

RESOLUTION NO. 15098

A RESOLUTION amending the Thurston County Pest and Vegetation Management Policy to include prohibiting the use of neonicotinoid insecticides on County owned or managed property, and clarifying and updating the policy consistent with current practices.

WHEREAS, the Thurston County Pest and Vegetation Management Policy was adopted by Resolution No. 10468 on October 25, 1993; and

WHEREAS, the Board of County Commissioners continues its commitment to the implementation of integrated pest management practices that minimize the use of pesticides and favor the use of least toxic chemicals when pesticides are used; and

WHEREAS, the Board desires to update and clarify the Pest and Vegetation Management Policy and adopt an explicit prohibition on the use of neonicotinoid insecticides on County owned or managed property; and

WHEREAS, since 2006 there has been a significant increase in the collapse of bee colonies and declining populations of bees in Washington State and the nation; and

WHEREAS, bees and other insect pollinator populations are critical for food crop production and agriculture, and the state and local agricultural economies are highly dependent on pollinators; and

WHEREAS, the continued viability of the agricultural industry is important to food security and the agricultural heritage of the region; and

WHEREAS, neonicotinoid insecticides are a class of systemic pesticide chemicals that, when applied to plants or soil, are absorbed and distributed throughout the plant, including its pollen and nectar; and

WHEREAS, neonicotinoid chemicals can persist for years in soil where they can be absorbed by previously untreated plants; and

WHEREAS, neonicotinoid applications result in nectar, pollen, and other plant material containing concentrations of neonicotinoids known to cause adverse effects to honey bees, bumblebees, and other beneficial pollinators; and

WHEREAS, the loss of bee populations and collapse of bee colonies has been linked to the use neonicotinoid pesticides; and

RESOLUTION - 1

WHEREAS, the Board of County Commissioners desires to continue its pest and vegetation management policy of setting an example in avoiding the use of toxic chemicals by banning the county's use of neonicotinoid insecticides;

NOW, THEREFORE, THE BOARD OF THURSTON COUNTY COMMISSIONERS HEREBY RESOLVES that the Thurston County Pest and Vegetation Management Policy is amended to read as set forth in Attachment A, and shall supersede and replace all prior versions of the Policy.

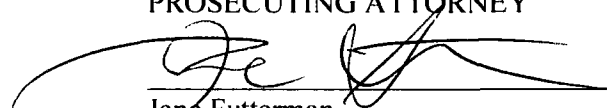
ADOPTED: 12-16-14

ATTEST:



Clerk of the Board

APPROVED AS TO FORM:

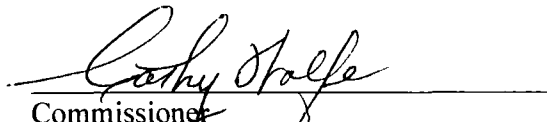
JON TUNHEIM
PROSECUTING ATTORNEY


Jane Futterman
Sr. Deputy Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
Thurston County, Washington


Chair


Vice-chair


Commissioner

RESOLUTION - 2

THURSTON COUNTY PEST AND VEGETATION MANAGEMENT POLICY

Section 1. Purpose.

The purpose of this policy is to provide guidelines for county personnel who are involved with operations and provide advice related to pests and vegetation management. This policy will not govern private parties on private land or other government agencies. It is the intent of the county to set an example in implementing integrated pest and vegetation management programs that minimize the use of pesticides.

Section 2. Definitions.

Integrated Pest Management (IPM). An approach to pest and vegetation control that utilizes regular monitoring to determine if and when treatments are needed. The approach emphasizes physical, mechanical, cultural, and biological tactics to keep pest numbers or vegetation problems low enough to prevent intolerable damage, annoyance, or public safety hazards. When chemical controls are necessary, they will be the least toxic available and will be used only when no other control methods would be effective or practical. The components of an IPM program are:

- I. Monitoring involves surveying the problem situation in order to understand and identify the extent and location of the problem;
- II. Determining injury and action levels.
 - A. Injury level refers to the point in the growth of the pest or vegetation problem at which it will cause some unacceptable level of safety, recreational,

public health, ecosystem, aesthetic, or economic injury.

- B. Action level is the level at which action must be taken to prevent a pest population or vegetation problem at a specific site from reaching the injury level.
- III. Timing involves applying a treatment action during the most vulnerable time in the life cycle of the pest or vegetation with the least impact on natural enemies.
- IV. Selecting optimal strategies. The goals for selecting treatment tactics and developing pest management strategies include:
- A. Least disruptive of those natural controls which are present;
 - B. Least hazardous to human health;
 - C. Minimal impact to non-target organisms;
 - D. Least damaging to the general environment;
 - E. Best preserves the natural system;
 - F. Most likely to produce permanent reduction in the pest and vegetation;
 - G. Ability to carry out effectively;
 - H. Cost effectiveness in short and long term.
- V. Evaluating treatment strategies is required to help assess the effectiveness of the control program. These records will be useful in developing future control strategies.

IPM prescriptions - are control or eradication plans utilizing the principals of IPM that are specific to types of sites and/or pests and vegetation.

IPM Program Coordinator - The Environmental Health Division Director or his or her designee.

IPM programs - are department-level programs that are developed to implement the Pest and Vegetation Management Policy.

Pest - Any insect, rodent, nematode, snail, slug, weed and any form of plant or animal life or virus, except virus on or in a living person or other animal, that adversely interferes with the aesthetic, health, environmental, or economic goals of humans.

Pesticide - Any substance registered by the Washington State Department of Agriculture as a pesticide.

Section 3. Affected Departments and Programs.

The policy applies to all Thurston County departments and programs involved directly or indirectly in pest and/or vegetation management. The giving of advice to the public on management of pests and vegetation is subject only to Section 5.

Section 4. Integrated Pest and Vegetation Management Programs.

Departments and programs managing pests or vegetation will develop and implement comprehensive written integrated pest and vegetation management programs in accordance with the requirements of this policy.

All programs will be initially accountable to the public through approval from the Thurston County Board of County Commissioners ~~and then will be reviewed annually by the Pest and Vegetation Management Advisory Committee and the Vegetation Management Coordinator.~~

After the initial IPM program has been approved by the Board of County Commissioners, the departments shall submit an annual report to the Pest and Vegetation Management

Advisory Committee and the ~~Vegetation Management~~ IPM Program Coordinator. The report shall include:

- A. Identification of any changes made in the implementation of the approved program.
- B. Evaluation of the previous year's program.
- C. An implementation plan for the current year.
- D. A list of pesticides used, amount of pesticides applied, location of application, pest controlled, and name of applicator.

The integrated pest and vegetation management programs shall include the following elements:

- I. Goals and objectives of the program.
- II. Existing county and department-wide policies and laws pertaining to the control of vegetation and pests and the use of pesticides.
- III. General description of the scope of responsibility with a general description of properties maintained.
- IV. Program policy statements for implementing the Pest and Vegetation Management Policy will include, at a minimum:
 - A. Pest and vegetation management considerations in the design, remodeling, and building of all county facilities, parks, and roads;
 - B. IPM policy requirements in bid specifications for contracts by those affected by this policy;

C. A recognition of the responsibility for the control of noxious weeds and the need to coordinate with the Noxious Weed Control Board.

V. Operational guidelines and standards for general maintenance activities, and IPM prescriptions as needed for specific pests.

VI. ~~Pesticide~~ procedures for at least the following:

A. ~~Procedures for~~ public notification of pesticide applications:

1. Develop posting procedures that are in compliance with federal and Washington State requirements, and county guidelines and policies. Posting must include name of pesticide, anticipated or actual date of application, description of application area, phone number of department, and contact person. In order to reduce the likelihood of uninformed exposure to chemical applications, notification shall be posted in a timely manner prior to and subsequent to the application of pesticides.

2. Public notification in addition to posting shall comply with federal and state laws. Notification may include identified known interested or affected parties, residents, and adjacent property owners.

B. ~~Procedures for receiving approval from the Board of Health~~ Approval. Any application of pesticides in a Sensitive Area will require approval from the Board of Health.

C. ~~Pesticide~~ application procedures.

1. Develop pesticide application procedures in accordance with (1)

federal and state requirements and county guidelines, (2) Integrated Pest Management procedures, and (3) the following:

- a. County personnel and agents shall not apply two or more pesticides simultaneously;
- b. County personnel and agents who apply pesticides shall be licensed by Washington State as Public Pesticide Operators;
- c. County personnel or their agents who perform broadcast pesticide applications shall ~~develop equipment~~ perform calibration procedures at least annually and when new or repaired equipment is put into service, and shall maintain documentation for each calibration.

2. Develop record-keeping procedures for the application of pesticides, which will be kept for a minimum of 20 years. Pesticide application records will include:

- a. Date and time of pesticide application;
- b. Specific location of application;
- c. Purpose of application (target species);
- d. Material, lot number, EPA registration number, amount, rate, and concentration used;
- e. Method of application;
- f. Temperature, wind speed and direction, weather conditions;
- g. Applicator's name and operator's license number;
- h. Apparatus license plate number or equipment number;
- i. Evaluation of results.

D. Pesticide spill response procedures. Develop notification and response procedures in accordance with federal, state, and county requirements in the event of a pesticide spill.

E. Pesticide storage ~~procedures~~. Develop pesticide storage procedures in accordance with federal, state, and county requirements.

F. Cleaning of equipment ~~procedures~~. Develop procedures describing the actions taken in cleaning equipment and disposing of rinsate.

G. Transportation of pesticides ~~procedures~~. Develop procedures describing the transportation of pesticides in accordance with federal and state laws, and describe the precautions taken in transporting pesticides.

VII. Long-term time lines, if appropriate, for program development and policy implementation, e.g. 1 to 5- and 10-year plans. Anticipated major budget implications shall also be included in the plan, for example major equipment acquisition and changes in personnel levels.

Section 5. Providing Advice To the Public.

Advice on the management of pests and vegetation given to the public or other agencies shall comply with the following:

I. Advice will be consistent with the intent of the Pest and Vegetation Management Policy;

II. Advice shall include information on IPM, sensitive area issues, and alternative control measures to pesticides;

III. If advice on pesticides is provided, recommend, whenever possible, a pesticide that has ~~been approved by~~ passed the Thurston County Environmental Health Division pesticide review criteria. However, when a review has not been performed, or a pesticide has been rejected for use by the county, information about safety, precautions, and ~~use-rates~~any known chemical hazards should be provided;

IV. Advice on application of pesticides must be in strict compliance with label directions. A County employees providing such advice shall be licensed by the Washington State Department of Agriculture as Public Pesticide Operator or Public Pest Control Consultant.

Section 6. Sensitive Areas.

I. Proposals to apply pesticides to Sensitive Areas shall require approval from the Thurston County Board of Health. Site- and/or pest-specific IPM prescriptions must be submitted along with the recommended pesticide to the ~~Vegetation Management~~IPM Program Coordinator, the Pest and Vegetation Management Advisory Committee, then the Board of Health for approval. For purposes of this policy, Sensitive Areas include:

A. Surface waters, including lakes, ponds, and both perennial and intermittent streams.

B. Critical Aquifer Recharge Areas Categories I, II, and III as defined in the Thurston County Code Ch. ~~17.15~~24.10.

C. Any areas identified through the Washington State Department of Natural Resources ~~National~~ Natural Heritage Program or by the Washington State Department of Fish and Wildlife as having sensitive, threatened or endangered

species.

D. Sanitary Control Areas of any known well or spring location as defined in the Washington State Drinking Water Regulations (WAC 246-290, WAC 246-291) or Article III of the Sanitary Code for Thurston County.

E. Stormwater ditches, swales, and retention/detention ponds.

F. Wetlands, as defined in the Thurston County Critical Areas Ordinance.

G. Buffer zones - a minimum of 100 feet from those areas listed above in this subsection.

II. The Washington State Department of Ecology provides the opportunity for Thurston County government to comment on pesticide application permits in Thurston County waterways. The intent of these comments shall be to encourage development of IPM programs that minimize the use of pesticides. Staff will evaluate the requests for pesticide applications based on the following criteria:

A. The pest and vegetation problem has been assessed, and control is deemed necessary;

B. The use of the pesticide is a necessary element of an integrated pest and vegetation management prescription, or the proponent is making significant progress in developing and implementing IPM programs;

C. The risk to public health, ground water, and the environment is shown to be minimal.

Proposals or applications that do not meet these criteria will be opposed by Thurston

County.

Section 7. Board of County Commissioners and the Board of Health.

I. The Thurston County Board of County Commissioners will initially approve county department's' IPM programs. Thereafter, the Pest and Vegetation Management Advisory Committee will report to the Board of County Commissioners on implementation of the programs.

IPM prescriptions involving application of pesticides to Sensitive Areas shall be approved by the Thurston County Board of Health at a public meeting. Approval from the Board of Health will also be required to use a pesticide that fails the review process or in an emergency situation when a review has not been performed. The criteria that the Board of Health will use are:

IA. The pest and vegetation problem has been assessed, and ~~control is deemed necessary~~ the action level has been met;

IB. The use of the pesticide is a necessary element of the integrated pest and vegetation management prescription;

IC. The risk to public health, ground water, and the environment is determined to be minimal.

II. The Board of County Commissioners or the Board of Health may prohibit or restrict the use of specific pesticides, or products that contain those pesticides, that they find pose unacceptable risks to public health or the environment.

The Board of County Commissioners prohibits the use of the neonicotinoid class of

systemic insecticide active ingredients for outdoor use on County owned or managed property. These chemicals are known to cause adverse effects to beneficial pollinators at concentrations expected from registered uses. The prohibited list of neonicotinoid active ingredients includes the following chemicals: acetamiprid, imidacloprid, dinotefuran, clothianidin, and thiamethoxam.

Section 8. Vegetation ManagementIPM Program Coordinator.

The ~~Vegetation Management~~IPM Program Coordinator will provide:

- I. Assistance to the departments in implementing this policy.
- II. Staff support to the Pest and Vegetation Management Advisory Committee and assistance in developing and presenting committee recommendations and positions to the Board of Health.
- III. Staff support to the county's IPM Team, an internal committee made up of program managers responsible for implementing the policy.
- IV. Staff assistance and professional recommendations to the Board of Health or the Board of County Commissioners on issues related to pest and vegetation management.
- V. Coordination, comments, and recommendations to state departments and other agencies on policies, permits, and other vegetation and pest management issues affecting Thurston County.
- VI. Support for outreach and educational programs on IPM.
- VII. ~~Provide~~eComments and recommendations on IPM programs and IPM prescriptions

to the Pest and Vegetation Management Advisory Committee, the Board of Health, and Board of County Commissioners.

VIII. Coordination of information on pesticide reviews performed by the Environmental Health Division, IPM prescription, and hazard determination, including information made available to the public on the County's web site.

Section 9. Permitted Pesticides Hazard Identification - Review of Pesticides By the Environmental Health Division.

I. Review criteria.

Pesticides used by departments or programs of the county shall be only those ~~permitted by~~that have not failed the Thurston County Environmental Health Division's pesticide review criteria, unless~~or~~ specifically ~~as~~ allowed by the Thurston County Board of Health.

A. Information to be considered in a review shall include, but not necessarily be limited to: ~~trade name,~~ active ingredients, registration status, degradation products, contaminants/inert ingredients, mobility, persistence, bioaccumulation, acute toxicity, aquatic toxicity, carcinogenicity, developmental and reproductive toxicity, mutagenicity, neurotoxicity, skin/eye irritation, data gaps, and applicator safety. The review will be based on professional consideration of these factors.

The Environmental Health Division is responsible for development and modification of review guidelines. These guidelines are intended to provide consistency in conducting pesticide reviews. The Pest and Vegetation Management Advisory Committee will review the guidelines on a periodic basis and provide recommendations and comments.

B. Only pesticides of the lowest possible hazard shall be used. Except as provided in paragraph C below, pesticides with an ~~unacceptable~~-high degree of hazard include those having:

1. One or more of four types of chronic toxicity characteristics (carcinogenicity, mutagenicity, reproductive toxicity, and developmental toxicity); or
2. Carcinogenicity, mutagenicity, or reproductive and developmental effects from a single study that are dose-related or major; or
3. Adverse effects in the lab occurring at or near concentrations that may be reached in the environment; or
4. The characteristics of high mobility and persistence; or
5. An acute toxicity (LD50) of less than 50 mg/kg when tested on mammals~~rats~~.

C. The above factors may be greatly influenced by other considerations, resulting in a low hazard potential. Pesticides that have one of the above characteristics may still be considered to be of low hazard if:

1. Studies with adverse effects are outweighed by studies without adverse effects (considering such factors as test quality, severity of effects, type of species, doses); or
2. Based on a qualitative evaluation of available information, the application technique could not result in exposures toxic to non-target organisms~~, or~~

~~3. The constituent in question appears on EPA's List 4 inerts.~~

II. Inert or Other Pesticide Ingredients

If the identity of the inert ingredients is known, the inert ingredients shall be evaluated with as much information as is available. Products containing low hazard ingredients shall be used preferentially. If the identity of the inert ingredients is unknown, ~~the manufacturer will be required to identify on which of EPA's lists of inerts they appear. Other sources may be asked to provide information on the identity of the inert ingredients.~~

~~P~~reference will be given to pesticides of those manufacturers who provide full disclosure of all ingredients.

If toxicological data is not available for an inert ingredient, then EPA's lists of inert ingredients can be reviewed to determine potential hazards and aid in selecting products with the fewest hazards.

Pesticides with inert ingredients on EPA's Lists 1 and 2 (those with known or suspect toxicological concern) shall not be used.

Pesticides with inert ingredients on List 3 (unknown toxicity) ~~shall be~~will have their Material Safety Data Sheet (MSDS) reviewed to see if the ingredient is listed as a known chemical of concern. Pesticides with ingredients on List 4 will be used preferentially over products with List 3 ingredients. ~~evaluated on a case-by-case basis, including such factors as: toxicity information available from the manufacturer; proportions in the formulation; and availability of alternative products or practices with known low toxicity.~~

Pesticides with inert ingredients on List 4 (minimal concern) will be presumed to satisfy the review criteria.

~~Pesticides with inerts for which the list status is unknown shall not be used.~~

III. Review process.

All departments and programs of Thurston County and the Pest and Vegetation Management Advisory Committee shall have the opportunity to participate and contribute to ~~a decision by the Environmental Health Division~~ review. Environmental Health will accept information from the public for consideration in the review process. Findings from the review will be submitted to the appropriate department or program for consideration and action, and also will be sent to the ~~Vegetation Management~~ IPM Program Coordinator. Reviews will be updated as new information becomes available.

Section 10. Pest and Vegetation Management Advisory Committee.

In order to assist in implementing this policy, a Pest and Vegetation Management Advisory Committee has been established. The committee may be composed of up to nine people appointed by the Thurston County Board of Health. The Committee shall include two or three members representing agriculture and two or three members representing environmental interests. The committee may also include experts in toxicology and representation from relevant state agencies.

The committee shall review and make recommendations to all departments and programs affected by this policy, the Board of County Commissioners, and the Board of Health, as appropriate, on the following:

- I. The pesticide review conducted by the Environmental Health Division;
- II. The pest and vegetation management programs developed by all Departments and programs affected by this policy. The Committee shall annually review any changes and

assess progress in implementation of the programs;

III. ~~Review and comment on p~~Proposed IPM prescriptions to be considered by the Board of Health.

IV. Any proposals or requirements to update this policy;

V. Other assignments made by the Board of Health or Board of County Commissioners.

The committee shall meet as needed or at least once every ~~four months~~year for these purposes. The ~~Vegetation Management~~IPM Program Coordinator shall be responsible for providing staff support to the committee with assistance from pertinent departments. The chairperson of the committee shall be selected by its members. The committee shall keep minutes of its meetings and shall regularly report to the Board of Health on its activities.