



## Staff Report

### August 10, 2021

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**TO:** Honorable Mayor and Members of the Town Council  
**FROM:** Merrill Buck, Town Engineer  
**DATE:** August 4, 2021  
**RE:** Adoption of a Resolution Approving an Integrated Pest Management Policy

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#### **Recommendation**

Staff recommends that the Town Council adopt a resolution approving an Integrated Pest Management Policy to guide pest control activities at all Town maintained facilities.

#### **Background and Discussion**

On July 13, 2020, the Town received an Order from the Central Valley Regional Water Quality Control Board outlining pyrethroid discharge monitoring requirements to protect surface waters in the Sacramento and San Joaquin River Basins.

Pyrethroids are man-made chemicals that kill a wide range of insect pests, including ants, mosquitoes, moths, flies, and fleas. Pyrethroid pesticides are used in agriculture, mosquito control, lawn, and garden care, and in veterinary care. Pyrethroids are found in many commercial products used to control insects, including household insecticides, pet sprays and flea and tick shampoos.

Since the early 2000s, pyrethroids have been found in receiving waters at levels of concern. The main sources of these pyrethroids are discharges from storm drain systems (also known as municipal separate storm sewer systems or MS4s) and runoff from agricultural lands. Fourteen surface water bodies in the Central Valley have been documented as impaired by pyrethroids, nine of these due to municipal storm water discharges, and five due to agricultural runoff.

In order to address and control pyrethroid river impairments, the Central Valley Regional Water Quality Control Board adopted a Basin Plan amendment (Resolution R5-2017-0057), which the Town must abide by. Requirements under the resolution offer two paths to compliance as outlined below.

The first option involves providing baseline pyrethroid monitoring that includes water chemistry and toxicity test data collected from both the water column and sediment. The requirements set some standard testing intervals but state that MS4s have the ability to suggest alternative sampling intervals in their monitoring plans. During baseline monitoring, the MS4 will need to determine if baseline triggers were exceeded. If so, the MS4 would be required to develop and submit a Pyrethroid Management Plan to the Regional Water Board within one year following the date that the exceedance was determined.

Alternatively, MS4s can accept existing data presented in the Basin Plan Amendment's Staff Report in lieu of doing their own baseline monitoring. By doing so the MS4 is acknowledging that the existing data is representative of discharges they're responsible for and they can forego baseline monitoring. They will then need to develop and submit a Pyrethroid Management Plan to the Regional Board by August 19, 2021. This is the compliance alternative recommended by Town staff.

## Resolution Attachment

In accordance with Resolution R5-2017-0057, the following activities need to be included in the plan:

- Education and outreach to residents to encourage Integrated Pest Management (IPM) methods
- Make available point-of-purchase outreach materials to pesticide retailers (such as Ace Hardware)
- Conduct outreach to pesticide applicator businesses and residents who may hire those businesses to promote IPM
- Encourage public and private landscape design and irrigation practices to minimize pesticide runoff
- Adopt policies and procedures to minimize the use of pesticides on municipal property by municipal staff and contractors
- Track USEPA and the California Department of Pesticide Regulation pesticide evaluation and registration activities as they relate to surface water quality and encourage these agencies to accommodate urban water quality concerns within their pesticide registration processes.

An integral part of the Pyrethroid Management Plan is the development and adoption by Council of an Integrated Pest Management Policy for Town maintained facilities (Attachment B). This applies to Town maintained landscape areas in parks, medians, the Library, Town Offices, Council Chambers, and other rights of way. Pesticide control at these locations is contracted with vendors. The Town agreement for pest control requires a Pesticide Application license from the California Department of Pesticide Regulation and the Placer County Agriculture Commission and the agreement with vendors requires compliance with those regulations.

The Pyrethroid Management Plan (Attachment C) will become a part of the Town's Stormwater Management Plan. As such, it does not need to be adopted by Council. The plan was prepared by UNICO Engineering who the Town contracts with to perform stormwater inspections and compliance.

### **CEQA Requirements**

There are no CEQA implications associated with the recommended action since adoption of the IPM policy is intended to protect the environment and is therefore categorically exempt.

### **Financial and/or Policy Implications**

The Town is currently following the recommended Integrated Pest Management Policy practices. As such, its adoption is not expected to have significant fiscal impacts other than public outreach implementation efforts associated with the Plan.

### **Attachments**

- A. Resolution
- B. Resolution Attachment - Integrated Pest Management Policy
- C. Pyrethroid Management Plan

# **TOWN OF LOOMIS**

## **RESOLUTION 21 - \_\_**

### **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS APPROVING AN INTEGRATED PEST MANAGEMENT POLICY TO GUIDE PEST CONTROL ACTIVITIES AT TOWN MAINTAINED FACILITIES**

WHEREAS, the Town received "AN ORDER TO SUBMIT TECHNICAL AND MONITORING REPORTS PURSUANT TO CALIFORNIA WATER CODE SECTIONS 13267 AND 13383" dated July 13, 2020, from the Central Valley Regional Water Quality Control Board (CVRWQCB); and

WHEREAS, the letter requires permittees to comply with the CVRWQCB Amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the Control of Pyrethroid Pesticide Discharges in Resolution R5-2017-00571, referred to as the Pyrethroid Pesticide Basin Plan Amendment (Pyrethroid Pesticide BPA); and

WHEREAS, the Town of Loomis opted to prepare the Management Plan scheduled for submittal to the CVRWQCB by August 19, 2021 in lieu of conducting baseline monitoring; and

WHEREAS, the order requires adoption of policies or procedures to minimize use of pesticides that threaten water quality, and development and implementation of an Integrated Pest Management Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Loomis that the attached Integrated Pest Management Policy to guide pest management activities at Town maintained facilities is hereby approved.

PASSED AND ADOPTED this 10<sup>th</sup> day of August 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

**POLICY TO REQUIRE  
AN INTEGRATED PEST MANAGEMENT APPROACH  
TO PEST CONTROL AT ALL TOWN MAINTAINED FACILITIES**

**POLICY STATEMENT**

The Town of Loomis has adopted the following policy in planning and implementing its pest management operations.

1. The Town of Loomis will carry out its pest management operations at Town-owned facilities, and at other facilities where the Town is responsible to provide facility and landscape maintenance, using reduced-risk Integrated Pest Management (IPM) techniques.
2. The Town, recognizing that some pesticides may be potentially hazardous to human health and the environment, shall give preference to reasonably available non-pesticide alternatives, and reduced-risk pesticides, when performing pest control activities.
3. The Town will adhere to the tenets of IPM including focusing on long-term pest prevention or suppression, giving preference to reasonable non-pesticide alternatives such as cultural, mechanical and/ or biological control.
4. The Town will continue to work to ensure consistency and full compliance with federal, state and county regulatory requirements related to pest control.
5. The Town pest control is performed through vendor contract. The Town will ensure contracts have language that upholds the IPM Policy and contract only with pest control contractors that utilize least-toxic pest control methodology.
6. The Town will promote public transparency and education engaging residents with outreach and education regarding less toxic pest control methodology.
7. The Town will continue work with the County of Placer Agriculture Commissioner who has the authority to regulate pesticide applications.



**Town of Loomis  
Pyrethroid Management Plan**

**August 2021**

**Prepared by UNICO Engineering**

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## 1 EXECUTIVE SUMMARY

Pyrethroids are chemicals that kill a wide range of insect pests, including ants, mosquitoes, moths, flies, and fleas. Pyrethroid pesticides are used in agriculture, mosquito control, lawn, and garden care, and in veterinary care. Discharge of pyrethroids in stormwater can result in water quality impairment in streams and rivers.

The Town of Loomis has developed this Pyrethroid Management Plan in compliance with an order from the Central Valley Regional Water Quality Board.

The Management Plan follows three strategies.

- Education and Outreach
- Pesticide Pollution Prevention Activities
- Support of Pollution Prevention through the Pesticide Regulatory Process

### **Education and Outreach activities in the plan include**

**Targeted outreach** is being coordinated with Our Water Our World (OWOW) and the County of Placer Agriculture Commissioner to provide cost effective publications and training for staff, businesses, and residents. Web sites for on-line training are also provided.

The Town is working with OWOW to set up and maintain in-store racks with outreach materials at the ACE Hardware Store for **Point of Purchase Outreach**.

**Residents and Business Outreach** will be accomplished through the Town Website, the Town Managers Bulletin, and community events such as the Eggplant Festival and Town Clean Up days.

**Public and Private Management Practices** are addressed in the Integrated Pest Management Plan (IPM) Section. The Town Municipal Code addresses landscape design and water conservation.

### **Pesticide Pollution Prevention Activities**

The Town contracts for landscape and pesticide application. The landscape contract has been reviewed and will be revised to include IPM requirements. In addition, an IPM has been added to this document and the Director of Public Works has been designated to coordinate pesticide activities for the Town.

### **Support of Pollution Prevention through the Pesticide Regulatory Process**

The Town will rely on continued participation in professional organizations with an advocacy arm such as the American Public Works Association, League of Cities, and International City Managers and will coordinate with other regional agencies to support the regulatory process.

### **Integrated Pest Management**

An IPM for the Town is provided in Section 6 and the policy section is scheduled for adoption by the Town Council. The overall goal of the IPM is focus on long-term prevention or

suppression of pest problems with minimum impact on human health, the environment, and nontarget organisms with the limited use of pesticides.

The approach to IPM includes a combination of biological, cultural, mechanical, and chemical methods detailed in the section. Steps to follow in an IPM plan include:

- Pest Identification,
- Monitoring and Assessment,
- Action Guidelines,
- Prevention, and
- Method Selection

More detail for each is provided in Section 6

The Town will continue to coordinate pesticide management activities with the County of Placer Agricultural Commissioner.

## 2 INTRODUCTION

The Town of Loomis (population of 6,430 in the 2010 United States Census) is a Small Municipal Separate Storm Sewer System (MS4) permittee subject to Order 2013-0001-DWQ (Phase II Permit). In addition, the Town received “AN ORDER TO SUBMIT TECHNICAL AND MONITORING REPORTS PURSUANT TO CALIFORNIA WATER CODE SECTIONS 13267 AND 13383” dated July 13, 2020, from the Central Valley Regional Water Quality Control Board (CVRWQCB) included in Appendix A. The letter requires permittees to comply with the CVRWQCB Amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the Control of Pyrethroid Pesticide Discharges in Resolution R5-2017-00571 referred to as the Pyrethroid Pesticide Basin Plan Amendment (Pyrethroid Pesticide BPA).

The letter to all MS4 dischargers in the Sacramento and San Joaquin River Basins noted that municipalities regulated pursuant to the Phase II Permit may acknowledge that the existing data used for the development of the BPA and TMDL are representative of their urban discharges and thus, forego baseline monitoring and move forward with the development of a Pyrethroids Management Plan. Consistent with the Order. The Town of Loom has opted to prepare the Management Plan scheduled for submittal to the CVRWQCB by August 19, 2021 in lieu of conducting baseline monitoring. The letter to CVRWQCB is provided in Appendix B.

### 2.1 WHAT IS A PYRETHROID AND WHERE IS IT USED?

Pyrethroids are chemicals that kill a wide range of insect pests, including ants, mosquitoes, moths, flies, and fleas. Pyrethroid pesticides are used in agriculture, mosquito control, lawn, and garden care, and in veterinary care. Pyrethroids are found in many commercial products used to control insects, including household insecticides, pet sprays and shampoos. Some representative pyrethroids are permethrin (Biomist®), resmethrin (Scourge®), fenvalerate, cyfluthrin, sumethrin (Anvil®), and barthrin. Commonly used products shown on the internet are pictured below.





## 2.2 PYRETHROID MANAGEMENT PLAN APPROACH

This Pyrethroid Management Plan includes a set of management practices that, taken as a whole, may reasonably be expected to effectively reduce pyrethroid levels in the municipal stormwater discharges. The Plan addresses the three elements required in the letter from the Central Valley Regional Water Quality Board dated July 13, 2020 outlined below and serves as an amendment to the Town's Stormwater Management Plan.

1. Education and Outreach
2. Pesticide Pollution Prevention Activities
3. Support of Pollution Prevention through the Pesticide Regulatory Process

## 3 EDUCATION AND OUTREACH ACTIVITIES

The Pyrethroid Pesticide BPA requires a range of education and outreach activities for the general public that encourage management practices to minimize pesticide runoff, including the following:

- a. Targeted outreach,
- b. Point of purchase outreach material,
- c. Outreach to residents and businesses who hire structural pest control and landscape professionals, and
- d. Encourage public and private management practices that minimize pesticide runoff.

### 3.1 TARGETED OUTREACH

The Pyrethroid Pesticide BPA requires the following targeted outreach activity.

***Undertake targeted outreach programs to encourage communities within a discharger's jurisdiction to reduce their reliance on pesticides that threaten water quality, focusing efforts on those most likely to use pesticides that threaten water quality, potentially by working with California Department of Pesticide Regulation, County Agricultural Commissioners, and the University of California Statewide Integrated Pest Management Program, or other entities as appropriate.***

The Town of Loomis has coordinated with Our Water Our World, the University of California Integrated Pest Management Office, and the County of Placer Agriculture Commissioner to provide access to cost effective publications and training for staff, business, and residents. Training is also

available from the County of Placer Agriculture Commissioner upon request. In addition, on-line courses are available at the following web sites.

San Joaquin County Agricultural Commissioner:  
<https://www.sjgov.org/departments/agcomm/>

Stanislaus Farm Bureau Virtual Spray Safe & Safety Seminar  
<https://www.placerair.org/1556/Pesticides>

### 3.2 POINT-OF-PURCHASE MATERIAL

The Pyrethroid Pesticide BPA requires the following point-of-purchase outreach activity:

***Make available point-of-purchase outreach materials to pesticide retailer(s) in or near the Discharger's jurisdiction. These materials shall provide targeted information on proper pesticide use and disposal, potential adverse impacts on water quality, and less toxic methods of pest prevention and control.***

The Town of Loomis in cooperation with OWOW reviewed local businesses for potential display of material focused on reduced use of pesticides that may impact water quality. The initial list of businesses considered were ACE Hardware, Nauyoks Landscape, Figs Landscaping, and Capital Landscape Management. After visiting each, it was decided to focus on ACE Hardware where Town residents purchase pesticide products.

The Town is working with OWOW to set up and maintain in-store racks with outreach materials focused on Integrated Pest Management and water quality protection in ACE Hardware. The OWOW website <http://ourwaterourworld.org/> also provides IPM outreach material and will be linked to the Town's web site. OWOW provides customers with information regarding the potentially adverse impacts of pesticides on water quality, proper pesticide use and disposal, and less toxic methods of pest control.

### 3.3 RESIDENTS AND BUSINESSES

The Pyrethroid Pesticide BPA requires the following point-of-purchase outreach activity.

***Conduct outreach to Discharger's residents and businesses who may hire structural pest control and landscape professionals that contains messages that (a) explain the links between pesticide usage and water quality; and (b) provides information about structural pest control IPM certification programs and IPM for landscape professionals.***

The residential outreach activities/outlets to be developed and implemented will include the following:

- Website – The Town will provide pesticide outreach on its website and Loomis Facebook page. It will include links to pesticide-related information and options for less toxic methods of pest control.



- The Town will also contact the Garden Club (HCP), and the high school to explore outreach methods opportunities.
- Household Hazardous Waste – The Town encourages public participation in pesticide reduction efforts by coordinating with the Household Hazardous Waste program to encourage proper pesticide disposal. Disposal of pesticides must be taken to Lincoln WPWMA HHW Facility 3195 Athens Ave.
- Regional Outreach – The Town participates in regional outreach efforts by providing outreach material at community events such as the Eggplant Festival and at the Town Clean Up days held twice annually. (Clean Up days were cancelled due to the COVID disease but will be rescheduled in the near future.)

The outreach messages will explain *the* links between pesticide usage and water quality; and provide information about Integrated Pest Management.

### 3.4 PUBLIC AND PRIVATE MANAGEMENT PRACTICES

The Pyrethroid Pesticide BPA requires the following outreach activity for landscape and irrigation practices.

*Encourage public and private management practices (e.g., landscape design, irrigation management, etc.) that minimize pesticide runoff.*

The Town will support ecologically friendly landscaping practices. This effort will include support of water conservation and landscaping practices that reduce reliance on pesticides and discharge of, pesticides. The Town Municipal Code addresses landscape design and water conservation in Section 13.

The outreach materials described in Sections 3.2 and 3.3 provide education opportunities for homeowners and gardeners, and the Town's website will maintain eco-friendly landscaping material.

The Town will implement an Integrated Pest Management Plan, adopt an IPM Policy and continue to work with the County of Placer Agriculture Commissioner to ensure vendors follow California Department of Pesticide Regulations.

## 4 PESTICIDE POLLUTION PREVENTION ACTIVITIES

The Pyrethroid Pesticide BPA includes a range of pollution prevention activities for public agencies that reduce reliance on pesticides that adversely impact water quality. It requires the following practices to reduce pesticide use.

*Reduce reliance on pyrethroids and other pesticides that threaten water quality by adopting and implementing policies or procedures that minimize the use of pesticides that threaten water quality in the discharger's operations and on the discharger's property.*

*Develop and implement an Integrated Pest Management policy that:*

- a) Is consistent with IPM as defined by the University of California Statewide IPM Program (UC-IPM) or the California Structural Pest Control Board definition.*
- b) Applies to all Discharger staff who conduct or contract for pest management and to pest management vendors under contract to the Discharger.*
- c) Assigns responsibilities to a designated staff position and/or department to coordinate Discharger activities and ensure that the IPM policy is implemented.*

Through the stormwater management program, the Town will implement several activities that address pesticide management via pollution prevention related to the Town's own facilities, operations, and development. The Town of Loomis will:

- a. Prepare and implement an IPM and adopt an IPM Policy to minimize use of pesticides that threaten water quality. The Town IPM and Policy are included in Section 6 of this document.
- b. Review and revise landscape contractor agreements to include IPM requirement.
- c. Continue development plan review to ensure environmental goals, including reducing the discharge of stormwater pollutants from landscape areas such as pesticides, sediment, and nutrients, and promotes the installation of stormwater features such as low impact development measures and rain gardens.
- d. Designate the Director of Public Works to coordinate the pesticide activities for the Town of Loomis.

## 5 PARTICIPATION IN PESTICIDE REGULATORY PROCESS

The Town recognizes that protection of water quality related to pesticides is dependent on effective regulatory evaluation and registration of allowable pesticide use. This authority resides with the United States Environmental Protection Agency (USEPA) and the California Department of Pesticide Regulation (DPR). Local MS4 agencies and their authorities specifically do not include control of pesticide consumer sales.

The Pyrethroid Pesticide BPA requires participation in pesticide regulatory processes, as follows:

***Track USEPA and CDPR pesticide evaluation and registration activities as they relate to surface water quality and encourage these agencies to accommodate urban water quality concerns within their pesticide registration processes. This may include assembling and submitting available information (such as monitoring data) to USEPA and CDPR during public comment periods to assist in their pesticide evaluation and registration activities. This best management practice would be implemented most effectively through a cooperative regional or statewide approach.***

To track USEPA and DPR pesticide evaluation and registration activities to accommodate urban water quality concerns within their pesticide registration processes the Town will rely on the following:



- Continued participation in professional organizations that have advocacy arms such as American Public Works Association, League of Cities, and International City Managers Association,
- Working relationship with the County of Placer Agriculture Commissioner who has the authority to regulate pesticide use.
- Ongoing communication (informal partnership) with other Placer County municipalities who have similar requirements and interest in minimizing stormwater pesticide pollution.

## 6 INTEGRATED PEST MANAGEMENT

### 6.1 INTRODUCTION

Promoting and implementing the components of Integrated Pest Management is the cornerstone of this Pyrethroid Management Plan. IPM, as defined by the University of California Statewide IPM Program is an ecosystem-based strategy that 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 they are needed, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment.

### 6.2 GOALS

The overall goal of the IPM is focus on long-term prevention or suppression of pest problems with minimum impact on human health, the environment, and nontarget organisms with the limited use of pesticides for Town owned or managed facilities including public buildings and related facilities, parks, open space, and rights of way. More specific goals are:

1. Create awareness among Town staff, contractors, and citizens of IPM techniques and environmental stewardship.
2. Provide a means to educate Town maintenance crews and contractors to practice the most appropriate approach to managing pests on Town property.
3. Work toward transitioning parks, and other high use areas to “green”/ least-toxic pest management.
4. Reduce and/or eliminate pesticides that pose known significant human or animal health, or environmental risks based on the best available scientific information.

### 6.3 IPM APPROACH

Effective and long term IPM programs use a combination of methods to manage pests. Licensed Pest Control Advisors or individuals with valid Qualified Applicators License and/or Qualified

Applicators Certificate shall consider the pest control options or combination of these methods listed below before recommending the use of or applying pesticides on Town property:

- **Biological:** The use of *natural enemies*—predators, parasites, pathogens, and competitors — to control pests and their damage. Invertebrates, plant pathogens, nematodes, weeds, and vertebrates have many natural enemies.
- **Cultural:** Cultural controls are practices that reduce pest establishment, reproduction, dispersal, and survival. For example, changing irrigation practices can reduce pest problems, since too much water can increase root disease and weeds.
- **Mechanical:** Mechanical and physical controls kill a pest directly or make the environment unsuitable for it. Traps for rodents are examples of mechanical control. Physical controls include mulches for weed management, steam sterilization of the soil for disease management, or barriers such as screens to keep birds or insects out.
- **Chemical:** Chemical control is the use of pesticides. In IPM, pesticides are used only when needed and in combination with other approaches for more effective, long-term control. Also, pesticides are selected and applied in a way that minimizes their possible harm to people and the environment. With IPM the most selective pesticide that will do the job and be the safest for other organisms and for air, soil, and water quality will be used. For example, use of pesticides in bait stations rather than sprays or spot-spraying a few weeds instead of an entire area.

Specific components of the IPM Approach may include, but not be limited to, the following:

#### **Pest Identification**

- Identify the primary life stages of the common pests that are typically found and determine if the identified pest is actually causing the problem(s) noted.

#### **Monitoring and Assessment**

- Monitor each pest ecosystem to determine pest population, size, occurrence, and natural enemy population, if present. Identify decisions and practices that could affect pest populations. Keep records of such monitoring.

#### **Action Guidelines**

- Treatment levels and action guidelines for many pests in California are listed in the University of California IPM Pest Management Guidelines, available at <http://www.ucipm.ucdavis.edu/index.html>.
- Use the established threshold as a mechanism for determining which pest control tactics should be employed and when they should be used. Thresholds may vary by pest, specific location, or type of land use.

#### **Prevention**

- Determine the most effective treatment time, based on pest biology and other variables, such as weather and local conditions.
- Design and construct indoor and outdoor areas to reduce and eliminate pest habitats.



- Modify management practices, including watering, mulching, waste management, and food storage. Retain and/or plant native vegetation.

#### **Method Selection**

- Consider a range of potential treatments for the pest problem. Employ non-chemical management tactics first.
- Consider the use of chemicals when appropriate and select and use chemicals only within the IPM program and in accordance with other provisions of this policy.
- Modify pest ecosystems to reduce food and living space. Use physical controls such as hand-weeding, traps, and barriers.
- Use biological controls, including introducing or enhancing pests' natural enemies.

### **6.4 SCOPE AND APPLICATION**

The Town of Loomis relies on outside contractors for pest management at. It is expected that all pest management on Town property will adhere to industry best practices, reduce, or eliminate pesticide applications to the maximum extent feasible, and include all reasonable measures to protect human and environmental health. It is further expected that Town employees monitoring or treating pest problems or managing contractors who are conducting IPM activities on the Town's behalf, are familiar with the content and principles of the plan, receive on-going training, provide accurate, well-documented records, and conduct evaluations of the IPM program and practices.

The Town has assigned the Public Works Director or his/her designee to monitor and assess pest populations, advise, and oversee Town wide pest management activities and contracts.

The Town will continue to coordinate pesticide management activities with the County of Placer Agricultural Commissioner who;

- regulates and inspects pesticide applications, storage, and equipment
- has authority to issue civil penalties or refer to the District Attorney for violations
- provides safety training and record keeping inspections
- requires monthly pesticide usage from applicators and forwards to

### **6.5 IPM POLICY**

The Town of Loomis has adopted the following policy in planning and implementing its pest management operations.

1. The Town of Loomis will carry out its pest management operations at Town-owned facilities, and at other facilities where the Town is responsible to provide facility and landscape maintenance, using reduced-risk Integrated Pest Management (IPM) techniques.

2. The Town, recognizing that some pesticides may be potentially hazardous to human health and the environment, shall give preference to reasonably available non-pesticide alternatives, and reduced-risk pesticides, when performing pest control activities.
3. The Town will adhere to the tenets of IPM including focusing on long-term pest prevention or suppression, giving preference to reasonable non-pesticide alternatives such as cultural, mechanical and/ or biological control.
4. The Town will continue to work to ensure consistency and full compliance with federal, state and county regulatory requirements related to pest control.
5. The Town pest control is performed through vendor contract. The Town will ensure contracts have language that upholds the IPM Policy and contract only with pest control contractors that utilize least-toxic pest control methodology.
6. The Town will promote public transparency and education engaging residents with outreach and education regarding less toxic pest control methodology.
7. The Town will continue work with the County of Placer Agriculture Commissioner who has the authority to regulate pesticide applications.

## **APPENDIX A**

**TOWN OF LOOMIS  
PYRETHROID MANAGEMENT PLAN  
CERTIFICATION STATEMENT**

*I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.*

**Signature by Duly Authorized Representative:**

\_\_\_\_\_  
Sean Rabé, Town Manager

\_\_\_\_\_  
Date

**APPENDIX B**



## TOWN OF LOOMIS

3665 Taylor Road, Loomis CA 95650

August 11, 2021

Mr. Patrick Pulupa, Executive Officer  
California Regional Water Quality Control Board, Central Valley Region  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670-6114

**Submitted via SMARTS and email:**

Central Valley Water Board (Sacramento) [centralvalleysacramento@waterboards.ca.gov](mailto:centralvalleysacramento@waterboards.ca.gov)  
Daniel McClure (Sacramento) [Daniel.Mcclure@waterboards.ca.gov](mailto:Daniel.Mcclure@waterboards.ca.gov)  
Sammantha Mello (Sacramento) [Sammantha.Mello@waterboards.ca.gov](mailto:Sammantha.Mello@waterboards.ca.gov)

***Subject: Town of Loomis Commitment to Develop a Pyrethroid Management Plan Pursuant to the Order to Submit Technical and Monitoring Reports Pursuant to California Water Code Sections 13267 and 13383***

Dear Mr. Pulupa:

Consistent with the Order to Submit Technical and Monitoring Reports Pursuant to California Water Board Sections 13267 and 13383<sup>1</sup> (13267/13383 Order), the Town of Loomis (Town) is providing this letter to acknowledge the Town's decision to develop and submit a Pyrethroid Management Plan to the Central Valley Regional Water Quality Control Board (Regional Water Board) in lieu of conducting baseline monitoring.

The Town (population of 6,430 in the 2010 United States Census) is a Small Municipal Separate Storm Sewer System (MS4) permittee subject Order 2013-0001-DWQ (Phase II Permit)<sup>2</sup> as well as the Central Valley Basin Plan Amendment (BPA) and Total Maximum Daily Load (TMDL) for the Control of Pyrethroid Pesticide Discharges (Pyrethroid Control Program).

The letter from the Regional Water Board to all MS4 dischargers in the Sacramento and San Joaquin River Basins<sup>3</sup> and the 13267/13383 Order noted that municipalities regulated pursuant to the Phase II Permit may acknowledge that the existing data used for the development of the BPA and TMDL are representative of their urban discharges and thus, forego baseline monitoring and move forward with the development of a Pyrethroids Management Plan. Accordingly, the Town acknowledges that the existing data used to characterize MS4 concentrations pursuant to the TMDL are potentially representative of the Town's urban discharges<sup>4</sup> and will, therefore, forego the baseline monitoring for the conditional prohibition. The Town will develop and submit a Pyrethroid Management Plan to the Regional Water Board by August 19, 2021.

<sup>1</sup> July 13, 2020

<sup>2</sup> Water Quality (WQ) Order 2013-0001-DWQ as amended by Order WQ 2015-0133-EXEC, Order WQ 2016-0069-EXEC, WQ Order 2017-XXXX-DWQ, Order WQ 2018-0001-EXEC, and Order WQ 2018-0007-EXEC.

<sup>3</sup> Pyrethroid Control Program Baseline Monitoring Requirements for Municipal Stormwater Dischargers in the Sacramento and San Joaquin River Basins, July 30, 2019.

<sup>4</sup> The City reserves the right to conduct monitoring in the future.



Certification of Submittal:

*I certify under the penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.*

If you have question, please contact me at [townengineer@loomis.ca.gov](mailto:townengineer@loomis.ca.gov) or (916) 824-1518.

Sincerely,

Sean Rabé  
Loomis Town Manager

**APPENDIX C**



GAVIN NEWSOM  
GOVERNOR



JARED BLUMENFELD  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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## Central Valley Regional Water Quality Control Board

13 July 2020

CERTIFIED MAIL: 7019 2280 0001 9243 9836

Britton Snipes  
Town of Loomis  
3665 Taylor Road  
Loomis, CA 95650

### ORDER TO SUBMIT TECHNICAL AND MONITORING REPORTS PURSUANT TO CALIFORNIA WATER CODE SECTIONS 13267 AND 13383

**You are legally obligated to respond to this Order. Please read this Order carefully.**

The Central Valley Regional Water Quality Control Board ("Central Valley Water Board") finds the following:

- Geographic Scope.** Central Valley Water Board Resolution R5-2017-0057 established a Pyrethroid Pesticides Control Program ("Basin Plan Amendment") to control the discharges of pyrethroid pesticide discharges throughout the Sacramento and San Joaquin River Basins to protect aquatic life beneficial uses.
- Responsible Parties.** The discharges to Waters of the United States from Municipal Separate Storm Sewer Systems (MS4s) have been found by the Central Valley Water Board to be a source of pyrethroid pesticides to surface waters within the Sacramento and San Joaquin River Basins. Resolution R5-2017-0057 established a conditional prohibition for the discharges of pyrethroid pesticides to waters with aquatic life beneficial uses in the Sacramento and San Joaquin River Basins, established monitoring requirements for MS4s to conduct baseline monitoring, and specified that the Executive Officer may issue 13267 and/or 13383 orders to meet these monitoring requirements. The Town of Loomis is a permitted MS4 discharger within the geographic scope of the Pyrethroids Control Program.

The Basin Plan Amendment Staff Report supporting the adoption of Resolution R5-2017-0057 summarized existing pyrethroid concentration data for the Sacramento and San Joaquin River Basins. These data showed pyrethroids concentrations in urban streams frequently exceeded water quality standards. These data also showed that pyrethroid concentrations in urban storm drain discharges frequently exceeded the pyrethroid prohibition triggers established in the Basin Plan. As described in that Basin

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KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

Plan Amendment Staff Report, over 50% of samples collected from urban streams contained pyrethroid pesticide concentrations exceeding the evaluation guidelines used to interpret water quality objectives. Data also showed that municipal stormwater was toxic to the test organism *Hyaella azteca* in over 50% of the samples collected from urban storm drain discharges following storm events. In those samples that showed toxicity, nearly all had pyrethroid pesticide concentrations that could account for the toxicity observed (Fojut et al., 2017, Sections 2.3, 5.6, and Appendix B).

3. **Beneficial Uses.** The Central Valley Water Board has found that freshwater habitat beneficial uses are the most sensitive to impacts from pyrethroid pesticide discharges. The Central Valley Water Board's operative Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) designates warm/cold freshwater habitat for surface waters throughout the Sacramento and San Joaquin River basins, including those surface water to which the Town of Loomis discharges.

4. **Regulatory Authority.** This Order is issued pursuant to Water Code section 13267, subdivision (a), which broadly authorizes the Central Valley Water Board to investigate the quality of any waters of the State within this region. Pursuant to Water Code section 13267, subdivision (b)(1), the Central Valley Water Board may require a person who discharged, discharges, is suspected of having discharged or discharging, or proposes to discharge waste to submit technical or monitoring reports. Waste is broadly defined under Water Code section 13050(d) and includes "sewage and any and all other water substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin." In requiring these reports, the Central Valley Water Board must provide the responsible party a written explanation with regard to the need for the report and shall identify the evidence that supports requiring the responsible party to provide the report. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained therefrom. Additionally, Water Code section 13225, subdivision (c) authorizes the Central Valley Water Board to "require as necessary any state or local agency to investigate and report on any technical factors involved in water quality control or to obtain and submit analyses of water, provided that the burden, including costs, of such reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained therefrom."

Applicable findings of this Order and Resolution R5-2017-0057 establish that the Town of Loomis is appropriately named as a Responsible Party and required to comply with the provisions of this Order. Based on available information, it is reasonable to suspect that discharges of waste, including pyrethroid pesticides, originate from MS4 systems owned and/or controlled by the Town of Loomis.

5. **Burden of Reports.** The burdens, including costs, of complying with this Order are reasonable in relation to the important needs for information to determine if pyrethroid pesticides are impacting beneficial uses, to assess attainment of the pyrethroids conditional prohibition, and to inform assessments of progress in reducing pyrethroid concentrations and toxicity. In adopting Resolution R5-2017-0057, the Central Valley Water Board found that the costs of implementing the Pyrethroid

Pesticides Control Program, which included the costs of required monitoring, are reasonable relative to the water quality benefits to be derived from implementing the Pyrethroid Pesticides Control Program. The estimated costs for MS4 monitoring and reporting is approximately \$43,000 (Fojut et al., 2017, Table 9-1) for the scope of monitoring and reporting required by this Order. The baseline monitoring and Pyrethroid Management Plans required by this Order will reduce pyrethroid pesticide concentrations and their impact to beneficial uses and inform future actions to reduce pyrethroid pesticide concentrations.

As specified in Resolution R5-2017-0057, the required information may come from the dischargers' monitoring efforts; monitoring programs conducted by state or federal agencies or collaborative watershed efforts; or from special studies that evaluate the effectiveness of management practices. Also as specified in Resolution R5-2017-0057 and Provision 2.D of this Order, with Executive Officer approval, representative monitoring programs, including coordinated regional or statewide monitoring programs, may be used to meet the monitoring requirements.

6. **Liability for Noncompliance.** Pursuant to Water Code section 13267, any person failing or refusing to submit a technical or monitoring report required under section 13267, subdivision (b), or falsifying any information therein, is guilty of a misdemeanor and may be subject to an administrative civil liability of up to \$1,000 per day for each day in which the violation occurs.

7. **California Environmental Quality Act.** The issuance of this Order, which involves collection of information and protection of the environment, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Res. Code, § 21000 et seq.), in accordance with the CEQA Guidelines. (Cal. Code Regs., tit. 14, §§ 15306, 15308.) This Order is further exempt because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs., tit. 14, § 15061, subd. (b)(3).)

8. **Delegated Authority.** This Order is issued under authority delegated to the Executive Officer pursuant to Resolution R5-2018-0057 and Water Code section 13223.

**IT IS HEREBY ORDERED** that, pursuant to Water Code Sections 13267 and 13383 and the above findings, Town of Loomis (hereafter "Discharger") shall submit the following technical and monitoring reports, and do so in accordance with the following provisions:

**1. Monitoring Plan or Commitment to Develop a Pyrethroid Management Plan**

As described in Finding 2, municipal stormwater is known to contain pyrethroids at levels exceeding the prohibition triggers established in the Basin Plan. Therefore, **if Discharger acknowledges that the existing data are assumed to be representative of their discharge and develops and submits a pyrethroids management plan to the Board by 19 August 2021, they may forego the baseline monitoring requirements of this Order.**

A. **No later than 31 August 2020** Discharger shall submit, in a letter signed by an authorized representative of the discharger, either:

- 1) A statement of intent to conduct baseline monitoring in compliance with the specifications of this Order.

**OR**

- 2) An acknowledgement that the existing data, such as the data used to characterize MS4 concentrations in the Pyrethroids Basin Plan Amendment Staff Report (Fojut et al., 2017, Sections 2.3, 5.6, and Appendix B), and described in Finding 2, are assumed to be representative of its discharge **and** a statement of intent to submit a Pyrethroids Management Plan to the Central Valley Water Board per the requirements in Item 3 by the deadline required in item 3(A).

**2. Baseline Monitoring Plan Requirements**

A. If Discharger selects the option to conduct baseline monitoring, by **28 February 2021**, Discharger shall submit a complete draft baseline monitoring plan. All baseline monitoring shall be completed by **21 June 2022**<sup>1</sup>.

B. Baseline monitoring shall be designed to collect information necessary to:

- 1) Determine through representative receiving water monitoring whether discharges from Discharger are exceeding Acute and/or Chronic Pyrethroid Triggers by providing pyrethroid and dissolved and particulate organic carbon concentration data; and
- 2) Determine whether pyrethroid pesticide discharges from Discharger are causing or contributing to exceedances of the narrative water quality objective for toxicity in surface waters or bed sediments by providing *Hyaella azteca* toxicity test data.

C. The baseline monitoring plan shall include a Quality Assurance Project Plan (QAPP), in accordance with the quality assurance/quality control (QA/QC) and other protocols established by the Surface Water Ambient Monitoring Program (SWAMP). Unless otherwise specified by this Order, field testing, sample collection, preservation, laboratory testing, including quality control procedures and all record keeping shall comply with the most current version of the SWAMP Quality Assurance Program Plan (SWRCB, 2017) which is available at:

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<sup>1</sup> If an extension is necessary due to lack of qualifying storm events, as specified in Table 1, the due date for monitoring completion shall be extended as specified in Table 1.



[https://www.waterboards.ca.gov/water\\_issues/programs/swamp/quality\\_assurance.html](https://www.waterboards.ca.gov/water_issues/programs/swamp/quality_assurance.html)

Discharger shall use Environmental Laboratory Accreditation Program (ELAP)-accredited laboratories and methods for chemistry and toxicity testing. ELAP-accredited methods are acceptable for pyrethroid chemical analysis provided that the method meets the analytical capability described in Table 1. A current list of ELAP approved laboratories and points of contact can be found on the Central Valley Water Board's website,

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/tmdl/central\\_valley\\_projects/central\\_valley\\_pesticides/pyrethroid\\_tmdl\\_bpa/index.html](https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html)

- D. With Executive Officer approval, the baseline monitoring requirements may be met by submittal of a report, including a compilation and interpretation of representative monitoring data (which can include data from representative monitoring programs, including coordinated regional or statewide monitoring programs), demonstrating that the required information has been collected and is sufficient to make the required determinations. Such a demonstration may be made by the provision of data and information similar to that which would be generated by following the specified receiving water monitoring requirements below, or otherwise demonstrating that the determinations in 2B above, assessment of attainment of the pyrethroid trigger limits and assessment of potential toxicity to *Hyaella azteca* in receiving waters, can be made with the data and information provided.
- E. Discharger may, in a Baseline Monitoring Plan, propose a sampling frequency that differs from that described herein if it can be demonstrated to meet the goals of the baseline monitoring described above and if it is approved by the Executive Officer. The Baseline Monitoring Plan shall be approved by the Executive Officer before the data can be used to meet the monitoring requirements.
- F. Monitoring Locations
  - 1) The Discharger shall establish a monitoring location to collect water samples from either a receiving water site downstream of the MS4 discharge; or from the MS4 discharge itself. The monitoring location shall be proposed in the Baseline Monitoring Plan for approval by the Executive Officer.
- G. Pyrethroid Chemistry and Organic Carbon Monitoring Requirements
  - 1) The Discharger shall monitor receiving water or MS4 discharge as shown in Table 1.

**Table 1. Receiving Water or MS4 Discharge Monitoring**

<b>Chemical<sup>a</sup></b>	<b>Units</b>	<b>Sample Type</b>	<b>Minimum Sampling Frequency<sup>e</sup></b>	<b>Minimum QA/QC Sampling Frequency<sup>d</sup></b>	<b>Minimum Reporting Level<sup>b,c</sup> (ng/L)</b>
Bifenthrin	ng/L	Grab	4/year	1/year	1.3
Cyfluthrin	ng/L	Grab	4/year	1/year	1.3
Cypermethrin	ng/L	Grab	4/year	1/year	1.7
Esfenvalerate	ng/L	Grab	4/year	1/year	3.3
Lambda-cyhalothrin	ng/L	Grab	4/year	1/year	1.2
Permethrin (total)	ng/L	Grab	4/year	1/year	10
Total Organic Carbon (TOC)	mg/L	Grab	4/year	1/year	--
Dissolved Organic Carbon (DOC)	mg/L	Grab	4/year	1/year	--

<sup>a</sup> Concentrations are total analyte concentrations, including all isomers.

<sup>b</sup> Numbers reported to two significant figures.

<sup>c</sup> Analytical Methods shall not exceed the minimum reporting levels specified in Table 1. Minimum reporting levels calculated from prohibition trigger limits established by Central Valley Water Board Resolution R5-2017-0057.

<sup>d</sup> Minimum number of QA/QC samples collected shall be 20% of total water samples collected.

<sup>e</sup> Samples shall be collected for three qualifying wet weather events<sup>2</sup> (i.e., post first flush<sup>3</sup>, post mid-winter<sup>4</sup> wet weather event, post spring runoff<sup>5</sup> event) and one dry weather<sup>6</sup> event. If, during the time period for a wet weather event, a qualifying wet weather event does not occur, additional storms shall be sampled during the time period for the next wet weather event. If there are not three qualifying wet weather by the end of the time period for wet weather sampling during the first year of sampling, the monitoring shall be extended until three qualifying wet weather events occur. If the monitoring is extended, the due date for the Baseline Monitoring Report shall be extended until 90 days following the final qualifying wet weather event.

#### H. Water Column and Sediment Toxicity Monitoring Requirements

<sup>2</sup> Qualifying wet weather event is any rain event 0.25-inch in 24-hours.

<sup>3</sup> Post first flush timeframe is within 1 day of the qualifying wet weather event between 1 October and 31 December.

<sup>4</sup> Post mid-winter wet weather event is within 1 day of a qualifying wet weather event between 1 January and 19 March.

<sup>5</sup> Post spring runoff event is within 1 day of a qualifying wet weather event between 20 March and 20 June/.

<sup>6</sup> A dry weather event is any day between 21 June and 30 September that is preceded by 7-days of no measurable (i.e., <0.1 inches) of rain.



1. **Water Column Toxicity Testing.** Discharger shall meet the following acute toxicity testing requirements:
  - a) *Monitoring Frequency* – Discharger shall perform water column toxicity testing four times per year to coincide with Table 1 sampling.
  - b) *Sampling Types* – Discharger shall use static renewal testing. The samples shall be grab samples and be taken at the established monitoring location in 2.C.1) above and within 24 hours of the water sampling event.
  - c) *Test Species and Duration* – The test species shall consist of *Hyaella azteca* and the duration of the test shall be 96 hours.
  - d) *Methods* – The water column toxicity testing samples shall be analyzed using EPA method EPA-821-R-02-012 (Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, USEPA, October 2002, or most recent edition) Except as specified in this order, water column toxicity testing shall follow the measurement quality objectives provided in the Surface Water Ambient Monitoring Program (SWAMP) Quality Assurance Program Plan (SWRCB, 2020). When feasible, Discharger shall use the Southern California Coastal Water Research Project (SCCWRP) guidance (Schiff and Greenstein, 2016) on test organism age and size for *Hyaella azteca*.

For consistency with EPA Method EPA-821-R-02-012 and ELAP accreditation, *Hyaella azteca* water column toxicity testing for baseline monitoring must be performed at either 20 or 25 degrees Celsius. The test temperature should be the temperature that is closest to the daily average temperature of the water body at the monitoring location on the day the sample is collected. Due to temperature conditions expected during most monitoring events, daily average water temperatures can be assumed to be closer to 20 degrees Celsius. Therefore, this test shall be performed at 20 degrees Celsius, with the following exception: If the Discharger can document that, on the sampling date, the daily average water temperature of the water body at the monitoring location was 22.5 degrees Celsius or higher, the test shall be performed at 25 degrees Celsius.
  - e) *Test Failure* – If a toxicity test does not meet all test acceptability criteria as specified in the test method, Discharger must-resample and initiate re-testing as soon as possible, not to exceed 14 days following notification of test failure by the laboratory.
2. **Sediment Toxicity Testing.** Discharger shall meet the following sediment toxicity testing requirements:

- a) *Monitoring Frequency* – Discharger shall perform sediment toxicity testing four times per year to coincide with Table 1 sampling.
- b) *Sampling Types* – Discharger shall identify and collect sediment samples in a depositional area in receiving waters downstream of the MS4 discharge.
- c) *Test Species and duration* – The test species shall consist of *Hyaella azteca* and the duration shall be a 10-day test.
- d) *Methods* – The sediment toxicity testing samples shall be analyzed using EPA method EPA-600-R-99-064 (Methods for measuring the toxicity and bioaccumulation of sediment-associated contaminants with freshwater invertebrates, USEPA, 2000, or most recent edition).
- e) *Test Failure* – If a toxicity test does not meet all test acceptability criteria, as specified in the test method, Discharger must-resample and initiate re-testing as soon as possible, not to exceed 14 days following notification of test failure by the laboratory.

#### I. Baseline Monitoring Report

- 1) If Discharger selects the option to conduct baseline monitoring, Discharger shall submit a Baseline Monitoring Report that:
  - a) Summarizes the pyrethroid and toxicity monitoring results;
  - b) Assesses the compliance of the discharge with the conditional prohibition triggers in the Basin Plan established by Resolution R5-2017-0057;
  - c) Summarizes toxicity of water and sediment samples to the test organism *Hyaella Azteca*; and
  - d) Summarizes any other pyrethroid monitoring data collected by Discharger during the above period.
- 2) The Baseline Monitoring Report shall include all the required pyrethroid chemistry, dissolved and particulate organic carbon data and toxicity test results and documentation of laboratory analysis (including QA/QC data) and chain of custody documents.
- 3) Discharger shall submit the Baseline Monitoring Report by **19 September 2022<sup>7</sup>** to the Central Valley Water Board.

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<sup>7</sup> If an extension is necessary due to lack of qualifying storm events, as specified in Table 1, the due date for submittal of the report shall be extended as specified in Table 1.

### 3. Pyrethroid Management Plan

- A. If Discharger selected the option to submit an acknowledgement that the existing data are representative of their discharge and a statement of intent to submit a Pyrethroids Management Plan to the Central Valley Water Board, per the requirements established in the Basin Plan by Resolution R5-2017-0057, Discharger shall submit a Pyrethroid Management Plan by **19 August 2021**.
- B. If Discharger selected the option to conduct baseline monitoring and the baseline Pyrethroid Chemistry and Organic Carbon Monitoring results reveal an exceedance of any prohibition trigger, Discharger shall develop and submit a Pyrethroid Management Plan per the requirements described in Resolution R5-2017-0057 to the Central Valley Water Board within **one year from the date that an exceedance is identified** by either the Discharger or Central Valley Water Board staff.
- C. The pyrethroid management plan may be submitted to the Board in an update of Discharger's existing storm water management plan (SWMP).
- D. The pyrethroid management plan must identify a set of management practices that, taken as a whole, may be reasonably expected to effectively reduce pyrethroid levels in their discharges, to the maximum extent practicable, and to consider whether there are potential water quality concerns with replacement insecticide products.
- E. The management practices listed in this Provision shall be considered for inclusion in Discharger's pyrethroid management plan. The pyrethroid management plan may include any of the practices listed this Provision or may identify others that are not included here, but must provide justification to the Board regarding their decision whether to select or not select each practice listed in this Provision.

Some of the practices in the pyrethroid management plan may be accomplished by participation in organizations such as California Stormwater Quality Association (CASQA), which coordinates with the California Department of Pesticide Regulation (CDPR) and other organizations taking actions to protect water quality from the use of pesticides in the urban environment. Other practices may also be proposed. If the State Water Resources Control Board (SWRCB) establishes a statewide water quality control plan that requires management practices for the control of urban pesticide discharges, compliance with those requirements shall be deemed compliance with this Provision.

**1) Management Practices to be Considered by Dischargers for Inclusion in a Pyrethroids Management Plan:**

**i. Education and outreach activities**

1. Undertake targeted outreach programs to encourage communities within a discharger's jurisdiction to reduce their reliance on pesticides that threaten water quality, focusing efforts on those most likely to use pesticides that threaten water quality, potentially by working with CDPR, County Agricultural Commissioners, and the University of California Statewide Integrated Pest Management Program, or other entities as appropriate.
2. Make available point-of-purchase outreach materials to pesticide retailer(s) in or near the Discharger's jurisdiction. These materials shall provide targeted information on proper pesticide use and disposal, potential adverse impacts on water quality, and less toxic methods of pest prevention and control.
3. Conduct outreach to Discharger's residents and businesses who may hire structural pest control and landscape professionals that contains messages that (a) explain the links between pesticide usage and water quality; and (b) provides information about structural pest control IPM certification programs and IPM for landscape professionals.
4. Encourage public and private management practices (e.g., landscape design, irrigation management, etc.) that minimize pesticide runoff.

**ii. Pesticide pollution prevention activities**

1. Reduce reliance on pyrethroids and other pesticides that threaten water quality by adopting and implementing policies or procedures that minimize the use of pesticides that threaten water quality in the discharger's operations and on the Discharger's property.
2. Develop and implement an Integrated Pest Management policy that:
  - a) Is consistent with IPM as defined by the University of California Statewide IPM Program (UC-IPM) or the California Structural Pest Control Board definition.
  - b) Applies to all Discharger staff who conduct or contract for pest management and to pest management vendors under contract to the Discharger.

- c) Assigns responsibilities to a designated staff position and/or department to coordinate Discharger activities and ensure that the IPM policy is implemented.

iii. Support of Pollution Prevention through the Pesticide Regulatory Process

1. Track USEPA and CDPR pesticide evaluation and registration activities as they relate to surface water quality and encourage these agencies to accommodate urban water quality concerns within their pesticide registration processes. This may include assembling and submitting available information (such as monitoring data) to USEPA and CDPR during public comment periods to assist in their pesticide evaluation and registration activities. This management practice would be implemented most effectively through a cooperative regional or statewide approach.

**4. Certification of Reports**

All technical reports submitted under this Order shall be accompanied by a cover letter, signed by an authorized representative of Discharger with the following **certification**:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

**5. Submittal Process**

All documents submitted to comply with this Order shall be submitted into the Storm Water Multiple Application Tracking System (SMARTS) database. The monitoring data must be in an electronic format where the data can be manipulated.

**6. Requesting Time Extensions**

An extension of time to submit the required technical and monitoring reports may be requested. The request must be in writing, supported by good cause, and submitted before expiration of the above deadline. Any extension of the above deadline must be confirmed in writing by the Central Valley Water Board or designated delegee.

**7. Duty to Comply**

Failure to furnish any of the required reports, or the submittal of substantially incomplete reports or false information, is a misdemeanor, and may result in additional enforcement actions being taken against you, including issuance of an Administrative Civil Liability (ACL) Complaint for liability in an amount not to exceed one thousand dollars (\$1,000) for each day in which the violation occurs pursuant to Water Code section 13268. You are hereby notified that the Assistant Executive Officer reserves the right to assess administrative civil liability starting from the date the Assistant Executive Officer finds the violation first occurred. The Central Valley Water Board reserves its right to take any enforcement action authorized by law for violations of this Order.

**8. Filing Petitions**

Persons aggrieved by this Central Valley Water Board action may petition the State Water Resources Control Board (State Water Board) for review in accordance with Water Code section 13320, and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition by 5pm on the 30th day after the date of this Order, except that if the 30th day falls on a Saturday, Sunday or State holiday, in which case the petition must be received by the State Water Board by 5pm on the next business day. Laws and regulations applicable to filing petitions are available on the internet (at the address below), and copies will also be provided upon request.

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

**9. Effective Date**

This Order is effective as of the date set forth below.

If you have any questions regarding this matter, please contact Daniel McClure at (916) 464-4751 or [Daniel.Mcclure@waterboards.ca.gov](mailto:Daniel.Mcclure@waterboards.ca.gov) or Sammantha Mello at (916) 464-4603 or [Sammantha.Mello@waterboards.ca.gov](mailto:Sammantha.Mello@waterboards.ca.gov).

Ordered By:



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PATRICK PULUPA  
Executive Officer,  
Central Valley Water Board

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13 July 2020

## REFERENCES

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