

File No. 080405

Committee Item No. 3
Board Item No. **16**

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Government Audit and Oversight Committee

Date: April 7, 2008

Board of Supervisors Meeting

Date: **4/15/08**

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
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Completed by: Annette Lonich
Completed by: Annette Lonich

Date: April 3, 2008
Date: **4/9/08**

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

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1 [Resolution regarding Aerial Spraying of Pesticides]

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3 **Resolution opposing aerial spraying over the City and County of San Francisco of**
4 **pesticides designed to eradicate the Light Brown Apple Moth; urging the City Attorney**
5 **of San Francisco to pursue legal strategies to oppose spraying in San Francisco.**

6

7 **WHEREAS**, the Light Brown Apple Moth (LBAM) is a pest subject to Federal and State
8 quarantine and eradication orders; and

9 **WHEREAS**, there is a confirmed presence of Light Brown Apple Moths in San
10 Francisco County; and

11 **WHEREAS**, the California Department of Food and Agriculture (CDFA) plans to begin
12 an LBAM aerial spraying program in San Francisco County and surrounding areas in August
13 of 2008; and

14 **WHEREAS**, the CDFA has expanded the area of the City and County of San Francisco
15 ~~to be sprayed~~ targeted for LBAM eradication without spraying to include Treasure Island by
16 an addendum dated March 24th 2008 a copy of which is attached as Exhibit A and
17 incorporated herein by this reference; and

18 **WHEREAS**, modern Integrated Pest Management (IPM) relies on least-toxic,
19 environmentally sensitive control methods; and

20 **WHEREAS**, the City and County of San Francisco is committed to a pest management
21 policy that favors the use of organic or natural methods and a thorough and public process to
22 consider the careful and limited use of chemicals of the least toxic nature; and

23 **WHEREAS**, least-toxic control options are available for LBAM, including physical and
24 cultural practices such as clean-up of plant debris where moth larvae over winter; use of

25

1 natural predators, parasites, and insect diseases; introduction of sterile male moths; and use
2 of pheromone sticky traps are available to control the Light Brown Apple Moth (LBAM); and

3 **WHEREAS**, aerial and other blanket pesticide applications have repeatedly been
4 shown in the past to upset natural ecosystem balance in unpredictable and often catastrophic
5 ways; and

6 **WHEREAS**, aerial and other blanket pesticide applications have repeatedly been
7 shown in the past to cause unintended, unpredictable, and often serious human health
8 effects; and

9 **WHEREAS**, the State has claimed an emergency exemption under the California
10 Environmental Quality Act (CEQA) in order to begin the LBAM aerial spraying program
11 without conducting environmental review based on an emergency exemption; and

12 **WHEREAS**, the State has confirmed that it will begin preparation of an Environmental
13 Impact Report after the aerial spraying program has begun; and

14 **WHEREAS**, blanket spraying of chemicals is expensive and inefficient; and

15 **WHEREAS**, biologists have testified that aerial pesticide spraying is extremely unlikely
16 to eradicate LBAM [see testimony of James Carey, testimony of Daniel Harder]; and

17 **WHEREAS**, biologists have testified that the range over which LBAM has been
18 detected in California indicates that LBAM has been established in the state for some time;
19 and

20 **WHEREAS**, CDFA has stated that no physical crop damage has been attributed to
21 LBAM; and

22 **WHEREAS**, the risk of economic damage alone does not justify the health and
23 environmental risks of aerial pesticide applications; and

24 **WHEREAS**, the State has relied almost entirely on its own scientists to address public
25 concerns about the LBAM spray program and has not employed independent outside experts

1 to evaluate and support the program or and address issues in a direct and impartial manner;
2 and

3 **WHEREAS**, the CDFA LBAM spraying program has used pesticides that an
4 independent toxicologist's review has stated have not been tested for long-term human
5 toxicity; and

6 **WHEREAS**, the CDFA LBAM spraying program is relying on pesticides that contain
7 ingredients that are highly toxic to aquatic life; and

8 **WHEREAS**, the CDFA LBAM program sprays pesticides in microscopic plastic
9 capsules that pose unknown inhalation risks; and

10 **WHEREAS**, the United State Department of Agriculture (USDA) maintains that the
11 pheromone pesticide poses only "minimal risk to human health," but acknowledges that it is
12 considered a "slight to moderate dermal irritant" and does present some very low toxicity"
13 [see *Treatment Program for Light Brown Apple Moth in Santa Cruz and Northern Monterey*
14 *Counties, California* (September 2007) pages 10-121]; and

15 **WHEREAS**, the USDA states that its risk assessment assumes that the rate of
16 exposure will be insignificant, with no dietary exposure from food and just a minimal amount
17 of incidental exposure from drinking water or swimming [see *Treatment Program for Light*
18 *Brown Apple Moth in Santa Cruz and Northern Monterey Counties, California* (September
19 2007) pages 10-121]; and

20 **WHEREAS**, aerial spraying disproportionately affects vulnerable populations such as
21 those who work and play outdoors, those with the recognized disability multiple chemical
22 sensitivity, and those in the homeless population who have no option for protection from the
23 spray or receipt of written notification of spray dates; and

24 **WHEREAS**, LBAM aerial spraying in the Santa Cruz and Monterey areas resulted in
25 the spraying of numerous residents and pets; and

1 **WHEREAS**, hundreds of reports of health effects were reported following the LBAM
2 aerial spraying in Santa Cruz and Monterey counties; and

3 **WHEREAS**, other environmental impacts were reported following the LBAM aerial
4 spraying in the Monterey and Santa Cruz areas; now, therefore, be it

5 **RESOLVED** that the Board of Supervisors of the City and County of San Francisco
6 opposes the CDFA aerial spray program to eradicate LBAM; and be it

7 **FURTHER RESOLVED** that the Board of Supervisors of the City and County of San
8 Francisco requests that CDFA protect the health and welfare of the residents and natural
9 environment of Alameda San Francisco County by immediately shifting its LBAM control
10 methods to least-toxic Integrated Pest Management methods such as those listed above; and
11 be it

12 **FURTHER RESOLVED** that the Board of Supervisors of the City and County of San
13 Francisco requests that CDFA shift its focus to educating the USDA regarding the lack of crop
14 damage done by LBAM, the need to use least-toxic control methods that do not expose
15 populated areas to aerial spraying, and the need to appropriately downgrade the pest
16 classification of LBAM to reflect the lack of risk it poses; and be it

17 **FURTHER RESOLVED** that the Board of Supervisors of the City and County of San
18 Francisco requests that the State conduct a long-term study of the health and environmental
19 effects resulting from the aerial spraying project that has been conducted to date in Monterey
20 and Santa Cruz counties, taking into account reports collected by citizens in the absence of
21 an easily accessible method of reporting to the State; and be it

22 **FURTHER RESOLVED** that the Board of Supervisors of the City and County of San
23 Francisco supports the introduction and passage of state legislation requiring explicit consent
24 of affected residents before any aerial spraying program can be implemented.
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References

Carey, James, PhD. 2007. Testimony Submitted in Edna Williams, et al., v. California Department of Food and Agriculture, A.G. Kawamura, et. al., Case No. 07-05587, U.S. District Ct. for the Northern District of California. November 14.

Harder, Daniel, PhD. 2007. Testimony Submitted in County of Santa Cruz v. CDFA, Superior Court of California, Santa Cruz County. October 31.

Philp, Richard B. PhD. 2007. Analysis of Toxicology Studies with LBAM and Related Lepidopteran Pheromones. October.

Philp, Richard B. PhD. 2007. Testimony Submitted in County of Santa Cruz v. CDFA, Superior Court of California, Santa Cruz County. October 31.

USDA. 2007. Treatment Program for Light Brown Apple Moth in Santa Cruz and Northern Monterey Counties, California. September.

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FROM : CA DEPT OF FOOD & AG

FAX NO. : +916 653 2403

Mar. 25 2008 08:02AM P2/4



CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

**OFFICIAL NOTICE
FOR THE COMMUNITY OF TREASURE ISLAND**

PLEASE READ IMMEDIATELY

**PROCLAMATION OF AN ERADICATION PROJECT AGAINST THE
LIGHT BROWN APPLE MOTH**

The light brown apple moth (LBAM), a serious exotic insect pest, was detected on Treasure Island in the city and county of San Francisco, between May 7, 2007 and the week of March 17, 2008. The LBAM is not known to occur in California. Its presence in the Bay Area is the first detection of LBAM in North America. This pest attacks over 250 different hosts, many of which are grown in San Francisco County. Emergency eradication action is needed to protect California from the negative economic and environmental impacts the establishment of this pest would cause.

The California Department of Food and Agriculture's eradication protocol is based upon input from professional staff and recommendations from expert scientists on a LBAM Technical Working Group.

A biological control technique, called mating disruption, will be used to eradicate the LBAM on Treasure Island. This technique requires the deployment of pheromone-infused "twist ties" by ground. The twist ties are placed on trees, shrubs and objects such as fence posts in infested areas. The twist tie dispensers contain an odorless, synthetic insect pheromone (sexual attractant) that confuses male moths, impairing their ability to find mates. Once the breeding cycle of the moth is broken, the light brown apple moth population is reduced and ultimately eradicated from the area. Twist tie applications target the adult male moth and preclude pesticide spraying, unless immature (larval) life stages are detected. Residents in the affected area will be invited to participate in an informational public meeting one week prior to deployment and notified in writing at least 24 hours prior to any deployment of twist ties on their property.

On Treasure Island, additional LBAM moths were captured since the March 5, 2008 PEP was issued. This is a strong indication that the breeding population exists in a larger area than originally thought. Based on the new trapping data, the area to receive eradication measures will be expanded to include the entire island. Following any eradication activity, completion notices are left with the homeowners detailing precautions to take. Mating disruption technique will be repeated every 90 days for two life cycles.

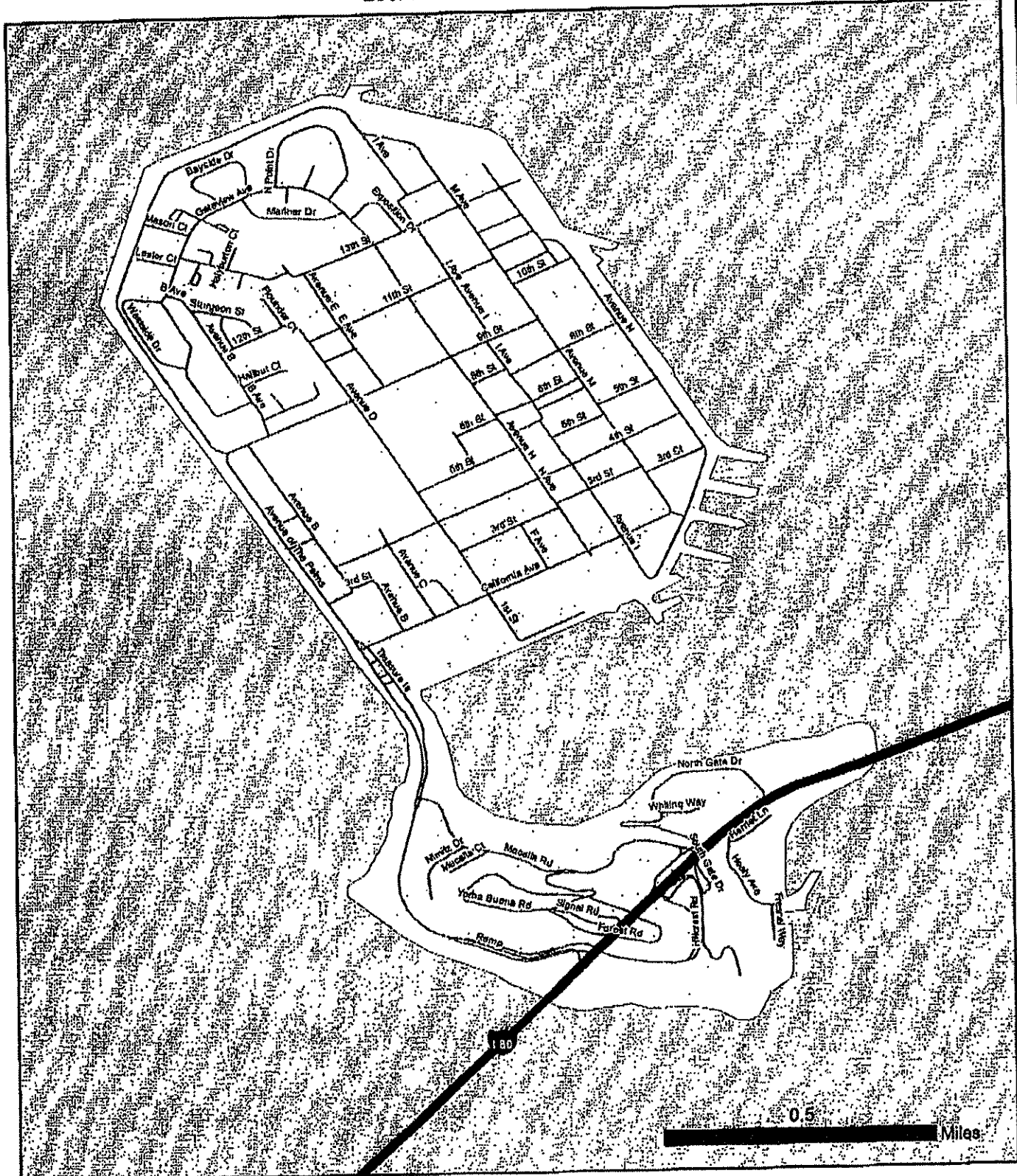
Enclosed is the amended Proclamation of an Eradication Project.

FROM : CA DEPT OF FOOD & AG

FAX NO. : +916 653 2403

Mar. 25 2008 08:02AM P4/4

2008 - LIGHT BROWN APPLE MOTH TREASURE ISLAND, SAN FRANCISCO COUNTY 200M TWIST TIE TREATMENT



0.5 Miles