

## NDWCA BOARD MEETING MINUTES

Ramkota Inn & Conference Center, Bismarck, ND

March 30<sup>th</sup>, 2021

### Yet to be approved

President Travis Jepson called the meeting to order at 10:06 am. Introductions of member and guests. Members present were, Travis Jepson, Rick Schmidt, Bill Walker, Stan Wolf, Jim Hennessy, Joan Lorge, Roger Gunderson, Kent Luttschwager, Cody Schnabel, Derrill Fick, Ron Manson, Richard Weisz, NDDA, and Merlin Leithold, executive secretary. Guests were Chelsey Penuel & Samantha Bruner, NDDA, Doug Goehring, ND Ag. Commissioner, Brian Jenks, NDSU Extension, Charlie Stoltenow, NDSU Extension, Joe Ikley, NDSU Extension and Jamen Windish, Barnes County Weed Officer.

**Change to Palmer Amaranth Protocol:** Stan led the discussion on changes that are being proposed. A copy of the proposals was presented. He emphasized what prompted the changes. One of the issues, is the time spent by weed officers investigating Palmer Amaranth. This is a major concern. Stan then turned the discussion over to Brian Jenks.

Brian gave an update on the infestations that have been found. Some of the initial sites have not found palmer returning. Counties where sunflower screenings were infested with palmer, those could be a longer problem. Counties where it came in with custom combiners or in millet seed, we are finding very few plants in the second year. In Richland County the grower is making a good effort, and it is being reduced rapidly. Barnes County sites are the most challenging by far. By stopping sunflower screenings coming in, will be a major help in stopping the spread.

Having Palmer Amaranth on the noxious weed list is very important to education and keeping the weed out of areas where it has not been found.

Joe Ikley stated that he is seeing that the palmer is seeing other resistances to chemicals. Early in the process to know for sure, but we need to stay on top of it.

At this time, Stan went through the copy of the proposed protocol, line by line. (See the back of these minutes for a copy attached). Stan also referenced the time that Barnes, Stutsman and Grant County spent in 2020 and 2019. (See Attached in back as well).

Commissioner Doug Goehring stated that the weed officer is the local regulator, not extension. For instance in Richland County, the weed officer nor the NDDA have knowledge where the site is located.

Brian feels certain that the weed officer has been contacted. Brian has been at the site every year, working with the grower.

Commissioner Goehring stated that if noxious weeds aren't controlled, no matter what noxious weed it is, complaints come back to the weed board and eventually the NDDA. Legislators have concerns as well. Internet sales are impossible to regulate.

Investigating palmer sources from out of the state impossible, since North Dakota cannot go into another state to investigate the source.

When looking at ND Century Code, the county weed officer/board is the regulator, not extension. If a weed officer/board is not doing their duty, then it can involve the NDDA. If a

weed officer has a problem with a producer not controlling Palmer, the weed officer needs to call Commissioner Doug Goehring, directly. You may call Richard so he is aware. This is after the protocol is used, and the local producer is not willing to work with the weed board and extension. Do not contact your local states attorney, but contact the commissioner.

Commissioner Goehring stated that remember that Palmer Amaranth is another noxious weed. DO NOT treat palmer any different than you do other noxious weeds. If you end up in a legal situation, you could lose if you are dealing with palmer differently.

Charlie Stoltenow stated that extension is all about education, not a regulatory organization. Working together with weed boards can be very successful.

A lot of good discussion on how to educate landowners.

Commissioner Goehring mentioned that manure management is also a key for controlling noxious weeds, especially when it comes to Palmer Amaranth.

Stan brought up record keeping of a site. Brian said that they do give out GPS coordinates on the sites they visited.

Commissioner Goehring and Samantha mentioned that they are working on what equipment weed boards need for mapping sites. May have to look at the next legislative session for funding. Will know more as we move along.

Stan mentioned that the next issue is LAP. Do we have to cost share on cropland?

Commissioner Goehring stated that counties have to have a policy that states that cost share is not for cropland, just rangeland. If a landowner sprays your chemical on cropland acres, that may not be on the label. Then that becomes their problem. Century code does not distinguish between cropland and rangeland.

Jamen said that they are working with the landowner that has the 1000 acres, will cost share on the borders, with a management plan.

Commissioner Goehring stated that if you are getting Palmer Amaranth in or near wooded areas, there would be forest service grants available.

Jamen asked about open record laws. Do GPS coordinates fall under this law? After discussion, keeping the particular site investigation open should keep the records closed for that time.

Rick Schmidt stated that every county does their own program. Some counties are aggressive while others nearly nonexistent. The weed association needs to take a more aggressive approach on education fellow counties.

Joe Ikley said that if we don't get rain soon, we will see a large flux of hay coming in, with all different types of weeds, including Palmer Amaranth.

Bill said that controlling some of these weeds that come in with the hay, they can be easily controlled with high rates of chemical.

Charlie said that there is a possibility that infestations of palmar amaranth could be tracked, NDSU Extension is working on an app to do this. Also, if we have a 'hay lift' program, ND Ag might be able to track where those loads of hay came from.

Commissioner Goehring restated that Palmer Amaranth is another noxious weed. Farmers and ranchers need to work on weed management on acres where manure is spread. That would take care of the majority of the weed problems.

Rick said that the weed board is the governing body. The weed officer is the information source for the board.

Travis thanked everyone for coming to work with the protocol.

Travis also called for a 10 minute break.

**Additional agenda items were:** None

**Minutes were reviewed.** Jim moved to approve the minutes as presented, Joan seconded the motion. **M/C**

**Financial Report:** Merlin gave the financial report, including the check register, budget sheet, memberships paid so far. Bill stated that he talked with Scott from Bayer, and we should be getting their check by next week. Joan moved to approve the financials, Roger seconded the motion. **M/C**

**Committee Reports:**

**Education:** Derrill gave the education report. He thanked everyone for their understanding of not holding the sprayer schools last year. These were tough decisions to make but it was decided for the safety of everyone. With that being said we are going to try it again this year so we have set up the Sprayer Schools for 2021 as follows:

May 25<sup>th</sup> --at the Carrington Research Center

May 26<sup>th</sup> --in Minot at the Ward County Weed Control Office

May 27<sup>th</sup> --in Dickinson at the Stark County Extension Building

Each school will have registration starting at 8 am local time. At these schools we will have from the ND Dept. of Agriculture Plant Industries division updates on noxious weeds, the Pesticide and Fertilizer Division will have their Agriculture Program Inspectors give updates and hands-on examples of how to use the proper personal protective equipment and what is needed during a use inspection. There will also be a Right-of-Way recertification training administered by the Pesticide Training Program of NDSU. We will have a weed ID section put on by the NDSU Research Centers and sprayer equipment calibration session provided by Bill Walker of Nutrien Solutions. A complete agenda will be sent out on the list serve so please plan on attending these schools. Bill said that Nutrien, Corteva and Bayer will cover the costs of the noon meals each day.

Will also involve training for Palmer Amaranth at the sprayer schools.

Again, we will be having a booth at the Earth Day festival coming up in Bismarck on April 13<sup>th</sup>. This booth lets us interact with local students and the general public to inform them of noxious weed control.

On February 25<sup>th</sup> Stan Wolf and I held a zoom meeting with the 5<sup>th</sup> grade class of the school in McVille, ND. Devyn Fougner from that class was presented with a plaque and T-Shirt and the rest of the 5<sup>th</sup> grade students received a T-shirt with a picture on it of the poster that Devyn had made. It was a short presentation but it was a surprise for Devyn and it created noxious weed awareness for the students.

**Legislative:** Merlin gave an update on activities at the legislature. The department's budget, HB 1009, is moving along fine for us. HB 1269 would have set up an advisory committee for the state land dept. That bill failed. HB 1113 dealt with baiting for deer. This bill passed both houses. SB 2282 would place the Ag commissioner on the board of trust lands, and remove the state treasurer. If it passes and signed by the governor, it would be voted on by the people in the next election, as it is a constitutional change.

Jim asked how NDWCA committees get formed. Derrill and others explained how it works.

No other Committee reports.

**Agency Reports:**

**Government:** Kent Luttschwager gave the report.

**Summary of 2020 Noxious Weed Control efforts on USFWS  
National Wildlife Refuges and Wetland Management Districts  
In North Dakota**

**ACRES TREATED BY METHOD:**

Biological – 2,701 acres (flea beetles etc.)

Herbicide – 3,642 acres

Mechanical – 5,743 acres (clipping/mowing)

Grazing – 37,260 acres (grazing that targeted specific weed/invasive species concerns)

**USFWS LANDS SURVEYED AND WEED ACRES MAPPED USING GPS/GIS:**

27,013 acres (total acres surveyed)

1,572 acres (total acres of weeds mapped)

**BUDGET EXPENDITURES:**

\$734,154 (herbicide, equipment, salaries, training, PPE, contract spraying etc.)

Summary of 2020 Noxious Weed Control efforts on **ND Game and Fish Dept. Wildlife**

**Management Areas**

Acres sprayed – 5,160.6

Acres mowed - 8.0

Acres grazed - 7,713.9

Acres farmed – 3,723.9

Biological - ??

Budget – \$362,500

Summary of 2020 Noxious Weed Control on Garrison Project Lands (**Lake Sakakawea**) **US Army**

**Corps of Engineers**

Total Acres Treated at the Garrison Project = 6198

Total Acres Surveyed at the Garrison Project = 6470

Dam Structures Treated = 6 (Dam Embankments & Levees)

Biological – additional 200 acres in 2020

Overall Kill Rate = 92%

Total Working Budget = \$250,000

Kent also talked about using screenings for baiting. It is a problem.

**Industry:** Bill Walker gave the report. Basically, everything is about supply. Glyphosate is in short supply, and price jumping, mainly generics. 2-4D are now doing the same thing, price jumping, and supplies short. This is an industry wide issue.

The branded products are safe for now. But who knows.

Bayer is splitting off their specialty division. Separated from the main company, and is up for sale. Only about 3 companies that could buy them. For now, it's business as normal.

Glyphosate lawsuits are going forward. The science says it's not there, but Bayer is setting up a fund to settle these suits, when they have to pay out.

**NDDA:** Richard gave the NDDA report. Spill reporting: Who do you call if you have a spill? Call the emergency management person in the county, and they can report it. LAP reallocation is set, and will be sent out to eligible counties. Next biennium, there will be an extra \$50,000 put into LAP from the legislative increase. Jim Hansen and Richard have been visiting counties on data loggers and their mapping systems. They will continue to do so.

Chelsey also gave a report. The NDDA has been participating in a regional quarterly conference for biocontrol projects in western states. This has opened possibilities for obtaining insects and hearing what is working in neighboring states. Last year, we were able to obtain some free bio agents from Colorado and Montana. For 2021, we are hoping to obtain some additional bio agents from Colorado and Oregon. On this call, we also learned that they are one step closer to biocontrol for houndstongue. A seed-feeding weevil (*Mogulones borraginis*) has been approved by Technical Advisory Group and is now under review at US Fish and Wildlife Service.

There was a misunderstanding in the budget testimony that there was a new leafy spurge beetle release, however, this is not a new agent; this is an agent was previously released in the 1980s and 1990s. Since sandy areas are unable to support leafy spurge flea beetles (*Aphthona* spp.), we decided to try some older insects. A gall midge (*Spurgia esulae*) and stem borer (*Oberea erythrocephala*) were released in McHenry and Ward counties and will be monitored going forward. Additional insects will be released again in 2021.

Remember that you can use TAG funds or apply for a sub grant of the USFS funds for biocontrol work. Contact Chelsey at [cpenuel@nd.gov](mailto:cpenuel@nd.gov) if you need to obtain a copy of her 526 permit.

We are planning to continue leafy spurge flea beetle collection days, so please let us know when you plan to host an event. We can bring supplies and help advertise.

Other biocontrol work the NDDA plans to accomplish in 2021 includes: monitoring the yellow toadflax weevils (*Mecinus janthinus*) at previous release sites in Ward and Stutsman with hopes of trying to collect some. Additional biocontrol agents (*Galerucella californiensis* and *Hylobius transversovittatus*) for purple loosestrife are being obtained for release in Barnes and Morton counties. Canada thistle rust fungus (*Puccinia punctiformis*) release sites will be monitored in the spring, with additional inoculum to be release in the fall. Scouting for spotted knapweed bio agents previously released in Golden Valley County; a flower weevil (*Larinus obtusus*) and root weevil (*Cyphocleonus achates*) were released many years ago.

For the WSFF program, we are opening a request for proposals through the state procurement office for WSFF inspectors. All details will be available in the request for proposals. For counties

participating in JPAs, we will continue to extend JPA contracts per agreement guidelines. Those counties interested in a JPA for doing WSFF inspections within county jurisdiction as part of the weed control officer job duties, please contact Chelsey at [cpenuel@nd.gov](mailto:cpenuel@nd.gov).

#### **OLD BUSINESS:**

**Website:** Travis talked about the website not being secured, with not having a SSL certificate. If we go through Go Daddy, it would cost us \$89/year if we go through Up & Running, it would be free, as it is included in our maintenance package. Merlin said that we pay a little over \$100/year, which is up in October. Bill moved to move over to Up & Running with the hosting and the SSL certificate. Derrill seconded the motion. **M/C**

Travis thanked everyone who took the time to look over the website and make suggestions to either Merlin or himself.

Suggestions were to have a page added for awards, to list the awards in one area, Lifetime achievement and Weed Warrior awards. Also to add a page for committees, as they are not listed. The education committee could have the poster winners on there.

Another suggestion was to have an interaction map to click on it and see the information for that county.

These pages would cost us \$500 to do. Bill asked if we do an interactive map, it needs to stay current. Ours is not current. It is supposed to be a direct link to the Ag department website.

Travis or Merlin will ask Mike about this.

Roger moved to go ahead with adding these pages to the website. Bill seconded the motion.

**M/C**

Putting educational videos on the website. All we need is a u-tube channel and link to it.

**Area Meeting Sites:** Need to make sure that the sites have enough room to house the possible additional people coming because of having the Commissioners Weed Forum in conjunction with the area meetings. Start the meetings at 8:30. Roger said that there is no problem having it in Devils Lake at the courthouse. Ron said no problem in Jamestown. Derrill said he would possibly have it at his office building. Cody said they can have Area IV at the commissioners' room in the courthouse. Joan said she could have it in Amidon at the community building.

**Student Judging Trip:** Rick said that the national contest was cancelled again this year, so no funds were used. Hopefully it can happen next year.

#### **NEW BUSINESS:**

**EPA Picloram & Copyralid review through EPA:** Stan said that EPA is looking at adding manure management to the label of Tordon, like it states for Milestone. Also notification is part of the review. As far as notifications, does a weed board need to notify each landowner, or would a general notification work. Do we respond to this? Richard has not heard from the pesticide division, will check with them again. Bill said that most of the stuff comes out after the comment period. Copyralid will most likely be taken out of the turf market. A letter to EPA should be sent from NDSU or NDDA or both.

**Dr. Quincy Law Update:** Stan gave an update. If everything goes as planned, he should be on campus late April, early May. With certain campuses being shut down to on campus learning, it was hard for him to get his grad work finished. His defense of his project is late April.

**Other New Business:** Merlin said that there will not be a tour of the hotel today. It will be in June, during the conference planning meeting, which will be immediately following the board meeting.

**Bill Walker:** Recently, the entire board received a letter from a member. Somewhere, there was a gross misunderstanding between that member and the board. We cannot put things like this aside. We have to allow them to come to the board. When we don't help them, things get twisted. He felt that the board let him down. If we start losing members because of this, this organization is not worth keeping. We should never get a letter like this again.

No comments or questions were given.

Being no further business, Jim moved to adjourn the meeting, Rick seconded the motion.

Meeting adjourned at 1:20 pm

Respectfully Submitted:

Merlin Leithold

Executive secretary

**Extension Agents and County/City Weed Officers  
Palmer Amaranth Protocol**

1. Landowner contacts the county weed officer or county Extension agent (the Extension agent or weed officer will contact the other to be sure both the weed officer and Extension agent are involved).

*Note: Landowner may feel more comfortable to contact Extension for cropland.*

2. The weed officer and/or Extension agent will:
  - a. **Gather images** and mark the GPS Coordinates where plant was found. Plant(s) should remain in the field rather than being pulled. The weed officer and Extension agent will work together to provide information to an NDSU specialist(s) for plant identification.
  - b. Contact an area or state Extension specialist closest to them to help with identification. Images should first be sent to a specialist to help identify the plant in question. If necessary, the specialist may visit the field.
  - c. Notify NDDA prior to submitting a sample to the lab for genetic testing. NDDA requires a genetic test to confirm the plant is Palmer. Once Palmer has been confirmed in your county, NDDA does not require lab confirmation for other suspect plants. NDDA will pay for shipping and testing for the first confirmed ID but will not pay for additional tests. (See reverse for genetic testing information),
  - d. E-mail the lab report to NDDA whether positive or negative. If the plant is confirmed to be Palmer, also e-mail the GPS coordinates to NDDA (**coordinates and landowners and/or producers shall remain confidential and should not be shared outside of this group**).
  - e. Inform landowner if the suspect weed is or is not Palmer.
  - f. Notify Brian Jenks & Joe Ikley so they can keep track of where Palmer has been identified in the state.
3. NDDA notifies the State Seed Department if contaminated seed is the likely source of Palmer.
4. NDDA will make the official announcement via press release, social media, **and listserv**. Suspect cases should not be shared with public or press. Confirmed cases should not be shared with public or press until the NDDA press release has been published.
5. **NDDA should lead the investigation while Extension may assist the farmer to identify how widespread the infestation is, how it got there, etc.**

(Original language) The county weed officer is the local regulator, and if necessary, shall investigate to determine how widespread the infestation is, probable pathway, whether it has spread, etc.

*Note: Weed officer may not know legal aspects of investigating, esp. if it involved purchased seed – State Seed Dept conduct the investigation. Also, time involvement of weed officer may take him away from spraying and other activities.*

6. NDSU specialist(s), NDSU Extension Agent, county weed officer, and NDDA will work with the landowner to develop an action plan. The NDSU specialist will take the lead role in action plan development.

*Note: Written action plan recommended. Landowner should make 'Best Effort' to control noxious weed.*





- For large plants, place 2-3 leaves from a single plant into an envelope or paper bag.
- For small plants or seedlings (less than 3 inches), send the entire plant, removing soil and moisture prior to placing it in the bag.
- If the sample cannot be sent the same day, it should be kept at room temperature. Samples should be stored for no more than 1 to 2 days and PREFERABLY SHIPPED OVERNIGHT to ensure samples arrive in good condition. Degraded samples cannot be tested.
- Label envelope or bag using the same sample specimen ID used on submission form
- All samples must be sent with a sample submission form:  
<https://www.genotypingcenter.com/wp-content/uploads/2019/05/Submission-Form-General-v3.0-1.pdf>
  - Ship to: National Agricultural Genotyping Center, 1605 Albrecht Blvd North, Fargo, ND 58102
  - \$75 per individual plant. The goal is to return results in 7 days or less. Results will be returned and identified as waterhemp, Palmer or “monoecious” pigweed (cannot distinguish between the different monoecious pigweeds [redroot vs. Powell vs. smooth pigweed]).
- Use paper bag for samples – not plastic. Be aware that plant juices from plants touching each other can contaminate the sample – keep plants separate if you are sending multiple samples.
- NDDA may issue a press release on the first confirmed find in a new county. County is the most specific location for any reference of Palmer that will be given.

## **Palmer Amaranth**

### Barnes County - 2020

100-man hour's \$2,000 estimate

200 miles traveled.

Over 1 million plants

1,000 known infested acres with potential of 3,000-4,000 more

### Stutsman County - 2020

128 – Man hours

1650 miles traveled.

Over 800 acres infested.

### Grant County – 2019

48 – Man hours

228 miles traveled.

Over 345 acres

### Grant County – 2020

23 – Man hours

93 miles traveled.

Still checking same acres as above.