RESOLUTION NUMBER 11-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, AUTHORIZING AND DIRECTING THE ADOPTION OF AN INTERGRATED PEST MANAGEMENT (IPM) POLICY WHICH IDENTIFIES THE GOAL OF EFFECTIVELY MANAGING INSECTS, UNDESIRED PLANTS OR NOXIOUS WEEDS, PLANT DISEASES AND OTHER PEST SPECIES UTILIZING A VARIETY OF TOOLS DESIGNED TO MINIMIZE HARM TO HUMAN HEALTH AND/OR THE ENVIRONMENT.

WHEREAS, the City of Ketchum recognizes that structural and landscape pests can pose significant problems to people, property, and the environment; and

WHEREAS, it is understood that pesticides used to solve these problems carry their own risks; and

WHEREAS, the City of Ketchum wishes to implement Integrated Pest Management (IPM) programs and procedures for the mitigation of harm done by structural and landscape pests; and

WHEREAS, such policy is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Ketchum City Council that from the signing date of this resolution, the City of Ketchum will use an Integrated Pest Management (IPM) policy to maintain city property. The City further identifies the Parks & Recreation Department as the facilitating department for this policy as outlined with the designation of an IPM Coordinator. The guiding principle of the city's IPM approach is to maintain proper soil health and soil fertility within City property with the intention of preventing pest infestations to the best of the managing department's ability. While managing and maintaining all city property, city staff will focus on long-term prevention or on-going suppression of pest problems. Pesticides can range from natural substances such as vinegar, with minimal or no risk to human health, to regulated and restricted use substances classified by the EPA in toxicity categories I-IV. The City recognizes that in the interest of public health and safety, some pesticides are harmful to human health, wildlife and the environment and shall give preference to available, safe, and effective non-pesticide alternatives and cultural practices to achieve land management goals on city property. The City of Ketchum will use least toxic pesticides only as a last resort to manage pests. This plan may be updated as necessary to recognize new management tools as they become available.

This Resolution will be in full force and effect upon its adoption and approval this first 18th day of April 2011.

CITY OF KETCHUM, IDAHO

Randy Hall, Mayor

ATTEST:

Sandra E. Cady, CMC
City Treasurer/Clerk

EXHIBIT A

I. City Policy

The City of Ketchum's IPM program will include:

a. Education of all relevant staff and the public utilizing city property about pest management and IPM;

b. Maintaining close working relationships with partnering jurisdictions and organizations such as Blaine County Weed Department;

c. Proper identification of pests, management plan development, consideration of alternative control methods and the utilization of the least toxic effective pesticide methods of control;

d. Reducing to the maximum extent the use of pesticides;

e. Consideration of a "no-action" approach, except for noxious weed control as required by state law;

f. Identification and evaluation of conditions that encourage pest populations above tolerance threshold levels;

g. Regular inspection, monitoring and assessment of pest problems by designated personnel or contractors who understand IPM methods;

h. Maintenance of city records on IPM methods being considered and used to prevent and control pests;

i. Compliance with all state and federal regulations regarding pesticide use; and

j. Pest management decision-making based on the best available science and data; utilized IPM hierarchy of management strategies and if chemical controls are warranted evaluation of specific pesticides must include information on long-term health effects before a pesticide is deemed usable by the city. Specific practices city staff may use to achieve successful IPM on city property depending on site and use-specific variables include but are not limited to:

- seeding parks and city properties with native plant species to minimize site disturbance,
- using native species that are pest resistant when selecting new turf, grasses, shrubs, trees or other plantings,
- ensuring new plantings have been checked for pest species prior to transplant;
- reducing the potential for pest infestation by using proper watering, fertilizing, mulching and pruning techniques,
- safeguarding soil fertility through soil aeration,
- the use of compost and other non-toxic soil amendments; and
- documenting the location of known pest infestations through mapping to ensure management goals are met over time.

II. Definitions

"Active Ingredients" means the specific chemicals contained in a pesticide product that are designed to kill a particular pest. The active ingredient must be identified by name on the label together with its percentage by weight. Active Ingredients must comply with standards set forth in this Resolution.

"Biological control" means the use of insects or other approved predators to eliminate pests, including weeds.

"Contract" means a binding written document, including but not limited to a contract, lease, permit, license or easement, between a person, firm, corporation or other entity, including a governmental entity, and the City of Ketchum, which grants a right to use, lease or occupy property of the City of Ketchum for a specified purpose or purposes.

"Contractor" means a person, firm or corporation or other entity, including a governmental entity that enters into a contract with the City of Ketchum; this may include pest management services.

"Control" means any or all of the following: prevention, rehabilitation, management, reduction in population, or eradication.

"City Property" means property owned, leased or managed by the City of Ketchum.

"Endocrine Disruptor" means an exogenous agent that interferes with the synthesis, secretion, transport, binding, action, or elimination of natural hormones in the body, which are responsible for the maintenance of homeostasis, reproduction, development and or behavior (as defined by EPA, Memorandum 4/22/10).

"Foliar spray" means application of pesticide to the exterior surfaces of target plants.

"Inert Ingredients" means ingredients that are not active and may be compounds commonly mixed with the active ingredients to create a formulated pesticide product. Inert ingredients may include solvents, emulsifiers, spreaders, and other substances mixed into pesticide products to increase the effectiveness of the active ingredients, make the product easier to apply, stabilize for storage, or to allow several active ingredients to mix in one solution.

"Integrated Pest Management" or "IPM" means a decision-making, record-keeping process for managing pests that uses monitoring to determine pest injury levels and combines biological, cultural, mechanical, physical and least toxic chemical management practices to control pests in a safe, cost effective and environmentally sound manner that contributes to the protection of public health and sustainability. The IPM strategy uses extensive knowledge about pests, infestations, tolerance thresholds, life histories, environmental requirements, and natural enemies to complement and facilitate control methods. The IPM strategy involves the use of an array of pest control methods, including but not limited to the cultural practices of maintenance of and improvements to soil fertility to encourage desired plants to out-compete pests, mechanical removal of pests, biological control alternatives and cultural practices and the consideration of the careful use of pesticides only when other methods have been exhausted or are not feasible.

"IPM Coordinator" means the designated agent or employee experienced in IPM field and office work who is responsible for IPM program coordination for the City of Ketchum.

"IPM policy" means the City of Ketchum's Integrated Pest Management Policy, which is to be followed on property that is owned, leased or managed by the city.

"Mechanical control" means physical methods employed to control pests, including hand pulling weeds or physically removing weeds with other mechanical methods including flamers, steamers and weeders.

"Minimum Risk Pesticide" means a class of chemicals that are not subject to federal registration requirements because their ingredients, both active and inert, are demonstrably safe for the intended use. These pesticides are identified by the Federal Insecticide, Fungicide, Rodenticide Act Section 25(b). Minimum Risk Pesticides are exempt from screening in EPA's EDSP but if distributed as pesticides in Idaho must be registered with the Idaho State Department of Agriculture.

"National Organic Program" or "NOP" means a U.S. Department of Agriculture organic accreditation program that outlines organic certification standards, including a list of allowed and prohibited substances for organic production and processing.

"Organic Materials Research Institute" or "OMRI" means an organization that determines which input products are allowed for use in organic production and processing.

"Ornamental plants" means plants cultivated for decorative purposes rather than food, fiber or other agricultural purposes.

"Pest" means any living organism that is harmful or injurious to property, the public health (welfare) or the environment, including insects, rodents, weeds/plants or others as identified.

"Pesticide" means but is not limited to (a) any substance or mixture of substances intended to prevent, destroy, control, repel or mitigate any insect, rodent, nematode, snail, slug, fungus, weed and any other form of plant or animal life or virus, except virus or fungus on or in living man or other animal, which is normally considered to be a pest or which the director of the Idaho State Department of Agriculture may declare to be a pest, and (b) any substance or mixture of substances intended to be used as a plant regulator, defoliant or desiccant, and (c) any spray adjuvant (Idaho Code Chapter 34, Title 22).

"Pesticide Drift" means the movement of a pesticide through the air away from the intended target site and can be in the form of mist, particles or vapor. Drift can occur during the intended pesticide application or post-application drift can occur days or weeks later, as pesticides volatize into vapor and are carried by air currents away from the intended target.

"Toxicity Category I, II, III, IV product" means any pesticide, as identified in this section, meeting the appropriate toxicity categories and bearing on the front label panel the signal words Danger, Warning, or Caution, as specified in Section 156.10 of Title 40 of the Code of Federal Regulations.

III. IPM Goals

To protect public health and safety for all users of city property, the City of Ketchum's IPM goals include:

a. Elimination of the use of pesticides which are known, probable or possible carcinogens, reproductive toxicants, endocrine disruptors, carbamates, organophosphates or ground water contaminants as classified by government agencies;

b. Elimination of routinely scheduled pesticide applications, with the exception of products listed under EPA's Minimum Risk Pesticides to prevent infestation(s); pesticide applications will only be used in instances where the pest problem rises to the level of appropriate need as noted in this Resolution;

c. Elimination of use of Toxicity Category I and II pesticides for non-emergency purposes;

d. The City of Ketchum will only use pesticides on a case-by-case basis when other methods of pest control are not feasible due to resource constraints and will select a pesticide that is both effective and least toxic, with preference for Minimum Risk pesticides as classified by EPA;

e. Turf grass areas and playgrounds in city parks will be designated pesticide free; and

f. Expanding IPM practices with the goal of fully eliminating pesticides on city grounds.

g. To minimize the effects of pesticide drift on areas where children play, the City of Ketchum recommends no use of pesticides within 150 feet in areas adjacent to city parks and city managed lands. For detail on state requirements regarding movement of pesticides, see section IX, below. Due to the potential for pesticide drift, the City of Ketchum recommends that individual homeowners and lawn care providers respect a 150 foot buffer bordering city property when applying pesticides.

IV. Designation of IPM Coordinator

The City of Ketchum shall designate the Director of Parks & Recreation or his or her designee to serve as the IPM Coordinator to oversee implementation of this policy. This person will be the primary contact for all matters related to pest control for the city and act as a liaison between the city departments and pest management professionals. The IPM Coordinator will also serve as a contact for the public seeking information about pesticide use or other pest management practices. The IPM Coordinator has the following responsibilities:

A. Responsibilities of IPM Coordinator

1. Serve as the primary contact for pest control on city property for all city staff and officials; organize IPM trainings for city staff as needed;

2. Maintain written records of cultural practices, mechanical control, prevention strategies and other non-toxic pest control activities as well as pesticide use, including requests for Limited Use Exceptions.

3. Develop standardized documentation sheets for use in tracking pest populations, pest control actions and effectiveness reports. Work with city staff and/or contractors to maintain and update those sheets;

4. Develop and maintain a list of pesticides that may be used by the City, make it available to the public on the city website, and update it yearly;

5. Create standardized signage for use in public notification. Signage will include date of application, the name and type of product used, the signal word, the active ingredient(s) and a contact phone number where the public may call to obtain information or the website address here the public can access the information on the pesticide application;

6. Provide information to the public on pest control and IPM on the Parks Department's webpage and update it regularly, including the list of allowed pesticides and their active ingredients and inert ingredients, advance posting of pending pesticide applications by location, links to this IPM policy, and contact information for the IPM Coordinator;

7. Evaluate the IPM Program on a regular basis;

8. Ensure that pest management practices carried out by city staff or contractors are consistent with the IPM policy;

9. Institute site specific pest control plans based on an IPM decision-making process, as outlined in Appendix A.

B. The IPM Coordinator shall work with City staff or contractors to regularly monitor city property for pests. No toxic pesticide controls shall be used in turf grass areas or playgrounds, except for instances in which a pesticide is required to protect public health and safety. In these instances, use of a pesticide is allowed under appropriate sections of this Resolution.

V. Pest Management Planning

Assessment of Condition or Need

The IPM and other City staff or contractors shall set action thresholds specific to the types of properties and pest identified, work to prevent pests and evaluate and document management of City properties.

A. Guidelines for Pest Treatment

If it is determined that treatment is needed, the following criteria are to be used in determining the appropriate strategy:

1. Least disruptive of natural controls;

2. Least hazardous to human health;

3. Least toxic to non-target organisms;

4. Protective of wildlife and the native habitat

5. Least damaging to rivers, streams and the natural environment;

6. Cultural, biological and mechanical solutions have been considered and evaluated;

7. Prior treatments used on site to control the pest and an evaluation of the success of that approach;

8. Most likely to produce a permanent reduction in the environment's ability to support target pests;

9. Cost effectiveness and consideration of resource constraints in the short and long term.

VI. Contracts, Notification and Recordkeeping

A. Contracts

All contractors who manage pests on city owned property shall be required to adhere to the guidelines established in the city's IPM policy and pest management plan. The IPM Coordinator shall develop contracts that reflect this policy and selection of contractors will target those who can and will comply with this IPM policy.

B. Notification

The City shall provide public notification of use of pesticides in the following manner:

1. Signs of a standard design and 8.5 inches x 11 inches in size, easily recognized by the public and workers, shall be posted at regular public access points to the targeted area 72 hours in advance of application and remain in place for 72 hours after application.

2. Signage shall also comply with any applicable state/federal law and product label instructions. Similar notification will be posted on the City website.

3. Signs shall contain the:

a. Trade name, active and inert ingredients of the pesticide product;

b. Target pest;

c. Date of posting;

d. Dates of anticipated pesticide use; the date of actual pesticide use will be posted at the park office;

e. Signal word indicating the toxicity category of the pesticide product;

f. Date for re-entry of staff and the public to the treated area, if applicable;

g. Name and contact number for the IPM Coordinator.

C. Recordkeeping and Reporting

The IPM Coordinator shall keep written records, available to the public, of all pest management activities, including any commercial pesticide applications, restricted pesticide applications and non-pesticide methods, including no-action, used to control or prevent pests for at least three years in the IPM Coordinator's department and for five years or the maximum time allowed by law, whichever is longer, in the city archives. Each record shall include the information required by applicators by the Idaho

Department of Agriculture Administrative Rules Governing Pesticide and Chemigation Use and Application at IDAPA 02.03.03 Section 150.02 and also any exemptions granted by the city.

VII. Complaints.

A. The city shall provide a contact name, telephone number, and email address on the city website for the public's use in filing formal complaints regarding damages to city property from pesticide use by individuals, contractors or other entities, as outlined by Idaho State Code Chapter 34, Title 22. The city shall provide this information by posting it on the city's website for public use in the event there is a noted infringement by a contractor or individual on city property that rises to the level of reporting the incident.

VIII. General Exemptions.

This policy shall not apply to the use of any pesticide for the purpose of improving or maintaining water quality at any City owned or operated drinking water treatment plants, wastewater treatment plants, reservoirs, and related collection, distribution, and treatment facilities.

IX. IPM Guidelines for IPM Coordinator and Coordinating Department Regarding List of Allowed Pesticides and Minimum Risk Pesticides

A. Development of List of Allowed Pesticides (subject to revisions as necessary according to the most recent science and Best Management Practices.)

It is the goal of the City of Ketchum to eliminate the use of Toxicity Category I, II and III pesticides by giving preference to Minimum Risk Pesticides and other methods listed in this Resolution. Case-by-case exceptions identified by the IPM Coordinator can be made pursuant to guidelines below.

Pursuant to the criteria listed above, and those outlined below, and in consultation with city staff performing pest control and pest control and soil health specialists, the IPM Coordinator will maintain a list of pesticides allowed for use as part of this policy. This list will include the EPA registration number, the active ingredient(s), the inert ingredients, and the signal word. This list will be developed by the IPM Coordinator.

Any additions to this list are subject to approval by the city council at a regular public meeting pursuant to open meeting regulations and notification.

B. Chemical Prohibitions for the Pesticide List

Except as noted under the Limited Use Category, pesticides included in the Pesticide List shall not contain active or inert ingredients identified in the following sources as identified in this section below:

1. Products listed by the "United States Environmental Protection Agency" (U.S. EPA) as Toxicity Category I (signal word: "POISON") and Category II (signal word: "CAUTION")

2. Organophosphates or carbamates listed by the "United States Environmental Protection Agency": Organophosphates, Carbamates, Triazines cumulative risk assessment US EPA: http://www.epa.gov/pesticides/cumulative/common_mech_groups.htm#op and
or Organophosphates: http://www.epa.gov/pesticides/reregistration/status_op.htm and

or Carbamates: http://www.epa.gov/pesticides/reregistration/status_carbamates.htm

3. Any pesticide classified as a human carcinogen, probable human carcinogen or possible human carcinogen or assigned a letter rating A, B or C; Group A: Carcinogenic to humans, Group B: Likely to be carcinogenic to humans or Group C: Suggestive evidence of carcinogenic potential by the "United States Environmental Protection Agency" (US EPA), under the procedures established in "Proposed Guidelines for Carcinogen Risk Assessment," EPA/600/P-92/003C: http://www.epa.gov/iris/backgrd.html and the EPA "List of Chemicals Evaluated for Carcinogenic Potential": http://www.epa.gov/pesticides/carlist/ and/or the April 1996 or equivalent documents, including the "Integrated Risk Information System" (IRIS)database: http://cfpub.epa.gov/ncea/iris/index.cfm?fuseaction=iris.showSubstanceList and/or the United States "National Toxicology Program" (NTP), Pesticides Rated as "Known to be human carcinogen" or "Reasonably anticipated to be human carcinogen": http://ntp.niehs.nih.gov/?objectid=72016262-BDB7-CEBA-FA60E922B18C2540 and http://ntp.niehs.nih.gov/index.cfm?objectid=32BA9724-F1F6-975E-7FCE50709CB4C932 and/or the "International Agency for Research on Cancer" (IARC), pesticides rated as Group 1, Group 2A, or Group 2B; Group 1: Carcinogenic to humans, Group 2A: Probably carcinogenic to humans, Group 2B: Possibly carcinogenic to humans: http://monographs.iarc.fr/ENG/Classification/index.php and http://monographs.iarc.fr/ENG/Classification/ClassificationsAlphaOrder.pdf and/or the "Toxics Release Inventory" (TRI) Program : OSHA Carcinogens: http://www.epa.gov/tri/trichemicals/OSHA/oshacarc.htm and http://www.epa.gov/tri/trichemicals/OSHA/carcinog.pdf

4. Any known endocrine disruptor listed by the "United States Environmental Protection Agency" (US EPA): http://www.epa.gov/endo/ and or the "European Union, Endocrine Disruptors" website with a ranking as a Category 1: Evidence of endocrine disrupting activity; Category 2: Some evidence of endocrine disruption: http://ec.europa.eu/environment/endocrine/strategy/substances_en.htm and http://ec.europa.eu/environment/docum/pdf/bkh_annex_01.pdf

5. Any pesticide containing a chemical identified by the State of California as a chemical known to the State to cause cancer or reproductive or developmental toxicity pursuant to California Safe Drinking Water and Toxic Enforcement Act of 1986: http://oehha.ca.gov/prop65/prop65_list/Newlist.html and http://www.oehha.ca.gov/prop65/prop65_list/files/P65List031811links.pdf

6. Any pesticide group officially designated by the United States EPA as posing significant hazard to human health or the environment.

C. Limited Use Category and Special Use Exemptions

There are specific situations that may affect public health and safety or when no tools for pest control are available other than the use of a Toxicity Category I-IV pesticide, or the use of pesticides which are known, probable or possible carcinogens, reproductive toxicants, endocrine disruptors, carbamates, organophosphates or ground water contaminants as classified by government agencies. City departments responsible for performing pest management shall submit a request for an exemption to the IPM Coordinator to use a pesticide that is not on the Pesticide List. Exceptions detailed in this section require approval of the Mayor.

The city may approve a limited use exemption request if the material is being used in association with an active IPM program and the department has demonstrated:

1. A compelling need to use the pesticide, such as property damage, public health or safety;

2. The investigation of all available options and there are no other viable alternatives;

3. The development of a plan to preclude the need for future use;

4. The Department's intent to use the material for a limited period of time;

5. Preserve valuable city property such as the urban canopy or other City amenities;

6. Proposed pesticides or application techniques will be selected to minimize risk of pesticide drift (eg: a pesticide tree injection takes precedence over systemic spraying which takes precedence over foliar spray).

City staff shall report to the city council annually regarding pesticide under the Limited Use Category with goal of annual reductions in use of these pesticides. The report shall include information such as why the product was necessary and a long-term strategy to avoid future use of these chemicals.

D. Guidance for determining when a situation is or is not an emergency

The intent of this policy is for the City of Ketchum to manage grounds and pests without toxic pesticides. Emergency determinations should only be sought or granted for a one-time pesticide application for a specific situation, which presents a true emergency.

To provide guidance on deciding when a situation is not an emergency, the City of Ketchum generally would not consider warranting an emergency pesticide application determination:

1. When the problem can be managed with the allowed products and/or alternative pest management methods (even when it takes time to learn and fully practice pesticide alternatives), or

2. For routine or repetitive pest problems. Pest problems can occur on a regular or seasonal basis, but they do not usually rise to the level of a public health or environmental threat that constitutes an emergency, or

3. When the pesticide application would be for maintaining ornamental plants for non-emergency reasons.

Pesticides from the EPA's Minimum Risk Pesticides are demonstrably safe for their intended use and may be used at playgrounds and turf grass areas on City parks. These pesticides contain only the following substances as active ingredients:

1. Castor oil (U.S.P. or equivalent)
2. Linseed oil
3. Cedar oil
4. Malic acid
5. Cinnamon and cinnamon oil
6. Mint and mint oil
7. Citric acid

8. Peppermint and peppermint oil
9. Citronella and Citronella oil
10. 2-Phenethyl propionate (2-phenylethyl propionate)
11. Cloves and clove oil
12. Potassium sorbate
13. Corn gluten meal
14. Putrescent whole egg solids
15. Corn oil
16. Rosemary and rosemary oil
17. Cottonseed oil
18. Sesame (includes ground sesame plant) and sesame oil
19. Dried Blood
20. Sodium chloride (common salt)
21. Eugenol
22. Sodium lauryl sulfate
23. Garlic and garlic oil
24. Soybean oil
25. Geraniol
26. Thyme and thyme oil
27. Geranium oil White pepper
28. Lauryl sulfate
29. Zinc metal strips (consisting solely of zinc metal and impurities)
30. Lemongrass oil

C. Additional pest management tools that meet the intent of this policy may be used in turf and playground areas. These include:

1. Vinegar
2. Burn-out
3. Horticultural oils (dormant oil)
4. Neem
5. Potassium soaps of fatty acids
6. Boric acid
7. Diatomacous earth
8. Microbe based insecticides
9. Non-pesticide traps
10. Biological controls
11. Mechanical control methods
12. Cultural practices, including mulching or other prevention strategies
13. Targeted grazing
14. OMRI approved products

These tools may be used at the discretion of city staff to effectively manage turf, playground areas, or other City owned lands. Additional tools and products may be used as they are identified or become available and meet the intent of this IPM policy.