

RESOLUTION 1-22
VEGETATION MANAGEMENT ON ALBERTA PROVINCIAL HIGHWAYS

- WHEREAS:** Invasive plants cause significant changes to ecosystems which may result in economic harm to agricultural and recreation industries;
- WHEREAS:** Highway corridors facilitate the spread of invasive plants both locally and internationally;
- WHEREAS:** The Alberta Transportation is responsible for weed control within the rights of way of the 31,000 kilometers of provincial highways in the province, as per the Weed Control Act;
- WHEREAS:** Alberta Transportation has not adequately maintained control of noxious and prohibited noxious weeds within provincial highway rights of way in recent years;
- WHEREAS:** This lack of control is affecting neighboring landowners, as these invasive weeds are spreading into their fields;
- WHEREAS:** Due to this lack of control, landowners adjacent to provincial highways are faced with increased costs to their vegetation control programs;
- WHEREAS:** Allowing noxious and invasive plant growth including brush along highways increases the risk to public safety by reducing visibility along road shoulders where wildlife is crossing or grazing;
- WHEREAS:** The most cost-effective strategy against invasive species is preventing them from establishing rather than relying on eliminating them after an infestation has begun;
- WHEREAS:** In 2017, Alberta Transportation developed a three-year provincial vegetation management plan, which included a plan to manage noxious weeds in highway rights of way;
- WHEREAS:** Alberta Transportation must allocate sufficient funds and capacity to meet its weed control requirements along provincial highways;
- WHEREAS:** Continued advocacy efforts have been ongoing with the ASB Provincial Committee and the Ministry has agreed to focus on improving communication and relationships to put the limited dollars available to their best use.

THEREFORE BE IT RESOLVED THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST that Alberta Transportation increase funding for summer maintenance programs for its vegetation management (weed control and mowing) along provincial highways;

FURTHER BE IT RESOLVED THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST that Alberta Transportation enhances their current vegetation management strategy at a minimum to the level of the 2017 Provincial Integrated Vegetation Management Plan to manage noxious weeds, prohibited noxious weeds, and any unsafe vegetation on the full rights of way of all primary and secondary provincial highways;

FURTHER BE IT RESOLVED THAT ALBERTA'S AGRICULTURAL SERVICE BOARDS REQUEST that Alberta Transportation continue to allow the option to enter into service agreements with municipalities for the purposes of vegetation management and/or weed control within their respective municipalities.

SPONSORED BY: County of Two Hills / Leduc County

MOVED BY: _____

SECONDED BY: _____

CARRIED: _____

DEFEATED: _____

STATUS: Provincial

DEPARTMENT: Alberta Transportation

BACKGROUND INFORMATION

Member Background

This is not a new issue, municipalities across the province have been dealing with these issues since the province privatized Alberta Transportation services in the mid 1990's. There has been less and less vegetation management along provincial highways every year.

Reductions in provincial funding in recent years have severely impacted vegetation management along provincial highways. This has resulted in changes stating that maintenance along provincial highways will be one shoulder cut of mowing per year, with no full width mowing and no scheduled weed spraying. Although late fall mowing ensures that vegetation height is managed going into the winter season, it does not control noxious or prohibited noxious weeds at that stage of growth, especially if the mowing is only a single shoulder pass of a wide right-of-way.

Adjacent landowners are frustrated with the weeds in the Provincial Right-of-Ways because the weeds are propagating onto their lands causing financial burden and the overgrowth is impacting the safety of travelling motorists and migratory wildlife along Alberta highways.

Expense:

Landowners are spending large sums of money on weed control, but are also seeing their results diminish because of a lack of responsibility by the province, regarding the Alberta Weed Act. The Alberta Weed Act was introduced in 1907 to ensure landowners practice good husbandry and stewardship of our lands. As fellow landowners, the province, by not proactively controlling weeds is insinuating we should wait until a weed notice is issued (as referred to in the response by Alberta Transportation) before conducting any weed control. We have noticed the amount of time taken to respond to a weed infestation has increased - leading to larger infestations. It affects our ratepayers/landowners and the county, as both must increase their budgets for weed control.

Potential transfer of weeds provincially, nationally and internationally:

The weed issue in our county has local, provincial, national, and possibly international impacts as hay, grain, and other commodities are transported via our highway network daily. Any vehicle that stops on the side of the highway could potentially transfer weed seeds anywhere. The impact is two-fold: an increased weed control budget (whether it's spraying, or mowing, or hand removal) and dockage to grains and forages sold into the market place. The added increased costs affect the overall net profits at the farm level.

Mowing of right-of-ways can be an effective method of control of some noxious and prohibited noxious weeds, if mowing occurs prior to seed set. However, if mowing does not occur throughout the right-of-way, those weeds growing outside of the mowing path will be able to complete their life cycle, creating a larger issue in subsequent years. If full right-of-way mowing cannot occur in a timely fashion annually, additional control measures must be utilized to ensure control.

Spraying of weeds will only occur if local municipalities identify areas of concern and issue a notice under the Weed Control Act to Alberta Transportation. This is an inefficient use of resources both on the municipal and provincial end. The best control of noxious and prohibited noxious weeds comes from prevention or early detection and control of an infestation. Furthermore, multiple control measures over consecutive years is the most effective and efficient way to control weeds. Reactive control is considerably more expensive if weeds are not controlled annually.

Safety:

In addition to not controlling weeds in highway ditches, the province has reduced its mowing program along our highway ditches. Mowing, also a method of controlling weeds, used to be conducted twice per year along our highways – along the shoulder, and every four to five years as prescribed from shoulder to fence-line.

This year we were initially informed that the province did not budget for any ditch mowing. After raising concerns to Alberta Transportation, we were informed we would get one mow this season, of only one pass along the shoulder of the highway. Not only does this impact control of the weeds along our highways, we have a grave concern for the safety of the public travelling these highways. The visibility of wildlife crossing the highways is hindered by the tall weeds and grass.

We have received several calls and visits from county residents who have noticed increased wildlife and bird strike along our two- and three-digit highways. They are worried for their own safety as well as the safety of local wildlife impacted by motorist's inability to spot wildlife and have proper warning time in which to react to wildlife crossing. Furthermore, this has a financial impact from the aspect of automobile insurance rates and premiums.

Province ignoring its own Act:

Under the *Weed Control Act*, landowners have a responsibility to “control a noxious weed that is on the land the person owns or occupies” as well as “destroy a prohibited noxious weed that is on land the person owns or occupies.” As owner of provincial highways, the Province of Alberta, through the Ministry of Transportation, has a responsibility to control weeds throughout their right-of-ways.

The best control of weeds comes from prevention, not reaction. The province is not abiding by its own legislation intended to control the spread of noxious and prohibited noxious weeds. By not controlling the ditches, municipalities are put in the uncomfortable position of having to issue weed notice to the province. We cannot expect landowners to control weeds on their land while the province ignores weeds in their right-of-way's.

History & Legislation:

Alberta highway shoulders were mowed twice per season. Approximately every four years, a manager would prescribe additional shoulder to fence-line mowing. In 2015, Alberta Transportation stopped mowing along all highways. Alberta Transportation proactive weed control plans changed in 2014. Alberta Transportation stopped spraying weeds proactively, and would only spray if they were issued a weed notice.

The Alberta Weed Control Act was proclaimed in Province of Alberta in 1907. It is reviewed and proclaimed every four or six years. It was last reviewed and proclaimed in 2016.

The Alberta Weed Control Act aims to regulate noxious weeds, prohibited noxious weeds, and weed seeds through various control measures, such as inspection and enforcement, together with provisions for recovery of expenses in cases of non-compliance. Additionally, it mandates the licensing of seed cleaning plants and mechanisms. An excerpt is included:

Part 1:**Noxious weeds — control**

2 A person shall control a noxious weed that is on land the person owns or occupies.

Prohibited noxious weeds — destroy

3 A person shall destroy a prohibited noxious weed that is on land the person owns or occupies.

Spread of weeds prohibited

4(1) Subject to the regulations, a person shall not use or move anything that, if used or moved, might spread a noxious weed or prohibited noxious weed.

Other Stakeholders

Alberta Invasive Plants Council - This group of individuals and organizations work hard to educate the public on invasive species (plants, and organisms) not only in our province, but also those that can potentially be introduced in our province. This group tries very hard to stop the spread of invasive species.

Association of Alberta Agricultural Fieldmen - This is a group of about 160 members from across the province, these men and women work hard every day to try and reduce or eradicate the invasive species in their respective Counties or MD's. We are bound by the Alberta Weed Act in our own jurisdiction to both keep Right of Ways clean, but also educate and enforce weed concerns to local producers.

Agricultural Services Board - There are 69 municipalities that have an Agricultural Services Board, this board and its members create and uphold strategic plans that include proactive measures to reduce invasive populations in their jurisdiction. We work hard every year to improve our stewardship on the lands around us.

Alberta Transportation - Alberta Transportation has a very high invested interest as they are in control of the highways, these roads must be kept safe for all travelers. Letting unwanted vegetation stay on the shoulders of the roads, growing tall allows for very unsafe driving conditions, as wildlife can emerge with little notice, as well as, travelers when stopping on the sides of the roads can unknowingly transfer invasive species.

Alberta Agriculture and Forestry – The Alberta Weed Act is an act that has been around since 1907. This is an act that was created by Alberta Agriculture and Forestry. If the expectation is to educate and enforce this act upon the public, they must abide themselves.

CP and CN rail lines - The rail lines cross over provincial highways all over the province, when the two crosses, there is a chance of transferring weeds further on, even out of province.

Past Advocacy Efforts

Previous resolutions have been passed by the Provincial ASB Conference that have addressed weed control within Alberta Transportation: in 2008, 2010, 2016 and 2017. In addition, a resolution was brought to the Alberta Association of Municipal Districts & Counties (AAMD&C), currently know as the Rural Municipalities of Alberta (RMA) in 2016.

Provincial Agricultural Services Board Conference

2006:

Resolution #10 - Weed Control Along Primary and Secondary Highways

A resolution was passed that requested “the Provincial Government allocate sufficient funds to control the weeds and undesirable vegetation along their primary and secondary highways within the province”.

At that time Alberta Infrastructure and Transportation indicated that they placed a “high priority on weed control within all highway rights-of-way”. The department also stated that in 1999 a

process was initiated “to involve the Fieldmen more directly in the weed control programs by allowing them, in urgent situations, to order work directly from highway maintenance contractors or to undertake weed control using their own forces. This process has been quite successful on a provincial basis”.

2008:

Resolution #15 - Weed Control of Alberta Infrastructure and Transportation Roadways

Agricultural Services Boards across Alberta are/were interested in providing weed control in their municipality, the local Agricultural Services Boards are willing and ready to help control the highways, in the most effective, and efficient way possible. Weed Control within all highway right-of-way's is a priority for government. The department has contractual obligations to have weed control work done by the highway maintenance contractors. Staff from Alberta Infrastructure and Transportation (INFTRA) and Alberta Agriculture and Food work closely with Agricultural Fieldmen and highway maintenance contractors to determine the weed spraying and mowing requirements along each roadway within their jurisdiction. Also, Agricultural Fieldmen identify problematic locations that need special attention and ensure they are addressed

2010:

Resolution #4 - Alberta Transportation Roadside Weed Control

A resolution was passed that requested “Alberta Transportation review their current weed control program to ensure the effectiveness of the program and give consideration to an increase in the current width of ditch that is sprayed as well as implementing a monitoring and assessment program to ensure that severe populations are dealt with proactively not reactively.”

2017:

Resolution #5- Vegetation Management on Alberta Provincial Highways

Enforcement of the Weeds Act along highways in the province continues to be limited by provincial budget constraints. The proactive approach planned by the Ministry of Transportation has been put on hold and ASBs are not likely to see a blanket plan like the Integrated Vegetation Management Plan agreed on for 2017 to 2019.

In the response letter to the 2017 resolution, Alberta Transportation replied that the ministry was developing a “comprehensive and mutually agreeable vegetation management control plan” that was intended to address vegetation management over a multiple year approach. This was to include:

Chemical vegetation control:

- All class highways: one full right-of-way spray every four years.
- All class highways: one percent of total hectares reactive spraying for prohibited noxious weeds annually and/or localized noxious weed concerns. Mowing may be completed instead of spraying if appropriate.

Mowing:

- Class 1A highway: one full-width right-of-way cut and one shoulder cut annually.
- Class 1B highways: one full-width right-of-way cut every four years and one shoulder cut annually.
- Class 2 and 3 highways: one full-width right-of-way cut every four years and one shoulder cut annually.

Although this plan was initiated, a full four-year cycle was not completed as provincial budget cuts reduced funding. Vegetation management reverted to minimal action (one shoulder pass of mowing along most provincial highways).

On September 1, 2020 the ASB Provincial Committee met with Deputy Minister Rae-Ann Lajeunesse and Assistant Deputy Minister Tom Loo from the Ministry of Transportation to discuss the conclusion of the 2017-2019 Integrated Vegetation Management plan, and the possibility of creating another 3 year plan. The DM was very positive with a willingness to improve communications and coordinate management approaches at the local level. Regional and District Operational staff were encouraged to attend regional ASB conferences to answer questions and facilitate relationship.

In May 2021, the ASBPC met with Darren Davidson, Regional Director and Rob Huston, Operations Manager with Alberta Transportation to discuss plans for the upcoming field season. Here are a few things to keep in mind as weeds start popping up along Alberta's highways this summer:

- Contractors require a work order from the AT District or Regional office before they can do any vegetation related work on the highways. Vegetation control is not part of their regular contract.
- There are limited funds currently so the blanket approach taken in the last Integrated Vegetation Management Plan is not possible. Instead work orders for vegetation control will be issued for public safety concerns first, and weed concerns as funds allow.
- Any weed notices issued by municipal staff should be sent directly to the appropriate District or Regional Alberta Transportation office for the fastest response. Notices sent directly to the minister have a longer process for being addressed.

Currently, some municipalities have agreements in place to conduct reactive weed control along provincial highways. This is done in circumstances where the Maintenance Contractor is unable to perform the weed control in a timely manner and permits the municipality to perform the control on their behalf. The municipality identifies the weed issue and then is permitted to conduct the control. Although not the most efficient or effective control method, this type of agreement does allow for more timely application and control of weeds within the right-of-ways.