

MINUTES
VEGETATION MANAGEMENT ADVISORY COMMITTEE
Wednesday, June 9, 2004

MEMBERS PRESENT: David Bingham, Karen Bodner, Sandra Corbin, Doug Graves, Molly Hoffer, Mike Kesling, Mike Koivula, Chris Melotti

MEMBERS ABSENT: Paul Clements

STAFF PRESENT: Sonny Chickering, Bill Manewal, Caroline Manewal, Arno Nelson, John Petsch, Ollie Snowden

BCC PRESENT: Commissioner Anna Morrison

GUESTS PRESENT: Shane Latimer, Jones & Stokes

Melotti called the meeting to order at 5:30 p.m.

I. PUBLIC COMMENT: None

II. APPROVAL OF MINUTES – May 12, 2004 – with the following corrections:

- Page 1 – Opening sentence, add “Committee” after “appointed”.
- Page 2 – IV, 6th sentence, change “PHD” to “Ph.D.”; 9th sentence, add “Committee” after “partisan”.
- Page 3 – VI, 1st sentence, add “crews are” after “Vegetation”, and delete the word “is”.

MOTION: Melotti moved to approve the Minutes of May 12, 2004, as corrected. Corbin seconded. All present voted in favor. Motion passed.

III. SHANE LATIMER – JONES & STOKES (LAST RESORT POLICY PROJECT):

Chickering introduced Shane Latimer, hired by Lane County Public Works (LCPW) to help with the Last Resort Policy. Latimer summarized that Jones & Stokes is the environmental consultant for LCPW and most of the work they are doing has to do with the Short Mountain Landfill (permits for expansion, ecological assessment). Latimer has an undergraduate degree in Botany from Southern Oregon University, and also received a Ph.D. in Plant Ecology from Tulane University in New Orleans. He worked there as a Toxicologist under a postdoctoral fellowship, most work being conducted on heavy metal transport. He later moved more into organics, including pesticides, and has continued to work in this area, particularly in the area of eco-risk assessment. He is a Certified Senior Ecologist with the Ecological Society of America, and chaired the Urban Forestry Commission for the City of Portland for a number of years.

Latimer said he has received the current ordinance, the previous Integrated Vegetation Management Program (IVMP), and a lot of related information to start working with. He has spoken with County Staff and the Northwest Coalition for Alternatives to Pesticides (NCAP) to obtain their versions of how the ordinance development and adoption had transpired. His overall view of the ordinance is that it appears to have been put together too hastily, and not enough time

was spent to narrow down potential problems with it. The biggest potential problem, in his opinion, is that some of the provisions essentially preclude its implementation. He has started a technical report of the ordinance review that is only partially complete. He said there's an opportunity for NCAP to provide some background information to fill in gaps, with filtering on his part. Also, editing is needed to improve consistency and conciseness with regard to vague terms or phrases; the ordinance needs better definitions to clarify terms used throughout; the attached appendix should include a source of references (there are a lot of things that need references that are not referenced anywhere); it lacks reference to the goals, objectives, and practices of the current IVMP. In short, the ordinance could be cleaner, better defined, and more concise so that a new management plan could be more easily derived. Red flags that may preclude its implementation include two terms, "wetlands" and "identified bus stops". Both terms alone may take out a large portion of what people might perceive as being sprayable areas.

Another significant problem is that the ordinance requires herbicides that have less than a 30-day half-life and, from its list, none of the marketed herbicides normally used for this type of work meet those criteria. They all have half-lives that, in some cases, could be greater than 30 days, so you are left without the readily available market options for use along the roadsides. Snowden said the BCC did not make the half-life mandatory, but wanted it considered, so it was moved below the "mandatory" line to "desirable". Latimer said the new signing requirements, combined with the other criteria, get messy. He said the goal is to reduce the amount of herbicides, and there is a balance that can be struck with regard to use and non-use. He thinks the ordinance is not the best written or thought out, but with a few tweaks it probably could be brought into line with a program that could work. The County could continue to use spray and meet the goals or objectives the way they've been set out. The objective is to reduce spraying as much as possible (5% reduction per year), but the ordinance as written precludes the use of spraying to a point where it is very difficult to undertake.

Latimer said he spoke with Aimee, NCAP, and was told that the ordinance was derived from Bainbridge Island, as well as information gathered from Thurston County. Aimee's intention was to create a template or example of what an ordinance for Lane County might look like. She was surprised that what she put together received only minor edits, if any, and then went public. She, as well as NCAP, felt it had been "ramrodded through". Latimer said he thought Aimee told him that one of the commissioners asked her to write the template. Snowden said the ordinance went from the BCC to Legal Counsel, who had conversations with NCAP, then came up with the final draft. Public Works staff had little opportunity to influence what the final version looked like. Latimer said that NCAP, per Aimee, is not very pleased that this ordinance went public in its current form. He was asked if Aimee would be willing to present to the BCC a request to revisit the ordinance and Latimer said he didn't know. Latimer said he'd contact Terry Witt (OF&S), and Jeff Jenkins, Toxicologist (OSU) for additional input.

Chickering explained that Latimer will provide an operations plan for Staff and the Committee detailing what the operation would look like if we actually implemented the ordinance as it exists today, and also may end up with recommendations for portions of the ordinance that should be reconsidered. Perhaps Latimer could suggest changes that would make it more palatable. He added that there is also an annual report that's required and that he has been asked to prepare a report template for County Staff to use. Latimer said he is really impressed with the level of record keeping that the County does and the amount of information that is available.

Bodner asked Latimer if ecologic and/or economic risk assessment is part of the scope of work he could provide, and he responded that an economic analysis could provide ballpark figures for what it would cost to fund a program sufficient to address the requirements of the ordinance.

Bodner asked Latimer how he normally solicited public involvement when developing new programs, and he responded that Jones & Stokes frequently provides public input services such as facilitation, community meetings, workshops, and training courses.

Chickering said there is a concern that the public is picking up the gap in spraying and that the County might be liable if this is allowed to continue. He said Legal Counsel has expressed their opinion that the ordinance only applies to County staff and their activities. Latimer asked if there's been citizen feedback on why the County isn't controlling roadside vegetation as much, and Graves said he spoke with a farmer in Creswell who said if the County doesn't take care of it, he will. Morrison added that she's getting a phone call a day in regard to roadside vegetation and dust abatement, and she thinks that most callers are small parcel owners. Snowden suggested that Morrison relay phone calls she receives regarding roadside vegetation issues to Nelson so that he may evaluate any potential problems and/or liability issues. Manewal said he gets 3-5 phone calls a day from citizens asking when roadside vegetation work will be done.

Latimer said he should have a draft report ready for review by August 15th. Chickering said that date was chosen because the ordinance requires a fall report. Snowden said the purpose of the report is to discuss herbicide application and, because there is no spraying, the report may not be necessary. Chickering said the idea of the report is to also commit to actions that will or won't be taken during the next year. He added that a report was not done last year, so he wanted to get one done this year. Morrison said she was surprised that there hasn't been a request for the status of the report. Chickering said it might be because they (BCC) know that there is no spraying occurring.

Chickering said the report will be presented to the BCC, and Morrison said she'd like Latimer to present it. Whether planned or not, the ordinance precludes even 5% use, and Latimer doesn't believe it was the intent. He said that if tweaking were allowed, then maybe the ordinance could be brought back to something more in line with the real goals behind it, which was a gradual reduction in herbicide use. Chickering said it's possible to propose changes to the policy via the fall report. Latimer said part of his technical report already includes changes that should be made to the ordinance. Latimer said he planned to contact the Oregon Vegetation Management Committee and Bainbridge Island for more sources. Snowden suggested that Latimer also contact Washington State. Manewal said he believed that someone from Washington State Transportation Dept. has put together information about herbicide cost vs. non-herbicide control. Latimer said he thought it might be Bainbridge Island that was doing that pilot program. Latimer closed by saying his report would be put together soon.

IV. FOLLOW-UP DISCUSSION ON SCOTCH BROOM / GLENN MILLER PRESENTATION:

Koivula said it was interesting that Scotch Broom was vulnerable to mechanical removal at a certain stage. He added that it would be difficult in a large area or roadside to treat it in that fashion, so instead of treating an area once every two years, it would have to be looked at every year to find Scotch Broom at this particular stage. It seemed worthless to him to treat it in this way when it might actually make the plants grow stronger. Bodner asked if Scotch Broom was listed in the roadside inventory, and Manewal said some of it is. Bodner suggested that the Committee decide where to start on a pilot project. Nelson said adjoining property is also a problem.

Morrison said there are maps that show overlays of Scotch Broom on private and public land and right-of-way. Nelson said the County has an inventory, but he didn't believe it was complete. Morrison said she was talking about the plans that are available through LCOG, BLM, Forest

Service, and State Dept. of Forestry, and that these agencies have spent money for treating noxious weeds, but do not communicate, and asked why a third or fourth party should be paid to put this information together if it already exists. She added that if a project were started, the landowner should work together with the BLM and/or the County.

Snowden said that typically, they'd be sending out the inmate work crew to hand pull weeds when they're available. Melotti asked what type of tools the inmate work crews were using to control Scotch Broom, and said he understood there was a specific tool being made in Grants Pass. Bingham said it's a leverage type tool and he'd tried finding out where the business was, but hasn't been able to make contact. He said tools are necessary because of how hard it is to work with Scotch Broom. Manewal said the inmate work crews are cutting a lot of the broom, which takes a lot of persistence out of the plant. He said they used big brush mowers on the broom to start out with, and if thumb-size plants came up from that, they are picked manually. If it can't be pulled, it's cut. Melotti asked about the skill level and whether there is someone who follows up on the work of the inmate work crew. Manewal said they monitor the work, and the deputies involved have worked with the broom and have a good understanding of it. He said there's a deputy working with the inmate crew who has an interest in plants and his group does a lot of wetland planting work for the County, and he makes sure his crew does a good job. Manewal added that the Vegetation Crew does specify what work needs to be done.

Morrison said the Forest Service and BLM, which both have received money from the County for eradication, are both using work camp crews. The Forest Service and BLM have knowledgeable employees who are overseeing the crew along with the work camp supervisor. She added that the County has to be able to demonstrate to Congress that accomplishment has been physically made with the money received in order to get preauthorization for new legislation. Snowden clarified that the inmate work crew is paid for by the road fund, and is different from the Forest Service work camp crew. He added that work crew individuals are from Lane County Jail serving community service or short jail time, that there are three different versions of these work crews, and only the inmate work crew from the Sheriff's Dept. is funded by road fund.

Nelson said that without an IVM Coordinator, there isn't staff available to go out and pick a road and meet with people. He said they need someone to coordinate the work. Hoffer asked if there's been any effort to coordinate with OSU weed management groups/students who may want to go out and do an IVM-type of survey and monitoring project, which seems like a great undergraduate research project. Melotti said there is a lot of interest and opportunity, but there are a couple of bottlenecks (busiest season for vegetation control and the ordinance). He suggested forming a subcommittee to discuss details regarding a pilot project, and to work with private landowners, the County, Watershed Councils, and graduate students from OSU, and brainstorm ideas and start making contacts. Snowden said funds limit work to only rights-of-way, so working with landowners is good, but volunteers or other funds would be necessary. Koivula said city ordinances restrict weed height or city landowners may be fined. Bodner suggested doing a newspaper article or a public service announcement to educate the public regarding noxious weeds and ways to reduce their spread without using herbicides.

Melotti said he spoke with a federal botanist who found Knapweed on private property and wanted to deal with it. She made contact with the landowner, explaining the weed and how it could take over his pasture unless he took action. Melotti said the landowner was receptive and continues to monitor his now Knapweed-free land. Bodner asked if they were allowed to go door-to-door as private citizens to educate the public, and Snowden said that it was fine as long as they did not act as a County representative.

APPROVED: 7/14/04

MOTION: Melotti moved to form a subcommittee to work on a pilot project. Corbin seconded. All present voted in favor. Motion passed.

VMAC Subcommittee Members: Sandra Corbin, Karen Bodner, Anna Morrison, Molly Hoffer, Chris Melotti. Title of Subcommittee: "Sweepin' the Broom".

V. ROAD MAINTENANCE MANAGER / OPERATIONS UPDATE – Arno Nelson:

Manewal said the Vegetation crew is mowing rights-of-way, and has switched over to grass heads; three summer help employees will start on Monday (6/14); safety strips will be done by the end of July (one-pass mowing). Manewal had previously sent a copy of the ordinance to Dow, DuPont, and Monsanto, asking them how each of their products fit in. He distributed copies of responses from DuPont and Monsanto (Dow has not responded to date) and reviewed the information with the Committee.

Nelson reported road maintenance crews are working on chip seal and overlay roads; he'll be pulling a crew together next week to begin the dust abatement program; road blading started this week (takes about 7 days to get through all the roads); culvert maintenance and change-outs in advance of asphalt overlays are in progress.

VI. DATE AND AGENDA ITEMS FOR NEXT MEETING – JULY 14, 2004:

The following agenda items suggested:

- Treatment of False Brome Presentation – Chuck Fairchild, BLM (30-45 minutes)
- "Sweepin' the Broom" Subcommittee Report
- Jones & Stokes Update / Definitions – Staff
- Joint Road Tour Update – Coast / Late August (Committee would like to see Knotweed and Knapweed)

Meeting adjourned at 7:25 p.m.

Recording Secretary