

MINUTES
VEGETATION MANAGEMENT ADVISORY COMMITTEE
April 9, 2003

MEMBERS PRESENT: David Bingham, Karen Bodner, Paul Clements, Doug Graves, Molly Hoffer,
Mike Kesling, Mike Koivula, Chris Melotti
MEMBERS ABSENT: Jack Harris
STAFF PRESENT: Mike Perkins, Ollie Snowden, Sonny Chickering, Doug Putschler, Bill Manewal,
Caroline Manewal
GUESTS: Jim Lakehomer, Jan Nelson, John Sundquist

Chair Mike Koivula called the meeting to order and asked if there were any additions to the agenda. None.

I. PUBLIC COMMENT

Jan Nelson, Health Advisory Committee subcommittee member working on the "last resort" issue, stated she was present to observe. She offered to answer questions and asked what the correct process was. Staff noted there was room under Agenda Item IV for comments from HAC subcommittee members.

John Sundquist, 31139 Lanes Turn Road, Coburg, stated he had served on VMAC from 1996 to 2000. He urged VMAC members to separate pesticide reduction "last resort" into the following 2 categories; he also expressed his opinion regarding each category, and further urged VMAC members to come up with a suitable, safe approach to recommend to the Board of Commissioners:

- Roadside spraying – best to drop this type of spraying
- Other things – decide site-by-site, each site justified and signed off on

II. APPROVAL OF MINUTES – March 12, 2003

Bodner noted a typo on Page 3, paragraph 6: Change "Master Gardner's uses" to "Gardners use."

MOTION: Melotti moved to approve the Minutes of March 12, 2003 as corrected. Hoffer seconded. All present voted in favor, motion carried.

III. IVM COORDINATOR'S REPORT

Distribution of materials – Perkins distributed copies of the following to VMAC & PW Staff members:

- Draft IVM Policy, 1990
- Updated IVM Policy, 1999
- Standards & Guidelines, 2001
- 2003 Noxious Weed Policy & Classification System (ODA)
- Garlon 3A aquatic license information sheet
- Information packet from NCAP

Operations update – The crew is still involved with overlay/chipseal preparation tree trimming. Perkins commented there appears to be a higher awareness level among the public regarding potential hazard trees and more interest in tree removals. Perkins reported he had recently given the Zone 4 and Special Projects crews refresher information sessions about noxious weeds and threatened and endangered species. The information included photos, identification aids, etc.

IV. REPORT BACK FROM CHAIR ("last resort" meeting with HAC subcommittee)

Koivula reported he had attended the HAC subcommittee meeting on March 31, 2003. He referred to Chickering's notes that had been included in the agenda packets, noting one addition: Jozef Zdzienicki, LandWatch Lane County, had stated he was pleased with the Board's assignment; he appreciates the efforts to decrease spray; he recommends using low income people to do manual vegetation control; and

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he said he'd seen herbicides applied too close to water and during the wet season and expressed the hope that would not occur in the future.

Koivula noted other HAC subcommittee discussion included encouragement to VMAC to accelerate the timeline and enhance their activity level regarding this issue to try to accomplish it sooner. Snowden noted he's not sure there's consensus on the Board as to when they want a report back, however, staff is scheduled to take a status/progress report back to the Board the last week of May. Koivula asked members for input regarding scheduling additional meetings to accelerate the schedule. The following opinions were expressed: that 2 months for a final answer is not reasonable; hard to write a concise "last resort" policy in a big group, easier to work from a draft; matrix is good working tool but it's not a policy document, think the Board is looking for a policy statement; we'll get bogged down looking at details like the matrix details; although discussion/evaluations of alternatives is good, it is also part of the technical information that could get things bogged down; some alternative treatments don't have approval for use along rights-of-way; a subcommittee could look at some of the technical things later.

Perkins noted the two key questions that need to be answered are:

- What is the definition of "last resort"
- Can we build a model around that definition

Comments from HAC subcommittee members present

Jan Nelson referred to the packet of information from NCAP, suggesting that Thurston County seemed to be a good model to work from. Perkins added, when we get to the discussions about comparable counties, there is a lot of information available about classes of roads, differences in vegetation, how the other programs are run, etc. She also noted Snohomish County is comparable in road miles to Lane County, and Roy Scalf, of Snohomish County, had told her they discontinued using herbicides about 10 years ago. Members of VMAC noted the NCAP packets they had received appeared to be missing a page regarding Thurston County. Staff will check and supply members with any missing pages.

Jack Lakehomer, explained he is the Chair of HAC and a member of the subcommittee. He stated he had been a member of the group that looked at the 10-year herbicide-use data and he was impressed with the County's reduction in the use of herbicides over the years. He noted he looks at this current Board assignment as a good opportunity to look at some of the health issues involved in the levels of current use; and also to look at some counties where there may be policies that seem to be working and extract pieces that would be workable and applicable to Lane County. He added he is looking forward to the task and is not necessarily feeling tied to a two month timeline.

V. DISCUSS "LAST RESORT" POLICY *[T1S1-12.3 on SC Recorder]*

Koivula asked for definitions from members.

Molly Hoffer read the following. Given that, 1) the IVM budget is subject to normal constraints, 2) all roadside vegetation management tactics have inherent risks of various natures, and that 3) the goal of Lane County's IVM program is to maximize the appropriate control of unwanted vegetation while minimizing risk factors, within the existing budgetary constraints: A Last Resort Policy means that pesticide control will be used only when other measures of effectiveness required by the situation and of appropriately low risk have been excluded by cost considerations.

Said policy would need to be applied, therefore, on a case by case basis, or in some instances on a species by species basis. It may prove desirable to approach the budgetary constraint issue by considering volunteer involvement and donations from community. There is a high level of community interest in this issue and the IVM program may benefit from individuals, groups and commercial entities willing to be involved. Volunteer involvement could easily entail commitment on the part of landowners and/or right-of-way adjoining residents or other stakeholders to participate in maintaining their roadside, or the roadside of their particular interest, to County standards, or could be waived for the payment of a fee. Volunteers would require workshops and/or brochure education efforts to train for species identification and effective mechanical removal techniques. County could consider conducting a survey of "stakeholders" (owners/residents, users, etc) to determine: 1) willingness to participate in reduced pesticide program approaches - participation could encompass several levels of personal involvement

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from simple stated preference to active participation in vegetation control on adjoining roadside; 2) willingness to accept other corresponding effects, e.g. reduced speed on roadways with "no action" roadsides, or fee instatement on those roadsides where owners feel that herbicide control is necessary; 3) willingness of property owners to cooperate with noxious weed control on private property that adjoins and affects roadsides.

David Bingham noted that some sort of public education regarding when/how to control noxious weeds on private property adjacent to rights-of-way could lead to a reduction in the County's need to use herbicides.

Koivula requested that each "last resort" definition be included with the Minutes.

Karen Bodner read the following: Using established action thresholds; use least toxic, most effective method to suppress or eliminate problem pest weed with cost and landowner preference in mind; staying within Federal and State guidelines; herbicides used when no other method is effective.

Chris Melotti said, under the Lane County IVM Policy, herbicides are currently used when an action threshold is reached. An action threshold is defined as levels of pest management which dictate mitigative action. Therefore a last resort spray policy would use all methods, except herbicide application, to accomplish the desired result. When, and only when, all other methods of control have been tried without appreciable success, would herbicide spraying be considered. Melotti noted he realizes his definition doesn't take cost considerations into account.

Doug Graves stated he looks at this as a "line in the sand"; where do you want to draw it. He read the following: "An interpretation of the policy the County already has where you ask, 'how much do you have to spend'." Graves expressed concern that the line would be drawn, that PW has goals, maintenance, safety requirements, etc., and all he sees for PW managers is the armchair quarterback. So he'd like to address/help counter that somehow; also that safety and cost are considered when deciding last resort.

Perkins noted he struggles with the issue of safety; that sometimes it may cost more to do something in the safest way for employees.

Mike Kesling stated he's not embarrassed to say he has struggled with the term "last resort" since the Commissioners' meeting. The term is a general concept. He stated he feels the committees haven't been given sufficient guidelines on what needs to be considered in the decision-making process. Kesling added that he can come up with the same argument for any of the other practices that are used within the IVM Program. He does agree with further development of a matrix for a better decision-making process for the utilization of the various tools. Kesling reiterated he doesn't have a good handle on "last resort," that he feels it's basically all individual interpretations.

Melotti commented that alongside whatever the group comes up with for a "last resort" policy, that when it goes to the County Commissioners there needs to be a parallel discussion on the public education and/or potential volunteer groups component. If cost is a factor, then we need to get to the bigger picture, e.g. the need for continued applications due to problems such as noxious weeds coming from private, adjacent properties, etc. Melotti noted it would take a lot of years, effort, and money to get there, but he believes the County could get to a "last resort" or even a no-use policy. However, the Board would need to understand that PW would need tools and resources outside of what they currently have available such as a weed 'swat team'; and it would need to include other ways to finance it, (volunteers, Federal funds, etc.)

Paul Clements stated he believes invasive and noxious weeds, as defined by the ODA, deserve different consideration than native plants; and a different matrix/process is needed in considering them. The County has a statutory mandate to control noxious weeds on County property which can't be ignored. Clements added that public education needs to be an important component.

Hoffer asked if "control" means eradication in dealing with noxious weeds. Clements noted the State has both Class A and Class B noxious weeds lists; that plants on the Class A are limited in range and are subject to eradication and there may be funding available to help with that, however, plants on the Class B list already have large infestations and control efforts center on limiting any further spread.

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Mike Koivula explained he had come up with the following concepts rather than a specific definition: it seems the Board wants a reduction from current use; with the economy in poor condition, maybe consider using additional summer labor for manual control of problems; likes the idea of public education regarding vegetation control within the County as a whole; and that when choosing what type of control to use, that topography should be a big consideration, e.g. is the blackberry in an open field or on a steep slope, etc.

Bodner asked for input on "last resort" from staff. Perkins noted he had heard someone mention the existing language in the policy document and that is an important piece. Perkins explained the document already says PW will take into consideration safety, cost, impact on environment, impact on neighbors, preservation of infrastructure, etc. Perkins clarified there is a whole history and many discussions on this subject and the consensus of each past committee membership was to not use "last resort" language due to the definition subjectivity and the potential for continuous arguments every time sprays were used.

Perkins noted he, personally, would build a last resort definition off the existing language, and he would encourage a broad definition on all tools rather than focusing on just the one tool.

Clements noted one of the guests had mentioned data that showed a reduction in the use of herbicides over the past 10 years, which substantiates previous statements by staff, and that maybe what the Board is looking for is a different method of reporting that information.

Snowden commended members for working on definitions of "last resort", adding that what has been discussed isn't very different from the language already in the IVM Policy. Snowden explained why staff started drafting decision-making matrices rather than a definition: 1) staff goes through a decision process each time any of the tools are used, however, that decision process isn't very transparent to others; 2) he believes we already are, in most cases, using a last resort policy, however, there seems to be a lack of trust over how Engineering uses herbicides; 3) because of the trust issue, he has some concerns that drafting a broad, policy-level definition of "last resort" still will not solve the issue of second-guessing every herbicide application. So, for these reasons, staff had focused on defining and documenting the decision-making process rather than drafting a definition.

Snowden noted if the Committee wanted to stay with working on a definition to take to the Board, he would still encourage staff to work together to complete the decision-making matrices, which could then be included in the Standards and Guidelines document. Snowden noted, unless you consider cost, there is always another way other than using herbicides (more people, equipment, etc.), however, eliminating the cost factor is not reality. Snowden stated that, given limitations to the budget, any type of a "last resort" policy needs to deal with cost and action thresholds, and he also encouraged one that would bind Public Works to keep abreast of new techniques and technology.

Chickering noted one of his concerns as a manager is that the employees in the field have as many tools to chose from as possible, so he is OK with working on a "last resort" policy, however, he would not be able to back removing the herbicide tool altogether. Chickering commented the idea that had been expressed regarding public education about noxious weed control on private property was a credible one that should be forwarded to the Board, however, the language would need to include language that this type of activity/public education would not be Road Fund eligible so it would need to be implemented by another division.

Snowden clarified that under the original IVM plan, which includes the "no spray area" option for adjacent landowners, there was lengthy discussion over who would maintain the right-of-way in those areas. The Board chose for PW to continue the maintenance rather than the private citizens with the main reason being a liability issue.

Bodner noted, after listening to the discussion, she feels the details/matrices will need to be a part of or be attached to any last resort policy statement.

Clements requested that Lakehomer ask the HAC to reflect on what changes they've seen in the County process since the current IVM Program has been in effect; adding that he's assuming this exercise was driven by a concern over health issues, and he's wondering if HAC has specific examples of problems with the Program.

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Lakehomer commented that according to information HAC has looked at, the number of exposures is under-reported and doesn't get into the data network. He added that in a sampling of primary care physicians, the majority do not ask questions about possible exposures when they see an atypical dermatological or respiratory situation. He noted the database for health events is currently limited to severe, acute exposures, or at least it isn't collected in any systematic action.

Snowden noted the health issues are broader than just human affects, that they would include fish, etc. He added the Board had mentioned they weren't interested in hearing dueling scientists.

Melotti mentioned that external costs, e.g. lawsuits, dealing with riparian issues, fish issues, etc., aren't considered in the draft matrix. Perkins explained staff had started to include risk assessment in the matrix, and that risk needs to be looked at for all the tools. Snowden noted it's difficult to deal with indirect costs because they are subjective.

Melotti expressed the opinion that the Board was asking the group to look at/include landowner preference and costs, and that looking at indirect costs should be part of the charge.

Graves asked staff if the Board has had any actual field experience where they have gone out in the field with matrix in hand to see what PW has to deal with in the field. Snowden noted this current Board has not had any field trips with a focus on vegetation management techniques.

Graves and Koivula both expressed the idea that these types of field trips could build up the trust level. It was suggested that before the Board make their decision regarding this "last resort" issue, that they come out and see some real-world vegetation management situations; that if they want to educate the public, they need to educate themselves first.

Koivula noted the time and asked members if they wanted to move on to the next agenda item.

VI. REVIEW/DISCUSS IVM MATRIX [T1S2]

Koivula asked about authorship/sources for the matrices. Perkins noted he had put the matrices together from multiple sources he has on file, e.g. mowing cost study from State of Montana, Univ. of California at Berkeley, Purdue Univ., Cal-Trans evaluation/study of vegetation control methods and newer alternatives, etc. Snowden clarified that the reason behind the matrices was that he had asked Perkins to develop something to show the decision process for how/when/where herbicides are currently used. Perkins added there are other documents that would go with the matrices that would give further explanation.

Clements noted he didn't see "need" as one of the considerations listed. Perkins responded the "driving force" could be either external (citizen requests/reports) or internal (maintenance problems and/or activities.) Perkins listed several activities that would be internal; noxious weed control, cut stump, hazard tree removal, overlay preparation, preservation of infrastructure, vegetation enhancement, etc.

Snowden noted one piece that's missing is the action thresholds; that if we continue on with the matrix idea, staff realizes they will need to include action thresholds for each particular situation. Snowden explained that if you have a broad definition of "last resort" then someone has to interpret that. If PW isn't trusted to interpret that definition, then we need to be more specific about what our interpretation is and take that to the Board.

There was lengthy discussion regarding action thresholds. Melotti expressed the opinion that an action threshold document would be a good activity for staff to go through, however, he feels VMAC needs to work on coming up with the language the Board asked for which is "what is a last resort policy." Koivula stated he thought that, at the least, an aggregate of the definitions given by VMAC members be sent to the Board through the minutes.

Snowden noted his understanding of what the Board had asked for was "tell us what a "last resort" policy would look like and how you would make it work" and that the policy language is only one piece of that.

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Kesling noted his main concern is attempting to draft a "last resort" policy without the supportive documentation of how you would attain that; that the development of the matrices and decision-making process goes hand-in-hand with a policy statement, and those documents actually need to come ahead of a definition of "last resort."

Koivula called members' attention to the time, stating he would like to say the "last resort" policy has been discussed and move on to the rest of the agenda items.

VII. NEW BUSINESS

Melotti stated, for next month's agenda, he'd like to see a report from staff on the action thresholds that go along with the control option matrix; and that the members' task would be to review the minutes and individual input and come up with draft language for a last resort definition.

Koivula asked about the status of Blue Mountain Park regarding spraying. Perkins noted it was on the Board's agenda for today. Snowden reported the Board had directed the Parks Division to plan to use manual and mechanical methods during this next year, at a cost of approximately \$40,000 vs. \$9,000-\$10,000 if they could use herbicides. Snowden noted Comm. Lininger had indicated during this discussion that he thought HAC and/or VMAC would be reporting back on whether it was safe to use glyphosate.

Kesling expressed concern that VMAC is getting requests/questions posed to them on topics that are not within the Board's charge to the Committee, and also not within the expertise of the members. Kesling added, since no members are toxicologists, it doesn't seem appropriate for them to be asked to make a recommendation on chemical toxicology. Snowden noted the Bylaws do say that VMAC's mission is dealing with roadside vegetation management, however, if the Board wants to expand that, they can. Snowden added that VMAC members can express their concerns to the Board.

There was general consensus that VMAC needs clarification from the Board regarding what they want from VMAC. Staff will review Board Minutes/seek clarification and report back to VMAC.

Chickering asked for clarification from VMAC members as to whether they were going to schedule additional meetings for working on the "last resort" assignment. Consensus was negative. Next regular meeting is scheduled for May 14, 2003.

Potential agenda items for May 14, 2003:

- Opportunity for newer members to ask questions regarding the IVM Policy documents and the Standards & Guidelines distributed 4/9/03
- Clarification from staff on exactly what the Board expects from VMAC/HAC
- Continued member input on "last resort"
- Report from staff on action thresholds that go along with the control option matrix
- Report back from Chair on correspondence/collaborative effort with HAC
- Preliminary budget information from staff

Meeting adjourned at 7:35 p.m.

Recording Secretary