

Sheri L. Hartz

From: isis feral [isisferal@yahoo.com]
Sent: Wednesday, September 03, 2008 5:02 PM
To: Sheri L. Hartz
Subject: RE: Public Records Request

Yes, PDF attachments would be perfect. Thank you so much.

Isis Feral

--- On **Wed, 9/3/08, Sheri L. Hartz** <shartz@sonoma-county.org> wrote:

From: Sheri L. Hartz <shartz@sonoma-county.org>
Subject: RE: Public Records Request
To: "isisferal@yahoo.com" <isisferal@yahoo.com>
Date: Wednesday, September 3, 2008, 2:32 PM

Good Afternoon -

This is to notify you that I have received your request and am in the process of identifying which, if any, records we have which respond to your request. Will it be acceptable to you to receive documents via PDFs attached to an email?

Thank you -

Sheri Hartz

Chief Deputy Clerk

Board of Supervisors

(707)565-2241

shartz@sonoma-county.org

From: isis feral [<mailto:isisferal@yahoo.com>]
Sent: Friday, August 29, 2008 8:27 PM
To: BOS

Subject: Public Records Request

I'm requesting all email and other correspondence to or from each member of the Sonoma Board of Supervisors, involving Maxina Ventura (beneficialbug@netzero.net), including forwarded to or from others, during the month of July 2008.

Thank you so much.

Isis Feral
isisferal@yahoo.com

Lynn Morton-Weil

From: Max Ventura [beneficialbug@netzero.net]
Sent: Sunday, July 06, 2008 4:31 PM
To: Valerie Brown
Subject: FW: Twist Tie, Trap Lure or other pesticide samples

From: Max Ventura [mailto:beneficialbug@netzero.net]
Sent: Sunday, July 06, 2008 4:30 PM
To: 'rleavitt@cdfa.ca.gov'
Subject: Twist Tie, Trap Lure or other pesticide samples

Hello again Mr. Leavitt,

It is imperative that your agencies bring absolutely no actual samples of any of the products used as part of this program as people have been sickened by both Twist Ties (even ones called depleted in San Jose, at CDFA's "open house") and the "pheromone" lures in the traps. Obviously, we want no other toxic products in there. To have them present would be taken as an offensive act meant to keep people from having equal access to an important public hearing. In fact, photos larger than actual size would be more useful to allow people to see the looks of the objects in question.

Thank you for your attention to this matter,

Maxina Ventura for Don't Spray California
510-895-2312 but from Monday afternoon, on, 510-798-5630
beneficialbug@netzero.net (I expect to access email Monday evening)

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Lynn Morton-Weil

From: Max Ventura [beneficialbug@netzero.net]
Sent: Sunday, July 06, 2008 12:10 AM
To: Valerie Brown
Cc: Mike Kerns; Tim Smith; Paul Kelley; Mike Reilly
Subject: Request to make presentation Tuesday
Attachments: Pick Your Poison 6.16.00.doc; LBAM, Max, Symptoms Report Form.pdf; LBAM, DSC Gen. Resolution.doc; LBAM, AFSCME 2428 reso..jpg

Dear Ms. Brown,

On my way out of town, I spoke with someone in your office 6/23. I made a request to make a formal presentation on behalf of Don't Spray California, the group which has clarified for the past half-year for the public and other activists within the movement the toxicity of the Twist Ties planned for use in the Sonoma Valley as part of the LBAM eradication program. The opposition to the plan should certainly have at very least as much time as CDFA (or USDA, APHIS or EPA) to provide the Board of Supervisors and any concerned parties present, listening, or receiving transcripts to clarify health and environmental concerns about the Twist Ties as well as the rest of the chemical trapping and eradication program.

While every single voice in opposition is equally important, some of us have so much detailed fact to offer that it makes sense to have one or more of us present to lay a framework of understanding prior to all concerned having the opportunity to speak to the issue. I believe that Roy Upton and Mike DeLay of CASS, California Alliance to Stop the Spray, a Santa Cruz-based group working on this issue on the statewide level, in fact working on a Federal lawsuit naming CDFA, USDA, APHIS and EPA, plan to attend and also would be appropriate presenters. CASS also has opposed the full chemical program and their most local members lived through the aerial sprayings of the program. To be sure, aerial spraying would be likely to happen in Sonoma, too, as part of this program. Not spraying "urban" areas of Sonoma is meaningless as it is considered 95% rural. Anything "urban" would get drift, not to mention the fact that every rural corner has residents, workers or tourists present.

Please see the attached article I wrote in 2000 regarding the GWSS, and see the 5% urban section. I checked with the Tax Assessor when former Ag. Dept. head, Westoby, said they'd probably not aerial spray "urban" areas. These programs are linked in CDFA documents as the trapping is said to be "piggy-backed" on the GWSS program. That would suggest that traps are laid for these "emergency" programs according to ease rather science.

A fact pointed out by botanist Daniel Harder, who did an independent study of the LBAM in New Zealand is that, CDFA's done a good job learning how to trap the LBAM. Independent scientists have clarified that the LBAM has been here 30-50 years minimum (see www.DontSprayCalifornia.org's LBAM page for details and links), so if there is trapping, it will be found eventually in every area of California. It's not that there will be any more than decades ago; it's simply that they are being detected because trapping is happening. But as Secretary of Agriculture Kawamura has clarified, no crop damage exists due to the LBAM. That is because beneficials have happily incorporated it into their food supply but if this eradication program continues, and pesticides continue to be used, beneficials will be killed and in fact the LBAM will explode. At that point, it is conceivable that a problem could develop. No trapping is needed for a non-existent problem. All you really need to do is talk with biodynamic and organic farmers up your way to understand that they do not see the LBAM as a problem; however, they understand that the chemical program could cause them problems as it has farmers and growers in Monterey and Santa Cruz. The paperwork required is keeping them out of the orchards and fields where they need to be, and the program requires such overhanding of crops that damage occurs as a result, causing financial problems not subsidized with such eradication programs. This, of course, puts small farmers and growers such as many in Sonoma at distinct disadvantage to the massive growers in other regions who can more easily absorb some losses. There isn't much cushion in the many 5 and 10 and 60 acre parcels farmed in Sonoma.

Additionally, note that Chlorpyrifos, at the center of controversy in the GWSS program, is being used in nurseries as part of the LBAM program. Sonoma nursery people are at particular risk with this LBAM program in place. Please take note of toxicity details in the Pick Your Poison article or in more detail on our website, under the GWSS / Wine Country issues section (www.DontSprayCalifornia.org).

Indeed, these kinds of programs can be seen as necessary for Ag. Departments statewide; in fact, the departments are granted funding based on doing. We like to assume that trapping as a general rule would be a good idea, right? But that is not a safe assumption. In fact, biologists, botanists and entomologists point out many of the dangers of trapping, including

the fact that non-target species are always going to be found, even in targeted traps. That has absolutely been the case with LBAM traps, and would be expected. With bees endangered, we cannot accept trapping lightly.

As a chronic effects researcher for our group and having lived in the Sonoma Valley for years until 2000, collecting information on health problems relating to pesticide exposures, and recently spending extensive time talking with a nurse and mother who is in one of the targeted neighborhoods, I believe the information we have to offer will be important as a balance to CDFA and the deception we have experienced since last year in what they have provided to the public in person, on the radio, on tv, via their website, in telephone calls and even via email.

I look forward to hearing from you that we are on the agenda, and want to be sure that you disallow the CDFA or any agency to bring any of the actual Twist Ties, or the "pheromone" lures used in the traps, or any other pesticides into the building. This will have to be stated explicitly to them. They can bring in photos. We certainly will have photos to share.

People who attended one of their info meetings in San Jose were sickened by what was called a "depleted" Twist Tie and I was sickened by in fact both a Twist Tie in its package, and a bag of individually-wrapped lures for the LBAM traps in the Alameda County Ag. Department's trapping office. I'm attaching a symptoms report form which describes the incident.

We would encourage the Sonoma County Board of Supervisors to adopt a resolution as others have done opposing the full chemical program. I am attaching our full resolution which simply can be changed from 'City Council' to 'Board of Supervisors' and is ready to go as is, complete with citations and links to documents, or you can take a very simple approach and look at AFSCME Local 2428's 1-pager, to-the-point resolution opposing the whole program, also attached. One thing which is crucial is for a resolution to include the plan to join in legal action across regional borders. Fighting piecemeal and using up money piecemeal doesn't make sense. Statewide action is needed on all levels, including legal. The Berkeley City Council originally was confused and passed a resolution focusing only on the aerial spray portion. Later they came to understand the dangers of the rest of the program so hastily put together a new resolution which opposes the whole chemical program. One of their commissions additionally has formally recommended that they join in legal action across regional borders and though due to their city internal snafus that recommendation has not yet gone through the full process to be adopted, we expect that it will be, of course. All of this information, as well as the toxicity of the Twist Ties and the rest of the pesticide plans can be found on our website's LBAM page. It's www.DontSprayCalifornia.org. We would recommend that you contact CASS's legal contact about the Federal lawsuit in preparation:

Elizabeth@cassonline.org. We also would suggest that you contact the City of Berkeley's attorney: City Attorney (510) 981-6950 attorney@ci.berkeley.ca.us.

As an aside, perhaps, I am deeply personally invested in having people in Sonoma understand the dangers of the full chemical program as my older children, raised and originally sickened by pesticides in Schellville, are still taken back there regularly to visit their grandmother. With the inundation of the valley and county with pesticides already, it is crucial to oppose the State and Federal plan to impose from above yet more chemical use in our midst.

Many of you might remember having had many interactions with my dear friend and neighbor in Schellville, Ben Kashkooli. Ben and his wife, along with four other families from our end of the neighborhood moved between 1999 and 2000 due to pesticides making so many so very sick, and because we all understood that all the people with and dying of cancers, and all the dead goats and ostriches and cats, 5-legged frogs, and dead bees everywhere were not normal.

Both Ben and I had heart arrhythmias, consistent with pesticide exposures, and while mine for the most part stopped once I moved us away, back to Alameda County, his arrhythmias continued and that man, beloved by his wife, his students, other artists and so many of us around him, died of a heart attack soon after he moved from where he had hoped to live the rest of his life farming and making art. You know his death certificate said nothing about pesticides. Unless true epidemiological studies are done of Wine Country, he will not be counted as dead due to pesticide exposures.

Ben was 47.

Thank you for your attention,

Maxina Ventura
Chronic Effects Researcher
Don't Spray California
510-895-2312
As of Monday evening, 510-798-5630
beneficialbug@netzero.net

Pick Your Poison: At War With Nature

(by Maxina Ventura, Sonoma Pesticide Alert 6/16/00)

In a June 15th article on plans to control Pierce's Disease, spread by the glassy-winged sharpshooter, Supervisor Paul Kelley is quoted in the Santa Rosa Press Democrat as saying, "No option should be ruled out if the pest became a serious threat to the county's \$2 billion wine industry." Though Agricultural Commissioner John Westoby has said that he doesn't believe that aerial spraying will be necessary in residential areas, he hasn't ruled it out nor has he clarified what he considers residential areas.

According to Sonoma County Tax Assessor, James Gallagher, city areas of Sonoma County account for only 80 square miles (5%) while the rest of county lands comprise 1,580 square miles. No one has ruled out Lorsban (active ingredient Chlorpyrifos), the organophosphate which was sprayed by air to fight the sharpshooter in Riverside county both in March and June of this year. June 19th John Westoby said that the Ag. Department is going to "go with" the recommendations by the scientific panel set commenced by Secretary Lyons of the California Department of Food and Agriculture and pointed out that they are not recommending aerial spraying as they evaluate the spraying started June 20th house to house in Porterville, Tulare County. When asked what he considered residential areas, he said, "I don't know. I guess you could say urban areas." In responding to the question of whether there has been a lot of concern expressed about aerial spraying in Sonoma County he said, "It's kind of sad in a way... it's making people understandably antsy. I think it's not even a possibility for what might be called residential areas," apparently referring to the 80 square miles of city lands in Sonoma County.

Due to its extreme toxicity, Chlorpyrifos was banned by the EPA June 8th, 2000, for virtually all uses in residential and commercial buildings. Chlorpyrifos is a nerve toxin that inhibits Cholinesterase, an enzyme critical to nervous system function. It can cause headaches, dizziness, mental confusion, an inability to concentrate, blurred vision, vomiting, stomach cramps, uncontrolled urination, diarrhea, seizures, birth defects and multiple chemical sensitivity. This insecticide has been linked to organophosphate-induced delayed neuropathy (OPIDN), a nervous system disorder resulting in weakness or paralysis of the extremities. In children, acute exposure most often results in seizures and mental changes such as lethargy and coma. Chlorpyrifos is easily absorbed via inhalation, ingestion or through the skin. Symptoms may not be evident for up to one to four weeks after exposure. Studies have shown that this insecticide can persist up to eight years after application." Yet, the Ag. Commissioner has not ruled out using it in the majority of the county which, because of drift, would expose everyone in this county and people and the environment beyond county borders.

Perhaps because of public concern over the use of Chlorpyrifos in Temecula and concerns about its possible use elsewhere Agricultural Commissioners find themselves contemplating less notorious, but no less insidious, alternatives. According to articles last week in the Press Democrat and the Fresno Bee Sevin (active ingredient Carbaryl) is going to be used as the weapon of choice in Fresno and Tulare counties

beginning June 20th in Tulare county and will be applied around people's homes. The Ag. Commissioner has authorized spraying over the objections of residents, even if residents refuse to allow chemical sprayings fearing for their families' health. Residents are being warned to remove pets from the areas to be sprayed, cover fish ponds and refrain from harvesting fruits and vegetables for a prescribed period after application. And John Westoby, Sonoma County Ag. Comm. is referred to in the 6/15/00 Press Democrat as saying that Carbaryl is a good choice for residential spraying. He is quoted as saying, "It's safe and effective and has been around for years and years." DDT, long-banned for U.S., use has been around for "years and years," as has been Chlorpyrifos.

The EPA doesn't even allow pesticides to be advertised or promoted as being safe. Veda Federighi, of the Department of Pesticide Regulation, the pesticide regulatory arm of the EPA, clarified: "The way we put it, every substance can be used in a safe or an unsafe way. The scientists will say, and why EPA doesn't allow the statement that pesticides are safe is that, safety is a matter of dose. There's no way to prove safety, which is the absence of harm. Scientists will tell you there are no poisons at all, only poisonous doses. When used per the label they can be used safely. But people don't always follow label instructions," the latter having been reported by the United Farm Workers and other farmworker advocates.

Carbaryl is of a class of pesticides referred to as carbamates. Carbamates are closely linked with organophosphates in terms of acute effects and both attack the nervous system. If one does not suffer repeated exposures the body has a better chance with carbamates than organophosphates to recover. Carbamates interfere with production of the enzyme cholinesterase, which affects nerve impulses. Sevin was noted in an EPA description discussed in the June 14th Fresno Bee article to have moderate to low toxicity in humans. Although Carbaryl is an insecticide, all animals-- including humans-- are affected by it. The short-term effects of exposure to Carbaryl include nausea, vomiting, blurred vision, convulsions, volatility and aggression, coma and respiratory failure.

Will Sumner, Certified Toxicologist of Scientific Certification Systems in Oakland, California, points out that Carbaryl is a nerve poison. "Relatively speaking, yes, it is less toxic than Chlorpyrifos BUT this is a matter of comparing poisons. Carbaryl still has a level of toxicity over time." According to monthly pesticide use reports, people in this county regularly have been exposed to Carbaryl used on vines. We need to take seriously the detrimental effects of any exposure and especially of exposure all around us if the Ag. Commissioner ok's its use anywhere in this county in the quest to eradicate this sharpshooter if it is found here (eggs have been discovered on ornamental plants brought in from S. California).

Sumner quoted the 1993 National Academy of Sciences report: "Carbaryl as a nerve toxin affects the developing nervous systems of infants and kids." He stressed longterm concerns for development in children. Beyond that, he said that, "The problem is that their approach is to kill the insect instead of curing the disease." He brought up the possibility of using beneficial insects such as wasps.

Fresno Ag. Department entomologist, Norman Smith, has said that, "Beneficial wasps are only being looked at for use after trying to eradicate the glassy-winged sharpshooter with Carbaryl." Asked if they expect eradication with Carbaryl, he said they do not know if it will work. In fact, Lynn Thomas, Ag. Commissioner of Tulare County, is quoted in the June 14th Fresno Bee as saying, "We're not aiming for eradication, we're looking at containment." Ironically, as quoted in the Fresno Bee article of the 14th, "Carabaryl is extremely toxic to aquatic invertebrates and to honeybees." In the same article, Jerry Prieto, Fresno County's Ag. Commissioner pointed out that, "One of the side effects is that it kills off the good bugs, the beneficial predatory insects."

Steve Lyle of the California Department of Agriculture, which is providing funding to Agricultural Commissioners throughout the state and overseeing eradication and control attempts, said they are funding an ambitious biological control project involving parasitic wasps. They are in the planning stages and hope to build an insectary where they will breed wasps which prey on the glassy-winged sharpshooter. They are considering a native Californian species of wasp but are also considering a Mexican wasp which is in quarantine for another 7 months. Lyle did not know why the wasp was in quarantine.

There is controversy about introducing non-Native wasps which would prey on the glassy-winged sharpshooter. Many fear a non-Native species upsetting a delicate environmental balance, as has been seen with non-Native bullfrogs in California. In the short run wasps are a non-toxic alternative to chemicals but the larger picture demands a longterm plan. Sonoma Pesticide Alert asserts that, buffer zones at least comparable to what is demanded of organic growers receiving esteemed certification from California Certified Organic Farmers will be a necessary step in avoiding future pest infestation threats vineyard to vineyard. In a letter of response to Sonoma Pesticide Alert, Dave Bengston, Agricultural Commissioner of Mendocino County, said, "I agree that buffer zones would do a lot to reduce and eliminate problems, and I have proposed that buffer zones be provided for in the planning process. The proposal failed."

Additionally, Sonoma Pesticide Alert points out that vines grown with organic methods will better be able to withstand stresses including unwanted pests, viruses and bacteria. And for the shortterm, since Bob Wynn, the state's interim coordinator to lead the efforts against Pierce's Disease and the glassy-winged sharpshooter, said in an article in the Temecula Californian, "The effort is to slow the artificial spread of this pest." Ornamentals, grapes and other host plants for the glassy-winged sharpshooter from counties where the sharpshooter has been seen simply need to be kept out of this county. The list of host plants boasts 121 varieties of woody plants and herbaceous plants, according to the Glassy-winged sharpshooter Advisory List from the California Department of Food and Agriculture.

Emphasis on biological controls must be another shortterm priority. Nick Toscano, UC Riverside's lead person looking at biological controls shared some of their consideration such as the three native microwasps which lay their eggs in the sharpshooters' eggs; soap-based insecticides; "Surround," a clay dust which reflects light back to the insect so that it cannot see the plant. Ben Drake, a

Temecula grape grower spoke about "Abound," a fungus-based insecticide and at a community meeting in Sonoma Rhonda Smith, the UC Davis Cooperative Extension Viticulture Advisor to Sonoma County, mentioned a cinnamon-based insecticide being explored recently. Bob Roberson of the Integrated Pest Control office of the California Department of Food and Agriculture says Zinc is being considered as a bacterial control and temperature controlling of vines is the subject of research since bacteria die at cold temperatures, leading to less bacteria problems in Oregon and Washington state.

In the March 13th edition of the Wall Street Journal of Riverside, California, John Dyson, chairman of the Williams and Selyem winery in Napa, is quoted: "This thing needs to be bottled up before it wipes us out. They're already wiped out down there, they just don't know it." The writer continues, "That's why growers in the north advocate the quarantine approach. Worried that eggs of the sharpshooters may arrive in grapes and other produce shipped north, some are lobbying the state to classify the bug as a class-B pest. That would require such quarantine procedures as setting up road inspection points on north-south highways to halt shipments of any crops known to carry the insect's eggs. Temecula's vineyards would be financially hurt, because a quarantine would restrict them from shipping grapes to other parts of the state for crushing."

Ray Green, head of California's state registration for organic growers sheds light on why there has not been more understood about the successes of organic growing methods. Organic agriculture comprises approximately 2% of total agriculture in the U.S. He referred to the report by Mark Lipson, 'Searching For the "O-Word"' published by the Organic Farming Research Foundation. "As of 1995 there were only 34 projects funded by the Federal government explicitly focussed on organic systems or working methods and describing experimental settings consistent with conditions found on organic farms." The funding for these projects was \$1.5 million dollars, less than 1/10 of 1% of the USDA's portfolio for FY1995 funding. The balance went primarily into conventional growing methods research and extension. Lipson offers, "Recently there's been a fractional, very small increase in funding but it's not yet been systematic. There are policy developments that hopefully will produce a more deliberate, systematic approach."

When questioned about the possible impact on organic growers of widespread sprayings of organophosphates or carbamates, Lipson, the policy person at the Organic Farming Research Foundation, said, "Aerial spraying threatens the livelihood of organic growers. The state would probably allow their product to be sold as organic but it undermines, or at least raises questions for consumers about what organic means. This also raises the question of whether the state is going to differentially defend the rights of organic growers in a lesser way than they are going to defend other specific industries." He continued, "On one level it's a problem we shouldn't have to be facing, the aerial spraying of insects which we know is futile. It's a setback for the possibility of biological control. It hurts the ability of the environment to deal with this pest on its own." In discussing research efforts and monies toward such Lipson said, "For 10 years or more the UC system has been dismantling the biological control program. Hundreds of millions of dollars has been spent on molecular biology and genetic engineering while biological control research has been reduced

to a real crumb. They've lost generations' worth of scientists and technicians. Now they have nothing to do but panic and start spraying." He concluded, "It's absurd-- this is not going to eradicate the sharpshooter. It probably won't even control it. They are causing more problems, putting more stress on the biological resiliency of the environment."

Mendocino County's Agricultural Commissioner is quoted in the Ukiah Daily Journal: "Spraying doesn't work. If you're not careful you can help spread the disease." He explained that sharpshooters have a highly developed sense of taste and as soon as they taste a pesticide they jump to another plant.

While the State Legislature justified the allocation of nearly \$14 million of taxpayer money (and it is matched by the Federal Government) to the war against the sharpshooter by claiming that not doing so would threaten the economy of the entire state, it appears that the Sonoma County economy isn't as dependent on the wine industry as some believe. According to Ben Stone at the Sonoma County Economic Development Board, a recent estimate that the wine industry accounts for \$2 billion of the total Sonoma County economy is a bit high, even including ancillary activities beyond production (\$500 million) and added-value (\$1 billion). He also says that the electronics industry contributes \$3-1/2- 4 billion to Sonoma County's economy, and is growing rapidly.

Even if growers or the Agricultural Department do not aerial spray Lorsban, as they did in Temecula this past March and also in June, or switch from Lorsban to a slightly less vehement sister poison, such as Sevin, panic over the glassy-winged sharpshooter threatens to endow Sonoma County with a long-lasting toxic legacy. Studies show that Chlorpyrifos can persist up to eight years after application.

Maxina Ventura for the Sonoma Valley Voice, 6/16/00

Symptoms or Illness Potentially Related to Pesticides Used in LBAM Trapping and Eradication Program in California 2008

Please send form to: ReactionToSpraying@Yahoo.com or P.O. Box 1612, Pebble Beach, Ca, 93953

Name Maxina Ventura () Keep Name Anonymous (Blacked out in public copies)

Contact Info 510-895-2312 beneficialbug@netzero.net () Keep Contact info Anonymous in public copies

Age 44 Gender F () Keep Personal info Anonymous in public copies

===== (vDSC2)

Symptoms and Duration of Each Symptom (example "tingling on skin - Thursday at 11am")

April 14, 2008 at the office of the head of the Alameda County LBAM trapping program, the head, Sheryl Mailho, assembled a cardboard LBAM trap in front of me, then brought an LBAM twist tie in an enclosed plastic bag and then tossed down Scenturion "pheromone" lures still in packaging (foil-wrapped individual packages together in a Ziploc-type baggie). She described the twist ties and traps as having the "pheromones", then said that in the Scenturion packages is the "knobby" "pheromones" thing which gets stuck onto the traps. Even though I was wearing a mask with 2 layers of carbon filtration cloth, as soon as a twist tie was put on the desk near me I started to feel some nausea and a headache. The moment she tossed the plastic bag of Scenturion lures down the nausea hit much more dramatically and the headache was splitting. I hopped up and jumped backwards across the room but the foggy thinking was already underway. I couldn't think to ask other questions I had wanted to ask and had to get out of there. I felt nausea for hours, and still had a headache hours later. I took potassium and vitamin C and drank water and sat in the car for some time until I felt I could drive home safely. I had to take surface streets rather than the highway to get home and had to drive slowly with a great deal of extra caution. When Ms. Mailho asked if I wanted to see the traps and twist ties, I didn't expect her to produce the actual ones. I'd figured she'd show me photos.

Date & Time symptoms began Late morning 4/14/08

Geographic Location where you first experienced symptoms Office of the LBAM trapping program, 24405 Amador St., Hayward, CA 94544

Any Previous General Health Problems (such as asthma, weak immune system) MCS; Asthma; Diabetes; Low Thyroid problems; weak immune system, all due to pesticide poisoning

Were you aware of pesticide applications before symptoms began? (Yes/No)

Did you Hear Planes Flying Overhead? N/A (Yes/No) Did you see Twist Ties Nearby? Yes (Yes/No)

Did you see Traps? Yes (Yes/No) Other Pesticide Applications? N/A (Yes/No) (Describe what you saw below)

Any other relevant information (attach additional pages if necessary) Ms. Mailho referred to the twist ties AND trap lures as having the "pheromones"

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Signed _____ Maxina Ventura

Executed this 25th day of May, 2008, at (location:) San Leandro, California

To: The ***** City Council or....

From: East Bay Pesticide Alert / Don't Spray California

Re: Resolution opposing the California Department of Food and Agriculture (CDFA) and the U.S. Department of Food and Agriculture's (USDA) pesticide program to attempt to eradicate the Light Brown Apple Moth

Date: Spring, 2008

Whereas, the Light Brown Apple Moth (LBAM) is incorrectly labeled a pest subject to Federal and State quarantine and eradication orders; and

Whereas, there is a claimed presence of Light Brown Apple Moth (LBAM) in ***** County; and

Whereas, the CDFA plans to expand the LBAM pesticide program which began in 2007, to Alameda and surrounding areas in 2008; and

Whereas, pesticide applications have repeatedly been shown in the past to cause unintended, sometimes unpredictable, and often serious human health effects; and

Whereas, pesticide applications have repeatedly been shown in the past to upset natural ecosystem balance in sometimes unpredictable and often catastrophic ways; and

Whereas, botanists and entomologists have testified that pheromones, pesticides, and even sticky traps may threaten non-target organisms, including bees, which are currently in a global crisis due to Colony Collapse, in which pesticides have been implicated, and similar yet not fully understood moth species whose importance in the ecosystem is not yet fully understood; and

Whereas residents, workers, students and visitors to ***** , and people around the world, have recognized that the CDFA and USDA have manufactured a crisis and claimed an emergency exemption under the California Environmental Quality Act (CEQA) in order to aerial spray without conducting an Environmental Impact Report (EIR); and

Whereas, the state has confirmed that it will produce an EIR after the resumption of aerial and ground pesticide applications; and

Whereas, the use of toxic chemicals results in reliance over time on more chemicals; and

Whereas, exotic plant experts, Dr. Daniel Harder and Jeff Rosendale, have testified and reported that purported damage attributed to the LBAM in New Zealand occurred only prior to 2001, and once the pesticide regime was stopped, the LBAM ceased to be a problem as LBAM predators which had been killed by pesticides were allowed to regenerate and keep the LBAM naturally-controlled; and

Whereas, according to the Hawai'i Department of Agriculture, the LBAM is not considered a significant pest but may even be considered beneficial, as a control measure for invasive gorse and blackberry; and

Whereas, biologists have testified that the LBAM is unlikely to be eradicable; and

Whereas, UC Davis entomologist James R. Carey has testified that the range over which LBAM has been detected in California indicates that it has been established in the state for some time; and

Whereas, the CDFA has stated that no physical crop damage has been attributed to LBAM; and

Whereas, the risk of economic damage alone does not justify the health and environmental risk of pesticide applications; and

Whereas, farmers have suffered economic damage not due to the presence of the LBAM on their farms, but due to the damage caused by the State's demands of extensive handling of delicate crops in search for the LBAM; and

Whereas, Organic farmers have suffered economic damage due to CDFA interfering with, and further diluting, Organic industry standards by allowing synthetic chemically-treated crops to continue to be labeled Certified Organic, resulting in consumers seeking produce from outside of application zones; and

Whereas, nursery owners have suffered economic damage not due to the presence of the LBAM in their nurseries, but due to temporary closure during and after pesticide applications, and the threat of permanent closure for refusal to comply with the pesticide program's pesticides protocol; and

Whereas, the CDFA has stated that, residents cannot refuse pesticide applications at their homes and properties; and

Whereas, hundreds reported health problems following pesticide applications, including headaches, gastro-intestinal pain, rashes, reproductive system irregularities including post-menopausal resumption of menses, asthma attacks and difficulty breathing, including respiratory arrest in an eleven month-old baby; and

Whereas, sicknesses reported were consistent with expected effects of ingredients of pesticides applied; and

Whereas, CDFA has not addressed the synergistic effects of combined chemicals, most of which are kept undisclosed, protected as "proprietary" by trade secret laws, are frequently far more toxic than the active ingredients, and are specifically designed to interact synergistically to achieve greater toxicity than any chemical by itself; and

Whereas, the pesticides that are part of this program are associated with gastro-intestinal illness, are harmful if absorbed through skin, are neurotoxic, carcinogenic, endocrine-disrupting, chromosome-damaging, cause damage to the immune and central nervous systems, hearing and memory loss, leukemia, genetic damage, and are associated with birth defects; and

Whereas, the pesticides that are part of this program are toxic to beneficial insects such as bees, ladybugs, parasitic wasps, including the Trichogramma (which is part of this program), non-targeted moths, as well as fish, oysters and other marine mollusks, a wide variety of other aquatic organisms, birds, cats, other mammals, and even plants; and

Whereas, other environmental impacts following pesticide applications were reported, such as the death of pets who died of identical symptoms to their affected guardians; and

Whereas, birds and honeybees disappeared for lengths of time after pesticide applications from gardens they frequented previously; and

Whereas, a red tide developed, more dramatic than any in the area in at least 40 years, blamed on surfactants consistent with inert ingredients in pesticides, resulting in the death of hundreds of birds; and

Whereas, pilots employed by CDFA to apply pesticides mistakenly sprayed outside of designated application zones; and

Whereas, the California Constitution guarantees the right not only to retain, but to obtain, health; and

Whereas, The Nuremberg Code, Directives for Human Experimentation, states that human experimentation without consent is illegal; and

Whereas, complicity in the commission of a crime against humanity as set forth in Principle VI of the Nuremberg Principles is a crime under international law; and

Whereas, claims of safety of synthetic chemicals classified as pesticides is illegal, but CDFA persists in calling some of the pesticides used in this program safe; and

Whereas, the burden of proof of safety must reside with the pesticide manufacturers; proponents; executors; and applicators; and

Whereas the State has relied almost entirely on its own scientists to address concerns about the LBAM pesticide program and has not employed independent, outside experts to evaluate and support the program nor address issues in a direct and impartial manner; and

Whereas Emeritus Professor of Pharmacology and Toxicology Richard Philp testified that the USDA and EPA documents "are suggestive of a poor understanding of basic pharmacological and toxicological principles"; and

Whereas, increasing numbers of municipalities have embraced the Precautionary Principle and passed resolutions to the effect; and

Whereas, CDFA insists that local governments have no control over this program's implementation; and

Whereas, the people residing within and visiting the boundaries of those local governments depend on protection by elected representatives; and

Now, therefore be it resolved and ordered that the ***** City Council opposes the USDA/CDFA pesticide program to eradicate the LBAM; and

Now, therefore be it resolved and ordered that the ***** City Council demands that the USDA downgrade the pest classification of LBAM to reflect the lack of risk it poses.

Documentation for Resolution opposing the California Department of Food and Agriculture (CDFA) and the U.S. Department of Food and Agriculture's (USDA) pesticide program to attempt to eradicate the Light Brown Apple Moth

Pheromone Search - 942 Monterey County Moths - Lancelot Houston: "Non-target" moth species in Monterey County, affected by the CDFA's supposedly "targeted pheromone"
<http://eastbaypesticidealert.org/Pheromone%20Search.pdf>

Pheromone Trap Colour Determines Catch of Non-target Insects - New Zealand Plant Protection Society
http://www.nzpps.org/journal/53/nzpp53_216.pdf

LBAM Status report from New Zealand by Dr. Daniel Harder and Jeff Rosendale - March 6, 2008
<http://democrats.assembly.ca.gov/members/a27/pdf/HarderNZReportFINAL.pdf>

Buckwheat study showing that flowering buckwheat sown in grape fields, attracts parasitic wasps and other beneficial insects, and extends the food supply of insect predators of the LBAM caterpillar, by days to over a month, also extending their effectiveness in managing the moth
<http://www.vineyardshop.com.au/modules/news/newsview.aspx?NewsID=TVSN0337>

List of natural enemies of the LBAM <http://www.hortnet.co.nz/key/keys/info/enemies/lba-enem.htm>

Hawaii Department of Agriculture Press Release in response to USDA quarantine - May 2007 - LBAM beneficial in some cases
http://www.lbamspray.com/00_Documents/2007/News%20Release%20-%20NR07-09%20-%20May%202,%202007%20%97%20Hawaii%20Department%20of%20Agriculture.htm

UC Davis entomologist James R. Carey statements regarding eradicability
<http://forum.stophthespray.org/viewtopic.php?f=10&t=61>

Dr. Carey's Presentation to the State Assembly Legislature Committee on Agriculture - March 2008
http://democrats.assembly.ca.gov/members/a27/pdf/AssemblyAg_Committee_LBAM2.pdf

Organic's Organics - on the natural food industry seeking organics grown outside the spray zones
<http://www.metroactive.com/metro-santa-cruz/12.12.07/nuz-0750.html>

Blue Bamboo nursery forced to close <http://www.bohemian.com/metro-santa-cruz/06.27.07/moth-0726.html>

Full report of 2007 health complaints including survey of impact on homeless residents of Monterey and Santa Cruz <http://www.indybay.org/uploads/2008/01/05/spraycompl2.pdf>

No Spray Zone overview of Btk - used to hose down neighborhoods and private gardens
<http://eastbaypesticidealert.org/No%20Spray%20Zone%20paper%20on%20Btk.PDF>

Toxicological profile for Btk by Northwest Coalition for Alternatives to Pesticides
<http://www.pesticide.org/btk.pdf>

Isomate LBAM Plus Twist Ties - manufacturer's MSDS - "Harmful if absorbed through skin" - 250 per acre, 40 per property - low hanging in easy reach of children
http://www.pacificbiocontrol.com/Light%20Brown%20Apple%20Moth%20-%20LBAM_files/MSDS-LBAM.pdf

Dangers of Permethrin Fact Sheet by Caroline Cox - to be painted on minimum of 3000 utility poles and trees per square mile <http://www.mindfully.org/Pesticide/Permethrin.htm>

Most recent toxicological profile for Permethrin
<http://eastbaypesticidealert.org/Permethrin%20Safety%20Review.htm>

USDA quarantine exemption request to use a new chemical, which has not been registered by the EPA. This is the "pheromone", the "active" ingredient in CheckMate, the synthetic "pheromone" used in aerial applications. <http://eastbaypesticidealert.org/USDA%20quarantine%20exemption%20request.PDF>

Most recent indepth toxicological profile for CheckMate
<http://eastbaypesticidealert.org/Checkmate%20Chemicals%20Safety.htm>

Toxicological profile of Chlorpyrifos by NCAP - forced on nurseries <http://www.pesticide.org/chlorpyrifos.pdf>

Chlorpyrifos Fact Sheet by Chemical Watch and Beyond Pesticides
<http://www.beyondpesticides.org/pesticides/factsheets/Chlorpyrifos.pdf>

Unidentified Inert Ingredients in Pesticides: Implications for Human and Environmental Health - Cox and Surgan <http://www.ehponline.org/members/2006/9374/9374.pdf>

Moss Landing Mystery Spill - Discussion about what killed the birds that washed ashore
<http://forum.stopthespray.org/viewtopic.php?f=7&t=83>

CDFA letter to property owners of areas sprayed accidentally
<http://www.ksbw.com/download/2007/1103/14501006.pdf>

Nuremberg Code - Directives for Human Experimentation - relevant to CheckMate, the synthetic "pheromone" containing pesticide, which has been untested on humans, and therefore its use over human population constitutes experimentation without consent. <http://ohsr.od.nih.gov/guidelines/nuremberg.html>

Declaration of Richard Philp, toxicology professor, for county of Santa Cruz suit
<http://eastbaypesticidealert.org/philp.html>

Date: April 10, 2008

To: Public Distribution

Re: AFSCME Local 2428 Resolution Opposing the California Department of Food and Agriculture (CDFA) and the U.S. Department of Agriculture's (USDA) Pesticide Program to Attempt to Eradicate the Light Brown Apple Moth

WHEREAS, this union of park workers is pledged to conserve the land, the air, the water, and the life that resides there for the present sustenance of the people and use by future generations; and

WHEREAS, the Union/Management Ecology Committee is working in a cooperative manner to implement the District's goal of reducing the use of chemicals on District property; and

WHEREAS, each of the methods planned by the USDA and CDFA's pesticide program to attempt to eradicate the light brown apple moth, whether by aerial spraying, ground spraying, twist ties, permethrins on trees and utility poles, chemical traps, or other related methods have known and unknown negative health and environmental impacts associated with them; and

WHEREAS, science has shown that chemicals in the environment pose significant health risks to the public and the ecosystem; and

WHEREAS, scientists have reported that the light brown apple moth has not caused any substantial crop damage and is more successfully controlled without the use of chemicals, by encouraging natural predators and healthy soils to prevent the spread of damaging infestations; and

WHEREAS, Local 2428 is concerned about the health and safety of park workers and park users, especially the most vulnerable populations of young, old, or the infirm who may be exposed while working or visiting in District parklands to unnecessary and untested levels of known carcinogenic and mutagenic chemicals; and

NOW, THEREFORE, BE IT RESOLVED, Local 2428 strongly opposes this eradication plan and demands that the USDA downgrade the pest classification of the light brown apple moth to reflect the lack of risk it poses; and

THEREFORE, BE IT RESOLVED, Local 2428 will work with communities across the state, the nation, and the globe to seek alternatives to chemical pest management by creating healthy habitat, including, but not limited to, the use of bio-intensive gardening to attract natural predators and soil microbes, and the addition of organic compost to add nitrogen and minerals to the soil in order to support the plants' own immunity against unwanted "pests."