

APPENDIX 9

TREATING VEGETATION WITH HERBICIDES

This appendix describes the policies, standards, and practices to be used on public lands in the Roswell Resource Area when treating vegetation with herbicides. These requirements are derived from BLM policy, the Final EIS on Vegetation Treatment on BLM Lands in Thirteen Western States, decisions made in Roswell Resource Area land use plans, and mitigations developed through environmental assessments.

The following policies, standards, and practices for using herbicides on public lands are to be considered in the planning and implementation of each project involving herbicides. If appropriate, any of these items may be included as design features in a project proposal and use authorization.

PROJECT DESIGN, ENVIRONMENTAL ANALYSIS

1. The treatment of noxious weeds with herbicides will be conducted in accordance with current BLM policy, including Manual Sections 9015 (Integrated Weed Management) and 9220 (Integrated Pest Management).
2. Environmental impacts of proposed projects will be identified through an environmental assessment. Measures will be taken to mitigate potentially adverse environmental impacts.
3. Proposed projects will be reviewed with user groups, interested organizations and the general public.
4. Integrated pest control methods that may combine chemical, manual, mechanical, or biological control techniques will be used where they minimize adverse impacts of pest control.
5. Federal and state agencies with responsibilities for the environment, public health, and fish and wildlife will be informed

of programs involving herbicide use. Cooperative measures among the agencies will be developed, when appropriate.

6. Vegetation treatments will be planned (including NEPA analysis) during the development of activity plans (e.g., allotment management plans, habitat management plans, or cooperative resource management plans). If additional vegetation treatments are identified during or after the implementation of an activity plan, the projects will be assessed in an environmental assessment during the planning of the subsequent project.
7. A special status species clearance will be conducted as part of project planning. Appropriate informal or formal consultation, or both, will be undertaken with the agency [U.S. Fish and Wildlife Service (USFWS), New Mexico Department of Game and Fish (NMDG&F), or the New Mexico Natural Heritage Program (NMNHP)] listing the species that may be affected. The results of the consultation will determine the course of action needed to avoid adverse effects on listed species.
8. During project planning, onsite visits will be made to areas proposed for brush control treatments to identify highly desirable wildlife habitat that would be adversely affected by the proposed treatments and should be avoided.
9. The following are minimum widths

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(measured horizontally) for unsprayed buffer strips for all herbicides applied adjacent to

the Pecos River, any livestock watering locations, ranch houses,

or known locations of threatened or endangered plants.

| <u>Type of application</u> | <u>Buffer</u> |
|--|---------------|
| Aerial Spraying: Spraying altitude 10 - 15 feet above ground | 100 feet |
| Vehicle spraying | 25 feet |
| Hand Application | 10 feet |

Herbicides will be wiped on individual plants within 10 feet of water where application is critical.

10. Protective buffer zones will be provided around important riparian or wetland habitats along streams, rivers, lakes that are not designed to be treated, and around xeroriparian areas along important dry water courses. Xeroriparian areas are defined as vegetation zones occurring in or adjacent to ephemeral desert washes or stream courses, exhibiting more luxuriant growth as an influence of increased available water. Some species of vegetation may be the same as occur on the adjacent uplands, but the growth forms are noticeably larger than the upland plants.

11. Foliar herbicides will not be applied from the air within a minimum of 200 meters (657 feet) of special habitat features such as aquatic habitats, raptor nest sites, desirable native desert trees, caves, wildlife waters, exclosures, certain wildlife study sites, and important prairie chicken lek sites.

12. Irregular boundaries for maximizing edge effect will be incorporated into all methods of treatment. Undisturbed islands of natural vegetation will be left, where appropriate, to minimize negative impacts to wildlife.

13. To minimize drift and volatilization, aerial applications of all the herbicides will be confined to periods when: wind speed is less than six miles per hour for liquids or fifteen miles per hour for granules, or when lesser

wind speed is specified on the label; air temperature is under 85 degrees F.; precipitation is not occurring or imminent; snow or ice is not covering the target foliage; fog does not significantly reduce visibility; and, air turbulence would not affect normal spray patterns. Label directions will be followed if they require additional restrictions. Low volatility formulations will be used.

14. Daily measurements of weather conditions during application will be made by trained personnel at spray sites. Additional measurements will be made at any time a weather change appears to be taking place which could jeopardize safe placement of the spray on the target area.

AGENCY REQUIREMENTS AND APPROVALS

15. Only federally registered pesticides will be used on public lands, except as authorized by Section 24. C., Public law 92-516, the Federal Environmental Pesticide Control Act of 1972. Section 24.C. provides for state registration of certain pesticides for local needs within the state. Any pesticide use proposed under a state registration will include a copy of the state label.

16. Tank mixes of pesticides may be approved if the mixture is: provided for on one or more labels of Environmental Protection Agency (EPA) registered products; provided for under a state registration; or, tested and has a written recommendation by an Agricultural Experiment Station or the State Department of Agriculture. The pesticides recommended in the mixture must be applied at a dosage rate not to exceed the label instructions for use of any single product for the same targeted pest and must not be specifically prohibited from mixing on either label. Each tank mix proposal must be accompanied by appropriate labels or a written recommendation, or both.

17. The use of a registered pesticide at less than the label dosage may be authorized if that use is recommended in writing by a knowledgeable expert, pursuant to the EPA's

Pesticide Enforcement Policy Statement No. 1, dated May 5, 1975, and September 17, 1975.

18. All proposed use of herbicides on public lands will be reviewed for approval in advance of use by the BLM's Headquarters Office in Washington, D.C.

19. The application of herbicides will conform to BLM Manual 9011, and State of New Mexico and EPA standards. Herbicides proposed for use would be authorized by the EPA, the New Mexico Department of Agriculture (NMDA) and the Department of Interior (USDI), and must be registered by the EPA and NMDA. NMDA restricted-use regulations will be consulted prior to any herbicide application.

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20. The rates of herbicide application will be determined based on the condition and character of individual range sites at the time of application.

21. All individuals associated with the handling or application of herbicides on public lands will be familiar with the emergency procedures to be used in case of a herbicide spill.

22. When a herbicide application project is conducted by BLM personnel, an employee holding a valid pesticide application certification will monitor and supervise the

project. Work done by contractors, or other individuals authorized by BLM, will be conducted by individuals having a valid state certification.

23. The applicable federal regulations concerning the storage and disposal of herbicides and herbicide containers will be followed and are described on the label of each herbicide.

FOLLOW-UP

24. All livestock will be removed from treated pastures prior to aerial spraying or ground applications involving foliar spray. Livestock should be removed after the first 1/2 inch of moisture following pellet treatment. Herbicide label requirements will be met when grazing domestic animals after application. Livestock grazing will be deferred for a minimum of two consecutive growing seasons.

25. The response of vegetation to treatment will be monitored by methods established prior to treatment. Onsite evaluation of herbicide effectiveness and the resulting secondary succession will be conducted. Data gathered will be used to improve the brush control process.

26. Records of areas sprayed with herbicides will be maintained with cultural resource program information so that researchers can be informed of the possible contamination of radiocarbon samples.