

**Ice Age Trail Alliance, Inc.**

**Policy:** Pesticide Use

**Approved:** Board of Directors

**Effective Date:** January 22, 2011

**As Amended Through:** April 18, 2024

**Related Policies:** Record Retention Policy

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**1.0 Background and Purpose**

To provide a high-quality user experience along the Ice Age National Scenic Trail, the Ice Age Trail Alliance (the “Alliance”) occasionally uses pesticides to control invasive, non-native, or aggressive plants, and, on rare occurrences, for the removal of insects along the Trail. Pesticides include herbicides, insecticides, and fungicides.

The purpose of this policy is to:

- Help determine if/when pesticide applications are the best option.
- Ensure that Alliance volunteers, staff and contractors use pesticides in a safe and responsible manner.
- Inform volunteers, staff and public users of the Ice Age Trail and surrounding environs about potential exposure to pesticides.
- Ensure that the Alliance uses pesticides judiciously and minimizes potential adverse effects on non-target areas.

**2.0 Authority for this Policy and Applicability**

Authority for this policy is provided by the Ice Age Trail Alliance’s bylaws and corporate law. This policy is applicable to all Alliance staff, volunteers and contractors. Prior to applying pesticides on any property, permission must be obtained from the managing authority of the subject property (often requiring the submission of forms), including private landowners. Alliance staff and volunteers may apply general use (non-restricted) pesticides without being certified by the Department of Agriculture, Trade and Consumer Protection (DATCP) provided they are trained by and working under the direction of someone who is certified. The certified supervisor must be aware of the pesticide use and available for consultation but does not need to be present at the site. The Alliance’s

Pesticide Use Policy, the Material Safety Data Sheet (MSDS) for each product, and the Job Hazards Analysis (JHA) must be provided to and reviewed with the applicator prior to applying pesticides.

### **3.0 Compliance with Federal and State Laws**

All Alliance staff, volunteers, contractors, pesticide users and their supervisors shall comply with Federal and State laws and guidelines that apply to pesticide use. These laws require that:

- A. Pesticides are stored, handled, and disposed of in accordance with label directions. *The label is the law.*
- B. Under certain circumstances, persons who use pesticides must be trained or certified, or be supervised by someone who has received formal training. Special circumstances for compliance include the following:
  - 1. Restricted use pesticides can only be applied by DATCP certified personnel with training in the relevant commercial applicator category.
  - 2. Pesticide applications in aquatic environments require DATCP training certification and appropriate permits.
  - 3. Pesticide applicators must be certified if they apply or direct the use of pesticides in public schools or on school grounds, or pesticides that contain metam sodium.

### **4.0 Best Application Practices**

In addition to complying with federal and state laws, pesticide applicators are expected to use the most advanced practices (i.e., "best practices") that maximize effectiveness of the pesticide application, maximize personal and public safety, and minimize potentially negative environmental impact. Applicators must read and follow all information found on the product label. All pesticide applicators shall have adequate training, experience, and knowledge to perform the tasks at hand, as described in Section 2. They should avoid working alone whenever possible.

#### **A. When Is It Appropriate to Use Pesticides?**

Pesticides are only one tool used in efforts to control invasive plants and other pests. The goal is to manage pest populations in a way that avoids collateral damage to non-target species and minimizes adverse side effects. Routine and unnecessary uses of pesticides should be minimized or avoided. The following questions are among those that must be considered when deciding whether or not to use pesticides:

- 1. What are other alternatives (e.g. mechanical controls such as hand-pulling or prescribed fire)?
- 2. What are the immediate risks of pesticides to public health and the environment?
- 3. What is the likelihood of treatment success on the target pest population?

4. Are there any potentially at-risk species or habitat that may be harmed by pesticide application type or timing?
5. What are the risks of the pest to public health and safety?
6. What is the potential for economic or aesthetic damage arising as a result of the pesticide application?
7. What environment and aesthetic benefits will be realized from the use of the pesticide?
8. If multiple applications are required, are you committed to following through? If not is it worth taking the first step?

#### B. Pesticide Efficacy

Chemicals are not a cure-all and may have serious side effects. Therefore, before using any pesticide it is essential to carefully consider all cost/benefit issues in the decision process. Pesticides should be used at proper concentrations and must not be mixed with other pesticides not listed as mixable. Remember that chemicals are not a cure-all and may have serious side effects.

#### C. Stay Current

Applicators are to minimize pesticide risks by following *current* best practices and/or an Integrated Pest Management (IPM) plan. Each year, applicators must review the pesticide label for every pesticide they use. This will refresh them on the specific requirements for safety, handling, use and much more for each type of chemical. Applicators should stay informed of current best practices, and are encouraged to consult with pesticide experts such as Alliance staff, the local county extension office or the Wisconsin Department of Natural Resources (WDNR) Bureau of Endangered Species. Applicators need to regularly (at least annually) review and evaluate alternative pest control methods.

#### D. Minimize Risks

Application of pesticides should be conducted during times when exposure risks to property users and neighbors are reduced (e.g. in a busy trail area, perform the treatment on a Monday, rather than a Friday before a busy weekend). It is the policy of the Alliance that the most

appropriate chemical and lowest effective concentration whenever practical is used for pesticide application. Consider putting in colored dye at a small amount to allow you and the public to see that there was chemical applied to area. Applications should be done at the optimal time of year, using the appropriate application method to minimize damage to non-target species. Surveys for rare and desirable species should be done prior to an application. Weather conditions should be considered at the time of application. For example, avoid spraying on windy days (to avoid pesticide drift), during extremely warm days (due to evaporation), near open water, or prior to forecasted rain events (because it increases mobility and non-target exposure).

#### E. Inform the Public

Prior to the pesticide application, the area must be marked with Pesticide Application Warning Signs according to label directions to allow for drying, settling or absorption to minimize the risk of exposure to Trail users. Concentrate these placards at trailheads, parking areas, spur trails, road crossings or other locations where the public will see them prior to entering the affected areas. This also makes placard removal easier.

#### F. Wear Proper Protective Equipment

The applicator shall comply with all information regarding Personal Protective Equipment (PPE) on the pesticide product label. At a minimum the applicator shall wear long pants, long sleeved shirt, shoes/socks and chemical resistant nitrile gloves (at least 14mil or 0.35mm in thickness). Other recommended protective equipment (even if not mentioned on the product label) includes chemical resistant goggles or other eye protection, appropriate airway protection, sturdy boots, rubber boots, gaiters, chaps, hat, and an impermeable top layer when using a backpack sprayer.

#### G. Clean-up

Clean water must be available on site in the amount needed to properly wash hands and other parts of the body if pesticide contacts skin. Tools and equipment should be triple rinsed with clean water in an area near the application site or on an impermeable surface at least 100 feet from open water. See 7.0 for disposal of Rinsate (pesticide contaminated water resulting from the cleaning of equipment). Rinsate, once diluted to 1% of field strength, can be used as mix water for future applications. Furthermore, a minimum of one pint of sterile eyewash buffer must be available for each applicator. Contact lens solution is an approved sterile eyewash buffer.

#### H. Transportation and Storage

All pesticide containers should be labeled clearly with pesticide, concentration and date. MSDS and pesticide labels should be available wherever pesticides are stored and/or mixed. Follow label instructions for transportation and storage requirements. At a minimum, when being transported and stored, any container holding herbicide (herbicide bottle/sprayer) needs to be double contained meaning it needs to be stored in a second container that can catch spilled liquid in case of failure in the primary container. Some chemicals need to be stored in specific conditions like above or below specific temperatures. Pesticide must be stored in a dry location off the ground and in an area that is not prone to flooding and away from well or surface water. Any chemical that is stored for an extended period of time should be properly labeled and sealed. Containers must be properly secured during transportation.

#### I. Mixing Chemical

Read the label for specific mixing requirements for each chemical pesticide. No pesticides should be mixed within 100 feet of a well that provides drinking water or open surface water to avoid contamination in case of a spill. Always wear PPE when mixing pesticides including, at a minimum: eye protection, long sleeves, rubber/latex gloves and closed toed shoes. When

mixing make sure to be on an impervious surface that will allow for spills to be cleaned up before the pesticides contaminate the environment.

## **5.0 Record Keeping and Reporting**

For pesticide use along the Ice Age Trail, Alliance volunteers, contractors and staff must annually submit a Pesticide Use Notification Form by December 1<sup>st</sup> of each year to the Alliance's main office. Pesticide use on state, county, or other publicly owned lands will likely require reports to the managing authority of those properties. If applying pesticides on Alliance easements or handshake agreement properties, permission must be granted from landowners prior to any applications. On state lands, the applicator must complete the Volunteer Use Agreement, Form DOA – 3009 and work directly with the DNR staff that manages that property. Applicators who are not certified must work under the direction of a DATCP-certified DNR employee. While the certified DNR employee does not need to be physically present or in work status when a volunteer is using pesticides, the certified applicator must know the basics of the approved treatment (who, what, when, where, why).

## **6.0 Spill Prevention and Response**

Precautions must be taken to prevent spills and prepare for spill cleanup. Mixing, loading, emptying and rinsing should be done on an impervious surface with secondary containment (e.g. a small plastic swimming pool or plastic tub works well for this purpose). A sufficient amount of spill absorbents (e.g., Oil-Dri® or cat litter) should be available nearby. Pesticide applicators are responsible for cleanup of any pesticide spills. If the spill is greater in volume than the amount of pesticide that would cover one acre at label rates, the Alliance, DATCP and WDNR must be notified of the spill. The person responsible for the spill is also responsible for the clean-up of the spill.

**For a poison emergency, call (800) 222-1222. For spill emergencies, call WDNR Spill hotline at (800) 943-0003.**

## **7.0 Waste Minimization and Management**

To minimize the need for disposal of waste, pesticide users should carefully plan their needs so that they purchase, store and prepare amounts necessary only for their immediate need. To dispose rinsate it must be diluted to less than 1% of field application concentrations per product label. After rinsate has been diluted it can be applied to invasive species in non-sensitive areas. Rinsate in concentrations greater than 1% of field applications must be taken to a local Agricultural Clean Sweep. Waste and surplus pesticides and spill residues may also be disposed of by appropriate application at application rates. It is forbidden by Wisconsin Pesticide Laws to burn pesticide containers or pesticide-contaminated clothing, equipment, etc. Contract applicators are responsible for proper disposal or removal of their rinsate, surplus and waste. Pesticide users should also regularly (at least every two years) review their storage areas and contact Wisconsin Clean Sweep Program (608) 224-4545 or visit: <http://datcp.state.wi.us/core/environment/environment.jsp> for disposal of surplus pesticides.