



UNION COUNTY

Weed Control

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B2H Noxious Weed Plan Comments August 22nd, 2017

Summary:

The County Weed Supervisors of Morrow, Umatilla, and Union counties met with the Oregon Dept of Ag and Tri-County CWMA on August 22nd, 2017 to go over the B2H Attachment P1-5 Noxious Weed Plan. In conjunction with comments from previous meetings with Malheur and Baker county weed supervisors, the following list of concerns was developed.

In addition to the following list, each county may also require a Bond for the Construction timeframe to ensure all weed control issues are addressed properly. This will happen on a county by county basis. For Union County, a bond of \$406,500 will be required to pay for costs in the event that adequate weed control is not conducted by IPC (as determined by the county weed supervisor) and the county must go through the enforcement process and contract the work themselves. This number consists of \$7,500/year for 5 years of Inventory, \$13,800/year for 5 years of herbicides (assuming an average of 10% cover for the initial 5 years), and \$60,000/year for 5 years of contract spraying and management. These numbers are based on average contractor control costs on the roughly 3,500 acres of Disturbed ground and Site Boundary areas along with and 55 miles of disturbed/ new roads that will be within Union County.

Notes/ changes required on the June 2017 Attachment P1-5 Noxious Weed Plan:

1. Pg. 2 In 15-19: This is the #1 priority of the Noxious Weed Plan and needs to supersede all other sections of this document in the case of contradiction. Many sections of this document do not adhere to state and county weed laws. I have listed the areas of concern for the county weed supervisors below. In the end, every landowner and land manager is responsible for the control of ALL state and county listed noxious weeds on their property/ ROW. Whether the weeds have been here for 50 years or don't show up till the 20th year of Operation, IPC will be held responsible for the control of noxious weeds in the areas they manage- the same as everyone else.
2. Pg. 2 In 44-45: Change to "*...IPC will be responsible for control of noxious weeds that are within the entire final Project Site Boundary as well as all disturbed roads and any other disturbed areas including (but not limited to) communication station sites, multi-use areas and fly yards.*"
3. Pg. 2 In 46 to Pg3 In 3: Remove "*...and are a result of their construction- or operation-related, surface-disturbing activities. IPC is not responsible for controlling noxious weeds...that were present prior to the Project.*" This is incorrect. IPC will be held responsible for controlling all state and county listed noxious weeds on lands they manage or hold right of way on regardless of cause or pre-existence, the same as any other landowner or manager.
4. Pg. 3 In 19-20: "Coordinate and consult with land management personnel..." This is excellent. IPC needs to work in conjunction with each counties weed department to ensure seamless control and alert counties of any potential problem areas or issues.

5. Pg. 3 In 16-18: T& E species. It is important to preserve T& E species, and the best way to do that is to control the noxious weeds encroaching into their habitat. It is also important to note that the presence of T& E species does not absolve the land manager of noxious weed control responsibilities. If IPC determines that herbicide treatments are likely to cause an unacceptable take of a T& E species population, then a site-specific manual or biological control plan needs to be developed through consultation with the local county weed supervisor with IPC still being the responsible party.
6. Pg. 4: IPC needs to coordinate with each county weed supervisor annually to ensure they are operating off of the most recent county Weed List, as these often change slightly each year.
7. Pg. 5: IPC needs to ensure they are working off of the most recent USFS and BLM EIS, as the list of approved herbicides has changed since the writing of this document.
8. Pg. 13: The inventory contractor needs to coordinate with each county weed supervisor prior to and after the preconstruction noxious weed inventory. We will provide them with weed location data and ensure they know what to look for.
9. Pg. 15-17: The acres and list of weeds present in the survey data for each county suggests meeting with the inventory contractor and verifying that they know what to look for is vital. These numbers are not in keeping with what we know to exist in our counties, and several species known to exist in the project Site Boundary are not on this list.
10. Pg. 17 In 16 to Pg. 18 In 1: While inventory maps are very useful for developing a treatment plan, delineating which weeds IPC is responsible for is simple- IPC will be held responsible for ALL state and county listed noxious weeds on areas they disturb, hold right of way on, or manage.
11. Pg. 18 In 3-7: excellent idea.
12. Pg. 18 In 8-11: GIS data for weed surveys needs to be provided to each county weed supervisor or federal agency with a minimum of the following data: location, weed species present, size of infestation, and density of infestation.
13. Pg. 18 In 16-27: Remove this section. As stated above, IPC is responsible for ALL state and county listed noxious weeds on areas they disturb, hold right of way on, or manage for the entire life of the Construction and O & M timeframe. This includes both new and pre-existing roads where disturbance has occurred as well as the entire final project site boundary. Roadside control will be required until the county weed managers deem that revegetation efforts have succeeded and noxious weeds are no longer likely to invade the disturbed soil. Land managers are responsible for their noxious weeds, even if inherited from a previous owner/manager.
14. Pg. 19 In 5-8: Specialists need to be familiar with any and all weed species they may encounter in the project. They must be familiar with the weed species in this area, not just noxious weeds in general. Possession of a Commercial Applicator License or Trainee licensee if supervised will be sufficient for this work as well.
15. Pg. 19 In 16-25: All vehicles need to be cleaned prior to and following construction activities as well as EVERY time the vehicles move from site to site. Vehicle cleaning needs to be conducted on-site, not at multi-use areas to best stop the spread of noxious weeds. Vehicles used after Construction during the Operation and Maintenance timeframe need to be cleaned prior to entering sites as well.
16. Pg. 20 In 25: Seed mixes used for this project need to “Oregon Certified Seed” or all states weed free seed- meaning the mix cannot contain seeds from any plant on Any of the 50 U.S. state weed lists. This helps protect us from invasion of new weeds that may not be currently present within the project area.
17. Pg. 20 In 27-29: As certified weed free gravel and mulch are not available in Oregon, IPC will coordinate with County Weed Supervisors to conduct pre-construction inventory and treatments of gravel pits where material will be drawn from.
18. Pg. 21 In 39-46: Add “IPC will coordinate with each County weed supervisor to determine where biological control methods should be utilized to provide the most appropriate/ effective control of noxious weeds.”

19. Pg. 22 In 26-27: Written approval for herbicide use should be for entire life of project unless the land is sold to decrease the chance of approval letters getting lost or forgotten and/or approval not happening in time for proper timing of herbicide application. IPC will be held responsible for weed control even if herbicide use is not approved, so getting long term agreements will decrease costs to IPC. IPC needs to notify each county weed supervisor annually of any landowners not allowing herbicide treatments.
20. Pg. 22 In 29: Change “applicator” to “operator” Or if work is done by IPC staff, add “...applicator or supervised trainee...”
21. Pg. 23 In 4: Add “...or any other state/ land manager approved method.” This will allow the use of equipment like mule sprayers or aircraft in areas where they could increase effectiveness and decrease costs.
22. Pg. 23 In 10-12: Change to “Herbicide applications will follow all label and land manager guidelines especially in regards to treatments near Threatened and Endangered species and waterbodies.” The 100 ft. buffer is excessive and completely unnecessary; nor is it in keeping with any federal or state guidelines. As IPC will be held responsible for all noxious weed control in the project site boundary, regardless of proximity to special status plants or waterbodies, it is in IPC’s best interest to follow labels- and not impose arbitrary buffers. If IPC deems herbicide too dangerous in an area, then they will be required to control weeds through manual or biological control methods-as per consultation with the county weed supervisor.
23. Pg. 23 In 28-30: Remove this sentence. There will be no limiting of weeds to be controlled. - IPC will be held responsible for controlling all state and county listed noxious weeds on lands they disturb, manage, or hold right of way on regardless of cause or pre-existence.
24. Pg23 In 35-42: While IPC is responsible for control of ALL noxious weeds on lands they disturb, manage, or hold right of way on; IPC may consult with County weed supervisors to determine the extent and type of treatments needed, especially in regards to widespread B list weeds. IPC is also encouraged to attend county weed board meetings to voice any noxious weed concerns to best facilitate working together.
25. Pg. 23 Ln 45: Excellent! GIS data also needs to be shared annually with the county weed supervisors. Data sent should include: weed locations, species present, size of infestation, and density of weeds.
26. Pg. 24 Ln 23: While ODOE concurrence is important, it in no way absolves IPC of responsibility for noxious weed control. Also, control “at any point during first 5 years” is not control- it simply shows a temporary absence of weed species. IPC is responsible for noxious weed control throughout the entire Operation and Maintenance timeframe, in addition to the Construction period. See Pg. 26 Ln 6-8.
27. Pg. 24 In 28: There will be NO waiver option. Even if ODOE no longer requires IPC to control their weeds, both Oregon state and county weed laws require it.
28. Pg. 25 In 31: As stated above, IPC is responsible for controlling all state and county listed noxious weeds on lands they manage or hold right of way on throughout the entire Construction, Operation, and Maintenance timeframes. See Pg. 26 In 6-8.
29. Pg. 26 Ln 6-8: Excellent! This paragraph correctly defines IPC’s responsibility with the sole change needed of “ROW” to “Site boundary, disturbed areas, etc.” IPC IS responsible for “...monitoring and focused control of noxious weed infestations, as needed, for the life of the ODOE Site Certificate, etc....”
30. Pg. 27 In 8: Remove “less than 20 gallons per year” This is an arbitrary number and may not reflect actual work done on the ground.
31. Pg. A-1: Update to current federal lists. Milestone needs to be added to both lists.