

Minutes
Contra Costa Integrated Pest Management Advisory Committee
September 7, 2011

Members Present: Jim Hale, County Fish and Wildlife Committee; Roland Hindsman, General Services; Michael Kent, Health Services; Joe Yee, Public Works; Michael Fry, County Public Member At-Large; Christine Hagelin, Walnut Creek Open Space Foundation; Ted Shapas, County Public Member At-Large; Carlos Agurto, Pestec

(8 members present/5 voting members)

Members Absent: Vince Guise, Agriculture Department; Michael Baefsky, Public Member At-Large; Marj Leeds, Public and Environmental Health Advisory Board; Nancy Stein, Public Works Watershed Program

Staff Present: Robin Bedell-Waite, Health Services Department; Tanya Drlik, IPM Coordinator; Dan Jordan, County Watershed Program; Ed Swan, Public Works Department; Larry Yost, Agriculture Department

Members of the Public Present: Susan JunFish and Sheila Hill, Parents for a Safer Environment; and Tunyalee Martin, County resident

1. Introductions

2. Announcements

The IPM Coordinator announced that the County is holding a Bay Friendly Landscaping certification training beginning on September 29, 2011 in the City of San Ramon.

3. Public comment on items not on the agenda

Susan JunFish commented that the County is under-reporting its pesticide use by 1000%.

4. Approve minutes from July 6, 2011

A motion was made and seconded (JH/MF) to approve the minutes as written.

The motion carried unanimously (5-0).

Michael Fry commented that at the last meeting, the Public Works Department noted that they fenced off an area where they found evidence of an active burrowing owl nest and mowed weeds up to but not inside the fence. Michael Fry noted, and Jim Hale concurred, that burrowing owls need to be able to see predators in the vicinity of their nests, and therefore not mowing weeds next to a nest will make the habitat unsuitable for these owls. Ed Swan responded that the Fish and Game Department won't let crews get closer than 50 ft to a nest. Michael Fry and Jim Hale will follow up by speaking with Fish and Game.

Joe Yee noted that he had responded inaccurately to a question from Susan JunFish about whether the Department has maps of where it applies pesticides. He said the Department does mark color-coded pre-emergent treatments in a Thomas Brothers' map of the County.

5. Review proposed changes in the IPM administrative bulletin, IPM Policy, and Committee Bylaws

On May 4, 2011 the Committee voted unanimously to recommend the use of an IPM policy, through the adoption of an administrative bulletin as the administrative tool, for implementing the County's IPM Program. The IPM Coordinator worked with the County Administrator's Office (CAO) to draft an administrative bulletin (all administrative bulletins originate from the CAO) for the Committee to review.

Administrative Bulletin

A motion was made and seconded (JH/TS) to move the bulletin on to the Transportation, Water and Infrastructure Committee (TWIC) as revised. The motion carried unanimously (5-0)

IPM Policy

In the process of developing the administrative bulletin, it became clear that several minor changes to wording in the IPM Policy should be made to harmonize the language with that of the bulletin. There were also several substantive changes that needed to be made to bring the Policy up-to-date.

“Unincorporated” was misspelled in two places and will be corrected. A motion was made and seconded (MF/CH) to forward the IPM Policy to TWIC as revised. The motion carried unanimously (5-0)

IPM Committee Bylaws

A motion was made and seconded (MF/JH) to extend all current terms to the end of 2013, thereafter making all terms four year and to have that reflected in the bylaws. The motion carried unanimously. The IPM Coordinator was asked to inquire of the County Administrator’s Office if it is possible to extend terms.

Susan JunFish commented that some members have missed more than two meetings and she would like a report at the end of the year on attendance and participation in subcommittees. The Chair suggested the Committee put a discussion of attendance on a future agenda.

Ted Shapas asked that discussion of a sunset clause for the Committee be added to a future agenda.

6. Hear IPM updates from Agriculture, General Services and Public Works

Facilities and Grounds

Roland Hindsman noted that the Department is reviewing plans for the renovation of 30-40 Muir to make sure they conform to the Department’s IPM Plans. At 2530 Arnold, Grounds is letting the lawns die and is removing acacias to try to minimize the landscaping responsibilities because of tight budgets.

Public Works

Joe Yee introduced Ed Swan, Acting Vegetation Management Supervisor, who reported that the Vegetation Management crew has finished cattail removal in creeks and has been spot spraying vegetation along roadsides. They have been cutting back vegetation in Lafayette creek channel and along the fence.

Agriculture

Larry Yost reported that the Department updated its IPM Plan. Artichoke thistle and purple starthistle management work ended the beginning of July. The Department has lost funding for work on Japanese dodder, but it has essentially been eradicated in the County. The department will continue to survey for this noxious weed and will remove it if found. Red sesbania is still a problem in riparian areas and at residential sites where it is grown as a showy ornamental. There is a large site at the Dow Wetlands that was treated by hand-pulling in May. There are nine residential sites and seven have complied with a request to remove the trees. The other two sites have agreed to strip seed pods from the trees every year. The Department monitors these sites for compliance. The Department has not been conducting any treatment of South American spongeplant themselves. The California Department of Food and Agriculture has treated spongeplant and hopefully will continue to do so, though that is doubtful unless a funding source is identified. The Department of Boating and Waterways (DBW) does not have legal authority to treat anything but water hyacinth and Brazilian waterweed. The Department still hopes to get legislation that would give DBW the authority to go after this noxious aquatic weed.

A question was asked about whether there are any plants that the Department can force citizens not to grow. Larry Yost replied that the Department does have the authority to prevent nurseries from selling a short list of plants that are prohibited, and has the authority to issue abatement orders as in the case with red sesbania at residential sites. The Department usually pursues education, as opposed to enforcement actions, in such cases.

7. Hear report from the IPM Coordinator

The IPM Coordinator

- a. Continued working on the bed bug prevention protocols for the County Homeless Shelter.

- b. Developed a bed bug prevention protocol template for other homeless care providers to use throughout the county along with a training on bed bug awareness that she will present on September 9, 2011 to the Contra Costa Inter-Jurisdictional Council on Homelessness
- c. Continued to organize monthly meetings of the Bed Bug Task Force
- d. Continued collaborating with Contra Costa municipalities, the San Francisco Estuary Partnership, and the County Clean Water Program to develop half-day IPM training workshops for municipal and county staff. The landscape IPM training will be held on October 12 in Walnut Creek. The structural IPM training will be held on October 25.
- e. Met with Susan JunFish, two Parents for a Safer Environment (PfSE) interns, and Michael Kent to try to resolve discrepancies in pesticide use figures between PfSE and the County. The attached chart summarizes the results of the meeting.

8. Hear report from Polo Moreno, California Department of Pesticide Regulation, on the stipulated injunctions brought by the Center for Biological Diversity against the U.S. Environmental Protection Agency

In 2002 the U.S. Environmental Protection Agency (EPA) was sued by a coalition of environmental organizations for failure to consult under the Endangered Species Act (ESA) on 54 pesticides used for crop protection in the Pacific Northwest that could potentially affect threatened or endangered salmon. Consultation is a formal process required by the ESA, and EPA must consult on pesticide registration decisions with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service. The court decision directed EPA to consult on the 54 pesticides. To date the Services and EPA have not been able to agree on methods and procedures to assess the potential effects of pesticides on listed species. The National Research Council of the National Academy of Sciences has been asked to provide assistance by reviewing scientific and technical issues that have arisen.

The 2002 lawsuit set the legal framework for subsequent lawsuits including one on the California red-legged frog, another involving 11 Bay Area species and 75 pesticides, and most recently the lawsuit filed in January 2011 suing EPA for failure to consult on 300 pesticides and their potential effects on 214 species. This lawsuit impacts every state except Alaska. There are fears that a court-directed consultation between EPA and the Services on such a scale is unsustainable given the existing federal resources.

The suit involving 300 pesticides has not yet been settled, but the other three suits resulted in injunctions against over 100 pesticides. All three of these injunctions apply to Contra Costa County. Once EPA and the Services have completed consultation on each of the pesticides now enjoined, any new restrictions will appear on the labels. Until then, the County, in the course of its pest management work, should be looking for listed species habitat and abiding by the buffer requirements for each species in the injunctions.

The Department of Pesticide Regulation has a quick reference chart for the Bay Area injunction, and Polo Moreno will send this to the IPM Coordinator for distribution to the Committee along with PowerPoint presentations on each of the three injunctions. Web resources are described in the presentations.

Susan JunFish commented that the Public Works Department is using Suflan to control weeds along Grayson Creek and salmon have been found there. Polo Moreno replied that Surflan is not one of the pesticides named in the salmonid injunction.

Joe Yee asked if DPR's PRESCRIBE Database has all the information the County needs to abide by the injunctions. Polo Moreno replied that the court orders supersede the information on PRESCRIBE.

Christine Hagelin asked if the synergistic effects of pesticides are being considered in this process. Polo Moreno replied that there must be an agreed-upon model to follow in evaluating these pesticides. Adding more and more variables makes the process more and more complicated and drawn out. Some products have been used for 40 to 50 years and there has not been a mass die-off of endangered species.

9. Discuss information to be included in the IPM Annual Report

The annual report will follow the outline of reports from previous years, and it will include summaries of the work of the three subcommittees. The Chair asked that Committee members email the IPM Coordinator with any items they feel are particularly important to include.

10. Discuss updates to the Departments' IPM Plans

Agriculture Department

Comments included the following:

- Sites visited by the Agriculture Department should be listed. (SJF)
- Details of sites visited are not part of an IPM plan. The plans explain how a pest is dealt with once it is found. (MK)
- What is the Department's plan to reduce the use of Bad Actors? (SJF)
- Do the Departments have a process for documenting their decision-making process? (MK)
- What other alternatives have been tried? What are other counties doing and how can they do that and we can't? (SJF)
- Public Works has a weed management decision tree. That could be used as a template for the Agriculture Department.
- The issues brought up by Susan JunFish should be referred to the subcommittee on Data Management for discussion. (TS)

Public Works Department

Comments included the following:

- With many weeds, the effectiveness of mowing depends on timing. Under section IX. List of Key Pests: Brassica spp., the Department notes that mowing was tried and that it does not work because the plant grows back. Was timing of mowing considered? (CH) The IPM Coordinator explained that Chuck Jeffries, the retired Vegetation Management Supervisor, had written that statement and was not at the meeting to answer the question.
- The Department is using herbicides in spring and winter when it is wet. How can the Department justify using long-lasting pesticides along flood control channels? (SJF)

General Services Department

There were no comments.

11. Plan agenda for next meeting

- Pesticide use data and discrepancies between the County and Parents for a Safer Environment
- Annual IPM Report
- Committee absence policy
- Recommendations on appointments to the Committee
- Departments report back on enjoined pesticides being used
- Report back on the use of Surflan in Grayson Creek

Respectfully submitted,
Tanya Drlik, IPM Coordinator

**Findings after Review of County Pesticide Use Spreadsheet for FY 09-10
subsequent to the Meeting with Parents for a Safer Environment
August 15, 2011**

Public Works Data Discrepancies

Product	Active Ingredient	County data/calculations	Notes/Explanations	PfSE data/calculations	Notes/Explanations
Garlon 3A	Triclopyr triethylamine salt	Specific Gravity = 1.135	Correct according to the product label	Specific Gravity = 1.15	
		2048 lbs. active ingredient used	In the meeting we added the raw data by hand and the County's figures were correct	2748 lbs. active ingredient used	Spread sheet was producing the wrong sum
Milestone VM	Aminopyralid, tri isopropanolamine salt	241 lbs. active ingredient used	The IPM Coord. checked all data, recalculated this figure using the raw data, and found the Co. figure correct.	316 lbs. active ingredient used	?
Roundup Pro Concentrate	Glyphosate, isopropylamine salt	938 lbs. active ingredient used	The IPM Coord. checked all data, recalculated this figure using the raw data, and found the Co. figure correct.	970 lbs. active ingredient used	?

For these 3 herbicides, the County calculated 3227 lbs. of active ingredient used, and PfSE calculated 4034 lbs. of active ingredient used. PfSE reported that the County used 807 more pounds than the County actually used.

Public Works Special Districts Data Discrepancies

Product	Active Ingredient	County data/calculations	Notes/Explanations	PfSE data/calculations	Notes/Explanations
Eaton's Answer	Diphacinone	0.002 lbs. active ingredient used	The IPM Coord. checked all data, recalculated this figure using the raw data, and found the Co. figure correct.	0.004 lbs. active ingredient used	?
Phostoxin	Aluminum phosphide	9.2 lbs. active ingredient used	The IPM Coord. checked all data, recalculated this figure using the raw data, and found the Co. figure correct.	19.6 lbs. active ingredient used	?
Weevilcide	Aluminum phosphide	0.66 lbs. active ingredient used	The IPM Coord. checked all data, recalculated this figure using the raw data, and found the Co. figure correct.	1.06 lbs. active ingredient used	?

For these 3 pesticides, the County calculated 9.86 lbs. of active ingredient used, and PfSE calculated 20.66 lbs. of active ingredient used. PfSE reported that the County used 10.8 more pounds than it actually did.

Agriculture Department Data Discrepancies

Product	Active Ingredient	County data/calculations	Notes/Explanations	PfSE data/calculations	Notes/Explanations
R-11 (Adjuvant)	Alkylphenol ethoxylate, butyl alcohol, dimethylpolysiloxane	Specific Gravity = 1.0 The correct sp.gr. = 1.02 according to the product label	Using the correct sp.gr., the County's calculation for lbs. of active ingredient used should be 170 instead of 167	170 lbs. of active ingredient used	
R-11				PfSE had 2 separate R-11 products listed with 2 different EPA Reg. #s. Note that the "Registration" # 2935-TX-02 is not a reg # but an EPA Establishment number. The 2 products are the same one and the EPA Est. # was written down on the paper PUR in error as the Reg. #	
Milestone VM Plus	Aminopyralid, triisopropanolammonium salt & triclopyr, triethylamine salt	Sp. gr = 1.14 Note: Since there are 2 diff. chemicals in Milestone VM Plus with 2 diff. sp. gr., we are using the sp. gr. for the chemical that makes up the majority of the product.	This specific gravity is correct according to the label	1.02	?
Milestone VM Plus	Aminopyralid, triisopropanolammonium salt & triclopyr, triethylamine salt	% active ingredient = 40.6 The correct % A.I. from the label = 18.44	Using the correct % active ingredient, the lbs. of active ingredient used should be 8.91 instead of 19.63	% A.I. = 18.44 Lbs. A.I. = 7.99	
Vanquish	Dicamba, diglycolamine salt	The County listed only 1 Vanquish product when in fact there were 2. Since the % A.I. and sp. gr. were identical for both, the mistake did not affect the results		Reported 2 separate Vanquish products	

For these 3 herbicides, the County calculated 186.63 lbs. of active ingredient used, when the correct amount was 178.91 lbs, an over-report of 7.72 lbs.

General Services Facilities Data Discrepancies

Product	Active Ingredient	County data/calculations	Notes/Explanations	PfSE data/calculations	Notes/Explanations
Advance Liquid Ant Bait	Sodium tetraborate decahydrate	4.12 oz. active ingredient used	The IPM Coord. checked all data, recalculated this figure using the raw data, and found the Co. figure correct.	3.36 oz. active ingredient used	?
Confrac Blox	Bromodiolone	0.02 oz. active ingredient used	The IPM Coord. checked all data, recalculated this figure using the raw data, and found the Co. figure correct. Note: Confrac Blox come in 1 oz. blocks in a bucket that weighs 18 lbs. Orkin used 489 blocks, or 489 oz. of product	8802 lbs. active ingredient used	PfSE thought that each block weighed 18 lbs.

The other discrepancies between the County and PfSE for Facilities data were small and probably caused by PfSE multiplying by the sp. gr. for the dry products. The County is not using sp. gr. to calculate dry products, only liquid products.