

# SANDERS COUNTY

# **Subdivision Weed Management**

PO Box 519 1111 Main St. Thompson Falls, MT 59873 Office 406-827-6948 Fax 406-827-4388

#### Sanders County Subdivision Noxious Weed Management Application and Plan

- 1. The purpose of these regulations is to promote the prevention of noxious weeds and their seeds as a public nuisance under Montana Law. It is unlawful to permit noxious weeds to propagate within a subdivision (MCA 7-22-2101 through 7-22-2153).
- 2. A Sanders County Subdivision Noxious Weed Management Plan can be developed by either the landowner/developer or by the Sanders County Subdivision Weed Management Office but must be approved by the Sanders County Commissioners This plan is effective for three (3) years from final plat recordation date and will transfer with ownership to buyers, heirs, and assigns.
- 3. The Sanders County Subdivision Noxious Weed Management Plan will require initial treatment of weeds to be completed during the first suitable growing season with follow-up treatment performed during each succeeding season for the duration of this agreement. Subdivisions will not receive final approval until the initial treatment of weeds, completion of roads, and ground disturbance restoration has occurred or a Subdivision Improvement Agreement (SIA) has been received. Landowner/developer must notify the Weed Management Office when projects are completed to facilitate follow-up inspections.
- 4. A Subdivision Weed Management Application must be submitted within thirty (30) days of preliminary plat approval. Inspection will occur within fourteen (14) days of application submittal unless weather prevents inspection. Inspection prior to final plat submittal must be requested no fewer than fourteen (14) days before final plat is submitted to the Sanders County Land Services Department.
- 5. Off-season final plat recordings must be submitted with a SIA requiring a monetary guarantee in the amount of 125% of the determined cost of the initial treatment of the noxious weeds present on property. The monetary guarantee will be forfeited after one (1) growing season (season begins April 1 and ends September 30) if landowner is found in non-compliance. Noxious weeds will then be treated by Sanders County Weed District, or its agent, the following growing season with landowner/developer responsible for follow-up treatments for the remainder of this agreement. The monetary guarantee value will be determined by the Sanders County Weed District and approved by the Sanders County Commissioners.
- 6. The Sanders County Commissioners will approve or reject the plan after:
  - a. An initial review of the Sanders County Subdivision Noxious Weed Management Plan,
  - b. The Sanders County Subdivision Weed Management Office, or its representative, has made an on-site inspection of the subdivision site to verify landowner/developer plan or to devise a county plan.

#### Inspections will be done only during the noxious weed active growing season, so please plan accordingly.

If the Plan is approved, an approval letter and copy of the Sanders County Subdivision Noxious Weed Management Plan will be sent to:

- a. The property owner(s) or applicant,
- b. The Sanders County Land Services Office and
- c. Filed with the final plat.

If the landowner/developer plan is rejected, the applicant has the following options:

- a. The Plan may be revised by the applicant and resubmitted to the Sanders County Commission for review, or
- b. The applicant may request assistance from the Sanders County Subdivision Noxious Weed Management Office, or its representative, in revising their plan. **Additional fees may apply.**
- 7. The Sanders County Subdivision Weed Management Office, or its representative, will inspect the proposed subdivision periodically during the three (3) year period, with consideration given to the filed Plan as reference for control and treatment of noxious weed infestations on the subdivision acreage.
- 8. The Sanders County Commissioners and the Sanders County Weed Board consider the Sanders County Subdivision Noxious Weed Management Plan process a positive means of continuing awareness and education for landowners to be knowledgeable of, and responsible for, their noxious weed problems. It is the Sanders County Weed Board's desire to persist with effective management of the State and county declared noxious weeds, as stated in the Montana County Noxious Weed Control Act. Noxious weeds will continue to be a problem and will require continued vigilance, even beyond the scope of this agreement.
- 9. Enforcement of this Sanders County Subdivision Noxious Weed Management Plan as per Sanders County Subdivision Regulations IV-R Noxious Weeds; IV-A-6 (b)(iii)(E) Governing Body Decision and Documentation Impact on Natural Environment and Title 7, Chapter 22 of the Montana Code Annotated.

### **FEE SCHEDULE**

Landowner Plan (\$100.00)

County Devised Plan (\$160.00)

Follow-up Fees: 1 to 3 Lots—(\$250.00)

4 to 9 Lots—(\$500.00)

10 or more lots—(\$100.00 per lot)

#### ALL FEES ARE DUE AT INITIAL FILING AND ARE NON-REFUNDABLE

Fees for county assistance to revise a rejected plan determined on a case by case basis.

#### Sanders County Subdivision Noxious Weed Management Application

(Please fill out completely)

Date				
Subdivision Name				
Landowner(s) Name(s)				
Mailing address	_City/State/Zip Code			
Phone Fax	Email			
Physical Location of Property (Please provide any details useful for identification.)				
Legal Description1/4, Sec	, Twp, R (Please provide documentation)			
Number of lots proposed				
Proposed use of lots (Indicate all that apply)				
Residential, Industrial, Crop, Grazir	ng, Rangeland, Other			
Please list type of crop(s) as well as what livestock may be used for grazing:				

# **Landowner duties and Responsibilities**

#### The Landowner agrees:

- 1. That the Sanders County Subdivision Weed Management Office has the right to review, inspect and audit all Applicator's documents and records regarding the performance of work done under this agreement.
- 2. That the Sanders County Subdivision Weed Management Office shall be allowed to access property without prior landowner notification for the purposes of surveying to assess noxious weed issues.
- 3. That Landowner will notify Sanders County Subdivision Weed Management Office immediately upon treatment of weeds for scheduling an inspection.
- 4. That the landowner/developer shall, during the duration of this agreement, notify the Sanders County Subdivision Weed Management Office in writing when any lot ownership is transferred, as well as contact information for the new landowners.
- 5. That this Sanders County Subdivision Noxious Weed Management Form and Agreement will transfer with ownership to all buyers, heirs, and assignees, and that the landowner shall provide a copy of this Plan to all new landowners.

- 6. That emphasis is to be on PREVENTION, as it is the most direct, efficient, and cost-effective method of weed management. The landowner agrees:
  - a. That new construction will necessitate special attention to the prevention of weed establishment and spread.
  - b. To prioritize efforts toward exposed, disturbed and otherwise vulnerable soil, which will be reseeded and fertilized, if necessary, at the first suitable season. All seed used for this purpose is to be certified **noxious weed seed free.** An ongoing maintenance program will be required to insure the establishment and continuance of competitive vegetation.
  - c. That organic materials used for surface mulch, erosion control, water and situation barriers, or frost and weather protection of green concrete shall be obtained from **noxious weed seed free sources**.
  - d. Equipment and trucks will be cleaned of **contaminated soil** or **noxious weed seeds** before movement from noxious weed infested areas to areas free of noxious weeds.
  - e. All portions of a project's disturbed roadside slopes will be seeded to establish suitable competitive vegetation at the first suitable season. All rights-of-ways will be seeded to edge of road. All seed used for this purpose is to be **certified noxious weed seed free**.
  - f. That the storage of clean topsoil shall be protected in specifically prepared areas free of weeds and weed seeds. Topsoil already contaminated shall be stored separately, and if stored more than one growing season, must be tilled regularly or covered with plastic to prevent the establishment of germinating weed seed.
- 7. The landowner agrees to the application of selective herbicides to reduce and/or remove existing noxious weed populations.
- 8. The landowner agrees that where mowing is done, careful site-specific consideration shall be given to timing so that in any given area, weeds will be mowed when they are most vulnerable and immature enough to preclude production of viable seed. This will reduce the hardiness of the plants, inhibit re-growth, and thereby reduce weed production. Hand pulling of selected weeds on selected sites will be considered to control small infestations in sensitive areas. The use of canopy or shrub cover will be considered, where feasible, along with any other appropriate cultural methods. Follow-up strategies are essential to success using this method.

The Montana County Noxious Weed Control Act, MCA 7-22-2116, states, "It is unlawful for any person to permit any noxious weed to propagate or go to seed on his land..." All noxious weeds are required by state and county law to be controlled by the Landowner at the Landowner's expense. This Sanders County Subdivision Noxious Weed Management Plan must be signed by landowner/developer and Sanders County Commission Chairman or acting Chairman in his or her absence. This plan is effective for three (3) years from final plat recordation date and will transfer with ownership to buyers, heirs and assigns.

	EDULE (NON-REFUNDA lease indicate all boxes that apply)	BLE)
Landowner Plan Fee (\$100.00)	County F	Plan Fee (\$160.00)
Follow-up Fees:1 to 3 Lots (\$250.00)	4 to 9 Lots (\$500.00)	10 or more lots (\$100.00 per Lot)
Signature of Landowner(s)	Date	Amount Submitted Check #
Signature of Landowner(s)	Date	_

### **Sanders County Noxious Weed Management Plan**

Subdivision Name:	Landowner/Developer:
	that are known to exist on the property. Please indicate all that are present along station amount. Please specify major weed infestations on map of property.
	Priority 3-Regulated Plants (NOT MONTANA LISTED NOXIOUS WEEDS)
- ,	otential to have significant negative impacts. The plant may not be intentionally caminant in agricultural products. The state recommends research, education, and of the regulated plant.
Cheat Grass	Russian Olive Hydrilla
	PRIORITY 2B
These weeds are abundant in Mon or containment where less abunda	tana and widespread in many counties. Management criteria will require eradication nt.
Canada Thistle	Yellow/Common Toadflax
Field Bindweed	St. Johnswort
White Top	Sulfur Cinquefoil
Leafy Spurge	Houndstongue
Russian Knapweed	Common Tansy
Spotted Knapweed	Oxeye Daisy
Diffuse Knapweed	Tammerisk (Saltcedar)
Dalmation Toadflax	
These weeds are common in isolat	ed areas of Montana. Management criteria will require eradication.
Hoary Alyssum	Tall Buttercup
Tansy Ragwort	Perennial Pepperweed
Meadow Hawkweed (Yellow)	Yellowflag Iris
Orange Hawkweed	Blueweed

## **Priority 1B**

These weeds have a limited presence in Montana. Management criteria will require eradication or containment and education.

*Weeds marked with an asterisk are found only in isolat District.	red areas of Sanders County. If found, please contact local Weed
**Weeds marked with two (2) asterisks are found in No. District or Avista.	xon Reservoir. If found in other bodies of water, contact Weed
*Dyers Woad	*Rush Skeletonweed
*Flowering Rush	*Scotch Broom
Japanese Knotweed	**Eurasion Watermilfoil
*Purple Loosestrife	**Curlyleaf Pondweed
<u>P</u>	Priority 1A
These weeds are not presently known to exist in Montai state recommends research, education, and prevention	na. Management criteria will require eradication if detected. The to minimize the spread of this noxious weed.
Yellow Starthistle	
Early detection is e	easier and cheaper for you.

Knowing your property's terrain, water table, and soil type will aid in your evaluation of the best method to use for weed control. Having a map or drawing of where the weeds are located can prove helpful when weeds are young and actively growing (perfect time for herbicide), but difficult to see.

# Attach an appropriate map of your property. Your plan will not be approved without it.

Please include the following features on your map:

- 1. Weed infestation-Be specific with defining areas where you wish to control weeds.
- 2. Topographic features-Such as streams, lakes, hills and vegetation (wetlands, wildlife habitat, etc).
- 3. Buildings, roads, fences, power lines, railroads, and other rights-of-ways.
- 4. Irrigation canals and ditch systems.
- 5. Property boundaries.

Maps can be obtained from the County Assessor, Clerk and Recorder, Bureau of Land Management, Forest Service, and Soil Conservation Services. There may be a cost for purchase.

1.	Are there any water sources nearby? (Lake, por	nd, creek, canal, well, etc)	
2.	Is your water table shallow or deep?		
3.	Is there any sensitive vegetation nearby? (Garden, alfalfa, potatoes or orchard)		
4.	What type of soil is present? (Sandy, rocky, clay, etc.)		
5.	Will you be grazing any livestock?		
6.	Number of acres in development?	Number of lots?	
7.	What method of weed control/management will be incorporated?		
	Landscaping F	Revegetation/Reseeding	
	MowingS	seed Mix/Timing	
	Hand Pulling G	razing (Sheep/Goats)	
	Cultivation B	iocontrol (Species)	
	Herbicides (List brand/rate/timing)		
		me, phone and promised date of completion	
	When will the work hegin? (Done annually hefo	re weeds flower.)	
By Co	signing, if found in non-compliance, the Landow	ner is authorizing Sanders County to implement this Sanders an either through the Weed Control Department or a commercial	
	e Landowner/Developer will follow the Sanders Co e proceeding document.	ounty Subdivision Noxious Weed Management Plan as agreed to in	
Sul	omitted by:		
 Lar	ndowner(s) Signature(s)	Date	
 Lar	ndowner(s) Printed Name(s)	-	
	nders County Commission Presiding Officer Signa	ture Date	