



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING

Meeting Date: September 4, 2018

Agenda Item 8-A

Approvals: _____

City Manager [Signature]

Dept. Head [Signature]

Attorney _____

Finance [Signature]

Department: Public Works
Prepared By: Tom Bonigut, Public Works Director/City Engineer

Subject: *CONSIDER APPROVAL OF INTEGRATED PEST MANAGEMENT (IPM) POLICY No. 801-5.*

Fiscal Impact: Yes. Implementation of the proposed IPM policy is estimated to modestly increase maintenance contract costs based on the anticipated need for some periods of greater manual labor. The cost for organic, non-synthetic pesticides could be significantly higher depending on quantities needed to provide effective pest control. This is discussed further below.

Summary: Staff recommends City Council approval of proposed City Policy No. 801-5 titled "Integrated Pest Management" as further discussed in this report.

Background: The City Council first considered the proposed IPM policy at its September 5, 2017 meeting. That day the City received a letter from the U.S. Fish and Wildlife Service (USFWS) to oppose the proposed policy. The USFWS was primarily concerned that use of synthetic pesticides would be prohibited, but that an effective IPM policy should allow for synthetic chemicals to remain in the tool box, and be considered in instances where other measures have not worked, and will not work for logistical or other reasons. At the City Council meeting a representative from the Orange County Chapter of the California Native Plant Society expressed a similar concern. After discussion the City Council opted to continue consideration of the policy at a future meeting and provided the following direction to staff:

1. Consider the concerns raised by the USFWS;
2. Assess the potential financial impact associated with converting to organic pesticides;
3. Contact the Talega Homeowner's Association to determine its experience since ceasing its use of Round Up;
4. Determine whether a change in City pesticide practices could negatively affect areas outside the City, such as the Rancho Mission Viejo Land Conservancy; and
5. Contact the Orange County Vector Control District to determine whether it has an opinion on the proposed Policy.

Discussion: Staff considered the direction by the City Council and prepared revisions to the proposed policy to address the issues raised at the September 5, 2017 meeting. The City Council considered the revised policy at its July 24, 2018 meeting. A representative from the Orange County Chapter of the California Native Plant Society pointed out an issue with inconsistent terminology which staff was already aware of and intended to correct. The revised policy now consistently uses the term "pesticide"

as a general term that could refer to a variety of more specific groupings of chemicals such as herbicides, rodenticides, and insecticides, etc. Other than this clarification the attached proposed policy is the same as presented at the July 24, 2018 City Council meeting.

The City Council also inquired on the cost impact of the policy. Staff recently solicited proposals to renew all of the City's parks maintenance contracts, and the Request for Proposals noted that pesticide use and application must be consistent with the City's IPM Policy. It's not possible to identify specifically how much of the increased contract costs are due to implementation of a new IPM policy, because the new proposed contract costs reflects other variables such as inclusion of prevailing wage labor rates and the current market climate for contracted landscape maintenance services. For the landscape related maintenance contracts, the combined proposed Fiscal Year (FY) 2019 cost is about 19%, or about \$259,000, higher than the FY 2018 costs under the old contracts. To monitor chemical usage and costs, the Public Works Maintenance Division purchases pesticides for application by its contractors. In FY 2018 the division spent about \$6,500 on synthetic pesticides. It is estimated that this could increase up to five times that amount (to about \$33,000) in FY 2019. However, this depends on largely on the weather, where a drier season will result in less weed control efforts. Also, the proposed policy does allow the City to use synthetic pesticides if pests, which includes weeds, can't be managed by other methods. Staff will continue to emphasize non-pesticide control measures to deal with pests and to closely monitor pesticide usage, whether organic or synthetic, when those might be needed.

Recommended

Action: STAFF RECOMMENDS THAT the City Council approve and adopt City Policy No. 801-5 titled "Integrated Pest Management."

Attachment: Proposed City Policy No. 801-5 ("Integrated Pest Management").

Notification: California Native Plant Society, Orange County Chapter

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POLICY AND PROCEDURE

Subject: Integrated Pest Management	Index: Public Works & Utilities Number: 801-5
Effective Date:	Prepared By: Public Works Dept.
Supersedes: N/A	Approved By:

1.0 PURPOSE:

It is the purpose of this policy to establish criteria for an Integrated Pest Management (IPM) Program that guides pest management efforts for the care of properties maintained by the Public Works Department Maintenance Services Division.

2.0 ORGANIZATION AFFECTED:

Public Works Department, Maintenance Services Division.

3.0 POLICY:

The City of San Clemente will focus on prevention or suppression of pest issues to minimize the impact on human health, the environment, and non-target organisms by limiting the use of pesticides. Following are guiding principles for this policy:

- a. Emphasize prevention and non-chemical controls.
- b. Consider use of organic pesticides when appropriate.
- c. Limit exposure to any pesticides where children and the general public congregate.
- d. Use non-organic chemical pesticides in a targeted manner, and only if deemed necessary by a licensed Pest Control Advisor and City staff, to:
 - a) protect public health or safety;
 - b) prevent a threat to sensitive species or native habitats;
 - c) assist in meeting regulatory compliance requirements;
 - d) prevent economic loss; or
 - e) when pests cannot be managed by other methods.
- e. If non-organic chemical pesticides are used, only California registered products will be considered with preference given to lower impact

products, including any that are low in toxicity to people and pets and have low potential for impacts on the environment. Products will be selected on a case-by-case basis, depending on the needs of the project.

4.0 PROCEDURE:

4.1 Prevention.

This strategy aims to reduce or eliminate opportunities for pest establishment through preventative actions that remove conditions such as food, water and shelter that can attract pests. Preventative actions include but are not necessarily limited to: installing mulch and other landscaping best practices to promote soil and plant health; using weed-free soil amendments; planning and maintaining landscape features to eliminate safe havens for pests and rodents; cleaning up plant debris, especially from fruit-bearing trees; reducing clutter; sealing areas where pests enter buildings; removing trash and overgrown vegetation; and installing pest barriers. For City areas such as trails, parks, playgrounds, fields, and street medians and parkways within public street right-of-way, Public Works Maintenance Services Staff shall review all new development and rehabilitation projects plans to verify compatibility with the site's environment to maximize the natural controls available for pests and weeds and proper ground coverage with a diversity of native plants to the extent practicable.

4.2 Monitoring.

4.2.1 The Public Works Maintenance Services Division shall require its contractor(s) to provide regular monitoring services related to any potential issues for weeds and pests.

4.2.2 The contractor shall determine if pest populations are increasing, decreasing, or staying the same and to determine when to use a control tactic.

4.2.3 The contractor shall provide monthly monitoring records which shall include at minimum a completed State Monthly Summary Pesticide Use Report Form (Form #DPR-PML-060). Even if no pesticides are used, a "non-use" monthly report shall also be filed.

4.3 Non-Chemical Control Measures.

4.3.1 The Maintenance Services Division shall utilize cultural controls which are modifications of normal plant care activities that reduce or prevent pests. In addition to those methods used in the pest preventions, other cultural control methods include adjusting the frequency and amount of irrigation, aeration, organic fertilization, beneficial microbes, composts/mulch, humic and mowing height.

4.3.2 The Maintenance Services Division shall utilize mechanical control tactics that involve the use of manual labor and machinery to

reduce or eliminate pest problems using methods such as handpicking, physical barriers, or machinery such as weed whackers to reduce weeds.

4.3.3 The Maintenance Services Division shall utilize a biological control practice which uses living organisms to reduce pest populations. These organisms are often also referred to as beneficials, natural enemies or biocontrols. They act to keep pest / weed populations low enough to prevent significant economic damage. Biocontrols include beneficial microbes, organic materials such as composts, competitive species, and beneficial organisms. Beneficial organisms can occur naturally or can be purchased and released. The most common organisms used for biological control in landscapes are predators, parasites, pathogens and herbivores.

4.4 Pesticide Controls.

Pesticides may be used, when the steps above are ineffective (as defined in this policy), consistent with the guiding principles in Section 3.0 and per the prioritized approach as follows:

4.4.1 Open Space, Trails and Street Right-of-Way/Parking Lots

- a. Use organic pesticides first, when pesticides are needed.
- b. Use non-organic chemical pesticides in a targeted manner, and only if deemed necessary by a licensed Pest Control Advisor and City staff.
- c. Only use bait formulations of pesticides when necessary to control rodents that are a threat to public health and safety and other methods of rodent control were ineffective. In such cases, these pesticides must be used in locked bait stations and rodent burrows where the pesticide would not be accessible to humans or domestic animals, and the application must be overseen by a licensed Qualified Applicator. When used, bait stations will be checked daily for presence and retrieval of any dead rodents to minimize any potential secondary exposure to domestic animals or non-target wildlife. Any unused bait stations will be promptly removed once the rodent problem has been addressed.

4.4.2 Sports/Parks Fields and Park Playgrounds

Pesticides shall not be used on sports fields or within park playgrounds, except if necessary to control rodents that are a threat to public health and safety and other methods of rodent control were ineffective. In such cases, these pesticides must be used in locked bait stations and rodent burrows where the pesticide would not be accessible to humans or domestic animals, and the application must be overseen by a licensed Qualified Applicator. When used, bait stations will be checked daily for presence and

retrieval of any dead rodents to minimize any potential secondary exposure to domestic animals or non-target wildlife. Any unused bait stations will be promptly removed once the rodent problem has been addressed.

4.4.3 Facilities/Buildings

- a. Use organic pesticides first, when pesticides are needed.
- b. Do not use any pesticides which are on the California Healthy Schools Act list of prohibited pesticides.
- c. Do not use any pesticides which are on the California Proposition 65 list, except bait formulations of pesticides when necessary to control rodents that are a threat to public health and safety and other methods of rodent control were ineffective. In such cases, these pesticides must be used in locked bait stations and rodent burrows where the pesticide would not be accessible to humans or domestic animals, and the application must be overseen by a licensed Qualified Applicator. When used, bait stations will be checked daily for presence and retrieval of any dead rodents to minimize any potential secondary exposure to domestic animals or non-target wildlife. Any unused bait stations will be promptly removed once the rodent problem has been addressed.
- d. Use non-organic chemical pesticides in a targeted manner, and only if deemed necessary by a licensed Pest Control Advisor and City staff.

4.5 Approvals and Application of Chemical Pesticides

- 4.5.1 Pesticides shall be approved by the Maintenance Services Division Manager or designee prior to use. A written recommendation of proposed pesticide, including commercial name, concentrations, allocation rates, usage and reentry time shall be prepared by a licensed Pest Control Advisor and site specific schedule submitted for approval. Copies of Material Safety Data Sheets (MSDS label) and specimen labels shall be given to the City prior to pesticide use on City property.
- 4.5.2 Chemical applications must be overseen by a licensed Qualified Applicator. Application shall be in strict accordance with all governing regulations. Records of all operations shall be kept per California Department of Pesticide Regulations.
- 4.5.3 Pesticides shall be applied in a manner to avoid contamination of non-target areas and non target organisms. Precautionary measures shall be employed to keep the public from entering the spray zone until it is safe.

4.5.4 Posting of signs shall be required at all park facilities when any spray and broadcast application of pesticides is performed. Specific requirements for posting are as follows:

- a. Post signs at all park entrances at least 48 hours prior to spraying or broadcast applications. The vendor's contact information, pesticide name and application date must be listed.
- b. Place notices inside plastic page protectors, or use plastic or metal signs. Attach them to a four-foot (4') high wooden stake. Signs must be readable 25' away from posted area.
- c. Leave the same signs up for 72 hours after the applications are completed, then remove.
- d. Also place a notice of pesticide application on the City's website (under the Parks & Ball Fields page (www.san-clemente.org/recreation-community/parks-ball-fields)) for the durations noted above.
- e. A temporary mesh fence such as orange plastic construction fencing can be erected on the perimeter of any area that is to be treated with a broadcast type application with the intent to keep people and pets off the treated area for a period of 24 hours.

4.6 Records and Reporting

Records of all pesticides used by the Contractor on City property shall be retained in accordance with Department of Pesticide Regulations. Maintenance Services Division will keep records of all pesticide usage and, when directed, provide a report to the Director of Public Works reflecting the pesticide usage each year. The Public Works Department will, when directed, provide a report to the City Council.

5.0 DEFINITIONS:

- 5.1 *California Healthy Schools Act List*. A list maintained by the State Department of Pesticide Regulation of pesticide products prohibited from use in schools and child care facilities. The list is available at <http://apps.cdpr.ca.gov/schoolipm/>.
- 5.2 *Ineffective*: When prevention and non-chemical approaches have not worked to eliminate or control the target pest, such that the pest poses a public health or safety threat; threatens sensitive species or native habitats; hinders regulatory compliance requirements; results in economic loss; or cannot be managed by other methods. In such cases pesticides may be used in accordance with this Policy.
- 5.3 *Integrated Pest Management (IPM)*: An ecosystem based strategy used to address pest problems while minimizing risks to people and the environment. IPM focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control,

habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates that other methods are ineffective, and treatments are made with the goal of removing only the target organism. Pesticides are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.

- 5.4 *Non-Target Organism:* Any plant, insect, mammal, or other living organism that is not the pest which needs to be controlled or eliminated.
- 5.5 *Organic Pesticide:* A pesticide that is derived from natural sources, not synthetically manufactured. For the purposes of this policy, "organic" products are those that are allowed for use in organic food production under the USDA's National Organic Program (<http://www.ams.usda.gov/rules-regulations/organic/national-list>).
- 5.6 *Pest:* An organism that damages or interferes with desirable plants in fields, landscapes, or that damages structures. Pests also include organisms that impact human or animal health. Pests may transmit disease or may be just a nuisance. A pest can be a plant (weed), vertebrate (bird, rodent, or other mammal), invertebrate (insect, tick, mite, or snail), nematode, pathogen (bacteria, virus, or fungus) that causes disease, or other unwanted organism that may harm water quality, animal life, or other parts of the ecosystem.
- 5.7 *State Proposition 65 List.* A list maintained by the State Office of Environmental Health Hazard Assessment (OEHHA) of naturally occurring and synthetic chemicals that are known to cause cancer or birth defects or other reproductive harm. The list is available at: <https://oehha.ca.gov/proposition-65/proposition-65-list>.