

July 20, 2009

Harold C. Brown, Jr., President
Marin County Board of Supervisors
3501 Civic Center Drive, Room 329
San Rafael, CA 94903



Re: Integrated Pest Management (IPM) Ordinance and Policy

Dear Supervisors:

The Marin Conservation League (MCL) appreciates the opportunity to comment on the revised and updated Integrated Pest Management Ordinance and accompanying Policy (5/29/2009) and supports the County's adoption. We believe that the Ordinance and Policy will improve the transparency and administrative accountability of the County's IPM program. We also support the establishment of a sub-committee of the Board of Supervisors to review and resolve expeditiously several outstanding and problematic issues, as follows:

- 1) Reconstitution and composition of the Integrated Pest Management Commission (IPMC)
- 2) Administrative replacement of the position of Integrated Pest Management (IPM) Coordinator,
- 3) Establishment of benchmarks for the reduction of pesticide use over time
- 4) Use of a specific and standard buffer or setback from areas of pesticide use
- 5) Requirement that multi-Use trails and pathways be pesticide free zones, along with public parks, picnic areas, and playgrounds

With respect to these five outstanding issues, MCL offers the following recommendations:

- 1) It makes sense to reconstitute the IPM Commission (IPMC) – to add one or two voting public-large members and remove County staff as voting members. Removing County staff from membership in the IPMC eliminates any appearance of potential conflict of interest as County employees. The role of County staff should be to advise the IPMC and to execute the IPM Program in accordance with the direction of the IPMC and the IPM Coordinator.
- 2) In view of the violations of IPM Policy and Procedures over the past ten years, the public lacks trust in the current administrative structure for delivery of the IPM Program. We therefore recommend that the position of the IPM Coordinator be re-located within the County's administrative structure to a department or agency responsible for environmental affairs and enforcement. Further, the job of IPM Coordinator should be a full-time employee or contract hire, in view of the many essential tasks described in the proposed Policy. It would be a serious mistake to add these tasks to the responsibilities of an existing employee, who could not give them his or her undivided attention.
- 3) We do not support the use of a one-size-fits-all benchmark for the reduction in pesticide

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use. Moreover, we doubt the efficacy of eliminating all use of pesticides in all cases. While we recognize the need to progress toward reduction of pesticide use, we also believe that pesticide reduction plans must be tailored to specific site characteristics, the nature of the pest being targeted, the nature of pesticides themselves – their risk and effectiveness – and availability of least toxic methods to abate the pest over time.

4) Any suggestion of a single standard for buffers and setbacks from all public areas should be eliminated. We support the existing language of the Policy, which states: " Buffer zones around pesticide - free zones and adjacent to waterways and wetlands will be determined as part of the Site Specific Pest Management Plan. Federal, state, and local requirements regarding buffer zone size will be adopted, using the requirement that is most restrictive and protective of the public, wildlife, and the environment." For example, court -ordered buffer zones from salmonid stream habitat must be respected.

NOTE: In connection with both 3) and 4) above, the IPM Program budgets must be fully funded to ensure that existing Specific Site Management Plans – plus the remaining Specific Site Management Plans, as they are developed – can be fully reviewed. It is the Specific Site Management Plans and Pest Management Plans that will make it possible to accomplish the objectives of the IPM Program.

5) We believe that it is impractical to make the county's multi-use trails and paths Pesticide Free Zones. Trails and paths often pass through different jurisdictions over their length, and they also pass through differing habitat and geographic zones, requiring a variety of management treatments. Once again we remind the Board that an IPM Program is far more than a pesticide program in that it is a systematic approach to understanding pest biology, diagnosing the nature of damage, and selecting appropriate management tools. An IPM does not eliminate all pesticide use altogether; rather, it mandates that the least toxic measures be used where other non-toxic measures prove to be ineffective.

Finally, the Marin Conservation League also wishes to remind the Board of Supervisors that to make this IPM Ordinance and Policy truly a countywide program it is essential that other administrative entities of the County , e.g. the Open Space District, the Flood Control Districts, CSA's, and the Marin Housing Authority, must also adopt this Ordinance and Policy to bring them under its administrative umbrella.

If you have questions, please contact Roger Roberts, at 415-458-6257.

Sincerely yours,



Nona B. Dennis
President