



# Lane County Board of Commissioners

W. 10. b.

Bill Dwyer  
Bill Fleenor  
Rob Handy  
Pete Sorenson  
Faye Hills Stewart

February 24, 2010

DRAFT

Gail Achterman  
Oregon Transportation Commission  
Transportation Building, Room 135  
355 Capitol Street NE  
Salem, OR 97301-3871

Re: Oregon Department of Transportation, Integrated Vegetation Management Pilot Project for reduced herbicide use on State Highway 36

Dear Gail Achterman and Oregon Transportation Commissioners:

In December 2009, the Board of Lane County Commissioners wrote a letter of support for a proposed joint Oregon Department of Transportation-Lane County pilot project to protect water quality from chemical run-off due to routine road maintenance activities. The proposal would establish a "Last Resort" Herbicide Spray Pilot Project on Highway 36 in West Lane County.

The Board of Commissioners and Lane County staff have supported the concept of Integrated Vegetation Management and a "Last Resort" Herbicide Spray Pilot Project on state highways in Lane County for several years. The Board expressed support in 2008 and adopted a Resolution in 2009. The Resolution supported the Oregon Department of Transportation (ODOT) Policy Option Package #120 for an Integrated Vegetation Management project on state highways in Lane County. Ultimately, the pilot project was not funded in the final days of the budget negotiations during the 2009 legislative session.

Since Highway 36 is a State Highway and under ODOT's jurisdiction, we are somewhat limited in our ability to influence the funding decisions or ODOT's decision to pursue the Highway 36 pilot project. It has been brought to the Board's attention that ODOT is seeking federal appropriations funds for a seven-year pilot project. This is a welcomed development and is supported unanimously by the Board.

It is also our understanding that ODOT may be pursuing approval of Flexible Transportation Funding from the Oregon Transportation Commission (OTC). The Board supports that direction and would like to recommend approval of Flexible Transportation Funding for this very important project within our county. In addition, we have directed Public Works staff to make our support known to ODOT and the OTC and do what the County can to support ODOT in their pursuit of funding for the "Last Resort" Herbicide Spray Pilot Project.

If ODOT receives funding for the Highway 36 project, Lane County is interested in working with ODOT to develop an Intergovernmental Agreement to identify needed resources to implement the project.

The Lane County Board of Commissioners reiterates our commitment to advancing the Hwy 36 Pilot Project. We request an endorsement and recommendation from OTC that ODOT prioritize the Highway 36 pilot project for Flexible Transportation funding, even as we await possible federal funding.

Signed,  
Lane County Board of County Commissioners

Signed;

Dated: \_\_\_\_\_

Bill Fleenor, Chair, Lane County Board of Commissioners

cc: Governor Kulongoski  
Mathew Garrett, Director ODOT  
Mike Carrier, Governor's Natural Resource Advisor  
Doug Tindall, Deputy Director of Highway Division, ODOT  
Jane Lee, Region 2, District 5 Manager, ODOT  
Lucinda Moore, Maintenance Engineer, ODOT  
Gail Shibley, Administrator of Environmental Health Systems, DHS  
Dick Pederson, Administrator of Department of Environmental Quality, ODEQ  
Kevin Masterson, Toxics Multimedia Specialist, ODEQ Laboratory Division  
Steve Riley, Water Issues Specialist, Oregon Department of Agriculture, ODA  
Mike Spaeth, Region 2, District 5 Vegetation Manager, ODOT  
Sonny Chickering, Area 5 Manager  
Karla Keller, ODOT, Region 2  
Senator Bill Morrisette  
Senator Chris Edwards  
Senator Floyd Prozanski  
Representative Nancy Nathanson  
Representative Terry Beyer  
Representative Val Hoyle  
Representative Phil Barnhart  
Representative Paul Holvey  
Representative Ben Cannon, Chair, House Environment and Water Resources Committee  
Senator Jackie Dingfelder, Chair Senate Environment and Natural Resources Committee

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 10-2-24-

IN THE MATTER OF APPROVING A LETTER OF SUPPORT TO REQUEST THE OREGON TRANSPORTATION COMMISSION PARTNER WITH LANE COUNTY ON A "LAST RESORT" HERBICIDE SPRAY PILOT PROJECT FOR HIGHWAY 36

WHEREAS, the Board of County Commissioners supported the Oregon Department of Transportation Policy Option package #120 for an Integrated Vegetation Management Project on state highways in Lane County through resolution 09-4-8-16, and

WHEREAS, the Board of Commissioners further specifically expressed support for the Oregon Transportation Commission and the Oregon Department of Transportation to implement a last resort herbicide spray pilot project for Highway 36, through Board Resolution 09-12-15-11, and

WHEREAS, the Lane County Board of Health supports a Last Resort Policy for management of roadside vegetation while maintaining a safe and efficient road system for Lane County, and

WHEREAS, Lane County Public Works Department will continue to implement the indefinite moratorium on the use of herbicides for roadside vegetation management in accordance with the Last Resort Policy, and

WHEREAS, Highway 36 is a 52-mile highway that connects Highway 99 near Junction city Highway 126 near Mapleton, and which runs alongside Lake Creek and its tributaries that flow into the Siuslaw River. These waterways have been identified as valuable spawning and rearing habitat for native species of Coho, Steelhead and Cutthroat trout, and

WHEREAS, the Board of Commissioners is desirous of providing continued encouragement for funding from the Oregon Transportation Commission for a Last Resort Herbicide Spray Pilot Project for Highway 36 as this project remains a transportation related priority for Lane County.

NOW, THEREFORE IT IS HEREBY ORDERED that the Board does authorize the sending of a letter of support substantially in the form of Attached Ex. A, to the Oregon Transportation Commission for a Last Resort Herbicide Spray Pilot Project for Highway 36.

IT IS ALSO FURTHER ORDERED that this Order shall be entered into the records of the Board of Commissioners of the County.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

APPROVED AS TO FORM

Date 2-24-10 lane county

  
OFFICE OF LEGAL COUNSEL

\_\_\_\_\_  
Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date \_\_\_\_\_ Lane County

\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL