

RESOLUTION NO. 08-01

A RESOLUTION OF THE MILL VALLEY CITY COUNCIL OPPOSING THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE AERIAL SPRAY PROGRAM TO ERADICATE THE LIGHT BROWN APPLE MOTH

WHEREAS, the Light Brown Apple Moth (LBAM) is a pest subject to Federal and State quarantine and eradication orders; and there is a confirmed presence of Light Brown Apple Moths in Marin County; and

WHEREAS, the California Department of Food and Agriculture (CDFA) plans to begin an LBAM aerial spraying program in Marin County and surrounding areas in August of 2008; and

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

WHEREAS, aerial and other blanket pesticide applications have repeatedly been shown in the past to upset natural ecosystem balance in unpredictable and often catastrophic ways; and aerial and other blanket pesticide applications have repeatedly been shown in the past to cause unintended, unpredictable, and often serious human health effects; and

WHEREAS, the proposed materials to be used in the LBAM spraying program have not been tested for toxic health effects when used in areas of concentrated population; and

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

WHEREAS, the State has confirmed that it will begin preparation of an Environmental Impact Report after the aerial spraying program has begun; and, blanket spraying of chemicals is expensive and inefficient; and biologists have testified that aerial pesticide spraying is extremely unlikely to eradicate LBAM; and

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

WHEREAS, CDFA has stated that no physical crop damage has been attributed to LBAM; and, the risk of economic damage alone does not justify the health and environmental risks of aerial pesticide applications; and the State has relied almost entirely on its own scientists to address public concerns about the LBAM spray program and has not employed independent outside experts to evaluate and support the program or address issues in a direct and impartial manner; and

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

WHEREAS, the CDFA LBAM spraying program is relying on pesticides that contain ingredients that are highly toxic to aquatic life; and the CDFA LBAM program sprays pesticides in microscopic plastic capsules that pose unknown inhalation risks; and

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

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

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Mill Valley City Council:

Opposes the CDFA aerial spray program to eradicate LBAM and supports a moratorium on all proposed aerial spray programs until complete, independent study of the potential health effects of all substances, both active and inert, have been completed.

The foregoing resolution was adopted at a regular meeting of the Mill Valley City Council of the City of Mill Valley, County of Marin, State of California, at a regular meeting held on the 17th day of March, 2008, by the following vote:

AYES: Councilmembers Berman, Moulton-Peters, Wachtel, Lion, Mayor Marshall

NOES: None

ABSENT: None

Shawn Marshall, Mayor

Attest:

Deputy City Clerk