



DATE: July 13, 2020

AGENDA ITEM #2

**TO:** Environmental Commission  
**FROM:** Emiko Ancheta, Staff Liaison  
**SUBJECT:** Herbicide Use in Los Altos City Parks

### **RECOMMENDATION:**

Receive update on Integrated Pest Management Policy (IPM) from Manny Hernandez, Municipal Services Director to eliminate the use of herbicides in Los Altos City parks

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### **BACKGROUND**

On August 14, 2019, the Parks and Recreation Commission (PARC) approved a motion to recommend to City Council the banning of the use of synthetic herbicides and synthetic pesticides in Los Altos parks. The PARC forwarded the August 14, 2019 commission's agenda report on "Herbicide Use in Los Altos City Parks" along with the other documents to the Environmental Commission to explore the banning of synthetic herbicides and synthetic pesticides in the City of Los Altos. At the regular meeting of September 9, 2019, Manny Hernandez, Municipal Services Director, gave a presentation to the Environmental Commission on the herbicide use in the Los Altos City parks. The Commission agreed to continue to evaluate and investigate the effects of synthetic pesticides and herbicides before continuing discussion and considering a recommendation to the PARC. At the December 9, 2019 meeting the Environmental Commission discussed the synthetic herbicides and pesticides memo from the City Manager, to implant an administrative policy that prohibits the use of synthetic herbicides and pesticides in Los Altos City Parks.

Like many Bay Area agencies, herbicides are used to control or eliminate unwanted vegetation in public parks, open spaces and other city-owned outdoor spaces. The City of Los Altos does not use Roundup; however, the current herbicide being used to control weeds is Ranger Pro. Ranger Pro contains 41% Glyphosate (same active ingredient as Roundup, see attachment B information label). This product is a complete broad spectrum non-selective post-emergent professional herbicide, approved and in compliance. Ranger Pro is generic for Roundup and is equivalent and just as effective as the name brand. This generic roundup will kill most weeds and grasses. Ranger Pro moves through the plant from the point of foliage contact to and into the root system. It is then absorbed into the soil and breaks down naturally, and therefore will not spread through the ground and kill neighboring plants.

Within the Municipal Services Department, the Park Maintenance Division makes efforts to avoid usage of herbicide around the public or common areas. Pathway spraying is done as early as 5am to allow drying prior to the arrival of park users. There are no public pathways through median landscapes. In addition, staff uses a diluted mix of Ranger Pro, a dilution of 2% with water. Application happens once a year, to target the weed explosion in the spring. Ranger Pro is applied along park

pathways, City owned medians, and hardscape as needed. On direction from the County, Glyphosate herbicide is not used on the Foothill medians as it is owned by the County. Weeds in those areas are knocked down throughout the year. Several other “organic” herbicides and time-consuming techniques, such as torching and use of vinegar, have not proven successful. Neighboring agencies have experienced the same.

Over the last few years, the City of Los Altos has severely cut back on the usage of Glyphosate herbicides in parks and medians by limiting where they are used and when the public is least present. A move completely away from the use of Glyphosate products will have aesthetic implications in the parks and medians.

The City is currently mandated by the Santa Clara Valley Urban Runoff Pollution Prevention Program through a Municipal Regional Permit to maintain an Integrated Pest Management Program that mandates minimal herbicide use. The City is currently in compliance. The current Integrated Pest Management Policy prohibits the use of pesticides for pest control.

Research of surrounding agencies is below which includes a summary of the information received from six neighboring agencies on their weed control practices.

**Redwood City:**

Redwood City uses pre-emergent treatment twice per year. The herbicides they have used since eliminating the use of Glyphosates are Scythe, Avenger Organic, Fiestas Organic, and Finale. The most effective of these was Finale and the others were not very effective at all.

**Atherton:**

Atherton currently uses Roundup on non-turf areas. Council is considering discontinuing the use of it and proposing to use Mirimichi or Reward. When using Roundup, Atherton applied it 5 times a year (3 applications over 3 days) in the early morning and close off sections until dry. The City has not used herbicides on turf areas for a few years now. The City only has one 22-acre park so it may be easier for the City to control weeds. The focus is to keep the turf healthy. The City dethatches once a year, aerates twice a year and fertilizes every 3 months with a seasonal fertilizer. When the City gets Clover, it uses nitrogen. The City has well water and keeps the turf areas well irrigated.

**Sunnyvale:**

Sunnyvale has not banned the use of Roundup or Glyphosate derivatives. It is still legal use in California. CA DPR, CA EPA, and the US EPA still has listed it as a legal product to use. Sunnyvale has been looking into alternatives because Baylands Park is a 177-acre Santa Clara County park and the county banned the use of Glyphosate on all county owned facilities last fall.

The City has been trying an alternative, Lifeline Herbicide, which is Glufosinate-ammonium. Its mode of action is like Glyphosate in that it is an enzyme blocker of an amino acid synthesis pathway. The amino acid synthesis blocked by Glyphosate is more effective than Glufosinate-ammonium enzyme action. So far Glufosinate-ammonium has not been linked to any cancers. Currently the City does not have any hard data on its use. The first use of Lifeline Herbicide has been at Baylands Park. Some City staff are experimenting with Lifeline Herbicide at other parks and open space facilities but for the most part most the staff still uses Roundup.

**Foster City:**

Foster City stopped using Roundup last year, but continued to use Ranger Pro. The City has since stopped using both products and has just started using Lifeline mixed with Magnify (surfactant). The City also uses Reward when necessary as well as some broadleaf chemicals such as Speedzone and Turflon. The City has also increased the usage of Surflan for pre-emergent control. It has had mixed results with this, especially in areas where the City has done a lot of mulching.

**San Mateo County Parks:**

San Mateo County stopped using a Glyphosate herbicide in December 2019 per staff recommendation. The County has been using Finalsan with Oroboost as a surfactant. Recommendations for Gallery and Dimension that produce results comparable to Roundup. Glyphosate is really the optimum treatment choice since it is selective in what it treats. The others mentioned are not selective and have a warning label compared to a danger label on Roundup.

**Santa Clara:**

The County of Santa Clara stopped using Glyphosate last year in public areas. They were spraying Reward and tested a propane burner until something caught on fire. Currently, there are not using any organics.

**DISCUSSION**

Under the Community Development Department, the City of Los Altos Environmental Commission “shall have those powers and duties entrusted to it by the council from time to time and shall submit an annual report to the council. The Environmental Commission studies and makes recommendations to Council on issues that affect the natural and built environment in the city and the region. Additional duties include special projects as directed by the Council.”

During the regular meeting of October 14, 2019, the Environmental Commission received public comments and discussed the Parks and Recreation Commission request to explore the banning of synthetic herbicides and pesticides in the City of Los Altos. The Environmental Commission voted unanimously (5 – 0) to recommend eliminating the use of synthetic herbicides and pesticides in City Parks and to request Council and staff guidance on further Environmental Commission work on this topic.

At the December 9, 2019 meeting the Environmental Commission agreed to continue monitoring news and developments related to synthetic herbicide and pesticide use and requested a copy of the City’s synthetic herbicide and pesticide policy to review once drafted.

In January 2020, Manny Hernandez, Municipal Services Director began updating the Integrated Pest Management Policy to eliminate the use of herbicides in Los Altos City parks. The updated IPM policy will be presented to the Environmental Commission for review.

**Attachments:**

- A. Draft Integrated Pest Management Policy update
- B. City Manager Memo-Herbicides



## MAINTENANCE SERVICES INTEGRATED PEST MANAGEMENT POLICY

Revised: January 31, 2020

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Manuel A. Hernandez, Maintenance Service Director

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### A. PURPOSE

The City of Los Altos Integrated Pest Management (IPM) policy is intended to provide a basis for a pest management program that will protect public health, as well as water quality, and non-target plants and organisms. The goal of the City's IPM policy is to utilize the most environmentally sound approaches to pest management, and to reduce the volume and toxicity of chemical pest control treatments.

This IPM Policy follows the widely accepted principles of Integrated Pest Management. Through the implementation of the IPM components outlined in the Policy and the proper management methods, this IPM will assist City staff in taking the appropriate control actions utilizing knowledge of plant and pest biology.

The following are necessary components of the City IPM implementation:

- Prevent problems whenever necessary
- Accurately diagnose the cause of problems and correctly identify pests and natural entities
- Monitor regularly to gather information on which to base IPM decisions
- Develop and use site-specific action guidelines and thresholds to help decide whether a pesticide application or another pest management is warranted
- Manage pests using a combination of appropriate methods

## **B. POLICY**

It is the policy of the City of Los Altos 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. Synthetic pesticides and herbicides are not to be used in any City owned parks.
5. The IPM program shall include the following practices to maximize the goals of the City's pest management policy.
  - a. Create Standard Operating Procedures (SOPs) for pest management and pesticide application for City staff and contractor consistency.
  - b. Educate and train City staff on the IPM policy, practices, and SOPs.
  - c. Maintain records by City departments on IPM methods considered and used to prevent and control pests.
  - d. Comply with all applicable county, state, and federal regulations, including pesticide use, storage, and reporting.
  - e. Provide public access to all IPM program information and records.
  - f. Conduct decision-making based on the best available science and data.
  - g. 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.
  - h. Maintain accurate pesticide application records and reporting that includes the City's own use of pesticides and pesticides used by contractors.
  - i. Verify records annually to ensure compliance with the IPM Policy.

## **C. IPM Manager**

The IPM Manager is responsible for obtaining the proper County certificates for all pesticides and herbicides that are to be used by the City and its contractors. The IPM Manager is also responsible for ensuring 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 Best Management Practices. IPM training will be updated and reviewed bi-annually.

#### **D. IPM Applications and Guidelines**

Only persons specifically authorized by the IPM Manager and certified by the State as pesticide applicators will be permitted to bring or use pesticides on City property. Use of pesticides is limited to those products approved by the County of Santa Clara through the County's annual application process. Pesticide applicators must follow regulations and label precautions. Applicators will have training in IPM and must comply with the City's IPM policy.

It is the goal of the City to minimize the use of synthetic pesticides by giving preference to organic 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. It is also the intent of this policy to consider new products and methods of pest control as they become available.

It is encouraged that the following minimum-risk pest control products and methods be used:

1. Caulking agents and crack sealants.
2. Borates, silicates, and diatomaceous earth.
3. Soap-based products.
4. Natural (non-synthetic) products that are exempt from provisions of the Federal Insecticide, Fungicide and Rodenticide Act due to their characterization as a Minimum pesticide (40 CFR 152.25).
5. Natural (non-synthetic) products on the Organic Materials Review Institute (OMRI) approved list.
6. 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 rehabilitation, or traps which instantaneously kill the organism trapped.
7. Cryogenics, electronic products, heat and lights.
8. Biological controls, such as parasites and predators.
9. Microbial pesticides (naturally occurring microorganisms that target specific problems).
10. Insect growth regulators.
11. Physical barriers.

#### **E. Notification of Pesticide Applications**

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

1. 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.

2. 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.
3. The sign shall state whether the pesticide is certified for use in organic production systems by the (Organic Materials Review Institute OMRI).
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. However, notification of pesticide applications in right-of-way locations shall be available upon request.

#### **F. Record Keeping of Pesticide Application**

The City shall maintain records of all pesticide applications for City property and shall make the information available to the public upon request. Each application record shall include the following information:

- City Department
- Name of IPM Manager
- Whether application was made by City staff or by a contractor to the City
- The name and active ingredient of the pesticide to be applied and USEPA registration number
- Quantity of pesticide applied
- Specific site of the application
- The target pest
- The date the pesticide was used and re-entry period if applicable

#### **G. Collaboration with Other Agencies**

The City will continue to collaborate at a regional level to encourage implementation of IPM. 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 Los Altos.

#### **H. Applicability**

This IPM Policy applies to property owned and operated by the City of Los Altos. However,

considering the potential budgetary burden to the City in eliminating the use of all synthetic pesticides, and herbicides, the City may choose to use such products in areas not accessible to the general public. Areas not accessible to the general public, that could be exempted include median strips, the corporation yard, etc.

**DEFINITIONS:**

The following terms shall have the meanings set forth below:

1. "City of Los Altos" means any department or division within the City of Los Altos organization.
2. "Maintenance Services" means any division of the Maintenance Services Department and includes any pesticide applicator hired by Maintenance Services to apply pesticides on City property.
3. "Contract" means a binding written agreement, including but not limited to, a contract, lease, permit, license or easement between a person, firm, corporation, or other entity, and a City department, which enters into a service agreement with the City of Los Altos for a specified purpose or purposes.
4. "Contractor" means a person, firm, corporation or other entity that enters into a contract with the City.
5. "Integrated Pest Management" is a pest management strategy that focuses on long-term prevention or suppression of pest problems with minimal impact on human health, the environment, and non-target organisms.
6. "Pesticide" means pesticide as defined in Section 12753 of Chapter 2 of Division 7 of the California Food and Agricultural Code.



## Calandra Niday

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**From:** Chris Jordan  
**Sent:** Thursday, November 7, 2019 3:08 PM  
**To:** Don Weiden; City Council  
**Cc:** Calandra Niday; Donna Legge; Manuel Hernandez  
**Subject:** RE: Synthetic Herbicides and Pesticides

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Council –

The use of synthetic herbicides and pesticides by our MSC staff has long been a concern of ours. This year, staff discussed this concern with both the Parks and Recreation Commission and the Environmental Commission. Both have recommended that the City prohibit the use of these by our staff.

We recognize that such a prohibition will have consequences – weed remediation will be more time-consuming and costly and will likely result in more visible weeds in our parks and landscaped areas. However, we agree with the two commissions that the consequences of using such synthetic chemicals outweighs the costs and burdens of prohibiting their use.

Therefore, we are implanting an administrative policy (that I will approve) prohibiting the use of these chemicals.

Chris

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**From:** Don Weiden <DonWeiden@KennedyJenks.com>  
**Sent:** Thursday, November 07, 2019 9:38 AM  
**To:** City Council <council@losaltosca.gov>  
**Cc:** Calandra Niday <cniday@losaltosca.gov>  
**Subject:** Synthetic Herbicides and Pesticides

During its October 14, 2019 meeting, the Environmental Commission considered and discussed the Parks and Recreation Commission request to explore the banning of synthetic herbicides and pesticides in the City of Los Altos. The Environmental Commission voted unanimously (5 - 0) to present the attached statement to City Council and City Staff.

Don Weiden  
 Chair, Los Altos Environmental Commission

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