RESOLUTION NO. 2019 - 75
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI APPROVING AN INTEGRATED PEST MANAGEMENT PLAN FOR MUNICIPAL LANDSCAPE MAINTENANCE.

WHEREAS, the City of Cotati is responsible for landscape maintenance of City-owned buildings, parks, streets, sewer systems, and water supply systems; and

WHEREAS, landscape maintenance is accomplished directly by Public Works crews, as well as a third party contractor who performs the majority of the landscape maintenance work in parks and street medians; and

WHEREAS, landscape maintenance work is primarily accomplished by mowing or string mowing, but glyphosate has traditionally been point applied to kill invasive weeds when the weed barriers and mulch are not sufficient; and

WHEREAS, in some limited areas, there is also point application of glyphosate between curb and sidewalk, or along the edge of paving to keep invasive plants from causing damage to the hardscape; and

WHEREAS, consistent with best practices, product label instructions, and the City's Phase 1 Storm Water Permit, there is no glyphosate application in the creeks or drainage ways; and

WHEREAS, glyphosate is the only herbicide used by the City or the City's contractors; and

WHEREAS, on August 13, 2019, the City Council directed staff to move to eliminate the use of synthetic pesticides (inclusive of herbicides) by City staff and contractors; and

WHEREAS, the City Council directed that this be accomplished by the immediate cessation of use by City staff, development of a written Integrated Pest Management Plan (IPM), and amending city contracts to require City contractors to stop the use of synthetic pesticides.

WHEREAS, the action of adopting an IPM does not constitute a project as defined by California Environmental Quality Act Guidelines Section 15378; therefore, no further environmental review is required.

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Cotati hereby approves the attached IPM, including the authority for staff to make non-substantive clarifications to the text as needed to implement the policy goals of the IPM.

IT IS HEREBY CERTIFIED that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Cotati held on the November 26th, 2019, by the following vote, to wit:

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: John C. Moore, Councilmember
SECONDER: Susan Harvey, Councilmember
AYES: John A. Dell'Osso, Wendy Skillman, John C. Moore, Susan Harvey
ABSENT: Mark Landman

Approved: _____
Mayor

Attest: _____
Lauren Berges, City Clerk

Approved as to form:

_____
City Attorney

Attachments:
Integrated Pest Management Policy (DOCX)

City of Cotati
Integrated Pest Management Policy

Adopted by Resolution No. 2019-75

November 26, 2019

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DEFINITIONS:

Acute Toxicity

The adverse effects of a substance that result either from a single exposure or from multiple exposures in a short period of time (usually less than 24 hours). To be described as *acute* toxicity, the adverse effects should occur within 14 days of the administration of the substance.

Banned Pesticides

A pesticide will be considered a "banned pesticide" if it has been banned by the US EPA and is therefore not legal for sale and use in the United States.

Best Management Practices

BMPs means actions based on current science and technology that have been proven to be effective in the control and management of the site or pest to prevent or reduce the incidence of pest problems, with careful consideration given to protect public health and safety, wildlife and the environment.

Carcinogen

Any substance that has the potential to cause cancer in living tissues. Carcinogen exposure can occur from the inhalation, ingestion, or absorption of many different types of substances into our bodies. Carcinogens cause changes to DNA at the cellular level and affect the rate of cell division.

Chronic Toxicity

Adverse health effects from repeated exposures of a substance, often at lower levels, over an extended time (months or years).

CDPR Certified Applicator

A person who is certified by the California Department of Pesticide Regulation to apply pesticides.

Integrated Pest Management

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 according to established guidelines, 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 non-target organisms, and the environment.

IPM Manager

The designated employee who is responsible for IPM program coordination for the City.

Pesticide

Federal law broadly defines a "pesticide" as any substance or mixture of substances intended to prevent, destroy, repel or mitigate any pest. Pests can be insects, mice and other animals, weeds, fungi or micro-organisms. Though often misunderstood to refer only to insecticides, the term pesticide also applies to herbicides, fungicides, rodenticides and various other substances used to control pests. A pesticide is also any substance or mixture of substances intended for use as a plant growth regulator, defoliant or desiccant.

Mutagenicity

A physical or chemical agent that changes the genetic material, usually DNA, of an organism and thus increases the frequency of mutations above the natural background level.

No Action

An option for pest managers to refrain from using any chemical pesticide, even if some pests remain present after the use of non-chemical methods. This option allows for some presence of pests, if that level of pest presence is not detrimental to health and safety and maintains an acceptable aesthetic..

Organoch/orines

Organochlorine pesticides are chlorinated hydrocarbons used extensively from the 1940s through the 1960s in agriculture and mosquito control. Representative compounds in this group include DDT, methoxychlor, dieldrin, chlordane, toxaphene, mirex, kepone, lindane, and benzene hexachloride. Most of these are banned for sale and use in the United States by the US EPA.

Organophosphates

Organophosphates are chemical substances originally produced by the reaction of alcohols and phosphoric acid and include insecticides, such as diazinon, chlorpyrifos, disulfoton, azinphos- methyl, and fonofos, which have been used widely in agriculture and in household pest control. Chlorpyrifos has been discontinued in residential uses.

Organic

This term is used to describe products which are considered least toxic when compared to the spectrum of available pesticides and which are generally non-synthetic. The City recognizes that "organic" as a term in chemistry is meant to describe a compound, synthetic or not, which contains carbon atoms.

Signal Word

A word used to indicate the relative level of severity of hazard and alert the reader to a potential hazard on the label. Pesticide signal words are 'Danger,' 'Warning' and 'Caution.'

City

Any property owned or operated by the City of Cotati.

Teratogen

Substances that may cause birth defects via a toxic effect on an embryo or fetus.

Integrated Pest Management Policy

A. Purpose

It is the purpose and intent of the Integrated Pest Management (IPM} Policy to comply with the City's Phase I Municipal Storm Water Permit, *Order No. R1- 2015-0030* and any subsequent Order renewals and to comply with the City Council's direction at its regular meeting of August 13, 2019, to discontinue the use by City staff or contractors of synthetic pesticides which pose a threat to human health. This IPM Policy applies to any property owned and operated by the City of Cotati.

The Phase I Storm Water Permit requires the City to follow Integrated Pest Management (IPM) practices.

This IPM Policy follows the widely accepted principles of Integrated Pest Management. The basic principles are the use of least-toxic methods for pest control, the goal of removing only the target organism, and minimization of risks to human health, beneficial non-target organisms, and the environment.

The policy includes the option for City staff to consider a "no action" approach to pest management to minimize the use of chemical pest control methods.

This IPM Policy also provides a process for addressing emergencies where the use of pesticides would be necessary to protect public health or safety. In these emergency cases, City staff could request an exemption, which would allow use of a pesticide on the Discontinued Use List, as defined in Section G, Part 2 of this IPM Policy. Under no circumstances would the City use pesticides banned by the United States Environmental Protection Agency (US EPA}.

B. City Policy

It is the policy of the City that:

1. Departments performing pest management will comply with the City's IPM Policy. These policies will apply to all property and grounds owned, leased, or managed by the City.

2. Departments will require contractors providing pest management services on all property owned, leased, or managed by the City to comply with the City's IPM Policy.

3. Pest controls will be selected and applied in a manner that minimizes risk to human health, non-target organisms, water quality, and the environment.

4. The City IPM implementation program shall include the following:

   a) As needed, create Standard Operating Procedures {SOPs) for pest management and pesticide application for City Staff and contractor consistency.
   b) Educate and train City staff in City IPM policy, practices, and SOPs.
   c) Reduce the use of pesticides to the maximum extent practicable.
   d) Consider taking a "no action" approach (no pesticide use) in addressing certain pest control issues.
   e) Use pesticides with the goal of removing only the target organism.
   f) Identify the 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 for pest problems by using designated personnel or contractors trained in IPM methods for application.
   j) Maintain records by City departments on IPM methods used to prevent and control pests.
   k) Comply with all applicable state and federal regulations, including pesticide use, storage and reporting.

C. IPM Policy Goals

1. Eliminate the use of pesticides that are classified by the US or California EPA as known carcinogens or possible carcinogens, reproductive toxicants (teratogens, mutagens, endocrine disruptors, organophosphates) or groundwater contaminants.

2. Protect the environment, and public and worker health and safety, by selecting OMRI or equivalent products, using all products in accordance with label instructions and consistent with all laws and regulations, and ensuring the use of appropriate personal protective equipment.

3. Comply with the Phase I Municipal Storm Water Permit, as may be amended from time to time, by implementing the following landscape maintenance and design practices:
    a) Use a standardized protocol for the routine and non-routine application of pesticides and fertilizers;
    b) Encourage planting and retention of California native and Mediterranean climate-adapted vegetation to reduce the amount of water, pesticides, and fertilizers. Ensure pesticides and fertilizers are not applied to an area immediately prior to a likely rain event, during, or immediately after a rain event, or when water is flowing off the area.
    c) Limit or replace pesticide use with alternatives such as conducting manual weed removal.
    d) Apply pesticides in accordance with product instructions, or if no instructions exist, with the Department of Pesticide Regulation requirements to prevent surface water contamination.
    e) Minimize irrigation run-off by using efficient methods of irrigation and scheduling, such as an evapotranspiration-based irrigation schedule, or soil moisture sensors, and rain sensors as possible.
    f) Store pesticides and fertilizers indoors or under cover on paved surfaces with secondary containment.
    g) Reduce the use, storage, and handling of hazardous materials to reduce the potential for spills.
    h) Regularly inspect storage areas.

D. Designation of IPM Manager

The City Manager shall designate an IPM Manager who will operate within the City to coordinate implementation of the IPM Policy. The IPM Manager shall:

- Ensure each City department understands the requirements of the City IPM Policy.
- Organize IPM training for staff as needed.
- Coordinate data collection regarding the quantity of pesticides used and reductions by City staff and contractors at least annually.
- Oversee development of any necessary Standard Operating Procedures {SOPs) and work with City staff performing pest management to develop forms summarizing pesticide use and a form for emergency exemption requests.
- Ensure that reported public health issues related to pest outbreaks on City owned and managed properties are addressed as needed.
- Use a standardized sign for a pesticide application notification that includes the date of application, the name and type of product used, and a website where the public may find information about the product if available.
- Ensuring that records of active exemptions and all IPM policies are posted on the City's website.
- Maintain accurate pesticide application records and reporting that includes the City's own use of pesticides and pesticides used by contractors.
- Verify records annually to ensure compliance with the IPM Policy.
- Develop and maintain list of approved pesticides.
- Add or remove products from Approved and Discontinued Product Lists as data becomes available.
- Coordinate pesticide use tracking and reporting by each department.
- Provide information to the City's Storm Water Program Manager for reporting annual reductions in pesticide use to the North Coast Regional Water Quality Control Board in accordance with Phase I Municipal Storm Water Permit requirements.

E. Education and Training of IPM Manager, Certified Pesticide Applicators and Staff

The IPM Manager will ensure that all staff applying pesticides are certified in the appropriate category by the California Department of Pesticide Regulation (CDPR) or are under the direct supervision of a CDPR pesticide applicator certified in the appropriate category.

City Staff and contractors that use pesticides will be educated on the IPM Policy and approved SOPs. IPM training will be updated and reviewed annually.

F. IPM Applications and Guidelines

Only persons specifically authorized by the IPM Manager and certified by the State as pesticide applicators will be permitted to use pesticides on City property.

Use of pesticides is limited to those products on the Approved Reduced-Risk Product List, unless an exemption has been granted due to a threat to human health or the environment.

Pesticide applicators must follow regulations and product label instructions and precautions. Applicators will have training in IPM and must comply with the City's IPM policy.

G. Guidelines for Pesticide Selection

It is the goal of the City to minimize the use of pesticides through alternative pest control practices and by giving preference to products approved by the Organic Materials Review Institute (OMRI) or by the National Organic Program for use in Integrated Pest Management programs, as available and effective. Except for pesticides granted an emergency exemption, the City will not use any products on the Discontinued Use Product List below.

Pesticide use will be evaluated to determine the need, appropriate type and amount of product, and the most effective application methods. Pesticides will only be used if evaluation indicates that they are needed.

It is the intent of the policy to promote the use of the least-toxic pesticide and to consider new products and methods of pest control as they become available.

1. Approved Reduced-Risk Products List. The following minimum-risk pest control products and methods may be used:

a) Caulking agents and crack sealants
b) Borates, silicates and diatomaceous earth
c) Soap-based products
d) Natural (non-synthetic) products that are exempt from provisions of the Federal Insecticide, Fungicide and Rodenticide Act due to their characterization as a minimum risk pesticide (40 CFR § 152.25).
e) National Organic Program approved product
f) Natural (non-synthetic) products on the Organic Materials Review Institute (OMRI) approved list
g) OMRI-approved and cruelty-free baits and traps for rodents and other mammals. Cruelty-free includes live traps that do not injure the organism trapped, and which allow for rehabitation, or traps which instantaneously kill the organism trapped, such as electrocution traps.
h) Cryogenics, electronic products, heat and lights
i) Biological controls, such as parasites and predators
j) Microbial pesticides (naturally-occurring microorganisms that target specific problems)
k) Insect growth regulators
l) Physical barriers

2. Discontinued Use Pesticide Product List. The following categories of high health-risk pest management products are not allowed to be used on City property and will only be available for use through the exemption process. Under no circumstances will the City use pesticides banned by the US EPA.

a. Proposition 65

Pesticides on the California 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) including mutagens and teratogens

b. Carcinogen

A known carcinogen, probable carcinogen, or possible carcinogen

identified by the US EPA per "List of Chemicals Evaluated for Carcinogenic Potential"

c. Endocrine Disruptors

Any known endocrine disruptor listed by the US EPA Endocrine Disruptor website

d. Organophosphates

Some pesticides in the organophosphate category have been banned entirely by the US EPA, while others have been discontinued for residential use.

e. Organochlorines

Organochlorines include the pesticide DDT (Dichlorodiphenyltrichloroethane). Most are entirely banned by the US EPA. https://chemview.epa.gov/chemview

f. Foggers, bombs, fumigants

Any such fumigants containing pesticides identified by the State of California as potentially hazardous to human health (3 CCR § 6198.5). This does not include organically certified mixes such as mint oil or soap solutions etc. that may be applied in spray format. https://www.cdpr.ca.gov/docs/legbills/calcode/020103.htm

H. Notification of Pesticide Applications

All use of pesticides from the approved list, where the product label requires posting, will be posted near the application area.

Any synthetic pesticide to be applied through the exemption process will also be posted near the application area and the public will be notified via the City's website, at least 2 days before the application. The IPM Manager will keep written records of all approved exemptions and maintain an active exemptions list that is available for public review on the City's website. One time use exemptions shall be posted on the City's website for a minimum of 60 days following the last date of application.

1. Signs should be posted at public and employee points of entry to the treated

area pursuant to state and/or federal law, and according to product label instructions.

2. When required by labeling directions, signs will be posted in advance of application and remain in place until no longer required, following the application and as required by the manufacturer's product label.
3. Signs should contain the name and active ingredient(s) of the pesticide product, the target pest, date of application, the re-entry interval as determined by the product label or regulation, and the web address of the City website or the product if available. The sign shall state whether the pesticide is certified for use in organic production systems by the Organic Materials Review Institute {OMRI) or approved under the National Organic Program..
4. Signs should be of standardized design that is easily recognized to the public and employees.
5. For every building and site where pesticide baits are used, signs will be posted at conspicuous locations and include information as outlined above. Departments shall not be required to post signs in right-of-way locations that the general public does not use for recreation or pedestrian purposes, such as median strips.

I. Pest Emergency Exemption

In rare cases in which the presence of a pest(s) threatens the health or safety of staff, the public, or the structural integrity of City facilities, a Department Director or the City Manager may deem it necessary to use a pesticide that is not included on the approved list. In such cases, the following exemption process will be required:

1. Contact the IPM Manager to discuss pest issue, alternative control methods and desired exemption.

2. Complete a Pesticide Exemption Request form (Attachment A) and submit to the IPM Manager for review. If recommended by the IPM Manager, the form will be submitted to the City Manager for approval. Approvals must be obtained prior to the pesticide application.

Exemptions will only be granted in cases of documented and justified need for the

variance as it relates to public health and safety and/or noxious pest control,including alternative control measures implemented and deemed ineffective or impractical, and documentation that the recommended pesticide is the least toxic pesticide available to control the target pest. Under no circumstances will pesticides banned in the Unites States by the US EPA be used on City- owned or operated properties.

In the event of a budgetary shortfall, the City Council reserves the option to limit application of this policy to areas accessible to the general public. Areas not accessible to the general public could be exempted, include median strips and secure facilities, such as the corporation yard and other locked locations.

J. Record Keeping of Pesticide Application

The City shall maintain records of all pesticide applications and exemptions to City property and shall make the information available to the public upon request. Records of active exemptions and all IPM policies will also be posted on the City's website. Each application record shall include the following information:

a. City Department
b. Name of IPM Manager
c. Whether application was made by City staff or by a contractor to the City
d. The name and active ingredient of the pesticide to be applied and USEPA registration number
e. Quantity of pesticide applied
f. Specific site of the application
g. The target pest
h. The date the pesticide was used and re-entry period (for short term use), or use frequency throughout the year (if regularly applied during the year).

K. Collaboration with Other Agencies

The City will continue to collaborate at a regional level to encourage implementation of IPM. The City is a member agency of the Russian River

Watershed Association and supports and participates in watershed and water quality enhancement efforts. As part of the City's sustainability outreach and education, staff will promote the use of IPM techniques to reduce the use of pesticides throughout the City.

L. Applicability

This IPM Policy applies to property owned and operated by the City of Cotati..

Attachment A Pesticide Exemption Form

This form is to be used to request an exemption for use of a pesticide product that is not included on the Allowed Reduced-Risk Pesticide List. This form shall be submitted to the IPM Manager and approved by the City Manager in advance of the pesticide application requested.

Application Information	
Name:	Department
Phone:	Email
Pesticide:	
Date(s) of Proposed Use:	
Product Name:	
Active Ingredients:	
EPA Registration #:	Pesticide Type:
Use Location:	
Street Address:	
Justification	
Target Pest:	
Date Discussed with IPM Manager:	

Justification for Use

Explanation of Alternative Controls Tried

Strategies to Prevent Future Exemptions

Additional Comments

IPM Manager Review: _____ Date: _____

City Manager Approval: _____ Date: _____

Attach product data sheet and Safety Data Sheet (SDS)