

Noxious Weeds Analysis
Moose Jaw River Watershed Technical Committee
February 2005

Purpose: The purpose of this document is to provide answers to the questions posed by the Moose Jaw River Watershed Stewardship Association Executive Board during the development of their management plan. This information will assist them in their decision making.

Background: A noxious weeds field day/workshop was held on June 18th. This field day provided information on control and monitoring methods, presence in seed mixtures, and identification was provided. Several members of the MJRWSA attended this meeting and provided the information back to the Executive Board. Further discussions lead to the formulation of planning objectives, draft recommendations as well as raised several questions.

Noxious Weed Act, 1984:

The *Noxious Weed Act*, administered by Saskatchewan Agriculture, Food and Rural Revitalization, provides legislation for the protection of the spread of noxious weeds. Every owner or occupant of land shall destroy noxious weeds on his land and prevent their spread to other lands. It also includes the hiring of weed inspectors by municipal governments. These inspectors can issue notice and the weeds will be removed at the cost of the landowner. A noxious weed means any plant that the minister may designate in the regulations as a noxious weed for the purposes of this Act, and includes the seeds of that plant (as defined under the *Noxious Weeds Act*). An unofficial list of plants considered to be noxious weeds has been included at the end of this document.

Other Watershed Groups:

Currently there are no watershed groups, including the Swift Current Creek Watershed Stewards, dealing with the issues of noxious weeds. The Flagstaff County in Alberta has a website with information on noxious weeds and offers a program where a spray crew will come out and spray an infested area. The landowner is responsible for the costs such as labor and chemical.

Federal/Provincial Guidelines for spraying along Rivers:

Provincial: You cannot spray within 25 meters (50 meters if aerial application) of a watercourse or surface water, as defined below, without a permit from Saskatchewan Environment.

Section 35(1)(b) of *Environmental Management Protection Act (EMPA), 2002*, states that a permit is required if a substance is to be applied to any surface water or along the banks or shores of surface waters or water courses. This includes intermittent waterways and drainage ditches. The only exception is non-draining water bodies such as dugouts, which are wholly contained on private land. To be exempt such water bodies must not discharge surface water at any time to adjacent properties or waterways.

Surface water means water above the surface of the land and being in a river, stream, lake, creek, spring, watercourse, ravine coulee, canyon, lagoon, swamp, marsh or other body of water.

Watercourse means a stream, creek, river, gully, valley floor, drainage ditch, or any other channel including any artificial channel, in which water flows either permanently or intermittently.

These waterways are defined to include banks and adjacent lands extending a minimum of 25 meters laterally from the high water level of permanent or intermittent waterways whether wet or dry. In the case of aerial spraying, the adjacent band of protected land is 50 meters from the high water mark.

Federal:

Even with a provincial permit to apply herbicides or pesticides near water bodies does not exempt you from federal law.

Section 36 of the *Fisheries Act* state that it is an offence to directly or indirectly deposit or permit the deposit of a deleterious substance of any type in water frequented by fish. Even if a permit is obtained from Saskatchewan Environment, and a deleterious substance is put into a waterbody frequented by fish, then it is still possible to be prosecuted under the *Fisheries Act*.

"Deleterious Substance"¹¹ means:

- any substance that, if added to any water, would degrade or alter or form part of a process of degradation or alteration of the quality of that water so that it is rendered or is likely to be rendered deleterious to fish or fish habitat or to the use by man of fish that frequent that water, or
- any water that contains a substance in such quantity or concentration, or that has been so treated, processed or changed, by heat or other means, from a natural state that it would, if added to any other water, degrade or alter or form part of a process of degradation or alteration of the quality of that water so that it is rendered or is likely to be rendered deleterious to fish or fish habitat or to the use by man of fish that frequent that water, and without limiting the generality of the foregoing includes
- any substances or class of substances prescribed pursuant to paragraph (2) (a),
- any water that contains any substance or class of substances in a quantity or concentration that is equal to or in excess of a quantity or concentration prescribed in respect of that substance or class of substances pursuant to paragraph (2) (b), and
- any water that has been subjected to a treatment, process or change prescribed pursuant to paragraph (2) (c).

¹ Canada-Saskatchewan Administrative Agreement for the Control of Deposits of Deleterious Substances under the Fisheries Act.

Possible Recommendations to also Consider

The Technical Committee also had a recommendation for the Board to consider.

- Provide information to rural and urban residents on:
 - on non chemical methods of controlling noxious weeds,
 - weed identification,
 - BMPs associated with spraying,
 - A weed pulling day/workshop can be used to help transmit this information

Noxious Weeds designated by the Noxious Weeds Designation Regulations

“This is an unofficial list of noxious weeds in Saskatchewan. To order an official copy of *The Noxious Weeds Act* and *The Noxious Weeds Designation Regulations* (including the list of noxious weeds) please contact the Queen’s Printer at <http://www.qp.gov.sk.ca>.”

Common Name

barberry, common
bindweed, field
bluebur
buckwheat, wild
buckwheat, tartary
brome, downy
brome, Japanese
campion, bladder
catchfly, night-flowering
chamomile, scentless
cleavers
cockle, cow
cockle, white
cockle, purple
dandelion
darnel, Persian
false flax, small-seeded
foxtail, green
grass, quack
hoary cress, heart-podded
knapweed, spotted

knapweed, diffuse
knapweed, Russian
loosestrife, purple
mallow, round-leaved
mustard, hare=s-ear
mustard, ball
mustard, tumble
mustard, wild
oat, wild
povertyweed
ragweed, common
rape, bird
sow-thistle, annual
sow-thistle, perennial
spurge, leafy
stinkweed
thistle, nodding
thistle, Russian
thistle, Canada
toadflax, yellow

Botanical Name

Berberis vulgaris L.
Convolvulus arvensis L.
Lappula echinata Gilib.
Polygonum convolvulus L.
Fagopyrum tataricum (L.) J. Gaertn.
Bromus tectorum L.
Bromus japonicus Thunb.
Silene vulgaris (Moench) Garcke
Silene noctiflora L.
Matricaria perforata Mérat (= *Matricaria maritima* L.)
Galium aparine L.
Saponaria vaccaria L. (= *Vaccaria pyramidata* Medick)
Silene alba (Mill.) E.H. L. Krause
Agrostemma githago L.
Taraxacum officinale Weber
Lolium persicum Boiss. & Hohen.
Camelina microcarpa Andrz.
Setaria viridis (L.) Beauv.
Elytrigia repens (L.) Neuski (= *Agropyron repens* L.)
Cardaria draba (L.) Desv.
Centaurea maculosa Lam. (= *Centaurea biebersteinii* DC)
Centaurea diffusa Lam.
Centaurea repens L.
Lythrum salicaria L.
Malva rotundifolia L. (= *Malva pusilla* Sm.)
Conringia orientalis (L.) Dumort.
Neslia paniculata (L.) Desv.
Sisymbrium altissimum L.
Sinapis arvensis L. (= *Brassica kaber* DC)
Avena fatua L.
Iva axillaris Pursh
Ambrosia artemisiifolia L.
Brassica rapa L. (= *Brassica campestris* L.)
Sonchus oleraceus L.
Sonchus arvensis L.
Euphorbia esula L.
Thlaspi arvense L.
Carduus nutans L.
Salsola kali L. (= *Salsola pestifer* A. Nels.)
Cirsium arvense (L.) Scop.
Linaria vulgaris Mill.

Botanical names referred to by (=) are alternatives for the given name.