



# ADMINISTRATIVE REGULATIONS

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6.7

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REVISION  
N/A

SUPERSEDES  
New

SUBJECT  
**INTEGRATED PEST MANAGEMENT**

APPROVED BY  
Fred Diaz,  
City Manager

EFFECTIVE DATE  
April 28, 2006

## **I. PURPOSE**

This Administrative Regulation sets forth the guiding principles for development and implementation of Integrated Pest Management (IPM) practices on all City properties.

## **II. OBJECTIVES**

- A. Reduce or minimize pesticide use on City properties to ensure the City maintains compliance with National Pollutant Discharge Elimination System (NPDES) permit requirements.
- B. Reduce the use of broad spectrum pesticides when feasible.
- C. Create awareness among City staff of less-toxic pest management techniques.
- D. Educate all City departments to practice the most appropriate approach to managing pests on City properties, including prevention.
- E. Reduce the adverse impacts to water quality (both in local creeks and the San Francisco Bay) due to pesticide usage, particularly from copper-based and organophosphate and pyrethroid pesticides.

## **III. ORGANIZATIONS AFFECTED**

- A. Environmental Services
- B. Building Maintenance
- C. Parks and Recreation
- D. Purchasing

## **IV. POLICY**

It is the policy of the City of Fremont to:

- A. Comply with Federal requirements for local government to develop and implement an Integrated Pest Management policy, procedure or ordinance to address urban stream impairment by pesticides, per Section C.10.c.i of the National Pollutant Discharge Elimination System (NPDES) permit, Order No. R2-2003-0021, from the California Regional Water Quality Control Board, as updated 2/19/03.
- B. Adopt and implement a policy requiring the minimization of pesticide use and the use of Integrated Pest Management techniques in the co-permittee's operations, as required by co-permittees of the Alameda Countywide Clean Water Program.
- C. Support the City of Fremont Municipal Code, Ordinance No. 2012, by describing procedures by which the City may implement its policy regarding urban runoff.

This Administrative Regulation shall not be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, risk the health or safety of workers and citizens, or are not available at a reasonable price in a reasonable period of time.

This Administrative Regulation shall not be construed as requiring the City of Fremont, a department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

## V. DEFINITIONS

- 5.1 Biological control - The use of biological technologies to manage unwanted pests. Examples of this type of control include, but are not limited to, the use of pheromone traps or beneficial insect release for control of certain types of weeds or invasive insects in landscapes.
- 5.2 Cultural control - The use of IPM control methods such as grazing, re-vegetation, disking, mulching, proper irrigation, seeding, and landscaping with competitive or tolerant species to manage unwanted weeds, rodents or plant diseases, plus good housekeeping.
- 5.3 DPR - Department of Pesticide Regulations for the State of California's Environmental Protection Agency. DPR, in partnership with the Federal Environmental Protection Agency (EPA) and the County Department of Agriculture, oversees all issues regarding the registration, licensing and enforcement of laws and regulations pertaining to pesticides.
- 5.5 Integrated Pest Management (IPM) - IPM is the strategic approach that focuses on long-term prevention of pests and their damage from reaching unacceptable levels by selecting and applying the most appropriate combination of available pest control methods. These include cultural, mechanical, biological and chemical technologies that are implemented for a given site and pest situation in ways that minimize economic, health and environmental risks.
- 5.6 Mechanical controls - The use of IPM control methods utilizing hand labor or equipment such as mowers, graders, weed-eaters, and chainsaws. Crack and crevice sealants and closing small entryways (i.e., around pipes and conduits) into buildings for insect and rodent management are also mechanical controls.
- 5.7 PCA - Pest Control Advisor is one licensed by the California Department of Pesticide Regulations according to Title 3, Article 5 of the California Code of Regulations. A licensed PCA, who is registered with the County Agricultural Commissioner, provides written pest control recommendations for agricultural pest management, including parks, cemeteries, and rights-of-way.
- 5.8 Pesticides - Defined in Section 12753 of the California Food and Agricultural Code as any spray adjuvant, or any substance, or mixture of substances intended to be used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest, as defined in Section 12754.5 (of the Food and Agricultural Code), which may infest or be detrimental to vegetation, man, animals or households, or be present in any agricultural or nonagricultural environment whatsoever. The term pesticide applies to herbicides, insecticides, fungicides, rodenticides and other substances used to control pests. Antimicrobial agents are not included in this definition of pesticides
- 5.9 QAL - Qualified Applicator License is a licensed applicator according to Title 3, Article 3 of the California Code of Regulations. This license allows supervision of applications that may include residential, industrial, institutional, landscape, or rights-of-way sites.
- 5.10 QAC - Qualified Applicator Certificate is a certified applicator of pesticides according to Title 3, Article 3 of the California Code of Regulations. This certificate allows supervision of applications that may include residential, industrial, landscape, or rights-of-way sites.
- 5.11 Structural Pest Control Operator (SPCO- Branch I, II or III) - A licensed applicator for controlling pests that invade buildings and homes according to the requirements of the Structural Pest Control Board of the California Department of Consumer Affairs.

**VI. RESPONSIBILITY**

6.1 The Transportation and Operations Director and the Deputy City Manager, or their designees, shall coordinate implementation of this Administrative Regulation.

**6.2 Training**

6.2.1 City employees involved with pesticide applications as a normal part of their job duties and pest management contractors hired by the City will be trained as required by State of California Department of Pesticide Regulations rules, the County Agricultural Commissioner, and/or the Structural Pest Control Board and the City's NPDES permit.

6.2.2 City Staff responsible for pest management on City property will provide annual training to all employees who apply pesticides as a normal part of their job duties on:

1. Pesticide Safety,
2. The City's IPM Administrative Regulation and
3. Appropriate Best Management Practices and Integrated Pest Management Technologies supported by the Alameda Countywide Clean Water Program

6.2.3 Pest Control Advisors and Applicators, pest management contractors, and other "contract for service providers" serving City-owned properties will be licensed by the State of California Department of Pesticide Regulations (DPR) as a Pest Control Advisor or licensed Qualified Applicator.

**6.3 Public Education and Outreach**

6.3.1 The Environmental Services Division's Stormwater Program, in participation with the Alameda Countywide Clean Water Program, will continue with its existing program to encourage people who live, work, and/or attend school in Fremont to:

1. Obtain information on IPM techniques to control pests and minimize pesticide use
2. Use IPM technologies for dealing with pest problems
3. Perform pesticide applications according to the manufacturer's instructions as detailed on the product label, and in accordance with all applicable state and local laws and regulations set forth to protect the environment, the public, and the applicator; and properly dispose of unused pesticides and their containers.

6.3.2 City of Fremont property leaseholders will be informed of the City's IPM Administrative Regulation and encouraged to use the most current IPM technologies and Best Management Practices.

**6.4 Program Evaluation**

6.4.1 The Environmental Services Division shall periodically evaluate the success of this Administrative Regulation implementation by providing a report to the Transportation and Operations Director and other divisions affected by the Administrative Regulation. This report shall relate progress in meeting the objectives of this Administrative Regulation, and note barriers encountered, recommendations for resolution, cost analysis, and a description of assistance needed to continuously improve staff's ability to meet the Administrative Regulation objectives.

**6.5 Reporting Requirements**

The information outlined below is reported as a part of the City's NPDES Stormwater Permit Annual Report compiled by the Environmental Services Division's Stormwater Program. Each City department,

pest management contractor, and/or other appropriately licensed contractors employed by the City to provide city services that involve pesticide application on City-owned properties shall submit by **July 15<sup>th</sup>** to the Environmental Services Division Manager:

**A. Annual Storage / Inventory Report - due July 15 of each fiscal year**

City staff will report on inventory stored on city-owned properties.

Completed form should list:

1. Product name
2. Pesticide type (i.e. Pyrethoid, Carbamate, organophosphate, etc.)
3. Quantity on hand (as of June 30)
4. Pesticides that are no longer legal or appropriate for applications per Federal, State, County, or City requirements.

**B. Annual Pesticide Use Summary Report - due July 15 of each fiscal year**

Required by City staff and contractors.

Completed reports for each service site should list:

1. Manufacturer and product name
2. Pesticide type (i.e. Pyrethoid, Carbamate, organophosphate, etc.)
3. The total quantity of each pesticide used during the prior fiscal year (from July 1 to June 30) in order to provide an accounting of pesticide use at City-owned properties.

Annual Storage /Inventory Report and Annual Pesticide Use Summary Report Forms may be obtained by contacting the Environmental Services Division at 510-494-4570.

**VII. PROCEDURE**

**7.1 Pesticide Prevention**

- 7.1.1 The City of Fremont shall institute practices that reduce pesticides and result in the purchase of fewer pesticides whenever practicable and cost-effective, but without reducing safety or workplace quality.
- 7.1.2 The City of Fremont shall instruct all employees to implement Good Housekeeping Practices in their workstations, vehicles, break rooms, etc., to prevent the conditions that provide a food source and habitat which attract unwanted pests

**7.2 Pest Control and Management**

- 7.2.1 The City of Fremont, including all departments and staff herein, and contractors or individuals (QAL, QAC, SPCO) providing pest control services on City property (Applicators) shall follow the City's Integrated Pest Management Administrative Regulation and utilize generally accepted Best Management Practices (BMPs) to the maximum extent practicable for the control or management of pests in and around City buildings and facilities, parks and golf courses, urban landscape areas, rights-of-way, and other City properties.
- 7.2.2 Applicators will use the most current IPM technologies available to ensure the long-term prevention or suppression of pest problems and to minimize negative impacts on the environment, non-target organisms, and human health.
- 7.2.3 Applicators will consider the options or alternatives listed below in the following order, before recommending the use of or applying any pesticide on City property:

1. No controls (e.g., tolerating the pest infestation, use of resistant plant varieties or allowing normal life cycle of weeds)
2. Physical or mechanical controls (e.g., hand labor, mowing, exclusion)
3. Cultural controls (e.g., mulching, disking, alternative vegetation), good housekeeping (e.g. cleaning desk area)
4. Biological controls (e.g., natural enemies or predators)
5. Reduced-risk chemical controls (e.g., soaps or oils)
6. Other chemical controls

### **7.3 Pesticide Application**

- 7.3.1 Only City of Fremont employees or appropriate licensed contractors employed by the City who are authorized and trained in pesticide application (i.e., hold PCA, QAL, QAC, or Structural Branch Operator I, II, or III certifications/licenses or individuals working under the supervision of one of the aforementioned certificate/license holders) may apply pesticides to or within City property.
- 7.3.2 City of Fremont employees are not to apply privately purchased pesticides. If there are no less-toxic products on hand, employees shall contact Building Maintenance to be given approved less-toxic pesticides (i.e. Orange Guard, insecticidal soap).
- 7.3.3 When recommending pesticides for use or applying pesticides, Applicators will select and apply IPM methods that will have the least impact on water quality, human health and the environment, yet are still effective.
- 7.3.4 Notification: Employees shall be notified prior to pesticide application, particularly when pesticide application occurs within a building.
- 7.3.5 New contracts that are entered into with pest management contractors and other appropriately licensed contractors employed to provide services that involve pesticide application at City properties after **June 1, 2006** will include requirements that the contractors follow the requirements of the City's IPM Administrative Regulation and implement the most current IPM technologies and Best Management Practices.

### **7.4 Restricted Chemicals**

- 7.4.1 City of Fremont employees and/or contractors employed by the City who are trained to recommend or apply pesticides will not use or promote the use of:
1. Acute Toxicity Category I chemicals as identified by the Environmental Protection Agency (EPA),
  2. Organophosphate pesticides (e.g., those containing Diazinon and chlorpyrifos)
  3. Copper-based pesticides unless:
    - a. Their use is judicious,
    - b. Other approaches and techniques have been considered, and;
    - c. Adverse water-quality impacts are minimized to the maximum extent practicable.
- 7.4.2 Applicators will always avoid applications of pesticides that directly contact water, unless the pesticide is registered under Federal and California law for aquatic use.
- 7.4.3 Pesticides that are not approved for aquatic use will not be applied to areas immediately adjacent to water bodies where through drift, drainage, or erosion, there is a reasonable possibility of a pesticide being transported into surface water.
- 7.4.4 Discharges of pollutants from the use of aquatic pesticides to the waters of the United States require

coverage under a NPDES permit. Those City employees or appropriately licensed contractors employed by the City who apply pesticides directly to waters of the United States will obtain a NPDES permit from the California State Water Quality Resources Control Board Region 2, prior to making any pesticide applications.

## **7.5 Best Management Practices (BMPs)**

7.5.1 This section includes BMPs and control measures to protect water quality during the use of pesticides, when it is determined through an IPM process that pesticides must be used.

1. Follow all federal, state, and local laws and regulations governing the use, storage, and disposal of pesticides and training of pest control advisors and applicators.
2. Use the least toxic pesticides that will do the job, provided there is a choice. The agency will take into consideration the LD<sub>50</sub>, overall risk to the applicator, and impact to the environment (chronic and acute effects).
3. Apply pesticides at the appropriate time to maximize their effectiveness and minimize the likelihood of discharging pesticides in stormwater runoff. Avoid application of pesticides if rain is expected (this does not apply to the use of pre-emergent herbicide applications when required by the label for optimal results.)
4. Employ techniques to minimize off-target application (i.e. spray drift) of pesticides, including consideration of alternative application techniques. For example, when spraying is required, increase drop size, lower application pressure, use surfactants and adjuvants, use wick application, etc.
5. Apply pesticides only when wind speeds are low.
6. Mix and apply only as much material as is necessary for treatment. Calibrate application equipment prior to and during use to ensure desired application rate.
7. Do not mix or load pesticides in application equipment adjacent to a storm drain inlet, culvert, or watercourse.
8. Irrigate slowly to prevent runoff, and do not over-water.