

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** Brian Chong, Administrative Services Manager 

**DATE:** April 4, 2016 (CC Meeting of 4/20/16)

**SUBJECT:** Consider Letter of Support for AB 2596 to Ban the Use of Various Anticoagulant Rodenticides in the State of California

**BACKGROUND**

On November 6, 2013, the City Council adopted Resolution No. 2013-3240 (Attachment 1) opposing the sale, purchase, and use of anticoagulant rodenticides in the City of Moorpark. Many nearby cities, including Simi Valley, Thousand Oaks, Westlake Village, Agoura Hills, and Calabasas have also adopted similar resolutions. The use of anticoagulant rodenticides by the City through its landscape maintenance agreements is already banned by City Council policy.

Existing state law bans the use of various anticoagulant rodenticides in wildlife habitat areas. In February 2016, State Assemblymember Richard Bloom introduced AB 2596, co-authored by State Senator Fran Pavley, which would expand the list of banned anticoagulant rodenticides to include more chemical compounds and apply the ban statewide, rather than just to wildlife habitat areas such as state parks, state wildlife refuges, and state conservancies.

Based on the City's stated opposition to the use of anticoagulant rodenticides, and based on the protections afforded to wildlife and domestic pets by further banning anticoagulant rodenticides, it is recommended that the City Council send a letter of support to Assemblymember Bloom in support of AB 2596.

**DISCUSSION**

**Effects of Anticoagulant Rodenticides**

Rodenticides are used to combat infestations of rodents on both residential and commercial properties. Typical targets include mice, rats, gophers, squirrels, voles, moles, and other rodents. Anticoagulant rodenticides work by inhibiting blood clotting in animals, eventually causing the poisoned animal to die from internal bleeding and

hemorrhaging. The first generation of anticoagulant rodenticides (such as warfarin, chlorophacinone, and diphacinone) proved effective, but multiple feedings on poisoned pellets or grains were required to kill targeted animals as they developed resistance to the feedings. As a result, a second generation of anticoagulant rodenticides (such as brodifacoum, bromadiolone, difenacoum, and difethialone) was developed as more toxic options to eliminate targeted animals that could kill the animal in a single feeding.

However, it still takes several days for a targeted animal to die after feeding on a second generation anticoagulant rodenticide, and the targeted animal may revisit the bait station several times before dying. As a result, many rodent carcasses contain residue of significant amounts of anticoagulant rodenticides. When larger animals (hawks, owls, coyotes, bobcats, etc.) or domestic pets (dogs and cats) consume a poisoned rodent carcass, then those animals may also be affected and ultimately killed by the rodenticide.

The California Department of Fish and Wildlife (CDFW) has confirmed more than 400 cases of wildlife poisoning from anticoagulant rodenticides. However, CDFW also estimates the actual numbers are much higher because affected animals will often retreat to their dens, burrows, or other hiding places after being poisoned, thus making them more difficult to find. The U.S. National Park Service has also tested local populations of various animals and found that 95% of bobcats, 83% of coyotes, and 91% of mountain lions were exposed to anticoagulant rodenticides.

#### Effects of AB 2596

Current state law enacted in 2014 prohibits specified second generation anticoagulant rodenticides in wildlife habitat areas, with exceptions for agricultural and federal government activities. AB 2596 would modify existing state law regarding the use of anticoagulant rodenticides by expanding the list of prohibited rodenticides to include bromethalin, chlorophacinone, cholecalciferol, diphacinone, and warfarin, which are generally first generation anticoagulant rodenticides.

Further, AB 2596 would extend the ban to apply statewide, rather than just wildlife habitat areas. The State Department of Pesticide Regulation would be tasked with implementing the law, which would likely include banning retail sales of anticoagulant rodenticides throughout the state. However, the currently existing exemption for agricultural and federal government activities would remain in place, and pest control professionals serving such clients could still acquire and utilize them. It should be noted that AB 2596 does include language directing state agencies to encourage federal agencies to not use anticoagulant rodenticides.

The removal of anticoagulant rodenticides from consumer use will necessitate a shift to other methods of rodent control. Traps (such as snap traps) with non-toxic bait, non-toxic fumigants, in-ground gassing, and other integrated pest management programs will continue to be available. For urban areas such as the City, prevention tactics are most effective. Because rodents in urban environments largely feed on food left on the ground or in open trash containers, simply picking up trash and placing it inside a closed

trash bin will reduce rodent populations. Where the urban environment interfaces with open space, natural predators such as owls, bobcats, and mountain lions consume rodent populations. The removal of anticoagulant rodenticides from the food chain will better protect those predator populations and therefore also have a positive effect on reducing rodent populations.

**FISCAL IMPACT**

No fiscal impact.

**STAFF RECOMMENDATION**

Direct that a letter of support for AB 2596 be signed by the Mayor and be sent to Assemblymember Richard Bloom.

- Attachment 1 – City Council Resolution No. 2013-3240
- Attachment 2 – Draft Letter to Assemblymember Richard Bloom
- Attachment 3 – Draft Legislation (AB 2596)

RESOLUTION NO. 2013-3240

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, OPPOSING THE SALE, PURCHASE AND USE OF ANTICOAGULANT RODENTICIDES IN THE CITY OF MOORPARK

WHEREAS, anticoagulant rodenticides are poisonous bait products available to the public and used to combat the infestation of rodents in business and residential properties; and

WHEREAS, anticoagulant rodenticides are used as bait which the rodents ingest, causing lethal internal hemorrhaging; and

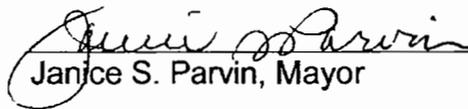
WHEREAS, pets and wildlife may also become sick or die from ingesting rodenticides directly or due to secondary exposure after consuming the dead or dying rodents.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council urges businesses in the City of Moorpark to no longer use or sell anticoagulant rodenticides, urges all property owners to cease purchasing or using anticoagulant rodenticides on their properties, and solidifies the City's commitment to not using anticoagulant rodenticides as part of its maintenance program for City-owned parks, open space and facilities.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 6th day of November, 2013.

  
Janice S. Parvin, Mayor

ATTEST:

  
Maureen Benson, City Clerk



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STATE OF CALIFORNIA                    )  
COUNTY OF VENTURA                )  
CITY OF MOORPARK                    )        ss.

I, Maureen Benson, City Clerk of the City of Moorpark, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 2013-3240 was adopted by the City Council of the City of Moorpark at a regular meeting held on the 6th day of November, 2013, and that the same was adopted by the following vote:

- AYES:       Councilmembers Mikos, Millhouse, Pollock, Van Dam, and Mayor Parvin
- NOES:       None
- ABSENT:   None
- ABSTAIN:   None

WITNESS my hand and the official seal of said City this 20th day of November, 2013.

  
\_\_\_\_\_  
Maureen Benson, City Clerk  
(seal)





# CITY OF MOORPARK

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April 20, 2016

The Honorable Richard Bloom  
California State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-0050

RE: Support of AB 2596 – the California Natural Predator Protection Act of 2016

Dear Assemblymember Bloom:

This letter confirms the City of Moorpark's support of AB 2596. I want to thank you for your leadership on this matter and for introducing this legislation.

In 2013, the City adopted a resolution urging all businesses within the City of Moorpark to not use or sell anticoagulant rodenticides, urging all property owners to not use or purchase anticoagulant rodenticides, and solidifying the City's commitment to not use anticoagulant rodenticides as part of its own operations at City-owned parks, open space, and facilities. The City has also included bans on the use of anticoagulant rodenticides when it negotiates landscape maintenance contracts.

In 2014, the City applauded your introduction, and the subsequent passage, of AB 2657 to remove many second generation anticoagulant rodenticides from the state. However, as we are all unfortunately aware, scientific research and state studies continue to find rodenticides in non-target animals, including the natural predators that help regulate rodent populations and endangered species in California. Although it was well-intentioned and indeed made progress to achieve its policy objectives, AB 2657 is now in need of reinforcement.

AB 2596 will remove other first generation anticoagulant rodenticides from consumer markets and extend the ban on anticoagulant rodenticides from just wildlife habitat areas to the full state. AB 2596 also contains the steps needed to reduce rodenticide exposure in non-target animals and will bolster efforts to best manage the state's wildlife species and the ecosystems they depend on to survive. For these reasons, the City of Moorpark supports AB 2596.

Yours truly,

Janice Parvin  
Mayor

## Text of AB 2596

### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

#### SECTION 1.

(a) The Legislature finds and declares all of the following:

(1) Wildlife, including birds of prey, mountain lions, bobcats, fishers, foxes, coyotes, and endangered species such as the northern spotted owl, pacific fisher, and San Joaquin kit fox, are an irreplaceable part of California's natural ecosystems. As predators of small mammals, they play an important role in regulating and controlling the population of rodents throughout the state to improve public health and welfare.

(2) Millions of people annually visit California for the purposes of viewing and photographing wildlife, and these visits contribute millions of dollars to California's economy.

(3) Urban areas are increasingly being used by predatory mammals and birds of prey and the public enjoys seeing them and values these animals and the ecosystem services they provide.

(4) The ecosystem services provided by native wildlife predators are a public trust, just like clean air and water. We, as California residents, are obligated to conserve these wildlife populations for future generations of Californians.

(5) Scientific research and state studies have found rodenticides in over 75 percent of animals tested. These rodenticides lead to direct mortality and chronic long-term health impacts for natural predators, nontarget organisms, and endangered species and further steps are needed to reduce rodenticide exposure in nontarget animals.

(6) Rodenticides can be counterproductive to rodent control by poisoning, harming, and killing natural predators that help regulate rodent populations throughout California.

(b) It is the intent of the Legislature in enacting this measure to ensure that aquatic, terrestrial, and avian wildlife species remain a fully functional component of the ecosystems they inhabit and move through in California.

(c) This act shall be known, and may be cited, as the California Natural Predator Protection Act of 2016.

#### SEC. 2.

Section 12978.7 of the Food and Agricultural Code is amended to read:

##### 12978.7.

(a) Except as provided in subdivision ~~(d)~~, (c), the use of any pesticide that contains one or more of the following anticoagulants is prohibited in ~~a wildlife habitat area~~: this state:

(1) Brodifacoum.

(2) Bromadiolone.

(3) Bromethalin.

(4) Chlorophacinone.

(5) Cholecalciferol.

~~(3)~~(6) Difenacoum.

~~(4)~~(7) Difethialone.

(8) Diphacinone.

(9) Warfarin.

~~(b) As used in subdivision (a), a "wildlife habitat area" means any state park, state wildlife refuge, or state conservancy.~~

~~(e)~~ (b) State agencies are directed to encourage federal agencies to comply with subdivision (a).

~~(d)~~ (c) This section does not apply to the use of pesticides for agricultural activities, as defined in Section 564.

~~(e)~~ (d) This section does not preempt or supersede any federal statute or the authority of any federal agency.

**SEC. 3.**

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.