Agenda - Council - May 18, 2005

Report - Standing Policy Committee on Protection and Community Services - March 11, 2005

Item No. 2 Mosquito Adulticiding Program
File PA

STANDING COMMITTEE RECOMMENDATION:

On March 11, 2005, the Standing Policy Committee on Protection and Community Services recommended to Council that the July 21, 2004 Council Motion pertaining to the City of Winnipeg asking the Province to delete the 100 metre fogging buffer zone section from all future pesticide use permits in order to ensure that all the citizens of Winnipeg receive the protection they require and deserve from West Nile Virus, be filed.

EXECUTIVE POLICY COMMITTEE:

On May 11, 2005, due to a tie vote, the Executive Policy Committee submits the matter to Council without recommendation.

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DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 11, 2005, due to a tie vote, the Executive Policy Committee submitted the matter to Council without recommendation.

On April 20, 2005, the Executive Policy Committee laid over consideration of the matter for a further thirty (30) days.

On March 16, 2005, the Executive Policy Committee laid over consideration of the matter for thirty (30) days and requested the Administration to provide more information on this matter.

STANDING COMMITTEE RECOMMENDATION:

On March 11, 2005, the Standing Policy Committee on Protection and Community Services recommended that the July 21, 2004 Council Motion pertaining to the City of Winnipeg asking the Province to delete the 100 metre fogging buffer zone section from all future pesticide use permits in order to ensure that all the citizens of Winnipeg receive the protection they require and deserve from West Nile Virus be filed, and submitted the matter to the Executive Policy Committee and Council.

COUNCIL:

On October 27, 2004, Council granted an extension of time of 120 days for the Standing Policy Committee on Protection and Community Services to report back on the July 21, 2004 resolution.

STANDING COMMITTEE RECOMMENDATION:

On October 14, 2004, the Standing Policy Committee on Protection and Community Services recommended that an extension of time of 120 days be granted in order for the Administration to report back on the matter and forwarded the matter to the Executive Policy Committee and Council.

On September 13, 2004, the Standing Policy Committee on Protection and Community Services laid over consideration of the matter pending its further consideration of the July 21, 2004, Council Motion requesting the Insect Control Services to prepare a cost-benefit

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DECISION MAKING HISTORY (continued):

analysis of the use of Malathion to control nuisance mosquitoes and mosquitoes which may bear West Nile Virus or other diseases.

COUNCIL:

On July 21, 2004, Council ruled automatic referral of the following motion to the Standing Policy Committee on Protection and Community Services:

Moved by Councillor Angus,
Moved by Councillor Clement,

WHEREAS the City undertakes a Mosquito Adulticiding Program (fogging) to control the adult mosquito population within the borders of the City of Winnipeg;

AND WHEREAS the authority to undertake said program is provided for in a Pesticide Use Permit issued to the City by the Manitoba Conservation Department of the Provincial Government;

AND WHEREAS the pesticide use permit allows individuals to register their objections to fogging in writing with the City;

AND WHEREAS the pesticide use permit requires that the City turn off fogging equipment 100 metres on each side of an objectors property in the front street, side street and rear lane;

AND WHEREAS the objectors portion of the permit has resulted in no fogging occurring in entire neighbourhoods due to the number of objectors;

AND WHEREAS the Province recently confirmed the presence of West Nile Virus in a dead crow in Winnipeg;

AND WHEREAS as a result of the West Nile Virus finding, on July 12, 2004 the Province modified the pesticide use permit issued to the City by deleting the 100 metre zone for objectors and allowing fogging to include all properties in the City of Winnipeg;

AND WHEREAS the West Nile Virus is likely to increase in severity in future years;

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DECISION MAKING HISTORY (continued):

THEREFORE BE IT RESOLVED that the City of Winnipeg ask the Province to delete the 100 metre fogging buffer zone section from all future pesticide use permits in order to ensure that all the citizens of Winnipeg receive the protection they require and deserve from West Nile Virus.

ADMINISTRATIVE REPORT

RE:	**Mosquito Adulticiding Program**
FOR SUBMISSION TO:	**Executive Policy Committee**
ORIGINAL REPORT SIGNED BY:	**Ursula Stelman, Director Community Services Department**
REPORT DATE:	**April 13, 2005**

RECOMMENDATION(S):

- That this report be received as information.

REPORT SUMMARY:

Key Issues:

- This report provides background information to assist Council in their deliberations with respect to approaching the Province in order to request that the 100 metre fogging buffer zone requirement be removed for all future Pesticide Use Permits.

- The City of Winnipeg's Pesticide Use Permit is issued by Manitoba Conservation in accordance with Manitoba Regulation 94/88 under the Environment Act and states that:

  > *"The Applicant shall place public notification in the "Winnipeg Free Press and Winnipeg Sun providing opportunity for any individual opposed to the use of these insecticides on, or adjacent to their property to individually register their objection in writing. The Applicant shall also provide a 48 hour public notice prior to the commencement of mosquito adulticiding"; and*
  >
  > *"The Applicant shall turn off adulticiding equipment 100 metres on each side of an objector's property in the front street, side street and rear lane".*

- The establishment of buffer zones has been a long standing issue within Winnipeg and was central to the 1982 Manitoba Clean Environment Hearings. Since that time the Pesticide Use Permit has required 100 metre buffer zones when carrying out Ultra Low Volume (ULV) adulticiding (fogging) for nuisance mosquitoes. This buffer was identified scientifically and operationally as a means of mitigating the concerns of residents opposed to fogging. The size of the buffer zone is based on the 90 metre

swath width of the equipment utilized for ULV adulticiding. The maximum swath width is calculated under perfect environmental conditions during a hypothetical ULV spraying session.

- All Pesticide Use Permits issued annually by Manitoba Conservation within Manitoba (estimated to be in the range of 30 – 40 permits) contain the same requirement for the allowance of 100 metre buffer zones.

- Buffer zones are eliminated when ULV adulticiding is carried out under a Ministerial Order in response to a public health risk due to West Nile Virus (WNv) or other mosquito borne human disease risk.

- Manitoba Conservation advises that any decisions to change the 100 metre buffer zone requirement contained within the Pesticide Use Permit would be made at the policy level of the Province of Manitoba. Should the City of Winnipeg wish to request a change to the 100 metre buffer zone this request should be submitted in writing at the inter-governmental policy level.

Implications of the Recommendation(s):

General implications:

None
For the organization overall &/or for other departments
X For the community and/or organizations external to the City
Involves a multi-year contract

Comment(s):

Based on the regulations of the Federal Pesticide Management Regulatory Agency (PMRA), Malathion® continues to be the primary mosquito adulticide used in the event that ULV adulticiding (fogging) is required within the of City of Winnipeg.

However, Malathion® is perceived by some citizens as a toxic chemical and therefore public concern is continually expressed regarding the City of Winnipeg's use of ULV adulticiding as a component of its Integrated Pest Management Strategy.

The 100 metre buffer zone is contained within the Pesticide Use Permit as a means of mitigating the concerns of residents opposed to fogging and provides a reasonable zone of protection from the maximum ULV spray swath.

Other residents have expressed concerns that they do not have access to the positive effects of ULV adulticiding due to multiple and possibly overlapping buffer zones within their neighbourhoods.

Buffer zones are eliminated when ULV adulticiding is carried out under a Ministerial Order in response to a health risk due to WNv or other human mosquito borne illness.

Policy implications:

No

X Yes Comment(s):

Manitoba Conservation advises that any decisions to change the 100 metre buffer zone requirement would be made at the policy level of the Province of Manitoba. Should the City of Winnipeg wish to request a change to the 100 metre buffer zone this request should be submitted in writing at the inter-governmental policy level.

Environmental implications:

No

X **Yes Comment(s):**

The establishment of buffer zones has been a long standing issue within Winnipeg and was central to the 1982 Manitoba Clean Environment Hearings. Since that time the Pesticide Use Permit has required 100 metre buffer zones as a means of mitigating the concerns of residents opposed to fogging.

The size of the buffer zone is based on the 90 metre swath width of the application equipment utilized for ULV adulticiding.

Human Resources implications:

X No

Yes Comment(s):

Financial implications:

X Within approved current and/or capital budget

Current and/or capital budget adjustment required

Comment(s):

The costs of ULV adulticiding would increase by an estimated 1.1% if buffer zones were eliminated, due to the increased area of the City that would be treated. Completely fogging all of Winnipeg once, with buffer zones in place, costs approximately $90,000.

Increased costs associated with the elimination of buffer zones would not affect the approved 2005 Operating Budget, as adulticiding costs are currently funded through an Additional Appropriation requested after the fact; and beginning in 2006 through the Insect Control Urgent Expenditures Reserve Fund.

REASON FOR THE REPORT:

On March 16, 2005 the Executive Policy Committee laid over consideration of this item for thirty (30) days and requested the Administration to provide more information on this matter.

HISTORY:

On March 11, 2005, the Standing Policy Committee on Protection and Community Services recommended that the July 21, 2004 Council Motion pertaining to the City of Winnipeg asking the Province to delete the 100 metre fogging buffer zone section from all future pesticide use permits in order to ensure that all the citizens of Winnipeg receive the protection they require and deserve from West Nile Virus be filed, and submitted the matter to the Executive Policy Committee and Council.

On October 27, 2004, Council granted an extension of time of 120 days for the Standing Policy Committee on Protection and Community Services to report back on the July 21, 2004 resolution.

On October 14, 2004, the Standing Policy Committee on Protection and Community Services recommended that an extension of time of 120 days be granted in order for the Administration to report back on the matter and forwarded the matter to the Executive Policy Committee and Council.

On September 13, 2004, the Standing Policy Committee on Protection and Community Services laid over consideration of the matter pending its further consideration of the July 21, 2004, Council Motion requesting the Insect Control Services to prepare a cost-benefit analysis of the use of malathion to control nuisance mosquitoes and mosquitoes which may bear West Nile Virus or other diseases.

On July 21, 2004, Council ruled automatic referral of the following motion to the Standing Policy Committee on Protection and Community Services:

WHEREAS the City undertakes a Mosquito Adulticiding Program (fogging) to control the adult mosquito population within the borders of the City of Winnipeg;

AND WHEREAS the authority to undertake said program is provided for in a Pesticide Use Permit issued to the City by the Manitoba Conservation Department of the Provincial
Government;

AND WHEREAS the pesticide use permit allows individuals to register their objections to fogging in writing with the City;

AND WHEREAS the pesticide use permit requires that the City turn off fogging equipment 100 metres on each side of an objectors property in the front street, side street and rear lane;

AND WHEREAS the objectors portion of the permit has resulted in no fogging occurring in entire neighbourhoods due to the number of objectors;

AND WHEREAS the Province recently confirmed the presence of West Nile Virus in a dead crow in Winnipeg;

AND WHEREAS as a result of the West Nile Virus finding, on July 12, 2004 the Province modified the pesticide use permit issued to the City by deleting the 100 metre zone for objectors and allowing fogging to include all properties in the City of Winnipeg;

AND WHEREAS the West Nile Virus is likely to increase in severity in future years;

THEREFORE BE IT RESOLVED that the City of Winnipeg ask the Province to delete the 100 metre fogging buffer zone section from all future pesticide use permits in order to ensure that all the citizens of Winnipeg receive the protection they require and deserve from West Nile Virus.

In 2004, the residential fogging program commenced on July 1 and ended on July 31. A total of 1147 buffer zones were established. Of these, 489 were located in the N.W. quadrant, 102 in the N.E. quadrant, 362 in the S.W. quadrant and 194 in the S.E. quadrant of the City.

The Insect Control Branch has implemented a telephone and e-mail notification system to inform citizens of daily fogging operations. This provides citizens, who register for this service during a fogging program, a telephone call or e-mail which notifies them of the time and location adulticiding crews are scheduled to fog for the night. In 2004, the Branch had 250 residents registered on the e-mail service and 275 registered on the telephone service. The messages are sent out daily at least 8 hours in advance of commencement of the evening fogging operation.

DISCUSSION:

ULV Adulticiding for Nuisance Mosquito Control

- Winnipeg appears to be the only major Canadian city that has a policy in place regarding the utilization of ULV adulticiding (fogging) for **nuisance** adult mosquito control. There may be smaller cities and towns in Canada that use Malathion® to control adult nuisance mosquitoes but detailed information is not readily available.

- Since 1969, Malathion® has been used whenever ULV adulticiding has been implemented in Winnipeg. Based on the 2003 Re-evaluation of Malathion® conducted by the Federal Pesticide Management Regulatory Agency, Malathion continues to be the product utilized for ULV adulticiding. There are currently no biological adulticiding products licensed by the PMRA for this purpose.

- The City of Winnipeg's Pesticide Use Permit issued by Manitoba Conservation in accordance with Manitoba Regulation 94/88 under the Environment Act states that:

  "The Applicant shall place public notification in the "Winnipeg Free Press and Winnipeg Sun providing opportunity for any individual opposed to the use of these insecticides on, or adjacent to their property to individually register their objection in writing. The Applicant shall also provide a 48 hour public notice prior to the commencement of mosquito adulticiding"; and

  "The Applicant shall turn off adulticiding equipment 100 metres on each side of an objector's property in the front street, side street and rear lane".

- The establishment of buffer zones has been a long standing issue within Winnipeg and was central to the 1982 Manitoba Clean Environment Hearings. Since that time the Pesticide Use Permit has required 100 metre buffer zones as a means of mitigating the concerns of residents opposed to fogging. The size of the buffer zone is based on the 90 metre swath width of the equipment utilized for ULV adulticiding.

- All Pesticide Use Permits issued by Manitoba Conservation within Manitoba (estimated to be in the range of 30 – 40 permits) contain the same requirement for the allowance of 100 metre buffer zones around registered residences.

- Manitoba Conservation advises that any decisions to change the 100 metre buffer zone requirement would be made at the policy level of the Province of Manitoba. Should the City of Winnipeg wish to request a change to the 100 metre buffer zone this request should be submitted in writing at the inter-governmental policy level.

ULV Adulticiding for West Nile Virus Mosquito Control

- It is generally accepted across other large Canadian municipalities that the use of ULV adulticiding only occurs when a health emergency is declared by the Minister of Health or Chief Medical Health Officer.

  A health emergency would be declared where the human population is at risk of contracting WNv or Western Equine Encephalitis (WEE) by adult vector mosquitoes. Adulticiding would be implemented to reduce the risk to the human population and used as a last resort in an Integrated Pest Management mosquito control program, where all control efforts are focused on controlling mosquito larvae before they become adults.

- July 12, 2002 is the only time that ULV adulticiding has been utilized in Winnipeg to reduce the threat of WNv. At that time, whereas the Minister of Health had declared that a health emergency appeared imminent because of mosquitoes capable of transmitting West Nile Virus; the Minister of Conservation ordered the City of Winnipeg to:
    1. *Continue the mosquito larviciding program within and adjacent to the City;*
    2. *Conduct an additional residential fogging campaign of The City; and*
    3. *Conduct the larviciding program and fogging campaign in accordance with the 2002 Pesticide Use Permit; with the exception of respecting the 100 metre buffer zone of objectors to the fogging campaign.*

Financial Impact Statement

Date: April 13, 2005

Project Name:

Mosquito Adulticiding Program

First Year of Program

	0	1	2	3	4
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
External	-	-	-	-	-
Grants (Identify)	-	-	-	-	-
Reserves, Equity, Surplus, Other	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

The costs of ULV adulticiding would increase by an estimated 1.1% if buffer zones were eliminated, due to the increased area of the City that would be treated. Completely fogging all of Winnipeg once, with buffer zones in place, costs approximately $90,000 . Increased costs associated with the elimination of buffer zones would not affect the approved 2005 Operating Budget as adulticiding costs are currently funded through an Additional Appropriation requested after the fact; and beginning in 2006 through the Insect Control Urgent Expenditures Reserve Fund.

"Original signed by"
Cindy Fernandes, B. Comm (Hon), CMA
Acting Manager of Finance & Administrative Services

IN PREPARING THIS REPORT THERE WAS CONSULTATION WITH, AND CONCURRENCY BY:

- N/A

THIS REPORT SUBMITTED BY:

Community Services Department

Prepared by: Kelly Goldstrand, Manager of Community Resource, Protection & Safety Services
Taz Stuart, City Entomologist

File No.