

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: January 22, 2008

Reviewed by: *BP*

SUBJECT: Light Brown Apple Moth Aerial Spraying Program

REPORT BY: Beth Pollard, City Administrator

STAFF RECOMMENDATION

Consider adoption of Resolution #08-04 presented by Mayor Lieber opposing the California Department of Food and Agriculture Aerial Spray Program to eradicate the Light Brown Apple Moth.

BACKGROUND

In December, 2007, the California Department of Food and Agriculture (CDFA) notified Albany and other cities in Alameda and Contra Costa County of its intent to conduct an aerial spraying program in an effort to eradicate the Light Brown Apple Moth (LBAM). This program is similar to the one undertaken in Fall 2007 on the Monterey Peninsula.

The reason behind the LBAM eradication program is concern for the damage to crops and other plant species, and the potential for quarantine restrictions, that could occur if the moth continues to increase in population in the state. The program developed by CDFA is explained in the various attachments to this report. In summary, the program involves repeated aerial spraying of areas where the moth has been sited with a certain level of frequency. The material sprayed is a synthetic pheromone-based solution combined with other ingredients labeled “inert”, which is designed to confuse the male moth during the mating cycle in order to reduce the number of successful matings and offspring. CDFA has stated its intent to conduct the spraying in this area in approximately March to coincide with the LBAM mating season.

DISCUSSION

Concern has been expressed by members of the community about negative health impacts from the spraying. As stated in the attached materials, there are reports of negative health impacts to residents and animals when the spraying was conducted in the Monterey area this past Fall. One of Albany’s concerned residents, the Chair of the City’s Parks & Recreation Commission Integrated Pest Management (IPM) Task Force, Nan Wishner, has worked with Mayor Lieber to prepare and present the attached resolution opposing the aerial spraying program.

The resolution requests that the CDFA use least-toxic IPM methods to control the moth, educate the USDA regarding the lack of crop damage done by the LAM and to therefore downgrade the pest classification of the LBAM and not expose populated areas to spraying, and that the State conduct a study of the health and environmental impacts of the aerial spraying already performed. Lastly the resolution states support for legislation that may be introduced to require consent of residents in areas being sprayed.

ANALYSIS

Staff attended a meeting in December at which the CDFA provided an overview of its plans for spraying in this area. Attached is a City staff summary of the meeting. City staff has not performed any analysis or evaluation of the health impacts of the material being sprayed. The CDFA staff offered at the December meeting to attend city/community meetings on the LBAM spraying program. Council may wish to consider whether to invite CDFA to a community meeting in Albany.

Prior to the agenda item on the Light Brown Apple Moth, the City Council will be considering an ordinance and policy regulating the use of chemicals in pest management by the City of Albany.

FINANCIAL IMPACT

There are no financial impacts to the City in the adoption of the resolution.

Attachments:

1. Resolution #08-04
2. December 17th meeting summary
3. CDFA Light Brown Apple Moth Pest Profile
4. Summary of the LBAM Aerial Spray Program in East Bay (Nan Wishner)
5. Power point slides: "Light Brown Apple Moth in California" (CDFA)
6. San Jose Mercury News report on health complaints following spraying in Santa Cruz and Monterey

Attachments on City Web Site, January 22, 2008 City Council Agenda Item #8-3:

7. Power point slides "Discussion of LBAM Eradication Program" (CDFA)
8. USDA Maps of LBAM sightings
9. Toxicologist Richard Philp declaration, Superior Court
10. Analysis of Toxicology studies (Richard Philp, D.V.M., Ph.D)
11. UCD entomologist James Carey testimony re: the spray program
12. UCSC botanist Daniel Harder declaration, Superior Court
13. Executive Summary of health complaints prepared by Helping Our Peninsula's Environment
14. California Alliance to Stop the Spray (CASS) letter to Santa Cruz Health Services Agency explaining the pesticide risks
15. CDFA Letter dated October 4, 2007
16. Cal EPA letter dated November 16, 2007

17. CDFA LBAM Questions and Answers
18. “What Others are Saying” (CDFA)
19. Cal Fire letter dated October 2, 2007
20. CDFA Letter dated October 26, 2007, with attached “Key Questions and Issues”
21. CDFA website: www.cdfa.ca.gov