

**MINUTES**  
**VEGETATION MANAGEMENT ADVISORY COMMITTEE**  
**December 12, 2007**

MEMBERS PRESENT: Ross Penhallegon, Peter Graham, Mike Koivula, Chris Melotti, Jan Nelson, John Sundquist, Kai Williams, Jim LaRue

MEMBERS ABSENT:

STAFF PRESENT: Arno Nelson, Orin Schumacher, Debby Woodruff, Ollie Snowden, Howard Schussler

B/CC PRESENT: Commissioner Fleenor

GUESTS PRESENT: Diane Burch

PUBLIC PRESENT: Jan Wroncy and Molly Widmer

Jan Nelson called the meeting to order at 5:35 p.m.

**I. PUBLIC COMMENT**

1. Jan Wroncy: She stated that she has spoke with several property owners in the Fox Hollow area and they claimed they were happy with the mowing and did not see a need for spray. She also stated that Horton Rd. was only mowed once this year on July 2, with completed mowing after the 4<sup>th</sup> of July. She explained the importance of keeping the area mowed for children's safety and people walking on the side of the road, also the danger of fire from sparks. She stated that the knapweeds need to be mowed at least 3x during the season and if it's timely mowed it makes a huge difference in the seed bank. She shared pictures of the knapweed. Wroncy also showed pictures of the mower and signage. She stated that after mowing, there are stiff stalks left to spread seeds. She believes the mowing was done far too late in the season. She stated no one in Horton wants spraying done. She stated that she was on a subcommittee to examine and record the illegal spraying on County roads not approved by the County. Wroncy passed around a record of most of the addresses or locations of the illegal spray sites that she recorded. She stated that in 1990 and prior, Mike Perkins and David Dunlap had previously promised that they would advise the property owners that they could not spray County ROW. Wroncy stated that she needs her only safe route to town to not be sprayed. She shared a definition of IPM (Integrated Pest Management) from "Wikipedia": It is an ecological approach that can significantly reduce or eliminate the use of pesticides. She stated she believes that should be the goal.

2. Molly Widmer: Widmer explained that she is a botanist. She stated that there are some weed species that are of particular concern right now. She stated that she knows that native plants sites are not in danger because of the ongoing relationship with the County to protect and not spray those sites. However she stated that there is nothing to keep the weeds out. Some of these sites are on County roads. She stated that roads function as gaps for some sensitive species. She explained that some species of weeds are spreading into pristine areas. She stated False Brome is one of them. She believes this has become a serious problem and the weeds are traveling along these roads. There are big populations of weeds that may not be controlled manually.

Sundquist asked which plants toxify the soil. Widmer stated that the "Shining Geranium" may be

one of them. Black Walnut does use toxins.  
J.Nelson asked Widmer to leave contact information.

## II. COMMISSIONER FLEENOR PRESENTATION

Fleenor began by thanking the committee and staff for allowing him to speak at this meeting. His direction for the future years is to listen and to also facilitate. He stated that the Annual Report was reviewed by the BCC and they decided to send it back to VMAC. He stated that he is not a trained facilitator, he does not know much about vegetation management, and he is not wedded to either side. He is neutral on the issue and is here to help facilitate. He explained his goal is to obtain a substantive majority approval for the 2007 IVM report. He explained that substantive is not well defined, but he would know it when he sees it. He wants to see a consensus but it may not happen. He wants to move this forward because the BCC wants him to bring this back January 2. This is the last night. He stated that they can do it the hard way or the easy way. He would like everyone to work together and the committee can make recommendations. He explained that committee members would have 2 minutes each to talk and ask questions. Then there would be a pro/con rebuttal of 1min. Staff would have 2 minutes to talk. Rebuttals will then be 1 minute. He explained that each member has a card in front of them indicating; yes, no, or undecided. Members will use these cards to indicate their vote on each issue. All members start out with undecided.

**Roadside Vegetation Management and Last Resort Herbicide Use Policy** (1<sup>st</sup> page): No objections.

**Table of Contents:** Fleenor explained that the body may change, so no discussion on this

### 1. Herbicide Use. (Discussion)

1<sup>st</sup> paragraph:

Sundquist asked that the amphibians' cancer studies opinion is that if it could be removed from the permitted products list and how can that process be started?

J. Nelson pointed out that per Lane Code 15.10, the Board of Health can periodically review the permitted products list and after receiving public comment, add products that meet the criteria or delete products if new information becomes available that the products do not meet criteria.

Fleenor asked Sundquist if he had a problem with the product list on page 2.

Sundquist stated that he would like to see new information included on the products list.

LaRue asked where the information came from.

Koivula explained it came from the "Releya Study". Koivula also stated that the combination of various herbicides and pesticides were more dangerous than any single product.

Fleenor explained that one of the big issues of the night is whether Lane County should be in the business of controlling noxious, invasive species on County land. If they say no collectively, that reduces the amount of herbicides that are being contemplated. He reminded everyone that the inmate crew has gone away and there is a possibility it will come back.

Melotti commented that the Annual Report does not provide for new information about new products. Melotti stated that it is not required in the report.

J. Nelson asked how the new products information would be given to the Board of Health to review. Fleenor explained that the committee would report this information. He explained that this report is not static and things can be changed if needed. He does not want the discussion to be rigid and there needs to be flexibility.

Williams stated that something be added regarding proposed studies and new products be added to the report so the committee and Board can look at it down the road.

## 2. Proposed Non-Listed Herbicide Use. (No Discussion)

## 3. Proposed Herbicide Uses.

### **Noxious and invasive plant control:**

Melotti stated that he is in favor of County PW controlling noxious and invasive weeds at the highest level. He stated that the Annual Report proposes to treat one specific noxious weed, the Knotweed. It is listed in the report as one of the 100 worst invasive species in the world. It is in Lane County in abundance and is taking over coastal streams. Melotti stated that he personally doesn't want this weed to gain a foothold in the County.

J. Nelson stated that the question is whether herbicides need to be used since they are more dangerous and are invading our bodies.

Penhallegon stated invasive weeds are only a small part of what Orin is working on. He sees it as a non issue if it's roadside vegetation.

Sundquist stated that the committee has agreed that they should go after noxious weeds and herbicides should be used when their most effective. He stated that the report does not have limits and that is why it was not approved and it would only work if there are partners on the other side of the fence. He is not against taking control of noxious weeds, but not by cutting it loose and hoping the best occurs. It has to be linked to the establishment of low maintenance vegetation.

Melotti stated that he has been working on this document for the last 6 years. He stated that the Commissioners approved it and now that it is time to implement it, it has been pushed back.

Fleenor suggested that a paragraph be put in that states this will be done in partnership with adjacent landowners.

Snowden asked what criteria would be used to determine if a landowner is participating. What if the property owner says no?

Williams explained that this is already being done when staff plans where to do the work. She believes this is being addressed regarding partnerships.

J. Nelson stated that they had requested a list of sites that need applications and have not received that list. Schumacher pointed out the maps on the table. J. Nelson explained that she does not believe the process has been followed for all the preventive measures listed in Lane Code. She believes there needs to be a serious trial for these methods. She stated that if the County is going to spend money to work with land owners, it will be enormous and costly.

Sundquist stated that partnerships were brought up before. He stated that they should be able to identify where the no spray areas are. He stated that it will only work if there are partnerships. He wants a test program with 10 spots with partnerships.

A. Nelson stated that why would staff spend resources to go out looking for noxious weed locations until the report was passed.

Koivula stated that he is for control of noxious and invasive weeds where necessary but his objection is that there are not enough caveats to indicate that the least damaging herbicide will be used. He stated that he has gotten verbal commitments from Schumacher and A. Nelson that they will use the best management practices and if that was included in the report, many of his objections would be gone.

Schumacher stated that Koivula's concerns are spelled out in the "Management Description Plan". Perimeters are stated and approved products listed.

Melotti stated that Schumacher has brought in treatment site maps. He referred back to the "Management Prescription Plan" which is species specific based on best information out there. He explained that the knotweed population cannot be let go and if not dealt with this year, the County will have serious problems within a couple of years.

J. Nelson stated that now that they have site locations, they are not ready to determine whether or not that's where the applications should be. She referred back to Lane Code and stated that

she does not believe they have tried other techniques seriously.

Sundquist wants to attack 10 spots and see how that goes. He wants to know exactly where the sites are and cannot approve this based on the County's problems in the past.

**VOTE: 6 yes, 2 no**

**Guardrail Maintenance:**

Fleenor explained the issue is that the Inmate Crew is gone based on union contracts, but if the Inmate Crew comes back, they will put them back to work.

J. Nelson stated that some of them have brought up some weed barrier ideas and didn't seem to get any enthusiasm from staff on those ideas. She stated the weed barriers do work. She spoke with Greg Prull who stated that there is a machine that does go around guardrails. She also talked to the City and school district. She still wants to know approximately how many guardrails need some extra work and what kind of work it is and staff should investigate the machine that goes around guardrails.

Penhallegon stated that Washington State Department of Transportation is doing a 3 year study looking at all known alternatives for roadside management. The University of Washington has done an extensive review of all alternatives. He would recommend that under the Partnership paragraph and New Road paragraph it state that use of herbicides be limited.

LaRue stated that weed fabric would run about \$22,100 for 10 miles of fabric not including labor which may be 2-3 x the cost of fabric. The fabric would last 6-10 years and then would need to be removed. This is a 6 ft by 300 ft roll of 3.2 oz. fabric.

Williams reminded people that under Unsuccessful Non-Herbicide Controls, it already addresses mechanical guardrail vegetation and under projects in review it addresses vegetation control fabric and it is already being reviewed.

Sundquist stated that other resorts have to be tried according to law. He stated that the problem with the report is that it should be the first resort instead of last resort. He stated that this is not a legal way of doing it.

J. Nelson stated that the trial has to be more serious than has been done. She stated that other city government is dealing with this issue long term. She stated that the spray is continued to be done. She stated that the report is asking for new spray equipment estimated at \$18,000 to \$25,000 and that doesn't count for the licensing of the operators and possible respraying.

Schumacher stated that the County is not doing short term projects and that this is just an annual report and cannot put 6 years of research in this document.

Melotti stated that the County is not a research organization and the burden should not be put on the IVM coordinator alone to get first hand information. He doesn't want to reinvent the wheel.

**Committee agreed to postpone the approval of minutes to 7:25.**

Koivula stated that his preferred option would be to bring back the inmate work crew or have additional County employees do the guardrail maintenance manually. He also would like to encourage creative ideas for new construction such as asphalt paving under guardrails, & weed barriers put down. He stated that if there was another piece of heavy duty equipment that could do the work, he would prefer that over herbicide use.

Fleenor stated that they are making every effort to negotiate with the union and the Board is committed to getting the inmate crew back if at all possible.

Graham stated that he agrees with Koivula.

Williams stated that there is already strong language in the report that states that if the inmate crews come back or other workforce found, herbicide use will stop.

A. Nelson explained that as far as other workforce, he does not have the current staff and it would require additional funding to have more workforces.

Sundquist stated that this all just came up this year that the inmate crew was going to go and they have known this for 10 years and all of a sudden we are going to spray. For 4 years since the last resort policy, hundreds of thousands of dollars has been spent to bring back spraying. The efforts to develop alternatives have not been there. Citizen adopt-a-road needs to be looked at. Sundquist stated that staff states they cannot do it when site information is asked for. He stated that this is the legal requirement.

Melotti commented that they did talk about non sheriffs work crews such as NW Youth Corp for manual control. If there was still money in the budget, the youth corp and others could be used.

Snowden explained that they cannot contract out to the Youth Corp. He explained the Union contract policy. The union could possibly choose to strike.

J. Nelson stated she could agree to the guardrail maintenance directive if it said weed matting and other impervious surface work will be used before herbicides. She doesn't know why it can't be used on existing guardrails.

Schumacher stated that it is not impossible to do that, but we are to the point where we have problems and we are currently using these products and modifications have to be made.

Sundquist asked if they could acquire the new equipment now.

A. Nelson stated that he doesn't know of anything other than a weed whacker to use around the guardrail.

Schumacher stated that they just placed an order for 3 new grass tractors and they have a new more efficient arm to help get in areas better.

Graham asked if there were cost on the equipment to use to compare.

Schumacher stated that they have compared mock herbicide application to manual weed control. He stated that they can compare manual to mechanical maintenance. It was presented at the last meeting.

Fleenor stated that the Board is very committed to trying to bring back the inmate crew.

Snowden explained that in order to do that, they would have to reinstate the 3 positions that were cut.

LaRue asked why the County has to reinvent the wheel every time something comes up for discussion? Research studies are done by chemical companies and many other entities in the US and overseas. He suggests the County go to Google to research some of this information and spend the time doing something useful instead.

**VOTE: 6 yes 2 no**

### **Partnerships:**

J. Nelson stated that partnerships are a good idea but it may not be something that the County can afford to engage in unless they want to commit to a Weed Board that included private land owners and public works members.

Schumacher stated that there are some grant funds that can help with some of these costs with partnerships.

A. Nelson explained that the County would not be paying for these partnerships. He stated that this would be a very good thing for the County.

Sundquist said that the partners have to commit to it or it won't work. He wants the partnerships to adopt the IVM practices. He suggested that the partners get a facility permit, do the work on the County ROW and then it's paid for.

Schumacher asked why Sundquist would want to let other people spray the ROW when they don't want the County to spray.

A. Nelson stated that it makes no sense that Sundquist suggest that other people do this spraying but the County can't. His concern is also whether the other people will be trained applicators.

Schussler brought up the point that this puts staff in a difficult position to monitor or determine

whether these people were qualified to do the spraying.

Melotti stated that the IVM coordinator continues to build partnerships with watershed councils. The BCC has approved the County's participation in NW Oregon Invasive Weed Council as a partnership.

**VOTE: 7 yes, 2 no**

**New Road Construction and Road Repair Projects:**

Fleenor explained that this is something we can live without in the report.

A. Nelson explained there will probably be no new road construction at this point. He suggested that the crack seal issue is the most important issue right now.

Koivula stated that he still wants it stated that the herbicide use be limited.

J. Nelson asked Schumacher if they were using flamers on weeds growing out of cracks in the road. Schumacher stated they had. J. Nelson asked if they were used more than once.

Schumacher stated that they went through all the roads due for slurry seal. The roots were not killed, so they had to go and manually try to remove the roots.

Schumacher stated that if the roots are killed, then they can just go in and blow them out.

J. Nelson stated that that would disburse more residue herbicides into the environment.

Graham asked what herbicide was used.

Schumacher explained it was glyphosate

**VOTE: 7 yes 2 no**

**Approval of report to go to the Board of Health**

**VOTE: 6 yes 2 no**

Sundquist stated that this doesn't work and is illegal. The guardrails have to have alternatives. He doesn't think it is good of staff to say here is the information you asked for over here and it satisfies all your questions. Staff has GIS and computers and should not have to guess or a matter of trust and is not that hard. This document as approved is not a good document.

**III. APPROVAL OF MINUTES**

Motion: Williams moved to approve the Minutes of November 14, 2007, as corrected.

Graham seconded. All present voted in favor. Motion passed.

Penhallegon left the meeting at approximately 6:30 and requested that his votes be recorded as yes to all and any items regarding the annual report for the remainder of the meeting due to his absence.

Meeting adjourned at 7:30 p.m.

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Debby Woodruff, Recording Secretary