



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 Land Services 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 Land Services 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.

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 Land Services Office, or its representative, in revising their plan. **Additional fees may apply.**

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

7. The Sanders County Land Services 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.

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 Description ____ 1/4, Sec _____, T _____, R _____ (Please provide documentation)

Number of lots proposed _____ Number of acres in development _____

Proposed use of lots (Indicate all that apply)

Residential _____, Industrial _____, Crop _____, Grazing _____, 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 Land Services 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 Land Services 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 Land Services 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 hardness 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.

FEE SCHEDULE (NON-REFUNDABLE)

(Please indicate all boxes that apply)

___ Landowner Plan Fee (\$150.00)

___ County Plan Fee (\$210.00)

Follow-up Fees: ___ 1 to 5 Lots (\$275.00) ___ 6 or more Lots (\$125.00 per Lot)

Signature of Landowner

Date

Amount Submitted Check #

Signature of Landowner

Date

Sanders County Subdivision Noxious Weed Management Plan

Subdivision Name: _____ Landowner/Developer _____

Please check those noxious weeds that are known to exist on the property. Please indicate all that are present along with light, medium, or heavy infestation amount. Please specify major weed infestations on map of property.

PRIORITY 3-Regulated Plants

(NOT MONTANA LISTED NOXIOUS WEEDS)

These regulated plants have the potential to have significant negative impacts. The plant may not be intentionally spread or sold other than as a contaminant in agricultural products. The state recommends research, education, and prevention to minimize the spread of the regulated plant.

___ Cheat Grass

___ Russian Olive

___ Hydrilla

___ Mullen

PRIORITY 2B

These weeds are abundant in Montana and widespread in many counties. Management criteria will require eradication or containment where less abundant.

___ Canada Thistle

___ Leafy Spurge

___ Diffuse Knapweed

___ Yellow/Common Toadflax

___ Houndstongue

___ Saltcedar

___ Field Bindweed

___ Russian Knapweed

___ Dalmation Toadflax

___ St. Johnswort

___ Common Tansy

___ Hoary Alyssum

___ White Top

___ Spotted Knapweed

___ Sulfur Cinquefoil

___ Oxeye Daisy

PRIORITY 2A

These weeds are common in isolated areas of Montana. Management criteria will require eradication.

___ *Flowering Rush

___ Meadow Hawkweed (Yellow)

___ Common Buckthorn

___ Tall Buttercup

___ Yellowflag Iris

___ Ventenata

___ Tansy Ragwort

___ Orange Hawkweed

___ **Eurasian Watermilfoil

___ Perennial Pepperweed

___ Blueweed

*Weeds marked with an asterisk are found only in isolated areas of Sanders County. If found, please contact local Weed District.

**Weeds marked with two (2) asterisks are found in Noxon Reservoir. If found in other bodies of water, contact Weed District or Avista.

PRIORITY 1B

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

___ Knotweed Complex

___ *Purple Loosestrife

___ Blueweed

___ *Scotch Broom

___ *Rush Skeletonweed

PRIORITY 1A

These weeds are not present or have a very limited presence in Montana. Management criteria will require eradication if detected, education, and prevention.

___ Yellow Starthistle

___ *Dyers Woad

___ Common Reed

___ *Medusahead

Early detection is easier and cheaper for you.

Note: This Plan will require treatment of noxious weeds prior to final plat approval.

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, pond, 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	__SeedMix/Timing HandPulling	__Biocontrol (Species)
__Revegetation/Reseeding	__Grazing (Sheep/Goats)	__Herbicides
__Mowing	__Cultivation	(List brand/rate/timing)

By signing, if found in non-compliance, the Landowner is authorizing Sanders County to implement this Sanders County Subdivision Noxious Weed Management Plan either through the Weed Control Department or a commercial applicator with the landowner being responsible for all costs.

The Landowner/Developer will follow the Sanders County Subdivision Noxious Weed Management Plan as agreed to in the preceding document.

Landowner Signature	Printed Name	Date
Landowner Signature	Printed Name	Date
Sanders County Commission Presiding Officer Signature		Date

Revised 05/01/2024