



Parks & Recreation Commission Meeting Agenda

ASHLAND PARKS & RECREATION COMMISSION

STUDY SESSION MEETING AGENDA

Wednesday, June 4, 2025

Council Chamber, 1175 E Main Street - 6:00 PM

HELD HYBRID (In-Person or Zoom Meeting Access) To attend via Zoom, contact the [Parks Department](#) no later than 10 AM the day of the meeting.

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PUBLIC FORUM**
- IV. ADVISORY COMMITTEE POLICY/CHARGES**
 - 1. Agenda Report
 - 2. Ashland Senior Advisory Committee and Recreation Division Advisory Committee Policies
- V. WINBURN WAY SUBCOMMITTEE UPDATE**
 - 1. Agenda Report
 - 2. Winburn Way Subcommittee Charter Project and Project Plan
- VI. INTEGRATED PEST MANAGEMENT - HERBICIDE USE EXCEPTION**
 - 1. Agenda Report
 - 2. EPA Herbicide Fact Sheets
- VII. PARK ORDINANCE(S) UPDATE**
 - 1. Agenda Report
 - 2. Draft Ordinance Changes
- VIII. COMMUNITY CENTER/PIONEER HALL RENTAL FEE**
 - 1. Agenda Report
- IX. LOOKAHEAD REVIEW**
 - 1. Lookahead
- X. ADJOURNMENT**

If you need special assistance to participate in this meeting, please contact Nancy Mero at nancy.mero@ashlandoregon.gov or 541.488.5340 (TTY phone number 1.800.735.2900). Notification at least three business days before the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting in compliance with the Americans with Disabilities Act.

Public Participation Instructions

Those who wish to provide oral testimony must attend the meeting and fill out a speaker request card.

Written testimony will be accepted via email to Nancy Mero at nancy.mero@ashlandoregon.gov. Please include "Public Testimony" in the subject line. Written testimony submitted on Tuesday before the meeting by 11:00 AM



Parks & Recreation Commission Meeting Agenda

will be made available to the Park Commissioners before the meeting. All testimony will be included in the meeting minutes.

*Agendas and minutes for City of Ashland Council, Commission and Committee meetings can be found on the City website, ashlandoregon.gov.



STUDY SESSION AGENDA REPORT

June 4, 2025

Agenda Item	IV. Advisory Committee Policy/Charges	
Presenter	Rocky Houston	Director
Item Type	Commission Requested ☒ Request for Direction ☐ Information ☐	

SITUATION

Assign updated charges to the Ashland Senior Advisory Committee (ASAC) and Recreation Division Advisory Committee (RDAC)

BACKGROUND

APRC Policy 102 established ASAC (then S-PAC) on February 28, 2018. Per this document the original charge is:

“The Senior Program Advisory Committee (S-PAC) purpose is to advise the Ashland Parks and Recreation Commissioners on matters related to the Ashland Senior Services Program and to coordinate with the APRC Directory and the Senior Services Superintendent.”

APRC Policy CP.R.2019.08.26 established RDAC on August 26, 2019. The original charge, per this document, is:

“The Recreation Division Advisory Committee (R-DAC) purpose is to advise the Ashland Parks and Recreation Commissioners on matters related to Recreation Division’s programs and services and to coordinate with the Recreation Superintendent and APRC Director on matters related to the general operations, quality, promotions, diversity, equity and inclusion practices and programming.”

ASSESSMENT

The Park Commission tasked staff with developing a charge for the advisory committees. With input from the advisory committee officers, staff are proposing the following charges for ASAC and RDAC:

- ASAC
 - Help staff interpret and implement PROS Plan Senior Services related items.

- Work with staff and advise Park Commission on policies related to Senior Services.
- RDAC:
 - Work with staff on the PROS Plan Recreation Division related items.
 - Work with staff and advise Park Commission on policies related to the Recreation Division.

DISCUSSION QUESTIONS OR SUGGESTED NEXT STEPS

Staff would like Commissioner's input on the proposed charges for the two (2) advisory committees.

POLICIES, PLANS & GOALS SUPPORTED

Consistent with City ordinances and Park Commission policy on advisory committees.

FINANCIAL CONSIDERATIONS

N/A

ATTACHMENTS

APRC Commission Policy 102 (ASAC)

APRC Commission Policy No. CP.R.2019.08.26 (RDAC)

PREPARED BY

Natalie Mettler



**Ashland Parks and
Recreation Commission**

COMMISSION POLICY

TITLE FORMATION of the SENIOR PROGRAM ADVISORY COMMITTEE	PAGE 1 of 2	POLICY No. 102
EFFECTIVE DATE	REVISED DATE	N/A

APPROVED BY COMMISSIONER ACTION

February 26, 2018; Agenda Item: IV.(b.) Recommendation from ASPAC to Form a Standing Senior Program Advisory Committee

The Charter of the City of Ashland, **Article XIX – “Park Commission,”** gives the Ashland Parks and Recreation Commissioners the “*power to formulate and adopt rules and regulations for their government.*” This authority allows Commissioners to adopt rules and policies through the public process in order to provide organization, aide in decision making and to provide regulation for park and facility uses in order to achieve the goals of the APRC and protect people, the environment and assets and to ensure fair and equal use of parks by all users.

Additionally, RESOLUTION NO. 2007-14 of the City of Ashland specifically states that:

“SECTION 2. The Parks and Recreation Department shall hereafter be responsible for facilitation of all senior programs and activities for the City of Ashland.”

And:

“SECTION 3. Parks and Recreation will have the authority to create an advisory committee for the senior program, if necessary.”

PURPOSE

On 2/26/2018 the Commissioners of APRC found that it was necessary to form an advisory committee and approved the formation of the aforementioned under the following policy.

The Senior Program Advisory Committee (S-PAC) purpose is to advise the Ashland Parks and Recreation Commissioners on matters related to the Ashland Senior Services Program and to coordinate with the APRC Director and Senior Services Superintendent.

GENERAL PROVISIONS

Committee Make-up

The total membership of program participant representatives and community partner representatives should be no more than five (5) members, total. There should be a minimum of 2, maximum of 3, program participant members, and the same minimum of 2, maximum of 3, community partner members of the S-PAC.

In addition, there should be one (1) APRC Commissioner, and one (1) City Council Liaison, for a total of seven (7) Members.

Staff Support

The Senior Services Superintendent and/or APRC Director will attend and assist in the planning advertising and management of the S-PAC meetings.

Term Limits

The term of each S-PAC member will be three (3) years, with no member serving more than two (2) consecutive terms.

Bylaws and Program Mission

Once the S-PAC Members are appointed by the Commissioners, they will create S-PAC Bylaws in collaboration with APRC staff and approval of the Parks Commissioners at a regular business meeting. The S-PAC may also choose to develop a strategic plan and revise their mission and vision statement concurrent with the adopted goals of the Commissioners.

Approved: _____ Date: _____
Mike Gardiner, APRC Chair

Approved, as to form: _____ Date: _____
Dave Lohman, City Attorney



**Ashland Parks and
Recreation Commission**

COMMISSION POLICY

TITLE FORMATION of the RECREATION DIVISION ADVISORY COMMITTEE	PAGE 1 of 2	POLICY No. CP.R.2019.08.26
EFFECTIVE DATE: 8/26/2019	REVISED DATE	N/A

APPROVED BY COMMISSIONER ACTION

The Charter of the City of Ashland, **Article XIX – “Park Commission,”** gives the Ashland Parks and Recreation Commissioners the *“power to formulate and adopt rules and regulations for their government.”* This authority allows Commissioners to adopt rules and policies through the public process in order to provide organization, aide in decision making and to provide regulation for park and facility uses in order to achieve the goals of the APRC and protect people, the environment and assets and to ensure fair and equal use of parks by all users.

PURPOSE

The Recreation Division Advisory Committee (R-DAC) purpose is to advise the Ashland Parks and Recreation Commissioners on matters related to the Recreation Divisions programs and services and to coordinate with the Recreation Superintendent and APRC Director on matters related to the general operations, quality, promotions, diversity, equity and inclusion practices and programming.

The Recreation Division oversees the operations of the Ashland Rotary Centennial Ice Rink, Daniel Meyer Pool, Nature Center, indoor and outdoor facility rentals, volunteer (VIP program) special events and general youth, adult and therapeutic recreation programs.

GENERAL PROVISIONS

Committee Make-up

The RDAC membership shall be composed of up to nine (9) voting members, as follows:

- Up to seven (7) members representing program participants and community partners, with a minimum of two (2), maximum of four (4) in each category
- Two (2) Ashland Parks and Recreation Commissioners

Meetings

R-DAC will meet every other month or as needed.

TITLE : FORMATION of the RECREATION DIVISION ADVISORY COMMITTEE	Page 2 of 2	POLICY No.
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Staff Support

The Recreation Superintendent and/or APRC Director will attend and assist in the planning advertising and management of the R-DAC meetings.

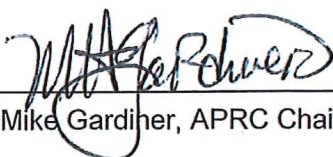
Term Limits

The term of each R-DAC member will be three (3) years, with no member serving more than two (2) consecutive terms.

Bylaws and Program Mission

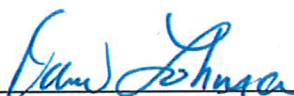
Once the R-DAC Members are appointed by the Commissioners, they will create R-DAC Bylaws in collaboration with APRC staff and approval of the Parks Commissioners at a regular business meeting. The R-DAC may also choose to develop a strategic plan and revise their mission and vision statement concurrent with the adopted goals of the Commissioners.

Approved:


Mike Gardiner, APRC Chair

Date: 9/16/19

Approved, as to form:


Dave Lohman, City Attorney

Date: 9/3/19



STUDY SESSION AGENDA REPORT

June 4, 2025

Agenda Item	V. Winburn Way Subcommittee Update	
Presenter	Rocky Houston	Director
Item Type	Commission Requested ☒ Request for Direction ☐ Information ☐	

SITUATION

Update on the Winburn Way Subcommittee's activities.

BACKGROUND

The Park Commission established a subcommittee to assist in reviewing the Lithia Park Winburn Way action item. The subcommittee includes Commissioner Weiner, Commissioner Gardiner, and Director Houston. The subcommittee is to develop a plan to review and engage the public on options to address the safety on Winburn Way through the boundaries of Lithia Park. Upon completion of the process, the subcommittee will report to the Park Commission for potential action on a strategy.

The Lithia Park Master plan identified potential options to address the safety for pedestrians, bicyclists, and automobiles as they travel on Winburn Way. Dogs are not permitted in Lithia Park. Many dog walkers utilize Winburn Way's road right-of-way to connect from Granite Street to the downtown plaza.

ASSESSMENT

The subcommittee has met three (3) times to review and develop the charter and project plan (attached). The subcommittee has identified five (5) options to consider through the process. Each option has a different impact on traffic volume, speed, and modal operational space.

Staff have begun coordinating with Public Works. In July 2025, Public Works will install traffic counters. A public engagement process that will include a comment period and an open house will occur in August 2025. Staff are planning to present the options to the

Transportation Advisory Committee for review and advisement in September or October 2025.

DISCUSSION QUESTIONS OR SUGGESTED NEXT STEPS

Staff propose that the subcommittee continue to work on the project plan.

POLICIES, PLANS & GOALS SUPPORTED

Department Work Plan FY 26-27

FINANCIAL CONSIDERATIONS

This subcommittee's work will impact the scope of work for the capital project identified for Lithia Park in FY 26-27.

ATTACHMENTS

Subcommittee Charter

Winburn Way Safety Project Plan

PREPARED BY: Rocky Houston, Director



Lithia Park Sub-Committee

Winburn Way Safety

Project Charter

Stakeholders

Sponsor: Ashland Park Commission
Sub-Committee: Commissioner Weiner,
Commissioner Gardiner,
Director Houston

Resources

- Lithia Park Master Plan
- City Code for transportation
- Ashland Public Works & Community Development
- Ashland Transportation Advisory Commission

Scope

Assess Winburn Way travel options for vehicles, bicycles and pedestrians through Lithia Park to improve safety and improve the user experience.

Deliverables

Report that reviews alternatives and public input for Park Commission

Objectives

- Assess alternatives
- Complete public engagement
- Develop report for Park Commission review

Timeline

- April – Process plan
- July – Data Collection
- August – Public Engagement
- October – Park Commission review



Lithia Park Sub-Committee

Winburn Way Safety

Project Plan

Alternatives

- 11 alternatives were reviewed by the sub-committee and limited to (5) for assessment.
 - **Option 0** – No change
 - **Option 1** – Addition of pedestrian dedicated route in road right-of-way
 - **Option 2** – One-way (southbound/uphill)
 - Pedestrian and bike route in road right-of-way (2-way)
 - **Option 3** – Addition of speed humps at at-grade crossings
 - **Option 4** – Vehicular closure
 - Bandshell to Upper Duck Pond

Data Collection

- Transportation Advisory Commission – project overview/input
- Traffic Counts (Granite St (south of Winburn Way), Winburn Way (south of band shell))
- Public Works & Community Development engagement
- Transportation Advisory Commission – alternatives review & input

Public Engagement Process

- Open House
- Public Comments
 - 30 days online
 - Park Commission meeting(s)
 - Alternatives Informational item
 - Policy Action item

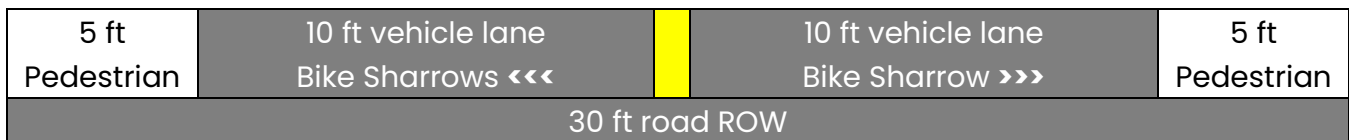


Option 0 – No change

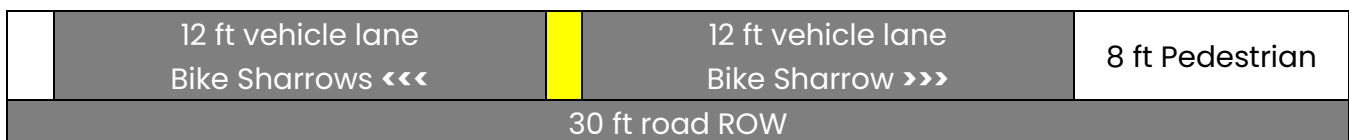


This alternative would result in no change to the current road design, except for the installation of a center line to assist in identifying lanes of travel.

Option 1 – Addition of pedestrian dedicated route in road right-of-way



Or



This alternative would consider two models to provide dedicated pedestrian routes within the road right-of-way. The first model is similar to a bike lane, where pedestrians would have 5 ft of dedicated space north and southbound. Bikes would be in the vehicle lane and supported via sharrows. The second model would have an 8 ft dedicated space on the east side of the road for two-way pedestrian traffic. Bikes would be in the vehicle land and supported via sharrows.



Option 2 – One-way (southbound/uphill) Pedestrian and bike route in road right-of-way (2-way)

	12 ft vehicle lane Bike Sharrows <<<	6 ft Bike 2-way	12 ft Pedestrian
30 ft road ROW			

This alternative would develop a one-way road from the bandshell to the upper duck pond that would develop a dedicated pedestrian route. It would include a 6 ft wide bike lane in the center of the road right-of-way. This would place each group in a dedicated area.

Option 3 – Addition of speed humps at at-grade crossings

	Raised crosswalk		Creating speed humps	
30 ft road ROW				

There are at least (3) pedestrian crossing points that are not marked and (1) pedestrian crossing point that does not align with the pathways in the park. This alternative would identify 3-4 pedestrian crossings that would installed with a raised walkway or otherwise called a speed hump. This would reduce vehicle and bicycle speeds, while improving the safety of crossing Windburn Way in the park.

Note: Option 3 could be integrated into other options.

Option 4 – Vehicular closure Bandshell to Upper Duck Pond

30 ft road ROW

This alternative would close the road to vehicles at the Bandshell and at the Upper Duck Pond. There are existing bollard locations for special event road closures that would be utilized. This would route vehicles to Granite Street. It would dedicate the road right-of-way to pedestrians and bicycles.



STUDY SESSION AGENDA REPORT

June 4, 2025

Agenda Item	VI. Integrated Pest Management – Herbicide Use Exemption	
Presenter	Rocky Houston	Director
Item Type	Commission Requested ☐ Request for Direction ☒ Information ☐	

SITUATION

Review exemption to use two (2) tools to manage landscaped beds and tree wells.

BACKGROUND

The Park Commission adopted an Integrated Pest Management (IPM) Policy on May 10, 2010. It requires the Park Commission to grant staff an exemption for use of any synthetic herbicide. The IPM policy was last reviewed on June 13, 2024, to allow park staff to use synthetic herbicides on other city properties.

ASSESSMENT

The Parks Department is challenged to manage 811 acres within the budgetary constraints provided by the adopted budget. The Department completed a maintenance management plan identifying we have only 33% of the staffing levels needed to complete routine maintenance tasks. Since the adoption of the IPM policy in 2010 staffing has been reduced from 50.55 to 35 FTE staff (31%). The park system has grown by 26% in the same period. Additionally, the City has adopted new ordinances that require a higher level of fuels reduction and weed control.

Reviewing staff practices determined they are unable to address secondary or tertiary weed management activities due to the level and amount of line trimming required, the earlier start of the fire season (June 1, and the rate of vegetative growth. In short, due to the current workload staff can only line trim to manage landscaped beds, tree wells, and other areas.

Because of the time it takes to manage weeds, staff are not able to address other routine and preventative maintenance requirements for the Department. Increasing the budget and/or

staffing is not currently an option. As such, staff is looking at the use of synthetic herbicides within landscaped beds and tree wells.

Staff have reviewed synthetic herbicide alternatives:

- Mulch – no time to manage existing conditions to apply
- Burners – takes more time to manage area. Requires same frequency as line trimmer
- Irrigation Changes – in process. However, this spring it will have a minimal impact for identified areas
- Goats – indiscriminate eaters, will eat what we want to retain (potentially)
- Hardscape – expensive up-front costs. Looking at this for some areas
- Volunteers – staff time to manage, reviewing additional options

Staff proposes using the following synthetic herbicides:

- Trifluralin – for pre-emergent use to reduce line trimming
 - Application: 1-2 applications, generally February to June.
- Dichlobenil – for post-emergency use to reduce line trimming
 - Application: 2-3 applications, generally March to October.
- Glyphosate – for spot spraying to reduce line trimming
 - Application: 1 – 4 applications, generally March to October.

The goal is to reduce the time staff spend line trimming to allow secondary and tertiary treatment of the landscaped areas and tree wells. Over time, this will reduce the utilization of synthetic herbicides.

Use of these synthetic herbicides will follow the IPM plan protocols.

DISCUSSION QUESTIONS OR SUGGESTED NEXT STEPS

Does the Park Commission want to move this exemption forward to address operational needs within the regulatory and fiscal constraints of the Department?

POLICIES, PLANS & GOALS SUPPORTED

Integrated Pest Management Policy – Park Commission

FINANCIAL CONSIDERATIONS

Given the financial constraints of the Department, this topic will not increase the budget. It will allow the Department to use existing resources more effectively to address other operational requirements to maintain safe parks and facilities.

ATTACHMENTS

- Trifluralin – EPA R.E.D. Fact Sheet
- Dichlobenil – EPA R.E.D. Fact Sheet

- Glyphosate – EPA R.E.D. Fact Sheet

PREPARED BY: Rocky Houston



R.E.D. FACTS

Trifluralin

Pesticide Reregistration

All pesticides sold or distributed in the United States must be registered by EPA, based on scientific studies showing that they can be used without posing unreasonable risks to people or the environment. Because of advances in scientific knowledge, the law requires that pesticides which were first registered before November 1, 1984, be reregistered to ensure that they meet today's more stringent standards.

In evaluating pesticides for reregistration, EPA obtains and reviews a complete set of studies from pesticide producers, describing the human health and environmental effects of each pesticide. The Agency develops any mitigation measures or regulatory controls needed to effectively reduce each pesticide's risks. EPA then reregisters pesticides that can be used without posing unreasonable risks to human health or the environment.

When a pesticide is eligible for reregistration, EPA explains the basis for its decision in a Reregistration Eligibility Decision (RED) document. This fact sheet summarizes the information in the RED document for reregistration case 0179, trifluralin.

Use Profile

Trifluralin is a preemergent herbicide used to control annual grasses and broadleaf weeds on a variety of food crops and is also currently registered for non-food uses, including residential use sites. The herbicide is formulated as a liquid, emulsifiable concentrate, granular, flowable concentrate, impregnated material, soluble concentrate/liquid, soluble concentrate/solid, and water dispersible granules (dry flowable). Trifluralin is typically applied at the dormant, semi-dormant, preplant, pre-transplant, postplant, preemergence, postemergence, layby, or postharvest stage as a soil-incorporated treatment. It can be applied by aerial equipment, tractor-drawn groundbooms, tractor-drawn granular spreaders, push-type spreaders, "whirly-bird" spreaders, and commercial granular turf spreaders.

Regulatory History

Trifluralin was first registered in the United States in 1963 as a selective preemergent herbicide. A Registration Standard for trifluralin was issued in April 1987 (NTIS# PB87-201935) and a Data Call-In (DCI) for reentry protection data and mixer/loader/applicator exposure monitoring data for trifluralin products used on turf was issued in March 1995.

EPA initiated a Special Review of trifluralin in August, 1979 because it was found to contain N-nitroso-di-n-propylamine (NDPA or nitrosamine) at levels that met or exceeded the Agency's oncogenic risk criterion. In concluding the Special Review in 1982, EPA required registrants to achieve a 0.5 ppm upper limit for nitrosamines in their technical products. As part of the reregistration eligibility decision on trifluralin, the Agency is requiring that all technical and manufacturing-use registrants submit nitrosamine analysis data to confirm that levels remain at or below the 0.5 ppm limit.

Human Health Assessment

Toxicity

Trifluralin technical is classified under Toxicity Category IV (practically non-toxic) for acute oral toxicity and dermal irritation, and Toxicity Category III (slightly toxic) for acute dermal toxicity, acute inhalation toxicity and eye irritation potential. Trifluralin is also classified as a dermal sensitizer.

Trifluralin has been classified as a Group C, possible human carcinogen by the OPP Carcinogenicity Peer Review Committee on April 4, 1986. Limited evidence of carcinogenicity exists in male and female rats based on an increase in combined malignant and benign urinary bladder tumors in females, renal pelvis carcinomas in male rats, and thyroid gland follicular cell tumors in males.

Dietary Exposure

People may be exposed to residues of trifluralin through the diet. Tolerances or maximum residue limits have been established for residues of trifluralin in many food and feed crops (40 CFR 180.207). EPA has reassessed the trifluralin tolerances and found that some are acceptable, while others must be revoked because of refinements in established crop group tolerances and where no registered uses exist. Tolerances that are revoked because of refinements in crop groups must be replaced with new tolerances for the new crop groupings. The tolerance for residues of trifluralin in/on wheat straw, barley straw, and barley hay should be increased to 0.1 ppm.

Processing studies show that residues of trifluralin concentrate in peppermint oil and spearmint oil. New processing data are required on a confirmatory basis for both peppermint and spearmint oils to determine the actual amount of trifluralin that concentrates in both commodities. Available processing data are sufficient, however, to determine that trifluralin residues in ready-to-eat foods prepared from the mint oils will not exceed existing raw agricultural commodity tolerances. Therefore, the existing tolerance is sufficient to cover the residue levels of trifluralin in food containing mint oil, and a food additive regulation under Section 409 of the Federal Food, Drug, and Cosmetic Act is not necessary.

EPA has assessed the dietary risk posed by trifluralin. The Anticipated Residue Concentration (ARC) for the overall U.S. population represents 1% of the Reference Dose (RfD), or amount believed not to cause adverse effects if consumed daily over a 70-year lifetime. The most highly exposed subgroup, non-nursing infants less than one year old, has an ARC which represents 2% of the RfD. This low fraction of the allowable RfD is considered to be an acceptable dietary exposure risk.

Occupational and Residential Exposure

Based on current use patterns, handlers (mixers, loaders, and applicators) may be exposed to trifluralin during and after applications in agricultural and other use sites. The occupational/residential cancer exposure risk assessment for all uses indicates a level of risk that does not exceed 10^{-5} for occupational handlers or 10^{-7} for residential handlers, levels considered reasonable by the Agency.

Human Risk Assessment

Trifluralin generally is of low acute toxicity, but has been classified as a Group C, possible human carcinogen. Many food crop uses are registered, however, dietary exposure to trifluralin residues in food is at a low level, as is the cancer risk posed to the general population.

Of greater concern is the carcinogenicity risk posed to trifluralin handlers, particularly mixers/loaders/applicators, and field workers who come into contact with treated areas. Exposure and risk to workers will be mitigated by the use of Personal Protective Equipment required by the Worker Protection Standard, including coveralls, chemical-resistant gloves, shoes, and socks. Post-application reentry workers will be required to observe a 12-hour Restricted Entry Interval.

Environmental Assessment

Environmental Fate

Trifluralin is moderately persistent and non-mobile in a microbially active soil environment. In general, high persistence and high mobility promote movement into ground water. Because annual average surface water concentrations are not likely to exceed the lifetime health advisory level (2 ug/L) and peak/short term averages are not likely to exceed 1 day and 10 day health advisory levels, exposure/risk from trifluralin in drinking water is expected to be minimal. Although trifluralin has no direct aquatic applications, contamination of surface water may occur by spray drift and under some circumstances, runoff.

Ecological Effects

Trifluralin is practically non-toxic to birds and mammals on an acute basis. It does not pose acute risks of concern to terrestrial vertebrates, except to those which are endangered species. Also, two of four laboratory bird studies indicate chronic risk, as evidenced by egg shell cracking.

For aquatic animals (fish and invertebrates), trifluralin is considered moderately to highly toxic, and poses acute toxicity risks of concern to endangered species. In addition, laboratory and field studies suggest exposure-related abnormalities in vertebral development, at concentrations below those where acute effects are anticipated. Also, this assessment is based on trifluralin dissolved in the water column and does not take into account trifluralin adsorbed to sediment. Trifluralin adsorbed to sediment may pose a risk for fish species that forage by feeding from sediment, particularly since it has a moderate tendency to bioaccumulate. EPA will explore the need for further monitoring efforts or additional analyses with the registrants of technical trifluralin in order to obtain more refined characterization of the risk to fish.

While semi-aquatic plants exceed the "high risk" level of concern, EPA does not note concerns for effects on aquatic plants resulting from use of trifluralin. To control adverse effects resulting from aerial application of trifluralin, the Agency will require a spray drift advisory as precautionary labeling.

Additional Data Required

EPA is requiring the following additional generic studies for trifluralin to confirm its regulatory assessments and conclusions: nitrosamine analysis data and peppermint oil and spearmint oil processing data. Residue chemistry data are also required for nongrass forage/fodder/straw/hay and dill uses because the Agency does not have enough information at this time to make an eligibility decision for trifluralin products labeled for those uses.

The Agency also is requiring product-specific data including product chemistry and acute toxicity studies, revised Confidential Statements of Formula (CSFs), and revised labeling for reregistration.

Product Labeling Changes Required

All trifluralin end-use products must comply with EPA's pesticide product labeling requirements. A 12-hour restricted-entry interval (REI) is required for uses within the scope of the WPS on all trifluralin end-use products. Early-entry personal protective equipment (PPE) required for occupational uses within the scope of the WPS include coveralls, chemical-resistant gloves and socks plus shoes. Aquatic impact labeling is required for all trifluralin end-use products. For all trifluralin products that can be applied aerially, special spray drift prevention language is required.

Regulatory Conclusion

The use of currently registered products containing trifluralin in accordance with approved labeling will not pose unreasonable risks or adverse effects to humans or the environment. EPA has determined that products containing trifluralin are eligible for reregistration **except** products labeled for use on nongrass forage/fodder/straw/hay and dill. EPA does not have enough information at this time to make an eligibility decision for

trifluralin products labeled for those uses. The Agency is requiring additional data in order to develop a more complete data base regarding these uses of trifluralin.

Before reregistering any trifluralin product, the Agency will review product specific data, Confidential Statements of Formula and revised labeling imposed by the RED. Once this information is accepted, the Agency will reregister trifluralin products bearing only eligible uses. After the Agency receives the data necessary to make a reregistration eligibility decision on nongrass forage/fodder/straw/hay and dill and the data show that these uses will not cause unreasonable adverse effects, the Agency will reregister products bearing these uses. Products which contain active ingredients in addition to trifluralin will be reregistered when all of their other active ingredients also are eligible for reregistration.

For More Information

EPA is requesting public comments on the Reregistration Eligibility Decision (RED) document for trifluralin during a 60-day time period, as announced in a Notice of Availability published in the Federal Register. To obtain a copy of the RED document or to submit written comments, please contact the Pesticide Docket, Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs (OPP), US EPA, Washington, DC 20460, telephone 703-305-5805.

Electronic copies of the RED and this fact sheet can be downloaded from the Pesticide Special Review and Reregistration Information System at 703-308-7224. They also are available on the Internet on EPA's gopher server, *GOPHER.EPA.GOV*, or using ftp on *FTP.EPA.GOV*, or using WWW (World Wide Web) on *WWW.EPA.GOV*.

Printed copies of the RED and fact sheet can be obtained from EPA's National Center for Environmental Publications and Information (EPA/NCEPI), PO Box 42419, Cincinnati, OH 45242-0419, telephone 513-489-8190, fax 513-489-8695.

Following the comment period, the trifluralin RED document also will be available from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, telephone 703-487-4650.

For more information about EPA's pesticide reregistration program, the trifluralin RED, or reregistration of individual products containing trifluralin, please contact the Special Review and Reregistration Division (7508W), OPP, US EPA, Washington, DC 20460, telephone 703-308-8000.

For information about the health effects of pesticides, or for assistance in recognizing and managing pesticide poisoning symptoms, please contact the National Pesticides Telecommunications Network (NPTN). Call toll-free 1-800-858-7378, between 9:30 am and 7:30 pm Eastern Standard Time, Monday through Friday.



R.E.D. FACTS

Pesticide Reregistration

Dichlobenil

All pesticides sold or distributed in the United States must be registered by EPA, based on scientific studies showing that they can be used without posing unreasonable risks to people or the environment. Because of advances in scientific knowledge, the law requires that pesticides which were first registered before November 1, 1984, be reregistered to ensure that they meet today's more stringent standards.

In evaluating pesticides for reregistration, EPA obtains and reviews a complete set of studies from pesticide producers, describing the human health and environmental effects of each pesticide. To implement provisions of the Food Quality Protection Act of 1996, EPA considers the special sensitivity of infants and children to pesticides, as well as aggregate exposure of the public to pesticide residues from all sources, and the cumulative effects of pesticides and other compounds with common mechanisms of toxicity. The Agency develops any mitigation measures or regulatory controls needed to effectively reduce each pesticide's risks. EPA then reregisters pesticides that meet the safety standard of the FQPA and can be used without posing unreasonable risks to human health or the environment.

When a pesticide is eligible for reregistration, EPA explains the basis for its decision in a Reregistration Eligibility Decision (RED) document. This fact sheet summarizes the information in the RED document for reregistration case 0263, 2,6-dichlorobenzonitrile (commonly referred to as dichlobenil).

Use Profile

Dichlobenil (2,6-dichlorobenzonitrile) is a herbicide used to control weeds, and grasses in agricultural, residential and industrial areas including: cranberry bogs, dichondra, ornamentals, blackberry, raspberry, and blueberry fields, apple, pear, filbert and cherry orchards, vineyards, hybrid poplar-cottonwood plantations, and rights-of-way, paved areas, sidewalks, recreational areas, and fences. Dichlobenil is also used to remove tree roots and inhibit their growth in sewers.

End Use Formulations include granulars (1 -10% active ingredient), liquid-ready to use (0.5% a.i.), soluble concentrate (0.5% a.i.) and wettable powders (0.55% a.i.).

Dichlobenil granules are applied with a range of equipment specified on the labels, including: aircraft, granule applicator, tractor mounted granular applicator, gloved hand, and soil incorporation equipment.

The wettable powder is applied only at pre-pavement treatment and sewage system sites.

Sewer use products containing dichlobenil are applied with equipment particular to the product's label instructions, such as foam applicator, foam generator, gloved hand, rod, or by flushing down toilet. Some of these sewer use products also contain the active ingredient metam sodium.

Regulatory History

Dichlobenil was first registered as a pesticide in the U.S. in 1964. EPA issued a Registration Standard for dichlobenil in March 1987 (PB87-184834). On June 1987, November 1993, March 1994, and October 1995 Data Call-Ins (DCIs) required additional data including: product chemistry, ecological effects, toxicity, worker exposure, environmental fate, residue chemistry and reentry protection data.

Currently, 32 dichlobenil products are registered.

Human Health Assessment

Toxicity

The Agency assessed data provided for both dichlobenil and its metabolite, 2,6-dichlorobenzamide (BAM).

In studies using laboratory animals, dichlobenil generally is of low acute toxicity. It is slightly toxic by the oral, dermal, and inhalation routes and has been placed in Toxicity Category III (the second lowest of four categories) for these effects. Dichlobenil is not an ocular or dermal irritant or a skin sensitizer and has been placed in Toxicity Category IV (the lowest of four categories) for these effects.

Dichlobenil's metabolite, 2, 6- dichlorobenzamide (BAM) is slightly toxic by oral route, and has been placed in Toxicity Category III for this effect.

The available evidence for dichlobenil constituted only limited evidence for carcinogenicity and dichlobenil is classified as a Group C, possible human carcinogen. Additional information is needed to determine the cancer classification of BAM. Available data for BAM suggests that its potential carcinogenicity does not exceed that of dichlobenil (and may be lower).

The end point of concern identified for chronic exposure to dichlobenil was derived from a two-year dog feeding study where systemic toxicity was observed.

The end point of concern identified for chronic exposure to BAM was determined from a two-year dog feeding study based on decreased body weight gain in both males and females.

Evidence of developmental toxicity was observed in rats and rabbits exposed to dichlobenil. Observations included an increase in the incidence of supernumary thoracic ribs in rats, and increased incidences of post-implantation loss and late resorptions, and the occurrence of major external, visceral, and skeletal defects in rabbits. Decreased maternal body weight

gains, and decreased food consumption by maternal rats and rabbits was also observed.

In rabbits exposed to BAM, developmental toxicity was observed as a nonsignificant decrease in fetal body weight and body weight gain. Maternal toxicity was observed as increased moribundity, nonsignificant decreased body weight gain, decreased food consumption and increased number of abortions. Compensatory body weight and food consumption increases above controls were noted during the post-dosing period.

Dichlobenil and BAM did not demonstrate mutagenic potential in a variety of mutagenicity tests.

In a two-generation reproduction study performed with dichlobenil on rats, significant decreases in body weight, body weight gain, and food consumption in parental males and females from both generations were noted. Whereas, a significant decrease in mean birth weight of the first generation pups was observed at lower doses where maternal toxicity was absent. These observations were not considered evidence of post-natal and prenatal sensitivity because a clear dose response relationship was not evident, nor were these observations repeated in the second generation.

Dietary Exposure

BAM is the major residue observed in plants treated with dichlobenil. Residues of dichlobenil are not expected in food. People may be exposed through the diet to residues of dichlobenil in water and 2,6-dichlorobenzamide (BAM) in water and food through the diet. The tolerance expression listed under 40 CFR 180.231 will be modified to include the metabolite 2,6-dichlorobenzamide and omit the metabolite

2,6-dichlorobenzoic acid (2,6-DCBA). Tolerances or maximum residue limits are proposed for the combined residues of the herbicide dichlobenil (2,6-dichlorobenzonitrile) and its metabolite 2,6-dichlorobenzamide (BAM).

EPA has reassessed the tolerances for the combined residues of the herbicide dichlobenil and BAM and found that the established tolerances for apples and pears are too low and that increased tolerances are necessary. Established tolerances for blackberries, cranberries, and raspberries are too high and tolerances of 0.1 ppm would be more appropriate. A separate tolerance for filberts will be proposed at 0.1 ppm. Tolerances relating to food/feed uses that were voluntarily cancelled may be revoked. Additional field residue data are required for grapes before a complete tolerance reassessment can be made. Processing studies for apples and grapes remain outstanding. Following receipt of the requested data on animal metabolism, and the magnitude of residues, the need for and expression of tolerances for residues in animal commodities will be determined.

No Codex MRLs have been established for residues of dichlobenil. Therefore, there are no questions with respect to compatibility of U.S. tolerances with Codex MRLs.

EPA has assessed the dietary risk posed by dichlobenil and its metabolite, BAM. It should be noted that the Agency has insufficient data to assess dichlobenil and BAM exposure from ground-water, and therefore risk estimates for drinking water only reflect surface-water data. Based on the exposure and toxicological findings for dichlobenil and its metabolite, BAM, an acute dietary risk assessment was only appropriate for dichlobenil in water. This is because dichlobenil residues are not found in food, and BAM has no toxicological endpoint of concern from acute exposure. The estimated acute dietary risk for dichlobenil in surface-water derived drinking water is a Margin of Exposure (MOE) of 3000. This assessed acute dietary risk is within acceptable dietary limits. The MOE is greater than 100 which is the acceptable limit for MOEs derived from animal data.

Because residues of dichlobenil are not found in food, the chronic dietary risk for dichlobenil would only be from water. The Anticipated Residue Concentration (ARC) for the overall U.S. population represents 10% of the Reference Dose (RfD), or amount believed not to cause adverse effects if consumed daily over a 70-year lifetime. The most highly exposed subgroup, non-nursing infants less than one year old, has an ARC which represents 26% of the RfD. This low fraction of the allowable RfD is considered an acceptable dietary exposure risk.

The chronic dietary risk for BAM was only performed on food since data to conduct a chronic drinking water assessment are not available for BAM. The Anticipated Residue Concentration (ARC) for the overall U.S. population represents 5% of the Reference Dose (RfD), or amount believed not to cause adverse effects if consumed daily over a 70-year lifetime. The most highly exposed subgroup, non-nursing infants less than one year old, has an ARC which represents 20% of the RfD. This low fraction of the allowable RfD is considered an acceptable dietary exposure risk.

Occupational and Residential Exposure

Based on current use patterns, handlers (mixers, loaders, and applicators) may be exposed to dichlobenil during and after application to all commercial use sites, including farms, orchards, sewers, pre-paving sites, industrial and residential areas, and plant nurseries. All the combined dermal and inhalation short term margins of exposure assessed for handlers were acceptable. Short-term and intermediate term exposure for handlers at sewer treatment sites, and commercial granular back pack application sites could not be assessed. Post-application exposure is expected to be less than exposure to applicators due to dissipation and degradation.

Residential exposure should be minimal. Dichlobenil is used in areas where all vegetation is to be killed (such as around established trees, fences,

shrubs and other structures) rather than lawns. The recommended timing for application is early spring and late fall, when cooler temperatures are anticipated. Cool temperatures would minimize vaporization, and warm apparel (long pants, shoes, coats, and sweaters) would reduce exposure.

Because dichlobenil is moderately volatile, there are concerns for horticultural workers and homeowners being exposed to dichlobenil vapors during treatment in confined areas.

An assessment of exposure to BAM could not be performed. BAM is a soil metabolite, and nursery workers that handle soil treated with dichlobenil may be exposed to BAM during routine activities.

Human Risk Assessment

Dichlobenil generally is of low acute toxicity, but causes systemic, developmental and reproductive toxicity effects in animal studies and has been classified as a Group C, possible human carcinogen. Food crop uses are registered including cranberry, blackberry, raspberry, blueberry, apple, pear, filbert, cherry and grape. However, dietary exposure to dichlobenil and BAM residues in foods is extremely low, as is the cancer risk posed to the general population.

Of greater concern is the risk posed to dichlobenil handlers, particularly mixers/loaders/applicators, and nursery workers who come into contact with treated soil following application of this pesticide. Exposure and risk to workers will be mitigated by the use of PPE required by the WPS, as presented by this RED. Post-application reentry workers will be required to observe a 24-hour Restricted Entry Interval for all horticultural and nursery uses within the scope of WPS. Sewer use and granular backpack uses of dichlobenil are not eligible for reregistration until dermal and inhalation exposure studies are submitted to EPA and evaluated.

Environmental Assessment

Environmental Fate

Dichlobenil dissipates in the environment (on soil and in surface water) principally by volatilization. However, it is persistent under field conditions that reduce the potential for volatilization (i.e., cooler climates). When transformation proceeds through aerobic soil metabolism, the metabolite, 2,6-dichlorobenzamide (BAM) is generated (13.1% at 50 weeks). Under conditions where dichlobenil does not volatilize there is potential for both dichlobenil and BAM to move to ground water in coarse-textured soils low in organic matter. Both dichlobenil and BAM can be extremely mobile and persistent under anaerobic conditions. Dichlobenil and BAM exceed levels of concern for ground-water quality. Dichlobenil is predicted to volatilize from most surface waters; therefore, its persistence in the surface water environment will depend primarily on the environmental factors which control volatility

rates. Insufficient data are available to assess the persistence of BAM in surface water.

Ecological Effects

On an acute basis, dichlobenil is practically nontoxic to birds, mammals, honey bees; slightly to moderately toxic to aquatic invertebrates and estuarine organisms; and moderately toxic to fish. Dichlobenil is practically nontoxic to birds on a subacute dietary basis, but insufficient data are available to assess chronic avian toxicity. Dichlobenil is toxic to non-target terrestrial and aquatic plants. Dichlobenil may chronically affect fish at levels as low as 0.33 ppm and may chronically affect aquatic invertebrates at levels as low as 0.75 ppm. The dichlobenil degradate, BAM is slightly toxic to mammals and practically nontoxic to fish and aquatic invertebrates on an acute basis.

Ecological Effects Risk Assessment

The overall acute risk to birds is low. However, the acute risk for birds from different dichlobenil granule formulations vary with granule size and concentration of dichlobenil per granule. The 4% Granular (4G) formulation is not expected to pose a potential for acute risk. The 10% Granular (10 G) formulation poses a potential for acute risk to birds at the 6 lb. ai/A or greater application rate when dichlobenil is not incorporated into soil. Endangered species of birds may be affected by applications of the larger 4G and 10G dichlobenil granules at all unincorporated rates and at the 10 lb. ai/A or higher incorporated rates. Chronic risk to birds cannot be assessed due to lack of avian reproduction studies.

There is minimal likelihood of acute and chronic risk to mammals and insects; and minimal likelihood of chronic risk to fish.

At the 20 lb. ai/A rate for unincorporated application, a level of concern was exceeded for most of the organisms assessed. At this unincorporated rate, the levels of concern (LOC) for acute effects are exceeded for endangered fish, endangered aquatic invertebrates; and the LOC is exceeded for potentially high acute risk to mollusks.

Incorporation reduces exposure to animals. Incorporated applications up to 20 lbs. a.i./A do not exceed potentially high acute risk LOCs for the assessed animal species.

The restricted use LOC for mollusks is exceeded by unincorporated applications at or above 6 lbs. ai/A, and incorporated applications at 20 lbs. a.i./A. Unincorporated applications at or above 4 lbs. ai/A and incorporated applications at or above 6 lbs. ai/A exceed the LOC for endangered mollusk species.

Risk to estuarine invertebrates is expected to be minimal but could not be assessed because of uncertainty about exposure.

High acute risk LOCs are exceeded for all vascular terrestrial, semi-aquatic, and aquatic plants at application rates as low as 2 lbs. a.i./A. Use of dichlobenil on all sites may adversely affect nontarget terrestrial and semi-aquatic plants, including endangered species. This evaluation does not take into account the dissipation of dichlobenil from volatilization, so the risk may be significantly less.

The registration of hybrid cottonwood-poplar plantation use has been expanded to regions beyond the Oregon- Washington desert sites originally evaluated. Use of dichlobenil at hybrid cottonwood-poplar plantation sites in the eastern Oregon-Washington desert region was not initially considered a forestry use. The Agency does not have sufficient forestry dissipation data to evaluate use of dichlobenil at hybrid cottonwood-poplar plantation sites beyond the evaluated area.

Risk Mitigation

To lessen the ecological risks posed by dichlobenil, EPA is requiring the following risk mitigation measures.

N Ground water advisory

N Application rate reduction to ≤ 10 lbs. a.i./A.

N Soil incorporation of 10% Granular formulation.

To lessen the occupational risks posed by dichlobenil, EPA is requiring the following risk mitigation measures.

N Soil incorporation of granular formulations applied to ground in liners in which ornamental stock placed.

N Ventilation requirements for application of sewer products in inhabited buildings.

N Reentry Interval of 24 hours for horticultural/nursery use sites, unless the product is soil incorporated or soil injected.

N Restricted entry until granules are thoroughly watered in and treated soil has dried for uses on ornamentals, residential and commercial landscaping, and all products intended primarily for home use.

N Personal protective equipment

Additional Data Required

EPA is requiring the following additional generic studies for dichlobenil and its metabolite, BAM to confirm its regulatory assessments and conclusions:

To assess risk from backpack application of granular formulations and from application to sewer pipes to mixers, loaders and applicators, dermal and inhalation exposure studies are required.

To confirm the adequacy of the 24-hour reentry interval for horticultural and nursery sites, post-application exposure studies for applications to ornamentals are required. These include foliar and soil residue dissipation, and dermal and inhalation passive dosimetry exposure studies. The soil residue dissipation study is required for both dichlobenil and the BAM metabolite.

To assess the potential of the BAM metabolite to contaminate surface waters, solubility and vapor pressure data are required for BAM. Depending on the observed physical properties of BAM, additional environmental fate data may be required for BAM including photodegradation in water, Aerobic soil metabolism, Aerobic aquatic metabolism, and Adsorption/desorption studies.

To determine if any additional ground water mitigation measures or prospective groundwater studies are needed, a drinking water monitoring study is required that samples from existing drinking water wells. Samples must be analyzed for both the parent and the degradate, BAM.

The environmental risk assessment for hybrid cottonwood-poplar plantation use sites was limited to available data from dichlobenil's use in the eastern desert areas of Oregon and Washington. To support the use of dichlobenil at hybrid cottonwood-poplar plantation use sites outside the mentioned region, one or more small-scale prospective ground water monitoring and forestry dissipation studies are required. Alternatively, registrants may modify the label to geographically limit the use of dichlobenil on hybrid cottonwood-poplar plantations to the desert areas in Oregon and Washington defined as 15 miles from the Columbia river in the counties of Walla Walla, Franklin and Benton in Washington and Umatilla and Morrow in Oregon.

To assess chronic toxicity to birds, avian reproduction studies are required on the technical grade of dichlobenil.

The Agency also is requiring product-specific data including product chemistry and acute toxicity studies, revised Confidential Statements of Formula (CSFs), and revised labeling for reregistration.

Product Labeling Changes Required

All dichlobenil end-use products must comply with EPA's current pesticide product labeling requirements and with the following. For a comprehensive list of labeling requirements, please see the Dichlobenil RED document.

Ground-Water Advisory-- The label must state the following: "This chemical has properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow may result in ground-water contamination."

Application Rate Reduction--Use rates at sites with maximum application rates at 20 lbs. a.i./A, including drainage systems, rights-of-way, fencerow, hedgerow, cemeteries, in industrial areas, recreational areas, and uncultivated areas must be **reduced** so the maximum application rates listed on the label are ≤ 10 lbs. a.i./A.

10G Soil Incorporation Requirements--For all uses other than pre-paving sites, the labels for the 10G formulation must instruct the user to

thoroughly incorporate the granules into the soil. The 10G may also be subject to additional incorporation requirements shown below.

PPE Requirements for Pesticide Handlers

Sole-active-ingredient end-use products that contain dichlobenil must be revised to adopt the handler personal protective equipment requirements set forth in this section. Any conflicting PPE requirements on their current labeling must be removed.

Multiple-active-ingredient end-use products that contain dichlobenil must compare the handler personal protective equipment requirements set forth in this section to the PPE requirements on their current labeling and retain the more protective. For guidance on which PPE is considered more protective, see PR Notice 93-7.

The labels and labeling of all products must comply with EPA's current regulations and requirements as specified in 40 CFR §156.10 and other applicable notices.

PPE Requirements for Products Intended Primarily for Occupational Use

Actual end-use product PPE requirements -- The PPE that would otherwise be established based on the acute toxicity of each end-use product must be compared with the minimum (baseline) personal protective equipment, if any, specified below. The more protective PPE must be placed on the product labeling. For guidance on which PPE is considered more protective, see PR Notice 93-7.

Wettable Powder Formulations

Asphalt Use: The minimum (baseline) PPE for all occupational uses of dichlobenil end-use products formulated as wettable powders for the asphalt use is: "Applicators and other handlers (other than mixers and loaders) must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks"

"Mixer and loaders must wear:

- Long-sleeved shirt and long pants
- Shoes plus socks
- Chemical-resistant gloves,
- Chemical-resistant apron."

Sewer Use: The minimum (baseline) PPE for **applicator and other handlers (other than mixers and loaders)** occupational uses of dichlobenil end-use products formulated as wettable powders and labeled for use in sewer sites is the same as above, except that they must also wear:

- "--Chemical-resistant gloves"

Granular Formulations

The minimum (baseline) PPE for all occupational uses of dichlobenil end-use products formulated as granulars are identical to sewer use PPE listed above.

Respirator Type

If the acute inhalation toxicity of the **end-use product** is in category I or II, a respirator is required for pesticide handlers. The following type of respirator is appropriate to mitigate dichlobenil inhalation concerns:

"A respirator with either an organic-vapor-removing cartridge with a prefilter approved for pesticides (MSHA/NIOSH approval number prefix TC-23C), or a canister approved for pesticides (MSHA/NIOSH approval number prefix TC-14G)"

PPE Requirements for Products Intended Primarily for Homeowner Use

There are no minimum (baseline) PPE being established for homeowner uses of dichlobenil end-use products formulated as granulars.

Post-Application/Entry Restrictions for Products Intended Primarily for Occupational Use

Restricted-entry interval -- A 24-hour restricted entry interval (REI) is required for horticultural/nursery uses within the scope of the WPS (see PR Notice 93-7) on all end-use products with WPS uses (see tests in PR Notices 93-7 and 93-11). The REI for all other uses within the scope of WPS is 12 hours. Exception: If the product is soil-injected or soil incorporated, the Worker Protection Standard, under certain circumstances allows workers to enter the treated area if there will be no contact with anything that has been treated.

NonWPS outdoor uses on shelterbelt plantings, rights-of-way, fence rows, hedge rows, pre-paving treatment, uncultivated areas, buildings and structures, industrial and recreational areas, and sewage and drainage systems have no entry restrictions.

Early-entry personal protective equipment (PPE) -- The PPE required uses for early entry following applications at **WPS** sites is:

- Coveralls,
- Chemical-resistant gloves, and
- Shoes plus socks.

Placement in labeling -- The REI must be inserted into the standardized REI statement required by Supplement Three of PR Notice 93-7. The PPE required for early entry must be inserted into the standardized early entry PPE statement required by Supplement Three of PR Notice 93-7.

For non-WPS uses on ornamental woody shrubs and vines, ornamental/shade trees, and residential and commercial landscaping, labels must state: "Do not enter or allow workers to enter the treated area until granules are thoroughly watered in and the treated soil has dried."

Post-Application/Entry Restrictions for Products Intended Primarily for Home Use

Product labels intended primarily for home use must state:

"Do not enter or allow persons or pets to enter the treated area until granules are thoroughly watered in and the treated soil has dried."

Other Labeling Requirements for Products Intended Primarily for Occupational Use

The Agency is requiring the following labeling statements to be located on all end-use products containing dichlobenil intended primarily for occupational use.

Application Restrictions:

For Granular Formulations: "Do not apply this product in a way that will contact workers of other persons, either directly or through drift. Only protected handlers may be in the area during application."

For Granular Formulations With Use Directions on Ground (Soil or Gravel) in Liners in Which Ornamental Stock Will Be Placed: (associate the following statement with the directions for this use.) "Thoroughly incorporate the granules into the soil (or other target surface) through watering-in. Once the application has been correctly incorporated through watering-in and the treated surface is dry, the WPS permits workers to enter the treated area during the restricted-entry interval without personal protective equipment or any other restriction if they are performing tasks that do not involve contact with the soil subsurface."

For Wettable Powder Formulations with Directions for Sewer Treatments: "When used in inhabited buildings (residences, offices, hospitals, etc.), windows must be open or an exhaust fan must be operating during the application."

Engineering Controls:

For wettable powder formulations: "When handlers use closed systems (including water soluble bags) or enclosed cabs in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170.240(d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS."

For granular formulations that may be applied from enclosed cabs or aircraft: "When handlers use enclosed cabs or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides (40 CFR 170.240(d)(4-6), the handler PPE requirements may be reduced or modified as specified in the WPS."

User Safety Requirements: "Follow manufacturer's instructions for cleaning/maintaining PPE. If there are no such instructions for washable PPE, use detergent and hot water. Keep and wash PPE separately from other laundry."

User Safety Recommendations:

- "Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet."
- "Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing."
- "Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing."

Other Labeling Requirements for Products Intended Primarily for Home Use

Application restrictions: "Do not apply this product in a way that will contact any person or pet, either directly or through drift. Keep people and pets out of the area during application." Immediately following application, thoroughly water-in the granules.

User safety recommendations: See the first two "User Safety Recommendations" listed above.

If the acute inhalation toxicity of the **end-use product** is in category I or II, a respirator is required for pesticide handlers. For additional information see "**Respirator Type**" description under "**PPE Requirements for Occupational Use**" heading above.

Regulatory Conclusion

EPA has determined that products containing dichlobenil are eligible for reregistration **except** products labeled for sewer treatment use and granular backpack applications. The use of eligible dichlobenil products in accordance with labeling specified in this RED will not pose unreasonable adverse effects to humans or the environment. These products will be reregistered once the required confirmatory generic data, product specific data, CSFs, and revised labeling are received and accepted by EPA. Products which contain active ingredients in addition to dichlobenil will be reregistered when all of their other active ingredients also are eligible for reregistration.

EPA does not have enough information at this time to decide the eligibility of dichlobenil products labeled for use in sewer treatment or application with a granular backpack. The Agency is requiring additional data to develop a more complete data base regarding these uses of dichlobenil.

For More Information

EPA is requesting public comments on the Reregistration Eligibility Decision (RED) document for dichlobenil during a 60-day time period, as announced in a Notice of Availability published in the Federal Register. To obtain a copy of the RED document or to submit written comments, please contact the Pesticide Docket, Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), US EPA, Washington, DC 20460, telephone 703-305-5805.

Electronic copies of the RED and this fact sheet are available on the Internet. See <http://www.epa.gov/REDs>.

Printed copies of the RED and fact sheet can be obtained from EPA's National Center for Environmental Publications and Information (EPA/NCEPI), PO Box 42419, Cincinnati, OH 45242-2419, telephone 1-800-490-9198; fax 513-489-8695.

Following the comment period, the dichlobenil RED document also will be available from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, telephone 703-605-6000.

For more information about EPA's pesticide reregistration program, the dichlobenil RED, or reregistration of individual products containing dichlobenil, please contact the Special Review and Reregistration Division (7508W), OPP, US EPA, Washington, DC 20460, telephone 703-308-8000.

For information about the health effects of pesticides, or for assistance in recognizing and managing pesticide poisoning symptoms, please contact the National Pesticides Telecommunications Network (NPTN). Call toll-free 1-800-858-7378, from 6:30 am to 4:30 pm Pacific Time, or 9:30 am to 7:30 pm Eastern Standard Time, seven days a week.



R.E.D. FACTS

Pesticide Reregistration

Glyphosate

All pesticides sold or distributed in the United States must be registered by EPA, based on scientific studies showing that they can be used without posing unreasonable risks to people or the environment. Because of advances in scientific knowledge, the law requires that pesticides which were first registered years ago be reregistered to ensure that they meet today's more stringent standards.

In evaluating pesticides for reregistration, EPA obtains and reviews a complete set of studies from pesticide producers, describing the human health and environmental effects of each pesticide. The Agency imposes any regulatory controls that are needed to effectively manage each pesticide's risks. EPA then reregisters pesticides that can be used without posing unreasonable risks to human health or the environment.

When a pesticide is eligible for reregistration, EPA announces this and explains why in a Reregistration Eligibility Decision (RED) document. This fact sheet summarizes the information in the RED document for glyphosate.

Use Profile

Glyphosate is a non-selective herbicide registered for use on many food and non-food field crops as well as non-crop areas where total vegetation control is desired. When applied at lower rates, glyphosate also is a plant growth regulator.

Glyphosate is among the most widely used pesticides by volume. It ranked eleventh among conventional pesticides used in the U.S. during 1990-91. In recent years, approximately 13 to 20 million acres were treated with 18.7 million pounds of glyphosate annually. The largest use sites include hay/pasture, soybeans and field corn.

Three salts of glyphosate are used as active ingredients in registered pesticide products. Two of these active ingredients, plus technical grade glyphosate, are contained in the 56 products that are subject to this RED.

The isopropylamine salt, an active ingredient in 53 registered products, is used as a herbicide to control broadleaf weeds and grasses in many food and non-food crops and a variety of other sites including ornamentals, lawns and turf, residential areas, greenhouses, forest plantings and industrial rights-of-way. It is formulated as a liquid, solid or pellet/tablet, and is applied using ground or aerial equipment.

The sodium salt of glyphosate, an active ingredient in two registered pesticide products, is used as a plant growth regulator for peanuts and sugarcane, to modify plant growth and hasten the ripening of fruit. It is applied as a ground spray to peanut fields and as an aerial spray to sugarcane. Preharvest intervals are established for both crops.

The monoammonium salt of glyphosate is an active ingredient in an additional seven herbicide/growth regulator products. This form of glyphosate was initially registered after November 1984, so it is not subject to reregistration or included in this RED. However, in reassessing the existing glyphosate tolerances (maximum residue limits in or on food and feed), EPA included those for the monoammonium salt.

Regulatory History

EPA issued a Registration Standard for glyphosate in June 1986 (NTIS PB87-103214). The Registration Standard required additional phytotoxicity, environmental fate, toxicology, product chemistry and residue chemistry studies. All of the data required have been submitted and reviewed, or were waived.

Human Health Assessment

Toxicity

Glyphosate is of relatively low oral and dermal acute toxicity. It has been placed in Toxicity Category III for these effects (Toxicity Category I indicates the highest degree of acute toxicity, and Category IV the lowest). The acute inhalation toxicity study was waived because glyphosate is non-volatile and because adequate inhalation studies with end-use products exist showing low toxicity.

A subchronic feeding study using rats showed blood and pancreatic effects. A similar study with mice showed reduced body weight gains in both sexes at the highest dose levels. A dermal study with rabbits showed slight reddening and swelling of the skin, decreased food consumption in males and decreased enzyme production, at the highest dose levels.

Several chronic toxicity/carcinogenicity studies using rats, mice and beagle dogs resulted in no effects based on the parameters examined, or resulted in findings that glyphosate was not carcinogenic in the study. In June 1991, EPA classified glyphosate as a Group E oncogen--one that shows evidence of non-carcinogenicity for humans--based on the lack of convincing evidence of carcinogenicity in adequate studies.

In developmental toxicity studies using pregnant rats and rabbits, glyphosate caused treatment-related effects in the high dose groups including diarrhea, decreased body weight gain, nasal discharge and death.

One reproductive toxicity study using rats showed kidney effects in the high dose male pups; another study showed digestive effects and decreased body weight gain. Glyphosate does not cause mutations.

In one metabolism study with rats, most of the glyphosate administered (97.5 percent) was excreted in urine and feces as the parent compound; less than one percent of the absorbed dose remained in tissues and organs, primarily in bone tissue. Aminomethyl phosphonic acid (AMPA) was the only metabolite excreted. A second study using rats showed that very little glyphosate reaches bone marrow, that it is rapidly eliminated from bone marrow, and that it is even more rapidly eliminated from plasma.

Dietary Exposure

The nature of glyphosate residue in plants and animals is adequately understood. Studies with a variety of plants indicate that uptake of glyphosate or AMPA from soil is limited. The material which is taken up is readily translocated throughout the plant and into its fruit. In animals, most glyphosate is eliminated in urine and feces. Enforcement methods are available to detect residues of glyphosate and AMPA in or on plant commodities, in water and in animal commodities.

85 tolerances have been established for residues of glyphosate and its metabolite, AMPA, in or on a wide variety of crops and crop groups, as well as in many processed foods, animal feed and animal tissues (please see 40 CFR 180.364, 40 CFR 185.3500 and 40 CFR 186.3500). EPA has reassessed the existing and proposed tolerances for glyphosate. Though some adjustments will be needed, no major changes in existing tolerances are required. EPA also has compared the U.S. tolerances with international Codex maximum residue limits (MRLs), and is recommending certain adjustments to achieve greater compatibility.

EPA conducted a dietary risk assessment for glyphosate based on a worst-case risk scenario, that is, assuming that 100 percent of all possible commodities/acreage were treated, and assuming that tolerance-level residues remained in/on all treated commodities. The Agency concluded that the chronic dietary risk posed by glyphosate food uses is minimal.

A reference dose (RfD), or estimate of daily exposure that would not cause adverse effects throughout a lifetime, of 2 mg/kg/day has been proposed for glyphosate, based on the developmental toxicity studies described above.

Occupational and Residential Exposure

Occupational and residential exposure to glyphosate can be expected based on its currently registered uses. However, due to glyphosate's low acute toxicity and the absence of other toxicological concerns (especially carcinogenicity), occupational and residential exposure data are not required for reregistration.

Some glyphosate end-use products are in Toxicity Categories I or II for primary eye irritation or skin irritation. In California, glyphosate ranks high among pesticides causing illness or injury to workers, who report numerous incidents of eye and skin irritation from splashes during mixing and loading.

EPA is not adding any personal protective equipment (PPE) requirements at this time, but any existing PPE label requirements must be retained.

The Worker Protection Standard (WPS) for Agricultural Pesticides (please see 40 CFR 156 and 170) established an interim restricted entry interval (REI) of 12 hours for glyphosate. The Agency has decided to retain this REI as a prudent measure to mitigate risks to workers. During the REI, workers may reenter areas treated with glyphosate only in the few, narrow exceptions allowed in the WPS. The REI applies only to glyphosate uses within the scope of the WPS, so homeowner and commercial uses are not included.

Human Risk Assessment

EPA's worst case risk assessment of glyphosate's many registered food uses concludes that human dietary exposure and risk are minimal. Existing and proposed tolerances have been reassessed, and no significant changes are needed to protect the public.

Exposure to workers and other applicators generally is not expected to pose undue risks, due to glyphosate's low acute toxicity. However, splashes during mixing and loading of some products can cause injury, primarily eye and skin irritation. EPA is continuing to recommend PPE, including protective eye wear, for workers using end-use products that are in Toxicity Categories I or II for eye and skin irritation. To mitigate potential risks associated with reentering treated agricultural areas, EPA is retaining the 12 hour REI set by the WPS.

Environmental Assessment

Environmental Fate

Glyphosate adsorbs strongly to soil and is not expected to move vertically below the six inch soil layer; residues are expected to be immobile in soil. Glyphosate is readily degraded by soil microbes to AMPA, which is degraded to carbon dioxide. Glyphosate and AMPA are not likely to move to ground water due to their strong adsorptive characteristics. However, glyphosate does have the potential to contaminate surface waters due to its aquatic use patterns and through erosion, as it adsorbs to soil particles suspended in runoff. If glyphosate reached surface water, it would not be broken down readily by water or sunlight.

Ecological Effects

Glyphosate is no more than slightly toxic to birds and is practically non-toxic to fish, aquatic invertebrates and honeybees. Due to the presence of a toxic inert ingredient, some glyphosate end-use products must be labeled, "Toxic to fish," if they may be applied directly to aquatic environments. Product labeling does not preclude off-target movement of glyphosate by drift. EPA therefore is requiring three additional terrestrial plant studies to assess potential risks to nontarget plants.

EPA does not expect that most endangered terrestrial or aquatic organisms will be affected by the registered uses of glyphosate. However,

many endangered plants as well as the Houston toad (due to its habitat) may be at risk. EPA is deferring any use modifications or labeling amendments until it has published the Endangered Species Protection Plan and has given registrants guidance regarding endangered species precautionary labeling.

Ecological Effects Risk Assessment

Based on current data, EPA has determined that the effects of glyphosate on birds, mammals, fish and invertebrates are minimal. Under certain use conditions, glyphosate may cause adverse effects to nontarget aquatic plants. Additional data are needed to fully evaluate the effects of glyphosate on nontarget terrestrial plants. Risk reduction measures will be developed if needed, once the data from these studies are submitted and evaluated.

Additional Data Required

EPA is requiring three generic studies (Tier II Vegetative Vigor, Droplet Size Spectrum, and Drift Field Evaluation) which are not part of the target data base and do not affect the reregistration eligibility of glyphosate. The Agency also is requiring product-specific data including product chemistry and acute toxicity studies, as well as revised Confidential Statements of Formula and revised labeling.

Product Labeling Changes Required

All end-use glyphosate products must comply with EPA's current pesticide product labeling requirements. In addition:

- **Protection of Aquatic Organisms**

Non-Aquatic Uses - End-use products that are not registered for aquatic uses must bear the following label statement:

Do not apply directly to water, to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters and rinsate.

Aquatic Uses - End-use products registered for aquatic uses must bear the following label statement:

Do not contaminate water when disposing of equipment washwaters and rinsate. Treatment of aquatic weeds can result in oxygen loss from decomposition for dead plants. This loss can cause fish kills.

- **Worker Protection Standard (WPS) Requirements**

Any product whose labeling permits use in the production of an agricultural plant on any farm, forest, nursery or greenhouse must comply with the labeling requirements of:

- PR Notice 93-7, "Labeling Revisions Required by the Worker Protection Standard (WPS)," and

-
- PR Notice 93-11, "Supplemental Guidance for PR Notice 93-7."

Unless specifically directed in the RED, all statements required by these two PR Notices must appear on product labeling exactly as instructed in the Notices. Labels must be revised by April 21, 1994, for products distributed or sold by the primary registrant or supplementally registered distributors, and by October 23, 1995, for products distributed or sold by anyone.

- **Personal Protective Equipment (PPE)**

No new PPE requirements must be added to glyphosate labels. However, any existing PPE requirements on labels must be retained.

- **Entry Restrictions**

Products Not Primarily Intended for Home Use:

- Uses Within the Scope of the WPS - A 12-hour restricted entry interval (REI) is required for all products with uses within the scope of the WPS, except products intended primarily for home use. The PPE for early entry should be that required for applicators of glyphosate, except any applicator requirement for an apron or respirator is waived. This REI and PPE should be inserted into the standardized statements required by PR Notice 93-7.

- Sole Active Ingredient End-Use Products - Labels must be revised to adopt the entry restrictions set forth in this section. Any conflicting entry restrictions on current labeling must be removed.
- Multiple Active Ingredient Products - Registrants must compare the entry restrictions set forth in this section to those on their current labeling and retain the more protective. A specific time period in hours or days is considered more protective than "until sprays have dried" or "dusts have settled."

- Uses Not Within the Scope of the WPS - No new entry restrictions must be added. However, any entry restrictions on current product labeling with these uses must be retained.

Products Primarily Intended for Home Use:

- No new entry restrictions must be added. However, any entry restrictions on current product labeling must be retained.

Regulatory Conclusion

The use of currently registered pesticide products containing the isopropylamine and sodium salts of glyphosate in accordance with the labeling specified in this RED will not pose unreasonable risks or adverse effects to humans or the environment. Therefore, all uses of these products are eligible for reregistration.

These glyphosate products will be reregistered once the required product-specific data, revised Confidential Statements of Formula and revised labeling are received and accepted by EPA.

Products which contain active ingredients in addition to glyphosate will not be reregistered until all their other active ingredients also are eligible for reregistration.

For More Information

EPA is requesting public comments on the Reregistration Eligibility Decision (RED) document for glyphosate during a 60-day time period, as announced in a Notice of Availability published in the Federal Register. To obtain a copy of the RED document or to submit written comments, please contact the Pesticide Docket, Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs (OPP), US EPA, Washington, DC 20460, telephone 703-305-5805.

Following the comment period, the glyphosate RED document will be available from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, telephone 703-487-4650.

For more information about EPA's pesticide reregistration program, the glyphosate RED, or reregistration of individual products containing glyphosate, please contact the Special Review and Reregistration Division (7508W), OPP, US EPA, Washington, DC 20460, telephone 703-308-8000.

For information about the health effects of pesticides, or for assistance in recognizing and managing pesticide poisoning symptoms, please contact the National Pesticides Telecommunications Network (NPTN). Call toll-free 1-800-858-7378, between 8:00 am and 6:00 pm Central Time, Monday through Friday.



STUDY SESSION AGENDA REPORT

June 4, 2025

Agenda Item	VII. Park Ordinance(s) Update: Amending AMC Chapter 10.68 – Public Parks	
Presenter	Rocky Houston	Director
Item Type	Commission Requested ☐ Request for Direction ☒ Information ☒	

SITUATION

Amendment of Ashland Municipal Code (AMC) Chapter 10.68 – Public Parks to include provisions for special use permitted activity.

BACKGROUND

AMC 10.68 does not permit many of the uses that we allow via a special use permit. A special use permit does not allow the department to permit activities or uses forbidden by the AMC.

ASSESSMENT

In coordination with the Legal Department, staff have taken a broader look at AMC 10.68 for consideration of special use permits.

Proposed changes in the following have been recommended:

- **10.68.060** Unpermitted Commercial Activity
- **10.68.080** Posting Notices Prohibited
- **10.68.120** Park Property Prohibited uses
- **10.68.170** Park Waters Use
- **10.68.260** Swings Hammocks
- **10.68.330** Camping Prohibited

These draft changes to the AMC will provide more flexibility for events and special use permits as approved by the Parks Director or their designee.

The process to amend AMC 10.68 would be as follows:

- Park Commission recommendation at Park Commission business meeting
- City Council approval of AMC amendments

DISCUSSION QUESTIONS OR SUGGESTED NEXT STEPS

- Are there any questions about the proposed amendments?
- Are there other amendments staff should consider?

POLICIES, PLANS & GOALS SUPPORTED

- AMC 10.68 – Public Parks
- Special Use Permit Policy

FINANCIAL CONSIDERATIONS

If adopted, these changes to the AMC would require some additional staff time for implementation. Once implemented the changes would provide more revenue opportunities for special use permits within the parks system.

ATTACHMENTS

Chapter 10.68 AMC Amendment DRAFT Changes

PREPARED BY: Rachel Dials, Deputy Director

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING AMC CHAPTER 10.68 PUBLIC PARKS SUB-SECTIONS 10.68.060, 10.68.080, 10.68.120, 10.68.170, 10.68.260 AND 10.68.330.

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~bold lined through~~, and additions are **bold underlined**.

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:

Powers of the City. The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS,

WHEREAS,

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. Sub-section **10.68.060 Unpermitted Commercial Activity** is amended as follows:

A. No one shall sell or offer for sale any article or perform or offer to perform any service for hire in any of the parks ~~without a written permit for such concession properly and regularly granted by the Park Commission.~~ **except as otherwise authorized by a special use or special event permit issued by the Parks Director.** No one shall hawk or peddle popcorn, ice cream, candy, soda water, peanuts, or similar wares within or on any of the park grounds of the City without first securing a permit to do so. ~~from the Park Commission.~~

B. Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class I violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010)

SECTION 2. Sub-section **10.68.080 Posting Notices prohibited** is amended as follows:

A. No one shall erect on any pole or post or attach any notice, bill, poster, sign, wire, rod or cord to any tree, shrub, fence railing, fountain, wall, post, structure or other device of any kind whatever, on any of the bases, statues, bridges, or monuments in any park ~~without permission~~

of the Park Commission, except as otherwise authorized by a special use permit issued by the Parks Director.

B. Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class IV violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010)

SECTION 3. Sub-section **10.68.120 Park property Prohibited uses** is amended as follows:

A. No one shall climb any tree, or walk, stand, or sit upon the monuments, vases, fountains, railings, or fences in any park; **except as otherwise authorized by a special use permit issued by the Parks Director. Individuals issued a permit must still comply with the ‘no climbing’ rule outside of the specific activities permitted in the special use permit.**

B. Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class II violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010)

SECTION 4. Sub-section **10.68.170 Park waters Use** is amended as follows:

A. No one shall fish, wade, swim, or bathe in any of the parks except the places designated for such purposes, except, however, that children of the age of thirteen (13) years and under shall be permitted to fish within the present, or hereinafter designated, boundaries of Lithia Park; **except as otherwise authorized by a special use permit issued by the Parks Director.**

B. Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class II violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010)

SECTION 5. Sub-section **10.68.260 Swings Hammocks** is amended as follows:

A. No swings or hammocks shall be hung or swung in any of the parks, except on the posts erected for the purpose; **except as otherwise authorized by a special use permit issued by the Parks Director.**

B. Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class IV violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010)

SECTION 6. Sub-section **10.68.330 Camping prohibited** is amended as follows:

A. No person shall camp within the park limits within the City of Ashland, or on the park side of any street adjacent to the parks; **except for special events as otherwise authorized by a special use permit issued by the Parks Director. Otherwise, Prohibited Camping is a Class IV violation. is subject to the rules and enforcement outlined in Chapter 10.46.**

~~B. Any person who violates any provision of this Chapter is subject to Section 1.08.020 of the Ashland Municipal Code. Any violation of this section is a Class IV violation.~~ (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010)

SECTION 7. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

SECTION 8. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word “ordinance” may be changed to “code”, “article”, “section”, “chapter” or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 3-5) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____ day of _____, 2025 and duly PASSED and ADOPTED this _____ day of _____, 2025.

PASSED by the City Council this _____ day of _____, 2025.

ATTEST:

Alissa Kolodzinski, City Recorder

SIGNED and APPROVED this _____ day of _____, 2025.

Tonya Graham, Mayor

Reviewed as to form:

Johan Pietila, City Attorney



STUDY SESSION AGENDA REPORT

June 4, 2025

Agenda Item	VIII. Community Center/Pioneer Hall Rental Fee	
Presenter	Rocky Houston	Director
Item Type	Commission Requested ☐ Request for Direction ☐ Information ☒	

SITUATION

Review Community Center and Pioneer Hall Rental Fee

BACKGROUND

Each year the City reviews and updates the miscellaneous fees and charges book. The Parks Department's review this year included the addition of Pioneer Hall and the Community Center as potentially rentable assets for the next fiscal year. Currently there is no fee identified for the Community Center in the adopted miscellaneous fees and charges book. The fee for Pioneer Hall is \$23.00 per hour for weekdays and \$35.00 per hour for weekends.

The City Council reviewed the miscellaneous fees and charges book. They directed the Park Commission to again review the fees for the Community Center and Pioneer Hall. The Council had concerns around the increase in the hourly rental rate and cleaning fee.

ASSESSMENT

Generally, a fee review includes a review of the cost recovery standard for the item, found in a cost recovery policy. A cost analysis for providing the facility or service is needed to determine the cost recovery. Alternatively, a comparable analysis and community threshold enquiry are completed. This entails identifying the rate charged for other comparable facilities and assessing whether the community would pay the amount proposed.

Currently, the Department does not have an adopted cost recovery policy or cost data at the level necessary to be effective in developing a cost per facility or amenity. Therefore, staff are utilizing the comparable analysis and community threshold enquiry model to develop a proposed fee.

There are two (2) factors to consider in developing a potential fee: rate and operational capacity. The rate will be found in the miscellaneous fees and charged book. The operational capacity will inform any policy or procedure that communicates the minimum use period(s) for the facility or amenity. We will begin by assessing the Department's operational capacity.

Operational Capacity

Each reservation for Pioneer Hall or the Community Center will require staff to answer questions, review a reservation request, review additional insured documents, and coordinate with park operations and/or a third party to ensure the facility is ready for use and cleaned after the use. This does not include the time for the Legal Department to review documents. Our current loaded cost for an administrative assistant or recreation manager is \$35 to \$72 per hour. Our estimate is 1 to 2 hours of staff time, depending on the complexity of the rental. Therefore, covering the administrative costs of a rental would be \$70 to \$144.

Park operations are operating at 33% of staffing levels to meet routine maintenance of parks, without considering the addition of these two assets to our portfolio. As such, the Department is reviewing the use of a contractor to complete the interior cleaning. The model we hope to use is an on-call contract to have the service come to clean up after a facility was used for the day. The estimate is \$65 to \$125 per cleaning. The goal is to get 100% cost recovery (average) for this expense. Staff is recommending a cleaning fee as follows:

Facility	All Day Rental	2 Hour Rental
Pioneer Hall	\$75	\$15
Community Center	\$100	\$20

Due to staffing levels, the Department operates with minimal staff available on weekends to assist any users of Pioneer Hall or the Community Center. As such, a minimum of six (6) hours or a daily rental is recommended. For weekdays a two-hour minimum is recommended. This will ensure that at least a portion of the administrative costs are recovered.

Rate

The Department is responsible for the utilities, ongoing routine maintenance (interior and exterior), and the administration of the facilities. The City has just invested over \$2.3 million in major repairs to both facilities. The current weekday to weekend rate differential is a 52% higher rate.

Following are the hourly rate options for consideration:

Facility	Current Rate	Adopted Rate	Alternative #1	Alternative #2
Pioneer Hall	\$23/\$35	\$60/\$120	\$40/\$60	\$30/\$60
Community Center	Null	\$80/\$160	\$50/\$75	\$40/\$80

Alternative #1 utilizes the same rates adopted for the Senior Center's single room fee for Pioneer Hall. A 25% increase was applied for the Community Center due to the greater square footage. Alternative #2 utilizes a rate based on a 50% reduction of the adopted rate.

Staff will provide a more detailed comparable review during the study session to assist in a review of the hourly rate for these two facilities.

DISCUSSION QUESTIONS OR SUGGESTED NEXT STEPS

Staff are seeking input on the proposed alternative rates and seek direction on moving an alternative forward or if needed, receiving additional information from the Park Commission.

POLICIES, PLANS & GOALS SUPPORTED

Biannual budget process

FINANCIAL CONSIDERATIONS

Fees for rental, services, and programs assist in reducing general fund support. The next biennium budget has been adopted with identified amounts of fees being generated. The utilization rate and fees charged impact the amount of fee revenue generated.

ATTACHMENTS

None

PREPARED BY: Rocky Houston, Director



Park Commission Meetings

Date	Agenda Item	Presenter
6/4	Park Commission Study Session Council Chamber 6 PM	
	Advisory Committee Policy/Charge(s) (Information)	Houston
	Winburn Way Subcommittee Update (Information)	Houston
	Integrated Pest Management – Use Exception (Information)	Houston
	Park Ordinance(s) Update (Information)	Houston
	Community Ctr/Pioneer Hall Rental Fee (Information)	Houston
6/11	Park Commission Business Meeting Council Chamber 6 PM	
	Third Quarter FY25 Financial Update (Information)	Terry
	Oregon Parks Forever/Kids in Parks - Track Trails Partnership (Information)	Came
	1.01.001 – Policy Framework Adoption (Action)	Houston
	Fees (Action)	Houston
7/2	Park Commission Study Session Council Chamber 6 PM	
7/9	Park Commission Business Meeting Council Chamber 6 PM	
APRC Advisory and Management Advisory Committees		
7/14/2025	Ashland Senior Advisory Committee Senior Center 3:30 PM	
7/15/2025	Trails Advisory Committee Lithia Park Cabin 4:30 PM	
7/17/2025	Recreation Division Advisory Committee	
TBD	Ashland Japanese Garden MAC Lithia Cabin 2:00 PM	
TBD	Bee City USA MAC	
TBD	Current Parks, Conservation, and Maintenance MAC	
Council Business / Budget Meetings/Commissions		
6/3/2025	CC Bus. Mtg. - Budget Adoption; First Reading of ORD 3264 Recreational Immunity; Economic Opportunity Analysis	
6/17/2025	CC Bus. Mtg. Second Reading of ORD 3264 Recreational Immunity; Management Resolution (Class and Comp)	
7/15/2025	CC Bus. Mtg. – Pioneer Hall/Com. Ctr Fees Parks (Rocky presenting)	
10/21/2025	Joint Meeting with City Council and Park Commission	



Department Work Plan

PROS Plan	
3/10	Senior Services Focus Group ✓
3/13	Trails Focus Group ✓
3/19	Natural Resources Focus Group ✓
3/20	Recreation Focus Group ✓
TBD	Youth Focus Group
TBD	Commercial Focus Group
4/8	PROS Plan Kickoff Meeting Senior Center 5:30 - 7:00 PM ✓
4/17	South Ashland Neighborhood Meeting, Temple Emek Shalom ✓
4/23	Central Ashland Neighborhood Meeting, Stevenson Union ✓
4/24	North Ashland Neighborhood Meeting, United Methodist Church ✓

- Complete projects identified in the adopted Capital Improvement Plan for FY 26-27
 - Preventative Maintenance Projects
 - Lithia – Butler Perozzi Fountain Restoration
 - ADA Improvements
 - Lithia – Master Plan work plan projects
 - Hunter Park – Tennis Court Rehabilitation
 - Irrigation Controllers
 - Siskiyou Mountain – Trail Re-route
 - East Main – Phase I development
- Improve recreation and senior programming access by replacing staff eliminated during COVID-19 and developing a cost recovery policy.
- Complete the Parks, Recreation, Open space, & Senior services strategic plan (PROS)
- Establish Equipment Replacement and Repair program to be consistent with Citywide fleet standards.
- Update employee onboarding, training, and safety program
- Complete work plan items identified for FY 26-27 to implement the Lithia Park Master Plan
 - Fuels reduction between Glenview Rd & Ashland Creek
 - Hazard tree removal
 - Development and promotion of citizen science and/or other environmental education
 - Winburn Way traffic speed and road design
 - Trail map update
 - Replacement of interpretive signs for flora
- Develop funding strategy for future capital projects, specifically:
 - Pool replacement project
 - East Main future development phase(s)



January	February	March
Budget Concepts (Odd years) Adopt CIP (Odd years)	Budget Direction VIP Annual Report	Recommend Budget Recreation Annual Report
April	May	June
	Environmental Education Annual Report	Ashland Senior Advisory Committee/Recreation Division Advisory Committee Charges (Information)
July	August	September
July 4 th Parade		
October	November	December
Salmon Festival	Senior Services Annual Report	Ashland Parks Foundation Annual Report