

**Summary of major changes to
“2017 Restrictions on Most-Hazardous Herbicides” document**
12/20/17 Annual Public Hearing on the San Francisco Integrated Pest Management Program

- 1) **Increased restrictions**
 - a) **Blue dye now required for all herbicides (#2)**
 - b) **Map requirement now applies to any herbicide use. (#3)**
 - c) **Expanded prohibition on spraying edible berries to all herbicides, all edible berries. (#6)**
 - d) **Restricted use on green roof and green walls. (#7)**

- 2) **Streamlined format**
 - a) **Eliminated “allowed uses.”** The 2017 list included sections for both “General Prohibitions” and “Allowed Uses.” This is logically inconsistent and created confusion. *No restrictions have been relaxed by removing the “allowed uses” section.*
 - b) **Created section for “All Herbicides.”** Some of the requirements for Tier I herbicides apply to any herbicide use. **(Section A)**

- 3) **Minor language changes and clarifications**
 - a) Several non-substantive clarifications were required, and can be viewed in the redline version of this document. For example, the IPM Ordinance requires a shorter posting interval for Tier III (least hazardous) herbicides as an incentive to use safer products.

**DRAFT -- 2018 San Francisco Reduced Risk Pesticide List:
Restrictions on ~~“most hazardous” (Tier I) Herbicides~~ for City Properties**

Adopted ~~3/28/17~~xxx

Background

The use of chemical pesticides is always reserved as a method of last resort in San Francisco's Integrated Pest Management (IPM) Program. The restrictions below were created ~~in~~ in a public process by the San Francisco Department of the Environment ~~Integrated Pest Management Program~~ in close consultation with ~~all~~ affected City & County of San Francisco departments ~~involved in land management activities~~, in keeping with the Precautionary Principle and Integrated Pest Management ordinances (Environment Code, Chapters 1 and 3). ~~These restrictions apply to only to “most hazardous” herbicides, defined here as herbicide products rated as herbicides defined as “Tier I “Tier I – Most Hazardous”” using San Francisco's Pesticide Hazard Screening Protocol, except for items labelled “All Herbicides.” US EPA label restrictions take precedence and must be followed. All~~ Any other uses of “most hazardous” herbicides require an exemption granted by the San Francisco Department of the Environment.

Goals

~~The goals of the restriction process are to:~~

1. Reduce the use of Tier I herbicides to those situations where they are most critical to public health, public safety, and protection of major public assets, including biodiversity assets,
2. Ensure that the restrictions are attainable through continued collaboration among City IPM staff.
3. Minimize potential harm to the environment, City workers, and the general public, in keeping with the Precautionary Principle.
4. Maximize the ability of city residents to know when and where these products are being used.

A. Conditions of use - ALL HERBICIDES for ~~“most hazardous” herbicides~~

General ~~General~~ Requirements

1. All treatments must be posted as per City ordinance. All postings must clearly identify the area to be treated. ~~be set up three days before treatment, and be identifiable for four days after the treatment.~~ Postings should be placed in location(s) most likely to be seen by users of the treated area. All Tier II and Tier I postings must be set up three days before treatment, and be identifiable for four days after the treatment.
- ~~5.2.~~ Blue indicator dyes must be used for spray treatments except on golf courses, hardscapes, or in cases where posting is not otherwise required under the law. The use of blue dye must be noted on the posting. Dye must be mixed at a concentration that makes it clearly visible.
- ~~6.3.~~ For treatment sites that cannot be readily described using the posting sign alone, a map showing the general location of expected treatment area(s) must be attached to the posting sign.
4. Contractors must be fully briefed and trained in the San Francisco IPM program's ordinance, requirements and policies.
- ~~7.5.~~ All uses must comply with the California Red-legged Frog Stipulated Injunction.
- ~~8.~~ Any application of ‘most hazardous’ herbicides on City property within the City limits or at San Francisco International Airport must be under the direct supervision of a licensed person. A licensed person is defined for these purposes as a person possessing either an Agricultural Pest Control Advisor license, a Qualified Applicator License, or a Qualified Applicator Certificate issued by the California Department of Pesticide Regulation. “Direct supervision” means that the licensed person must be physically present at the site of application.
- ~~9.~~ Within the City limits, when ‘most hazardous’ herbicides are used on publicly accessible parcels a physical demarcation must be set up around or block access to the treated area, with the exception of golf courses and areas managed for habitat conservation. Acceptable physical demarcations include fencing, rope, tape, or staked plastic cones.

General ~~P~~ Prohibitions:

~~13. No use on plants with berries edible to humans when ripe fruits are present.~~

~~6.~~

~~7. No use on green roofs or green wall features.~~

~~14. No use for purely cosmetic purposes.~~

~~15. No use within 15 feet of designated, actively maintained public paths. "Designated public paths" are walking paths that appear on City maps. If maps do not exist, then "designated public paths" means paths that are actively maintained by City operations.~~

~~16. No broadcast spraying using a spray boom is permitted, except for targeted treatments at Harding Park golf course in preparation for tournament play. Use of a backpack sprayer does not qualify as broadcast spraying, provided that the applicator is targeting specific plants that have been identified for treatment.~~

~~10. No use on the grounds of or within 15 feet of the boundaries of schools, preschools, childrens' playgrounds and other areas frequented by children.~~

~~11. No use in areas restricted by the California Red-logged-Frog Stipulated Injunction.~~

~~12. No use on blackberry (Rubus) plants when fruits are present.~~

Allowed Uses/Exceptions (only as method of last resort):

~~17. Areas falling under state or federal vegetation management requirements, including airport runways, utility rights-of-way and easements, dams, reservoir embankments, and watershed lands. If treatments are required within 15 feet of public paths in these areas, a physical demarcation must still be set up around or block access to the treated area.~~

~~18. Cases judged by City pest management professionals as posing a significant public safety, public health or fire risk, for example, poison oak along popular trails or resprouting trees that constitute a fire hazard. If such treatments are necessary within 15 feet of a designated public path, a physical demarcation must be set up around or block access to the treated area.~~

~~19. Landscape renovations, provided that weed prevention measures are put in place and a physical demarcation is set up around or block access to the treated area for four days after treatment. A landscape renovation is defined as a contiguous area of land where all or most of the existing vegetation is removed and replaced, with a minimum size of 100 square feet.~~

~~20. Invasive species that pose a threat to local, native, rare, threatened or endangered species or ecosystems, and which cannot be controlled by other means. Prohibitions #10-15 still apply.~~

~~Street median strips in situations where alternative control measures pose safety risks to applicators or the public.~~

B. Conditions of use - TIER I HERBICIDES

Tier I ("Most Hazardous") herbicides are subject to Conditions of Use for "ALL HERBICIDES" list above, plus the following:

General Requirements

8. Any application of 'most hazardous' herbicides on City property within the City limits or at San Francisco International Airport must be ~~under the~~ under the direct ~~supervision of~~ oversight of a licensed person. A licensed person is defined for these purposes as a person possessing either an Agricultural Pest Control Advisor license, a Qualified Applicator License, or a Qualified Applicator Certificate issued by the California Department of Pesticide Regulation. "Direct oversight ~~+~~ supervision" means that the licensed person must be physically present at the site of application.

9. Within the City limits, when 'most hazardous' herbicides are used on publicly accessible parcels a physical demarcation must be set up around or block access to the treated area, with the exception of golf courses and areas managed for habitat conservation. Acceptable physical demarcations include fencing, rope, tape, or staked plastic cones.

Prohibitions:

10. No use for purely cosmetic purposes.

11. No use on the grounds of or within 15 feet of the boundaries of schools, preschools, childrens' playgrounds and other areas frequented by children.

- 12. No use within 15 feet of designated, actively maintained public paths. “Designated public paths” are walking paths that appear on City maps. If maps do not exist, then “designated public paths” means paths that are actively maintained by City operations.
- 13. No broadcast spraying using a spray boom is permitted, except for targeted treatments at Harding Park golf course in preparation for tournament play. Use of a backpack sprayer does not qualify as broadcast spraying, provided that the applicator is targeting specific plants that have been identified for treatment.

Exceptions:

- 13. The prohibition on Tier I treatments within 15 feet of public paths (#11) does not apply to areas falling under state or federal vegetation management requirements, including ~~airport runways,~~ utility rights of way and easements, dams, reservoir embankments, and watershed lands. If such treatments are required, either access to the treated area must be blocked or a physical demarcation must be set up around the treated area.
- 14. Cases where alternative control methods pose a significant public safety, public health or fire risk, for example, poison oak along popular trails. In these cases, either access to the treated area must be blocked or a physical demarcation must be set up around the treated area.
- 15. Street median strips in situations where alternative control measures pose safety risks to applicators or the public.

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