

**REVISED**

*Farinukh Faiz*

**OAKLAND CITY COUNCIL**

79133

RESOLUTION NO. \_\_\_\_\_

C.M.S.

05 APR 11 PM 3:35

INTRODUCED BY COUNCILMEMBER Jean Quan

**RESOLUTION DIRECTING PREPARATION OF THE APPROPRIATE ENVIRONMENTAL REVIEW DOCUMENTS IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EVALUATING A LIMITED EXEMPTION TO THE INTEGRATED PEST MANAGEMENT POLICY TO USE HERBICIDES ON CITY OWNED LAND IN THE WILDFIRE PREVENTION DISTRICT AND OTHER CITY PROPERTIES IDENTIFIED BY THE FIRE MARSHAL AS AREAS OF HIGH FIRE HAZARD**

WHEREAS, in 1997 the Oakland City Council approved the implementation of a comprehensive Integrated Pest Management (IPM) policy and passed Resolution No. 73968 C.M.S., that prohibits the use of pesticides on City property except as specifically exempted; and

WHEREAS, the Oakland Fire Department is responsible for reducing wild land fuels through vegetation management in Oakland's Wildfire Prevention District; and

WHEREAS, Oakland's Wildfire Prevention District includes City owned public open space such as Joaquin Miller Park, Knowland Park, King Estates Park, Diamond Canyon, Diamond Park, rugged canyons, public pathways, fuel breaks, roadsides, medians and steep hillsides; and

WHEREAS, there are a handful of other areas in Oakland with comparable topography and vegetation to the established Wildfire Prevention District with potentially the same high risk of fire danger; and

WHEREAS, the proliferation of non-native trees and shrubs such as blue gum eucalyptus, acacia, broom, and pampas grass creates a continuous fuel bed and fire hazard throughout the City's high fire hazard urban/wild land interface; and

WHEREAS, invasive, non-native trees and shrubs have few natural enemies, propagate readily in Oakland's climate and are resistant to eradication or control without the assistance of herbicides; and

WHEREAS, the offending trees and shrubs sprout profusely after hand or mechanical clearing and require cutting several times per year to fully abate growth; and

WHEREAS, the uncontrolled growth of non-native, invasive trees and shrubs constitutes a great risk to native plant communities and wildlife habitat.; and

WHEREAS, pulling or mechanically removing trees and shrubs may be ecologically damaging in some circumstances as it disturbs soil and creates an inviting seedbed for weeds. When hand applied directly to tree and plant stumps, herbicides leave soil intact and undisturbed, making it easier for native plants to survive as well as preventing erosion; and

WHEREAS, the Oakland City Council seeks to improve fire prevention and reduce wild land fuels within the City of Oakland in a cost effective and environmentally sensitive way; now therefore be it

RESOLVED: That the Oakland City Council hereby directs the preparation of the appropriate environmental review documents consistent with CEQA evaluating a limited exemption to the Integrated Pest Management policy for the selective use of glyphosate (in formulations such as Round-up or Rodeo) and triclopyr (in formulations such as Garlon and Pathfinder) on City owned land in the Wildfire Prevention District through revisions to standard practices, protocols and developing a Wildfire Prevention Assessment District vegetation management plan; and be it

FURTHER RESOLVED: That the environmental review will analyze the use of herbicides painted or applied directly on the plant or tree stumps and shall only be used when conditions and best management practices demonstrate that a chemical treatment would be the most effective approach to control the following plant and tree species:

- all species of *Eucalyptus* (*E. globulus* (blue gum), red gum, and others)
- all species of *Acacia* (*A. dealbata* (silver wattle) and *A. melanoxylon* (blackwood acacia) and others); all non-native species of *Prunus* (plum and cherry)
- all species of *Ulmus* (elm)
- *Ilex aquifolium* (Holly)
- *Maytenus boaria* (Mayten)
- all species of *Cotoneaster* (*C. franchetii*, *C. lacteus*, *C. pannosa*)
- all species of broom and gorse: *Cytisus scoparius* (Scotch broom), *Genista monspessulana* (French broom), *Spartium junceum* (Spanish broom) and *Ulex europea* (gorse)
- *Crataegus monogyna* (Italian hawthorn)
- non-native species of blackberry: *Rubus discolor* (Himalayan blackberry) and *R. ulmifolius* (thornless blackberry)
- *Cortaderia selloana* and *C. jubata* (pampas grass, jubata grass), when these plants cannot be removed with a hand or power tools.
- other non-native, invasive species threatening native plant communities and wildlife habitat identified in the Wildfire Prevention District annual report;

and be it

FURTHER RESOLVED: That the environmental review will look at the environmental impact of the use of herbicides on each of the abovementioned plants to assess the relative impact on each species; and be it

FURTHER RESOLVED: That the selective use of herbicides on City owned land in the Wildfire Prevention District shall be implemented in accordance with best management practices, a strategic integrated vegetation management plan and other

applicable local, state and federal requirements concerning the safe use of herbicides such as public notification, use of colored dye and return intervals; and be it

FURTHER RESOLVED: That the City's current IPM guidelines shall be revised and updated utilizing proposed BMPs including buffer zones around creeks and wetland; and be it

FURTHER RESOLVED: That changes in protocols and practices shall include that all vegetation management service contracts shall be developed in accordance with the vegetation management plan and stipulate compliance with the City's IPM policies and procedures, including those specific to the use of herbicides, and shall require that contractors provide the City with a copy of their state herbicide use reports; and be it

FURTHER RESOLVED: That the proposed limited exemption to the IPM policy to selectively use herbicides on city owned land in the Wildfire Prevention District shall be expressly limited to undeveloped, non-landscaped areas (excluding developed fields, playgrounds, picnic, and other high use areas as currently stipulated in the City's IPM policy); and be it

FURTHER RESOLVED: That only certain strategic areas outside the Wildfire Prevention Assessment District shall have a limited exemption to the IPM policy if the Fire Marshal determines that the proliferation of a non-native, invasive plant species is contributing to the creation of fuel beds that are a high fire hazard; and be it

FURTHER RESOLVED: That the Fire Department shall annually prepare a report to the Wildfire Prevention Assessment District Advisory Board and the City Council on vegetation management efforts that includes a detailed account of any proposed amounts and types of herbicide to be used; and be it

FURTHER RESOLVED: That upon completion of the appropriate environmental review and documentation, Staff shall bring to the City Council for its consideration and approval a vegetation management plan, plant list and revised IPM policy for the Wildfire Prevention Assessment District (WPAD).

APR 05 2005

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

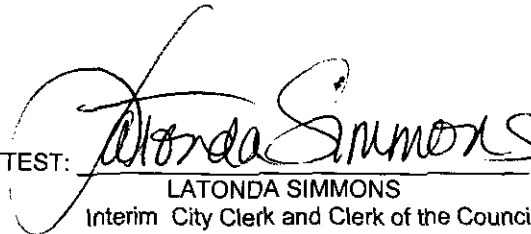
**PASSED BY THE FOLLOWING VOTE:**

AYES – BROOKS, BRUNNER, CHANG, DE LA FUENTE, NADEL, QUAN, REID, ~~XXX~~ - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
LATONDA SIMMONS  
Interim City Clerk and Clerk of the Council  
Of the City of Oakland, California