

BCCA Update on Herbicides

Briar Chapel Members,

At the March 14th Town Hall, the BCCA was presented with a petition signed by 574 residents representing 415 households or members of the BCCA. The petition asked the Board to cease using pesticides and pre/post-emergent fertilizers at parks, playgrounds, and common areas in our community and requested that the BCCA put the question up for a vote by the members of the BCCA.

The community-wide standard for landscaping in Briar Chapel fall under the “Design Guidelines”. This and the other governing documents are like the “Constitution” of the BCCA. The Association does have some latitude in how to govern Briar Chapel, but the Board and management company still must operate under the framework established by these documents. In addition, until our developer sells their final lot in Briar Chapel, the developer has “veto” power on any changes to these documents.

To get in front of any potential changes, the Board began investigating this issue, considering options and meeting with subject matter experts: Matt Jones with the North Carolina Extension Service at NC State University, and Ryan Kimbro and John Davis from Myatt, the landscaping vendor who services Briar Chapel.

Several key points have come out of these sessions:

- The BCCA owns/manages approximately 900 acres of common space. Of this property, slightly over 100 acres is maintained, the rest are natural areas. Herbicides are used only in the areas of maintained landscaping.
- There are several ways to classify herbicides, including whether they are contact or systemic.
 - Contact herbicides work only on the portion of the plants that they touch, are mostly effective on emerging young plants and do not work as well on mature or flowering plants. Organic (naturally-derived) herbicides fall in this category, as do certain kinds of synthetically-derived herbicides.
 - Systemic herbicides are absorbed and translocated by the plant, working more slowly to kill the weed by destroying the root system. This type of herbicide is more effective in killing the entire plant, particularly larger and more perennial weeds. All systemic herbicides are synthetically-derived.
- All herbicides in use at Briar Chapel are approved by the United States Environmental Protection Agency (EPA) for treating specific landscaping conditions. The EPA re-assesses these herbicides at a minimum of every 15 years to ensure their findings reflect the most current science. The EPA has determined that these chemicals are not harmful to humans or pets if they are used as directed according to their approved labeling.

- EPA labeling provides information on proper application of each of these herbicides. Our landscaping contractors: Myatt, Bartlett Tree and Dragonfly are contractually obligated to meet all federal and state regulations for the application of herbicides. Personal Protective Equipment (PPE) is recommended for most of these herbicides. The labeling also includes information on the recommended re-entry interval (REI) to the treated area after application in a non-agricultural use.
- Myatt confirmed that they provide training to their staff who are authorized to apply herbicides. Their staff are required to wear the PPE listed on the EPA label, which is typically limited to long pants and sleeves, shoes/socks, chemical-resistant gloves, and in some cases, protective eyewear. Additional PPE is available to their employees who request it.
- EPA labeling also provides information on Hazards to Humans and Domestic Animals. (i.e., harmful if absorbed through skin, avoid contact with skin, eyes, or clothing, etc....).
 - According to our subject-matter experts, these hazards are applicable when these chemicals are undiluted, and poured directly on the skin, ingested, or inhaled in a closed space.
 - These hazards do not have the same impact when the herbicide is applied to the landscape and absorbed by the plants before having contact with humans and pets.
- The more applicable information from the EPA label is the re-entry Interval (REI) for non-agricultural uses. The herbicides in use in Briar Chapel, recommend that humans and pets do not enter treated areas until the applied herbicide has dried on the plants.
- Matt Jones noted that biodiversity in landscaping of our common areas and private landscapes would likely have a larger positive ecological impact (e.g., providing forage for beneficial insects, including pollinators) than landscaping herbicides in use in BCCA common spaces. Matt, and his colleagues at the NC Extension Service offer workshops on using native plants and creating pollinator habitats.

Since receiving the petition, the BCCA implemented a procedure of informing residents via email each week about the parks and common areas that will be treated with herbicides in the coming week. In addition, signs are placed for up to 24 hours to ensure residents are aware of any treatments. This information is provided, so that residents can make their own decisions about using common areas after applications.

In addition, the BCCA will maintain a complete list of the herbicides in use in Briar Chapel common areas, to include the brand name of the product, active ingredient, link to EPA label, list of required PPE, and the re-entry interval (REI) recommended by the EPA. This information will be maintained on the Briar Chapel Life website on the Landscaping page.

Finally, the Briar Chapel Board of Directors and the staff of Kuester Management recognize this is an important issue for our members, and we will continue to listen to our residents on items of concern. The homeowner-led Design Review Committee will begin its work in the coming months and continue investigating possible solutions. They, along with the Landscape Committee, will

recommend actions for the next budget cycle, should full transition of the Developer to the BCCA occur, as expected. This fall, the BCCA will invite Matt Jones (NC Extension Service) to join the BCCA Board to speak with residents and answer questions relevant to this issue.