



## BONNER COUNTY NOXIOUS WEEDS

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### Weed of the Month

By Chase Youngdahl—*Bonner County Noxious Weeds*

The Idaho Legislature reached their final adjournment (adjourned sine die—pronounced “see-nay dee-ay”) for the session on April 2. There were some pieces of legislation of interest, one of which was HJM13. House Joint Memorial 13 pertains to Waters of the US. Waters of the US are navigable waterways which fall under the regulatory authority of the Clean Water Act and are determined by the US Army Corps of Engineers and the Environmental Protection Agency. The factors for determining and defining Waters of the US have been in flux for decades and usually adjusts with political temperatures under the general direction of the Presidential administrations. The more restrictive interpretations have called into question what appear to be temporary puddles or man-made drainage ditches with no visible surface connection to a navigable waterway. I bring this up because there have been times when farmers and operators are unsure if performing an herbicide application in their field that happens to still have some minor pockets of standing water subjects them to the additional regulatory burdens of the Clean Water Act—even if there’s no adjacency to a navigable waterway. Long story short, a Waters of the US case that originated right here in Bonner County made it to the US Supreme Court a couple years ago—Sackett vs. EPA, in which SCOTUS sided with the Sackett’s unanimously, agreeing that the EPA and the Corps exceeded their authority in designating the Sackett’s property a wetland subject to Waters of the US regulations. SCOTUS established a new, simplified standard for determining Waters of the US, limiting federal authority. HJM13 is a state resolution that passed both chambers of the Idaho legislature in super-majorities, which urges the federal government to codify the new standard for Waters of the US, and requests that the EPA and the Corps rescind pre-Sackett definitions and training materials. Hopefully they receive pressure from other states as well, and act accordingly. No one should have to worry about violating the Clean Water Act by getting a portion of an herbicide application in or near a temporary mud puddle in the middle of their farm or roadway.

Another piece of legislation of interest was S1271, which sought to add Norway & Roof Rats to the Idaho Invasive Species rule. I weighed in with our LD1 representatives in opposition to the bill on the premise that it would have further diluted resources within the Idaho State Department of Agriculture. Our Neighborhood Cooperative program where we provide landowners with some reimbursement of herbicide costs for the treatment of noxious weeds is part of an inherently ongoing state noxious weeds cost share request through the Selkirk Cooperative Weed Management Area. The funding mechanism is under the management authority of the ISDA. I have witnessed this funding pool shrink over time, and have correlated it with additions to the Invasive Species/Noxious Weeds rule—Zebra/Quagga Mussels, Japanese Beetle, Mormon Crickets, etc. The butter becomes spread thinner every time a specimen is codified as an Invasive Species. S1271 sailed through the Senate but narrowly failed in the House.



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I continually do what I can to advocate for noxious weeds, and state funding sources that augment Bonner County's noxious weed landowner compliance assistance programs. If you have utilized this program and intend on it again, it wouldn't be a bad idea to let your state legislators know that this funding is important.

The Neighborhood Cooperative program primarily assists with the costs to control Spotted Knapweed, Oxeye Daisy, Canada Thistle, Hawkweeds and Toadflaxes—as those are the most widespread in our locale. However, any specimen that's on the Idaho noxious weeds list qualifies. One that may be encountered in pockets is Whitetop (*Lepidium draba*). This is the most aggressive species of *Lepidium*, and can completely displace desirable vegetation by forming dense monocultures. It's a rhizomatous perennial reaching heights of about 2 feet, with roots reaching depths of about 10 feet if allowed the opportunity to establish. Since Whitetop looks similar to other mustards, there are some details to key in on. The arrowhead-shaped leaves clasp the stem towards the top of the plant, and there are 4 distinct white petals per flower. The flowers are also fragrant, and cluster together in a flat-top looking form. The fruiting bodies are heart-shaped, and are prolific seed producers, delivering 1,200 to 4,800 seeds per plant. Whitetop starts developing relatively early in the spring, so it should be well on its way by now and begin bolting soon. It blooms and sets seed by mid-summer, so it's one that needs to be treated in the early window. Mowing is generally ineffective due to vegetative spread, but densities can be driven down by cultivating regularly over the course of two growing seasons. As is the case with many weeds in the mustard family, Whitetop responds to the sulfonylurea family of herbicides, such as metsulfuron-methyl (EscortXP®) or chlorsulfuron (TelarXP®). Aside from the high potential for invasiveness, Whitetop harbors various agricultural pests and viruses, and is unpalatable to livestock. While it's not really toxic, it can cause upset stomach in animals if consumed in hay.

The Neighborhood Cooperative program application is currently available. While the ink hasn't dried yet for securing all the state funding, it is anticipated sooner than later, so get your pre-application submitted by May 31. If you're unfamiliar with the program, take a peek at our website for additional information, or give me call at the Bonner County Noxious Weeds office.