

Aliso Viejo Community Association
Report on Herbicide and Pesticide Use on AVCA Property
December 2023

Brief History

Starting in July 2023, the Aliso Viejo Community Association (AVCA) Board received a handful of emails requesting the Board consider alternatives to the herbicides and pesticides currently used on AVCA slopes and parks. A group of residents have attended Board meetings since August 2023 and made the same requests.

The Board took the request seriously and directed staff to consult with AVCA's landscape contractors and other industry professionals to provide information and advice, including but not limited to alternatives to herbicides and pesticides currently being used, current best practices in the California landscaping industry, non-chemical methods of controlling weeds and pests, staffing requirements, efficacy, and cost of all such alternatives. In particular, the Board required its consultants to address concerns about the safety of currently used pesticides and herbicides in a scientifically sound manner.

Legal Standards for Board Decisions

The AVCA Board has a fiduciary duty to all AVCA members to maintain its landscaping at a reasonably high standard and make decisions only after conducting a thorough investigation in a fiscally responsible manner. AVCA's Board makes decisions taking the communities' interest as a whole into consideration and in accordance with its fiduciary duty.

AVCA must also comply with state laws and its own governing documents. These regulations require setting assessments at an amount no higher than needed to pay for its current budgeted expenses and prohibit increasing assessments beyond a set amount. This means that the cost of switching to different landscaping practices must be carefully calculated and multiplied by the approximately 600 acres of landscaping that AVCA maintains.

Board Research and Review:

- AVCA's Board, Staff and attorneys have been performing extensive research, collectively amounting to hundreds of hours. Meeting with both landscape companies, irrigation expert, product supplier reps, City officials and community General Managers.
- Both landscape vendors follow all laws and regulations regarding pesticide applications, including those of the U.S. Environmental Protection Agency (EPA) and the California Department of Pesticide Regulation (CDPR). Both vendors are monitored by the County Agricultural Commissioner's office with frequent unannounced inspections and have designated personnel with a Qualified Applicator License (QAL).
- AVCA sprays sports fields a maximum of twice per year and only during maintenance closures. Slopes are generally sprayed quarterly, AVCA has approximately 600 acres of slopes and just over 200 acres of parks. With 800 acres the landscape companies are constantly rotating any applications to meet the landscape needs of the community. At times, preventive measures are needed for pests, those are based on need, i.e., grubs in the turf.

- The application rates of products that are currently being used are in diluted amounts to reduce harm to pets, humans, and the environment.
- Landscape vendors do not spray within 10 feet of schools.
- Landscape vendors do not spray any products in wind over 10 mph to avoid drift and most applications are spot treatment with the application nozzle close to the ground, reducing drift and runoff.
- Signal words are required by the EPA on most pesticide product labels, and they describe the acute (short term) toxicity of the formulated product. The order of the product labels is CAUTION, WARNING AND DANGER. AVCA primarily uses product labels with Caution signal words.
- Due to the high acidity of the organic weed control products, applicators must use protective equipment to shield their eyes and skin.
- Widely used organic products can have a strong pungent odor, be more toxic (higher rated signal words), require more frequent applications, and result in substantially more weed growth than the products AVCA currently uses.
- The label and MSDS sheets are primarily intended to provide safety practices for applicators/workers as they are handling the products in their most concentrated form.
- The Board approved including overseeding in the 2024 budget to reduce the thatch layers in turf to promote a healthier turfgrass, which will reduce the need for pesticides. Overseeding is being performed in 2023.
- Increased the aerification of turfgrass areas to promote a healthier turfgrass canopy reducing the need for pesticides.
- In September 2019, the Board approved smart controller installations for all smart controllers throughout AVCA, helping to improve uniformity and reducing dry areas, reducing the need for pesticides.
- The Board is working with the AVCA irrigation management and landscape vendors to increase the water efficiency in the park systems, effectively reducing the germination of weeds and need to apply pesticides.
- Granular applications of pre-emergent products have active ingredients that are inert until water is applied to them.
- The Board received pricing from Mission and O'Connell (AVCA's two current landscape contractors) to transition to organic treatments only in 2024. The proposed pricing is a combined \$1.3 million dollars over the 2024 annual landscaping budget, primarily due to a significantly increased amount of labor needed for trimming, weeding, and disposal fees.

AVCA Board's Direction/Current Practices:

- The current notices of pesticide application are posted monthly on the bulletin board in the AVCA lobby, going forward the Board is committed to providing additional community communication on products used, schedules, etc. Staff will provide information on the AVCA website and will be designating a spot in each park to post notices (signage to include product details, EPA numbers).
- Require both landscape vendors to provide additional signage at parks before and after the application of pesticides.
- Work to have both landscape companies more aligned in what products they use on AVCA property.
- Use caution label products only, unless otherwise necessary.

- Staff is working with our landscape professionals on various methods to improve soil health (i.e. tests, flushing, topdressing, etc.).
- AVCA will continually research and seek improved landscaping practices and products.

Details of Board Investigation

After extensive consultations with AVCA's landscape professionals and representatives from local entities that use pesticide-free landscaping practices, as well as a detailed review of all information they provided, the Board has made the following findings:

1. Changing to an organic product community is not as simple as switching one pesticide product for another. Going to organic products require changing all landscaping practices, which is a massive, multi-year project. This switch would require substantial irrigation changes, changing field maintenance practices to include top-dressing, aeration, overseeding, and mulching, and adding significant amounts of additional plant material to all slopes to prevent the weed growth that results when soil is exposed to sun.
2. Non-synthetic (*i.e.*, organic) chemical options are still pesticides because they are used to control pests. Scientifically sound data has shown that non-synthetic chemicals used to control weeds and pests in the type of landscaping on AVCA property are less effective and require more spraying than synthetic chemicals.
3. Non-synthetic chemicals used to control weeds and pests can be more toxic than synthetic chemicals. Specifically, many of the products on the Organic Materials Review Institute (OMRI) product list have an active ingredient that is more toxic than many of the synthetic products AVCA currently uses.
4. Organic product landscaping practices are not proven to maintain the landscaping standards that the AVCA community expects. Organic product landscaping practices would result in substantially more plant growth and weeds between maintenance rotations, requiring more labor to remove and more turf areas under repair. Hand-pulling weeds is extremely time-consuming and does not prevent weeds quickly growing back.
5. Switching to organic product landscaping practices would mean an increase of at least \$1.3 million dollars in AVCA's annual landscaping budget, due primarily to the significantly increased amount of labor needed for trimming and weeding, and disposal fees.

In addition to this \$1.3 million increase, many other landscaping practices needed to sustain healthy landscaping would have to be implemented, all of which would require additional costs that cannot be estimated at this time. These new practices would include making significant changes to soil composition to compensate for the long-term impact of not using synthetic chemicals, changing the community-wide plant palette that has been in place for more than forty years, changing the plant spacing on slopes, top-dressing grass areas more frequently, increasing use of mulch in bare areas, and improving water management practices. These greatly increased costs would unquestionably require increasing assessments for all AVCA members.

6. There is a significant amount of landscaping within this boundary maintained by thousands of individual residential and commercial property owners, over 100 sub associations, and the cities of Aliso Viejo and Laguna Hills. AVCA has no control over landscaping in these locations. Changing AVCA's landscaping practices would not affect all landscaping within AVCA's boundary.
7. It has been shared across social media platforms, email, and verbally that AVCA and the AVCA staff do not respond to emails. This is incorrect. AVCA responds to all communication that is addressed to AVCA. Furthermore, AVCA Board is required to read all correspondence that takes place between Aliso Viejo residents and the AVCA staff. These correspondences are all provided to the board on a monthly basis.