

W. 10.6.

Memo

SUPPLEMENTAL MATERIAL

Date: June 13, 2003

To: Lane County Board of Commissioners

From: Ollie Snowden, Public Works Director

Sonny Chickering, County Engineer

Subject: Last Resort Herbicide Policy Language

Per Board direction on May 21st, Legal Counsel collaborated with Public Works to prepare draft "last resort" herbicide policy language for consideration by the Health Advisory Committee and Vegetation Management Advisory Committee. At its June 11th meeting, VMAC reviewed the policy and recommended two changes. The policy language is shown below. The VMAC changes are shown in legislative format. Public Works staff concurs with the VMAC changes.

The policy as written drops reference to the "Control Option Matrix" included by VMAC in its original recommendation to the Board in May. Unless we receive direction to the contrary from the Board, Public Works intends to use the Control Option Matrix concept to develop the list of herbicides that will be presented annually to the Board, as required in the second paragraph of the policy.

Although the Board did not specifically indicate how it wanted to implement the "last resort" policy, it did speak in terms of adoption by ordinance, which implies a Lane Code amendment. The policy could just as easily be accomplished by a Lane Manual change. Following direction from the Board on its Code vs. Manual preference, Legal Counsel will construct the policy in the proper format and return at a date specified by the Board for a public hearing.

Last Resort Herbicide Policy

Mechanical, manual, biological and cultural techniques will be given preference in the control of vegetation along Lane County road rights-of-way. Herbicides may be utilized for vegetation control only after these other methods have been considered and rejected by the Board of Health.

The Public Works Director shall provide annually to the Board of Health, a list of herbicides ~~proposed~~ to be used for roadside vegetation control during the coming year, and under what circumstances that this use may occur. The Director shall also report on new control methods that have replaced herbicide use from the previous year, that have been considered and rejected, or that the Department intends to investigate as an alternative to herbicide use during the coming year.