

**Subject: Legal Action Against CDFA**

**Dear Representatives of Communities on the CDFA List of LBAM Pesticide Applications:**

Last night a news reporter on ABC 7 mentioned that several Bay Area cities are gathering today to discuss legal action against the CDFA in regards to the aerial spraying planned here this Summer. Many of you have received information packets from Don't Spray California and other groups opposing the CDFA's LBAM program. If you are not already aware of the details of this program, please visit our website at [www.DontSprayCalifornia.org](http://www.DontSprayCalifornia.org) to view toxicological profiles for the chemicals they plan to use. More will be added onto the website in the coming week.

I'm writing today to ask you not to limit your unity to Bay Area governments alone, but to recognize the urgency of standing as a united front with all affected areas, including the California Peninsula, which has already been sprayed extensively, other areas that are being monitored for LBAM presence, and areas surrounding the official application zones. Pesticide drift recognizes no borders, and many outside of last Fall's spray zones reported that they were impacted by the chemicals drifting into their areas. To clarify which areas are on the list and what toxic treatments are planned, please see the CDFA map at [http://www.cdfa.ca.gov/phpps/PDEP/lbam/images/maps/lbam\\_ba\\_plan\\_WASP\\_08\\_338K.jpg](http://www.cdfa.ca.gov/phpps/PDEP/lbam/images/maps/lbam_ba_plan_WASP_08_338K.jpg)

I'm also writing to urge you to take a firm 100% no toxics stand, and not to focus on aerial spraying exclusively, as the LBAM emergency is a crisis manufactured by the USDA and CDFA, is not based in fact, and as such certainly does not warrant toxic compromises such as the alternatives planned by the CDFA. From the start, the USDA/CDFA have threatened that if they don't do the aerial spraying, they'll use even worse chemicals on us. Such threats are outrageously abusive, and should not be the arbiter of risky and invasive actions taken in people's lives.

While having our homes crop dusted by low flying air planes is a dramatic and frightening prospect, breathing in neurotoxic, carcinogenic, endocrine disrupting permethrin each time we pass one of the at least 3000 utility poles and trees per square mile to be painted with it, is no less frightening. If the moth can perceive the synthetic "pheromone" mixed into the permethrin to be attracted by it, the clear implication is that by necessity these chemicals must then be wafting through the air we breathe. This is to be done 8 feet off the ground, in easy reach of curious and climbing children, as are the low hanging chemical twist ties and traps, not to mention the vast vegetation being hosed down along homes and sidewalks in some neighborhoods. For the toxicology of two of these ground treatment methods, please see for permethrin: <http://www.dontspraycalifornia.org/Permethrin%20Safety%20Review.htm> and for Btk: <http://www.dontspraycalifornia.org/No%20Spray%20Zone%20paper%20on%20Btk.PDF>

Please familiarize yourself with the report by Dr. Daniel Harder and Jeff Rosendale, two exotic plant experts, who recently returned from researching the damage the USDA and CDFA claim the LBAM causes in New Zealand. It shows that the reports of damage are from a time in which pesticides were used against the LBAM, which also eliminated the moth's natural predators, and caused resistance in LBAM and other pests. Once the pesticide programs stopped, the ecosystem became more balanced, and the LBAM has not been a significant pest since. The CDFA's pesticide plan is precisely what not to do, will in fact only cause their own predictions to come true.

<http://democrats.assembly.ca.gov/members/a27/pdf/HarderNZReportFINAL.pdf>

And according to the Hawaii Department of Agriculture, responding to last year's USDA quarantine, LBAM is not only not a significant pest there, but may in fact be considered beneficial as a control measure for invasive gorse and blackberry.

[http://www.lbamspray.com/00\\_Documents/2007/News%20Release%20-%20NR07-09%20-%20May%202,%202007%20%97%20Hawaii%20Department%20of%20Agriculture.htm](http://www.lbamspray.com/00_Documents/2007/News%20Release%20-%20NR07-09%20-%20May%202,%202007%20%97%20Hawaii%20Department%20of%20Agriculture.htm)

Even the UC Davis entomologist James Carey, who was involved in the medfly spray program, and is by no means an opponent of pesticide use, has come forward to state that the LBAM has likely been here for a long time prior to its discovery last year, and that in his expert opinion it is not eradicable. Please see his statement here:

<http://forum.stopthespray.org/viewtopic.php?f=10&t=61>

As a person disabled by chemical injuries caused by pesticides, I'm especially concerned about the possibility of further injuries, not to mention about currently healthy neighbors suffering the same fate as mine. I remember when my Oakland neighborhood was doused with Malathion in 1981, because the state's agriculture industry was more concerned about the little medfly than about the health and safety of California residents. I was caught in the spray one night. I was 14 years old, and I didn't know what hit me.

Today I understand that these programs are cyclical in nature, an economic and toxic treadmill municipalities find themselves trapped on for decades, that a new pest is found as soon as an old one fades into obscurity, and that once the drama over the extremes is put to rest, these pesticide programs nevertheless continue, often quietly and out of sight of the public, with more and more toxic chemicals accumulating in our bodies, and "mysterious" cancer clusters and high asthma rates appearing seemingly out of nowhere. For more on chemical body burden and impacts on health, see <http://www.insidebayarea.com/bodyburden/> and <http://archive.ewg.org/reports/bodyburden2/execsumm.php>

I urge you to take united legal and direct action to protect us against this assault by a state agency, which is putting the greed of the agriculture industry above the health and safety of the public.

I'm also requesting that you keep us informed about the developments on your end, so that the public can be involved in the process by sharing much research many of us have already done.

Lastly I'm officially requesting that each municipality notify us of any CDFA presentations planned for your area, so that the lack of an unknowing public's involvement is not later misinterpreted as the public's consent. Please send notifications to [isisferal@yahoo.com](mailto:isisferal@yahoo.com)

Thank you.

Sincerely,

Isis Feral

Disabled Access Advocate  
Don't Spray California

[www.DontSprayCalifornia.org](http://www.DontSprayCalifornia.org)