Colorado counties.

4.8.18.2. For Boulder County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated as T1S, R71W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.18.3. For Jefferson County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north and west by the Jefferson County line, to the south by Ralston Creek and the north rim of Ralston Reservoir, and to the east by State Highway 93. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.18.4. For Larimer County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated by: (Area 1) to the north by South Lone Pine Creek, to the west by the western edge of T9N R73W Sec 2, 11, 14, 23, 26, 35, to the south by State Route 14, and to the east by the eastern edge of T9N R72W Sec 4, 9, 16, 21, 28, 33, and T8N R72W Sec 4; and (Area 2) to the north by Devils Gulch Road, Black Canyon Creek and the National Park boundary, to the west by the National Park boundary, to the south by Aspen Creek Siphon, Rams Horn Tunnel, Marys Lake Road, Fish Creek Road, and to the east by Fish Creek Road, State Highway 34, and Dry Gulch Road. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.18.5. For San Miguel County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated as National Forest System lands boundary located to the west of Gurley and Cone Reservoir, to the north of Miramonte Reservoir and to the east of Lilylands Canal. Except as specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified State management objective.

4.8.18.6. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and cultural or other mechanical techniques approved by the Commissioner.

4.8.18.7. 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.

4.8.18.8. 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.

4.8.19. 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:

4.8.19.1. Except as noted below, elimination of all populations is required prior to seed development in 2024 and each year thereafter in all Colorado counties.

4.8.19.2. For Adams County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all lands outside the boundaries of an area demarcated on the east by the eastern edge of T1S R63W, T2S R63W, and T3S R63W, and to the north, west and south by the Adams County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.19.3. For Boulder County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated by US Highway 287 on the east, the southern border of Boulder County, Bull Mountain Road and US Highway 36 on the west. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.19.4. For La Plata County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the La Plata County line, to the west by the western edge of T39N R9W, T38N R9W, T37N R8W, T36N R9W, T35N R9W, to the south by the southern edge of T35N R92, T35N R8W, T35N R7W, and to the east by the eastern edge of T39N R8W, T38N R8W, the La Plata County line, and T35N R7W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.19.5. For Moffat County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of the following areas demarcated by (Area 1) the eastern and southern borders of Moffat county, to the north by the northern edge of T10N R90W, T10N R89W, T7N R91W, T7N R90W, T5N R92W, T3N R95W, T3N R94W, T3N R93W, to the west by the western edge of T10N R90W, T9N R90W, T8N R90W, T7N R91W, T6N R91W, T5N R92W, T4N R92W, T3N R95W; and (Area 2) to the north by the northern edge of T7N R96W, T7N R95W, T7N R94W, T7N R93W, to the west by the western edge of T7N R96W SEC 4, 9, 16, 21, 28, 33, T6N R95W, T5N R95W, and to the south by the southern edge of T5N R95W, T5N R94W, and to the east by the eastern edge of T7N R93W SEC 3, 10, 15, 22, 27, and 34. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.19.6. For Montezuma County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all lands outside the boundaries of an area demarcated to the north by the northern edge of T37N R14W, T37N R13W, T37N R12W, to the west by the western edge of T37N R14W, T36N R14W, to the south by State Highway 160 and the Montezuma County line, and to the east by the eastern edge of T37N R12W and T36N R12W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.19.7. For Pueblo County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all lands outside the boundaries of an area demarcated to the north by the northern edge of T22S R68 W Sec 19-24, to the west and south by the Pueblo County line, and the east by the eastern edge of T22S R68W, T23S R68W, T24S R68W and T25S R68W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the



area described above, suppression is the specified state management objective.

4.8.19.8. For San Juan County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all lands outside the boundaries of an area demarcated to the north by the northern edge of T39N R9W, T41N R8W, T41N R7W, to the west and south by the San Juan County line, and to the east by the eastern edge of T41N R7W and T40N R7W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.19.9. For Summit County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all lands outside the boundaries of an area demarcated entirely by T5S R78W AND T5S R77W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.19.10. For Washington County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all lands outside the boundaries of an area demarcated to the north by the northern portion of T1N R52W, T1N R51W, T1N R50W, to the west by County Road DD, to the south by County Road 20, and to the east by County Road RR. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.19.11. For Broomfield, Eagle, Garfield, Grand, Kit Carson, Larimer, Mesa, Ouray, Rio Blanco and Routt Counties, suppression is the state management objective, except as otherwise specified in Parts 4.6 and 4.7.

4.8.19.12. 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.

4.8.19.13. 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.

4.8.19.14. 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.

4.8.20. 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:

4.8.20.1. Except as noted below, elimination of all populations is required prior to seed, rhizomes or rooted fragment development in 2026 and each year thereafter in all Colorado counties.

4.8.20.2. For Adams County, elimination of all populations is required prior to seed or rooted fragment development in 2026 and each year thereafter for all water outside the boundaries of an area demarcated to the north and west by the Adams County line, to the south by the southern edge of T2S R68W, T2S R67W, and to the east by US Highway 6 and US Highway 85. Except as otherwise specified in Parts 4.6 and 4.7, suppression is the state management objective for all water within the perimeter of the Ashwood Reservoir, Big Dry Creek, Brantner Ditch and Gulch, Bull Canal, Croke Lake, Equity Ditch, Farmers Highline Canal, German Ditch, German Reservoir No 1, Island Enclave, Jackson Lake, Lee Lateral, McKay Lake, Niver Canal, Nott Lake, Ohio Lake Signal Ditch, Todd Creek, Truck Lateral, Ashwood Reservoir, Croke Reservoir, Eastlake Reservoir No 3, German Reservoir No 1, Hartley Reservoir, Jackson Lake, Lake Erie, McKay Lake, Signal Reservoir No 1 and 2, Smith Reservoir, South Platte River, Stouffer Reservoirs No 1, 2 and 3, Thornton Lakes, Wadley Reservoirs No 1, 2 and 3, and Webster Lake.

4.8.20.3. For Boulder County, elimination of all populations is required prior to seed or rooted fragment development in 2026 and each year thereafter for all water outside the boundaries of an area demarcated to the north by the northern edge of T2N R69W Sec 21-24, to the west by 95th Street, the western edge of T1N R69W Sec 4, 9, 16, 21, 28, 33, to the south by Highway 56, and to the east by the Boulder County line. Except as otherwise specified in Parts 4.6 and 4.7, suppression is the state management objective for all water within the perimeter of the Boulder and Weld County Ditch, Boulder Creek, Bullhead Gulch, Coal Creek, Dry Creek, Goodhue Ditch, Highline Lateral, Leggett Ditch, Leyner Cottonwood No 1 Ditch, Lower Boulder Ditch, McGinn Ditch, South Boulder Canyon Ditch and Whiterock Ditch.

4.8.20.4. For Denver County, elimination of all populations is required prior to seed or rooted plant fragment development in 2026 and each year thereafter for all water outside the area demarcated (Area 1) to the north and west by the Denver County line, to south by US Highway 40/Colfax Avenue, and to the east by State Highway 2/Colorado Boulevard; and (Area 2) to the north by Mississippi Avenue, to



the west and south by the Denver County line, and to the east by US Highway 85. Except as otherwise specified in Parts 4.6 and 4.7, suppression is the state management objective for all water within the perimeter of Marston Lake, Berkeley, Rocky Mountain, Sloan's, Wolcott, and Boyles Lake, Ward Reservoir, Interlaken Reservoir No 1, Grant C Reservoir, Grant B Reservoir, Garfield Lake, Rocky Mountain and Johnson Lateral Ditch, South Platte River, Sanderson Gulch, Bear Creek and Cherry Creek.

4.8.20.5. For Fremont County, elimination of all populations is required prior to seed or rooted fragment development in 2024 and each year thereafter for all water outside the boundaries of an area demarcated to the north by the northern edge of T19S R70W Sec 1 and 2, T19S R69W, T19S R68W, and to the west by the western edge of T19S R70W Sec 2, 11, 14, 23, T19S R68W Sec 28, 33, T20S R68W Sec 4, 9, and to the south by the southern edge of T19S R70W Sec 23, 24, T19S R69W Sec 19-24, T19S R68W Sec 19, 20, T20S R68W Sec 9-12, and to the east by the Fremont County line. Except as otherwise specified in Parts 4.6 and 4.7, suppression is the state management objective for all water within the perimeter of the Arkansas River, Bear Creek, Beaver Creek, Brush Hollow Creek, Chandler Creek, Coal Creek, Cocklebur Creek, Eightmile Creek, Fourmile Creek, Green Gulch, Hardscrabble Creek, Minnequa Canal, Oak Creek, Richie Gulch, Sand Creek, Sixmile Creek, Willow Creek and Willow Spring Hollow.

4.8.20.6. For Pueblo County, elimination of all populations is required prior to seed or rooted fragment development in 2024 and each year thereafter for all water within 1.0 miles of Bessemer Ditch, Minnequa Ditch, Saint Charles River, Salt Creek, St. Charles Flood Ditch, and St. Charles Reservoirs Nos 1, 2 and 3, bounded to the north by the northern edge of T21S R65W and T21S R64W, to the west by State Highway 45, and the eastern edge of T21S R65W, Little Burnt Mill Road, and the eastern edge of T22S R66W, to the south by T22S R66W and T22S R65W, and to the east by the Burlington Northern Santa Fe Railroad. Except as otherwise specified in Parts 4.6 and 4.7, suppression is the state management objective for all water within the perimeter of Bessemer Ditch, Minnequa Ditch, Saint Charles River, Salt Creek, St. Charles Flood Ditch, and St Charles Reservoirs Nos 1, 2 and 3.

4.8.20.7. For Jefferson County, suppression is the state management objective for all populations, except as otherwise specified in Part 4.6 and 4.7.

4.8.20.8. The prescribed integrated management techniques for the elimination of designated populations are limited to the use



of herbicides approved by the Commissioner, physical (water and light level) manipulation, physical barriers, and other mechanical techniques approved by the Commissioner.

4.8.20.9. 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.

4.8.20.10. Seed longevity is not an important factor for this species; vegetative reproduction is a major factor. Infested sites and adjoining lentic systems must be monitored continuously after the populations have been eliminated and treatments must be repeated when necessary to prevent reestablishment from plant fragmentation.

4.8.21. 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:

4.8.22. Scentless chamomile/false mayweed/false chamomile (*Tripleurospermum inodorum*) and Mayweed chamomile/stinking 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/false mayweed/false chamomile, and mayweed chamomile/stinking chamomile:

4.8.22.1. Except as noted below, elimination of all populations is required prior to seed development in 2024 and each year thereafter in all Colorado counties.

4.8.22.2. For Gilpin County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north east and south by the Gilpin County line, and to the west by Highway 119, Eureka Street and Virginia Canyon Road. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.22.3. For Gunnison County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the northern boundary of T13S R86W, T13S R85W, T13S R84W, to the west by T13S R86W, T14S R86W, T15S R86W, T51N R1W, T50N R1W, T49N R1W; to the south by the southern boundary of T49N R1W, T49N R1E, and T49N R1E, T49N R2E; and to the east by T13S R84W, T14S R84W, T15S R84W, T51N R2E, T50N R2E, and T49N R2E. Except as otherwise specified in Parts 4.6 and



4.7 for all land within the area described above, suppression is the specified state management objective.

4.8.22.4. For Jefferson County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the northern boundary T5S r71W, T5S R70W, to the west by the western boundary of T5S R71W, T6S R71W, and T7S R71W; to the south by southern boundary of T7S R71W, T7S R70W, and to the east by the eastern boundary of T5S R70W, T6S R70W, and T7S R70W. Except as specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.22.5. For La Plata County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by US Highway 160; to the west by State Highway 550; to the south by County Roads 310 and 318; and to the east by County Road 521. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.22.6. For Lake County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the northern boundary of T9S R81W Sec 3, 2, 1, T9S R80W, and T9S R79W Sec 6; to the west by the western boundary of T9S R81W Sec 3, 10, 15, 22, 27, 34, and T10S R81W Sec 3 and 10; to the south by the southern boundary of T10S R81W Sec 10, 11, 12, T10S R80W Sec 7, 8, 9, 10, 11, 12, and T10S R79W Sec 7; and to the east by T9S R79W Sec 6, 7, 18, 19, 30, and 31. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.22.7. For Mesa County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north, south, and east by the National Forest System boundary and to the west by Jerry Gulch, State Highway 330, and County Roads 58 ½ and 59. Except otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.7.22.8. For Routt County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the



north by the National Forest System boundary and County Roads 80, 56 and 76; to the west by the Routt County line; to the south by US Highway 40 and County Road 27; and to the east by State Highway 131, Buffalo Pass Road and the National Forest System boundary. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.7.22.9. For Summit County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by Pioneer Creek; to the west by the National Forest System lands boundary and the western edge of T5S R78W Sec 10, 15, 22, 27, 34, T6S R78W Sec 3, 10, 15, 24,25, 36, and T7S R78W Sec 1, 12; to the south by the southern edge of T7S R78W Sec 12 and T7S R77W Sec 7, 8; and to the east by the National Forest System lands boundary and the eastern edge of T5S R77W Sec 21, 28, 33, T6S R77W Sec 5, 8, 17, 20, 29, 32 and T7S R77W Sec 5 and 8. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.22.10. For Clear Creek and Grand Counties, suppression is the state management objective, except as otherwise specified in Parts 4.6 and 4.7.

4.8.22.11. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and cultural or other mechanical techniques approved by the Commissioner.

4.8.22.12. 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.

4.8.22.13. Seed longevity is estimated to be up to twelve years. Infested sites must be monitored for at least fifteen years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.8.23. 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:

4.8.23.1. Except as noted below, elimination of all populations is required prior to seed development in 2026 and each year thereafter in all Colorado counties.



4.8.23.2. For Adams County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the east by the eastern edge of T1S R64W, T2S R64W, and T3S R64W and to the north, west, and south by the Adams County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.3. For Boulder County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated US Highway 287 on the east, the southern border of Boulder County, Bull Mountain Road and US Highway 36 on the west. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.4. For Garfield County, elimination of all populations is required prior to seed development in 2026 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 otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.5. For Gunnison County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated by the western border of Gunnison County, and the entirety of T13S R90W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.6. For Larimer County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the west by the western edge of T12N R70W, T11N, T10N R70W, T9N R70W, T8N R70W, T7N R70W, T6N R70W, T5N R70W, T4N R70W and to the south, east and north by the southern, eastern and northern Larimer County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.7. For Las Animas County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the Las Animas County line, to the southwest and south by the Purgatoire River and its North Fork, and Interstate 25 on the



east. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.8. For Moffat County, elimination of all populations is required prior to seed development in 2026 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. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.9. For Montezuma County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated by the entirety of T36N R13W and to the south by the southern edge of T35N R13W Sec 1-6. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.10. For Morgan County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the Morgan County line; to the west by the western edge of T6N R59W and T5N R59W; to the south by the southern edge of T5N R59W and T5N R58W, and to the east by the eastern edge of T6N R58W and T5N R58W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.11. For Pueblo County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the north by latitude 38°10'5"N, to the west and south by the Pueblo County line, and to the east by the Burlington Northern Santa Fe Railroad. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.12. For Rio Blanco County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the northern edge of T2N R93W Sec 19-24 and the Rio Blanco



County line, to the west by Scenery Gulch, Blacks Gulch, and Piceance Creek; to the south by the Rio Blanco County line and the southern edge of T1S R92W; and to the east by the eastern edge of T3N R94W, T2N R94W, T2N R93W Sec 24, 25, 36, T1N R92W, T1S R92W and T2S R93W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.13. For Weld County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the north by County Road 14; to the west and south by the Weld County line, and to the east by US Highway 85. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.23.14. For Arapahoe, Broomfield, Denver, Douglas, Eagle, Fremont, Huerfano, Jefferson, La Plata, Mesa, Otero and Prowers Counties, suppression is the state management objective, except as otherwise specified in Parts 4.6 and 4.7.

4.8.23.15. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of biocontrol agents and herbicides approved by the Commissioner and some cultural and carefully timed mechanical techniques approved by the Commissioner.

4.8.23.16. 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.

4.8.23.17. Seed longevity is estimated to be up to thirty years. Infested sites must be monitored for at least thirty-one years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.8.24. 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:

4.8.24.1. Except as noted below, elimination of all populations is required prior to seed development in 2022 and each year thereafter in all Colorado counties.

4.8.24.2. For Adams County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area



demarcated by the eastern edge of T1S R65W Sec 5, 8, 17, 20, 29 and 32 and the northern, western and southern borders of Adams County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.3. For Arapahoe County, elimination of all populations 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 border of Arapahoe County; State Highway 470 on the east; and the southern and western borders of Arapahoe County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.4. For Boulder County, elimination of all populations 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 border of Boulder County, Bull Mountain Road, and State Highway 93 and US Highway 36 on the west. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.5. For El Paso County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated to the north and south by the El Paso County line, all lands within five miles of Interstate 25, and all lands within one mile of State Highway 115 to the western El Paso County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.6. For Jefferson County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated to the north and west by the Jefferson County line, and to the southwest by southern edge of T3S R71W, the western edge of T4S R70W, the southern edge of T5S R70W Sec 13-18, the western edge of T5S R69W and T6S R69W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.7. For Larimer County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated to the north by Latitude 40°41'17.811"N, the eastern and southern borders of



Larimer County, and to the west by T8N R70W Sec 6, 7, 18, 19, 30, 31, T7N R70W Sec 6, 7, 18, 19, 30, 31, T6N R70W Sec 6, 7, 18, 19, 30, 31, T6N R70W Sec 6, 7, 18, 19, 30, 31, T5N R70W Sec 6, 7, 18, 19, 30, 31, and T4N R70W Sec 6, 7, 18, 19, 30, and 31. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.8. For Logan County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by; (Area 1) to the west by T10N R53W Sec 29 and 32, T9N R53W Sec 5, 8, and 17, and the northern, southern and eastern boundary of north Sterling Reservoir State Park; and (Area 2) Townships along the South Platte River; T11N R48W, T10N R50W, T10N R49W, T10N R48W, T9N R52W, T9N R51W, T9N R50W, T8N R52W, T8N R51W, T7N R53W, T7N R52W, T6S R54W, and T6N R53W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.9. For Morgan County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated to the north by Riverside Canal to Wildcat Creek to Tremont Canal to Snyder Canal; to the west and east by the Morgan County line; and to the south by State Highway 34. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.10. For Pueblo County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated; (Area 1) to the north by the northern edge of T22S R68W Sec 19-24, to the west by the Pueblo County line, to the south by T23S R68W and to the east by T22S R68W Sec 24, 25, and 36, and T23S R68W; and (Area 2) to the north by the Pueblo County line and all lands within 2.5 miles of Fountain Creek, to the west by the Pueblo Reservoir outlet marked by the Pueblo Reservoir Road, to the east by the Pueblo County line and all lands within 2.5 miles of the Arkansas River, Bessemer Ditch, Booth Canal, Chico Creek, Colorado Canal, Excelsior Ditch, Kramer Creek, Oxford Farmers Ditch, rock Ford Highline Canal and Salt Creek. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.11. For Sedgwick County, elimination of all populations is required prior to seed development in 2022 and each year



thereafter for all land outside the boundaries of an area demarcated to the north and west by the Sedgwick County line, and to the south by Interstate 76. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.12. For Weld County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by all lands within one mile of the Cache La Poudre, Big Thompson, Little Thompson and South Platte Rivers to the Weld County borders. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.24.13. For Bent, Broomfield, Denver, Prowers and Rio Blanco Counties, suppression is the state management objective, except as otherwise specified in Parts 4.6 and 4.7.

4.8.24.14. 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.

4.8.24.15. 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.

4.8.24.16. Seed longevity is estimated to be up to fourteen years. Infested sites must be monitored for at least fifteen years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.8.25. 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:

4.8.25.1. Except as noted below, elimination of all populations is required prior to seed development in 2022 and each year thereafter in all Colorado counties.

4.8.25.2. For Adams County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated to the east by the eastern edge of T1S R65W Sec 5, 8, 17, 20, 29 and 32 and to the north, west, and south by the Adams County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area



described above, suppression is the specified state management objective.

4.8.25.3. For Arapahoe County, elimination of all populations 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 border of Arapahoe County, State Highway 470 on the east, and the southern and western borders of Arapahoe County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.25.4. For Boulder County, elimination of all populations 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 border of Boulder County, and State Highway 93 and US Highway 36 on the west. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.25.5. For Jefferson County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated in the southwest by the southern edge of T3S R71W, the western edge of T4S R70W and T5S R70W, the southern edge of T5S R70W, the western edge of T5S R69W and of T6S R69W and by the northern and eastern borders of Jefferson County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.25.6. For Larimer County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated to the north by Latitude 40°41'17.811"N, the eastern and southern borders of Larimer County, and to the west by the western edge of T8N R70W, T7N R70W, T6N R70W, T6N R70W, T5N R70W, and T4N R70W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.25.7. For Morgan County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated to the north by Riverside Canal to Wildcat Creek to Tremont Canal to Snyder Canal, to the west and east by the Morgan County line, and to the south by State Highway 34. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.25.8. For Sedgwick County, elimination of all populations is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by to the north and west by the Sedgwick County line, and to the south by Interstate 76. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.25.9. Elimination of all populations in Weld County is required prior to seed development in 2022 and each year thereafter for all land outside the boundaries of an area demarcated by all lands within one mile of the Cache La Poudre, Big Thompson, Little Thompson, and South Platte Rivers to the Weld County borders. Except as otherwise specified in Parts 4.6 and 4.7 and as otherwise specified in this Section, for all land within the area described above, suppression is the specified state management objective.

4.8.25.10. For Broomfield, Denver, and Rio Blanco Counties, suppression is the state management objective, except as otherwise specified in Parts 4.6 and 4.7.

4.8.25.11. 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.

4.8.25.12. 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.

4.8.25.13. Seed longevity is estimated to be at least fourteen years. Infested sites must be monitored for at least fifteen years after the populations have been eliminated and treatments must be repeated when necessary to prevent flowering and development of seed.

4.8.26. 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:

4.8.26.1. Except as noted below, elimination of all populations is required prior to seed development in 2024 and each year thereafter in all Colorado counties.

4.8.26.2. For Larimer County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated: (Area 1) to the north by the northern edge of T5N R70W Sec 1, 2, and 3, T5N



R69W, T5N R68W, to the west by the western edge of T5N R70 W Sec 3, 10, 15, 22, 27, and 34, to the south by southern edge of T5N R70W Sec 34, 35, and 36, T5N R69W, T5N R68W, and to the east by the border of Larimer County; and (Area 2) to the north by County Road 14B, County Road 17, Douglas Road, to the west by the National Forest System lands boundary, Old State Highway 28, County Road 23, to the south by County Road 38E, Harmony Road, and to the east by Interstate 25. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.26.3. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and cultural or other mechanical techniques approved by the Commissioner.

4.8.26.4. 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.

4.8.26.5. 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.

4.8.27. 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:

4.8.27.1. Except as noted below, elimination of all populations is required prior to seed development in 2026 and each year thereafter in all Colorado counties.

4.8.27.2. For Adams County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated on the west by the western edge of T1S R66W, T2S R66W, and T3S R66W Sec 6 and 7 and to the north, west, and south by the Adams County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.3. For Delta County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the northern edge of T12S R94W Sec 19- 22; to the west by the western edge of T12S R94W and T13S R94W; to the south by



the southern edge of T13S R94 W Sec 31-34; and to the east by the eastern edge of T12S R94W Sec 22, 27, and 34 and T13S R94W Sec 3, 10, 15, 22, 27 and 34. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.4. For Denver County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries demarcated: (Area 1) to the east by the Platte River and to the north, west, and south by the Denver County line and (Area 2) to the north, west, south and east by the Denver County line and to the southwest by First Creek. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.5. For Dolores County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the east by the National Forest System land boundary located just east of the Dolores River, and the northern, southern and western border of Dolores County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.6. For Logan County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the northern edge of T8N R50W, T8N R49W, and T8N R48W; to the west by the western edge of T8N R50W, T7N R50W, and T6N R50W; and to the south and east by the Logan County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.7. For Moffat County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated by (Area 1) the entirety of T10N R91W and T9N R91W; (Area 2) to the east and south by the Moffat County border, to the north and west by the northern and western edges of T8N R89W and T7N R89W; and (Area 3) to the north by State Highway 40, to the west by the western edge of T6N R93W, to the south by the Yampa River and the southern edge of T5N R91W and T6N R90W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.8. For Montezuma County, elimination of all populations is required prior to seed development in 2026 and each year



thereafter for all land outside the boundaries of an area demarcated to the north by the Montezuma County line; to the east by the Dolores River and the eastern edge of T37N R16W and T36N R15W; to the south by Kernan Canyon and McElmo Creek; and to the west by the Bureau of Land Management Public Lands boundary. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.9 For Montrose County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated by: (Area 1) to the north by the northern edge of T47N R15W, T47N R14W, to the east by T47N R15W, T46N R15W, T45N R15W, to the south by the Montrose County line, and to the east by the eastern edge of T47N R14W, T46N R14W, and T45N R14W; and (Area 2) to the north by the Montrose County line and the northern edge of T50N R9W and T47N R8W, to the west by the western edge of T51N R10W, T50N R10W, T49N R10W, T48N R10W, and T47N R10W, to the south by the Montrose County line, and to the east by the eastern edge of T51N R10W, T50N, R9W, T49N R9W, T48N R9W, and T47N R8W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.10. For Ouray County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the Ouray County line; to the west by Dolores Creek and the Ouray County line; to the south by Spruce Mountain ridge, the Uncompahgre River Dam inlet, and Cow Creek; and to the east by Burro Creek and the Ouray County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.11. For Phillips County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the east and north by the Phillips County line; to the west by County Road 19; and to the south by County Road 36. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.12. For Pueblo County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated by Latitude $38^{\circ}11'16.617''\text{N}$, Longitude $104^{\circ}41'20''\text{W}$, and the southern and



western border of Pueblo County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.13. For San Miguel County, elimination of all populations is required prior to seed development in 2026 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the Bureau of Land Management Public Lands boundary; to the west and south by the San Miguel County line; and to the east by County Roads K8 and F11. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.27.14. For Baca, Crowley, Garfield, Jefferson, Kiowa, Kit Carson, La Plata, Lincoln, Mesa, Morgan, Otero, Prowers, Sedgwick and Washington Counties, suppression is the state management objective, except as otherwise specified in Parts 4.6 and 4.7.

4.8.27.15. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and carefully timed cultural, mowing, tilling, or other mechanical techniques approved by the Commissioner.

4.8.27.16. 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.

4.8.27.17. Seed longevity is estimated to be at least nine 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.

4.8.28. 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:

4.8.28.1. Except as noted below, elimination of all populations is required prior to seed development in 2024 and each year thereafter in all Colorado counties.

4.8.28.2. For Boulder County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the northern border of Boulder County to the west by the western edge of T3N R70W Sec 4, 9, 16, and 21; to the south by Hygiene Road; and to the east by 95th Street. Except as otherwise specified in



Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.28.3 For Broomfield County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by State Route CO-128, and to the west, south, and east by the Broomfield County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.28.4. For Larimer County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by US Highway 36; to the west by National Forest System lands; to the south by the Larimer County line; and to the east by State Highway 34. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.28.5. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and cultural or other mechanical techniques approved by the Commissioner.

4.8.28.6. 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.

4.8.28.7. 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.

4.8.29. 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:

4.8.29.1. Except as noted below, elimination of all populations is required prior to seed development in 2024 and each year thereafter in all Colorado counties.

4.8.29.2. For Denver County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by Colfax Avenue; to the west by Sheridan Boulevard; to the south by Hampden Avenue and the Denver County line; and to the east



by Colorado Boulevard. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.29.3 For Jefferson County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for land outside of an area demarcated to the north and east by the Jefferson County line; to the west by State Highways 93 and C-470; and to the south by State Highway 287. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.29.4. For Larimer County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by 40°43'30"; to the west by 105°20'7"; to the south by 40°22'15"; and to the east by the Larimer County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.29.5. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and cultural or other mechanical techniques approved by the Commissioner.

4.8.29.6. 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.

4.8.29.7. Seed longevity is approximately seventeen 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.

4.8.30. 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:

4.8.30.1. Except as noted below, elimination of all populations is required prior to seed development in 2024 and each year thereafter in all Colorado counties.

4.8.30.2. For Garfield County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the northern edge of T7S R89W Sec 19, 20, 21, and 22 and T7S R90W Sec 22, 23, and 24; to the west by the western edge of



T7S R90W Sec 22, 27, and 34 and T8S R90W Sec 3 and 10; to the south by the southern border of Garfield County; to the east by the eastern edge of T7S R89W Sec 22, 27 and 34 and T8S, R89W Sec 3 and 10. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.30.3. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and cultural or other mechanical techniques approved by the Commissioner.

4.8.30.4. 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.

4.8.30.5. 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.

4.8.31. 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:

4.8.31.1. Except as noted below, elimination of all populations is required prior to seed development in 2024 and each year thereafter in all Colorado counties.

4.8.31.2 For Custer County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by County Road 150 and 160; to the west by the National Forest System lands boundary; to the south by the Custer County line; and to the east by State Highway 69. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.31.3 For Gunnison County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by Kebler Pass Road and to the west, south, and east by the National Forest System lands boundary surrounding Colorado Highway 135. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.31.4. For Larimer County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by McIntyre Road; to the west and south by County Road 190; and to the east by County Road 103. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.31.5 For Routt County, elimination of all populations is required prior to seed development in 2024 and each year thereafter for all land outside the boundaries of an area demarcated to the north by the northern edge of T9N R5W; to the west by the western edge of T9N R85W, T8N R85W, T7N R85W, and T6N R89W; to the south by the southern edge of T6N R89W, T6N R88W, T6N R87W, T6N R86W, and T6N R85W and to the east by the eastern edge of T9N R85W, T8N R85W, T7N R85W and T6N R85W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.31.6. The prescribed integrated management techniques for the elimination of designated populations are limited to the use of herbicides approved by the Commissioner and cultural or other mechanical techniques approved by the Commissioner.

4.8.31.7. 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.

4.8.31.8. 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.

4.8.32. 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:

4.8.32.1. Except as noted below, elimination of all populations is required prior to seed development in 2030 and each year thereafter in all Colorado counties.

4.8.32.2. For Weld County, elimination of all populations is required prior to seed development in 2030 and each year thereafter for all land outside the boundaries of an area demarcated by 4N R66W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within



the area described above, suppression is the specified state management objective.

4.8.32.3. 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.

4.8.32.4. 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.

4.8.32.5. 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.

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

4.8.34. 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:

4.8.34.1. Except as noted below, elimination of all populations is required prior to seed development in 2028 and each year thereafter in all Colorado counties.

4.8.34.2. For Adams, Alamosa, Archuleta, Boulder, Broomfield, Chaffee, Clear Creek, Conejos, Custer, Delta, Denver, Dolores, Douglas, Eagle, El Paso, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Huerfano, Jackson, Jefferson, La Plata, Lake, Larimer, Logan, Mesa, Mineral, Montezuma, Montrose, Ouray, Park, Phillips, Pitkin, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel, Sedgwick, Summit, Teller, and Weld Counties, suppression is the state management objective, except as otherwise specified in Parts 4.6 and 4.7.

4.8.34.3. 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.

4.8.34.4. 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.



4.8.34.5. Seed longevity is estimated to be up to twenty 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.

4.8.35. 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 to any Russian-olive populations: (i) in public open space areas; (ii) 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; (iii) along and within that corridor; and (iv) any contiguous populations that spread outside of that corridor.

4.8.35.1. Except as noted below, elimination is required prior to seed development in 2028 and each year thereafter in all Colorado counties.

4.8.35.2. For Adams County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern, western, and southern Adams County line and the eastern boundary of T1S to T3S R66W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.3. For Alamosa County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T38N R11E to R12E. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.4. For Arapahoe County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern, western, and southern borders of Arapahoe County and the eastern boundary of T4S to T5S R66W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.5. For Baca County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated: (Area 1) to the north and west by T30S R46W Sec 30, to the south by the Burlington Northern Santa Fe railroad track, and to the east by Fairgrounds County Road 24.6; and (Area 2) to the north by Two Butte Creek, to the west and south by County road 30, and to the east by the eastern boundary of T28S R46W Sec 1. Except as otherwise specified in Parts 4.6 and



4.7, for all land within the area described above, suppression is the specified state management objective

4.8.35.6. For Bent County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside the boundaries of an area demarcated as the entirety of T22S R50W to R53W and T23S R50W to R53W. Except as otherwise specified in Parts 4.6 to 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.7. For Boulder County, elimination of all populations is required prior to seed development in 2028 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 by the western boundary of T1S R70W and T1N to T3N R70W. Except as otherwise specified in Parts 4.6 and 4.7 for all land within the area described above, suppression is the specified state management objective.

4.8.35.8. For Delta County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern boundary of T14S R92W to R96W; the western boundary of T15S R96W and T51N R10 W; the southern Delta County line; and the eastern boundary of T51N R10W, T15S R94W, and T14S R92W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.35.9. For Dolores County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside the boundaries of an area within one half of a mile on both sides of US Highway 491 from the western boundary of T41N R19W southeast to the southern Dolores County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.10. For Douglas County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside the boundaries of an area demarcated as T10S R66W to R67W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.11. For El Paso County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside the boundaries of an area demarcated by the northern borders of El Paso County, the western boundary of T11S to T16S R67W, T17S R65W, the southern El Paso



County line, and the eastern boundary of T11S to T14S R66W, T15S to T17S. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.12. For Garfield County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside the boundaries of an area demarcated as T5S R92W, T6S R92W to R95W, T7S R95W to R96W, and T8S R96W to R97W to the southern Garfield County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.13. For Jefferson County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated to the east and north by the Jefferson County line; to the west by the western boundary of T2S to T6S R70W; and to the south by the southern boundary of T6S R69W to R70W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.14. For Larimer County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside the boundaries of an area demarcated by the northern boundary of T9N R68W to R70W; the western boundary of T4N to T9N R70W; and the eastern and southern borders of Larimer County. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.15. For Las Animas County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land beyond one half of a mile from the center of the Purgatoire River on both sides from the eastern edge of Trinidad Lake northeast to the eastern boundary of T32S R26W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.16. For Mesa County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land demarcated as: (Area 1) T10S R98W, T11S R98W, T1S R2E, T1S R1E, T1S R1W, T11S R101W, T1N R3W, T2N R3W, T1N R2W, and T1N R1W; and (Area 2) T8S R96W to R97W to the northern Mesa County line. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.



4.8.35.17. For Moffat County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside of an area demarcated as T7N R90W to R91W and T6N R90W to R91W. Except as otherwise specified in Parts 4.6 and 4.7, for all land outside the areas described above, suppression is the specified state management objective.

4.8.35.18. For Montezuma County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area within a one half of a mile of US Highway 491 on both sides from the northern Montezuma County line southeast to the southern boundary of T34N R17W; within one half of a mile of US Highway 160 on both sides from the intersection with US Highway 491 east to the eastern boundary of T36N R15W; and within one half of a mile of State Highway 145 from the intersection with US Highway 160 north to the northern boundary of T36N R15W and R16W. Except as otherwise specified in Parts 4.6 and 4.7, for all land outside the areas described above, suppression is the specified state management objective.

4.8.35.19. For Montrose County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all lands outside an area demarcated as T51N R10W to the northern Montrose County line, T50N R10W, T49N R9W to R11W, and T48N R9W to R10W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.35.20. For Morgan County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as the western Morgan County line and T4N R56W to R60W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.21. For Pueblo County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated by the northern and eastern Pueblo County line and T18S to T21S R65W, T22S R60W, T21S R60W to R65W, T20S R60W to T20S R64W, and T18S to T19S R64W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the area described above, suppression is the specified state management objective.

4.8.35.22. For Weld County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as: (Area 1) T1N to T2N



R64W; (Area 2) T4N R61W; and (Area 3) the northern boundary of T9N R66W to R67W, the western and southern Weld County line, and the eastern boundary of T1N to T9N R66W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.35.23. For Yuma County, elimination of all populations is required prior to seed development in 2028 and each year thereafter for all land outside an area demarcated as T5S R43W to R44W. Except as otherwise specified in Parts 4.6 and 4.7, for all land within the areas described above, suppression is the specified state management objective.

4.8.35.24. For Broomfield County, suppression is the state management objective, except as otherwise specified in Parts 4.6 and 4.7.

4.8.35.25. 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.

4.8.35.26. 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.

4.8.35.27. 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.

4.9. Containment maps can be located at: www.colorado.gov/ag/weeds

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 [RESERVED]

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 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.
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.

8.1. 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. 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 approximate 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.

8.3. 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.
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.

8.4. 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.

8.5. 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).

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:



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 circuitarium*) List C as populations are too numerous in the state to feasibly require elimination.

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).

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 to 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:

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 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 circutarium*) 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:

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:

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 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.



8.10. February 12, 2014 – Effective March 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 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

1. The factual and policy issues encountered in the proposal of these amendments to the rules are as follows:
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 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 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*), oxeye 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*).
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.
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.



8.13. Adopted February 8, 2017 – Effective March 30, 2017

Statutory Authority

These amendments to the Rules are adopted by the Commissioner 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 are to: remove one species from the Watch List; add one species to the Watch List; update management plans for seven List B species; remove figures from the Rule; correct non-substantive typographical errors; update the numbering system to be consistent with other Department Rules; and update internal citations to reflect new Rules.

The specific amendments to the Rules are as follows:

1. Update the species of special interest for future management plan revisions.
2. Update the management plans for: bull thistle (*Cirsium vulgare*); Eurasian watermilfoil (*Myriophyllum spicatum*); musk thistle (*Carduus nutans*); scotch thistle (*Onopordum acanthium*, *O. tauricum*); common teasel (*Dipsacus fullonum*); cutleaf teasel (*Dipsacus laciniatus*); and jointed goatgrass (*Aegilops cylindrica*).
3. Remove yellowtuft (*Alyssum murale*) from the Watch List, and add hoary alyssum (*Berteroa incana*) to the Watch List.
4. Remove figures from the Rule and provide them separately via the Departments website.
5. The 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: bull thistle (*Cirsium vulgare*), musk thistle (*Carduus nutans*), scotch thistle (*Onopordum acanthium*, *O. tauricum*), common teasel (*Dipsacus fullonum*), cutleaf teasel (*Dipsacus laciniatus*), jointed goatgrass (*Aegilops cylindrica*) and Eurasian watermilfoil (*Myriophyllum spicatum*).
4. The changes to the Watch List reflect the determination that yellowtuft (*Alyssum murale*) is no longer considered a significant threat to agricultural productivity and native plant communities of the state, and should be removed from this list; and that hoary alyssum (*Berteroa incana*) may become a significant threat and requires additional monitoring and investigation by adding it to the Watch List.
5. The figures currently included in the Rule are intended to serve as a visual aid in understanding the text of the Rule, they are being removed. To avoid any confusion in the case of an inconsistency between a figure and the Rule text, the figures will be provided separately on the Department's website. If a figure contains information that is inconsistent with the text of a Rule the text will prevail as it alone constitutes the legally binding Rule.

8.14. Adopted February 22, 2018– Effective March 30, 2018

Statutory Authority

These amendments to the Rules are adopted by the Commissioner pursuant to his authority under the Colorado Noxious Weed Act §§ 35-5.5-108(2.3) and 115, C.R.S.

Purpose

The purpose of these amendments are to: clarify the form and types of mapping data to be submitted by local governing bodies; remove one species from List B; correct species spellings for two List B species; update management plans for eight List B species; move rule language regarding riparian areas and road rights-of-way so that they appear at the beginning of the List B species rather than repeated throughout the rule; and correct non-substantive typographical, numerical and formatting errors.

The specific amendments to the Rules are as follows:

1. Revise Part 3.5 to allow the Commissioner to specify the form and types of mapping data required to be submitted for List A species.
2. Revise Part 4.1 to remove corn chamomile (*Anthemis arvensis*) from List B, and to correct the common names for mayweed chamomile and



the scientific name for scentless chamomile (*Tripleurospermum inodorum*), according to *The Flora of North America*.

3. Revise Part 4.2 to specify a rotation schedule for keeping management plans for List B species up to date.
4. Revise Part 4.3 to update the species of special interest for future management plan revisions, and to specify that local governing bodies should, to the maximum extent possible, provide mapping data in a form and type approved by the Commissioner.
5. Revise Part 4.6 to consolidate noxious weed management in riparian area rules at the beginning of Part 4 and to establish a consistent riparian setback distance of 100 feet for List B species.
6. Revise Part 4.8 to consolidate rule language regarding public rights-of-ways, roads, highways, and appurtenant easements at the beginning of Part 4.
7. Update the management plans for: sulfur cinquefoil (*Potentilla recta*), scentless chamomile (*Tripleurospermum inodorum*), mayweed chamomile (*Anthemis cotula*), dame's rocket (*Hesperis matronalis*), moth mullein (*Verbascum blattaria*), bouncingbet (*Saponaria officinalis*), common tansy (*Tanacetum vulgare*) and wild caraway (*Carum carvi*).
8. Revise Part 6.1 to correct the scientific name for Himalayan blackberry (*Rubus discolor*) based upon up-to-date information provided in *The Flora of North America*.
9. Revise the Rules to correct non-substantive typographical and formatting errors and to update numerical references for accuracy.

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: sulfur cinquefoil (*Potentilla recta*), scentless chamomile (*Tripleurospermum indorum*), mayweed chamomile (*Anthemis cotula*), dame's rocket (*Hesperis matronalis*), moth mullein (*Verbascum blattaria*), bouncingbet (*Saponaria officinalis*), common tansy (*Tanacetum vulgare*) and wild caraway (*Carum carvi*).

4. The revisions to Part 4.1 reflect the determination, supported by evidence reviewed by the Department, that corn chamomile is rare and that most of the chamomile found in Colorado is either scentless or mayweed/stinking chamomile.
5. The revisions to Part 4.3 clarify that information on distribution and abundance of certain List B species, including mapping data, relate to a rolling list of List B species that changes annually. The changes to the Rule also clarify the relationship between data submission and statewide management plans.
6. The Department is consolidating rule requirements for riparian area management in a new Part 4.6. This revision should clarify and shorten the Rule.
7. The revisions to this new Part 4.6 apply a setback distance of 100 feet from the ordinary high-water mark. The Department derived this setback distance based upon its review of a collection of evidence indicating that this setback distance is where natural disturbance, such as sediment and soil seed bank movement, can be accommodated, while still protecting the physical, chemical, and biological integrity of streams and rivers. This consolidation of these requirements in Part 4.6 ensures the setback distance is applied consistently throughout the rule.
8. The Department is consolidating Rule requirements regarding public rights-of-ways, roads, highways and appurtenant easements in a new Part 4.7. This revision replaces the previous format where this same language appeared in all List B species management plans.
9. The revision to Part 6.1 is to be consistent with the scientific name in the Flora of North America for the synonym for Himalayan blackberry (*Rubus armeniacus*).

8.15. Adopted September 9, 2020 – Effective October 30, 2020

Statutory Authority



These amendments to the Rules are adopted by the Commissioner pursuant to her authority under the Colorado Noxious Weed Act, §§ 35-5.5-108(2.3) and 115, C.R.S.

Purpose

The purpose of these amendments are to: update the management plans for 16 List B species; update the scientific names for four List A species and four List B species; remove the Watch List; and update deadlines associated with treatment of management throughout the Rule.

The specific amendments to the Rules are as follows:

1. Revise Part 3.1 to update the scientific names of four List A species: Japanese knotweed, from *Polygonum cuspidatum* to *Fallopia japonica*; Giant knotweed, from *Polygonum sachalinense* to *Fallopia sachalinense*; Bohemian knotweed, from *Fallopia x bohemicum* to *Fallopia bohemicum*; and meadow knapweed, from *Centaurea nigrescense* to *Centaurea moncktonii* following scientifically accepted taxonomy and nomenclature in the Integrated Taxonomic Information System.
2. Revise Parts 3.5.2 and 4.3.1.2 to clarify that the Department is collecting data in a manner that permits it to measure abundance, including, but not limited to, the listed examples in the revised Rule.
3. Revise Parts 3.5.3 and 4.3.1.3. to distinguish infested area from gross area.
4. Revise Part 4.1 to update the scientific names of four List B species: Hoary cress, from *Cardaria draba* to *Lepidium draba*; Russian knapweed, from *Acroptilon repens* to *Rhaponticum repens*; Spotted knapweed, from *Centaurea stoebe* to *Centaurea stoebe ssp. micranthos*; and Spotted x diffuse knapweed hybrid, from *Centaurea x psammogena c. stoebe x C. diffusa ssp. micranthos* to *Centaurea x psammogena* following scientifically accepted taxonomy and nomenclature in the Integrated Taxonomic Information System.
5. Revise Part 4.3 to identify a subset of species of special interest for future management plan revisions, consistent with a rotation schedule that divides noxious species into cohorts of five to seven species. The division of species into scheduled cohorts is necessary to make statewide management plan updates manageable. Cohorts are grouped by taxa and expiration dates where possible.
6. Revise Part 4.8 to update the management plans for: absinth wormwood (*Artemisia absinthium*), black henbane (*Hyoscyamus niger*), Canada thistle (*Cirsium arvense*), Chinese clematis (*Clematis orientalis*), diffuse knapweed (*Centaurea diffusa*), hoary cress (*Cardaria draba*), houndstongue (*Cynoglossum officinale*), leafy spurge (*Euphorbia*



esula), oxeye daisy (*Leucanthemum vulgare*), plumeless thistle (*Carduus acanthoides*), Russian-olive (*Elaeagnus angustifolia*), salt cedar (*Tamarix chinensis* and *T. ramosissima*), spotted knapweed (*Centaurea stoebe* L. ssp. *micranthos*), diffuse knapweed (*Centaurea diffusa*), spotted x diffuse knapweed hybrid (*Centaurea x psammogena*), and yellow nutsedge (*Cyperus esculentus*). The new Rules also remove *T. parviflora* from Part 4.8.

7. Revise Part 4.8 to change management plan expiration dates from a 5-year rotation schedule to a 10-year rotation schedule while scheduling species that are over-due for management plan updates as a first priority and maintaining taxonomic cohorts when possible.
8. Remove Part 6 from the Rules.
9. Revise the Rules to correct non-substantive typographical, grammatical and formatting errors and to update numerical references for accuracy.

Factual and Policy Issues

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

1. The Department learned that the names of certain weed species were no longer correct. Therefore, the Department has revised the scientific names of certain List A and List B species to reflect current scientific nomenclature.
2. The Department was not receiving information that consistently provided a quantifiable abundance of reported noxious weed species. Therefore, the Department revised the Rules to ensure that it receives data that measure abundance. The Department prefers to receive such information in the form of percent cover of noxious weed species, but it will accept other measures of abundance from reporting counties, localities, etc.
3. The Rules previously referenced “gross area” instead of “infested area.” Gross area overestimates the magnitude and severity of an infestation because it includes land cover other than noxious weed species (e.g., roads, bare mineral soil, native plants, structures). Infested area, however, provides site-specific information that describes the current magnitude and severity of noxious weed species only and, as such, is more consistent with the language of the statute.
4. The amendments to Part 4.3 update the weed species for which the Department collects information on distribution and abundance from local governments. Specifically, the Rule amendments replace absinth wormwood, Canada thistle, plumeless thistle, Russian olive, salt cedar, and yellow nutsedge with common teasel, cutleaf teasel, yellow toadflax, Dalmatian toadflax, and yellow x Dalmatian toadflax hybrid.



5. The Department worked with statewide weed managers, county weed managers, the state Noxious Weed Advisory Committee, conservation districts, and other interested parties between March 2018 and March 2020 to collect data and, based on that data, develop revised weed management plans for the following List B species: absinth wormwood (*Artemisia absinthium*), black henbane (*Hyoscyamus niger*), Canada thistle (*Cirsium arvense*), Chinese clematis (*Clematis orientalis*), diffuse knapweed (*Centaurea diffusa*), hoary cress (*Cardaria draba*), houndstongue (*Cynoglossum officinale*), leafy spurge (*Euphorbia esula*), oxeye daisy (*Leucanthemum vulgare*), plumeless thistle (*Carduus acanthoides*), Russian-olive (*Elaeagnus angustifolia*), salt cedar (*Tamarix chinensis* and *T. ramosissima*), spotted knapweed (*Centaurea stoebe* ssp. *micranthos*), diffuse knapweed (*Centaurea diffusa*), spotted x diffuse knapweed hybrid (*Centaurea x psammogena*), and yellow nutsedge (*Cyperus esculentus*).
6. Plan revisions included creating or changing containment zone boundaries and updating containment, suppression, or eradication objectives. In making these changes, the Department relied upon the data submitted into EDDMapS, a web-based mapping system for documenting invasive species and pest distribution, by local governments. Specifically, local governments provided occurrence records showing the distribution and abundance for the above-named species. Local governments collected these data using different resources, including local weed program employees, private contractors, citizen scientists, volunteers, Colorado Parks and Wildlife, USDA Forest Service, and/or state conservation districts. The Department reviewed and analyzed the data using peer-reviewed methods of analysis to determine with a high degree of confidence where occurrences are clustered; where such clusters are randomly dispersed versus concentrated; where the center of infestation appears; the direction, length, and width of an infestation; and where appearances are or are not statistically significant. These data and the Department's geostatistical analysis of the same served as the basis for the Department's determination of containment area boundaries and management objectives.
7. Smallflower tamarisk (*Tamarix parviflora*) currently appears on List B. However, this weed species is not known to be present in Colorado, and scientific evidence does not support its inclusion on List B. Therefore, the Department is removing smallflower tamarisk from List B.
8. The Department is removing Part 6, the Watch List, from the Rules so that it can update the Watch List in real-time. Such a revision furthers the goals of early detection of invasive plants and a rapid response to their control when necessary.

