

**SUBDIVISION**

**WEED PLAN**

**INFORMATION  
AND  
APPLICATION**

## **Appendix H**

### **Beaverhead County Subdivision Noxious Weed Policy**

1. A Beaverhead County Weed Management Plan approved by the Beaverhead County Weed Board will be filed with the Weed Board prior to final subdivision approval. This plan will include:
  - A. The name and address of the property owner or applicant.
  - B. The legal description and location of the property.
  - C. A vicinity or other map locating the property and ownership.
  - D. Posting of a Bond
  - E. Noxious weed data:
    1. Types of noxious weeds present on property.
    2. Approximate number of acres infested with noxious weeds.
    3. State the anticipated land use and other environmental concerns.
    4. Provide weed control activities planned for control of noxious weeds.
    5. Provide plans for future weed control for a period of 3 to 5 years.
    6. Signature(s) of property owner(s) must appear on application and must be notarized.
2. The Beaverhead County Weed Board, or its representative, will inspect the proposed subdivision with consideration given to the filed Weed Management Plan as a reference for noxious weeds infestation the subdivision acreage.
3. A fee will be paid by the developer to defray the expenses of the onsite inspection of the proposed subdivision and the review of the Subdivision Weed Management Plan. All fees will be paid to Beaverhead County Weed Control and are as follows:
  - A. Minor Subdivisions
    1. A 1 lot minor subdivision will not be charged an inspection fee except for mileage over 20 miles. (state mileage rate)
    2. Subdivisions containing 2 to 3 lots will be charged an inspection fee of \$25.00 plus mileage over 20 miles. (state mileage rate)
    3. Subdivisions containing 4 to 5 lots will be charged an inspection fee of \$50.00 plus mileage over 20 miles. (state mileage rate)
  - B. Major Subdivisions
    1. Major subdivisions consisting of 6 or more lots will be charged an inspection fee of \$50.00 plus \$10.00 per lot and mileage. (state mileage rate)
  - C. Management Plan Fee
    1. If the Beaverhead County Weed Office completes the Management Plan for the applicant a fee will be assessed. The fee will be in the amount of \$20.00/hr of work with a minimum of 5 hours or \$100.00.
  - D. Subdivision Weed Management Plan Review and Approval Applications will not be accepted unless accompanied by applicable fees.
4. After reviewing the Weed Management Plan and making an onsite inspection of the subdivision site, the Beaverhead County Weed Board will approved or reject the application.

If the plan is approved, an approval letter will be sent to:

  - A. The property owner or applicant
  - B. The Beaverhead County Planning Board

If the plan is rejected, the applicant has the following options:

  - A. The Weed Management Plan may be revised by the applicant and resubmitted to the Weed Board for review.
  - B. The applicant may request assistance from the Weed Board or its representative in revising the Weed Management Plan.
  - C. the applicant may request an administrative hearing pursuant to sec. 7-22-2110, MCA
5. The Beaverhead County Weed Board considers the Subdivision 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 Beaverhead 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.

## **Beaverhead County Weed District Subdivision Performance Bond Work Sheet**

The Beaverhead County Weed District may require a performance bond to ensure that the Weed Management required in this plan is performed as the plan states. The cost associated with this work will constitute the amount of the bond. Portions of the bond will be released to the Landowner as those phases or portions are completed. The bond shall be for the total amount of weed management to take place over the three (3) years of the plan. If there is no need for Noxious Weed Management there maybe no bond. If only portions of the subdivision property are infested with noxious weeds, then the bond will be for that portion only, not the entire property. The landowner may institute the management techniques written in this plan to get their bond released. However if the work is not completed the Beaverhead County Weed District shall institute the management techniques described in this plan. The costs associated with this work will be paid from the bond amount. In this case the landowner shall be provided an opportunity to immediately comply with the management techniques written in the plan at their own expense. The Beaverhead County Weed District shall give written ten (10) day notice that if the work is not initiated by the landowners or his agent within the ten (10) days the Beaverhead County Weed District will initiate the process at the end of the ten (10) days. The following formulas may be used to determine the amount of the bond. All factors will be considered in figuring the amount of the bond. These formulas may not cover each or every possible situation. In those cases the comments section will be used to explain the circumstances associated with the bond amount. The landowner is encouraged to assist in these decisions.

**MOWING:** Cost per acre multiplied times the number of acres, multiplied time the number of years = Bond Amount.

**HERBICIDE:** Cost of herbicide @ prescribed rate per acre plus (+) the cost of Commercial Application per acre multiplied times the number of acres, multiplied times the number of years = Bond Amount.

**CULTIVATION:** Cost of Commercial Cultivation per acre multiplied times the acres, multiplied times the number of years, plus (+) the reseeding cost figured in the formula = Bond Amount.

**HAND PULLING:** Cost of labor per hour multiplied times the estimated number of hours to pull, multiplied times the number of acres multiplied times the number of years, plus (+) reseeding cost figured in the formula. = Bond Amount.

### **TOTAL BOND AMOUNT:**

**The total bond amount will be all of the worked planned totaled together.  
(Example: Mowing plus (+) Herbicide plus (+) Reseeding = Total Bond Amount.**

**NOTE:** All amounts will be figured using a commercial mower, applicator, cultivator, and/or seeder. The Weed Board shall choose the most effective management techniques.

Adopted by Beaverhead County Weed Board 25 day of April,  
2005.

Signed by:

Tom Boka 4-25-05  
Beaverhead County Weed Board Chairman Dated

#### BOND ESTIMATES FOR EACH PRACTICE USED

1. **Mowing** - \$75.00 per hour at 1 acre per hour with a minimum charge of \$150.00.
2. **Spraying** - ATV \$30.00 per acre plus the cost of the herbicide at retail prices with a minimum charge of \$75.00
3. **Spraying** - Backpacking \$350.00 per acre plus the cost of the herbicide at retail prices with a minimum charge of \$400.00.
4. **Hand Pulling** - a minimum charge of \$1,000.00 per acre will be used for hand-pulling.

Each landowner is invited/encouraged to take part in the planning process to develop and institute the Performance Bond.

Beaverhead County Weed Board Resolution  
For Subdivision Performance Bond Requirements

Whereas; all subdivisions require at a minimum an inspection for the re-vegetation and/or weed management plan to ensure that the plan will actually work. This inspection will continue to use valuable time and resources of the Weed District. The Re-vegetation and/or Weed Management Plan are only good if they are followed. All plans require a follow-up inspection to ensure that the plan is being followed and is in fact working. This follow-up inspection and subsequent visits to monitor the plan will also consume valuable time and resources from the Weed District. The time and resources consumed is for not, if the plan is not followed or implemented.

Whereas; the Weed Plans that are submitted are at best, difficult to monitor and often times are not fully implement.

Therefore be it resolved; that a Performance Bond be required along with each Subdivision Weed Management Plan.

Therefore be it resolved; that a Performance Bond be established to ensure that each plan is fully followed and implemented. That the performance bond be based upon the amount of noxious weeds found on the entire subdivison and that the bond be based upon the formulas already adopted by the Beaverhead County Weed Board. The Beaverhead County Weed Department shall hold and maintain an account of the Performance Bond and no bond shall be released to the landowner unless a written signed performance evaluation is submitted to the Beaverhead County Weed District Board. The amount of the Bond shall be calculated based upon the formulas on the Beaverhead County Weed District Subdivision Performance Bond Work Sheet.

Approved by Beaverhead County Weed Board 25 day of April,  
2005.

Signed by:

Timothy R. Beck  
Beaverhead County Weed Board Chairman

4-25-05  
Dated

**Three Year Weed Management Plan**  
(PLEASE PRINT)

**1. Date Plan Covers: Year:** \_\_\_\_\_ **Through Year:** \_\_\_\_\_

**2. Landowner/Landowner's Representative**

Landowner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Representative/Contact: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**3. Legal Description of Property \*\*Map of Property Must be Included\*\***

\_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4

Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Before the board will accept this weed management plan for approval, the applicant must have his/her signature in place on this document. A representative of the weed board will sign after review and approval.

**4. Landowner Signature:**

\_\_\_\_\_ Date: \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

Signed and acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_ by

\_\_\_\_\_.

\_\_\_\_\_

(Signature of Notary)

\_\_\_\_\_

(Name –Typed, stamped, or printed)

\_\_\_\_\_

(Title)

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

## 5. Noxious Weed Management:

A. Noxious Weed Species Present on Property: \_\_\_\_\_

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B. Acres of Noxious Weeds on Property: \_\_\_\_\_

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C. Total Acres of Property: \_\_\_\_\_

D. Method of Noxious Weed Management (Check all that apply):

\_\_\_\_\_ Chemical Spraying          \_\_\_\_\_ Biological          \_\_\_\_\_ Cultivation

\_\_\_\_\_ Revegetation          \_\_\_\_\_ Hand Pulling          \_\_\_\_\_ Mowing

\_\_\_\_\_ Other (Please List): \_\_\_\_\_

E. Herbicide to be used for Spraying:

Noxious Weed Specie	Herbicide	Rate of Application

F. Noxious Weed Control will be done by: \_\_\_\_\_

G. Time Frame of Noxious Weed Management

\_\_\_\_\_ Spring (April-June)          \_\_\_\_\_ Fall (September-October)

\_\_\_\_\_ Summer (July-August)          \_\_\_\_\_ Spring and Fall

\_\_\_\_\_ Other (Explain) \_\_\_\_\_

## 6. Re-vegetation of Disturbed Areas:

A. Description of Disturbance: \_\_\_\_\_

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B. Description of Re-Vegetation to be done: \_\_\_\_\_

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C. Type and Amount of Seed to be used in Re-Vegetation:

Seed Type	Rate

D. Type and Amount of Fertilizer to be used in Re-Vegetation:

Fertilizer Type	Rate

E. Timing of Re-Vegetation Practices:

Cultivation Date(s)	Seeding/Sod Date(s)	Fertilizer Date(s)

\*\*For Re-vegetation we recommend that you contact Beaverhead County Extension Office.\*\*



**7. Environmental Checklist:** (If Answered Yes, Comments Must be Made)

1. There is "significant use" of the management site by wildlife and/or fish species.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No                      Comments:

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2. Important vegetation communities are present which may be impacted by the proposed project or management plan.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No                      Comments:

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3. Significant topographic features, terrain, or aesthetic values are present in the management area.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No                      Comments:

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4. Important surface or groundwater resources are present which may be impacted by the proposed project or management plan.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No                      Comments:

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5. Fragile soils or soils requiring special consideration are present in the management area.

\_\_\_\_\_ Yes                      \_\_\_\_\_ No                      Comments:

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6. Management area contains areas with unique or reclamation considerations (past mining, erosion, saline seep, etc.)

\_\_\_\_\_ Yes                      \_\_\_\_\_ No                      Comments:

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## Inspection Report and Approval

**Inspection:**

**Landowner/Subdivision:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Location Description: Township** \_\_\_\_\_ **Range** \_\_\_\_\_ **Section** \_\_\_\_\_

**Land Use:** \_\_\_\_\_ Cultivated Crop \_\_\_\_\_ Irrigated Pasture (Range) \_\_\_\_\_ Native Range  
\_\_\_\_\_ Riparian \_\_\_\_\_ Timber \_\_\_\_\_ Mining \_\_\_\_\_ Residential (Rural)  
\_\_\_\_\_ Residential (urban) \_\_\_\_\_ Commercial (Rural) \_\_\_\_\_ Commercial (Urban)

**Date of Inspection:** \_\_\_\_\_

**Noxious Weed Species Present:** \_\_\_\_\_

\_\_\_\_\_

**Inspection Fee Due:** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**Amount Due:** \_\_\_\_\_

**Bond Required:** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**Amount of Bond:** \_\_\_\_\_

**Comments:** \_\_\_\_\_

\_\_\_\_\_

**Approval:**

**A. Approved** \_\_\_\_\_ **Date:** \_\_\_\_\_

**B. Approved with Modification** \_\_\_\_\_ **Date:** \_\_\_\_\_

**C. Denied** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signed:**

\_\_\_\_\_ **Date:** \_\_\_\_\_

Beaverhead County Weed Board Representative