Internal Memorandum

Operations Department

Meeting Date: Thursday, October 15, 2020

To: Agricultural Advisory Committee

From: Shawn Carey, Director of Operations

Subject: Wild Chervil on Private Property and Follow-up Q&A from the Ministry of the Environment, Conservation & Parks

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This Internal Memorandum is in response to a request from the Agricultural Advisory Committee, further to the August 20, 2020 meeting, to follow up with Tom Cowan, Regional Pesticide Specialist, at the Ministry of the Environment, Conservation & Parks (MECP) regarding additional questions about managing wild chervil on private property.

Noted below are his responses:

1. What is a suitable pesticide that can be used for wild chervil management on private property and purchased by someone with a pesticide license?

Truvist
Based on a review of the pesticide label, Truvist can be used on private property so long as the private property is not a residential area as defined in the label. The label provides examples of private property where the product can be used:

> *uncultivated non-agricultural areas (such as airports, highway, railroad and utility rights-of-way, sewage disposal areas, etc.); uncultivated agricultural areas - non-crop producing (such as farmyards, fuel storage areas, fence rows, non-irrigation ditch banks, barrier strips, etc.) and industrial sites - outdoor (such as lumberyards, pipeline and tank farms, etc.).*

As you can see there are some uses allowed for vegetation management on farm properties specific to the non-crop producing areas. Note that ditch banks (non-irrigation) and barrier strips are included. The label also allows for industrial sites which may also be of benefit in the control program.

Licencing Required for Truvist

A. Farms

On farm property, the Growers Pesticide Safety Certificate (GPSC) would cover a grower using Truvist for an agricultural application including the control of wild chervil in non-crop areas as the GPSC permits the use of Class C pesticides in an agricultural extermination. Control of wild chervil would fit that requirement. The Agricultural Exterminator Licence would also permit the use of the herbicide on non-crop producing areas on farm property and the application would be exempt from notification requirements.

An Agricultural Exterminator Licence is different from a GPSC. The Agricultural Licence holder may be contracted out on behalf of an agricultural landowner to apply pesticides so long as the use of the pesticide is for an agricultural extermination. This would be the application of pesticides for crop protection or for control of vegetation to an ancillary part of the farm operation i.e. control of weeds around grain silos.

B. Industrial Sites

For industrial sites, the Landscape Licence would be needed to apply the herbicide under one of the exemptions pertaining to these locations. Notification requirements will also be required for this use.

C. Public Works

For the use of the herbicide in locations deemed to be public works, the Industrial Vegetation Licence will be needed. These include airports, highways, utility ROWs etc. Again, notification requirements are indicated.

Other Pesticide Products

I have been doing a brief literature review though my resources are a bit limited due to our COVID working arrangements, I have found some studies suggesting that imazapyr and glyphosate may have some efficacy though these are non-selective herbicides. Labels for imazapyr may be restrictive around residential areas but glyphosate may offer a possibility for residential area treatment under the natural resources exemption (see below) or if the residential/private properties are close to agricultural land the Weed Control Act could be used.

Other Options

I have come up with another option you could consider. Section 28 of Regulation 63/09 permits the use of unlisted active ingredients to manage, protect, establish or restore a natural resource. If you could make a case for the control of wild chervil to protect the natural vegetation in the area then you would be able to identify public and private non-agricultural land areas that would need treatment and spot treat these locations with Truvist or another effective herbicide. In this way both the Weed Control Act and invasive species control work together to cover more land use areas. You will need to apply to the MNRF for a written

opinion stating that the pesticide is the best means of control and make a case for the use of the pesticide under the exemption.

A Landscape Licence holder would then be able to apply the product in these situations under the natural resources' exemption.

Displacement of native plants may impact pollen resources for native pollinators so that might be something to look into. You may be able to keep a good handle on the plant by running your roadway treatment program linked with the growers doing their part on their land. Identifying the potential source areas and monitoring them should help keep the populations down to a manageable threshold but will not completely eliminate the plant.

2. What options does a landowner have for wild chervil management?

Integrated Pest Management Options

In areas where Truvist cannot be applied, landowners that do not operate an agricultural operation have fewer options with respect to the use of pesticides though some other options can help with the suppression of the plant. In these cases, you are mostly trying to limit the seed sources to keep populations as small as possible.

Spot treatment of the plant with soap or acetic acid-based Class D herbicides will provide some top kill and with early season and later season sprays, the plant roots will eventually run out of energy storage and will be weakened or die. These plants are hardy so that option may not be as successful as other options and these herbicides are non-selective so they will damage other vegetation. Hand removal is another option that could be used as well but this must be done before the seed head is producing. From what I have read, this technique provides some control but has mixed results due to breaking off of tap roots and regrowth. Keeping areas where the plant is growing mowed will also help to suppress the spread as continuous mowing will keep the plant short and reduce plants producing seeds. From what I can find this is the preferred method.

You may be left with the option of identifying the private and residential sources where treatment is difficult and set up a control zone* around the perimeter of these locations where you do more intensive monitoring. The point of this is to keep the plants confined to known areas and catch any out breaks before they spread down the traffic corridors ROWs and fence lines. This will not be perfect as wildlife can also spread the seeds, but it will help with the rapid spread down monitored areas.

**A "control zone" is the area that the town controls around a location within which you cannot apply herbicides to control the plant. In this case you are going to do what you can within that area such as mowing pulling etc. to keep the plant populations down. Nevertheless, this area will act as a source for re-introduction of the plant into areas where it is eradicated or well managed. The control zone will be an area where you can effectively manage the plant with*

herbicides and can monitor more frequently in order to spot treat any plants that have begun to move out of the source area.

3. Does a landowner have any flexibility for allowing the Town to spray wild chervil on his or her private property to manage wild chervil?

The Town is exempt from the requirement to have an Operator Licence but may employ exterminators to apply pesticides on town property and private property. If the Town has permission to apply pesticides on private property, an exterminator operating under one of the exemptions to the cosmetic pesticide ban may apply unlisted pesticides to private property.