

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Memo
Agenda Item No: XIV. 1.
Meeting Date: March 15, 2021**

TO: Mayor Angelo and Members of the Board of Trustees

FROM: Dave Cosgrove, Director of Parks and Public Works

DATE: March 15, 2021

ITEM: Discussion/Direction to Staff Regarding Weed Management for Town Areas

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

I. BACKGROUND INFORMATION: Town Staff worked with both the Ecology Board and Parks and Recreation Commission to draft and present to the Board of Trustees on June 7, 2017 the Town of Lyons Weed Management Practices document to supplement Chapter 7 Article 5 of the Lyons Municipal Code which addresses Noxious Weed Management and requires promulgation of “Noxious Weed Management Plan”.

Throughout 2018, Town Staff continued to work with boards and commissions to discuss, refine, and edit the plan. The Board of Trustees held a workshop on the topic on February 19, 2019. An updated version of the Town of Lyons Integrated Weed Management Plan was presented to the Board of Trustees on March 18, 2019. The Board of Trustees asked staff to revise the policy further for the May 6, 2019 meeting. This revision process resulted in the Town of Lyons Integrated Weed Management Plan, revised May 6, 2019, through **Resolution 2019-45**.

On February 7, 2020 the Town of Lyons received a citizen’s petition proposing an amendment to Chapter 7, Article 5 of the Lyons Municipal Code which would have ultimately amended the existing Town of Lyons Integrated Weed Management Plan document as well. As the petitioners did satisfy all of the form requirements for petitions, Ordinance 1083 - AN ORDINANCE OF THE TOWN OF LYONS, COLORADO REQUIRING THE TOWN OF LYONS AND ITS CONTRACTORS TO USE OR ALLOW TO BE USED ON PUBLIC LAND IT MANAGES ONLY SUBSTANCES ALLOWED IN THE MOST CURRENT U.S. DEPARTMENT OF AGRICULTURE NATIONAL ORGANIC PROGRAM “NATIONAL LIST OF ALLOWED AND PROHIBITED SUBSTANCES” was presented to the Board of Trustees for first reading. It was passed and presented for Second Reading on May 18, 2020 where it was voted down 1-6 and sent to a ballot question.

At that time the Board of Trustees suggested that active members of the community, the petitioners and staff should work together actively to compromise on language that might be added to the existing Town of Lyons Integrated Weed Management Plan that might satisfy all parties and avoid having to go to a vote.

Several meetings, emails, phone calls and other communications did transpire, and compromise was ultimately reached on a new plan. The result was the updated Town of Lyons Integrated Weed Management Plan approved on July 22, 2020, attached with **Resolution 2020-118**.

The following is a synopsis of the major changes or additions from the previous plan:

- 1) No use of synthetic herbicides in Bohn Park, Sandstone Park, Lavern Johnson Park, and Lyons Valley River Park. Exceptions may include the remaining 2013 Flood Recovery Park Projects with remaining maintenance or warranty or when “special or extreme” circumstances arise. Examples might include noxious weed infestation or issues with adjacent property owners.
- 2) In these cases, and regarding all other town-managed land: any use of synthetic herbicides must be carefully justified, an application form filed, and EAB notified. The forms provide an important record of use of these chemicals on town land, the application is included with the policy for review and would include date, contractor information, product information/methods, location and map, weed species and control methods, and other information.
- 3) More stringent herbicide notification and posting: Two days prior notification and warning, both signage on site and town web site posting including map of areas to be treated; one week for sensitive abutting residents listed by the State of Colorado on registry (typically performed by contractor)
- 4) Herbicides used by Town or its contractors must be selective for control of broadleaf weed species. This agrees with town’s previous removal of glyphosate from use.
- 5) No herbicide uses for cosmetic purposes only or strictly for “nuisance weed” control. Herbicide use must be targeted for identified noxious weeds listed by the State of Colorado.

As has been stated previously, staff has already begun shifting its practices to reduce overall use of synthetic herbicides, particularly in parks, per the plan. Continued modifications of practices, including staff and contractor awareness and training, and utilization of mechanical and alternative resources are continuing to align with the plan.

Areas that were discussed throughout the plan update process as being problematic and cause for concern were existing hardscape areas that take considerable resources once weeds begin to propagate and flourish. Staff was very candid in its conversation that shifting practices from discontinuing use of pre-emergent products in some of these areas might mean having to ultimately use increased resources to combat weed related issues after the problem has already begun to persist.

Staff had intended to submit an application in 2021 for use of a pre-emergent herbicide of some type (either similar to that used last season or otherwise recommended by a certified licensed contractor) in the hardscape areas of the north and south sides of Main Street from 4th Avenue east to roughly the Black Bear Hole area and the hardscape areas along 2nd Avenue and McConnell Drives. These areas typically see regular weed growth issues and derive frequent complaints. Last season the rock area on the perimeter of Sandstone Park and the trail system in Stone Canyon were also applied with a pre-emergent.

Services in 2020 were performed by Organo Lawn using the product as described in the attached document for all of the areas listed above at a cost of \$1,424.50. This service was performed one time in March. Staff initialized this request by sending an email of its intent to the Ecology Board and was met with a series of objections.

Staff has researched and started utilizing natural and organic weed control concentrates last season in test areas with mixed results and will be implementing further natural turf care and other practices per the plan this season. In addition, staff will continue to work with volunteer groups as it has in the past to address specific areas and weed issues around Town. As we begin phasing into the implementation of this new plan, staff thought it important to discuss expectations and begin to educate that as practices related to maintenance per the plan shift, so too might appearances of certain areas.