

RESOLUTION NO. 012-2017

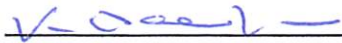
**A RESOLUTION AMENDING ADOPTING A WEED MANAGEMENT PLAN FOR
THE TOWN OF CRESTONE, COLORADO**

WHEREAS, the State of Colorado requires each municipality to, "adopt a noxious weed management plan for all the lands within the territorial limits of the municipality (C.R.S. §35-5.5-106); and

WHEREAS, the Town of Crestone drafted a Noxious Weed Management Plan in 2013;

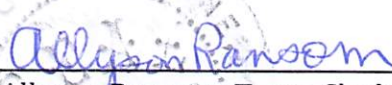
NOW THEREFORE, be it hereby resolved by the Town Board of Trustees of the Town of Crestone that the Noxious Weed Management Plan of 2013, attached hereto as Exhibit A, be adopted.

DONE and SIGNED this 9th day of October 2017.

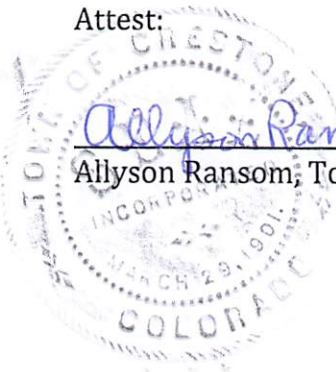


Kairina Danforth, Mayor

Attest:



Allyson Ransom, Town Clerk



TOWN OF CRESTONE
NOXIOUS WEED MANAGEMENT PLAN
2013

I. Introduction

The Colorado Noxious Weed Act, Title 35 Article 5.5-106, requires that the governing body of each municipality in the state shall adopt a noxious weed management plan for all lands within the territorial limits of the municipality. In addition to and independent of the powers elsewhere delegated by law, the governing body of a municipality may adopt and provide for the enforcement of such ordinances, resolutions, rules and other regulations as may be necessary and proper to enforce said plan and otherwise provide for the management of noxious weeds within the municipality, subject to the following limitation: no municipal ordinance, resolution, rule, other regulation, or exercise of power pursuant to this article shall apply to unincorporated lands or facilities outside the corporate limits of the municipality. These plans shall by reference or incorporation include all of the requirements and duties set forth in the Colorado Noxious Weed Act.

The Town of Crestone Board of Trustees accepts and supports the intent, guidance and goals of the Colorado Noxious Weed Act and a copy is attached as support for the Town of Crestone Noxious Weed Management Plan. The Colorado Noxious Weed Act is hereby incorporated by reference as an integral part of the Town of Crestone Noxious Weed Management Plan. Any questions, ambiguities, disputes, or challenges that may arise from attempts to enforce the Town of Crestone Noxious Weed Management Plan will be settled by reference to the Colorado Noxious Weed Act under guidelines set forth in section 35-5.5-109, subsections 4-7.

Incorporated municipalities within the county are required by the Colorado Noxious Weed Act to develop and enforce their own weed management plans. Any municipality that fails to develop and enforce a weed control plan, or relevant ordinance is in violation of section 35-5.5-106 of the Colorado Noxious Weed Act.

Private landowners within the Town of Crestone are responsible for noxious weed management on their lands as specified in the Town of Crestone Weed Management Plan and by reference of section 35-5.5-109 of the Colorado Noxious Weed Act.

At least once every three years as specified in section 35-5.5-107 of the Colorado Noxious Weed Act, the Crestone Planning Commission, Board of Trustees and concerned citizens will review the Town of Crestone Noxious Weed Management Plan for modification. At that time weed management plans will be requested from local, state and federal entities that manage public lands for review by the Crestone Board of Trustees.

The Board of Trustees may enter into cooperative agreements with federal land management agencies as specified in section 35-5.5-111 of the Colorado Noxious Weed Act to facilitate or compel effective noxious weed management on the substantial land base managed by federal agencies bordering the Town of Crestone.

The Board of Trustees shall establish and maintain a local advisory board as specified in section 35-5.5-107 of the Colorado Noxious Weed Act.

The Board of Trustees recognizes the need for and agrees to effectively engage in the management of all noxious weeds appearing on the Town of Crestone Noxious Weed List. Species, class upgrades or changes in classifications of noxious weeds may be added to the list after giving 30-day's notice and holding a public meeting to gain citizen input on the proposed new listing as specified in section 35-5.5-108 of Colorado Noxious Weed Act.

Noxious weeds are presently known to exist in the Town of Crestone. Weeds are classified according to a

state noxious weed priority list: A: Eradication is a must. B: Manage and control the spread of these species. C: Support the use of integrated management methods and provide educational, research and biological control resources.

A prioritization list may be established and may be amended or modified as necessary. Following are the weed species that are present or are of concern to the Town of Crestone:

Town of Crestone Weeds of Concern

DEFINITIONS:

Noxious: A plant designated by the government as injurious to public health, agriculture, recreation, wildlife or property.

Invasive: An alien species whose introduction does or is likely to cause economic or environmental harm or harm to human health.

Nuisance: An annoying or obnoxious plant

LIST – A – Eradication Is a Must

None are known to exist In Crestone at this time.

LIST – B – Manage and Control

COMMON NAME	SCIENTIFIC NAME
Bouncingbet	Saponaria officinalis
Canadian Thistle	Cirsium Arvense
Common Tansy	Tanacetum
Quackgrass	Elytrigia Repens
Russian Knapweed	Acroptilon Repens
Yellow Toadflax	Linaria Vulgaris

LIST – C – Use Integrated Management Methods

COMMON NAME	SCIENTIFIC NAME
Common Mullein	Verbascum Thapsus
Field Bindweed	Convolvulus Arvensis
Perennial Sowthistle	Sonchus Arvensis
Puncturevine	Tribulus Terrestris

INVASIVE / NUISANCE LIST

COMMON NAME	SCIENTIFIC NAME
Cheatgrass	Bromos Tectorum L.
Foxtail Barley	Hordeum Jubatum L.
Kochia	Kochia Scoparia
Perrennial Pepperweed	Lepidium Latifolium
Russian Thistle	Salsola Iberica

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II. Duty to Manage Noxious Weeds

As stated in section 35-5.5-104 of the Colorado Noxious Weed Act and by reference the Town of Crestone Noxious Weed Management Plan, "It is the duty of all persons to use integrated methods to manage noxious weeds if the same are likely to be materially damaging to the land of neighboring landowners." As used herein and in the Colorado Noxious Weed Act, "persons" means an individual, partnership, corporation, association, or federal, state, or local government or agency thereof owning, occupying, or controlling any land, easement, or right-of-way, including any city, county, state, or federally owned or controlled highway, drainage or irrigation ditch, spoil bank, borrow pit, gas and oil pipeline, high voltage electrical transmission line, or right-of-way for a canal or lateral. Weeds do not respect political, jurisdictional, or personal boundaries, they occur wherever opportunity exists. To effectively manage noxious weeds across such boundaries, a central weed authority must exist. Section 35-5.5-105 of the Colorado Noxious Weed Act effectively establishes the Board of Trustees as that central authority regarding weeds in the Town of Crestone.

The Board of Trustees may consider any ordinance, rule, or regulation that would improve compliance with the Town of Crestone Noxious Weed Management Plan and by reference the Colorado Noxious Weed Act. Noxious weeds, if left to spread without effective integrated management, threaten to cause material damage to indigenous flora and fauna and to all neighboring landowners. Any effective action by the Board of Trustees designed to improve compliance with the Colorado Noxious Weed Act and the Town of Crestone Noxious Weed Management Plan would necessarily have applicability across the range of land ownership categories found in the Town of Crestone.

III. Goals of the Town of Crestone Noxious Weed Management Plan

The Town of Crestone Noxious Weed Management Plan has been developed to comply with the Colorado Noxious Weed Act and to provide guidance and support for the long-term effort of effective control of noxious weeds in the Town of Crestone. It is clearly understood that noxious weeds will never be fully eradicated from the Town of Crestone or Saguache County.

The Town of Crestone Noxious Weed Management Plan is intended to guide this and future generations in what will hopefully become a unified and concerted effort to bring these invasive plants under the control of an effective management program. Citizen awareness of the value of native biodiversity is the key to success for this program.

The following are the general 10-year goals of the Town of Crestone Weed Management Plan 2013 to 2023:

1. Eradication of "priority" species indicated as weeds of concern for the Town of Crestone.
2. Control of noxious and invasive weeds to manageable levels of scattered occurrences.
3. Maintaining the native biodiversity.
4. Conducting educational and public awareness programs.

Serious infestations will be monitored on an annual basis. Weeds of lesser concern will be generally noted as time and resources permit with citizen volunteers encouraged to participate.

Accomplishment of these broad general goals will require a significant effort on the part of many individuals, agencies, and organizations. The coordination of the combined efforts of the Town of Crestone Board of Trustees, Crestone Planning Commission, private citizens, corporations and land management agencies will be necessary.

IV. Physical & Ecological Characteristics

The Town of Crestone is situated in the montane zone on the western slopes of the Sangre de Cristo Mountains in the San Luis Valley of Southwest Colorado. Town elevation ranges from 7,900ft. up to 8,200ft. The area falls within the Southern Rocky Mountain Steppe Ecological Subregion of the Northern

Rio Grande Basin province. Many habitat types exist that each support their own native plant communities as well as numerous invasive and non-native plants, many of which are now viewed as noxious weeds.

The local ecological system is an interrelated entity that is interdependent. We understand that weeds enter an environment for various reasons; through soil disturbance, through natural propagation, to repair the soil structure. As a municipality, we work with this knowledge and make every effort within our means to assist in maintaining a balanced ecological system.

However, invasive and noxious weeds can be dangerous, a nuisance and cause a wide variety of health concerns to humans, pets and livestock. The range of concerns includes poisoning, allergies, choking, and more. The effects can range from mild to severe and can result in anything from inconvenience, veterinary and doctor visits to even death.

V. Integrated Management of Noxious Weeds

It is widely accepted by noxious weed control professionals that an integrated management approach to weed infestations provides the greatest level of success. Complete reliance on a sole method of noxious weed management can result in outright failure of the effort or in damage to non-target organisms and the environment. The Colorado Noxious Weed Act requires that both government entities and private landowners develop integrated noxious weed management plans. Broadly speaking, there are five primary management options included in an integrated management plan:

1. Preventative

Prevention is the first and perhaps the most important step in a weed control program. In addition, preventative measures are probably the most cost effective method of weed control. Preventative weed control includes (among others) weed-free crop seed, weed-free manure and hay, clean (weed-free) harvesting and tillage equipment, the elimination of weed infestations in areas bordering cropland, irrigation ditches and canals. Cleaning is recommended for 4 wheel drive vehicles, ATVs, and other equipment which may have been exposed to weed areas.

2. Cultural

Including, but not limited to; establishing and managing an adequate population of desirable vegetation to compete with the weeds, utilizing livestock when possible (cattle, goats, sheep), mulching, and burning when appropriate.

Many of the noxious weed infestations in the Town of Crestone are established on disturbed ground of some sort. Land use activities that limit the amount of ground disturbed at a given time, or that limit the amount of time ground remains disturbed without reestablishing a native vegetative cover, would result in fewer and less severe noxious weed infestations. All disturbed areas shall be reseeded as soon as possible after the disturbance.

3. Mechanical

Including but not limited to; hand pulling, hoeing, mowing and tillage.

4. Biological

Biological weed control involves the utilization of natural enemies for the control of specific weed species. This method of control is never a hundred percent effective and can take 5 to 10 years for partial control. Biological weed control is not acceptable as the sole control method for any particular or specific weed species targeted for eradication.

5. Chemical

Always read the label before using any herbicide. Weed control with herbicides is an effective tool for many target weed species. However, there are several aspects to consider when choosing a chemical program. These include; herbicide selection, timing of application, target weed, desirable crops or plant

species being grown or that will be planted, number of applications per year and number of years a particular species will need to be treated for desired control. Also important are the health and safety factors involved and the need to consider undesirable impacts.

All of these management options will be considered when evaluating a noxious weed infestation in the Town of Crestone.

VI. Revegetation

As a noxious weed preventative measure the Town of Crestone will, through its relevant officials, agents, employees, permittees and contractors, establish as a policy the practice of reestablishing a stable community of native or other appropriate plants, primarily grasses, in all areas of the incorporated Town where Town related or permitted projects disturb ground. This will include all areas where efforts to control and manage noxious weeds have left barren ground. All permitted individuals and entities will also be held to reasonable re-vegetation standards whenever their activities disturb ground.

The Board of Trustees may require weed control and revegetation bonds or other security from developers as well as weed management and revegetation plans for their projects.

The Town of Crestone Weed Control Manager may advise the Board of Trustees with guidelines on the appropriateness of seed mixtures proposed within the various ecological zones of the Town. The Weed Control Manager will also inspect revegetation sites and determine the rates of success and make recommendations regarding bond release or forfeiture.

VII. Herbicides

The careful and appropriate use of herbicides will continue to be a primary management option for the foreseeable future. In most large-scale infestations and for certain species of noxious weeds, herbicides are the only effective option.

The Town of Crestone Noxious Weed Control Manager will adhere strictly to all health, safety, and environmental instructions and precautions for any and all herbicides that may be used. Guidelines for avoiding health and environmental risks are available from manufacturers and government agencies. All herbicides will be applied according to manufacturer's label instructions and state law.

IX. Individual Management Plan and Enforcement

In an effort to support and accomplish goals of the Town of Crestone Noxious Weed Plan, most specifically goals 1 and 2, individuals may be required to comply with an "Individual Management Plan." Situations that may require compliance with an individual management plan include:

1. Properties infested with noxious weeds that threaten productive agriculture.
2. Complaints to the Town of Crestone from an adjacent property owner that noxious weeds are infesting or have the potential to infest their non-agricultural property.
3. Infestations of State listed "A" species noxious weeds or noxious weeds declared as "priority" species by the Town or the County.
4. Infestations of any noxious/invasive weed encroaching on town roads rights-of-way.

After formal notification by the Crestone Weed Manager that noxious weeds are present, the landowner of such property shall be deemed to be responsible for an individual management plan. The primary component of this plan is to institute integrated management of the weeds on the property such that the following two objectives are met annually:

- The weeds shall not be allowed to produce seed or develop other reproductive propagules.
- The population of the weeds is diminished each year.

In the event a landowner fails to proceed with an individual management plan and/or fails to meet the two objectives listed above, the Town has and may exercise the authority to cause the two objectives to be met and may assess the whole cost thereof, including up to 20% for inspection and other incidental costs to the land owner in connection therewith, upon the lot or tract of land where the noxious/invasive weeds are located pursuant to C.R.S. 35-5.5-109 (5) (a) (II).

The specific process to be followed by the Town requiring an individual management plan and the rights of appeal for the landowner are as outlined in 35-5.5-109 C.R.S., as may be amended from time to time.

As the State Commissioner develops rules and regulations pertaining to the management of weeds, the more stringent standard or that standard more likely to achieve the desired results, in the event of a conflict between State law and the Town of Crestone Weed Management Plan, shall be the governing rule or regulation.