

# Noxious Weed Control Plan

(Due January 31 of each year)  
Revised November 2021

Nebraska Department of Agriculture  
Animal and Plant Health Protection  
P.O. Box 94756  
Lincoln, NE 68509-4756  
(402) 471-2351

For: Lancaster County

For the year: 2022

## Statement of Finding

The failure to control noxious weeds on lands in this state is a serious problem which is detrimental to the production of crops and livestock and to the welfare of residents of this state and which may devalue land and reduce tax revenue (Neb. Rev. Stat. 2-945.02(1)).

**Section 2-954 of the Nebraska Noxious Weed Control Act requires each weed control authority to establish a coordinated program for the control of noxious weeds within the county.**

## PURPOSE

The purpose of the Lancaster County Noxious Weed Management Plan is to protect effectively against designated noxious weeds which constitute a present threat to the continued economic and environmental value of lands in the County. This Plan implements the mandates of the State of Nebraska Noxious Weed Control Act by setting forth management objectives and plans, methods or practices which utilize a variety of techniques for the integrated management of noxious weeds. In establishing a coordinated program for the integrated management of noxious weeds, it is the County's intent to encourage and require all appropriate and available management methods, while promoting those methods which are the most environmentally benign and which are practical and economically feasible.

## INSPECTIONS

**Under the direction of the County Noxious Weed Control Authority, it shall be the duty of every County Weed Control Superintendent to examine all land under the jurisdiction of the Control Authority. Explain the process established by the Control Authority to examine all lands and compile such data on infested areas and controlled areas.**

The Nebraska Noxious Weed Control Act 2-954 (3)(b) provides the procedure required for the Control Authority to follow when examining land in the County as well as compiling data on infested areas and controlled areas. Lancaster County Weed Authority adopts the following procedures.

Under the direction of the control authority, it shall be the duty of every weed control superintendent to examine all land under the jurisdiction of the control authority for the purpose of determining whether the Noxious Weed Control Act and the rules and regulations adopted and promulgated by the director have been complied with. The weed control superintendent shall: (i) Compile such data on infested

areas and controlled areas and such other reports as the director or the control authority may require; (ii) consult and advise upon matters pertaining to the best and most practical methods of noxious weed control and render assistance and direction for the most effective control; (iii) investigate or aid in the investigation and prosecution of any violation of the act; and (iv) perform such other duties as required by the control authority in the performance of its duties. Weed control superintendents shall cooperate and assist one another to the extent practicable and shall supervise the carrying out of the coordinated control program within the county.

Lancaster County is divided into four quadrants with an inspector assigned to each quadrant to complete on-site inspections of all Advanced Work Orders (AWO's), scout for new infestations, and respond to all complaints.

Process established by Lancaster Weed Control Authority to examine all lands and compile such data on infested areas and controlled areas.

- Create Advanced Work Orders (AWO's) on all uncontrolled infestations from the previous year.
- Inspect all lands within Lancaster County to determine whether the Noxious Weed Control Act and its regulations have been complied with.
- Document the annual inspection using our Weed Eradication Electronic Database System. (W.E.E.D.S)
- All information is entered on-site, into our database along with gps, time stamped photos. This information is live synced back to the office into our Weed Eradication Electronic Database System. (W.E.E.D.S)
- If no infestation is found, the inspection report will indicate that the infestation has been controlled.
- Execute an inspection report in conjunction with the performance of any inspection of land found to be infested with noxious weeds. *Nebraska Administrative Code Title 25 Chapter 10-003.01C*
- 003.01C1 The inspection report shall contain the following:
  - 003.01C1A The location of the land, including county, township, range, and section.
  - 003.01C1B The date of the inspection.
  - 003.01C1C The purpose of the inspection, whether it be annual, preliminary to the issuance of an individual notice, or otherwise.
  - 003.01C1D If noxious weeds are present, the names thereof, or, if none are present, a statement to that effect.
  - 003.01C1E The signature of the person conducting the inspection.
  - 003.01C1F The name of the landowner and, if applicable, the tenant, if known or capable of being determined.
  - 003.01C1G Number of acres inspected.
  - 003.01C1H Number of acres infested.
  - 003.01C1I Degree of infestation.
  - 003.01C1J Current land use.
  - 003.01C1K Any other information deemed appropriate by the control authority.
- When the control authority determines the noxious weeds have not been controlled, the control authority shall cause additional inspections to be made at least once during the time noxious weeds are actively growing. Until such time as the noxious weeds on said land have been controlled.

**Currently, how many open files reported by Nebraska Department of Agriculture (NDA) to your Control Authority are considered open in your county? 2**

(By December 31, your NDA inspector will provide a list of your open files.)

**List each open file by Section, Township and Range separately and outline in detail how each open file will be addressed in the upcoming growing season.**

**Section 14 Township 12 Range 7**

By following the guidelines adopted by the Lancaster Weed Control Authority, the Weed Department will continue to work with the landowners to manage the infestations found on this section of land. The knapweed has been removed and we will continue to monitor the area for any other infestations. The phragmites was first identified by Lancaster County inspectors in 2012 and the landowner continues to work to manage this infestation. Nebraska Department of Agriculture previously had an open file on this section in September of 2017 with a note saying, *“this has been sprayed – continued control is required”*. The file was then closed in August of 2019 with the inspector noting *“Good Control – File is Closed”*. This indicates the landowner is willing to treat and continue to manage this area. Phragmites is a deep-rooted perennial plant and may never be completely eradicated. Ongoing treatments will be necessary. Weed Department staff treated this patch of phragmites with Polaris herbicide in the fall of 2021. Weed Department staff will make the necessary inspections in 2022 and continue to work with the owner to manage.

**Section 9 Township 11 Range 7**

By following the guidelines adopted by the Lancaster Weed Control Authority, the Weed Department will continue to work with the landowners to manage the infestations found on this section of land. The leafy spurge in the roadside has been chemically treated by Weed Department staff in the fall of 2021. We will continue to monitor and treat the area for any regrowth. The phragmites was first identified by Lancaster County inspectors in 2009 and the landowner continues to work to manage this infestation. This is a very large infestation and was treated by NE/IA Helicopter in the fall of 2020. Some areas were not treated due to tree canopy cover. We will continue to work with this landowner to manage the infested areas. NDA inspector notes when opening this file in 2021 *“spraying has been done, continued control recommended”* confirms that the owner is willing to work on the infestation. As with so many phragmites infestations in Lancaster County the patches are bordered by crops making the treatment even more challenging. Phragmites is a deep-rooted perennial plant and may never be completely eradicated. Ongoing treatments will be necessary. Weed Department staff will make the necessary inspections in 2022 and continue to work with the owner to manage.

**COMMUNICATION**

**How many times a year does the County Weed Control Superintendent and Control Authority Board meet?** Average approximately 6 per year, or as necessary.

**Is there a set schedule to meet with the Control Authority Board?** NO

**If yes, explain.**

**If no, explain,** The Weed Superintendent will meet with the County Board of Commissioners as needed. The Board is very supportive, and we have a good working relationship and typically will only meet as situations arise.

**What type and how many public awareness events do you plan to participate in the upcoming year?**

The public is generally not aware of the economic and environmental impacts of noxious weeds. There is a need to improve awareness about noxious and invasive weeds, providing educational information to cooperators, land managers, and the public. As people become more aware of noxious and invasive weeds, the probability of detecting them is greatly increased, which allows for more effective and timely control. Education and awareness assist with weed identification, reporting new infestations, prevention and control, and fosters cooperation and partnerships.

Public relations events and publications planned for the coming year.

- Weed Awareness Special insert to the April Lancaster County Cooperative Extension Service NEBLINE with a circulation of around 12,000.
- Play-Clean-Go education and outreach campaign.
- Weed ID trainings and workshops for landowners, agencies and specialty groups.
- Display booth at various locations including UNL-Extension, County courthouse, State Capitol, and the Nebraska Ag Expo.
- Maintaining and updating the internet homepage at <https://www.lancaster.ne.gov/320/Weed-Control-Authority> Our website continues to be a valuable source of information to the public.
- Weed ID videos to help educate the public about how to identify noxious weeds.
- Presentation about noxious weeds at Private Applicator trainings hosted by UNL Extension.
- Special mailings:
  - Pre-season letters to owners with multiple violations
  - Letters to landowners of problem infestations
  - Homeowner Associations
  - Neighborhood Associations
  - Public land managers, Natural Resource District's, Nebraska Game & Parks

**Outline the procedure that the control authority has adopted for the weed superintendent to follow when notifying landowners of uncontrolled noxious weed infestations.**

General notice as prescribed in Nebraska Administrative Code Title 25 Chapter 10-008.07, shall be published by each control authority, in one or more newspapers of general circulation throughout the area over which the control authority has jurisdiction, on or before May 1 and between August 1 and October 1 of each year.

In addition to the published general notice, Lancaster County will notify every landowner of uncontrolled infestations with a personal contact, or a letter sent by the United States Postal Service (USPS) by following these guidelines.

Following the initial inspection:

- Determine the correct landowner.
- Determine the tenant, if known or capable of being determined.
- Attempt to make personal contact if possible.
- Notify the landowner with a letter to request compliance. This letter contains specific information regarding the infestation and the recommended method of control. A response form is included for the landowner to report the type of control action taken.
- Notify the tenant (if known) with a copy of the landowner letter.

## **PROGRAM IMPROVEMENT**

### **What would you like to see your county change to help make your job more efficient?**

The Weed Control Authority annually reviews our program and addresses changes to be more efficient, as well as being more effective in how we perform our duties. We will continue to look for ways to become more efficient and still be effective.

Our staff performs between 8,000 to 11,000 inspections annually, by using the latest technology, we have been able to keep up with the increased workload and still maintain a high level of service for our landowners. We continue to evaluate the possibility of going to a paperless method of notification.

### **What is working with your County's Noxious Weed Control Program?**

By following the framework adopted, Lancaster County Weed Authority's goals of Prevention, Education and Management have proven successful.

Lancaster County's aggressive eradication program about invasives such as purple loosestrife, phragmites, saltcedar, sericea lespedeza, knotweed and teasel continues to show signs of success. Our dedication to identifying pathways is helping eliminate new infestations from occurring. An example is our weed-free gravel inspection program, which is preventing new weed infestations along our County right of ways. Our staff continually works to educate our citizens about invasive weeds and always applies Best Management Practices to known infestations.

Lancaster County has been a member of the Lower Platte Weed Management Area (LPWMA) since its beginning in 2002. The LPWMA brings together all parties in a 11-county area that have a common interest in noxious weed management along the Platte River and its tributaries. Tributaries included in Lancaster County are Oak Creek, Middle Creek and Salt Creek. As a result of belonging LPWMA we've been able to bring in grants to help fund the cost of controlling noxious weeds within Lancaster County. The LPWMA also plays a vital role in the cooperation between many Federal, State & local agencies as well as private landowners.

Lancaster County, along with managing the Noxious Weed Program also manages the Weed Abatement program for the City of Lincoln. Providing weed abatement inspections inside city limits helps us track noxious weed infestations better in the city. This interlocal agreement began in 1996 and works well for the citizens of Lancaster County, giving them one location to call for all weed problems.

### **Is the County Weed Control Superintendent given adequate time to address all noxious weed infestations within the county? (EXPLAIN)**

Yes

Lancaster Weed Control Superintendent has full discretion of the Noxious Weed Program to address all noxious weed infestations in Lancaster County.

**FUNDING**

**Is your County Noxious Weed Program adequately funded to ensure that noxious weeds are controlled in a timely manner? (EXPLAIN)**

Yes

Lancaster County continues to adequately fund the Noxious Weed Control program. While more work could always be done, if funding was increased, the current level of funding assures the noxious program has the resources necessary to make sure landowners comply with the Noxious Weed Control Act.

**NOXIOUS WEED ENFORCEMENT**

**Which individual notice(s) will be utilized by the county weed control authority?**

\_\_\_\_\_ **10 day**      \_\_\_\_\_ **15 day**      \_\_\_\_\_ **XXX** \_\_\_\_\_ **Both**

**When a control authority finds it necessary to secure more prompt or definite control of noxious weeds on particular land than is accomplished by the previous procedure, it shall cause to be served individual notice upon the owner of record of such land at his or her last-known address, giving specific instructions and methods when and how certain named noxious weeds are to be controlled. Outline the procedure adopted by the control authority when issuing an individual notice.**

Lancaster County Weed Authority adopts the following procedure when issuing an individual notices.

- Prior to the issuance of an individual notice, the control authority shall inspect such lands. *Nebraska Administrative Code Title 25 Chapter 10-003.01B*
- Individual notice may be issued any time after non-compliance, determined during the follow-up inspection.
- Control Authority shall issue the Individual notice in writing using the forms prescribed in the Noxious Weed Control Act.
- Control Authority shall cause to be served individual notice upon the owner of record of such land at his or her last-known address, *Noxious Weed Control Act 2-955 (1)(b)*
- Service of such notices shall be in the same manner as service of a summons in a civil action in the district court or by certified mail to the last-known address to be ascertained, if necessary, from the last tax list. *Noxious Weed Control Act 2-962*
- Individual notice shall include specific instructions and methods when and how certain named weeds are to be controlled. Such methods may include definite systems of tillage, cropping, management, and use of livestock. *Noxious Weed Control Act 2-955 (1)(b)*
- Other appropriate control methods such as specific herbicide recommendations are acceptable if approved by the County Weed Control Superintendent.
- Prepare a report indicating the disposition of each individual notice issued by the control authority. *(Keep current during the entire process) Nebraska Administrative Code Title 25 Chapter 10 - 003.01F*
- At the request of any owner served with an individual notice, the control authority shall hold an informal public hearing to allow such landowner an opportunity to be heard on the question of the existence of an uncontrolled noxious weed infestation on such landowner's property. *Nebraska Noxious Weed Control Act 2-955 (2)*

**When the owner of the land on which noxious weeds are present has neglected or failed to control them as required pursuant to the act and any notice given, the control authority having jurisdiction shall proceed as follows.**

Lancaster Weed Control Authority adopts the procedures required when a landowner has neglected or failed to control the noxious weeds as defined in Nebraska Noxious Weed Control Act 2-955 (3)(a)&(b)

**15-day Individual notice procedure:**

Nebraska Noxious Weed Control Act 2-955 (3)(a) If, within fifteen days from the date specified on the notice required, the owner has not taken action to control the noxious weeds on the specified property and has not requested a hearing, the control authority shall notify the county attorney who shall proceed against such owner.

In addition to the requirements in the Nebraska Noxious Weed Control Act, Lancaster County's plan includes:

- Work closely with the County Attorney's office throughout the 15-day notice until the infestation is controlled or prosecution.
- Inspect the property throughout the notice period and document completely and accurately all inspections. Including time stamped, gps photos.
- Complete a report indicating the final disposition of each individual notice. *Nebraska Administrative Code Title 25 Chapter 10 - 003.01F*

**10-day Individual notice procedure:**

Nebraska Noxious Weed Control Act 2-955 (3)(b) If, within ten days from the date specified in the notice, the owner has not taken action to control the noxious weeds on the specified property and the stage of growth of such noxious weeds warrants immediate control to prevent spread of the infestation to neighboring property, the control authority may cause proper control methods to be used on such infested land, including necessary destruction of growing crops, and shall advise the record owner of the cost incurred in connection with such operation. The cost of any such control shall be at the expense of the owner. In addition, the control authority shall immediately cause notice to be filed of possible unpaid weed control assessments against the property upon which the control measures were used in the register of deeds office in the county where the property is located. If unpaid for two months, the control authority shall certify to the county treasurer the amount of such expense and such expense shall become a lien on the property upon which the control measures were taken as a special assessment levied on the date of control.

In addition to the requirements in the Nebraska Noxious Weed Control Act, Lancaster County's plan includes:

- Perform follow-up inspections on the property to determine compliance when notice expires.
- Document all control work accurately and completely. Including time stamped, gps photos.
- Conduct a final inspection to ensure the contracted force control is satisfactory.
- Complete a report indicating the final disposition of each individual notice. *Nebraska Administrative Code Title 25 Chapter 10 - 003.01F*

**Outline the procedure adopted by the control authority of how the noxious weeds will be controlled.**

Lancaster County adopts the procedures for controlling noxious weeds set forth in Nebraska Administrative Code Title 25 Chapter 10-002, Methods and Times to Control Noxious Weeds.

002.01 The noxious weed control period shall be when noxious weeds are actively growing.

002.02 The following methods of controlling noxious weeds are hereby approved and adopted by the director, so long as such methods are employed during the noxious weed control period, are performed at such frequency to prevent the spread of noxious weeds, and have the approval of or meet the control standards of the control authority.

002.02A Mechanical methods. Mechanical noxious weed control methods include mowing, chopping, digging, shredding, and tillage.

002.02B Crop management methods. Crop management weed control methods include crop rotation and crop competition.

002.02C Herbicide methods. The use of herbicides to control noxious weeds under the guidelines set out in the publication known as EC130, Guide for Weed, Disease, and Insect Management in Nebraska. Herbicide usage in a manner different from that set out in the publication is approved under the following conditions:

002.02C1 The herbicide used shall be one that is approved or registered by the United States Environmental Protection Agency and the Nebraska Department of Agriculture for use on the noxious weeds to be controlled.

002.02C2 The method of applying the herbicide shall be in conformity with the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended on the effective date of these regulations, and the federal regulations duly adopted thereunder, and shall be consistent with label directions.

002.02C3 The rate of application of the herbicide shall not be in excess of that specified on the label and shall not be at a rate less than that supported by the efficacy data filed with the Environmental Protection Agency in conjunction with the registration of the herbicide.

002.02D Biological methods. To be deemed acceptable, the use of livestock, predators, pathogens, and parasites as a method of controlling noxious weeds shall be as effective as the use of herbicides, as set forth in 002.02C and shall be approved by the control authority.

**NOXIOUS WEED INFESTATIONS INCREASED OR DECREASED**

**Using actual data from the infestation report from the previous year and this year explain the results.**

This year's inspections showed an increase in the total acres of noxious weeds reported. Our inspectors are doing a great job of scouting and reporting the infestations. The awareness of noxious weed control in the County is very good and landowners are doing an excellent job with management. Annual inspections are made on all properties known to have had problems in the past. Lancaster County uses an aggressive inspection and legal notification program to provide the necessary authority to effectively control noxious weeds.

**Musk thistle total acres infested** (Previous Year) 1366 (Current Year) 1865

**Musk thistle** - Infested acres were up this year due mainly to ideal growing conditions. There will always be musk thistle and the level of infestations will vary depending on weather conditions and management techniques. Landowners are aware of this noxious weed and do a good job of managing it.

**Plumeless thistle total acres infested** (Previous Year) 0 (Current Year) 0

**Plumeless thistle** – It has been several years since we have had a confirmed infestation of plumeless thistle.

**Canada thistle total acres infested** (Previous Year) 119 (Current Year) 139

**Canada thistle** – Infestation levels remained consistent as in the past years. Canada thistle can be moved by root segments brought in with nursery stock. Most of our Canada thistle infestations are located inside Lincoln City limits. Biocontrol, using a rust fungus on Canada thistle has been released in northern Lancaster County to help reduce infestations. Early indications are promising using biocontrol to reduce the size of the infestations.

**Leafy spurge total acres infested** (Previous Year) 1131 (Current Year) 1554

**Leafy spurge** - Infestations on our County roadsides are seeing a significant decrease due to the use of Method herbicide. This herbicide has proven to be safe to use around adjacent crops and has a lasting residual on leafy spurge. This year's growing conditions were ideal for leafy spurge and more acres were reported because it outcompeted the grasses early and was easier to spot. This plant is very difficult to control, and landowners understand it will be a long-term battle.

**Knapweed (Spotted & Diffuse) total acres infested** (Previous Year) 0 (Current Year) 1

**Knapweeds** – One spotted knapweed plant was found this year and was eradicated.

**Purple Loosestrife total acres infested** (Previous Year) 41 (Current Year) 42

**Purple loosestrife** – This was originally sold as an ornamental and most of our infestations were inside Lincoln City limits. We continue to find ornamental plantings; however, Lancaster County does have several infestations located within the rural areas in the County and landowners are working to manage them.

**Saltcedar total acres infested** (Previous Year) 0 (Current Year) 0

**Saltcedar** – Early Detection/Rapid Response (EDRR) has been effective with saltcedar. There were no infestations of saltcedar found this year.

**Phragmites total acres infested** (Previous Year) 1208 (Current Year) 1409

**Phragmites** - We continue to work hard to find infestations and educate the landowners how to identify this plant and the destruction it causes. We continue to notice more landowners controlling their infestations prior to being notified by our office, indicating the education is making a difference. Since phragmites is easier to identify during the winter than during the growing season, our staff scouts aggressively in the fall and winter to find new infestations. Control efforts on our roadsides have been very successful with our aggressive herbicide treatments. Phragmites is by far the most serious threat we face.

**Knotweed total acres infested** (Previous Year) 1 (Current Year) 20

**Knotweeds** – Knotweeds were originally sold as an ornamental, so most of our infestations are found in landscaped areas. Several new infestations were found this year.

**Sericea lespedeza total acres infested** (Previous Year) 335 (Current Year) 733

**Sericea lespedeza** – Several new infestations were found this year on private property adjoining wildlife management areas. There are good treatment options available for sericea lespedeza. However, due to the longevity of the seed viability, landowners that have it, will need to continue to manage the infestation.

Submitted, reviewed, and approved by the county noxious weed control authority at a regular board meeting

Dated January 13 2022

January 13, 2022

Date

\_\_\_\_\_

County Weed Superintendent, Brent Meyer

January 13, 2022

Date

\_\_\_\_\_

Control Authority Chairperson, Deb Schorr

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