



Regulate the Non-essential (Cosmetic) Use of Pesticides

Date	May 3, 2023 May 31, 2023
To	Executive Committee
From	City Planning & Community Development
Service Area	Parks, Recreation & Cultural Services
Item No.	EX23-37

RECOMMENDATION

The Executive Committee recommends that City Council:

1. Direct Administration to increase internal commitments to Chemical Pesticide Reduction (CPR) for outdoor use by:
 - a. Eliminating the use of glyphosate-based products (ex: Round-Up™) and dichlobenil-based products (ex: Casoron™) and continue not to use 2,4D-based products (ex: Killex™) on weeds in parks and open spaces; except:
 - i. For the control of a provincially declared noxious weed; or when the control of weeds is required to protect high-quality sports fields or golf courses.
 - b. Permitting the use of pyrethrin sprays only for the control of cottony psyllid insects on black ash trees (*Fraxinus nigra*) at the direction of the Forestry and Integrated Pest Management Services Entomologist;
2. Direct Administration to consider a \$40,000 investment to support a Public Education Program of Best Practices, and that the decision to provide such funding be referred to the 2024 budget process;
3. Instruct the City Solicitor to amend *The Regina Animal Bylaw 2009* to allow Administration to use livestock (ex: Goats/Sheep) for the control of weeds on public property as an alternative to civic pesticide use where possible with the bylaw to come forward to a meeting of City

Council following the approval of this recommendation; and

4. Approve these recommendations at its meeting on May 10, 2023.

ISSUE

This report responds to MN 22-1 related to the cosmetic use of pesticides (Appendix A), which directed Administration to prepare a report for Executive Committee by Q1 of 2023 that includes:

1. A review of the research on how the elimination of cosmetic pesticides protects our biodiversity, especially birds and pollinators like bees and butterflies;
2. A summary of the regulation and best practices in Canada to maintain green spaces and yards without the cosmetic use of pesticides;
3. Feedback from the public through community engagement on a cosmetic pesticide ban; and
4. Recommendations and implications of implementing a cosmetic pesticide ban and the funding requirement for a public education and communications plan on such a ban including the promotion of safe alternative products and best practices for yards, gardens, and parks.

IMPACTS

Financial Impact

Funding for the creation and implementation of a Public Education Program will cost approximately \$40,000 annually. There is no available funding in the current operating budget to absorb this cost. A decision on this funding will be directed to the 2024 budget process.

Policy/Strategic Impact

Reducing the community's reliance on pesticides, is guided by the City's Strategic Priorities and the overarching theme that connects them: "Recognizing our relationship to the land, we grow our community and improve quality of life." This statement reinforces an Indigenous worldview that our relationship with the land is foundational, and our respect and care for this relationship informs and influences our decision-making.

The pesticide report also aligns with the City's strategic priority of Environmental Sustainability by improving biodiversity and by creating a healthier community by reducing reliance on chemical sprays.

Environmental impacts

The University of Regina Technical Review provides an overview of the potential impacts of a pesticide ban. This includes both long and short-term effects that pesticide bans have on biodiversity. The University report notes that there is a lack of peer reviewed scientific data with regard to the improvement of the environment after a pesticide ban has been implemented.

OTHER OPTIONS

Option 1 – Full Pesticide Ban + Public Education Program - \$147,000

A full ban of cosmetic pesticides and a public education program on best practices would be implemented. Products that would be banned for use would include those that utilize the active ingredient(s) of glyphosate, 2,4D, and dichlobenil for the control of nuisance weeds. Additionally, products containing the active ingredient(s) of pyrethrin, or malathion used as sprays would be banned for the control of insects to protect bees.

Opportunities:

- Supports Environmental Sustainability, as was illustrated in a technical review done by the University of Regina which is included in Appendix C.
- Supports a healthier community without chemicals, as was also illustrated in Appendix C.
- Residents will be more informed of best practices through the Public Education Program.
- Pesticide program budgets would be redirected to increased trimming practices and naturalization in select areas.
- Eliminates the possibility of users not following product label directions in the community.

Challenges:

- Lack of support in the community (approximately 70 per cent of the survey participants stated they are comfortable with the current use of pesticides in the community and would not be supportive of a ban, as is illustrated in the public survey results report which is included in Appendix E).
- There would be a negative impact to service industry companies that provide a Pesticide Service due to a reduction in work.
- Enforcement of a ban would be difficult, resource intensive and reliant on evidence-based reporting.
- Additional annual funding in the amount of \$147,000 would be required for enforcement, equipment and the education campaign. This includes one new FTE for bylaw enforcement, equipment, and funding for the communications and education campaign.

It should be noted that golf courses and athletic fields would be exempt from the ban due to the level of playing field required. This exemption is typical of community pesticide bans across Canada.

Option 2: Allow Licenced Applicators to apply pesticides only within City limits + Public Education Program - \$147,000.

Residents themselves would not be permitted to apply restricted products themselves. Residents would be required to hire a provincially licenced pesticide applicator to apply pesticides on residential and commercial properties. The products that would be restricted for use only by

commercial application would be those that utilized the active ingredient(s) of glyphosate, 2,4D, and dichlobenil for the control of nuisance weeds. Additionally, products containing the active ingredient of pyrethrins would be restricted for the control of insects to protect bees.

Opportunities:

- Allows residents to have choice of weed control.
- Licenced applicators are aware of provincial and federal requirements regarding safe use practices.
- Less impact on local business offering service compared to option 1.
- Eliminates inappropriate use and disposal of pesticides in community by non-professionals.

Challenges:

- Financial equity, only those who could afford commercial service would be able to use pesticides.
- Enforcement of a ban would be difficult, resource intensive and reliant on evidence-based reporting.

Additional annual funding of \$147,000 would be required for communications and enforcement same as outlined in Option 1.

Option 3 – Status Quo + Public Education Program - \$40,000

There would be no change to current practices. The Public Education Program would cost approximately \$40,000 on an annual basis.

Opportunities:

- No changes to City and resident practices.
- No impact to Industry.
- Residents are more informed through the Public Education Program of best practices.

Challenges:

- Additional funding of \$40,000 per annum for the Public Education Program would be required. No improvement made towards biodiversity.
- No improvement made towards creating a healthier community by reducing chemical usage.

Not aligned to current direction as Administration continues to work to improve on Integrated Pest Management (IPM) practices.

COMMUNICATIONS

Administration will develop a communications strategy to inform and educate citizens on best practices and alternative methods to pesticide use.

DISCUSSION

The City of Regina (City) currently promotes and uses Integrated Pest Management (IPM) practices to monitor and control pest populations. IPM is an ecosystem-based strategy that focuses on the prevention of pests, by using multiple techniques such as:

- Habitat manipulation (example tree planting diversity);
- Monitoring for the pest and establishing thresholds to determine if active control activities should begin (cankerworm monitoring counts);
- If control is warranted, targeted controls techniques may be used such as exclusion, mechanical controls (sticky traps) and use of predators (ladybugs)
- Biological based pesticides (organic sprays such as BTK for cankerworms that is Health Canada's Pest Management Regulatory Agency approved (PMRA));
- Finally, use of chemical controls may be warranted if all other methods fail (weed sprays that are PMRA approved).

University of Regina Jurisdictional Review (Appendix B)

Administration partnered with the University of Regina (U of R) to acquire a Jurisdictional review (Appendix B) of regulations related to pesticides. At a high level, the Health Canada Pest Management Regulatory Agency (PMRA) regulates what products may be used to control a specific pest in Canada. Then provinces and municipalities may further regulate from a community perspective.

The jurisdictional scan indicates that over 180 Canadian municipalities have passed cosmetic pesticide restrictions. However, when the researchers narrowed the focus to the prairie provinces, there were no restrictions outside of Manitoba. On November 3, 2022, the Government of Manitoba passed a bill rolling back Manitoba's cosmetic pesticide restrictions based on what they heard from citizens. Communities in Manitoba are currently determining what the regulatory changes mean at an individual community level.

The Government of Saskatchewan provides regulations surrounding permits for chemical applications within 50 metres of open waterbodies, as well as controlling applicator licensing for commercial and restricted products. The City's bylaws restrict the use of pesticides on public lands to only City Staff (*Parks and Open Space Bylaw 2004-27*) or granting residents permission to treat

city owned trees if they hire a commercial firm that is using *Bacillus thuringiensis* (BT) based product and that the firm is approved by Administration (*Regina Forestry Bylaw 2002-48*).

The review found that in communities with bylaws regulating pesticides, enforcement was difficult. This was also confirmed by the City's Bylaw Enforcement branch, which has indicated that unless an officer was on the premises at the exact time when the pesticide was in use, efforts to successfully prosecute would be problematic.

U of R Technical Review (Appendix C)

Administration also partnered with the U of R for an independent technical review on the effects of pesticides on the environment. The report focused on direct and indirect effects of pesticides on biodiversity, the impact of pesticides on water systems, the consequences of mixing substances, the effects of pesticides on pollinators and a brief overview of research on post cosmetic pesticide bans. The overarching themes found suggest the following:

- cross contamination of different chemical types can result in unplanned toxicity to surrounding organisms (including bees),
- the majority of pesticides have negative effects on non-target organisms and ecosystem functioning, and
- there remain many unexplored relationships in pesticide research including the long- and short-term effects that pesticide bans have on surrounding biodiversity.

Community Engagement (Appendix D, E and F)

Administration engaged stakeholders and the community at large on implications of a potential ban on cosmetic pesticides. Seven stakeholder sessions were held in August and September 2022, with representatives from lawn care businesses, developers, environmental groups and other organizations with significant open space maintenance practices (Stakeholder Engagement invitees can be found in Appendix D). Feedback was mixed; while some groups wanted some sort of ban, others did not feel a ban was warranted. All groups felt that better education of the public was the most appropriate first step.

From the information gathered during the stakeholder sessions, Administration conducted a public survey which ran from September 22 to October 10, 2022. This survey gathered 2,472 responses and identified the following:

- 67.2 per cent say it is not important or not very important to restrict pesticides (question #3).
- 64.6 per cent believe we should maintain the status quo (question #9).
- 18.3 per cent would like to see a full ban (question #9).

A summary of the pesticide survey results is provided in Appendix E. An outline of the location of respondents is provided in Appendix F of the Pesticides Survey Respondents Map.

The U of R reports indicate that it would be responsible to reduce the reliance of chemical pesticides for cosmetic purposes, however the engagements with stakeholders and the public do not indicate the majority support this direction on private property. Administration is recommending that the City continue to provide leadership by using best practices where possible while also educating residents on how to minimize impacts on their neighbours and the environment if they choose to use chemical pesticides. The path forward involves two key steps (i) further reduction of chemical pesticide use on city property and (ii) a public education campaign as outlined below:

1. Further reduction in Pesticide Use:

Administration recommends amending its own practices by eliminating the use of glyphosate & dichlobenil on weeds on shrub beds in our parks and open spaces beginning in the 2023 season. High quality sports fields and golf courses would be exempt to ensure a safe and playable surface. This approach is similar to how Administration focuses on limiting reliance on 2,4D based products currently. String trimming practices would be increased to offset the elimination of these chemicals. This will mean that some areas in parks and open spaces would transition to a naturalized more environmentally friendly demeanor. It's estimated this change will lower glyphosate use by approximately two thirds. It should be noted however, that noxious weeds are provincially regulated and therefore would be exempt from this recommendation.

Specific to chemically based tree sprays, the use of pyrethrin as an active ingredient will only be used if the insect cottony psyllid is confirmed on black ash trees.

Administration will also continue to explore non-pesticide pest management strategies. The most notable of which is the annual ladybug release for aphid control to protect our trees. There is also a possibility of goats for some noxious weed control. Edmonton, Red Deer, Calgary, Provincial Capital Commission (Sask) and the Meewasin Authority in Saskatoon have used goats for leafy spurge. To enable this, a modification to *The Regina Animal Bylaw 2009* to permit this type of use will be made.

2. Public Education Campaign:

Administration's recommendation to create, implement and fund a Public Education Program will increase understanding of best practices for community safety. Key messages are provided in Appendix G.

DECISION HISTORY

City Council, at its meeting on April 20, 2022, passed motion MN22-1 - Regulate the Non-essential (Cosmetic) Use of Pesticides directing administration to provide a report back in Q1 2023.

Previous history of pesticide related reports include:

- **CPS17-5 February 2017 Pesticide Status Update - Tree Related Insect Control and Weed Control in Regina Parks** (April 2017) – Summary report on the different programs offered by Parks and Open Space Department.
- **PW13-8 Pesticide Use in Parks and Open Space** (March 7, 2013). The reduction of herbicides on turf through the use of weed density measurement and continuing with promoting 3 pesticide free parks.

Respectfully Submitted,



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Parks, Recreation & Cultural Services

Respectfully Submitted,



Deborah Bryden, Executive Director
City Planning & Community Development

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ATTACHMENTS

- Appendix A CC Motion MN22-1 - Regulate the Non-essential (Cosmetic) Use of Pesticides
- Appendix B - U of R Pesticide Jurisdictional Review
- Appendix C - U of R Pesticide Technical Review
- Appendix D - Stakeholder Engagement Session Invitees
- Appendix E - Pesticide Survey Results
- Appendix F - Pesticide Survey Respondents Map
- Appendix G - Communications Key Messages