

**RESOLUTION Regarding Use of Herbicides or Other Agents for
Vegetation Control on Town of Oakland Property or Road Rights-of-Way**

WHEREAS Douglas County has by resolution restricted the use of herbicides and pesticides on county lands due to unknown but potential associated health risks; and

WHEREAS the approved "Land Use Plan" of the Town of Oakland states in part:

"Goal 3: Maintain, Protect and Preserve the Environmental Quality of the Town of Oakland."

"Objective A: Work to protect and maintain the quality of the town's surface and subsurface water resources;" and

WHEREAS the surface and subsurface water resources of the Town of Oakland have been identified as interconnected and susceptible to contamination by the Wisconsin Department of Natural Resources through their "groundwater susceptibility model;" and

WHEREAS the Town may incur liability by using herbicides or pesticides on town property or by endorsing such use on town road rights-of-way should water wells become contaminated or residents develop health problems that can be linked to such applications, thereby resulting in potentially substantial lawsuits against the Town; and

WHEREAS the governing body of the Town of Oakland's primary responsibility is to the continued well being of the Town's residents and resources.

NOW, THEREFORE, BE IT RESOLVED that the Town of Oakland supports mechanical methods for vegetation management on town property and opposes the use of herbicides or pesticides on town property, except for spot locations of specific noxious species where mechanical methods can not be implemented and then only in those instances where sufficient assurance is first provided for the Board's consideration that the proposed application will be safe to the Town's residents and resources; and

BE IT FURTHER RESOLVED that inasmuch as town road rights-of-way are easements and the decision to use or allow the use of herbicides or pesticides rests with the underlying land owner, the Town of Oakland recommends that all property owners be fully aware of the potential health and other associated risks before applying or allowing the application of pesticides or herbicides on town road rights-of-way across his/her/their property.

This Resolution approved by the Oakland Town Board July 8, 2003. 7:50 PM

Ray Peterson
Dennis P. Dohy
James J. Rausch

Attested by
Mary R. Conley