

City of Alamosa

NOXIOUS WEED



MANAGEMENT PLAN



April 29, 2016

City of Alamosa
Noxious Weed Management Plan

"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..." Colorado Noxious Weed Act (§ 35-5.5-106 (2008))

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1.0 INTRODUCTION

1.1 The Weed Problem

The health and productivity of our natural plant communities are being threatened by the introduction of numerous invasive noxious weeds. These plants displace native vegetation and important wildlife forage, disrupt native hydrology, alter soil chemistry, and disturb the overall ecological balance of native habitats. They are also an agricultural pest, crowding out desirable crops and requiring immense investments in time, money, and materials to control. Roadsides, ranchland, open space, housing developments, industrial sites, private property, and Municipal, County, State, and Federal lands are all affected.

1.1.1 Several million acres of Colorado are infested with invasive non-indigenous plants that are continuing to spread to uninfested lands and increase in abundance. For this reason, the noxious weed problem is of concern not only to the rural and agricultural community, but also to urban communities, small landowners, recreational land users, and public land managers.

1.1.2 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.

1.1.3 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.

1.1.4 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.

1.1.5 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.

1.1.6 By stopping the spread of well-established species (List B), the values of non-infested 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.

1.1.7 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.

1.1.8 The absence of rules to implement a coordinated 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. (*Appendix A*)

1.2 Enactment Authority

In an effort to address the statewide threat of noxious weeds, the Colorado State Legislature passed the:

- Colorado Noxious Weed Act (C.R.S. 35-5.5-101 et seq.) (“The Act”) (*Appendix B*)
- Rules Pertaining to the Administration and Enforcement of the Colorado Noxious Weed Act (8 CCR 1206-2) (“The Rules”) (*Appendix C*)
- In an effort to address the requirements in the Act and the Rules, Council enacted: Resolution 5-2015, establishing the City of Alamosa Noxious Weed Advisory Board (*Appendix D*)
- City Ordinance, Chapter 14, Article III (*Appendix E*)

1.3 Colorado Noxious Weed Act Requirements

The Colorado Noxious Weed Act (Colorado Revised Statutes 35-5.5) was originally signed into law in 1991 and amended in 1996 and 2003. Also referred to in the document as the ‘ACT’, it directs the governing body of each municipality in the State to adopt a Noxious Weed Management Plan for all land within the territorial limits of the municipality (CRS 35-5.5-105). The ‘ACT’ further directs each municipality to appoint a local Weed Advisory Board whose power and duties are as follows:

Local advisory boards shall have the power and duty to:

- *Develop a recommended management plan for the integrated management of designated noxious weeds and recommended management criteria for noxious weeds within the area governed by the local government and 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.*
- *Declare noxious weeds and any state noxious weeds designated by rule to be subject to integrated management.*
- *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.*

The Colorado Department of Agriculture has developed ‘Rules’ pertaining to the 1996 ‘ACT’; and has adopted new ‘RULES’ (8 CCR 1206-2) each year since 2003 for the administration and enforcement of the ‘ACT’.

1.4 Plan Purpose, Jurisdiction, and Scope

1.4.1 The purpose of the City of Alamosa Noxious Weed Management Plan is to protect effectively against certain undesirable plants, primarily non-native invaders which constitute a threat to the continued economic and environmental value of lands in the City. These species must be managed on private and public lands, using integrated management techniques which are least damaging to the environment and

which are practical and economically reasonable. In establishing a coordinated program for the integrated management of noxious weeds, it is the City's intent to encourage and require all appropriate and available management methods consistent with the noxious weed management objectives and plans mandated by the State.

1.4.2 This Plan shall apply to all public and private lands within the Alamosa city limits. It is the duty of all persons to use integrated methods to manage noxious weeds through the implementation of appropriate management plans, if such weeds are likely to be materially damaging to the land of neighboring landowners.

1.5 Definitions

The following definitions shall apply to the terms used in this WMP:

Act: the Colorado Noxious Weed Act, Article 5.5 of Title 35, C.R.S., as amended.

Adjacent: meeting or touching at some point, or having nothing of the same kind intervening.

Alien Plant: a plant species which is not indigenous to the State of Colorado,

Annual weed: a weed that lives for one year then dies. Seeds are the primary dispersal mechanism for annual plants.

Biennial weed: a weed that has a two year life cycle. It germinates and grows leaves one year, then sends up a flower stalk and sets seed the following year. Seeds are the primary dispersal mechanism for annual plants.

Biocontrol agent: a living creature that is used to control undesirable pests. Includes insects, diseases, and vertebrate animals.

Biological Management: the use of an organism to disrupt the growth of noxious weeds.

Bolting: a stage in the life cycle of a plant when it sends up a flower stalk

Chemical Management: the use of herbicides to disrupt the growth of noxious weeds.

Code Enforcement Officer: city employee who ensures City codes and ordinances are adhered to. The person(s) appointed or designated to enforce the provisions of this WMP.

Colorado Noxious Weed Act: the Act, as defined above.

Commissioner: the Commissioner of the Colorado Department of Agriculture or the Commissioner's designee.

Compliance Waiver: a written exemption granted by the Commissioner to the County or a landowner that releases the County and/or landowner from certain obligations to eradicate a specific population of List A or List B noxious weed species.

Containment: see "Management Objective," below.

Council: the Alamosa City Council.

County: the County of Alamosa.

Cultural Management: those methodologies or management practices conducted to favor the growth of desirable plants over noxious weeds, including but not limited to maintaining an optimum fertility and plant moisture status in the area, planting at optimum density and spatial arrangement in the area, and planting species and eco-types most suited to the area.

Department: the Colorado Department of Agriculture.

Eradication: see “Management Objective,” below.

Escaping Ornamental Plants: exotic horticultural plant species which invade other lands, becoming an ecological or economic nuisance to the present management goals of those lands.

Extension Agent: the agent in the Colorado State University Cooperative Extension office who provides weed education to the public and may assist in the development of individual noxious weed management plans.

Federal Agency: each agency, bureau, or department of the federal government responsible for administering or managing federal land.

Geographic Information Systems (GIS): a method used to map weed infestations using satellite technology (Geographic Positioning System or GPS) coupled with on-the-ground observations and computer mapping programs to determine the extent and severity of an infestation and to track the effect of weed management practices.

Glyphosate: Non-selective active ingredient of herbicides such as Round-Up.

Infestation: a spreading or swarming in or over in a troublesome manner.

Infested Acreage: an area of land containing a noxious weed species, defined by the actual perimeter of the infestation delineated by the canopy cover of the plants, and excluding areas not subject to infestation.

Integrated Weed Management (IWM): the planning and implementation of a coordinated program uses a variety of effective tools to manage noxious weeds. The purpose is to achieve specified management objectives and promote desirable plant communities. Elements of an IWM plan include weed identification, education, prevention, cultural practices, mechanical removal, chemical use, and biological control.

Inspector: Code Enforcement Officer

Invasive Ornamental: A plant originally intended for horticultural or landscape situations that has escaped its intended boundaries and is capable of invading a plant community and creating a monoculture.

Landowner: any owner of record of federal, tribal, state, county, municipal, or private land and includes an owner of any easement, right-of-way or estate in the land.

List A Noxious Weed Species: rare noxious weed species that are subject to eradication wherever detected statewide in order to protect neighboring lands and the state as a whole.

List B Noxious Weed Species: 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 spread of these species.

List C Noxious Weed Species: widespread and well-established noxious weed species for which the Commissioner recommends but does not require management, although the Board may in its discretion require management.

Noxious Weed Advisory Board: as established by City Council through Resolution 5-2015 (Appendix C) to fulfill the role of the local advisory board under the Act to advise on matters of noxious weed program direction.

Local Noxious Weed: any weed of local importance in the City which has been declared a noxious weed by the Board.

Management: any activity that prevents a plant from establishing, reproducing, or dispersing itself.

Management Objective: the specific, desired result of integrated management efforts including:

"Eradication/Elimination," 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.

"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.

"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.

"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.

Management Plan: a noxious weed management plan developed by the Board, using integrated management techniques, methods or practices.

Mechanical Management: those methodologies or management practices that physically disrupt plant growth, including but not limited to tilling, mowing, burning, flooding, mulching, hand-pulling, grazing and hoeing.

Municipality: a local governing body as set forth in C.R.S. Section 31-1-101(6).

Native Plant: a plant species which is indigenous to the State.

Neighboring: a property with a boundary immediately adjacent to the boundary of another property

Noxious Weed: an alien plant or parts of an alien plant that have been designated by State rule as being noxious or have been declared a noxious weed by the Board, and meets one or more of the following criteria:

- aggressively invades or is detrimental to economic crops or native plant communities;
- is poisonous to livestock;
- is a carrier of detrimental insects, diseases, or parasites;
- has a direct or indirect detrimental effect on the environmentally sound management of natural or agricultural ecosystems.

Noxious Weed List: a list of noxious plant species recommended by the Noxious Weed Advisory Board and approved by the Board of County Commissioners that are to be managed by landowners within the County.

Noxious Weed Management: the planning and implementation of an integrated program to manage noxious weed species.

Occupant: see "Person," below.

Perennial weed: a weed that lives for 3 or more years. These species usually spread by root systems or root pieces, as well as seeds.

Person: an individual, partnership, corporation, association, or federal, state, or local government or agency thereof owning, occupying, or controlling any land, easement, or rights-of-way, including but not limited to 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 rights-of-way for a canal or lateral.

Plant growth regulator: means a substance used for controlling or modifying plant growth processes without appreciable phototoxic effect at the dosage applied.

Population: a group of designated noxious weeds of the same species occupying a particular geographic region and capable of interbreeding.

Propagule: a part of a plant (such as a cutting, seed, or spore) that serves to propagate the plant (i.e., causes or allows the plant to reproduce).

Restoration: see “Management Objective,” above.

Rhizome: An elongated subterranean plant stem that produces shoots above and roots below, and is distinguished from a true root in possessing buds, nodes, and scale-like leaves.

Rosette: A cluster of leaves growing in crowded circles from a common center or crown, usually at or close to the ground.

State: the State of Colorado.

State Noxious Weed: any noxious weed identified by the Commissioner by rule after notifying and consulting with the State Noxious Weed Advisory Committee. Such weeds may be referred to herein as “State A List,” “State B List” or “State C List” weeds depending upon their designation as such by the commissioner pursuant to the terms of C.R.S. section 35-5.5-108. The current list of noxious weeds can be found at http://www.colorado.gov/cs/Satellite/ag_Conservation/CBON/1251618874438.

State Noxious Weed Advisory Committee: A committee of 15 members appointed by the Commissioner to make recommendations on the designation of noxious weeds and to carry out related functions as specified in Section 35-5.5-108.7 of the Act.

State Weed Coordinator: a person within the Division of Plant Industry of the State Department of Agriculture whom the Commissioner designates to, among other functions, provide guidance to and coordinate with local government weed managers, such as the County Land Stewardship Manager, as provided for in Section 35-5.5-117 of the Act.

Suppression: see “Management Objective,” above.

Undesirable plant: means a noxious plant species that is designated as undesirable by this article, the commissioner or by the weed advisory board.

Undesirable plant management: means the planning and implementation of an integrated program to manage undesirable plant species.

Weed: any undesirable plant.

Weed Management Plan (WMP): the City of Alamosa Noxious Weed Management Plan,

2.0 Colorado Noxious Weed List

2.1 A, B, and C Listings (Appendix F)

The State of Colorado has designated 78 plants as Noxious Weeds, and has categorized them into three lists based on priority for management in Colorado. These lists have been named Lists A, B, and C. Most simply put:

- List A plants are newly arrived and/or less common in Colorado and must be eradicated from all lands in the State.
- List B includes plants whose continued spread in Colorado should be halted.
- List C plants are those for which local governments have authority to decide the management strategy.

The purpose of such categorization is to guide the State and local governments in developing Management Strategies for each weed. The Management Strategy of a particular weed in an area may be one of the following:

- Eradication (complete elimination of all populations of a weed)
- Containment (confinement of populations of a weed to a defined area)
- Suppression (attempt to limit the vigor and spread of populations within a region)

All List A species have been designated by the Colorado Commissioner of Agriculture (“the Commissioner”) for eradication. This means that it is a violation to allow any List A species to produce seed or develop other reproductive means such as roots, shoots and runners. Many List A weeds are not yet present in Colorado, but have become a problem in neighboring states. Others are present in small isolated populations. It is the intent of the Commission to eliminate these species before they become widespread. The Rules allow the local governing authority to file for a compliance waiver if it is determined that eradication is not a practical management objective for specific populations.

List B weed species may be designated for eradication, suppression, or containment, depending on the extent of their presence in a particular county. The local Management Strategy for each List B species in each county is determined by the Commissioner (in consultation with the State Noxious Weed Advisory Committee, local governments, and other interested parties). From these local Management Strategies, the Commissioner develops a State-wide noxious weed management plan for each List B species. This Plan is designed to stop the continued spread of List B species, making it a violation to allow any List B species to spread into any un-infested area.

Local governments are left to decide whether to require management of List C weed species, and, if so, whether the Management Strategy will be Eradication, Containment, or Suppression. State Management Plans for List C weed species developed by the Commissioner are designed to support the weed management efforts of local governing bodies. The goal of such plans is not to stop the continued spread of these species. Rather, they are meant to provide additional education, research, and biological control resources to jurisdictions that choose to require management of List C species.

2.2 Watch List (Appendix F & G)

Weed species that have been determined to pose a potential threat to the agricultural productivity and environmental values of the lands of the state. The Watch List is intended to serve advisory and educational purposes only. Its purpose is to encourage the identification and reporting of these species to the Commissioner in order to facilitate the collection of information to assist the Commissioner in determining which species should be designated as noxious weeds.

3.0 Targeted Noxious Weeds in the City of Alamosa

Weeds covered under this plan are all included in the state noxious weed list designated by rule. Considering the Alamosa County Noxious Weed Plan (#) and data compiled by the CDA (*) (Appendix H & I), the following noxious weeds will receive priority for control:

3.1 A-List Species:

3.1.1 Cypress Spurge * Eliminate

3.2 B-List Species:

3.2.1 Black henbane # Eliminate prior to seed development by 2018
3.2.2 Bouncingbet * Eliminate prior to seed development by 2016
3.2.3 Canada thistle *# Contain/Suppress
3.2.4 Common tansy * Eliminate prior to seed development by 2016
3.2.5 Eurasian watermilfoil * Suppress
3.2.6 Hoary cress (white top) *# Contain/Suppress
3.2.7 Leafy spurge *# Suppress
3.2.8 Musk thistle * Eliminate prior to seed development by 2015
3.2.9 Perennial pepperweed *# Suppress
3.2.10 Russian knapweed *# Suppress
3.2.11 Russian olive * Suppress
3.2.12 Salt cedar (tamarisk) * Suppress
3.2.13 Spotted/hybrid knapweed * Eliminate prior to seed development by 2020
3.2.14 Wild caraway * Eliminate prior to seed development by 2016

3.3 C-List Species:

3.3.1 Downy brome # Contain
3.3.2 Field bindweed # Contain
3.3.3 Puncturevine Contain
3.3.4 Quackgrass # Contain

3.4 Additional weeds to consider:

3.4.1 Kochia Contain

3.5 Staff Priorities

Infestations of some noxious weeds and infestations in certain areas are deemed to be more significant than others and are ranked accordingly. The goals for high priority noxious weed infestations are to stop the spread of noxious weeds in relatively non-infested parts of the City and to eradicate weeds that are not yet abundant. Eradication is

highly likely and highly desirable for weeds listed as high priority. Species listed as medium priority weeds may or may not occur within the City limits. These species are candidates for suppression and control, but not necessarily eradication. Low priority weeds occur in large, widespread infestations or are widespread in certain parts of the City. At best these weeds can be prevented from spreading to non-infested areas and may be controlled or managed on a case-by-case basis (*Appendix J*).

3.5.1 High

- 3.5.1.1 Black henbane
- 3.5.1.2 Canada Thistle
- 3.5.1.3 Cypress Spurge (List A)
- 3.5.1.4 Musk Thistle
- 3.5.1.5 Hoary Cress
- 3.5.1.6 Leafy spurge
- 3.5.1.7 Perennial Pepperweed
- 3.5.1.8 Russian Knapweed

3.5.2 Medium

- 3.5.2.1 Bouncingbet
- 3.5.2.2 Common tansy
- 3.5.2.3 Eurasian watermilfoil
- 3.5.2.4 Field bindweed
- 3.5.2.5 Puncturevine
- 3.5.2.6 Spotted/hybrid knapweed
- 3.5.2.7 Wild caraway

3.5.3 Low

- 3.5.3.1 Downy brome
- 3.5.3.2 Kochia
- 3.5.3.3 Quackgrass
- 3.5.3.4 Russian olive
- 3.5.3.5 Salt cedar

4.0 Noxious Weed Management Approaches

City of Alamosa Weed Management prefers an integrated approach to weed management. An integrated approach implements cultural, mechanical, biological, and chemical control methods. Different species of noxious weeds grow or spread differently so not all methods will be effective on all weeds. Colorado's Noxious Weed Act requires that certain methods of control be used depending on the level of control that is mandated. Utilizing a variety of methods helps prevent chemical-resistant weeds, decreases "bare ground" situations, and allows for weed control efforts tailored to each individual site or scenario.

4.1 Cultural and Mechanical Control: First and foremost, good land management is always encouraged to prevent an invasion. The key is to create conditions favorable for desirable plants, thus increasing competition for undesirable noxious weeds. Methods include proper irrigation, mowing, burning, properly timed livestock grazing, plowing, and

seeding. When properly applied, these methods are effective as control measures as well as preventive measures. The target of these methods is primarily to prevent seed production. Weeds should be treated before flowers are in full bloom. In general, mechanical methods are very effective for control of annual and biennial weeds and less effective for perennials.

4.2 Biological Control: Many noxious weeds become prolific due to the fact that they have no natural predators. The Colorado State Insectary tests insects and pathogens to control invasive species. Care is taken to be sure they will not move to native species or crops. Biological management of noxious weeds will continue to grow as more biological controls are developed. Biological controls are not a valid eradication method when used alone, but can be integrated with other methods of weed control.

4.3 Chemical Control: The use of herbicides is expected to remain our most effective tool for managing noxious weeds. Due to a variety of factors, herbicides are often most effective, but can still be used in conjunction with other management methods. Not all herbicides are equally effective on all weeds nor can every herbicide be used in every situation. Alamosa Weed Control prefers applying selective herbicides using a spot-spraying technique when applicable. Spot spraying (when compared to broadcast spraying) is more cost-effective, reduces the amount of herbicide in the environment, and prevents unnecessary damage to surrounding vegetation or aquatic areas. Integrated noxious weed management calls for the sensible application of chemical herbicides. According to the policies stated previously, Alamosa will use chemical control methods when appropriate.

- Mandatory use of organic herbicides – City walking trails with easements through the Rio Grande Farm Park will only use approved organic herbicides for chemical control. Their effectiveness will be monitored for expanded use on other City property.
- Tordon herbicide containing the active ingredient Picloram and Perspective containing Aminoclopyrachlor + Chlorsulfuron active ingredients are banned from use in the San Luis Valley.
- Suggested herbicide usage is included in *Appendix M*.

5.0 Management Tools

5.1 Education/Outreach

Outreach and Education are pivotal to the sustained success of this WMP. Most weed species, if detected early, can be eradicated before they become established. It is important that the public is able to identify noxious weeds and is aware of and committed to the necessity of rapid response to new infestations. The public should be encouraged to take ownership of their weed problems and make the necessary effort to control weeds on their property. Once educated about noxious weeds and their impact, however, most landowners become actively involved. Educational efforts include publishing articles in the local newspapers; placing posters and displays in public places; creating brochures, flyers, and mailings; holding public lectures and workshops; and publishing information on social media and city websites.

Educational efforts should:

- Educate the public on the state mandated weed law (the Colorado Noxious Weed Act) and the State's mandate that the City of Alamosa act to manage, and sometimes to eradicate, certain noxious weeds so designated by the Department.
- Educate and make the public aware of the State of Colorado A, B, and C weed species, and additional weeds designated for management by the City of Alamosa.
- Assist the public with weed identification and mapping.
- Provide information on the Best Management Practices for weeds on the Alamosa County Noxious Weed List.
- Raise public awareness that noxious weeds disrupt intended land use and degrade the environment. Explain the environmental impact of weeds on our quality of life, on agricultural production, and on native plants and wildlife.
- Stress the economic impact of weeds on agricultural production and the cost of food, native plants and community ecology, wildlife habitat, real estate values, and recreational opportunities, among others.

5.2 Identification and Mapping

5.2.1 Identification

- The first and most important step in developing a plan of attack on noxious weeds is species identification. Misidentification of weed species leads to improper, costly, and ineffective control and management.
- Newcomers and long-time residents may be familiar with a weed but each may call it by a different common name. For example, a weed commonly known as kochia (*Kochia scoparia*) by weed managers is called ironweed, fireweed, pigweed and Mexican fireweed by non-specialists. Once the weed is identified, recommendations for control and management can be obtained.
- Proper identification of new noxious weed species is extremely valuable for eradication efforts and any unusual or unfamiliar plant should be reported to the City Code Enforcement Officer. A cluster or small infestation of unusual plants or plants that appear to be spreading rapidly should also be reported to the Officer.

5.2.2 Mapping

Marking out weed infestations on a map, whether it be by computer (GIS) or hand drawn methods, provides a landowner or City with information about the extent of the infestation, possible modes for spread, potential non-infested areas to be protected and monitored, and the effectiveness of control methods. Over the long term maps provide historical evidence of the epicenter of an infestation and track its spread or decline.

In a continuing effort to manage noxious weeds with sound strategy, existing noxious weed inventories will be compared to new mapping data that will encompass City and privately owned lands. City staff will be working hand-in-hand with SLVWMA to develop these noxious weed maps.

5.3 Enforcement

Enforcing control of noxious weeds on private property is currently done on a complaint basis where these plants are found to be threatening agricultural production or spreading

to neighboring land, or are destructive to ornamental landscapes. Complaints are kept anonymous. Complaints that are deemed spurious or related to neighbor-to-neighbor feuds are not pursued.

5.3.1 Statutory Enforcement Provisions Govern

The Colorado Noxious Weed Act, § 35-5.5-101, C.R.S. (2009), et seq., (hereinafter *the Act*) states that certain invasive weeds pose a threat to the continued economic and environmental value of the land in Colorado; designates these weeds as “noxious” in Colorado; and mandates their management by all landowners in the State. *The Act* contains specific provisions empowering the City to enforce its terms, including without limitation §§ 35-5.5-108.5, -109, and -110. This WMP shall be enforced in accordance with those statutory provisions and rules developed by the City.

5.3.2 Noxious Weeds Declared a Public Nuisance

The noxious weeds listed in this WMP, at any and all stages, are subject to all the laws and remedies relating to the prevention and abatement of nuisances, including, but not limited to, those set forth in *the Act*.

5.3.3 Authorized Agents for Enforcement

Pursuant to §35-5.5-105(2), C.R.S., the City Manager and their respective designees are hereby designated as “authorized agents,” empowered to enforce *the Act* and this *WMP*, by utilizing those procedures set forth in §35-5.5-108, -108.5, -109, C.R.S and any other applicable local, State and Federal statutes, rules, regulations, and ordinances, including the remaining provisions of this Section.

5.3.4 Restrictions

No eradication or management of noxious weeds on private property shall occur without applying the same or greater management measures to any land or rights-of-way owned or administered by the City of Alamosa that are adjacent to the private property or notifying party.

6.0 Annual Review of the Noxious Weed Management Plan

The Advisory Board has, pursuant to the direction of the Alamosa City Council, originally developed the Management Plan, and will review such Management Plan on an annual basis for any desirable changes or adjustments to the plan and shall report to City Council on such basis with any recommended changes or adjustments. As part of such review, the Advisory Board will review the list of noxious weeds to consider additional weeds and to prioritize control efforts. The Management Plan must be renewed and approved by City Council not less than once every three years, but nothing shall prevent City Council from approving any interim changes or adjustments to the Management Plan in any interim years.