

**Noxious Weeds and the Law**  
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Noxious weed infestations threaten wildlife habitat, agriculture, and recreational opportunities. Since 1990, the Colorado Department of Agriculture has protected the state's natural resources by enforcing regulations controlling noxious weeds.

What are noxious weeds?

The term "noxious" has a legal connotation with the Colorado Department of Agriculture - non-native and invasive. Most noxious weed species in Colorado originated in Europe and/or Asia, and were unintentionally introduced into the United States as a contaminant in crop seed or on farm machinery. Some were intentionally introduced as ornamental plants, forage, or plants used as wind breaks or for soil stabilization. These non-native plants have proliferated or have the potential to proliferate in Colorado due to:

- The country or region of origin has a climate, soil type, and/or elevation similar to that of Colorado.
- Introduced species lack the natural checks that kept them in balance in their native range such as:
  - Competition from plants they co-evolved with.
  - Browsing by large native herbivores they co-evolved with (Colorado's native herbivores such as deer and elk seldom feed on weedy plants).
  - Insect predation.
  - Soil nematodes, diseases, and other factors.

This threat to Colorado's environment and economy has been recognized and addressed through the Colorado Noxious Weed Act. This Act, among other things, requires all local governing agencies to develop weed management plans for their jurisdictions. The Act has listed 71 weed species as noxious in Colorado. The most recent revision of the Act went into effect May 3, 2004. The basic change that occurred was categorization of 71 noxious weed species into 3 lists:

- List A – 18 species not well established in Colorado.
- List B – 39 species common enough in parts of Colorado that eradication is not feasible.
- List C – 14 species widespread and well established in Colorado.

List A species are potentially a large problem to this state, and require mandatory eradication by local governing agencies. Of the 18 List A species, only 9 are known to currently exist in Colorado and infestations are small enough that eradication is feasible. The other 9 species are problems in neighboring states and introduction into Colorado is likely. To prevent establishment, the Act's required management objective is eradication, meaning prevention of production of seed or other propagules (reproductive vegetative parts). Prescribed techniques for management of List A species are hand pulling, digging, or herbicide application. Mowing, grazing, and insect bio-control are not acceptable forms of management for these species.

List B species are common enough in parts of the state that eradication is not feasible, though the species are still recommended for eradication, suppression, or containment depending on distribution and densities around the state.

List C species are widespread and well established. Control of List C species is recommended but not required by the state, although local governing bodies may require management.

All local governing agencies (cities and counties) are required to have a weed management plan, and that plan must have, at a minimum, the List A species. Listing of B and C species is discretionary, depending on local distribution and density. Enforcement on List B and C species can only occur if the species is listed on the weed plan of a local agency or included in the Rules and Administration of the State Weed Law. The required management objective for List B species is eradication, containment and/or suppression, meaning prevention of dispersal of seed or other plant propagules. In most cases this is accomplished by mowing; though hand pulling, mechanical tillage, grazing, or herbicide application can also be effective. The goal of management plans for List C species is not to stop the continued spread but to provide additional education, research, and biological control resources to jurisdictions that choose to manage to require management.

General information on the State's Noxious Weed Management Program can be accessed at:

<http://www.colorado.gov/cs/Satellite?c=Page&cid=1167928159176&pagename=Agriculture-Main%2FCDAGLayout>

The Colorado Noxious Weed Act can be accessed online by clicking on:

<http://198.187.128.12/colorado/lpext.dll/Infobase4/1/56169/563f6/56651?f=templates&fn=fs-main-doc.htm&q=co%20lorado%20noxious%20weed%20act&x=Advanced&2.0#LPHit1>

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