Sacramento-Yolo Mosquito & Vector Control District
Abatement Process

Marty Scholl
Ecological Management
Supervisor

Protecting Public Health
Mosquito Control Tools
- Technicians – Chemical Control
- Public Education
- Physical Control (Source Reduction)
- Enforcement

Legal Authority
Mosquito Abatement and Vector Control District Law
Ca Health and Safety Code (Ca H&S § 2000-2093)

Abatement (HSC§ 2060-2067)

Health and Safety Code
H&SC§ 2047
Any person who restrains, hinders, obstructs, or threatens any officer or employee of a district in the performance of that person's duties, or any person who interferes with any work done by, or under the direction of, the district is guilty of a misdemeanor.

Health and Safety Code
HSC § 2060.
(a) A district may abate a public nuisance pursuant to this article.
(b) The person or agency claiming ownership, title, or right to property or who controls the diversion, delivery, conveyance, or flow of water shall be responsible for the abatement of a public nuisance that is caused by, or as a result of, that property or the diversion, delivery, conveyance, or control of that water.

District Operations
Implementation of Policies & Procedures
- Mosquito Reducing Best Management Practices (BMPs)
- Internal Inspection, Treatment, and Enforcement Procedures
Policies & Procedures

Policies Provide:

- Detailed step by step procedures
- Descriptions of job duties
- Quantified results and actions
- Justifications

Sac-Yolo MVCD District Policies

- Disease Response Plan
- IPM Guidelines
- Technician Manual
  - Treatment Guidelines
  - Backyard Swimming Pool Access
  - Enforcement Procedures
- BMP Manual

Abatement Proceedings

Enforcement is based upon lack of BMP implementation, denial of entry or threatening behavior.

Owner BMP – Performs site modifications, maintains open and unobstructed access

District BMP – Treats or modifies sources with permission

Ex. Mosquito fish placed in un-maintained swimming pool of a foreclosed house.

Mosquito Reducing Best Management Practices (BMP)

A set of guidelines designed to minimize or reduce mosquito breeding in all habitat types

Designed to help property owners manage property to reduce standing water and mosquito breeding

BMP Manual Contents

- Agricultural Irrigation and Drainage
- Dairies
- Rice
- Stormwater Systems
- Managed Wetlands
- Urban and Suburban Mosquito Sources

BMP Guidelines

Specific physical site modifications designed to reduce or eliminate mosquito breeding and chemical applications.

1. Eliminates larval breeding source (standing water)
2. Increases biological control efficacy
3. Allows for safe technician access
**District Communication**

Every written correspondence includes:
- Description of problem
- Request to correct problem(s) with BMP implementation
- Ca Health and Safety Code citation
- District offering assistance
- District giving owner opportunity to comply

**Enforcement Process**

- Field technician determines problem
- Ecological Management Dept. sends property owner letter
  - Details problem
  - Requests problem to be fixed, sets contact deadline
  - Requests immediate BMP implementation
  - Details abatement actions if not resolved
  - District offers assistance upon request
  - Overall goal is BMP implementation and open communication
Enforcement Process

No response from first letter or does not follow through (non-compliance)

Second letter
- Details abatement process
- Sets possible hearing date
- Sets compliance deadline for mosquito breeding source (nuisance) to be corrected by
- District conducts detailed and frequent inspections

Source Example

Technician treats field repeatedly due to lack of pasture maintenance (nuisance)

Eco. Dept attempts to contact lessee or owner.

Eco. Dept. sends first letter
Owner returns phone call and schedules meeting.

BMP implementation, mosquito source eliminated or reduced

Contact Letter

Location Description
Potential Liability
Problem Description

Contact Deadline

Green Pool Program

How we find them:
- Public generated service requests
- Aerial Imagery
- West Nile virus positive mosquito traps (radius inspections)
- Local inter-agency communication
- Previous inspections

Enforcement Actions

Potential

District’s Due Diligence
Green Pool Process

Technician suspects green pool or other source
Leaves “friendly” door hanger
• If removed, occupant present
• Neighbors aware of actions
• Non threatening approach

Green Pool Process

When we know we have a green pool
Technician attempts inspection
Leaves First Notice

Green Pool Process

Technician Attempts Second Inspection
Leaves Second Notice

Green Pool Process

Ecological Management Dept. sends certified letter with compliance deadline.
Problem Description
Potential Enforcement Actions

Abatement Process

Application for Inspection and Abatement Warrant
Warrant application based on technicians field notes, inspection attempts, how pool was verified to be green, and what will happen during inspection under ordered warrant.

Abatement Process

Inspection verified bad pool
Treated pool while on site
Attempt follow-up inspection
Go through warrant process again.
Set hearing date
Abatement Process

Delivery confirmation of hearing letter notification posted to property within 10 days of hearing date. Letter requests abatement of public nuisance by hearing date.

Hold hearing, abatement begins next day if approved by Board.

All treatment, inspection, legal and abatement costs charged to property at end of 60 days per Ca H&SC. If not paid, Notice of Lien filed with County.

Abatement Process

Recap
1. Attempt site communication
2. Verify non-compliance
3. Send final notification
4. Set hearing date
5. Abate public nuisance
6. Bill property owner
7. Lien property

Abatement Process

Helpful Tips
- Keep accurate detailed notes from the beginning
- Detail potential enforcement actions in early communication
- Make every effort to help comply
- Know the site and current conditions
- Be safe

Questions

Marty Scholl
Ecological Management Supervisor
mscholl@FightTheBite.net
916-405-2085
www.FightTheBite.net