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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** March 10, 2004  
**File No.:** 5280-05  
**To:** City Manager  
**From:** Environment Manager  
**Subject:** Pesticide Notification Registry Information

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### **RECOMMENDATION:**

THAT Council receives the report of the Environment Manager for information.

### **DISCUSSION:**

At the request of Council during the regular meeting of March 08, 2003 staff was asked to report back to Council with information on the Pesticide Registry rationale.

Council at the Nov. 15, 2003 regular meeting endorsed a Registry Program for private property owners (or residents) to register their property for notification from Commercial Operators during spray operations on abutting properties (attach #1, Nov. 15, 2003 Council Report). The report and recommendation was in response to Earth care's request for a Pesticide Exemption Registry and Right to Know By-law for the City of Kelowna (attach # 2, May 17, 2003 Earthcare letter to Council).

The City developed an initial pesticide registry in 1991 in conjunction with the Interior Environmental Pest Management Association (IEPMA) representatives and was for "Same Day Notification". This registry was abandoned in 1992 due to lack of response from the community. In order to gauge public support for a "pesticide notification registry" questions were put in the 2003 annual Citizen's Survey (Sept. 2003). Over two-thirds of respondents having an opinion expressed a positive reaction to the establishment of a pesticide registry that would require commercial pesticide applicators to notify those on the registry when spraying abutting properties.

Staff worked on the basis of a voluntary program rather than a bylaw recognizing the willingness of the IEPMA to participate in a notification process. A bylaw development would involve considerable consultation, time and resources. This voluntary registry was seen as a positive first step in addressing the desire of those residents who wish to be notified when commercial spraying on abutting residential properties. The program is for residential properties only and not intended for the agricultural sector and is voluntary in regards to Commercial Spray Operator compliance.

The registry for this year has 2 categories ("Previous Day" and "Same Day" notification). The criteria for inclusion into the registry was developed between Sept. 2003 and January 2004 (attach #3 Criteria) based on the City's previous registry and other communities. The criteria for "Previous Day Notification" have the requirement of a medical doctor's letter. This model was based on a Halifax Region registry which was a precursor to a cosmetic ban by-law. In another major metropolitan area the Board of Health deals with pesticide issues.

For the City this was an improvement on the previous registry as it allowed "Previous Day Notification" for people with medically related conditions that may have a reaction to non-intentional exposure to pesticides. Residents who want their property included on either list have been asked to phone or email the City and must register each year. They are required to provide their phone number and address which will then be made available to the commercial applicators by fax or email on a spreadsheet.

The advertising for the Registry began in late February. With a limited budget from the "Living Greener Program" weekly placements of advertising in local papers will continue until May followed by bi-weekly ads and then monthly. To date (March 10, 2004) we have 8 medical related inquiries for "Previous Day Notification" and 45 for "Same Day Notification."

In the last 3 weeks we have received 7 complaints regarding the registry (1 doctor, 2 Earthcare, 2 citizen and 2 others). The publicity surrounding concerns with the registry has resulted in increasing registry enrollment and 3 positive emails of support.

The Kelowna Medical Association and Interior Health have been advised of the program and a small number of doctors offices were contacted to find out what costs are associated with providing a letter. These costs average from \$10-20 however sometimes there is no fee depending on the business practice of each office. In discussion with local Doctors it is clear that there may be a minor inconvenience.

Like any other health related issue there are volumes of research related to exposure and risk. We are not experts at deciphering what position a health professional should take however according to the Pest Management Regulatory Agency (Health Canada) pesticides are carefully regulated through a program of pre-market scientific assessment, enforcement (Provincial Regulation), education and information dissemination. The City has in its own operations used the integrated pest management approach and conducted many tests on alternative methods. Local government actions in other Canadian cities which lead to cosmetic pesticide bans have involved stakeholder consultation, by-law development, and multi-year education programs.

The IEPMA association wrote the City (attach #4, July 2, 2003 and attach 5, Feb 2004) and has no problem with the registry but has raised concerns regarding "previous day" notification. Earthcare and a doctor have written the City and gone to the media with their concerns about the medical notification requirement for previous day notification.

In conclusion, the voluntary registry program is a positive first step in providing information to interested citizens involving the voluntary participation of the commercial pesticide applicators. It was our intent to monitor the program for this year and bring forward changes to Council if findings warrant it.

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Mark Watt, Environment Manager

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John Vos, Director Works & Utilities

Attach 1; Council Report, Nov. 15, 2003  
Attach 2; Earthcare Letter to Council, May 17, 2003.  
Attach 3 & 4; IEPMA Letters

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The following is a list of the attachments that are **not** available with the electronic version of this report. The attachments can be viewed in the City Clerk's Department (3<sup>rd</sup> level, City Hall):

- Council Report dated November 15<sup>th</sup>, 2003
- EarthCare Letter to Council dated May 17, 2003
- EarthCare Presentation to Council dated May 26, 2003
- IEPMA Letters dated July 2, 2003 & March 1, 2004