Open Space and Habitat Commission Minutes
Monday, April 4, 2016
Community Chambers Conference Room, 23 Russell Boulevard, 6:30 p.m.

Commissioners Present:	Patrick Huber, Roberta Millstein, Jason Bone (Alternate), Rachel Aptekar, Colleen Rossier, Greg House
Commissioners Absent:	Helena Chung, Marc Hoshovsky
Commission Liaisons:	Lon Payne, Recreation and Park
Assigned Staff:	Tracie Reynolds
Council Liaison:	Lucas Frerichs

1. **Approval of Agenda**
   On a motion by Commissioner Aptekar, seconded by Commissioner House, the Commission voted 5-0-3-0 to approve the agenda. (Ayes -- Huber, Millstein, Bone, Aptekar, House; Noes – None; Absent – Chung, Hoshovsky, Rossier; Abstentions – None)

2. **Approval of Minutes**
   March 7, 2016 minutes. On a motion by Commissioner Aptekar, seconded by Commissioner Millstein, the Commission voted 5-0-3-0 to approve the March 7, 2016 minutes. (Ayes -- Huber, Millstein, Bone, Aptekar, House; Noes – None; Absent – Chung, Hoshovsky, Rossier; Abstentions – None)

3. **Public Communications**
   Alan Pryor, a member of the public serving on the Natural Resources Commission, said his commission was proposing a ban on the use of insecticides containing neonicotinoids and the herbicide glyphosate on City property, including parks and open spaces. He said pesticides containing neonicotinoids have been linked to the die-off of plant pollinators, including honey bees, native bees, butterflies, moths and other insects. He said glyphosate has been shown to be a probable human carcinogen. He encouraged the Commission's native pollinator working group to work with his commission and the Recreation and Park Commission on this issue. He distributed information for the Commission to review (see Attachment 1).

   Alan Hirsch, a member of the public, expressed his concern that the Commission's March 7 actions associated with the Mace Ranch Innovation Center ("MRIC") project were not shared with the Planning Commission on March 9 when the Planning Commission discussed the MRIC project. Commissioner Huber asked staff to look into the matter and get back to the Commission. He also wanted to know if the MRIC project would be coming back to the Commission for review, after the project applicant had made changes to the project.

   Matt Williams, a member of the public serving on the Finance and Budget Commission, said the MRIC project applicant needed to show how the proposed MRIC project was financially feasible.

   Lon Payne, a member of the public recently appointed to the Recreation and Park Commission, introduced himself as the new Recreation and Park Commission liaison to the Open Space and Habitat Commission.

4. **Presentation and Discussion – The upcoming PG&E pipeline project and its impact on habitat**
   Dale Sumersille, the City's Parks and Community Services Director, introduced this presentation and discussion item about a PG&E project scheduled for this summer to remove certain trees in Davis that pose a safety risk to PG&E's electricity transmission pipes. PG&E representatives explained that trees can pose a safety risk to electricity transmission pipes if their roots come in contact with the pipes. For this reason, PG&E has been taking an inventory of all the trees that exist along PG&E's transmission pipeline network in Davis. Each tree is assigned a "risk" level. Those trees with unacceptable risk will be removed. PG&E representatives estimated that about 13 trees will need to be removed in Davis, mostly along L Street. He said PG&E will replace any tree

removed (He said PG&E has a list of native trees it plans to use). He also said PG&E was conducting a survey of any bird nests that might be in the trees. If a bird nest is found, the tree won't be removed until the birds leave the nest. Several commissioners asked clarifying questions. Commissioner Huber requested a copy of PG&E's native tree list. Commissioner Rossier suggested PG&E should be required to replace not just the number of trees, but the total diameter of tree matter that will be removed. She also suggested that PG&E should be required to maintain the trees for some period of time after they are replanted.

5. <u>Presentation and Discussion –</u> The U.C. Davis Long-Range Development Plan ("LRDP") and its open space and habitat elements

Lucas Griffith, a campus planner for U.C Davis, and Andrew Fulks, the manager of U.C. Davis's Putah Creek Riparian Reserve, presented this item. The UC Davis LRDP is a comprehensive land-use plan that will guide physical development of the campus to support its teaching, research, and public service mission into the future. The 2017 - 2027 LRDP is an update of the 2003 - 2015 LRDP. The LRDP update attempts to accommodate sizeable growth in the university's student, faculty and staff populations while at the same time promoting compact growth, creating desirable places for people to learn and interact, and advancing the university's sustainability goals, socially, academically, financially and environmentally. The university expects to add 9,000 staff, students and faculty to its population over the 10-year planning period, and the university will not be able to house them all on campus, Mr. Griffith said. Commissioner Millstein noted that the university's growth will put development pressure on the City of Davis, and that affects open space. Mr. Fulks said the university hopes to include habitat and public accessibility improvements to the university's 770 acres of open space, including the east end of Putah Creek, as part of the LRDP planning process. Commissioner Huber asked if the university had undertaken any projects to enhance salmon runs on Putah Creek. Mr. Fulks said the university had done some creek improvements at the Pedrick Road overcrossing, but was always balancing the needs of wildlife with the recreational needs of people. He said coordinating with the City on habitat and recreation improvements will be important to achieve connectivity for wildlife and people throughout the entire South Davis region. He said there could be opportunities for the university and the City to jointly apply for restoration grants. The LRDP is scheduled to be approved by the U.C. Regents in 2017.

6. <u>Working Group Updates</u>

- *Grant Guidelines – Restoration Projects*. Commissioner Bone, speaking on behalf of the working group on this subject, said a draft of the guidelines was currently being reviewed by the City.

- *Community Farms.* Commissioner House, head of the working group on this subject, said there was nothing to report.

- *Native Pollinators*. Commissioner Huber, head of the working group on this subject, said he had scheduled a meeting of this working group to discuss some of the feedback received at the restoration table during the March 9, 2016 open space workshop.

- *Public Forum.* Commissioner Huber, speaking on behalf of the working group on this subject, said the forum was well-attended and the City and the Commission received a lot of very good, high-quality feedback. Tracie Reynolds, assigned staff to the Commission, added that the City's consultant was now compiling the feedback received from the workshop, the two focus groups, and the on-line survey (400 responses received) and summarizing it into a report that will be presented to the Commission in June. This report will be used to update the 2002 Acquisition and Management Plan. Ms. Reynolds said she would work to update this plan over the summer and bring a draft to the Commission for review in the fall. Once approved by the Commission, it will go to the City Council for consideration.

- *Open Space Website.* Commissioner Bone, head of the working group on this subject, said there was nothing to report.

- *Open Space Signage.* Tracie Reynolds, assigned staff to the Commission, said there was nothing to report.

7. Program/Project Updates

No updates were given.

8. Staff/Commission Communications

- *Commission Liaison Reports*
  - Recreation & Parks/Planning. Lon Payne, a recent appointee to the Recreation and Park Commission who is also now serving as the liaison to the Open Space and Habitat Commission, introduced himself and talked briefly about his relevant background. He said his term expires in September 2016.
  - City Council. No reports were given.

- *Sports Complex Task Force Liaison Report*. Commissioner Bone, the Commission's liaison to the task force, said the task force has spent the last several weeks listening to the City's various sports groups and compiling data about the space needs of these groups. He said the task force was preparing a survey for all the sports groups to complete in an effort to standardize the data collection process. Once all the data was collected, the task force will prepare a written summary and present its findings to the City Council in July.

- *Staff Report*. Tracie Reynolds, assigned staff to the Commission, briefed the Commission on the City's new Open Space Lands Manager and the Commission replacement process, given Commissioner Rossier's impending resignation. She also said she would be giving the Commission an update on the Measure O budget at the May or June Commission meetings. She also said she was planning to do a workshop on the City's agricultural mitigation policy, and how it compared to Yolo County's agriculture mitigation policy, before the Commission and the City Council in May.

- *Next Meeting and Agenda Items*. The next meeting is May 2, 2016. Possible agenda items include a presentation on a burrowing owl recovery plan, an introduction to the City's new Open Space Lands Manager, an update on the Measure O budget, and an overview of the City's agriculture mitigation ordinance and how it compares to the Yolo County agriculture mitigation ordinance.

9. Adjournment

The meeting was adjourned at approximately 9:20 p.m.

Attachments:

Attachment 1: Handout on Neonicotinoids and Glyphosate

Attachment 1

Meeting Date: **3/1/2016**

Report Type: Consent

Report ID: 2016-00279

03

City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Title: Prohibiting the Use of Neonicotinoids as Part of the City's Integrated Pest Management Policies (Two-Thirds Vote Required)

Location: Citywide

Recommendation: Pass: 1) a Motion temporarily suspending the requirement in Rule 13.B.1.a of the Council Rules of Procedure that non-binding resolutions be referred to the Law and Legislation Committee [two-thirds vote required]; and 2) a Resolution a) directing the City Manager to modify the City's integrated pest management policies and landscape maintenance and procurement practices, and negotiate amendments to existing contracts, to eliminate the use of pesticides that contain neonicotinoids on City properties; b) supporting the passage of federal legislation and urging the Environmental Protection Agency to suspend registration of neonicotinoids; c) directing the City Manager to provide information to the public regarding the effects of pesticides that contain neonicotinoids; and d) supporting a national moratorium on the sale and use of such pesticides, to protect bees and other insect pollinators.

Contact: Randi L. Knott, Director of Governmental Affairs, Office of the City Manager (916) 808-5771

Presenter: None

Department: City Manager / Public Works

Division: Executive Office

Dept ID: 02001011

Attachments:

1-Description/Analysis

2-Resolution

City Attorney Review

Approved as to Form
Sheryl Patterson
2/23/2016 4:29:50 PM

Approvals/Acknowledgements

Department Director or Designee: Howard Chan - 2/22/2016 9:15:07 AM

Description/Analysis

Issue Detail: Bees and other insect pollinators, which are critical to agricultural production are facing great environmental stress and experiencing die offs and diminishing populations. Neonicotinoids are among the most widely used class of insecticides and are now increasingly under scrutiny for environmental impacts including honey-bee colony collapse and loss of birds due to a reduction in the insect population.

In 2013, European Union regulators imposed an almost total ban on three types of insecticides containing neonicotinoids. Last year, Congress re-introduced a bill titled "Saving America's Pollinator's Act" to direct the US Environmental Protection Agency (EPA) to suspend the use of neonicotinoids until a determination could be made regarding the adverse effects on pollinators.

National retailers have recently taken steps to stop selling pesticides with neonicotinoids and other cities have adopted polices to end the use of them. At this time, the City of Sacramento is considering a similar ban.

The Council is also being asked to pass a motion allowing this non-binding resolution to bypass the Law & Legislation Committee in the interest of time.

Policy Considerations: In 2015, Sacramento became officially designated as a "Honey Bee Haven". This action means that the City would take extra efforts to protect honey bees and all pollinators because of their important role in our farms, flowers and food. This resolution continues in that vein by prohibiting the use of pesticides that contain neonicotinoids for use on City-owned properties and provides for education for the public regarding the use of them in home gardens. Further, it states the City's support of the "Saving the Pollinators Act" (HR 1284) and urges the EPA to suspend the registration of neonicotinoids until it can complete full environmental assessments.

Economic Impacts: Not applicable

Environmental Considerations: This resolution does not constitute a project under the California Environmental Quality Act (CEQA). Further it supports the City's adopted Legislative Platform to support a healthy, sustainable and green community.

Sustainability: This resolution also supports the City's adopted Legislative Platform calling for legislative and regulatory efforts to make products that are less toxic and the City's Sustainability Plan.

Commission/Committee Action: Not applicable

Rationale for Recommendation: The Council is asked to pass a motion temporarily suspending the requirement in Rule 13.B.1.a of the Council Rules of Procedure that non-binding resolutions be referred to the Law and Legislation Committee for which a 2/3 vote required**.** The City has consistently supported efforts to ‘green’ our community and to reduce harmful environmental impacts.

Financial Considerations: This resolution directs the City Manager to negotiate the terms of existing landscape maintenance contracts and construction contracts subject to the City Manager’s contracting authority if the contract costs increase due to the substitution of other pesticide products or alternative pest control practices.

RESOLUTION NO. 2016 -

Adopted by the Sacramento City Council

APPROVING PROHIBITION ON USE OF NEONICOTINOIDS INSECTICIDES AS PART OF THE CITY'S INTEGRATED PEST MANAGEMENT POLICIES AND SUPPORTING A MORATORIUM ON THE SALE AND USE OF SUCH INSECTICIDES TO PROTECT BEES AND OTHER INSECT POLLINATORS

BACKGROUND

A. The City of Sacramento has adopted and implemented Integrated Pest Management (IPM) policies to limit use of chemical pesticides (which includes insecticides and herbicides) in maintaining landscaped areas in City parks, streets and buildings. IPM practices provide that chemicals are used only when needed, and in combination with other approaches for more effective long-term control of pests and weeds. Chemicals are to be selected and applied in a way that minimizes their possible harm to the public and the environment and spray controls are used to limit the size of the treated area.

B. Bees and other insect pollinators, which are critical to agricultural production of certain types of crops, are under great environmental stress and experiencing die-offs and diminishing populations. According to the U.S. Department of Agriculture, honey bee pollinators (*apis mellifera L.)* play a critical role in producing one-third of the nation's food supply.

C. Neonicotinoids are among the most widely used class of insecticides. In agriculture, neonicotinoid are used to coat seeds or applied to the plant. The hallmark of neonicotinoids is that they are "systemic," which means they travel throughout a plant via its vascular system and distribute the chemical to all parts of the plant tissue, including its nectar and pollen. The neonicotinoid class of chemicals includes acetamiprid, imidacloprid, clothianidin, dinotefuran, nitenpyram, nithiazine, thiacloprid and thiamethoxam.

D. In the late 1990s, neonicotinoids came under increasing scrutiny over their environmental impacts. Neonicotinoid use was linked in a range of studies to adverse ecological effects, including honey-bee colony collapse disorder and loss of birds due to a reduction in insect populations. Recent research suggests that there is a possible link between pesticides that contain neonicotinoids and the die-off of plant pollinators, including honey bees, native bees, butterflies, moths and other insects. The Global Taskforce on Systemic Pesticides, a group of 29 independent scientists, examined over 800 peer-review papers on the effects of neonicotinoids on wildlife, as well as water and soil quality, over a four

year period and published a report in 2014 that concluded that neonicotinoids are toxic to bee populations.

E. In 2013, European Union regulators imposed near-total bans on three types of pesticides containing neonicotinoids to allow further study of their impacts on bees and other insect pollinators. In August 2014, the United States Fish and Wildlife Service announced plans to phase out use of neonicotinoids in National Wildlife Refuges. Last summer, President Obama asked the Environmental Protection Agency (EPA) to investigate conflicting reports that pesticides containing a class of chemicals known as neonicotinoids were the probable cause of mysterious bee deaths and declining numbers of beehives.

F. On March 4, 2015, Representative Conyers reintroduced Congressional bill H.R. 1284, Saving America's Pollinators Act of 2015, to direct the EPA to suspend the registration of neonicotinoid pesticides until a determination can be made if they cause an unreasonable adverse effect on pollinators, and direct the Department of the Interior to regularly monitor the heath and population status of native bees.

G. On May 19, 2015, the White House Pollinator Health Task Force issued its report, focusing on increasing habitat for pollinators and called for further extensive research into all aspects of pollinator health.

H. National retailers have recently taken steps to stop selling pesticides with neonicotinoids. Many other cities have adopted polices to end use of pesticides that include the chemical ingredient neonicotinoids in response to the declining population of bees and other insect pollinators. The City Council of the City of Sacramento desires to adopt a similar policy to ban the use of neonicotinoids on all City-owned property.

I. Neonicotinoids are included in pesticide products that are readily available to the public and application of the products in home gardens has been found to occur at a rate that is 32 times higher than what has been approved for agricultural crops. Educating the public and promoting the discontinuance of pesticide products containing neonicotinoids will benefit bees and other insect pollinators and agricultural production within the city and the surrounding region.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Manager is hereby authorized and directed to modify the City's Integrated Pest Management policies, landscape maintenance standard specifications, and procurement practices to eliminate the use of, and ban the purchase of, pesticides that contain neonicotinoids unless no alternative pesticide or pest control practice is available.

Section 2. The City Manager or his designee is hereby authorized and directed to negotiate the terms of amending existing landscape maintenance contracts and construction contracts to ban the application of pesticides that contain neonicotinoids on all City-owned properties. The City Manager or his designee is authorized to execute such contract amendments and change orders to allow for substituting pesticides that do not contain neonicotinoids or alternative pest control practices, subject to the City Manager's contracting authority limitations set forth in the Sacramento City Code and the Department budgets if the contract costs will increase due to the substitution of other pesticide products or alternative pest control practices.

Section 3. The Mayor and City Council supports the passage of the Saving America's Pollinators Act (H.R. 1284) and urges the Environmental Protection Agency to suspend the registration of neonicotinoids until it can complete its environmental assessments.

Section 4. The City Manager is hereby authorized and directed to post information on the City's website to educate the public regarding the effects of pesticides that contain neonicotinoids on bee populations and promote the use of other pesticide products and/or alternative pest control practices, as well as planting bee-friendly plants. Residents should be advised to avoid spraying plants in their garden with insecticides, and never spray the flowers.

Section 5. The Mayor and City Council support a national moratorium on the sale and use of pesticides that contain acetamiprid, imidacloprid, clothianidin, dinotefuran, nitenpyram, nithiazine, thiacloprid, thiamethoxam and any other neonicotinoids and urges businesses to take immediate steps to ensure that no plants, seeds, or products containing such chemicals are purchased, sold, or used within the City of Sacramento.

Scientific American

Widely Used Herbicide Linked to Cancer

The World Health Organization's research arm declares glyphosate a probable carcinogen. What's the evidence?

By Daniel Cressey, Nature magazine on March 25, 2015

Glyphosate is the world’s most widely produced herbicide, by volume. It is used extensively in agriculture and is also found in garden products in many countries.

The cancer-research arm of the World Health Organization last week announced that glyphosate, the world’s most widely used herbicide, is probably carcinogenic to humans. But the assessment, by the International Agency for Research on Cancer (IARC) in Lyon, France, has been followed by an immediate backlash from industry groups.

On March 23, Robb Fraley, chief technology officer at the agrochemical company Monsanto in St Louis, Missouri, which sells much of the world’s glyphosate, accused the IARC of “cherry picking” data. “We are outraged with this assessment,” he said in a statement. *Nature* explains the controversy.

What does the IARC report say?

The IARC regularly reviews the carcinogenicity of industrial chemicals, foodstuffs and even jobs. On March 20, a panel of international experts convened by the agency reported the findings of a review of five agricultural chemicals in a class known as organophosphates. A summary of the study was published in *The Lancet Oncology*.

Two of the pesticides — tetrachlorvinphos and parathion — were rated as “possibly carcinogenic to humans”, or category 2B. Three — malathion, diazinon and glyphosate — were rated as “probably carcinogenic to humans”, labelled category 2A.

Why should I care about glyphosate?

Glyphosate is the world’s most widely produced herbicide, by volume. It is used extensively in agriculture and is also found in garden products in many countries. The chemical is an ingredient in Monsanto's weedkiller product Roundup, and glyphosate has become more popular with the increasing market share of crops that are genetically engineered to be tolerant to the herbicide.

What evidence is there for a link between glyphosate and cancer?

The IARC review notes that there is limited evidence for a link to cancer in humans. Although several studies have shown that people who work with the herbicide seem to be at increased risk of a cancer type called non-Hodgkin lymphoma, the report notes that a separate huge US study, the Agricultural Health Study, found no link to non-Hodgkin lymphomas. That study followed thousands of farmers and looked at whether they had increased risk of cancer.

But other evidence, including from animal studies, led the IARC to its 'probably carcinogenic' classification. Glyphosate has been linked to tumours in mice and rats — and there is also what the IARC classifies as 'mechanistic evidence', such as DNA damage to human cells from exposure to glyphosate.

Kathryn Guyton, a senior toxicologist in the monographs programme at the IARC and one of the authors of the study, says, "In the case of glyphosate, because the evidence in experimental animals was sufficient and the evidence in humans was limited, that would put the agent into group 2A."

But not everyone agrees?

An industry group of agrochemical companies called the Glyphosate Task Force said that the agency's evaluation "demonstrates serious deficiencies in terms of methodological approach and the overall conclusion is inconsistent with the results of all regulatory reviews concerning glyphosate's safety profile".

Monsanto — a member of the task force — said that relevant scientific data that showed no risk was excluded from the review, and the IARC "purposefully disregarded dozens of scientific studies", specifically genetic toxicity studies.

But Guyton strongly defends the IARC process and insists that there is a set of clear rules that lays out which studies can be considered by the experts convened by the IARC. These are broadly limited to peer-reviewed publications and government reports, leading to the rejection of a number of industry-submitted studies.

Some academic scientists have sounded notes of caution over the IARC report. Oliver Jones, an analytical chemist at RMIT University in Melbourne, told the Science Media Center in London: "IARC evaluations are usually very good, but to me the evidence cited here appears a bit thin." He added: "From a personal perspective, I am a vegetarian so I eat a lot of vegetables and I'm not worried by this report."

Doesn't just about everything cause cancer if you look hard enough?

The IARC classifies compounds on a scale of decreasing certainty: group 1 is for agents that are definitely carcinogenic to humans; 2A, probably carcinogenic to humans; 2B, possibly carcinogenic to humans; 3, not classifiable; and 4, probably not carcinogenic to humans.

Monsanto said in its statement, "IARC has classified numerous everyday items in Category 2 including coffee, cell phones, aloe vera extract and pickled vegetables, as well as professions such as a barber and fry cook."

But the IARC classified most of these items at the less dangerous 'possibly carcnogenic' 2B level,

whereas glyphosate is in the 'probably carcinogenic' 2A category. Of Monsanto's list, only emissions from high-temperature frying and the occupational exposure experienced as a barber are rated as 2A.

What happens next?

It is not part of the IARC's process to quantify any increased risk of cancer due to a chemical, or to recommend a safe exposure level, although its studies can be influential. Rather, regulatory agencies around the world will have to decide what to do with the agency's finding. The Environmental Protection Agency is currently conducting a formal review of the safety of glyphosate (which it does not consider carcinogenic in humans) and said that it would give "full consideration" to the IARC study.

CHEMICAL WORLD

Glyphosate to be labelled a carcinogen in California

10 September 2015Rebecca Trager

California's Environmental Protection Agency (Cal/EPA) intends to list the herbicide glyphosate – the active ingredient in Monsanto's RoundUp – as a carcinogenic chemical under the Proposition 65, which requires the state to publish a list of chemicals known to cause cancer, birth defects or other reproductive harm. The announcement came on 4 September, following a conclusion by the World Health Organisation's International Agency for Research on Cancer in March that glyphosate is a probable human carcinogen.

Sales of the product are not restricted by the Cal/EPA listing, but adding glysophate to the Prop 65 list would mean that businesses will be required to provide a 'clear and reasonable' health warning on Roundup and other glyphosate products. World usage of glyphosate is at an all-time high, with its use increasing more than 20-fold since 1990, according to the Center for Biological Diversity (CBD). The conservation advocacy group says this upsurge is largely due to the widespread adoption of crops, particularly corn and soy, which are genetically engineered to withstand what would otherwise be fatal doses of glyphosate. Recent research also indicates that chronic, low-dose exposure to glyphosate can cause liver and kidney damage, and studies have pointed to glyphosate as a leading cause of the decline in monarch butterflies.