

CITY AND COUNTY OF SAN FRANCISCO



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TO ALL INTERESTED PARTIES:

Attached is the City Attorney's title and summary for a proposed measure entitled, "USE OF HERBICIDES ON CITY PROPERTY." In preparing this title and summary, the City Attorney makes no representation regarding the merits or legality of the proposed legislation. Nor does the City Attorney verify or confirm any factual or legal assertion made in the proposal. The title and summary is presented as a "true and impartial statement of the purpose of the proposed measure." Elections Code § 9203.

Very truly yours,

DENNIS J. HERRERA
City Attorney

/s/ Andrew Shen

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USE OF HERBICIDES ON CITY PROPERTY

The City generally prohibits the use of pesticides on City property, including property managed by the City's Recreation and Parks Department. Pesticides are substances intended to remove plants, regulate plant growth, or to destroy or repel certain insects or animals. Herbicides are a type of pesticide specific to unwanted plants and plant growth.

But the City allows the use of certain pesticides on City property if:

- the City's Commission on the Environment ("Commission"), after receiving recommendations from the Department of the Environment ("Department") and a technical advisory committee, has exempted the pesticide as a reduced risk pesticide as part of a pest management program that considers a range of approaches to pest problems;
- the pesticide contributes to the improvement or maintenance of water quality at water treatment plants, wastewater treatment plants, or reservoirs;
- the pesticide would address an emergency pest outbreak that poses an immediate threat to public health or would cause significant economic harm; or
- the Department has granted a one-year exemption for use of the pesticide, after the City department that wishes to use the pesticide has demonstrated its attempt to find pesticide-free alternatives.

The City's Recreation and Parks Department manages several golf courses in and near the City, including Harding Park.

The proposed measure would more strictly prohibit the use of herbicides on City property. The measure would only allow the use of an herbicide on City property if:

- the Department has identified the herbicide as a reduced risk pesticide, and either:
 - the federal Environmental Protection Agency has separately determined it qualifies as a minimum risk pesticide that poses less risk to people or the environment; or
 - the federal Department of Agriculture has determined it can be used on organic crops.

This proposed restriction on herbicides would not apply to Harding Park. The City could continue to use herbicides at Harding Park, if the Department has identified the herbicide as a reduced risk pesticide.

Under the proposed measure, the exceptions for pesticide use in connection with water quality maintenance and emergencies, and the Department's procedure for one-year exemptions, would not apply to herbicides.