

Minutes
Contra Costa Integrated Pest Management Advisory Committee
May 5, 2010

Members Present: Cathy Fisher, designee of Vince Guise, Agriculture; Elisa Wilfong, Clean Water Program; Jim Hale, County Fish and Wildlife Committee, Michael Kent, Health Services; Marj Leeds, PEHAB; Joe Yee, Public Works; Michael Fry and Michael Baefsky, County Public Members At-Large; Carlos Agurto, Pestec (9 members present/8 voting members)

Members Absent: Roland Hindsman, General Services, Ted Shapas, Public Member At-Large

Staff Present: Robin Bedell-Waite, Health Services; Tanya Drlik, IPM Coordinator; Nancy Stein, Public Works Watershed Program

Members of the Public Present: Lysle Buchbinder, and Susan JunFish, Parents for a Safer Environment

Tanya Drlik chaired the meeting until the election of officers.

1. Introductions
2. Announcements

Michael Kent reviewed the memo he sent to the Committee on May 4 (see attached) explaining that the Committee that it must continue to operate under its original bylaws until the Board of Supervisors approves changes. This means that the three County Departments will continue to vote and that six affirmative votes are required to send a recommendation to the Board. The vote taken at the March meeting to elect officers is invalid and must be repeated at this meeting. County Counsel recommends waiting until the Committee is seated under the new bylaws before voting on any recommendations to the Board of Supervisors. Please see the attached email from M. Kent for more details.

A motion was made to add the election of officers to the agenda (MK/MB; carried unanimously).

3. Election of officers. A motion was made to elect, as a slate, Michael Kent, Chair; Marj Leeds, Vice Chair; and Ted Shapas, Secretary (JH/MB; carried unanimously).

Michael Kent took over as chair of the meeting.

4. Public comment. Susan JunFish passed out a diagram of Parents for a Safer Environment's (PfSE) Grayson Creek herbicide monitoring study (see attached) in response to Public Works concerns that the work was delayed. She noted that the Public Works Department didn't agree with and didn't understand PfSE's monitoring technique, which is why the action plan was held up. Ms. JunFish would like to see the breakdown of costs the Public Works Department has incurred while working on PfSE's goat grazing and herbicide monitoring grant.
5. Approval of minutes. A motion was made to approve the minutes of March 24, 2010 (MB/MF)

Public comment. Susan JunFish asked to have the following public comment quote attributions changed in the minutes: It was Amy Gitelman of PfSE who reminded the Committee that the bylaws stipulate ethnic, racial, and geographical diversity among members. It was Susan JunFish of PfSE who said the Committee should reach out to environmental groups in West County and should choose a group that will advocate for pesticide reduction. It was Lysle Buchbinder of PfSE who said that PfSE should have a seat on the Committee because of their continuous attendance at IPM Task Force meetings.

Michael Baefsky agreed to this amendment to his motion. The motion carried with seven in favor and one abstention from Jim Hale who was not at the last meeting.

6. Correspondence with the Committee

The following are attached:

- a. Email of May 4, 2010 from Ted Shapas
- b. Outline of Proposed Benchmarking Report on pesticide use on CCC property from Ted Shapas

7. Reports on pest management and other activities of the Departments of Agriculture, General Services and Public Works. The Department reports are attached.

Public Works Department

In discussion, the following questions were asked and will be addressed at the next meeting. Michael Baefsky and Susan JunFish would like clarification of the \$30,500 cost for sheep grazing on Grayson Creek. Susan JunFish would like to know why sheep were chosen for the grazing since there will be more water contamination with sheep. Susan JunFish would like at each meeting to see a table of the quantity and kinds of pesticide used by Public Works along with possibly the locations of the applications.

General Services Facilities

Carlos Agurto explained that Pestec uses non-toxic feeding blocks inside of rat bait stations around the outside of a building to detect rodent activity. When Pestec finds feeding, they replace the feeding block with a snap trap inside the bait station. Carlos mentioned that the Contra Costa Regional Medical Center has asked that no lethal rodent traps be used either indoors or outdoors which makes rodent control next to impossible. The IPM Coordinator will look into the problem. Susan JunFish mentioned that a rumor has surfaced that staff at the hospital are doing pest control on their own. Carlos Agurto and Michael Kent responded that as far as they know, no one is doing this.

General Services Grounds

In discussion, a number of questions and issues were raised regarding the Grounds Division in general and the white grub problem on the entrance lawn at Bettencourt Ranch, a Special District along Camino Tassajara. Michael Baefsky wondered if the label for Roundup Concentrate® supported Grounds Division uses and suggested the possibility of using Aquamaster® plus a soy-based adjuvant instead. Michael Baefsky wanted to know what kind of insecticidal soap was being used. Susan JunFish was concerned about the possible use of Merit ®to control the white grubs because of its toxicity to bees. Michael Kent wanted to know how the Committee could help with problems such as the lawn grubs. Elisa Wilfong said the Committee needs to have input on these issues. Nancy Stein asked if different species of grass have been considered for the lawn.

The Committee asked the Grounds Division to provide an update on the problem at the next meeting.

Agriculture Department

Michael Baefsky asked what material the Department uses for spot spraying artichoke thistle and purple starthistle. Cathy Fisher said they use Clarity® and switch to Roundup® when the plant bolts. Susan JunFish asked if the plant is permanently killed by Clarity and Cathy replied, yes, the existing plant is killed, but not the seed, so treatment must continue until the seed bank is depleted.

8. Staff report

- a. Update on posting policy—the Departments will be implementing the policy this season.
- b. Update on pesticide screening—the IPM Coordinator and the Departments have been meeting regularly to continue work on developing a decision-making process for choosing pesticides in the County.

9. Amend IPM Committee bylaws

This item was moved to the end of the meeting to accommodate the guest speaker from Santa Clara County.

10. Discuss the merits of developing and IPM ordinance

Naresh Duggal, IPM Coordinator for Santa Clara County, spoke on Santa Clara County's experience with their IPM Ordinance. Attached is his written presentation. Information not in his written document that came up in discussion is as follows:

- Of the \$70K his program was given initially, he spent \$25K for a contract with Cornell University to develop and maintain an approved pesticide list, \$10K for putting on three IPM conferences, \$2K for the Bay Friendly Landscaping program, and \$8K for the creation of a pesticide use reporting (PUR) database. \$21K was given back to the General Fund.
- Santa Clara County Departments added \$70K to the IPM Program's \$8K to create the PUR database for a total cost of \$78K. This database system is no longer needed because Santa Clara now uses an off-the-shelf application called PestPac.

Questions and Discussion

- Michael Baefsky asked if County Counsel could come to answer questions from the Committee about an ordinance.
- Susan JunFish expressed the opinion that the premise of County Counsel's analysis of the IPM ordinance issue is incorrect, penalties for not following the ordinance are irrelevant, and that an ordinance that is not enforceable except in unincorporated parts of the County doesn't make sense because in other Counties, the ordinance follows the County staff.
- Marj Leeds would like County Counsel to tell the Committee if it is legal in CCC to have an ordinance for IPM.
- The Committee would like to have an example of a County Administrative Bulletin for the next meeting.
- The Committee would like to have a representative of Alameda County talk about the issue of having an ordinance vs. a policy at the next meeting.

11. Amend IPM Committee Bylaws

A copy of the bylaws with the proposed changes marked was provided in the agenda packet. Michael Kent explained that the changes:

- a. Clarified voting and non-voting members in Section III, Membership
- b. Moved all public members (PEHAB, Fish and Wildlife, and three at large members) under one heading
- c. Added geographical diversity to the criteria for members
- d. Made the IPM contractor to General Services a non-voting member
- e. Clarified the quorum and voting

A motion was made to adopt the changes with the addition of changing Section III.A.2.ii to "Countywide/Unincorporated County Storm Water Program representative" (JH/MF; carried unanimously)

12. Plan agenda for July meeting.

Because the Chair and staff would be away on July 7, the meeting was changed to Tuesday, July 20, 10am to noon. Items recommended for discussion included:

- Consideration of the IPM ordinance
- Review of IPM Plans from General Services Facilities and Public Work
- Report from General Services Grounds on the lawn at Bettencourt Ranch (the decision-making process, costs, what was done)
- Updates from Departments

Respectfully submitted,

Tanya Drlik, IPM Coordinator

Attachment : Memo to the IPM Advisory Committee from Michael Kent, Chair

5/4/2010 9:28 AM

Subject: IPM committee procedural issues

Hi all,

I'm writing to explain some administrative issues that have cropped up since our last IPM committee meeting. We will review these issues at our meeting on May 5th, but I wanted to explain them here in detail to hopefully reduce the confusion and time it takes to discuss it at our May 5th meeting. So please read the following carefully, and I will do my best to lay it out clearly.

1) On March 9th the Board of Supervisors voted to direct changes to our bylaws, mainly to make the three departments that manage pests (Ag, Pub Works, Gen Services) non-voting members. This would change the number of voting members from 10 to 7, and importantly, the number of affirmative votes to send a recommendation to the Board from 6 to 4.

2) We thought this meant that these changes were in effect immediately, and so applied them to our meeting on March 24th.

3) Since then, we have been informed by County Counsel that the way the Board Order was worded requires the IPM Committee to first vote on the changes proposed by the Board, and then have those changes approved by the Board, before those changes can go into effect.

4) That means that until we vote on these changes, and until the Board approves these changes, the IPM committee must operate under the existing bylaws.

5) That means the vote we took as a committee to recommend to the Internal Operations Committee of the Board of Supervisors that we add an environmental seat to the IPM Committee was **invalid** because:

- a) we did not let the three County Departments vote, and
- b) the vote was 4 - 1 while our current bylaws require at least 6 affirmative votes to send a recommendation to the Board.

County Counsel recommends that we wait until the Committee is seated under the new bylaws before voting on any recommendations to the Board of Supervisors. If all goes well, the new bylaws should be in place for our July meeting.

Therefore, under Item 7 on our agenda for May 5th we will only be discussing the changes to the by laws directed by the Board of Supervisors at the March 9th meeting, and shown in ~~strikeout~~/underline form in your agenda packet.

Thanks

Michael Kent
Contra Costa Health Services
Hazardous Materials Ombudsman
597 Center Ave., Suite 100
Martinez, CA 94553
(925) 313-6587