

Contra Costa County Agriculture and Weights & Measures Newsletter



Fall 2010

Inside this issue:

Endangered Species Injunction	1
Organic Registration	4
Noxious Weed Control Program	6
Continuing Education Classes	7
Contra Costa County Yesterdays	7

This is a part of a series of quarterly newsletters designed to inform growers in Contra Costa County about issues important to the Agricultural community. We welcome your questions and comments about any topics in this newsletter as well as suggestions for future newsletters. Contact us at:

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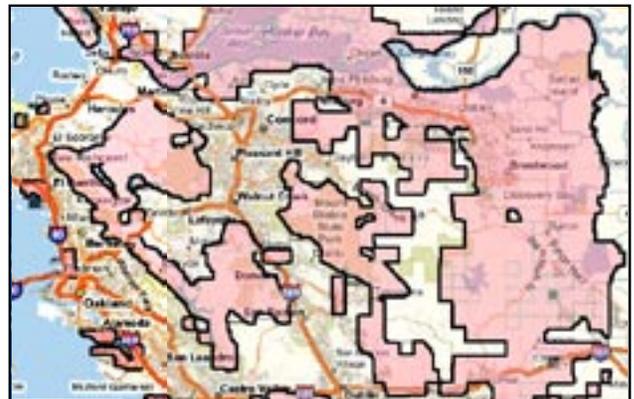
or visit our website at: www.co.contra-costa.ca.us/ and click on Departments, then Agriculture/Weights & Measures.

Endangered Species Injunction

In 2009, the Center for Biological Diversity filed a lawsuit claiming that the federal Environmental Protection Agency (EPA) had failed to comply with the Endangered Species Act when it allowed the registration of certain pesticides without consulting with the U.S. Fish and Wildlife Service. On May 17, 2010, the Federal Government agreed to a Stipulated Injunction to resolve the lawsuit. It sets interim use limitations for 75 pesticide active ingredients in eight counties around the San Francisco Bay Area.

The use limitations are meant to protect eleven endangered or threatened species while EPA reviews the pesticides. As pesticides go through this review, the ones that are found to be unlikely

Continued on Page 2



The pink areas in the map above represent zones where there are interim pesticide limitations in Contra Costa County.

to cause adverse effects will be taken off the list. Ones that researchers believe likely to cause adverse effects will have their labels modified to mitigate those effects. Federal, State, and County authorities don't have the authority to enforce the interim limitations. Instead, they will be enforced by lawsuits filed by citizens who believe the limitations have been violated. The limitations apply to everyone who uses pesticides, including homeowners. EPA will provide shelf tags that identify the "urban use" pesticides included in the injunction to some retail establishments.

Six of the eleven protected species covered by the injunction have zones in Contra Costa County. These are the: Alameda Whipsnake, California Tiger Salamander, Delta Smelt, San Joaquin Kit Fox, California Clapper Rail, and Salt Marsh Harvest Mouse. In Contra Costa County, the first three species on this list have a large amount of buffer zone area. Both the Alameda Whipsnake and the Tiger Salamander zones cover many grassland, chaparral, and oak woodland areas in central and west county. The Delta Smelt buffer zone in east county covers freshwater streams and watershed regions that drain into the delta and the Bay. The remaining three species have fewer and smaller zones. The San Joaquin



Above: the San Joaquin Kit Fox and Alameda Whipsnake. Below: the California Clapper Rail and Salt Marsh Harvest Mouse.



Kit Fox zones are scattered throughout central and east county. The California Clapper Rail and Salt Marsh Harvest Mouse have buffer zones in salt marsh areas along the Bay and ocean.

The interim limitations establish buffer zones within which the use of certain pesticides will be prohibited or limited. The number of affected pesticides will depend on what species are being protected in that zone. For example: the Alameda Whipsnake buffer zone restrictions apply to only 16 pesticides while the California Tiger Salamander zones affect 45 pesticides. Some zones will have more than one protected species. Information listing the 75 pesticide active ingredients, their use limitations, and the location of the buffer zones, is available on the EPA's website at <http://www.epa.gov/espp/litstatus/use-limitation.html>

EPA has set up a link on the website to a map that allows the public to find out what limitations apply in any specific area in the county. Click



The California Tiger Salamander (top) and the Delta Smelt (bottom) have a large amount of buffer zone area in Contra Costa County.

Continued on Page 3

on “SFB interactive map” and you will be taken to a map of the Bay Area. On the upper right side of the map you will see a box that says “Zoom to County”. When you move your mouse cursor over it, a menu will allow you to select Contra Costa County. The areas colored pink are the zones covered by the injunction. When you click on the map, a box appears that shows what the protected species is and gives you a choice between two documents. The first one, “Active Ingredient Limitations”, lists the applicable pesticide active ingredients and use limitations. The second choice, “Printable Map and Limitations”, gives you the same information as the first document plus a map of the zone. See the table below for a summary of the limitations by type of protected species. The EPA website has more detailed information. Pesticide applicators should check the SFB interactive map frequently, since the limitations may change or pesticides may be dropped from the list as EPA continues to review them.

Some types of pesticide uses are not subject to the limitations. These are: indoor pesticide applications, subterranean termite applications made by a certified applicator within 10 feet of the structure, homeowner applications to household potted plants, cattle ear tags, flea and tick collars for cats and dogs, and public health vector control programs. For rodenticides other



When you click on an area in the SFB interactive map, it lists the protected species and a link to the limitations that apply there.

than brodifacoum, bomodialone, difenacoum, and difethialone, there is no buffer zone when the rodenticide is applied by a certified applicator in an approved tamper-resistant bait box within 10 feet of the structure. In Contra Costa County, tree injection applications also have no buffer zones. The U.S. Fish and Wildlife Service can issue other exemptions from the buffer zone requirements under specific circumstances.

Modifications to the buffer zones can occur under certain conditions. The buffer zones may be reduced to 60 feet for spot treatments of wasp and hornet nests, individual tree removal

Continued on Page 4

Species	Protected Area	Application Buffer Zone	
		Ground	Aerial
Alameda Whipsnake	Coastal Sage Chaparral Grassland, Oak Savanna, Oak/Bay Woodland	100'	400'
Tiger Salamander	Ponds, streams, and pools that hold rain water for a minimum of 12 weeks per year	200'	400'
Delta Smelt	Water, land below ordinary high water level, tidal influenced channels, streams draining to the Bay	100'	400'
San Joaquin Kit Fox	Denning areas (see DPR Endangered Species Project Kit Fox fact card for definition at www.cdpr.ca.gov/docs/endspec/espdfs/sjkfden.pdf)	600'	600'
Salt Marsh Harvest Mouse	High water line of salt or brackish water marshes Cordgrass/Pickleweed stands within 100' of above	300'	300'
California Clapper Rail	High water line of salt or brackish water marshes Cordgrass/Pickleweed stands within 100' of above	300'	300'
		200'	200'



Public health vector control programs, such as those to control the mosquitoes that carry West Nile Virus, are exempt from the injunction limitations.

using cut stump applications, and basal bark applications. The buffer zones may be reduced to 20 feet for invasive and noxious weed programs administered by certain public agencies.

The new interim pesticide use limitations add to those from two prior court orders intended to protect threatened species. The 2006 California Red-legged Frog injunction sets buffer zones around certain critical habitats and does not allow the use of 66 pesticide active ingredients within those areas. For more information on the Red-legged Frog stipulated injunction and order, go to the EPA website at www.epa.gov/espp/litstatus/redleg-frog/steps-info.htm.

The 2004 Salmon injunction sets no-use buffer zones for 38 pesticide active ingredients around salmon-supporting waters, including some sites in Contra Costa County. DPR's website at www.cdpr.ca.gov/docs/endspec/index.htm has information on the salmon court order restrictions as well as other endangered species information.

Although DPR and the County Agricultural Commissioners have no enforcement authority over these injunctions, we want to help our growers be aware of them. If you do not have computer access to reach the listed websites or have any questions about the injunctions, please call our Concord or Knightsen office.

Organic Registration

In the last fifteen years, organic production in the United States has more than doubled. Over two-thirds of U.S. consumers buy organic foods at least occasionally. As a result, organic food sales have gone from \$3.6 billion in 1997 to \$18.9 billion in 2007. Organic products are no longer available only in specialty markets, but have spread to mainstream supermarket chains nationwide. This makes organic farming increasingly attractive to California growers.

In 2008, U.S. producers had approximately 2.7 million acres of cropland in organic production. California was the leading state in certified organic cropland, with over 430,000 acres, 40% of which was used to produce fruit and vegetable crops. This represents about 4.5% of the total cropland farmed in California.

Many people believe that being organic means never using pesticides. This is not true. Organic pest management uses sanitation, cultural practices, and biological control methods first, but does allow for the use of certain pesticides as a last resort. There are various kinds of pesticides that have been approved for organic production. Many are often used even in conventional agriculture. Botanical pesticides, also called botanicals, are pesticides derived from plant extracts. They are used to control insects, mites,

Continued on Page 5



Organic produce has become a popular alternative to conventionally farmed crops.



Sulfur, the most commonly used pesticide in California, is an approved organic pesticide.

weeds, and plant diseases. Some commonly used botanical pesticides are pyrethrum, rotenone, neem, and citrus oils. Naturally occurring minerals such as sulfur, copper, iron phosphate, and petroleum based oils may also be approved for organic use. Many organic pesticides are derived from microbes. These include antibiotics, extracts, and microbial diseases that attack pests. Examples include *Bacillus thuringiensis*, spinosad, and trichoderma. Some other types of organically approved pesticides are pheromones, repellents, pesticidal soaps, and growth regulators. Be sure to check individual products for compliance with organic laws before using them.

California is one of the few states in the nation with a state-run organic program. The California Organic Products Act, signed into law in 2003, requires all producers, handlers, processors, and retailers of commodities labeled as organic to register with the California Department of Food and Agriculture Organic Program. The County Departments of Agriculture do much of the enforcement of the laws that apply to fresh agricultural products marketed as organic. The Department of Public Health handles the laws for processed organic products.

Producers whose gross annual sales are more than \$5,000 and/or those whose products are used in any organic processed product must be

certified by a USDA-accredited organic certifying agency. Certification provides confirmation that the producer is in compliance with national and California organic standards. Organic certifiers make annual on-site inspections of their clients. They check both the grower's records and the site for: pest management methods; soil management, land use; crop rotation; seed and transplant sources; types of fertilizer, pesticide, and other chemicals used; field buffers; equipment; harvest and sales records; product handling and labeling; etc. It generally takes three years of organic farming to transition from conventional farming to certified organic. A list of accredited certifiers can be found at CDFA's website at www.cdffa.ca.gov/i_&c/organic.html

The process of initially registering as an organic producer with the State of California begins with the County Department of Agriculture. New and amended applications for organic registration must be completed and submitted to the County Department of Agriculture in the principal county of operation. The County supplies the application forms, issues a three year pesticide use report for the sites, and accepts the finished application. Registration fees are based on the prior year sales or on expected sales if it is a new registration. Afterwards, registrations must be renewed annually with the State Organic Program. The Counties can inspect grower records, fields, and processing facilities to check for compliance with the organic production laws.



Businesses that process organic products must have their facilities approved by the Department of Public Health.

Noxious Weed Control Program

The Contra Costa County Department of Agriculture has had a noxious weed management program since 1979. The program, in cooperation with growers and land managers, helps control certain invasive weeds capable of spreading into surrounding agricultural lands, public open space, park lands, wildlife habitat, and rangeland. This protects not only agriculture, but endangered species and the environment. Along with the Alameda County Department of Agriculture and twenty other organizations, we have also been a part of the Alameda/Contra Costa County Weed Management Area since 1998.

In 2009, the Alameda/Contra Costa County Weed Management Area had three management projects funded by CDFA. The Mt. Diablo State Park project targeted Artichoke Thistle, Purple Starthistle, Perennial Pepperweed, Barb Goatgrass, and Medusahead. Mt. Diablo State Park covers about 20,000 acres with elevations up to 3,849 feet. It is a known habitat for many rare species of native plants and animals.

The Agricultural Core Area project covered about 12,000 acres in the eastern part of Contra Costa County. Much of the area is used to grow row crops such as tomatoes, sweet corn, and other vegetables. About 25% of it is planted in orchards and vineyards. The target weeds were White Horsenettle, Perennial Pepperweed, Russian Knapweed, and Hoary Cress. Control of these weeds will help preserve the Agricultural



Artichoke Thistle forms dense stands that exclude native plants and cattle.



Japanese Dodder, a parasitic vine from Asia, is under eradication in Contra Costa County.

Core area. The Mulholland Ridge Project covered 245 acres of public open space owned by the Town of Moraga. The target weeds in this project were Artichoke Thistle and Purplestar Thistle that had heavily infested the area.

The Contra Costa County Department of Agriculture's own noxious weed management program helps control weeds in many areas of the county. The majority of these are open space land, rangeland, and properties adjacent to these areas. In addition to the weeds controlled by the Alameda/Contra Costa County Weed Management Area projects, we manage Purple Loosestrife, Red Sesbania, Japanese Dodder, Oblong Spurge, Kangaroo Thorn, Smooth Distaff Thistle, and Pampas Grass.

The first three weeds in the above list can be a challenge to manage. Purple Loosestrife and Red Sesbania are serious pests of wetlands, flood channels, and mudflats. Surveys and treatment require hiking through the mud at low tide and using kayaks during high tide.

Japanese Dodder is a parasitic vine that looks like yellow-orange spaghetti and can spread very quickly. Even tiny pieces of it can infect other plants. It is used in traditional Asian medicine and is started from seeds in herbal supplements or from plant fragments. It has sometimes been intentionally planted and grown in suburban backyards where it can spread into neighboring yards and open space.

Continuing Education Classes

The Contra Costa County Department of Agriculture will offer continuing education classes this November and December for growers who want to renew their private applicator certification (PAC). This year, private applicators whose last names begin with I through Q will need to renew their PAC. The required number of hours for renewal is six over a three year period with two of the hours being about laws and regulations. Although many private applicators choose to renew their PAC's by taking approved continuing education classes, they may instead choose to retake the PAC examination.

Continuing education is available from most county Departments of Agriculture as well as the University of California. Private organizations such as pesticide manufacturers, dealers, and professional organizations often also have approved courses open to the public. There are even online courses available. The Fresno County Department of Agriculture offers free one hour online courses for growers at their website: www.co.fresno.ca.us/agce For a complete list of all approved courses, go to DPR's website at www.cdpr.ca.gov/docs/license/classes.cfm

When growers take an approved course not given by their own County Department of Agriculture, they need to get an official verification from the course provider. A copy of the verification must be given to the grower's own County Department of Agriculture to ensure the grower receives full credit for the continuing education hours.



Growers who need to renew their PAC may use approved continuing education classes.

Contra Costa County Yesterdays

Moraga had its beginnings as a part of a Mexican land grant to Joaquin Moraga and his cousin, who used it primarily to raise cattle. After the Gold Rush, ex-miners and other settlers took over many of California's Mexican land grants as a result of land claim title disputes in the 1860's.

In 1912, there were plans to build a railroad line through the Moraga valley. James Irvine, a southern California investor, bought up much of the land in the area and formed a giant agricultural business, the Moraga Company. It planted hundreds of acres of fruit and nut orchards and vegetable fields. Soon, the Moraga Company had the largest pear production operation under one management in the world.



courtesy Contra Costa County Historical Society

A pear packing shed owned by the Moraga Company around the 1920's.

The Moraga Company, although successful, was highly criticized. Farmers who rented company land were sharecroppers and not allowed to make any decisions regarding their production. A 1938 editorial decrived the Company as "a medieval institution with modern methods".

Today, many pear trees planted by the Moraga Company can still be found in and around Moraga, Lafayette, and Orinda. Although nearly one hundred years old, they still bear good fruit.



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