

Town of Middleton Weed Management Policy in Town Parks & Trails

Background

One of the most serious and fastest growing problems today is the spread and establishment of invasive species and noxious weeds (to collectively be referred to as noxious weeds). Some have termed these non-native plants “biological pollutants” because their presence can drastically alter the ecological checks and balances of native ecosystem processes. Biological pollutants have the potential to multiply, and spread – negatively affecting many aspects of our lives.

Many noxious weeds provide poorer habitat for wildlife species than their displaced native counterparts do. By displacing native species, weeds contribute to the loss of biological diversity and the destruction of native plants, animals and communities. In agricultural systems, noxious weeds create large economic losses in both cropland and wooded situations. They can reduce the production of food for humans and forage for livestock by crowding out native and agricultural species. Some species are toxic to livestock and humans. Noxious weeds can alter fire patterns and intensity, raise soil nitrogen levels to unhealthy levels and affect soil erosion and aquatic habitat in nearby streams and ponds. Infestations can also affect the aesthetic qualities of a landscape and lower property values.

Noxious weeds are not the only type of weeds. Other plants, such as dandelions or even grasses, may also be undesirable in some situations. Like noxious weeds, these undesirable weeds can lower the aesthetic values of a park and lower property values. In some situations, they can also interfere with our ability to safely utilize and enjoy our parks.

The challenge for the Town of Middleton is to develop and persevere with a coordinated, multi-strategy approach that combines the most appropriate weed control methods in a way that minimizes economic, health and environmental risk while still meeting weed management objectives. In some cases, Town of Middleton weed management will be carried out in conjunction with the policies of Dane County Parks, Wisconsin DNR Natural Areas, farmers, woodland crop owners and/or The Prairie Enthusiasts.

State, County and Municipal Regulations

The Wisconsin State Statute §66.0407 regulating noxious weeds was signed into law in 1975 and amended several times, the most recent in 1999. Wisconsin law states that all noxious weeds must be destroyed.

Under Town Ordinance Title 6-1, the Town requires that all noxious weeds shall be destroyed prior to the time in which such plants would mature to the bloom or flower state. The growth of noxious weeds in excess of twelve (12) inches in height from the ground surface shall be prohibited within the Town corporate limits. While not a part of Town Ordinance, in some cases, low growth noxious weeds may also be controlled.

Noxious weeds are those alien plant species listed as “noxious” pursuant to Wisconsin Statutes and meet one or more of the following criteria:

- Aggressively invades or is detrimental to economic crops or native plant communities;
- Is poisonous to livestock;
- Is a carrier of detrimental insects, diseases, or parasites;
- The direct or indirect effect of the presence of this plant is detrimental to the environmentally sound management of natural or agricultural ecosystems;
- Cause or produce hay fever in human beings; and

- Cause a skin rash through contact.

There are currently forty-one plant species included on the Town of Middleton’s Noxious Weed list. Noxious weeds shall include but not limited to the following:

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| Alliaria petiolata | (Garlic Mustard) |
| Amaranthus retroflexus | (Pigweed) |
| Ambrosia artemisiifolia | (Common Ragweed) |
| Ambrosia trifida | (Giant Ragweed) |
| Arctium minus | (Common Burdock) |
| Cannabis sativa | (Hemp) |
| Carduus acanthoides | (Thistle) |
| Carduus nutans | (Thistle) |
| Centaurea biebersteinii | (Spotted Knapweed) |
| Centaurea repens | (Russian Knapweed) |
| Chenopodium album | (Common Lambsquarter) |
| Cichorium intybus | (Chicory) |
| Cirsium avense | (Canada Thistle) |
| Cirsium vulgare | (Bull Thistle) |
| Convolvulus arvensis | (Creeping Jenny, Field Bind Weed) |
| Coronilla varia | (Crown Vetch) |
| Daucus carota | (Queen Anne’s-lace, Wild Carrot) |
| Dipsacus sylvestris | (Teasel) |
| Euphorbia esula | (Leafy Spurge) |
| Lotus corniculatus | (Bird’s foot Trefoil) |
| Lythrum salicaria | (Purple Loosestrife) |
| Melilotus alba | (White Sweet Clover) |
| Melilotus officinalis | (Yellow Sweet Clover) |
| Pastinaca sativa | (Wild Parsnip) |
| Plantago lanceolata | (English Plantain) |
| Rumex crispus | (Curled Dock) |
| Toxicodendron radicans | (Poison Ivy) |
| Tragopogon dubius | (Goat’s Beard) |
| Urtica spp. | (Stinging Nettle) |
| Verbascum thaspus | (Common Mullein) |
| Xanthium strumarium | (Cocklebur) |

Noxious grasses, as defined in this Section shall include but not be limited to the following:

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| Agrostia alba | (Redtop) |
| Dactylis glomerata | (Orchard) |
| Phleum pratensis | (Timothy) |
| Phalaris arundinacea | (Reed Canary) |
| Poa pratensis | (Kentucky Blue) |
| Sorghum halepense | (Johnson) |
| Setaria spp. | (Foxtail) |

Noxious weeds are also the following plants and other rank growth:

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| Ambrosia spp. | (Ragweed - also listed above) |
| Cirsium spp., Carduus spp. | (Non-Native Thistles) |
| Polygonum spp. | (Smartweed) |

For more information on the Town of Middleton's Noxious Weed Ordinance, including the most current list of noxious weeds and links to web sites for plant identification, please see <http://www.town.middleton.wi.us/community.htm>.

Policy

The purpose of this policy is to provide common guidelines for Town of Middleton employees involved in the management of weeds in the Town Parks and Trails, and to provide guidance to private property owners in the Town. This plan provides for Town of Middleton's compliance with the Wisconsin Statute §66.0407 by detailing options for controlling noxious weeds. It also provides for management of other types of weeds that may be considered undesirable in some situations. Options include preventive measures, good stewardship, non-herbicide and herbicide control techniques. The intent is to incorporate those options that are the least environmentally damaging and are practical, timely, and economically feasible.

This policy is based on the goal of eliminating weeds and preventing their reproduction while protecting and establishing desired plant species. This policy gives preference to the safest control methods and uses conventional selective herbicides only where non-chemical solutions are considered to be impractical or ineffective.

There are no standard solutions to weed management that can be applied to every situation. The methods used will respond and evolve to meet the needs of the particular situation. Minimizing herbicide use in areas frequented by small children will be a priority.

This policy is an on-going process rather than any specific actions, where the outcome of control efforts may vary. It is thoughtful and proactive rather than reactive, and seeks to understand the prevention rather than mere treatment of symptoms. The policy methods respond to the complexity of the environment and, therefore, inherently require more knowledge, thought, monitoring, adaptability and long-range planning than a program of simply spraying chemicals based on a calendar schedule.

Treatment Methods

The optimum method or methods for weed management will vary depending on a number of site-specific variables. Factors to be considered should include soil type and stability, grade, weather conditions, native vegetation, presence or absence of the weeds natural enemies, existing and proposed land use, proximity to wetland or riparian areas, availability of irrigation water, weed type and stage of growth, and severity of infestation. The management method selected should be the least environmentally damaging, yet practical and reasonable in achieving the desired results. Methods include, but are not limited to:

- Prevention and detection – Prevention is the most effective weed control method available for non-infested lands. Protecting weed-free plant communities is the most economical and efficient weed management practice and therefore the highest priority;
- Mechanical control methods – Using machines such as a chainsaw, string-trimmer, mower, skid-steer, brush-mower, etc. with potential herbicide treatment of stumps and stems, to physically disrupt plant growth and assist with the revegetation and rehabilitation of disturbed sites;;
- Manual control methods – Pulling and digging;
- Conventional selective herbicides;
- Soil improvement - Compost, microorganisms, bio-solids, minerals, nitrogen fixing plants, mulches and cover crops are all soil builders that will help bring disturbed soils back into balance;
- Controlled burns and/or burn piles;
- Education of staff, temporary workers, volunteers, and neighbors about noxious weed problems and appropriate solutions; and
- Volunteer Programs – Citizen volunteers, supervised by Town staff.

Procedures for Applying Herbicide

- Herbicide use to be limited to areas where it is not practical, effective or economical to carry out manual or other methods of weed control;
- The Town to compile a list, available at the Town Hall, of herbicides used which details specific uses and precautions. This list to be under regular review to update with chemicals which are less toxic as they become available;
- Herbicide to be applied by suitably trained persons;
- Signage to be erected in parks, conservancy areas, and trails immediately before spraying and to remain for 24 hours after spraying is completed, or longer if recommended by manufacturer;
- E-mail sent out to the citizens list at least 24 hours in advance of the intention to spray and specific locations;
- Notification communicated to organized athletic activities at least 24 hours in advance of the intention to spray and specific locations;
- No spraying to be done when winds exceed 15mph;
- Drift control additives, spray guards and low-drift foam nozzles to be used where possible to minimize the possibility of drift;
- Borders between park land and private property owners are to receive particularly close attention and care to avoid drift or effect to adjacent private properties;
- No restricted use herbicides will be used; and
- Herbicides will be used in accordance with EPA labeling.
- Pope Farm Conservancy and Hickory Woods Park could be exempted from some of the above procedures, as portions are active agricultural lands.

Herbicide Exemption Request Program

The Town of Middleton Parks Commission is committed to providing safe and healthy park environments. Whereas controlling weeds and other pests is important for the enjoyment and sustainability of these environments, the current Weed Management policy also recognizes the concerns of Town of Middleton residents regarding the use of herbicides/pesticides in the management of weeds/pests in specific playground areas on Town property.

The Herbicide Exemption Request Program restricts herbicide treatment of Town playground equipment areas frequented by families with small children. More specifically, Town of Middleton residents may petition to maintain Town park playground equipment areas themselves without the use of herbicides. The program requires the submission of the Herbicide Exemption Request Form and:

1. Naming a "Weeding Coordinator" who would be the main contact person and a "Deputy Weeding Coordinator" to organize efforts to manage the weeds according to Town standards;
2. All residents who live within 600 feet of the playground area must be notified by the Weed Coordinator of the intent to participate in the Herbicide Exemption Program. Any objection to the exemption request can be voiced to the Park Commission;
3. Map of specified playground areas must be clearly identified and attached to the notice sent to nearby residents; and
4. Specified playground area would be limited to one-year approval by Town Park Commission to participate in the Herbicide Exemption Program;
5. Upon ratification of the Herbicide Exemption Request the Weeding Coordinator shall be notified of the contact person to whom they should communicate during the weeding season. The Weeding Coordinator and this Town representative shall meet at the park to discuss weeding strategy and decide a reasonable timeline with deadlines/inspection dates for accomplishing the weeding of the areas specified in the request. The Weeding Coordinator and the Town Representative shall communicate throughout the weeding season and if necessary adjust goals and deadlines by mutual agreement if weather, ground/weed type, or other conditions warrant such changes.

6. If the Town feels that the specified playground area is not being maintained to Town standards, and the Town Representative, the Weeding Coordinator and Deputy are not able to amicably remedy the weeding problem through the above mentioned communication process, then the Town representative shall notify the Weeding Coordinator and Deputy in writing with specific requests for what needs to be weeded in order to satisfy the Town, and shall give the Weeding Coordinator and Deputy 5 days from receipt of the notice the Town Inspector shall issue a "Weed Notice" pursuant to Wis. Stat. §66.0407 which will require five days from receipt of the notice to destroy all such weeds or come to an agreement with Town Inspector as to when the weeds will be destroyed.. If after five days (or the agreed upon timeframe with the Town Inspector) the specified playground area is not cured, the Town shall destroy said weeds as outlined in the Town of Middleton Weed Management Policy for Town Parks & Trails. After two notifications have been issued, the Town will automatically revoke the Herbicide Exemption Request. The Town also reserves the right to revoke any Request at any time for any reason.