

Memorandum Date: 3/19/07
Order Date: 4/04/07

Bd. of Health
J.A.

TO: Board of Health
DEPARTMENT: Public Works
PRESENTED BY: Orin Schumacher, Vegetation Management Coordinator
AGENDA ITEM TITLE: ORDER/IN THE MATTER OF APPROVING THE LANE COUNTY INTEGRATED ROADSIDE VEGETATION MANAGEMENT PROGRAM ANNUAL REPORT FOR 2006

I. MOTION

Move approval of the 2006 Annual Report for the September 1, 2006 thru December 31, 2007 reporting period.

II. AGENDA ITEM SUMMARY

The Board is being asked to approve the 2006 Annual Report in following with reporting requirements of Lane Code 15.530 Last Resort Policy, Ordinance 12-03.

III. BACKGROUND / IMPLICATIONS OF ACTION

A. Board Action and Other History

The Annual Report for (2006) was presented to the Vegetation Management Advisory Committee on February 7, 2007 as required by the Last Resort Ordinance. Upon adoption of the Last Resort policy in September 2003, the County Engineer placed a moratorium on the use of herbicides for roadside vegetation management, until approval of the Permitted Products list and implementation of the Last Resort Policy in 2005. As a result of the moratorium there has only been one annual report presented to the Board of Health in 2005, which was approved on December 2005 by the board of Health, along with the Permitted Products List and Management Prescription Plan.

B. Policy Issues

Lane Code 15.530 states; "On a yearly basis in the fall at a public meeting of the Board of Health and following a presentation to the Vegetation Management Advisory Committee, the Department of Public Works shall present an Annual Report". In accordance with the requirements of the Last Resort Policy, and annual report needs to be approved by the Board of Health.

C. Board Goals

The County Strategic Plan, Part IV states in part that "Lane County Government exists to ensure the safety and well being of the people who live, work and visit our communities." The Annual Report provides information regarding planned herbicide and non-herbicide activities for the reporting period by the Department of

Public Works to manage roadside vegetation in accordance with the Last Resort Policy, maintaining a safe and efficient road system for Lane County road users.

D. Financial and/or Resource Considerations

Lane County Department of Public Works developed a Management Prescription Plan in 2005 that provides a sequential list of treatment options for integrated roadside vegetation management. Within the framework of this plan, both financial and resource considerations were evaluated as factors that may alter or modify treatment methods in an effort to reduce the cost of roadside vegetation management. It is anticipated for this reporting period that all of our planned activities detailed in the Annual Report will remain within the approved 06-07 fiscal budget.

E. Analysis

The Annual Report contains proposed herbicides uses for the reporting period, and details planned non-herbicide vegetation management activities, including potential tests and evaluations of our planned activities in accordance with the Last Resort Policy. Approval of the Annual report provides the Department of Public Works with the ability to continue with the implementation and compliance of the Last Resort Policy for the reporting period (2006).

F. Alternatives/Options

1. Approve the 2006 Annual Report for the September 1, 2006 thru December 31, 2007 reporting period.
2. Make changes to the provided Annual Report (2006) and approve the 2006 Annual Report as amended.

V. TIMING / IMPLEMENTATION

Approval of a 2006 Annual Report is required for compliance with Last Resort Policy, Lane Code 15.530 Annual Report (Reporting). Once approved Lane County Department of Public Works will continue with implementation of the Last Resort Policy for the reporting period September 1, 2006 thru December 31, 2007.

VI. RECOMMENDATION

Alternative 1

VII. FOLLOW-UP

Once approved the Roadside Vegetation Management Prescriptions and Last Resort Policy will continue to be implemented, monitored, and tracked by the Integrated Management Coordinator and Public Works Staff. The Annual Report will be made available in hardcopy at the Public Works Offices, 3040 N. Delta Hwy, Eugene, and will be posted electronically on the Lane County website at www.lanecounty.org/RoadMaint/LastResort.htm.

VII. ATTACHMENTS

Attachment 1 – Annual Report, Lane County Integrated Roadside Vegetation Management Program (2006), dated January 12, 2007.

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

(IN THE MATTER OF APPROVING THE LANE
(COUNTY INTEGRATED ROADSIDE
(VEGETATION MANAGEMENT PROGRAM
(ANNUAL REPORT FOR 2006

WHEREAS, Lane Code 15.530 requires an Annual Report each fall to the Board of Health on roadside vegetation management efforts and compliance with the Last Resort herbicides use policy; and

WHEREAS, The attached (Attachment A) was presented to the Vegetation Management Advisory Committee on February 7, 2007, and to the Health Advisory Committee on February 13, 2007; and

WHEREAS, The Annual Report (Attachment A) will be made available in hardcopy at the Public Works Offices, 3040 N. Delta Hwy, Eugene, and will be posted on the Lane County website at <http://www.lanecounty.org/RoadMaint/LastResort.htm>

WHEREAS, The Roadside Vegetation Management prescriptions will significantly restrict herbicide use, but does allow use of herbicides on the Permitted Products List under certain circumstances; **NOW THEREFORE, BE IT**

ORDERED, That the 2006 Annual Report (Attachment A) is approved for the September 01, 2006 thru December 31, 2007 reporting period.

DATED this _____ day of _____, 2007

Faye Stewart, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 3-27-07 lane county


OFFICE OF LEGAL COUNSEL

Attachment A

**ANNUAL REPORT
ROADSIDE VEGETATION MANAGEMENT AND LAST RESORT HERBICIDE USE
POLICY**

**Lane County Integrated Roadside Vegetation Management Program
(2006)**

Prepared for:

LANE COUNTY BOARD OF HEALTH

Prepared by:

**Lane County Department of Public Works
Engineering Division, Road Maintenance Department**

3040 N. Delta Highway
Eugene, OR. 97408-1696

Contact: Orin C. Schumacher, Vegetation Management Coordinator

January 12, 2007

TABLE OF CONTENTS

I. HERBICIDE USE.....	2
II. PROPOSED NON-LISTED HERBICIDE USE.....	2
III. PROPOSED HERBICIDES USES.....	3
IV. COST OF HERBICIDE APPLICATION.....	3
V. SUCCESSFUL NON-HERBICIDE CONTROL METHODS.....	3-4
VI. UNSUCCESSFUL NON-HERBICIDE CONTROL METHODS.....	5
VII. PLANNED NON-HERBICIDE CONTROL METHODS.....	6
VIII. HERBICIDE USE REDUCTION.....	7
IX. REPORT AVAILABILITY.....	7

LIST OF TABLES

Table 1: Concentrations and amounts of herbicides applied from August 31, 2005to December 31, 2006.....	1
Table 2: Routine Maintenance Activities – Non-Herbicide.....	2
Table 3: Successful Non-Herbicide Control Methods.....	4
Table 4: Unsuccessful Non-Herbicide Control Methods.....	5
Table 5: Annual Roadside Miles Treated With Herbicide From September 2000 thru August 2003.....	7

Lane County Department of Public Works has prepared this annual report to comply with the requirements of Lane Code 15.530

I. Herbicide Use.

Table 1, shows the quantities and concentrations of each herbicide product applied during the time period from August 31, 2005 to December 31, 2006. The Board of Health adopted by resolution a permitted products list for use by the Department of Public Works on April 26th, 2006, permitting the use of listed herbicides for control of roadside vegetation in accordance with the Last Resort Policy.

With adoption of the Permitted Products List and completion of the “Rights-of-Way” Management Prescription Plan and Action Thresholds, the Department of Public Works analyzed the current herbicide program and looked into necessary adjustments needed to satisfy requirements of the Last Resort Policy and to make the program as safe as possible prior to initiating any herbicide applications for this reporting period.

Table 1: Concentrations and amounts of herbicide product applied from August 31, 2005 to December 31, 2006.

<u>Product Name</u>	<u>Concentration</u>	<u>Amount Applied</u>
Aquamaster	N/A	0 quantity
Garlon 3A	N/A	0 quantity
Habitat	N/A	0 quantity
Milestone	N/A	0 quantity
Oust Extra	N/A	0 quantity

II. Proposed Non-Listed Herbicide Use.

No herbicides, other than those listed on the Permitted Products List (Table 1), are proposed for use from December 31, 2006 to December 31, 2007. During this reporting period, use of herbicide products not on the Permitted Products List could only occur by specific authorization of the Board of Health in accordance with Lane Code 15.510(3)(d).

III. Proposed Herbicide Uses.

Herbicide use will occur if needed, and as a last resort in accordance with the Last Resort Policy, Ordinance 12-03, along with following guidelines detailed in the “Rights-of-Way” Management Prescription Plan. Staff anticipates limited herbicide applications during the next 12-month reporting period, however we do see the need for some herbicide applications to control and/or eradicate County listed noxious weeds in the right-of-way, and also to test efficacy, and compare costs of treatment methods in areas that have proven difficult or costly to manage with other non-herbicide control measures.

IV. Cost of Herbicide Application.

No costs have been incurred from herbicide applications during this reporting period, as no herbicides have been applied as part of our current integrated management program. After adoption of the Permitted Products List by the Board of Health on April 26, 2006 Lane County Department of Public Works committed its efforts towards testing and evaluating non-herbicide management tools in an effort to find viable, cost saving alternatives to using herbicides for roadside vegetation management.

Use of herbicides and the associated costs are expected to be very low from December 31, 2006 to December 31, 2007, in accordance with the method of preferred alternatives detailed in the “Rights-of-Way” Management Prescription Plan. Possible costs include use of herbicides from the Permitted Products List in efforts to control and/or eradicate noxious weeds in the rights-of-way and for small test/pilot projects developed during the next reporting period.

V. Successful Non-Herbicide Control Methods.

Roadside vegetation management accomplishments that occurred during the reporting period August 31, 2005 to December 31, 2006 included routine maintenance activities and testing of non-herbicide equipment and techniques.

Table 2: Routine Maintenance Activities – Non-herbicide

<u>Activity Name</u>	<u>Accomplishments (roadside miles)</u>
• Mechanical Brushing activities:	368 RSM
• Safety Strip Mowing activities:	2,450 RSM
• Full width Mowing activities:	2,010 RSM
• Top-Trimming Activities:	112 RSM

Numerous non-herbicide projects and strategies were implemented during this reporting period outside the scope of routine vegetation management activities that were considered successful or showed positive results.

Table 3: Successful Non-Herbicide Control Methods

Control Method	Project(s) Attempted	Results	Number of Projects
Seeding Projects	Native seeding projects occurred on Cantrell road, Gonyea road, Row River Road, Sharps Creek Road, Bernhardt Heights Road, and numerous other small project areas.	This method proved to be successful by promoting lower-maintenance vegetation, reducing future management costs and reducing the need to manage those areas with herbicides in the future.	7
Restoration Projects	Native Restoration projects occurred at Gibbs Creek, Bernhardt Heights Road, Greenhill Road,	This method proved to be successful by promoting lower-maintenance vegetation, reducing future management costs and reducing the need to manage those areas with herbicides in the future.	3
Outreach/Education Projects	These projects involved working with other agencies, watershed groups and the public to educate and cooperate on projects to jointly manage vegetation management concerns.	This method proved to be successful by sharing expenses, working in multiple jurisdictions to resolve management issues, and reducing future herbicide applications	5
Public Safety Projects	These projects included working with the public to resolve safety concerns related to vegetation on County roadways through non-herbicide methods.	This method proved to be successful in reducing herbicide use, by working with property owners to resolve vegetation issues within and adjacent to County roadways.	40
Solarization / Mulching	This project involved working with a contract company on Martin Luther King Jr. Blvd. to cover disturbed areas with black plastic to reduce infestation of non-desirable vegetation	This method showed positive results in reducing establishment of vegetation in construction areas.	1
Vehicle Washing Stations - Containment	This method was employed to reduce the spread of un-desirable vegetation from one project site to another, by cleaning vehicles of potential seed and vegetative matter.	This method showed positive results as a low cost, minimal effort approach to limit the spread of non-desirable, costly to manage vegetation.	1

VI. Unsuccessful Non-Herbicide Control Methods.

The following non-herbicide vegetation control methods were found to be ineffective during the August 31, 2005 to December 31, 2006 reporting period.

Table 4: Unsuccessful Non- Herbicide Control Methods

Control Method	Project(s) attempted	Results	Number of Projects
Waipuna Hot Foam System	Knotweed control on NW. expressway. Knotweed Control on Franklin Boulevard. Knotweed Control on River Road. Meadow Knapweed control on Franklin Boulevard. False Brome Control on West Boundary Road. False Brome Control at Mt. Pisgah. Geranium lucidum Control on Frank Parrish Road. Blackberry Control on Franklin Boulevard.	This method proved to be unsuccessful by slow production rate, limited capacity of equipment, unsuccessful control of vegetation and high cost of operations.	8
ExMark Mid-Deck Mower	Urban vegetation control method used to manage areas inaccessible with other mechanical equipment.	This method proved to be unsuccessful because of the limited capability of the equipment, unsafe for operators use, and limited ability to manage shrubs and brush.	1
Sherriff's Inmate Work Force	Used to manage vegetation around guardrails. Used to manually pull and remove noxious weeds along roadsides. Used to plant native vegetation for rehabilitate project areas. Used to manage vegetation around sidewalks and planter-strips.	This method proved to be unsuccessful because of the slow production rate, high cost, and limited training and skill set to accomplish the work.	14
Manual Control Efforts	Manual removal on Knotweed on River Road. Manual removal of Purple Loosestrife on Smyth Road. Manual Removal of Purple Loosestrife on Chambers Road.	This method proved to be unsuccessful by only managing above ground vegetation with no impacts to seed bank, and also had a low rate of production.	4
Sunburst – Thermal Vegetation Control	Method was never employed in the field, but was evaluated with the City of Eugene, and meeting with the equipment developer.	This method proved to be unsuccessful since the design phase is only at the prototype level, and has an extremely slow rate of production.	1
Myco-Tech Paste	Method was never employed but investigated as an alternative to herbicide applications to control stump sprouting vegetation.	This biological control agent has been used in Canada with good success, but has not been FDA approved in the U.S.	0

VII. Planned Non-Herbicide Control Methods.

For the next reporting period Lane County Department of Public Works will continue to utilize mechanical tools as the primary method to manage roadside vegetation concerns. We will continue to investigate new tools that become available over the next 12 month period, and continue with testing and evaluation other non-herbicide control methods. Until we have an established budget for this next reporting period, these planned projects are tentative, and prioritization of management needs will determine what projects occur over the next 12 month reporting period.

Planned Routine Non-Herbicide Control Methods:

- **Mechanical Control:** This includes using Brush Mowers, Grass Mowers and the aerial lift truck to manage roadside vegetation.
- **Manual Control:** This includes using County forces to manage roadside vegetation using manual tools and methods.
- **Sherriff's Work Force:** This includes using inmates to control roadside vegetation around guardrails, weeding landscaped areas and to manually manage noxious weed sites.

Non-Routine Non-Herbicide Control Methods:

- **Myco-remediation:** This is a technique used to rehabilitate areas, by covering an area with wood chips inoculated with various fungal species to promote establishment of native vegetation while eliminating non-desirable vegetation.
- **Biological Control:** This method would employ biological control agents to manage weed populations that have established in areas within Lane County rights-of-way. This would be a partnership between Lane County and the Oregon Department of Agriculture.
- **Adopt-a-Weed:** This is a concept that is developing in conjunction with the Vegetation Management Advisory Committee, based upon the concept that private individuals and companies can adopt a section of road, in which they take the responsibility to manage the vegetation for that adopted section.

VIII. Herbicide Use Reduction:

Lane Code 15.510(3)(e) states;

Within one year after the effective date of this chapter, and for each consecutive year, Lane County will aspire to reduce its herbicide use along county roadsides by at least 5%. Herbicide use reduction will be measured by the percent of roadside miles treated with herbicides as compared to the previous three-year average.

Because the County Engineer imposed a moratorium on the use of herbicides in August 2003, no herbicides have been applied since that time. As a result, the three-year average baseline for the next reporting period will be September 1, 2000 thru August 31, 2003 as these were the last full years of herbicide use.

Table 5. Annual roadside miles treated with herbicides from Sept. 2000 thru August 2003.

<u>Year</u>	<u>Roadside Miles Treated</u>	<u>Total Roadside Miles</u>	<u>% Roadside Miles Treated</u>
2000 – 2001	597	2,870	20.8 %
2001 – 2002	300	2,870	10.4 %
2002 – 2003	385	2,870	13.4 %
Ave. per year	427	2,870	14.9 %

The aspired 5% reduction during the February 1, 2007 thru January 1, 2008 reporting period will result in herbicides being applied to no more than 9.9 % of County roadside miles (284).

Public Works staff believes tracking herbicide use reduction by the amount of product(s) used as compared to the previous three-year average would more accurately reflect the amount of herbicides being applied to County roadsides. For any given roadside mile, the type, amount and concentration of herbicide could be very different depending on the application type and method used. By tracking the amount of product by fluid or solid weight prior to mixing with surfactants or other inert additives, a more accurate accounting and comparison from year to year can be made.

IX. Report Availability:

Copies of this report are available at the Lane County Department of Public Works offices at 3040 N. Delta Highway, Eugene, Oregon, 97408-1696. The report is also available for viewing, download, and printing from the Lane County website: <http://www.lanecounty.org/RoadMaint/LastResort.htm>