

*Prohibit the use and purchase of neonicotinoid pesticides by the City of Portland; amend Integrated Pest Management strategies; and urge retailers operating within the City to label plants, seeds, and products containing neonicotinoid pesticides (Ordinance)

The City of Portland ordains:

SECTION 1. The Council finds:

1. Neonicotinoids came on the market in the mid-1990's they were considered reduced risk by the U.S. Environmental Protection Agency. Unfortunately, due to their longevity, broad spectrum high toxicity to insects it is becoming increasingly apparent that their use is harmful.
2. Pollinators are critical to key crops such as tree fruit, and over one-third of all agricultural production worldwide is dependent on pollinators.
3. Neonicotinoids can be very long-lived in plants and soil. Therefore, plants can still contain harmful levels of neonicotinoid levels months to years after being treated. Lower level of exposure can eventually lead to death of the individual bee or colony."
4. Bees and other insect pollinators are under great environmental stress, experiencing die-offs and diminishing populations and negatively impacting major sectors of agriculture, putting food security and environmental ecosystems at risk.
5. The Oregon Department of Agriculture has documented seven separate bumble bee kill incidents related to applications of neonicotinoids on trees since June of 2013; six of those incidents occurred in the greater Portland area.
6. Neonicotinoids are one of the most widely used classes of pesticides in the world and are systemic, persistent neurotoxins that spread throughout a treated plant including to the pollen and nectar. The contamination of pollen and nectar creates a direct exposure route for bees and other pollinating insects.
7. An independent review of more than 800 scientific studies concluded that neonicotinoids are causing significant damage to a wide range of beneficial invertebrate species and are a key factor in the decline of bees.
8. The United States Geological Survey has highlighted the growing use of neonicotinoids in the United States and found significant neonicotinoid contamination in our nation's waters and studies show that neonicotinoids are highly toxic to aquatic invertebrates.
9. A recent study correlated declines in insectivorous bird populations with neonicotinoid contamination. The assessment concluded that neonicotinoids reduced the availability of aquatic organisms that serve as a primary food source for

birds. Studies have shown that just one neonicotinoid treated seed can kill a songbird.

10. Concerns are being raised about the human health effects caused by chronic dietary exposure to neonicotinoids, especially the negative effects of neuro-toxicants on brain development in children.
11. Children are the primary users of public parks and, according to the US Environmental Protection Agency, children are especially sensitive to health risks posed by pesticides. Children's internal organs are still developing and maturing and their enzymatic, metabolic, and immune systems may provide less natural protection than those of an adult.
12. Responding to scientific concern over the impact of neonicotinoids on pollinators, the European Union in 2013 instituted a two-year moratorium on use of neonicotinoids; Ontario, Canada is sharply restricting neonicotinoids; and a growing number of cities, including Seattle, Spokane, Eugene, Sacramento and Sherwood, MN, have instituted bans on municipal use.
13. In August 2014, the US Fish and Wildlife Service (USFWS) announced plans to ban neonicotinoids on all 150 million acres of National Wildlife Refuge lands nationwide;
14. The State of Oregon Department of Agriculture has administratively banned the application of any product containing dinotefuran, imidacloprid, thiamethoxam, or clothianidin, regardless of application method, to linden trees, basswood trees, or other *Tilia* species. OAR 603-057-0388 is effective February 27, 2015.
15. The City of Portland has substantially invested in the restoration of urban and natural habitat for the benefit of native species such as birds and fish, including special status species listed under Oregon Department of Fish and Wildlife, USFWS, and Oregon Natural Heritage status lists.
16. In 1988, under the guidance of Parks & Recreation Commissioner Mike Lindberg, the City instituted an Integrated Pest Management (IPM) program, dedicated to the creation of healthy parks and the limitation of the use of pesticides and herbicides on park property.
17. IPM policies have been continually updated since the implementation of the IPM program, with the goals of maintaining environmental responsibility, public safety, quality employee training, and sound management practices. The program has been emulated by the National Marine Fisheries Service for its beneficial impact on waterways. As a result of these policies, the City has significantly reduced the use of herbicides and pesticides in our public parks and natural areas.
18. Neonicotinoids are often applied preemptively -- such as injecting a woody plant in spring in anticipation of a summer pest. This use, prior to pest damage and in the

absence of pest abundance data, represents a fundamental shift away from IPM. For Portland to remove these insecticides from use is compatible with IPM.

19. Roses are an image often associated with the City, or the City of Roses, and are important to the city's image. The rose midge is one insect that impacts roses, and currently the most effective insecticide used to combat the rose midge is imidacloprid, which is also toxic to pollinators and the environment.

NOW, THEREFORE, the Council directs:

- a. The use of any neonicotinoid or neonicotinoid-like, systemic, persistent pesticides for any purpose is hereby prohibited on all land owned or operated by the City of Portland, including public rights-of-way. This prohibition applies to seed dressings, soil treatments, foliar sprays, and other types of applications. Exceptions to, and policy directives regarding, this prohibition are outlined in Exhibit A.
- b. Imidacloprid, clothianidin, thiamethoxam, dinotefuran, and other neonicotinoid-like, systemic, persistent pesticides as chemicals shall not be purchased or used by the City of Portland under any contracts or service agreements.
- c. Within four months of the enactment of this ordinance, the City shall notify the public of the non-neonicotinoid policy through the City and Park Bureau website and other parks-related signage to educate and inform citizens of the impacts of neonicotinoids on pollinators; the beneficial reasons for the protection of insects, birds, and water-related animals in our environment; and the methods and alternatives the City is using for protection of pollinators.
- d. Parks & Recreation shall provide a plan to its Commissioner-in-Charge to phase out all purchases of commercial nursery stock, trees, and other plants treated with neonicotinoids as outlined in Exhibit A.
- e. The City shall transition from current neonicotinoid use to alternative practices and materials and reduction of the use of these harmful insecticides in IPM practices as outlined in Exhibit A.
- f. This ordinance is binding City policy.

Section 2. Council declares that an emergency exists because public health is at risk; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: APR 01 2015

Comm. Fritz

Prepared By: T. Bizeau

Mary Hull Caballero

Auditor of the City Portland

By:

Deputy

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Agenda No. **187078** **As Amended**
ORDINANCE NO.
 Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Commissioner Fritz</p> <hr/> <p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz <i>Amend Fritz</i></p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <hr/> <p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Office of Commissioner #1 Bureau Head: Fritz</p> <hr/> <p>Prepared by: T. Bizeau Date Prepared: 3/18/15</p> <hr/> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <hr/> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <hr/> <p>City Auditor Office Approval: required for Code Ordinances</p> <hr/> <p>City Attorney Approval: <i>HLs</i> required for contract, code, easement, franchise, comp plan, charter</p> <hr/> <p>Council Meeting Date 3/25/15</p>	<p>CLERK USE: DATE FILED <u>MAR 20 2015</u></p> <hr/> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <hr/> <p>ACTION TAKEN: MAR 25 2015 PASSED TO SECOND READING APR 01 2015 9:30 A.M.</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/> Start time: 2:00 P.M.</p> <p>Total amount of time needed: 1.5 hours (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	