



Legislation Text

File #: CB 118481, Version: 2

CITY OF SEATTLE
ORDINANCE _____
COUNCIL BILL _____

AN ORDINANCE relating to the Cedar River Municipal Watershed and amending the Secondary Use Policies, adopted by Ordinance 114632, to provide for the limited application of the herbicide Imazapyr to treat invasive knotweed species.

WHEREAS, the Secondary Use Policies, adopted by Ordinance 114632, include a moratorium on herbicide use to prohibit the routine broadcast application of herbicides for control of roadside vegetation in lieu of brushing; and

WHEREAS, invasive plant species were not a consideration in watershed land management practices and policies when the Secondary Use Policies were adopted in 1989; and

WHEREAS, uncontrolled knotweed in 2010 covered 18.01 acres of land in the Cedar River Municipal Watershed and was spreading at an exponential rate, displacing native species, eroding stream banks, threatening water quality, and destroying biodiversity; and

WHEREAS, even small patches of knotweed are exceedingly difficult to control by physical means; and

WHEREAS, Imazapyr inhibits an enzyme found only in plants, and the U.S. Environmental Protection Agency rates Imazapyr as being relatively non-toxic to birds, mammals, fish, and invertebrates; and

WHEREAS, a United States Forest Service toxicology study determined Imazapyr causes no measurable adverse effects on fish and wildlife; and

WHEREAS, on August 6, 2010 a limited exception to the Secondary Use Policies was authorized by Ordinance 123365 to allow the application of the herbicide Imazapyr between August 6, 2010, and December 31, 2012, to control or eradicate knotweed species in the Cedar River Municipal Watershed; and

WHEREAS, on June 7, 2013 a follow-up limited exception to the Secondary Use Policies was authorized by Ordinance 124191 to continue to allow application of the herbicide Imazapyr through December 31, 2015, to control or eradicate knotweed species in the Cedar River Municipal Watershed; and

WHEREAS, recent information has shown that a minimum of eight years of treatment with herbicide is necessary to prevent re-growth of knotweed in western Washington; and

WHEREAS, by the end of 2015, 7.72 acres of knotweed will have had six treatments, 7.86 acres will have had five treatments, 0.28 acres will have had four treatments, and 2.15 acres will have had three treatments; and

WHEREAS, during the five years from 2010 through 2014 that Seattle Public Utilities applied Imazapyr in the Cedar River Municipal Watershed, water quality testing found no traces of Imazapyr in the drinking water; and

WHEREAS, the amount of herbicide applied has decreased from 43.4 ounces per acre in 2010 and 2011 to 6.7 ounces per acre in 2014, reflecting the large drop in above-ground knotweed biomass during this treatment period; and

WHEREAS, it is the City's desire and intention to use non-chemical means to control knotweed in the Cedar River Municipal Watershed; however, knotweed re-infestation will occur without continued, limited use of Imazapyr through 2018; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The Secondary Use Policy number 6-13 relating to Vegetation Management, as amended by Ordinance 124191, is hereby further amended to read as follows:

6-13: Seattle Public Utilities will continue the herbicide moratorium, controlling undesirable vegetation with hand or mechanical methods, except that the following exemption for the use of Imazapyr shall apply through December 31, 2018. The Director of Seattle Public Utilities is hereby authorized to apply Imazapyr for the purpose of controlling or eradicating knotweed species within the Cedar River Municipal

Watershed in accordance with the methods and procedures established in this section and all applicable state and federal drinking water source protection standards. Seattle Public Utilities will adhere to the application method and monitoring described in Attachment 1: A Proposal to Continue to Use Herbicide to Manage the Knotweed Infestation in the Cedar River Municipal Watershed, April 21, 2015. Seattle Public Utilities will provide the Seattle Public Utilities and Neighborhoods Committee of the City Council, or successive committee, an annual report on the knotweed treatment program in the Cedar River Municipal Watershed, summarizing the effectiveness of the knotweed treatment program, evaluating the long-term financial and environmental implications for knotweed control beyond 2018, evaluating the water quality monitoring results, summarizing the latest available science on the environmental and human health effects of Imazapyr, and describing any plans for the future application of Imazapyr within the Watershed, including maps of proposed treatment areas, estimated quantities of Imazapyr to be applied, application methods and schedules, and plans for water quality monitoring. The Director of Seattle Public Utilities may authorize application of Imazapyr to newly-discovered areas of knotweed infestation, but the use of Imazapyr on newly-discovered areas located within the hydrographic boundary may not exceed five acres in size.

Section 2. The Director of Seattle Public Utilities shall ensure that areas formerly occupied by knotweed are restored to native vegetation.

Section 3. The Director of Seattle Public Utilities shall continue the ongoing program for monitoring, detecting, and controlling invasive plants in the Cedar River Municipal Watershed with a goal of preventing colonies of knotweed from re-establishing.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2015, and signed by me

in open session in authentication of its passage this

_____ day of _____, 2015.

President _____ of the City Council

Approved by me this ____ day of _____, 2015.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

Attachment 1: A Proposal to Continue to Use Herbicide to Manage the Knotweed Infestation in the Cedar River Municipal Watershed, April 21, 2015.