



Agenda Item No: 4.d

Meeting Date: **September 18, 2017**

**SAN RAFAEL CITY COUNCIL AGENDA REPORT**

Department: **Public Works**

Prepared by: **Bill Guerin**  
Director of Public Works

City Manager Approval: \_\_\_\_\_

File No.: 01.12.33

**TOPIC: INTEGRATED PEST MANAGEMENT POLICY UPDATE**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL ADOPTING AN UPDATED INTEGRATED PEST MANAGEMENT POLICY.**

**RECOMMENDATION:** Adopt Resolution.

**BACKGROUND:** In 2007 the City created an Integrated Pest Management (IPM) program outlining policies and procedures to minimize the application of pesticides throughout the City. The program was intended to reduce the amount of chemicals used and to increase alternative methods of weed control such as mowing, use of mulch and more natural methods to control vegetation such as goat grazing.

In 2014 the City's IPM policy was modified to comply with the State Water Resources Control Board (SWRCB) Phase II Small Municipal Separate Storm Water Systems (MS4) National Pollutant Discharge Elimination System (NPDES). This modification to the policy included regulations related to Urban Creek Diazinon and Pesticide Toxicity, which are consistent with Total Maximum Daily Load (TMDL) requirements. The modification further outlined the City's goal to reduce reliance on and to minimize the use of pesticides that threaten water quality in San Rafael's operations and city property.

Over the last three years following the 2014 policy update, the County of Marin has developed a list of acceptable pesticides that are utilized by their maintenance divisions. This list, updated regularly, has a wider array of pesticides that can be utilized by the City.

In the last several months, the Department of Public Works has been meeting with engaged community members who have offered their input on improving the City's current policy (last revised in 2014). Their primary focus was on expanded posting of signage where pesticides are being used in addition to increased training and clarification of pesticides in and around City Buildings. With the help of these community members, a new proposed policy has been developed to address these issues.

**ANALYSIS:** The 2014 policy has been updated to address the following:

*Pesticide Type*

The previous Policy noted an "Approved Use of Products". This section of the previous policy is revised to refer to an approved list of products provided by Marin County which also assists the

**FOR CITY CLERK ONLY**

File No.: \_\_\_\_\_

Council Meeting: \_\_\_\_\_

Disposition: \_\_\_\_\_

## **SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 2**

City with its Marin County Storm Water Pollution Prevention Program (MCSTOPPP). The intent is to utilize a more standardized list of products.

### *Posting*

The Department of Public Works currently does post areas where pesticides are utilized. Providing for notification prior to application as well as after is now included in the new policy. In addition, specific sites where posting will be done are now identified (parks, pathways, etc.), and the posting time period has been extended from 24 hours to 48 in the new policy.

### *Training*

The current policy addresses training for Public Works employee applicators. On occasion the City has utilized outside vendors to provide pest control. The new policy provides for safe handler training for all staff assisting in the application storage and handling of pesticides. This includes contractors who are providing services for the departments.

**COMMUNITY OUTREACH:** There has been a very active group of both members of the public and City Council officials involved in the IPM policy update process. The Parks Superintendent met with these community members several times to evaluate the existing plan, and sought their input on changes that could be made that were workable with existing Parks department operations. City Councilmember Kate Colin was also very involved in the process, reviewing drafts of the updated plan and providing feedback and ensuring that the community's needs and priorities were reflected in the 2017 update.

The community relayed that their main priorities were:

- (1) for the City to have a more comprehensive list of materials (especially structural pest control e.g. chemicals used inside buildings);
- (2) to extend the posting period time from 24 to 48 hours when chemicals of concern are utilized;
- (3) to identify specific locations where signage would be posted (e.g. City parks, pathways, etc.); and
- (4) to expand and increase pesticide management training for City employees.

The City has incorporated all of these requests into the updated policy.

**FISCAL IMPACT:** There is some impact associated with the implementation of the changes to the IPM policy. Increased staff time will be associated with the additional notification, training and coordination be required with the adoption of the policy. For example, expanded signage could double the time Parks employees spend putting up signage prior to, and after pesticides are use. However, the Public Works Department will absorb this fiscal impact utilizing existing resources.

### **OPTIONS:**

1. Approve the resolution adopting the attached IPM policy
2. The Council may direct staff to further modify the policy;
3. The Council may reject the proposed changes and direct staff to utilize the current policy.

**STAFF RECOMMENDATION:** Staff recommends that the City Council approve the Resolution to adopt an updated Integrated Pest Management Policy.

Enclosures (3):

1. Resolution
2. Proposed IPM Policy
3. Current IPM Policy

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL  
ADOPTING AN UPDATED INTEGRATED PEST MANAGEMENT POLICY**

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**BE IT RESOLVED** by the Council of the City of San Rafael as follows:

**WHEREAS**, the San Rafael City Council desires to monitor and reduce, where possible, pesticide use by the City of San Rafael in the maintenance of parks, landscaped areas, public buildings and essential public property; and

**WHEREAS**, all reasonable steps should be taken to maintain the health of our community, to the benefit of all residents and guests; and

**WHEREAS**, the City of San Rafael is committed to closely evaluating the impact of its operations upon our environment;

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of San Rafael does hereby adopt the attached Integrated Pest Management Policy dated September 2017.

**I, ESTHER C. BEIRNE**, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on the 18th day of September 2017, by the following vote, to wit:

**AYES: COUNCILMEMBERS:**

**NOES: COUNCILMEMBERS:**

**ABSENT: COUNCILMEMBERS:**

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**ESTHER C. BEIRNE, City Clerk**



## San Rafael Policy and Procedures

Policy No.	
Subject:	Integrated Pest Management
Resolution No.	
Issue Date:	
Revision Date:	September, 2017
Prepared By:	Dave Davenport, Park Maintenance Supervisor
Approved By:	Jim Schutz, City Manager

### Integrated Pest Management Program

#### Scope of IPM Policy

This policy governs not only Department of Public Works employees, but also contractors hired by the City and persons acting under the authority or on behalf of the City in the care and maintenance of City parks, landscaped areas, and all other City owned properties. The term "pesticide" is a general term that includes herbicides, insecticides, fungicides, and rodenticides.

The City of San Rafael is committed to a comprehensive Integrated Pest Management (IPM) program guiding the management of its parks, landscaped areas, public right-of-ways, buildings and other essential public properties.

The purpose of this IPM program is to ensure and enhance the health, safety and welfare of citizens, visitors, and City staff by clearly defining the City's pest management strategy, the priorities for administering this strategy, and the various means by which these priorities may be realized. Public access to records and information relating to the City's pesticide use is an essential component of a success full PM program, and San Rafael is fully committed to providing all pertinent information to the public in a timely, comprehensive, and understandable manner.

The City realizes that some pesticides are potentially hazardous to human health and the environment, and shall administer this IPM program with a focus on long term suppression of pest problems with minimum impact on human health, non-target organisms, and the environment. Least toxic pesticides are used only after monitoring indicates such a need, pursuant to the provisions of this policy.

1. The City of San Rafael's IPM program will include the following components:

- a) Educate and train City staff including contractors, landscapers, and facility managers in the IPM program, practices and policy.
- b) Require City pesticide application contractors to implement the IPM Policy on all property owned, leased, or managed by the City and to report the types and amounts of pesticides used by the contractor on City said property.
- c) Reduce to the maximum extent practicable the use of pesticides.
- d) Consider taking a "no-action" approach in addressing certain pest control issues.
- e) Review and consider available non-chemical options before using a chemical pesticide.
- f) Identify pests and least toxic methods to control pests.
- g) Identify, evaluate and minimize or eliminate conditions that encourage pest problems.
- h) Conduct careful and efficient inspection, monitoring, and assessment of pest problems by designated personnel or contractor knowledgeable of IPM methods.
- i) Maintain records by City departments on IPM methods considered and used to prevent and control pests.
- j) Comply with all applicable state and federal regulations, including pesticide use and reporting.
- k) Provide open public access to all IPM program information and records via website.
- l) Conduct decision-making based on the best available science and data.
- m) Keep the County Agricultural Commissioner informed of water quality issues related to pesticides and of violations of pesticides regulations (e.g., illegal handling) associated with storm water management;

As the City plans for the development of new parks and landscaped areas, or the rehabilitation of existing areas, specific attention will be directed toward including specifications that eliminate or reduce the need for chemical pesticides (e.g., mow strips next to fencing, covering all new planting areas with mulch, etc.).

### **Integrated Pest Management Coordinator**

The Parks Superintendent shall be designated as the IPM Coordinator. The IPM Coordinator is primarily responsible for implementing the IPM Policy and coordinating efforts to implement IPM techniques within the Public Works Department. The Coordinator is responsible for communicating goals and policy decisions to appropriate City staff and contractors, as well as ensuring proper training of all employees involved with the IPM program, and all contractors who perform landscape maintenance on the City's behalf.

Only individuals specifically designated by the IPM Coordinator as Pesticide Applicators shall be permitted to apply pesticides on City parks, landscaped areas, and other essential public lands. Applicators shall possess a Qualified Applicator Certificate or Qualified Applicator License, issued by the California Department of Pesticide Regulation.

The IPM Coordinator is responsible for ensuring that pesticide use is recorded and made available for public review pursuant to the provisions of this policy.

### **Education and Training of Staff**

Education and training of personnel is critical to the success of this IPM program. Employees involved in the maintenance and associated operations of City property, including the City's parks, landscaped areas, and other essential public lands, or with the purchasing, storage, handling, and application of pesticides shall receive all the mandated, necessary, and reasonable IPM training required to perform such work in an efficient and safe manner, consistent with the provisions and intent of this policy.

Continuing Education Unit (CEU) training in IPM and training in the use of nonchemical methods of pest control are important to a successful program. In addition to formal training, the City shall provide "Safe Handlers" training to all staff assisting in the application, storage or handling of pesticides or pesticide-related equipment. This shall include training specific to the IPM Policy. To the greatest extent practicable, City staff will ensure that all contractors hired to perform IPM related work on the City's behalf have received appropriate education and training. The Public Works Department is dedicated to providing adequate funding and budget planning to maintain training and educational opportunities for all employees.

### **Use of Alternatives to Herbicides**

The City is fully committed to the use of pesticide alternatives whenever practicable. Currently, the Parks Division utilizes the application of mulch materials to discourage weed growth and encourage plant health. An agreement between the City and its contract arborist specifies the provision of mulch material generated in the course of the tree maintenance contract. This mulch material is utilized by the Parks Division as a first line of defense against the proliferation of weeds. The Parks Division also uses a weed torch as a post emergent weed control. In City playgrounds and picnic table areas, where the use of traditional herbicides is not permitted pursuant to this policy as well as past practice, landscape maintenance crews utilize propane weed torches to burn and discourage weed growth. Extreme care must be exercised with the use of weed torches to avoid touching off unwanted conflagrations, so their use is limited by site and environmental conditions.

## **Criteria for Selection and Use of Pesticides**

There shall be no non-exempt herbicide applications permitted within City playgrounds, picnic table areas, and on the grounds of City Hall and the Library.

It is understood that a completely weed free landscape environment is not a goal to which the City shall aspire. The Public Works Department shall maintain landscaped areas reasonably weed free, to preserve the function, and reasonable aesthetic appearance of public areas and City facilities. With this goal in mind, and considering the Parks Division staffing levels and the division's ability to provide fundamental services, the City shall select herbicides of the least toxic formulation from the list of Approved Use Products included in this policy from the County.

Herbicides shall be used only after all other non-pesticide means of weed control have been utilized or have been determined to be not feasible in a particular application due to site factors, ability of staff to provide a particular function or service, or other pertinent factors.

## **Exemption Process**

If the IPM Coordinator accepts a recommendation from the Pest Control Advisor that a pesticide outside of the Approved Use list should be utilized, the IPM Coordinator shall submit a written request to the Public Works Director for approval. The Director shall approve such requests only if the IPM Coordinator has documented in writing:

- 1) a compelling need to use the pesticide,
- 2) a good faith effort to find alternatives to the particular pesticide,
- 3) that effective, economic alternatives to the particular pesticide do not exist for the proposed use, and
- 4) that the recommended pesticide is the least toxic pesticide available to control the target pest. Exemptions shall be granted on a case by case basis and shall apply to a specific pest problem for a specific and limited time, with the selection and application of such pesticides conforming to the spirit and intent of this policy.

## **Notification of Pesticide Applications (i.e. posting)**

The Department of Public Works shall notify the public of pesticide applications at specific locations. The locations requiring notification shall be maintained on a list (as Attachment A to this policy) and updated as necessary. Notification locations shall be those places where there is a high level of public contact with the landscape. Notification shall be required at those sites listed in Attachment A. Notification shall be accomplished by posted signs at reasonable entry point locations. Notices shall include the product name, EPA Registration # (if applicable), and contact phone number for more information. Notices shall be posted prior to pesticide application and shall remain in place for at least 48 hours. If using a product of concern in an area frequented by people or pets access shall be restricted for 48 hours. Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) Exempt, National Organic Program (NOP) approved, or

other such non-toxic or botanical pesticides shall be exempt from these notification requirements.

### **Record Keeping of Pesticide Applications**

The IPM Coordinator shall be responsible for maintaining records of all pesticide applications on City property performed by the City staff, or by contractors or persons authorized to apply pesticides on behalf of the City. The City shall maintain these records for a period of four (7) years, and shall make the information available to the public, upon request. Application records shall include at least the following information: site of application, date of application, target pest, name of the product and active ingredient of the pesticide(s) applied and EPA registration number, amount of product applied, and the pesticide signal word. In addition, IPM records shall include a list of all exemptions granted, as well as the written justifications developed for the consideration of those exemptions.

The IPM Coordinator shall strive to make this information available via an IPM website in a prompt and efficient manner with the understanding that its provision is not only the legal right of any member of the public, but also a critical component of a successful IPM program.

The IPM Coordinator shall track IPM Policy implementation by periodically reviewing pesticide use by city staff and outside contractors. In order to report on pesticide use when requested by the Regional Water Quality Control Board, the IPM Coordinator shall keep records of the City's own use of pesticides of concern and the pesticides of concern used by the permittees' hired contractors on City owned or maintained property. Pesticides of concern include glyphosate based products.

### **Exemption to This Policy**

An exemption to this pesticide policy will be made in order to control the proliferation of biting or stinging insects such as yellow jackets, wasps, mosquitoes, and other similar pests. Generally, the control of these insects is administered by the Marin-Sonoma Mosquito and Vector Control District. In addition, the City will exempt any governmental entity from the provisions of this policy whose authority pre-empts that of the City.

## Attachment A

Locations requiring public notification for pesticide applications:

1. Albert Park & San Rafael Community Center
2. Bernard Hoffman Field
3. Boyd Park
4. Falkirk Cultural Center
5. Freitas Park
6. Gerstle Park
7. Munson Park
8. Oleander Park
9. Peacock Gap Park
10. Pickleweed Park & Community Center
11. Ranchitos Park
12. Russom Park
13. Santa Margarita Park
14. Shoreline Park
15. Spinnaker Point I, II, III, IV
16. Sun Valley Park
17. Terra Linda Recreation Center
18. Victor Jones Park
19. Pedestrian Right-of-Ways
20. City Public Buildings
  - a. San Rafael City Hall
  - b. B Street Community Center
  - c. Albert J Boro Community Center
  - d. Terra Linda Community Center
  - e. San Rafael Fire Stations
  - f. San Rafael Parking Garages and Parking Lots
  - g. Downtown San Rafael Public Library
  - f. Falkirk Cultural Center
  - h. Corporation Yard
  - i. All Child Care Facilities
  - j. Boyd Gate House

## 2017 Landscape Allowed Pesticides

Applied and monitored by licensed professional applicators

Active Ingredient	Material	Signal Word	EPA Reg #	Use	Groundwater List	Prop 65	EPA Carcinogenicity	Criteria for Use & Limitations
azadirachtin	Azatrol EC	Caution	2217-836	insecticide	No	No	Not Listed	Neem based product for control of indoor and outdoor pests; acts as a repellent, antifeeding, and interference with molting. <b>OMRI</b> -certified.
Bacillus subtilis	Companion	Caution	71065-3	Liquid biological fungicide	No	No	No	This is a biological product that would be used to improve health and vigor of turfgrass at the golf course. It would be used on a regular basis to reduce the need for more toxic approaches to disease control
Bacillus thuringiensis	Dipel Pro DF	Caution	73049-39	biological insecticide	No	No	Not Listed	<b>OMRI</b> - this product will be, primarily, for use on golf course and sports turf to control sod web worms. These grubs reduce the safety and quality of the playing surface. Grubs also attract crows and skunks which in turn tear up the turf while looking for tasty morsels.
Clethodim	Envoy Plus	Caution	59639-132	Herbicide	No	Not Likely to be Carcinogenic to Humans	Not Listed	For use in areas where Goatgrass has been difficult to eradicate.
d-limonene 60%	Avenger AG	Caution	82052-4	Herbicide	No	No	Not Listed	Non-selected, post-emergent burndown herbicide used to control weeds, grasses, and broadleaves. This product replaces Green Match. <b>OMRI</b> certified.
ethyl oleate	Competitor	Caution	CA 2935-50173	surfactant	No	No	Not Listed	Modified vegetable oil as a surfactant - This is basically a non-chemical product, and is not regulated by the EPA.
Fluazifop-P-butyl	Fusilade II	Caution	100-1084	Herbicide-For control of grass weeds	No	Not Likely to be Carcinogenic to Humans	Not Listed	This product has been used effectively to reduce Bermuda grass in landscapes where high value plantings were being inundated. May be of use in areas where Goatgrass has been difficult to eradicate.
iron phosphate SF, EW, OW	Sluggo	Caution	67702-3	molluscicide	No	No	Not Listed	Snail and slug bait for landscape - <b>OMRI</b>
lecithin, alcohol ethoxylate	Liberate	Caution	CA 34704-50030-AA	surfactant	No	No	Not Listed	Soy based surfactant; Use with Aquamaster and other materials needing a surfactant - Organic
mint oil, sodium lauryl sulfate, SF, EW	Victor Wasp & Hornet Killer	Caution	N/A	insecticide	No	No	Not Listed	Emergency wasp nest destruction. - Organic - has variable success.
phosphorous acid, SF	Agri-fos	Caution	71962-1	fungicide-Sudden Oak Death	No	No	Not Listed	Sudden Oak Death (SOD) treatment. To only be used on high value trees in high risk areas that pose a threat if failure occurs. Not for use on wild land trees.
phosphorous acid	Reliant	Caution	83416-1	fungicide-Sudden Oak Death	No	No	Not Listed	Similar fungicide as Agri-fos but manufactured by a different company
polyethylene glycol, SF	Pentra-bark	Caution	83416-50001	surfactant-used only for Sudden Oak Death	No	No	Not Listed	Surfactant for Agri-fos, used in combination for SOD treatment. To only be used on high value trees in high risk areas that pose a threat if failure occurs. Not for use on wild land trees.

unsulfonated residue of mineral oil	Tri Tek	Caution	48813-1	Insecticide	No	No	Not Listed	OMRI-certified. Used to control mite and insect pests in the egg stages, including spider mites, armored scale, soft scale, mealy bugs, psyllids, whiteflies, and aphids.
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**2017 Landscape Special Use Products**      **Applied and monitored by licensed professional applicators**

<i>Active Ingredient</i>	<i>Material</i>	<i>Signal Word</i>	<i>EPA Reg #</i>	<i>Use</i>	<i>Groundwater List</i>	<i>Prop 65</i>	<i>EPA Carcinogenicity</i>	<i>Criteria for Use &amp; Limitations</i>
ammoniated soap of fatty acids	Finalsan	Warning	67702-8-87865	Herbicide	No	No	Not Listed	OMRI listed. Non-selective foliar applied for weed, grass, algae and moss. A potential alternative to glyphosate. Potential to cause ocular injury to applicators.
Caprylic acid, capric acid	Suppress	Warning	51517-9	Herbicide	No	No	Not listed	OMRI listed. Non-selective, post emergent foliar applied burndown for weeds and grasses,
Dinotefuran	Safari 20 SG	Caution	33657-16-59639	Insecticide-foliar and systemic insect control in ornamental plants	No	Not Likely to be Carcinogenic to Humans	Not Listed	For use on insect populations when natural predators, OMRI or neem oil based products have not been successful.
Imazapyr	Habitat	Caution	241-426-A	herbicide (specifically for invasive grasses and woody plants)	Probable	No	Evidence of non-carcinogenicity	Needed as part of the Bay area wide Spartina project-- imazapyr applied as spot treatment at low tide in a salt marsh or mudflat environment with twice daily tidal flushing is irrelevant to the groundwater concerns. Also for use in cut stump applications, injection, and dabbing for invasive grass and woody species ( Tree of Heaven, Maytens trees, and Lepidium).
indaziflam	Specticle FLO	No signal word	432-1518	Herbicide	No	No	Not Listed	A Reduced-risk pre-emergent herbicide for the control of annual grasses, sedges, and broadleaf weeds. Less toxic alternative to Barricade.
potassium Salts of Fatty Acids, Ethyl Alcohol, SF, OW	Safer Soap	Warning	42697-59	insecticide	No	No	Not Listed	Civic Center Atrium and certain landscape plants; concentrate form <b>OMRI</b>
trans allethrin phenothrin, SF, EW	Wasp Freeze	Caution	499-362	insecticide	No	No	EU Endocrine Disruptor	Emergency wasp nest destruction for spray treatment of in ground or aerial wasp nest posing significant hazard to public. Four day pre-notice does not apply
triclopyr, SF	Garlon 4 Ultra	Caution	62719-527	woody broadleaf systemic herbicide	Possible	No	Group 'D' not classified as carcinogenic	Woody weeds, very limited use when glyphosate is not effective. Treat exotic invasive species via dabbing or injection - keep out of waterways.

**2017 - Landscape Use - Exemption Required**  
**(use only approved with exemption process)**

**Applied and monitored by licensed professional applicators**

(use only approved with exemption process)

<i>Active Ingredient</i>	<i>Material</i>	<i>Signal Word</i>	<i>EPA Reg #</i>	<i>Use</i>	<i>Groundwater List</i>	<i>Prop 65</i>	<i>EPA Carcinogenicity</i>	<i>Criteria for Use &amp; Limitations</i>
azoxystrobin	Heritage	Caution	100-1093	fungicide	No	No	Not Listed	A fungicide for the control of anthracnose, brown patch, Fusarium patch, gray snow mold, and Pythium blight at McInnis GC.
chlorantraniliprole	Acelepryn G	No signal word	100-1500	insecticide	No	No	Not Listed	Systemic control of white grubs and other turfgrass beetles in turf and ornamentals.
glyphosate SF	Roundup Custom	Caution	524-343	herbicide systemic, landscape & aquatic weeds	No	No	Not Listed	Restricted to four Critical Use areas: 1) critical habitats to protect endangered plants and native species; 2) traffic medians such as Sir Francis Drake Blvd; 3) fire fuel breaks; and 4) local agriculture such as treating barbed goatgrass to prevent encroachment into organic farms.
Glyphosate	Rodeo	Caution	62719-324	herbicide, systemic	No	No	Not Listed	A non-Monsanto glyphosate product used with the same restrictions as Roundup Custom. Must mix with surfactant such as Competitor
polyoxin D zinc salt	Affirm WDG	Caution	68173-3-1001	Fungicide	No	No	Not Listed	fungicide used in controlling or suppressing certain diseases in turf, and warm season grasses at McInnis golf courses.
propiconazole	Banner Maxx II	Caution	100-1326	broad spectrum & systemic fungicide, turf and ornamentals	No	Not listed	US-EPA Possible carcinogen	A systemic fungicide for disease management on the golf course. It is to be used as part of a comprehensive turf management program that includes aeration, proper fertilization and irrigation best practices, while transitioning to a more focused IPM program.
pyrethrin and piperonyl butoxide	Drione	Caution	432-992	insecticide	No	No	US-EPA Possible carcinogen	Emergency wasp nest destruction. For treatment of wasp nest posing significant hazard to public. Very limited use; when WaspFreeze is ineffective.
triclopyr	Turflon Ester	Caution	62719-566	Herbicide	Groundwater concerns	No	Not Listed	Herbicide-turf area weeds. Very limited use for turf renovation. Field must be closed to public use during application and renovation.

Rows highlighted in green are proposed additions. Rows highlighted in yellow are proposed deletions

SF = Active ingredient/products on San Francisco's list

OW = on Our Water Our World List

EW = Active ingredient/products on the Eco-Wise list



# San Rafael Policy and Procedures

Policy No.	
Subject:	Integrated Pest Management
Resolution No.	
Issue Date:	
Revision Date:	August 2014
Prepared By:	Dave Davenport
Approved By:	Nancy Mackle, <b>City Manager</b>

## Integrated Pest Management Program

The City of San Rafael Public Works Department is committed to a comprehensive Integrated Pest Management (IPM) program guiding the management of its parks, landscaped areas, and other essential public properties.

The purpose of this IPM program is to ensure and enhance the health, safety and welfare of citizens, visitors, and City staff by clearly defining the City's pest management strategy, the priorities for administering this strategy, and the various means by which these priorities may be realized. Public access to records and information relating to the City's pesticide use is an essential component of a successful PM program, and San Rafael is fully committed to providing all pertinent information to the public in a timely, comprehensive, and understandable manner.

The Public Works Department realizes that some pesticides are potentially hazardous to human health and the environment, and shall administer this IPM program with a focus on long term suppression of pest problems with minimum impact on human health, non-target organisms, and the environment. Least toxic pesticides are used only after monitoring indicates such a need, pursuant to the provisions of this policy.

1. The City of San Rafael's IPM program will include the following components:
  - a) Educate and train City staff in the IPM program, practices and policy.

- b) Require City pesticide application contractors to implement the IPM Policy on all property owned, leased, or managed by the City and to report the types and amounts of pesticides used by the contractor on City said property.
- c) Reduce to the maximum extent practicable the use of pesticides.
- d) Consider taking a "no-action" approach in addressing certain pest control issues.
- e) Review and consider available non-chemical options before using a chemical pesticide.
- f) Identify pests and least toxic methods to control pests.
  
- g) Identify, evaluate and minimize or eliminate conditions that encourage pest problems.
- h) Conduct careful and efficient inspection, monitoring, and assessment of pest problems by designated personnel or contractor knowledgeable of IPM methods.
- i) Maintain records by City departments on IPM methods considered and used to prevent and control pests.
- j) Comply with all applicable state and federal regulations, including pesticide use and reporting.
- k) Provide open public access to all IPM program information and records.
- l) Conduct decision-making based on the best available science and data.
- m) Refer residents and pest control operators to the Marin County Stormwater Pollution Prevention Program and/or the University of California Cooperative Extension; and,
- n) Keep the County Agricultural Commissioner informed of water quality issues related to pesticides and of violations of pesticides regulations (e.g., illegal handling) associated with storm water management;

### **Scope of IPM Policy**

This policy governs not only Department of Public Works employees, but also contractors hired by the City and persons acting under the authority or on behalf of the City in the care and maintenance of City parks, landscaped areas, and all other City owned properties. The term "pesticide" is a general term that includes herbicides, insecticides, fungicides, and rodenticides.

As the City plans for the development of new parks and landscaped areas, or the rehabilitation of existing areas, specific attention will be directed toward including specifications that eliminate or reduce the need for chemical pesticides (e.g., mow strips next to fencing, covering all new planting areas with mulch, etc.).

### **Integrated Pest Management Coordinator**

The Parks Superintendent shall be designated as the IPM Coordinator. The IPM Coordinator is primarily responsible for implementing the IPM Policy and coordinating efforts to implement IPM techniques within the Public Works Department. The

Coordinator is responsible for communicating goals and policy decisions to appropriate City staff and contractors, as well as ensuring proper training of all employees involved with the IPM program, and all contractors who perform landscape maintenance on the City's behalf.

Only individuals specifically designated by the IPM Coordinator as Pesticide Applicators shall be permitted to apply pesticides on City parks, landscaped areas, and other essential public lands. Applicators shall possess a Qualified Applicator Certificate or Qualified Applicator License, issued by the California Department of Pesticide Regulation.

The IPM Coordinator is responsible for ensuring that pesticide use is recorded and made available for public review pursuant to the provisions of this policy.

### **Education and Training of Staff**

Education and training of personnel is critical to the success of this IPM program. Employees involved in the maintenance and associated operations of City property, including the City's parks, landscaped areas, and other essential public lands, or with the purchasing, storage, handling, and application of pesticides shall receive all the mandated, necessary, and reasonable IPM training required to perform such work in an efficient and safe manner, consistent with the provisions and intent of this policy. Continuing Education Unit (CEU) training in IPM and training in the use of nonchemical methods of pest control are important to a successful program. In addition to formal training, the City shall provide "Safe Handlers" training to all staff assisting in the application, storage or handling of pesticides or pesticide-related equipment. To the greatest extent practicable, City staff will ensure that all contractors hired to perform IPM related work on the City's behalf have received appropriate education and training. The Public Works Department is dedicated to providing adequate funding and budget planning to maintain training and educational opportunities for all employees.

### **Use of Alternatives to Herbicides**

The City is fully committed to the use of pesticide alternatives whenever practicable. Currently, the Parks Division utilizes the application of mulch materials to discourage weed growth and encourage plant health. An agreement between the City and its contract arborist specifies the provision of mulch material generated in the course of the tree maintenance contract. This mulch material is utilized by the Parks Division as a first line of defense against the proliferation of weeds. The Parks Division also uses a weed torch as a post emergent weed control. In City playgrounds and picnic table areas,

where the use of traditional herbicides is not permitted pursuant to this policy as well as past practice, landscape maintenance crews utilize propane weed torches to burn and discourage weed growth. Extreme care must be exercised with the use of weed torches to avoid touching off unwanted conflagrations, so their use is limited by site and environmental conditions.

### **Exempt Herbicides**

The Public Works Department is currently exploring the feasibility of using alternative herbicides such as FIFRA exempt products (herbicides exempted from regulation by the Federal Insecticide, Fungicide, and Rodenticide Act), especially in: parks, picnic areas and other areas with high pedestrian interface. These exempt herbicides are usually also approved for organic food production by the National Organic Program (NOP). For educational purposes only, the City will display informational signs during application of environmentally safer, exempt herbicides.

The City of San Rafael shall strive to keep informed about new developments in pesticide alternatives and implement them whenever possible.

### **Criteria for Selection and Use of Herbicides**

There shall be no non-exempt herbicide applications permitted within City playgrounds, picnic table areas, and on the grounds of City Hall and the Library. No herbicide applications shall be permitted on turf areas except in the maintenance of tree wells (a weed free zone around each tree), and certain landscape facilities (irrigation controllers, valve boxes, light fixture poles, & etc.).

It is understood that a completely weed free landscape environment is not a goal to which the City shall aspire. The Public Works Department shall maintain landscaped areas reasonably weed free, to preserve the function, and reasonable aesthetic appearance of public areas and City facilities. With this goal in mind, and considering the Parks Division staffing levels and the division's ability to provide fundamental services, the Public Works Department shall select herbicides of the least toxic formulation from the list of Approved Use Products included in this policy.

Herbicides shall be used only after all other non-pesticide means of weed control have been utilized or have been determined to be not feasible in a particular application due to site factors, ability of staff to provide a particular function or service, or other pertinent factors. Application of herbicides shall comply with the provisions of this policy.

As with the criteria for selection and use of all pesticides, the selection and use criteria for herbicides shall conform to standard IPM principles. No product from the Approved Use list shall contain any of the following:

## **Pesticides classified as Toxicity Category I and Category II by the USEPA**

- Carbonate and organophosphate pesticides
- Type A or B (known or probable) carcinogens, as well as mutagens and reproductive toxins
- Persistent bioaccumulative toxic chemicals (PBT)

## **Approved Use Products**

1. All FIFRA Exempt and NOP approved herbicides
2. Glyphosate (e.g., Roundup Pro, Aquamaster)
3. Oryzalin (e.g., Surflan WDG)
4. Other Toxicity Category III (Caution) herbicides, if approved by the Public Works Director at the request of the IPM Coordinator, providing that the requested herbicide complies with the provisions of this policy

## **APPROVED USE PRODUCTS LISTS**

The IPM Coordinator shall maintain a list of all pesticides that have been approved for use by the City's hired contractors on City property, along with any restrictions for such use. This list shall be referred to as the Approved Use Products List.

a. The Approved List shall include, but not be limited to:

- i. Insecticides, rodenticides bats and traps;
- ii. Caulking agents and crack sealants;
- iii. Borates, silicates and diatomaceous earth;
- iv. Soap based products;
- v. Natural products on the FIFRA's 25 (b) list (40 CFR part 152.25 (g) (I));
- vi. Natural products on the California Certified Organic Farmers organic list;
- vii. EPA GRAS-generally recognized as safe products pursuant to federal EPA;
- viii. Cryogenics, electronic products, heat and lights;
- ix. Biological controls, such as parasites and predators;
- x. Microbial pesticides;
- xi. Insect growth regulators;
- xii. Physical barriers;

b. Limited Use Products;

On an annual basis, the IPM Coordinator may submit a written recommendation to the Public Works Director for approval, that a particular pesticide (s) not on the Approved List be approved for use for a specific and limited purpose. The request must be reviewed by the Public Works Director and signed by the IPM Coordinator. The City of San Rafael Public Works Director may grant a limited use exemption upon a finding that the City department or pesticide applicator has:

- i. Identified a compelling need to use the pesticide;
- ii. Made a good-faith effort to find alternatives to the particular pesticide;

- iii. Demonstrated that effective, economic alternatives to the particular pesticide do not exist for the particular use; and,
- iv. Developed a reasonable plan for investigating alternatives to the banned pesticide during the exemption period.

The Limited Use Products will be allowed to be used for a short and defined exemption period, not to exceed one year.

c. Banned Use Products List:

The following high health-risk pest management products are completely banned from use on City property:

- i. Pesticides on the California's Proposition 65 list (the Safe Drinking Water and Toxic Enforcement Act of 1986, materials known to the State to cause cancer or reproductive or developmental toxicity).
- ii. Pesticides classified as Toxicity Category I and Category II by the United States Environmental Protection Agency (USEPA).
- iii. Pesticides on California's Department of Pesticide Regulation groundwater protection list (Food and Agricultural Code 13145(d)).
- iv. Organophosphates, or organochlorines, or carbamates listed by the United States Environmental Protection Agency (Office of Pesticides Programs, Document 735-F-99-14, May 1999), or California Environmental Protection Agency, Department of Pesticide Regulation Chemical Inquiries Database.
- v. A known carcinogen, probable carcinogen, or possible carcinogen by the United States Environmental Protection Agency as per "List of Chemicals Evaluated for Carcinogenic Potential".
- vi. Any known endocrine disruptor listed by the United States Environmental Protection Agency or the European Union, Endocrine Disruptors website.
- vii. Foggers, bomb, fumigants or sprays that contain pesticides identified by the State of California as potentially hazardous to human health (CFR 6198.5).

### **Exemption Process**

If the IPM Coordinator accepts a recommendation from the Pest Control Advisor that a pesticide outside of the Approved Use list should be utilized, the IPM Coordinator shall submit a written request to the Public Works Director for approval. The Director shall approve such requests only if the IPM Coordinator has documented in writing: 1) a compelling need to use the pesticide, 2) a good faith effort to find alternatives to the particular pesticide, 3) that effective, economic alternatives to the particular pesticide do not exist for the proposed use, and 4) that the recommended pesticide is the least toxic pesticide available to control the target pest. Exemptions shall be granted on a case by case basis and shall apply to a specific pest problem for a specific and limited time, with the selection and application of such pesticides conforming to the spirit and intent of this policy.

## **Notification of Pesticide Applications**

The Department of Public Works shall notify the public of pesticide applications at specific locations. The locations requiring notification shall be maintained on a list (as Attachment A to this policy) and updated as necessary. Notification locations shall be those places where there is a high level of public contact with the landscape. Notification shall be required at those sites listed in Attachment A. Notification shall be accomplished by posted signs at reasonable entry point locations. Notices shall include the product name, EPA Registration # (if applicable), and contact phone number for more information. Notices shall be posted prior to pesticide application and shall remain in place for at least 24 hours. FIFRA Exempt, NOP approved, or other such non-toxic or botanical pesticides shall be exempt from these notification requirements.

## **Record Keeping of Pesticide Applications**

The IPM Coordinator shall be responsible for maintaining records of all pesticide applications on City property performed by the Department of Public Works, or by contractors or persons authorized to apply pesticides on behalf of the Department of Public Works. The City shall maintain these records for a period of four (4) years, and shall make the information available to the public, upon request. Application records shall include at least the following information: site of application, date of application, target pest, name of the product and active ingredient of the pesticide(s) applied and EPA registration number, amount of product applied, and the pesticide signal word. In addition, IPM records shall include a list of all exemptions granted, as well as the written justifications developed for the consideration of those exemptions.

The Public Works Department shall strive to make this information available in a prompt and efficient manner with the understanding that its provision is not only the legal right of any member of the public, but also a critical component of a successful IPM program.

The IPM Coordinator shall track IPM Policy implementation by periodically reviewing pesticide use by city staff and outside contractors. In order to report on pesticide use when requested by the Regional Water Quality Control Board, the IPM Coordinator shall keep records of the City's own use of pesticides of concern and the pesticides of concern used by the permittees' hired contractors on City owned or maintained property. Pesticides of concern include organophosphorous pesticides (chlorpyrifos, diazinon, and malathion); pyrethroids (bifenthrin, cyfluthrin, beta-cyfluthrin, cypermethrin, deltamethrin, esfenvalerate, lambda-cyhalothrin, permethrin, and tralomethrin); carbamates (e.g., carbaryl); and fipronil.

## **Non-herbicide Pesticide Use**

The City of San Rafael's use of non-herbicide pesticides is extremely infrequent. As the Public Works Department's use of regulated non-herbicide pesticides is limited only to insecticides, and as the Public Works Department routinely opts for alternative control of insects thereby contracting for the application of chemical pesticides only two times in the past three years with both applications being direct soil applications rather than foliar spray,

therefore, the Public Works Department shall likewise continue to limit its use of non-herbicidal pesticides.

When the IPM Coordinator determines a need for applying a non-herbicidal pesticide, a recommendation and request shall be made to the Public Works Director for approval. The Director shall approve such requests only if the IPM Coordinator has documented in writing: 1) a compelling need to use the pesticide, 2) a good faith effort to find alternatives to the particular pesticide, and 3) that effective, economic alternatives to the particular pesticide do not exist for the proposed use, and 4) that the recommended pesticide is the least toxic pesticide available to control the target pest.

The public notification provisions of this policy shall also govern the application of non-herbicidal pesticides.

### **Exemption to This Policy**

An exemption to this pesticide policy will be made in order to control the proliferation of biting or stinging insects such as yellow jackets, wasps, mosquitoes, and other similar pests. Generally, the control of these insects is administered by the Marin-Sonoma Mosquito and Vector Control District. In addition, the City will exempt any governmental entity from the provisions of this policy whose authority pre-empts that of the City.

## Attachment A

Locations requiring public notification for pesticide applications:

1. Albert Park & San Rafael Community Center
2. Bernard Hoffman Field
3. Boyd Park
4. Falkirk Cultural Center
5. Freitas Park
6. Gerstle Park
7. Munson Park
8. Oleander Park
9. Peacock Gap Park
10. Pickleweed Park & Community Center
11. Ranchitos Park
12. Russom Park
13. Santa Margarita Park
14. Shoreline Park
15. Spinnaker Point I, II, III, IV
16. Sun Valley Park
17. Terra Linda Recreation Center
18. Victor Jones Park

