

## 5 Public Hearing Comments and Responses

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**T-San Rafael**

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MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT

Public Review and Hearing of  
Draft Programmatic Environmental Impact Report (PEIR)  
For the Marin/Sonoma Mosquito and  
Vector Control District's  
Integrated Vector Management Program

SCH#2012052066

SAN RAFAEL COMMUNITY CENTER

618 B STREET

SAN RAFAEL, CALIFORNIA

TUESDAY, SEPTEMBER 15, 2015

Reported by:

Julie Link

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**T-San Rafael**

2

APPEARANCES

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1 SAN RAFAEL, CALIFORNIA

2 TUESDAY, SEPTEMBER 15, 2015 6:42 P.M.

3 --oOo--

4 MS. HOOTKINS: So at this point in the  
5 meeting, I'm going to open it for the public  
6 hearing, and Mary Fraser, would you please come  
7 forward.

8 MS. FRASER: Hi, Good evening, ladies and  
9 gentlemen. Is this on? I suppose you can hear me  
10 anyway.

11 My name is Mary Fraser. I'm the mother of  
12 three children, and as the mother I had the  
13 unfortunate experience of having one of my  
14 children spend 35 days in the intensive care unit.  
15 Now, because of that experience I've become very  
16 well educated on health risks to children, and one  
17 of the areas that I've become very proficient in  
18 is pesticides and herbicides in general. So I  
19 want to share with you a little bit of my  
20 knowledge about pesticides.

21 Now, pesticides is an umbrella term. It  
22 includes under the umbrella insecticides,  
23 herbicides, and fungicides, so that's the three  
24 classes of life we have on this planet. And the  
25 end root of pesticide, "cide" in Latin means



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1 death, so we have death to plants, death to  
2 animals, and death to fungi.

3 Many people think that a more apt term for  
4 pesticides is ecocide, death to the environment.

5 Now, pesticides are regulated by the EPA,  
6 and pesticides have what are called active  
7 ingredients and inert ingredients and adjuvants.  
8 The only part of a formula of a pesticides that is  
9 tested is the active ingredient. The inerts and  
10 the adjuvants are not tested. So when you combine  
11 these together, you have a toxic formulation of  
12 completely unknown toxicity because the complete  
13 formula has never been tested.

14 So I'm here today to urge you to not use  
15 any herbicides or insecticides unless the complete  
16 formulation has been tested, which to my knowledge  
17 has never happened except with the case of  
18 Roundup.

19 And Roundup, I'm not sure if you're  
20 familiar with it, but the main ingredient in  
21 Roundup is glyphosate. The World Health  
22 Organization just declared glyphosate to be cancer  
23 causing to animals. They labeled it their highest  
24 classification, Classification 1. They labeled it  
25 as a probable human carcinogen only because they



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1 did not have enough data for humans.

2           You know, it's unethical to conduct human  
3 trials to induce cancer, so they had to use the  
4 tests that were done, particularly on agricultural  
5 workers, and they said the data is just too fuzzy  
6 so we can only give it a classification of 2A.



7           Now, when pesticides are formulated with  
8 the EPA, the inerts can be declared proprietary  
9 business information or trade secrets, so those  
10 ingredient do not have to be disclosed to the  
11 public. And as I said before, the complete  
12 formulation is not tested.



13           Once these formulations are created  
14 they're oftentimes patented, and in order to test  
15 the patented formulation you have to get the  
16 permission of manufacturer. Fat chance of doing  
17 that.

18           With glyphosate, which is of real concern  
19 because it's been labeled a probable human  
20 carcinogen and it does cause cancer in animals,  
21 the patent has run out, and that complete  
22 formulation has been tested by a group of  
23 scientists in France, and they've found that the  
24 complete formulation was a thousand times more  
25 toxic than the active ingredient alone,



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1 glyphosate.

2           So, you know, you have to ask, well,  
3 what's a thousand times more toxic than cancer in  
4 animals?

5           Well, the cancer rate we have in this  
6 country right now is one in two for men, one in  
7 three for women. Cancer is now the number two  
8 killer of children.

9           There was an article that came out today  
10 on the web that Harvard University has done a meta  
11 analysis on pesticides and they have conclusively  
12 linked pesticide use to cancer in children.

13           So I understand in your program you have  
14 an option of no chemical use. I would highly  
15 recommend that you do that to protect the health  
16 of our children, to protect our own health.

17           I mean, glyphosate has been used in this  
18 country for over 20 years. It completely  
19 saturates our food.

20           Farmers have learned to use it on crops  
21 right before harvest because what it does is it  
22 induces death in the plant in its last gasp for  
23 life, which is to procreate. It comes to full  
24 fruit. Because it's typically applied during the  
25 harvest or right before harvest which is a couple



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1 days before it's actually harvested, the herbicide  
2 actually does not have a chance to get down to the  
3 roots, it just goes into the fruit of the crop.

4 So what we're having is a huge increase in  
5 glyphosate residues in food, but unfortunately  
6 none of our government agencies test for that.

7 I find that really incredible since  
8 glyphosate is the most heavily used herbicide in  
9 our country that no government agency tests for  
10 the residues in our food.

11 Now, glyphosate in its parent product,  
12 Roundup, is used on genetically modified foods.  
13 The crops are specifically designed to be Roundup  
14 ready and that's typically corn, soy, canola,  
15 cottonseed, alfalfa, yellow squash, and now  
16 they've come up with genetically modified potatoes  
17 and apples.

18 The crops that are Roundup ready are  
19 designed specifically to withstand heavy  
20 applications of this herbicide, and that's  
21 particularly corn and soy.

22 So you find genetically modified  
23 ingredients in about 80 percent of the processed  
24 foods in this country, but we don't test for the  
25 residues of this cancer causing ingredient, which



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1 I find just absolutely appalling.

↑ 9

2           So, you know, what you can do, actually,  
3 is you can get yourself tested for glyphosate now.  
4 There's a program through Moms Across America and  
5 Sustainable Pulse where for \$119 you can get  
6 yourself tested. I would recommend you do that,  
7 especially if you're an applicator, because what  
8 they're finding is that the higher the levels of  
9 glyphosate in your body, the more you have a  
10 tendency for chronic disease.

10

11           Now, cancer has a latency period typically  
12 of 15 to 20 years, so it's difficult to tell, you  
13 know, how soon your cancer may show up with your  
14 exposure to glyphosate. There are scientific  
15 studies that say that glyphosate induces cancer in  
16 the range of parts per trillion, and someone  
17 explained to me that a part per trillion was about  
18 one drop of water in two Olympic swimming pools.  
19 And again, we don't test for glyphosate in our  
20 food.

21           So glyphosate is legal to be sprayed on  
22 160 different crops. They're particularly using  
23 it on wheat, so it's being sprayed on wheat right  
24 before harvest.

11

25           So what we're finding as a society is that

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1 we have a lot of celiac disease, or what people  
2 consider gluten intolerance.

3           There are scientists out of MIT,  
4 particularly Dr. Stephanie Seneff and Dr. Anthony  
5 Samsel that will tell you that, no, you don't have  
6 celiac disease or gluten intolerance, you're  
7 actually being poisoned by glyphosate.

8           Dr. Nancy Swanson, a retired Navy  
9 physicist, has done an analysis of the data of the  
10 use of glyphosate on our main crops. She used  
11 data from the CDC, from their hospital discharge  
12 and death rates. She correlated it with the  
13 amount of application of glyphosate on our crops,  
14 which has continued to escalate every year, and  
15 she has come up with a causation of 35 chronic  
16 diseases and deaths.

17           Now, I spoke with Dr. Don Huber, who is a  
18 professor emeritus of plant pathology at Purdue  
19 University. He looked at this data, he uses it in  
20 his slide show. He says this is not correlation,  
21 this is causation when you see this kind of data.

22           So we are essentially poisoning ourselves  
23 with glyphosate. I would ask that any herbicides  
24 that you use, because glyphosate is particularly  
25 used as an herbicide, not contain that ingredient.



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1           Glyphosate is formulated in 700 different  
 2 products, including AquaMaster, Roundup, there are  
 3 many more that public agencies typically use.

↑  
 13

4           I'm probably at the end of my three to  
 5 five minutes.

6           I haven't had a chance to review the 532-  
 7 page document. I do intend to do it and to submit  
 8 written comments in particular.

9           I guess I would like an opportunity to ask  
 10 some questions. One of the questions -- some of  
 11 the questions that I have is, are you going to be  
 12 doing aerial spraying?

↑  
 14

13           Because I went to a fund raiser recently  
 14 for the people that sued over the Brown Apple Moth  
 15 spraying, if you remember that, several years ago.  
 16 And the lead attorney, Stephan Volker, in that  
 17 suit, stood up and publicly stated that when they  
 18 went to trial and the state was asked to produce  
 19 evidence of economic harm, which was the  
 20 justification for that program, the state could  
 21 not produce any.

↑  
 15  
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22           So that was an intended aerial spraying  
 23 throughout the Bay Area. It did happen down in  
 24 Monterey County. Apparently there were several  
 25 people that suffered severe effects from the

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1 spraying that did happen, including a baby, a  
2 young woman, and several other people.

3 Now, because they settled those cases and  
4 in the settlement, you know, there are  
5 restrictions on not discussing these things  
6 publicly, Mr. Volker was not at liberty to discuss  
7 the details of those settlements.

8 So I am extremely suspicious of any aerial  
9 spraying that you're going to do. What I'm  
10 finding is that there seems to be some kind of --  
11 I don't know, I think this is a terrible word to  
12 use, but a conspiracy between chemical company,  
13 pesticide applicators, people who spray aerially,  
14 that they find things to spray for, you know,  
15 particularly in the Brown Apple Moth spraying.

16 And one of the questions I have is about  
17 this West Nile Virus is, are you going to be  
18 spraying aerially for that? And what are you  
19 going to be spraying? And has all the components  
20 of that spray been tested completely by an  
21 independent laboratory?

22 Because that's the other thing, that's the  
23 other dirty little secret about the EPA and  
24 pesticides, is that the active principal, when  
25 it's tested it's only tested by the manufacturer,



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1 because the EPA has closed ten out of its twelve  
2 labs.

3           The EPA doesn't do any independent  
4 testing. That's complete bullshit.

5           So as you can tell, I'm fairly emotional  
6 about this. I'm very passionate about it.

7           In my family -- and I do not come from a  
8 farm worker family and I do not live in an  
9 agricultural zone -- both of my parents have  
10 cancer. Out of four nieces and nephews, two of  
11 them have autism. The third one has chronic  
12 digestive difficulties, which is an indication of  
13 glyphosate poisoning. And all three of my  
14 children have asthma. And I can relate pesticides  
15 to all of those illnesses.

16           So please, stop using pesticides, stop  
17 using herbicides. Until we have a functioning EPA  
18 that actually regulates them, that actually tests  
19 them, that tests the complete formulation so that  
20 we actually know what we're doing instead of  
21 spraying toxic substances that are completely  
22 unknown in their toxicity.

23           I mean, we're finding pesticides in breast  
24 milk now. We're finding it in urine.

25           U.S. Geological Survey did tests in



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14

1 Illinois, Mississippi, Iowa, and they found  
2 Roundup in 75 percent of the air and rain samples.  
3 That means it's raining pesticides.

4 I just find that incredible in a democracy  
5 that I'm being unwillingly poisoned. Seventy-five  
6 percent of the air and water samples.

7 They're finding it in urine, virtually in  
8 everyone's urine.

9 They're finding it virtually all tap  
10 water. We're almost completely contaminated.

11 And when you talk to Dr. Don Huber, whose  
12 spent his lifetime talking about glyphosate,  
13 looking at the problems with it, he says that in  
14 some soils it's got a 20-year lifespan, depending  
15 on the structure of the soil.

16 Now, a lot of public agencies will use  
17 glyphosate and its attendant formulations as what  
18 they call fire control. They say, well, we need  
19 to reduce the weeds because they'll burn.

20 Well, if you talk to the people who are  
21 specialists in this, they'll tell you that  
22 actually it increases the risk of fire, because  
23 what it does is it spreads through the root  
24 systems of the plants, and so it reduces the  
25 plant's ability to withstand drought, and so they

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1 become more flammable.

2 Dr. Don Huber will tell you that it  
3 increases sudden oak death.

4 He was here recently. He's been in the  
5 Bay Area twice now to talk about glyphosate. The  
6 next time I hope you all go to see him. He's  
7 published a lot of information on the Web.

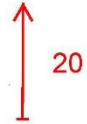
8 I'd like to quote him for a minute, and I  
9 don't know that I'll get this quote exactly, but  
10 what he says is he finds that historians when they  
11 look back on this period of history, it won't be  
12 that they'll talk about the number of pounds of  
13 pesticides that we've sprayed, but how willing,  
14 how utterly willing we were to sacrifice our  
15 children for the profits of corporations..

16 Thank you.

17 MS. HOOTKINS: Okay. Do we have anyone  
18 else who wishes to speak tonight, any more cards?  
19 I'm looking for Don. No? Okay. Okay.

20 Well, I'm going to -- I'm not going to  
21 completely close the public hearing because  
22 someone might come in late, so we will suspend our  
23 presentation and discussion until we see if anyone  
24 else comes by 8:00 o'clock tonight.

25 So we can take a break. Thank you.



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1 (Off the record 6:58 p.m. to 7:30 p.m.)  
2 MS. HOOTKINS: Okay. It's 7:30 and no one  
3 else is here to speak, so at this point the public  
4 hearing is adjourned.

5 (Adjourned at 7:30 p.m.)

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**REPORTER'S CERTIFICATE**

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of September, 2015.



Juliana Link  
CER-830

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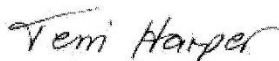
18

**TRANSCRIBER'S CERTIFICATE**

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of September, 2015.



\_\_\_\_\_  
Terri Harper  
Certified Transcriber  
AAERT No. CET\*\*D-709

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**Hearing Transcript T-San Rafael****September 15, 2015****San Rafael, California*****Response 1***

Pesticides are selective in action. The intensive laboratory testing required by the USEPA is to determine and delineate the specific toxic effects to target plants and animals and the relative safety to other nontarget species.

***Response 2***

Inert is the definition of a material that is known to have no effect, especially no adverse effects. Although there are numerous adjuvants used in some pesticide formulations, most are surfactants (soaps, etc.) added to increase the ability to effectively treat the target. However, over the past years, many product formulations (both the active and inactive ingredients) have also been tested by USEPA, and the results are included in the Federal Register as they are developed.

***Response 3***

This statement is factually incorrect. The World Health Organization (WHO) classification for glyphosate is 2-A and even that designation is tenuous due to the lack of credible supporting information used to make this determination. See Response I-Fra3-2 and Response O-VOL-22 on the WHO report.

***Response 4***

While it is correct that some formulations that include inert ingredients are not listed completely, it is because these formulations are proprietary and the result of considerable research by the company producing the product. However, it is also true that only inert additives are used in these cases, as USEPA requires the identification of any known toxic materials used.

***Response 5***

This statement is factually incorrect. The WHO classification for glyphosate is 2-A and even that is a tenuous designation due to the lack of credible supporting information used to make this determination. The toxicity suggested here is for direct immersion exposure to petri dish cells. See Response I-Fra3-2 and Response O-VOL-22 on the WHO report.

***Response 6***

The causality of cancer is still unknown. It is not statistically possible to attribute causality to exposures for most reported incidents, as there are numerous confounding factors that are also involved in these reports. Anything can be correlated to incidence of cancer, but correlation is not causality. The dependence of exposure to pesticides to incidence of cancer in humans is nearly impossible to quantify in any scientifically defensible study. The report indicated is not listed for evaluation. However, this article was reviewed by Dr. Williams (see his resume as Attachment B to Response to O-VOL-15), who did not find it to be a convincing or adequately supported statement of effect. The article suggests that young children who are exposed to insecticides inside their homes may be slightly more at risk for developing leukemia or lymphoma during childhood, according to a meta-analysis, which does no more than identify a number of possible causes. The authors suggest that much more work needs to be done.

<http://www.hsph.harvard.edu/news/hsph-in-the-news/pesticide-exposure-in-childhood-linked-to-cancer/>

Nothing in the cited article changes any of the analysis or conclusions in the Draft PEIR regarding the possible human health or ecological effects of the District's use of glyphosate.

**Response 7**

The No Chemical Program requires complete reliance on other methods that can be more disruptive to the environment than chemical control depending on the application site and habitat/species present. A “no chemical option” allows for unacceptable growth of unwanted vector populations with environmental consequences for human and animal health. A No Chemical Program alternative is addressed in Section 15.4.2 of the PEIR.

**Response 8**

These comments are factually incorrect statements. Glyphosate has been used safely for dozens of years to increase crop yields that support our population (and many others worldwide). The Food and Drug Administration (FDA) and other US and foreign agencies routinely test for residues in foodstuff and crop production and are tasked to report and remove any contaminated food items. This process also triggers a revision to tests required and proof by the manufacturer that the issue has been resolved before the product is allowed on the market. Although there have been no substantiated correlations to glyphosate exposure in foods to cancer in humans, the FDA has indicated that it will begin to add glyphosate to its current list of residue tests in major crops such as soybeans and corn. The District does not use, and does not propose to use, glyphosate on food crops. Further comments that raise concerns about glyphosate use on food crops are not relevant to the Program or PEIR analysis of the District’s proposed use of glyphosate for vector control.

**Response 9**

These comments are also a factually incorrect series of statements. Glyphosate has been used safely for dozens of years to increase crop yields that include many products that are designated as genetically modified organisms (GMO) in which the crop is selectively developed for resistance to some pests and some pesticides. Because this provides a selective herbicide action to weeds when GMO crops are used, there is little to no adverse impact to the crop. Much of the public concern about the term GMO has been elicited by the media and others who do not understand the science or process of GMO. There have been genetically modified crops since the early botany experiments by Mendel in the 1880s. The FDA and other US and foreign agencies routinely test for many types of residues in many crops, including GMO crops.

**Response 10**

The latency of cancer after exposure, in most cases, is said to be several years, according to some researchers and based on possible modification of basic, but complex physiological and enzyme systems. These links, however, are not clear and are always accompanied by numerous other confounding factors that may contribute to the responses.

**Response 11**

There is no credible evidence that celiac disease and gluten intolerance are linked to pesticides. The research and articles by Stephanie Seneff and Anthony Samsel have been challenged by dozens of practicing scientists due to inappropriate correlative assumptions and invalid data evaluations. Their papers have been retracted due to a lack of credible conclusions. See Response I-Fra3-2.

**Response 12**

The statement that the work by Nancy Swanson provides a clear causation rather than correlation is faulty. The "confirmation" of causality by Don Huber at Purdue is based on his use of a secondary limited correlation in which he suggests that comparing national lists of diseases and deaths to national use information for glyphosate is not scientifically defensible. There is no way to determine what the actual

exposures to the individuals have been regardless of, or based on, the amount of chemical used. In scientific terminology, this type of correlation is an example of a false analogy.

### **Response 13**

Given the magnitude of historic use of glyphosate products, it would seem likely that there would be relationships suggesting exposure results in adverse effects to humans, but this is not the case. Even in the data provided in support of the recent WHO designation of hazard, the most critical reviews of that finding by world renowned scientists and practicing toxicologists indicate no scientifically defensible causality between glyphosate and adverse effects or cancer. See Response I-Fra3-2 and Response O-VOL-22.

### **Response 14**

Aerosol applications are explained in detail in Section 2.3.5.1 with subsections for mosquito larvicides and mosquito adulticides and specific explanations of fogging from the ground or possible spray applications from aircraft. Aerial spraying whether from the ground using backpack equipment or truck mounted equipment, or from watercraft or aircraft, is generally considered in response to potentially severe threats to the environment or public health from a large population of mosquitoes or when the treatment area is too large for the other chemical treatment or nonchemical treatment methods or when special-status species could be disrupted by walking into the wetlands or using motorized equipment in a relatively large area.

### **Response 15**

The comment is on the LBAM eradication project by CDFA, not the District's PEIR. No response is required.

### **Response 16**

Every product used by the District, regardless of the application technique, has been tested and approved (regulated) by the USEPA or other agency. WNV is controlled chemically by using larvicides in water where mosquito-breeding is determined from surveillance and by adulticides for knocking down the adult mosquito when treatment criteria are met regarding the size of the mosquito population and proximity to humans. These methods and the specific chemicals used for each are described in Section 2.3.5.1 of the PEIR and evaluated for ecological and human health impacts in Sections 6.2.7 and 7.2.7, respectively, based on Appendix B, Ecological and Human Health Assessment Report. It is the adult mosquito that actually transmits the WNV disease to humans, birds, and other animals. See Response 14 above.

### **Response 17**

These statements are factually incorrect. USEPA conducts additional in-house reviews and additional in-house and contracted testing of the products in the registration process to validate or challenge the results submitted by the manufacturer. In fact, the manufacturer has no control over the testing by USEPA and must completely revise or modify its proposed product if the USEPA determines the data cannot be corroborated. Dr. Williams (see resume) was director of a chemical and product testing laboratory for the USEPA during his tenure at the agency and provided numerous independent studies on chemicals in the registration process.

### **Response 18**

The statements by the commenter are incorrectly attributing personal experience with diseases to glyphosate poisoning. There is no corroboration of these claims, and they are not supported by the body of scientific literature relating to health effects of glyphosate. The comments contain a number of inaccurate and/or unsubstantiated statements that are contrary to the evidence in the PEIR or cannot be evaluated, including the comments that the "pesticides are not tested", and "we do not know their toxicity"

and that "75% of the air and rain samples in mid-western states contain Roundup", "all tap water contains glyphosate", and "it is in everyone's urine."

***Response 19***

Soil characteristics modify the lifespan of every chemical introduced to the soil. In most cases, the modification results in reduction of the toxicity of a chemical and renders it less toxic. Glyphosate breaks down in soils according to pH and several other soil characteristics.

***Response 20***

The District does not manage vegetation for fire control, thus this is statement is not relevant to the Program or PEIR. In any event, reduction of vegetative fuel available to support fires has been shown to reduce the impact of wildfires and urban fires associated with excess vegetation fuel.

**T-Santa Rosa**

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MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT

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Draft Programmatic Environmental Impact Report (PEIR)  
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SCH#2012052066

WELLS FARGO CENTER FOR THE ARTS

50 MARK WEST SPRINGS ROAD

SANTA ROSA, CALIFORNIA

THURSDAY, SEPTEMBER 17, 2015

Reported by:

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4

1                                    SANTA ROSA, CALIFORNIA  
2 THURSDAY, SEPTEMBER 17, 2015                                    6:24 P.M.

3                                    --oOo--

4                                    MS. HOOTKINS: Okay. We're opening the  
5 public hearing, and our first speaker is Mary  
6 Fraser, F-r-a-s-e-r.

7                                    Mary.

8                                    MS. FRASER: Thank you. Good evening,  
9 ladies and gentlemen. My name is Mary Fraser. I  
10 am a licensed real estate broker, a resident of  
11 Marin, and the mother of three children.

12                                    As the mother of three children, I had the  
13 unfortunate of experience of having one child land  
14 in the intensive care unit for 35 days. Because I  
15 never, ever want to repeat that, I have educated  
16 myself very well on public health and personal  
17 health issues.

18                                    About three years ago I became very  
19 interested in the issue of pesticides in human  
20 health and I've been looking at it extensively.

21                                    I also come from a large family of  
22 attorneys, so everything, virtually everything  
23 that I'm going to say tonight is backed up by  
24 scientific studies. And I brought a copy of just  
25 some of the studies that I'm going to talk about.

1

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5

1 I did submit written comments, they were  
 2 emails that I sent in today. I did not get any  
 3 acknowledgement that they were received, so I came  
 4 today to make sure that the four emails that I  
 5 sent are on public record.

2

6 So I attended the presentation two nights  
 7 ago, and I wanted to talk about my concerns with  
 8 this process.

9 I do not think you've been given adequate  
 10 time or notice of these hearings and their  
 11 content. You published a legal notice only on  
 12 August 28th and you expect the public to be able  
 13 to read and prepare comments no later than  
 14 October 2nd on a document that's over 500 pages.

3

15 You made the document available in  
 16 libraries in CD form. Most libraries have  
 17 reservation systems in order to use a computer,  
 18 and time is limited to one hour per reservation,  
 19 and to print out any pages is a ten-cent fee per  
 20 page.

21 All of this combined makes for great  
 22 difficulty in reading and analyzing your draft  
 23 EIR.

24 I'm requesting that you extend the  
 25 official notification period to at least 120 days;

4

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6

1 that you take out quarter-page display ads in  
2 newspapers; and that you send notifications of the  
3 draft PEIR to multiple NGOs and nonprofits.

4 I would also like you to supply copies of  
5 the draft PEIR to interested individuals at no  
6 charge. I understand you want \$500 for it.

7 I have not had adequate time to analyze  
8 your PEIR as I am employed.

9 Now, I attended your public hearing on  
10 September 12th [sic] and I watched a PowerPoint  
11 presentation that I found a little bit misleading.

12 The presentation stated that you use  
13 chemicals approved for organic food production and  
14 that you consulted beekeepers.

15 During a very brief review of the draft  
16 PEIR, in my one-hour computer time allotted at the  
17 public library, I found that you propose to use  
18 glyphosate.

19 This is a chemical pesticide that is not  
20 allowed in organic food production. The World  
21 Health Organization, through its research arm, the  
22 International Agency for Research on Cancer, has  
23 declared glyphosate to be carcinogenic to animals,  
24 and it gave glyphosate a '1' rating, which is  
25 their highest rating for animals, and a '2A'



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1 rating for humans.

↑ 6

2 Now, in reviewing the draft PEIR, I noted  
3 that the information on glyphosate is inaccurate  
4 in the following ways.

5 Section 4.6.2.3, Human Toxicity. And I'm  
6 quoting here from your document.

7 "The shikimic acid pathway, which is  
8 specific to plants and some microorganisms;  
9 therefore, glyphosate is thought to have very low  
10 toxicity to mammals," and they quoted USEPA 1993.

11 This is very old information, it's 23  
12 years old. Dr. Stephanie Seneff of MIT and  
13 Anthony Samsel have found that the shikimic  
14 pathway is present in bacteria in the human gut.  
15 And I have supplied in my email a copy or a link  
16 to their peer reviewed published paper.

7

17 Now, Dr. Seneff and Anthony Samsel have  
18 published numerous other articles about  
19 glyphosate, and I've attached four other articles,  
20 including one that specifically deals with  
21 wildlife and has a co-author by the name of Judy  
22 Hoy.

23 Now, glyphosate is rarely used alone, it's  
24 almost always used in combination with inerts and  
25 adjuvants.

↓ 8

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1           A team of independent scientists did  
2 studies on the complete formulation of Roundup,  
3 which is the most widely used pesticide that has  
4 glyphosate as its main ingredient or active  
5 principle. The testing found that the complete  
6 formulations had toxic levels that were up to a  
7 thousand times more toxic, and I'm supplying the  
8 links to two of those studies.

9           One is titled *Major Pesticides are more*  
10 *Toxic to Human Cells than their Declared Active*  
11 *Principles*. One of the lead scientists on that  
12 team was Dr. Seralini.

13           The other article is entitled *Ethozylated*  
14 *Adjuvants of Glyphosate-based herbicides are*  
15 *Active Principles of Human Cell Toxicity*.

16           In Section 4.6.2.3 it's stated,  
17 "Currently, no published scientific evidence  
18 indicates that glyphosate is carcinogenic or  
19 mutagenic."

20           I'm attaching a copy of the WHO report  
21 that disputes this, and it labels glyphosate as  
22 carcinogenic to animals and a probable human  
23 carcinogen.

24           I don't know why this PEIR -- or this  
25 report from the World Health Organization has not



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1 been included in the draft PEIR. The initial  
 2 release was in March 2015 and the entire monograph  
 3 was released in July 2015. There have been  
 4 numerous media reports about the World Health  
 5 Organization finding.



6 Now, in Section 4.6.2.1 there's a table of  
 7 the degradation of glyphosate. Monsanto, the  
 8 manufacturer of glyphosate, has been sued by both  
 9 the State of New York and the country of France  
 10 over falsely advertising that their product,  
 11 Roundup, which has glyphosate as its active  
 12 principle, is biodegradable.

13 The country of France won their case, even  
 14 though it was appealed to the highest court in  
 15 France, and the State of New York settled the case  
 16 with Monsanto.



17 The actual degradation of glyphosate is  
 18 dependent on the chemical nature of the  
 19 environment it is in. In some cases it can take  
 20 20 years or more to biodegrade. So your table in  
 21 there on the biodegradation of glyphosate is  
 22 inaccurate.

23 I'm asking that you not use glyphosate at  
 24 all, and I want the directors of the District to  
 25 approve the no chemical option that's proposed in



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1 your draft PEIR.

2 I also supplied another email with a copy  
3 of a speech that I recently did called *Why*  
4 *Pesticides should be Banned*. At the end of the  
5 speech I have included all of my references. I  
6 think I have -- actually this didn't print out.  
7 There should have been 13 references in this  
8 thing. I guess I'll have to recopy that and send  
9 that to you again.

10 Now, another issue in terms of choosing  
11 the no chemical option for your draft PEIR is that  
12 pesticides drift, so you cannot guarantee anyone  
13 that they will not -- that you will not affect  
14 them.

15 Pesticides get into our air and our water,  
16 and in this email I attached a speech that I  
17 recently wrote about pesticides drift and their  
18 threat to the \$45 million organic agricultural  
19 market in Marin.

20 And I want to share this graphic with you  
21 because not only is glyphosate -- not only has it  
22 been sued by the country of France and the State  
23 of New York, but now there's a class action  
24 lawsuit against it, and this is one of their  
25 graphics.



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11

1           It's a little girl playing in the rain and  
2 it's saying "It's raining Roundup." And underneath  
3 it says, "Monsanto's Roundup is found in 75  
4 percent of air and rain samples."

5           Now, this graphic comes from an official  
6 government study done by the United States  
7 Geological Survey. They've done a number of  
8 studies. The lead author on most of the studies  
9 is a Paul Capel.

10           In my documents that I've submitted I  
11 believe I have referenced at least four of his  
12 studies because they've tested the air in at least  
13 four states and this is a consistent finding. And  
14 not only do they find Roundup in the air, they  
15 find atrazine, they find malathion, they find  
16 Diazinon and a number of other chemicals.

17           Again, I urge you to use the no chemical  
18 route. I'm going to go through your PEIR and see  
19 if you actually address physical alternatives to  
20 using chemicals, and I will be sending you  
21 comments on that.

22           And I sent you another email about where  
23 pesticides, and in particular glyphosate, have  
24 been banned because countries and municipalities  
25 around the world are starting to ban it.

14

15

16

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12

1           In Marin County the Marin Municipal Water  
2 District recently chose to exclude the use of  
3 pesticides from the 26,000 acres that they manage.  
4 This is a continuation of a nine-year hiatus in  
5 the use of pesticides, because no one wants  
6 pesticides in our water supply. Unfortunately,  
7 they're already there in many places.

17

8           Now, Richmond, California has banned  
9 pesticides. This effort was led by two doctors,  
10 one of whom is the retired chief of cardiology at  
11 Kaiser Permanente. His name is Dr. Jeff  
12 Ritterman. He wrote and published an extensive  
13 article outlining the public health reasons for  
14 banning pesticides.

18

15           I had the privilege to hear Dr. Ritterman  
16 speak recently. He started his talk by saying  
17 that the compelling evidence against pesticide use  
18 was the birth defects that are showing up in South  
19 America. We're talking about babies born with no  
20 skulls or half a skull, babies born with no arms  
21 and no legs, babies born with one big Cyclops eye.

22           These are defects that are nearly  
23 identical to the ones that happened in Vietnam  
24 after we defoliated that country with Agent Orange  
25 during the war. And we have yet to ban the entire

19

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13

1 formula of Agent Orange. We've only banned 2,4-T;  
2 we still use 2,4-D on our agriculture.

↑ 19

3 So in Argentina, because the health  
4 consequences have been so severe, 30,000 doctors  
5 have called for a ban on pesticides -- 30,000  
6 doctors.

7 In El Salvador, 20,000 men have died in  
8 the last five years because they started using  
9 pesticides in the sugar cane fields. So in El  
10 Salvador they've banned 32 different pesticides.

↓ 20

11 Sri Lanka has the same issue. Thousands  
12 are dying from end stage kidney disease, and one  
13 of the reasons that they have such terrible kidney  
14 disease is because they have serpentine soil. And  
15 we have serpentine soil in Marin. So Sri Lanka  
16 has banned a number of pesticides.

17 France has banned them. The Netherlands  
18 has banned non-commercial use. German ministers  
19 are calling for a ban in the entire European  
20 Union. All of these countries operate on the  
21 precautionary principle where chemicals have to be  
22 proven safe before they can be used.

↓ 21

23 In America we have the opposite policy.  
24 Chemicals undergo minimal testing by the  
25 manufacturer, and then the public has to prove

↓ 22

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1 that a chemical is unsafe before it can be forced  
2 off of the market. This can take decades and has  
3 untold consequences.

↑  
22

4 So again, I'm asking you to use the no  
5 chemical option in your EIR.

↑  
23

6 And I've attached a list of all the other  
7 places where pesticides have been banned or  
8 restricted, including the City of Fairfax,  
9 California; the City of Belvedere, California; the  
10 City of Sausalito, California, where pesticides  
11 are under review; the Reed School District in  
12 Tiburon, California where pesticides are not used  
13 on school district grounds; the Larkspur Corte  
14 Madera School District in Corte Madera; the Mill  
15 Valley School District; Connecticut, where  
16 pesticides are banned on municipal playgrounds;  
17 New York, where again they're banned on school  
18 grounda; Bermuda, Brazil, where the chief  
19 prosecutor wants glyphosate banned;

↑  
24

20 And the country of Columbia. They've  
21 banned the spraying of glyphosate for use on  
22 illicit crops. They used to spray for the crops  
23 that created cocaine, but the health damages were  
24 so severe that they've stopped doing that.

↑  
25

25 Besides Richmond, California, we have

↑  
26  
↓

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1 Chicago, Illinois; Tacoma Park, Maryland; Laguna  
 2 Hills, California; Durham, Connecticut; Paris,  
 3 France; the University of Vermont Law School; and  
 4 Emory University campuses; Santa Barbara,  
 5 California; Plainville, Connecticut; Santa Fe, New  
 6 Mexico; and San Francisco has had an 85 percent  
 7 reduction in the use of pesticides based on their  
 8 IPM Policy.

26

9           So now I want to talk a little bit about  
 10 bees because bees are pollinators, mosquitoes are  
 11 pollinators.

27

12           We're spraying for mosquitoes. You cannot  
 13 discriminate between pollinators in your pesticide  
 14 applications.

15           I was looking through some old files the  
 16 other day -- or today actually, because I've been  
 17 interested in bees for quite awhile, and I came  
 18 across a file from 2013, the Winter Loss Survey  
 19 done by a group called The Bee Informed  
 20 Organization, and they had a graphic here that I  
 21 want to submit.

28

22           Where in 2013 they had a 30 percent  
 23 mortality rate on honeybees over the winter. In  
 24 their graphic they say that an acceptable range, a  
 25 sustainable range is 15 percent.

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16

1            Now, we're at 50 percent loss. So in two  
2 years we've gone from 30 percent loss to 50  
3 percent loss in our honeybees. These are just in  
4 the pollinators that we really count.



5            Pollinators pollinate almost 90 percent of  
6 the plants in this world. If we lose our  
7 pollinators, we lose most of our food crops.  
8 We're left with corn, wheat, rice, a few other  
9 things that are pollinated by the wind.

10           We can't survive on that because there are  
11 not enough essential amino acids.

12           I mean, to have a 20 percent increase in  
13 two years. I have read a statement by a bee  
14 scientist that said that we are one hard winter  
15 away from not having any food. We do not have  
16 food security in this country.



17           I find that absolutely unbelievable and  
18 unacceptable. And for you to spray to kill  
19 pollinators when we have this kind of critical  
20 situation in this country is absolutely  
21 unjustifiable. Absolutely unjustifiable.

22           Now, in your presentation you say you  
23 consult with beekeepers. I want to quote from a  
24 book that was written by a Dr. Evangelos  
25 Vallianatos. He was with the EPA for 25 years.



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1 This is a whistleblowing book, it's called *The*  
 2 *Secret History of Pollution and the EPA*, it's  
 3 entitled *Poison Spring*. It just came out  
 4 recently.

5 I had the privilege to be the driver for  
 6 Dr. Vallianatos recently, and we talked  
 7 extensively about pesticides and the EPA, and he's  
 8 the one, and his book, that talked to me  
 9 extensively about the fact that inerts are never  
 10 tested along with the active principle, it's in  
 11 his book here.

12 But really what I want to talk about is  
 13 beekeepers. He says, "For several decades honey  
 14 producers in the United States have worried that  
 15 protesting the death of their bees would bring  
 16 down the wrath of industrial farmers who will  
 17 either wipe them out with sprays or ruin them by  
 18 suggesting that honey and pollen may be full of  
 19 tiny capsules of nerve gas and numerous other  
 20 poisons.

21 "This explains a depressing Catch-22.  
 22 Even as their bees continue to die, honey  
 23 producers have been largely silent. They're  
 24 willing to lose some of their hives as the price  
 25 for the social contract they have with the farmers



30

31

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18

1 whose insecticides kill their bees.”

2           Apparently, there are number of pesticides  
3 that are microencapsulated. They’re still on the  
4 market. The bees will pick up the pesticides in  
5 their microencapsulation and take them back to the  
6 hives. So you buy commercial honey, you may be  
7 buying a product full of pesticides.

8           Here’s another quote from the book. There  
9 was a woman, D. Lusby, who sent letters about this  
10 to the EPA, and the author Dr. Vallianatos says,  
11 and I quote from his book, “I talked to Lusby in  
12 July of 1989. She told me that beekeepers who  
13 complain about pesticide poisoning paid a price.  
14 Farmers would spray bomb their hives, sometimes  
15 killing all the bees. Such was the cost of this  
16 war that few beekeepers dared to go public with  
17 their grief and loss. This remains true today.”

18           So the last time I spoke I talked about  
19 the cancer rate, because I think that’s the real  
20 public health issue here. It’s not malaria. I  
21 don’t think it’s the West Nile Virus. I think  
22 it’s the cancer rate.

23           Because according to the American Cancer  
24 Society, we have a 2015 rate of one in two for men  
25 and one in three for women. I just find that



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1 astronomical.

2           We used to have a one in ten rate, and now  
3 we have one in three and one in two. That's  
4 pretty unbelievable. That's the real public  
5 health issue.

6           Let me go back to glyphosate for a minute  
7 because one of the documents I submitted was a  
8 study done by Dr. Nancy Swanson and other  
9 scientists. It was published in the *Journal of*  
10 *Organic Systems*. It's called *Genetically*  
11 *Engineered Crops; Glyphosate and the Deterioration*  
12 *of Health in the United States of America*.

13           The abstract says, "A huge increase in the  
14 incidence and prevalence of chronic diseases has  
15 been reported in the United States over the last  
16 20 years. The herbicide glyphosate was introduced  
17 in 1974 and its use is accelerating with the  
18 advent of herbicide tolerant genetically  
19 engineered crops.

20           "Evidence is mounting that glyphosate  
21 interferes with many metabolic processes in  
22 animals and plants, and glyphosate residues have  
23 been detected in both.

24           "Glyphosate disrupts the endocrine system  
25 and the balance of gut bacteria. It damages DNA



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1 and is a driver of mutations that lead to cancer.”

2 Now, the endocrine system is our hormonal  
3 system, and this is particularly damaging to  
4 children who have critical windows of development,  
5 and what we’re finding is huge increases in  
6 chronic diseases in children.

7 We now have an autism rate that’s  
8 somewhere between one in fifty and one in sixty-  
9 eight, and Dr. Swanson and Dr. Seneff have  
10 directly tied glyphosate to autism.

11 So in this paper that Dr. Swanson did with  
12 three other scientists, they published a number of  
13 graphs on the chronic diseases, and I believe  
14 there’s something like 32 of them.

15 Let’s see; stroke, diabetes, obesity,  
16 lipoprotein metabolism disorder, Alzheimer’s,  
17 senile dementia, Parkinson’s, Multiple Sclerosis,  
18 autism, inflammatory bowel disease, intestinal  
19 infections, end stage renal disease, acute kidney  
20 failure, cancers of the thyroid, liver, bladder,  
21 pancreas, kidney, and myeloid leukemia.

22 And they published these graphs and they  
23 find a correlation that they say in the end that  
24 it’s not correlation, that statistically when you  
25 look at this it’s actually causation.

36

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1           And that's a statement that's been  
 2 verified by Dr. Don Huber. He's a professor  
 3 emeritus of plant pathology at Purdue University.  
 4 He spent 41 years in the United States Army as a  
 5 colonel. His specialty is biological warfare.  
 6 And Dr. Huber spends his time now, he's about 80  
 7 years old, campaigning against glyphosate.

37

8           So let me share a couple of these slides  
 9 with you. I've shared the entire thing as a link.

38

10           What's of particular concern right now  
 11 besides the autism rate is the link to dementia,  
 12 because there have been recent reports in the  
 13 press that there is an upcoming epidemic of  
 14 dementia in 40- and 50-year-old people.

39

15           So here a couple of their graphs.

16           The red line is the glyphosate applied to  
 17 corn and soy. The blue is the percentage of corn  
 18 and soy planted. And then the yellow bars are the  
 19 liver cancer that's incident, and you can see how  
 20 closely it tracks. The same with age adjusted  
 21 kidney and renal pelvis cancer.

22           Because glyphosate is a patented  
 23 antibiotic. Dr. Huber states that it affects the  
 24 bees because the bees pick up the glyphosate from  
 25 the rain. It gets into their gut, it disrupts

40

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1 their gut biome, and so they literally starve to  
2 death.

3           So again I ask you not to use chemical  
4 warfare against pollinators. We need our food, we  
5 need our children. We need our health.

6           Cancer is the big public issue.

7           So once I review your entire PEIR, I will  
8 be submitting additional documents, additional  
9 data.

10           I intend to send your PEIR to Pesticide  
11 Action Network, to Beyond Pesticides.

12           And let me just close with one other study  
13 that I find really interesting, and this gets a  
14 lot of attention from men.

15           Published in the *Asian Pacific Journal of*  
16 *Reproduction*. It's called *Potential pathways of*  
17 *pesticide action on erectile function. A*  
18 *contributory factor in male infertility*.

19           And the abstract says, "One of the  
20 important objectives of this manuscript is to  
21 focus on the place of erectile dysfunction as an  
22 important factor for infertility. The review is  
23 about correlating the indiscriminate use of  
24 pesticides and to find out and highlight the  
25 evidences from mechanism of action of these



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1 pesticides for erectile dysfunction, and find out  
 2 the most used and most dangerous pesticide from an  
 3 erectile dysfunction point of view.

4 "The review suggests that erectile  
 5 dysfunction is having a significant place as a  
 6 causal factor for infertility.

7 "The study infers that pesticides are  
 8 having multiple mechanisms of action through which  
 9 they cause erectile dysfunction."

10 So I didn't send the link for this, I will  
 11 just leave it with my written comments.

12 There are a number of other studies which  
 13 I will provide about male impotence, infertility.

14 Dr. Huber told me in private conversation  
 15 that the fertility rate in this country has  
 16 dropped 30 percent in the last five years.

17 My daughter worked at a fertility center.  
 18 She was the egg donor coordinator. She quit the  
 19 job. She told me, "Mom, we can't find enough egg  
 20 donors. The girls aren't healthy enough. They're  
 21 still showing up to donate their eggs, but they're  
 22 just not healthy enough."

23 My goal in life is to have healthy  
 24 grandchildren. I can't do that if you all  
 25 continue to put toxic chemicals into the air and



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24

↑ 43

1 the water to kill our pollinators.

2 Thank you.

3 MS. HOOTKINS: Okay. Well, I think we're  
4 going to go ahead and we'll wait. (inaudible)  
5 because some of these people want to have  
6 something to eat. (inaudible).

7 Yeah, let's put the public hearing in  
8 suspense until -- yeah.

9 (Off the record 6:49 p.m. to 7:15 p.m.)

10 MR. SMITH: Seeing no further attendees,  
11 we'll close at 7:15.

12 MS. HOOTKINS: The public hearing is  
13 closed.

14 MR. SMITH: 7:15, yeah, nobody here.  
15 (Adjourned at 7:15 p.m.)

16 --o0o--

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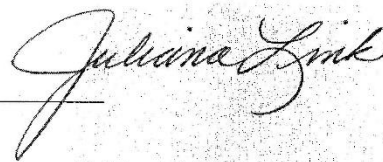
25

**REPORTER'S CERTIFICATE**

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of September, 2015.



Juliana Link  
CER-830

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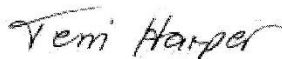
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**TRANSCRIBER'S CERTIFICATE**

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of September, 2015.



\_\_\_\_\_  
Terri Harper  
Certified Transcriber  
AAERT No. CET\*\*D-709

CALIFORNIA REPORTING LLC  
(415) 457-4417

**Hearing Transcript T-Santa Rosa****September 17, 2015****Santa Rosa, California*****Response 1***

Comment noted. No response is needed.

***Response 2***

The four emails are included in the Final PEIR as Comments I-Fra1 through I-Fra4. The same ones provided as hard copy are included as I-Fra6.

***Response 3***

The comments on the CEQA review process were also made in written comments I-Fra3. See Response I-Fra3-1 (i.e., comment letter I-Fra3, response 1).

***Response 4***

The extension of time to 120 days was not granted. See Response I-Fra3-1.

***Response 5***

See Response I-Fra3-2 on the District's use of materials for vector control that are compatible with organic farming. District staff work cooperatively with the Beekeeper's Association and individual beekeepers. Staff take appropriate precautions in conducting District operations to minimize any potential for negative impacts to bee populations.

***Response 6***

The commenter makes several points about glyphosate. We agree it is not approved for use on organic farms. Concerning the WHO report, see Response I-Fra3-2.

***Response 7***

The commenter suggests that the PEIR's information on glyphosate is inaccurate and relies on old information. The fact that a study was performed in 1993 does not make it invalid. Moreover, the body of information for the registration of glyphosate has been submitted to the USEPA in dozens of studies, first by the manufacturer and its university and contractor scientists. The suite of studies required for approval include dozens and dozens of potential acute and chronic tests to detect possible effects to mammals (as surrogates for humans as well as for wildlife), birds, invertebrates, and bees. The research test data submitted to the USEPA is an ongoing process required for its Re-registration Eligibility Decision (RED) in which label changes and use patterns are reviewed and updated.

The studies cited for Seneff and for Samsel are generally based on meta-analysis computer models that compare effects and pesticide uses at the national or regional level. These studies are not relevant to the District's use of glyphosate in specific applications for vector control. Other reports by these authors have been discounted, and some have been retracted due to negative review and critique.

See Responses I-Fra3-3 and other responses to your email (comment I-Fra3) addressing the articles provided.

## **Response 8**

There are numerous pesticide products that include inert and/or chemically different additives to enhance the spray characteristics, adhesion properties, and efficacy. Many of those products have been specially tested for toxicity and registered with the USEPA for specific vector control purposes (National Park Service 2016). Although some of these mixture products have been associated with increased toxicity, numerous studies have demonstrated that the increase in toxicity may be due to a surfactant additive. In most instances, these special formulations of pesticide products are intended to reduce the potential for adverse effects or to specifically be used for aquatic environments, e.g., a glyphosate product, Accord, is a formulation of glyphosate which has been shown to be safer to aquatic wildlife than some of the other formulations of glyphosate (Brodman et al. 2010). Many of the studies that report increased toxicity with adjuvants are conducted at the cellular level, which is not relevant to District uses. See Response I-Fra3-4.

Each of the active ingredients and adjuvants applied by the District were evaluated individually with consideration of pesticide's mode of action, persistence in the environment, toxicity, and environmental fate. Furthermore, the District's methods for application of the material, such as ULV techniques, were also considered. Based on this evidence and expert analysis, the Draft PEIR concludes that the vector control chemicals would have less-than-significant impacts to surface water and groundwater when applied consistent with the vector control application techniques, label requirements, and BMPs implemented by the District. See also Response O-VOL-29.

## **Response 9**

The commenter is referring to Section 4.6.2.3 in Appendix B, which was prepared in June 2013. Since then, additional studies have been reviewed including the WHO report, which was published in 2015. The WHO report is the result of a "panel discussion" by the International Agency for Research on Cancer (IARC) about the potential for selected chemicals and products that have achieved some level of public interest and concern but may or may not be supported by the data and information available. In fact, the IARC has been challenged by dozens of technical experts who evaluated the process used by the panel to list glyphosate as a probable carcinogen. It has been demonstrated that IARC rejected the 800 studies / 3,000 documents that gave glyphosate a positive safety result, basing their decision of "probably carcinogenic" on only eight studies, of which three actually included results, and these results were arguably insignificant. See Response I-Fra3-5.

After the WHO publication listing glyphosate as a probable carcinogen, dozens of practicing scientists in the mainstream scientific community (including European Food Safety Administration, the German Federal Institute for Risk Assessment (BfR) and the lead author of one of the studies used by IARC to draw its conclusions) have criticized and disputed the results of the IARC for using a poor methodology and conducting inadequate research. The conclusions drawn by the IARC about the potential adverse effects of glyphosate were based on studies that are not relevant to actual, potential exposures and on studies that were based on high exposures to cells in petri dishes and *in vitro* laboratory conditions. See also Response O-VOL-22.

## **Response 10**

For decades, scientists have demonstrated and validated that every organic chemical has a physical/chemical degradation characteristic termed "half-life" (a metric used to describe the elapsed time for a chemical to reach ½ of its initial activity). Each organic chemical, whether toxic or not, decays in both activity and toxicity over time. For some chemicals, the half-life can be hours, days, or weeks. By design, few chemicals used as pesticides<sup>1</sup> have half-lives greater than a week and are further degraded by the

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<sup>1</sup> The term "pesticides" includes herbicides used for destroying weeds and other unwanted vegetation.



environmental conditions of the application area. When pesticides get into soil, or water, or are taken up by plants and animals, their half-life characteristics are altered. The environmental fate of pesticides depends on the physical and chemical properties of the pesticide, particularly the pH of the medium, modifying how likely it is to travel through soil (soil mobility), how well it dissolves in water (water solubility), and how likely it is to become airborne (volatility).

Once a pesticide has been released into the environment, it can be broken down by exposure to sunlight, (photolysis), exposure to water (hydrolysis), exposure to other chemicals (oxidation and reduction), microbial activity (bacteria, fungi, and other microorganisms), and other plants or animals (metabolism). Glyphosate is an herbicide that is relatively stable to chemical and photo decomposition. The primary pathway of glyphosate degradation is soil microbial action, which yields the minimally toxic breakdown product AMPA and glyoxylic acid. Both products are further degraded to carbon dioxide. Glyphosate adsorbs tightly to soil so that its residues are relatively immobile in soil (USEPA 1993). This characteristic results in the chemical (when it is in the soil) being less available as a route of exposure and would require direct ingestion of the soil or sediment, which is not a likely route of uptake by associated biota.

See Response I-Fra3-5 on the degradation of glyphosate and also Response O-VOL-21.

### ***Response 11***

The commenter asks that no chemicals be used; she supports the No Chemical Program. This comment will be considered by the District's Board of Trustees in its consideration whether to approve the Program as proposed, or with modifications.

### ***Response 12***

The commenter references a speech she gave to Toastmasters that was provided separately and called Comment I-Fra2 in this Final PEIR. See Response I-Fra2-2.

### ***Response 13***

The email she references is included in this Final PEIR and identified as Comment I-Fra1. The District minimizes the potential for drift from larvicide and adulticide applications by following the best management practices listed in Response I-Fra1-1 in addition to meeting all label requirements. Also see Response I-Fra1-2 and Response O-VOL-24.

### ***Response 14***

The reports cited in this comment are addressed in Response I-Fra2-3. The reports include monitoring of air and rain associated with agricultural crop pesticide applications in Mississippi and other states. The data are not relevant to the District's pesticide applications.

### ***Response 15***

See Response 11 above.

### ***Response 16***

The commenter provided a speech that she gave to the Marin County Board of Supervisors in which she argued against the use of various pesticides, followed by lists of places where glyphosate or other pesticides are restricted (an email Comment I-Fra4 in this Final PEIR). Comments are noted and considered, although they are not directed to the District or its PEIR. See Response I-Fra4-2.

### **Response 17**

Comment noted. See Response I-Fra4-2. No further response necessary.

### **Response 18**

The reference cited is a recollection of a talk given by a third party and cannot be reviewed without the scientific basis for the claims by the cited person.

### **Response 19**

This comment pertains to the effects caused by “agent orange,” (2,3,7,8, TCDD or dioxin) a material that is not typical of the classes of pesticides used by the District. Every chemical has specific effects to biota and the impacts are based on the large variations in stereotypy, classification of action, active sites, and physiochemical characteristic at the time of exposure, among others. Dioxin is not used or proposed for use by the District.

### **Response 20**

The comment cites information about diseases and deaths in various countries and suggests that the cause of the mortality and morbidity is a result of pesticide use in these countries. The comment also states that pesticides are being banned in South America and Sri Lanka, and other nations. Without the publications and specific information, no further comment can be made about these statements, which do not address pesticide use by the District for vector control. It should be noted, however, that in South America and many other nations, there are few restrictions on the use of pesticides, so it is difficult to put these claims in perspective compared to the rigorous regulations and safety testing imposed on uses of pesticides here in the US.

### **Response 21**

Pesticides must undergo rigorous laboratory testing (and field trials) prior to registration for use in the USA. The commenter asserts that the countries cited use the Precautionary Principle to prove that chemicals are safe, which is said to be the opposite of the US. This is factually incorrect and uses a faulty concept to suggest that the chemicals are not safe. In fact, the Precautionary Principle is a flawed approach to any scientific evaluation, as it requires that one prove that no response to an action will occur. This is virtually impossible and is rejected by the credible scientific community. To those with scientific training, this suggests that one must “prove a negative,” which is essentially impossible in any statistical sense of a defensible scientific process. See also Response O-VOL-22.

### **Response 22**

This comment on testing and use is not a true statement. The USEPA requires that all pesticides undergo rigorous laboratory testing (and field trials) prior to registration for use in the US. Continuous review is conducted of pesticides listed in the EPA registry; and if/when an issue is identified, the chemical must re-enter the registration process and satisfy the testing requirements that address the specific issue identified. This is the Re-Registration Decision (RED) and is provided for public review when completed.

### **Response 23**

See Response 11 above.

**Response 24**

The commenter lists cities and locales (including schools) that have banned pesticides. Concerning Marin County, see Response I-Fra4-2. The District cooperates closely with school districts and individual schools when conducting vector control operations in the vicinity of school premises.

**Response 25**

Commenter lists another locale that has banned pesticide use on illicit crops. No response is necessary, because this example is not relevant to District pesticide applications.

**Response 26**

See Response 25 above.

**Response 27**

The commenter suggests that the District cannot prevent inadvertent contamination of bees as a result of its use of pesticides for vector control. Of the many products available, those used by the District are applied using strict BMPs that reflect an understanding of and adherence to guidance designed to minimize effects on bees. These procedures include additional recommendations limiting pesticide use only within the wind speed parameters on the product labels conditions. The guidance and the BMP approach is tailored to minimize the potential for direct bee exposure to any of the pesticides used for vector control by the District. Furthermore, the District uses the following BMP H12 for pesticide applications that is contained in Table 2-6 in Section 2.9: which states that:

“Do not apply pesticides that could affect insect pollinators in liquid or spray/fog forms over large areas (more than 0.25 acres) during the day when honeybees are present and active or when other pollinators are active. Preferred applications of these specific pesticides are to occur in areas with little or no honeybee or pollinator activity or after dark. These treatments may be applied over smaller areas (with hand held equipment), but the technician will first inspect the area for the presence of bees and other pollinators. If pollinators are present in substantial numbers, the treatment will be made at an alternative time when these pollinators are inactive or absent.”

See also Response O-VOL-26.

**Response 28**

The commenter cites generally inaccurate statistics on the number of bees and bee colonies that are active in the US. Although several articles about the bee populations and the impact of pesticides on bees have appeared in the media, most are inaccurate, unvalidated claims without actual supporting data. Recently, the media reports about pesticide impacts to bees have focused on the neonicotinoid class of pesticides, which have been blamed for bee deaths and colony collapse disorder. Although the District does not use neonicotinoid products, a discussion of the potential contribution of these products to cumulative impacts on pollinators, including possible Colony Collapse Disorder, was included in the PEIR because it is relevant to their potential role in a cumulative impact discussion. Similar arguments that support the lack of toxicity of many pesticides to bees and other pollinators also pertain to the use of glyphosate. See also Response O-VOL-26.

**Response 29**

The commenter provides statements that the food supply will dwindle without pollinators/bees. Of course this is correct in concept, as bees and other pollinators are an integral part of the ecosystem process and have an important niche in the food production and crop status in every country. However, the District does not “spray to kill pollinators.” In fact, data suggest that bee numbers are stable, and bee colonies are not adversely impacted to dangerous levels as asserted in the comment (NASS 2016).

**Response 30**

The District has routinely consulted with beekeepers in response to public service requests. There are numerous pesticide products that include inert and/or chemically different additives to enhance the spray characteristics, adhesion properties, and efficacy. Many of those products have been specially tested for toxicity and registered with the USEPA for specific vector control purposes (National Park Service 2016). Although some of these mixture products have been associated with increased toxicity, numerous studies have demonstrated that the increase in toxicity may be due to a surfactant additive. In most instances, these special formulations of pesticide products are intended to reduce the potential for adverse effects or to be used specifically for aquatic environments, e.g., a glyphosate product, Accord, is a formulation of glyphosate which has been shown to be safer to aquatic wildlife than some of the other formulations of glyphosate (Brodman et al. 2010). Many of the studies that report increased toxicity with adjuvants are conducted at the cellular level, which is not relevant to District uses.

Each of the active ingredients and adjuvants applied by the District were evaluated individually with consideration of pesticide’s mode of action, persistence in the environment, toxicity, and environmental fate. Furthermore, the District’s methods for application of the material, such as ULV techniques, were also considered. Based on this evidence and expert analysis, the Draft PEIR concludes that the vector control chemicals would have less-than-significant impacts to surface water and groundwater when applied consistent with the vector control application techniques, label requirements, and BMPs implemented by the District. See also Response 8 above and Response O-VOL-29.

**Response 31**

The commenter states that bee keepers are afraid to complain about their loss of bees and hives. In fact, much of the bee production has shifted to mobile hives that are used to service specific crops and fruits for a fee and are then moved to a new location. This has made it difficult for the USDA to monitor the status of bees and bee colonies. Bees are an integral part of the ecosystem process and have an important niche in the food production and crop status in every country. See Response 29 above.

**Response 32**

Encapsulated pesticides are generally incorporated into the soil furrows as the chemical is applied. This comment is not relevant to the District’s chemical control operations.

**Response 33**

These stories of war between farmers and bee keepers are not typical, and no verification is provided. See Response 31 in which the use of hives for rent is now a large business. This comment is not relevant to the District’s chemical control operations.

**Response 34**

The commenter addresses a clear public health issue about cancer but does not address the PEIR. The District has important responsibilities to protect human and animal health from existing and future vector-borne diseases such as WNV and Lyme disease, and from discomfort including allergic reactions, within the two-county Service Area. Another commenter on the PEIR indicated the following (Comment I-Spe):

“I would like you to take whatever steps necessary to keep the mosquito populations in this area to a minimum. I feel that your studies will yield solutions that have the lowest environmental impact - you are the experts. I support your recommendations. I do NOT support keeping all chemicals out of West Marin at the expense of not being able to leave my house six months out of the year due to an excessive mosquito population.”

**Response 35**

The commenter suggests that glyphosate interferes with metabolic processes to result in sublethal or chronic diseases and relates the national use of glyphosate to a general increases in diseases.

Although the term sublethal effect is often misused outside the scientific community, it defines the effects of a stressor (pesticide in this case) that is less than mortality. It includes evaluation of the potential effects on physiological and behavioral systems that may occur over time or result in a deficit of a physiological function. Although important in the determination of the potential adverse impacts of the pesticide, it is the “endpoint” most susceptible to confounding, outside, environmental factors. Adverse effects that are categorized as sublethal are also often confused with the concept of chronic effects, which include low level effects that are continued over long periods of time and usually associated with constant exposures to a stressor. Because this condition is not typical of District vector control applications of chemical products (generally single or intermittent localized applications), it is not relevant to the evaluation of District use of pesticides or herbicides. Unless the relationships of exposure and disease onset are directly shown in individuals, this comment is not valid scientifically.

**Response 36**

The comment states that glyphosate disrupts the endocrine system and then provides several “possible” links to chronic diseases and other health effects. Although glyphosate is one of the hundreds of chemicals on the USEPA list of chemicals to be evaluated as a potential endocrine disruptor, this designation has not been finalized. Thus, it is not reasonable to declare that adverse health impacts are likely from glyphosate acting as an endocrine disruptor. Therefore, the comment is not supported by our current understanding of any potential for glyphosate endocrine effects.

**Response 37**

Comment noted. The commenter’s statement that Dr. Don Huber is campaigning against glyphosate does not provide support to the cited work by Dr. Nancy Swanson.

**Response 38**

Comment noted. The link was not spelled out and was not provided at the hearing. No response necessary.

**Response 39**

The graphic is not available to review as it is part of the commenter’s verbal presentation. The correlations assumed by her statements, however, do not provide actual causality. Correlation is not causality unless a direct link to an individual is provided. The only handouts provided to District staff at the

hearing were a study of pesticides and erectile dysfunction (included previously as Comment I-Fra7), copies of emails addressed as Comments I-Fra1 through I-Fra4, a graphic entitled “It’s raining Roundup!,” and a graphic with a quotation from Prof. Huber. The hard copy emails and the two graphics were combined into Comment I-Fra6.

### ***Response 40***

The connection between glyphosate and bee injury mentioned in this comment is not verified, although the pathway of exposure is potentially complete. Dr. Huber is providing a hypothesis without verification. It is a flawed connection and correlation not supported by any data provided to the District; therefore, no further response is possible.

### ***Response 41***

The paper referenced here was published by the Asian Pacific Journal of Reproduction, and is focused on erectile dysfunction and provided in this Final PEIR as Comment I-Fra7. The only reasonable conclusion made by the authors is that they demonstrated that erectile dysfunction is a problem (with no conclusions about causality).

The authors submit an extensive summary of their suggestion that erectile dysfunction is important in fertility. They then proceed to correlate the “indiscriminant use of pesticides” with this dysfunction and then narrow the hypothesis to a few chemicals associated with pesticides. The paper provides an exhaustive discussion of the possible causes of infertility with numerous examples of the dozens of ways it may be impacted. The list of factors that “may” contribute to infertility is focused on erectile dysfunction (not fertility as the focus), which exemplifies the unstructured and indefensible argument in their prime hypothesis. The authors inadvertently make a strong case for the impact of dozens of direct and indirect “confounding factors” on fertility.

Although the paper outlines more than a dozen physiologic and metabolic processes that may be involved in fertility, they inappropriately attempt to link “possible” causality to dozens of the processes discussed, and they fail to provide any substantive support to the secondary and tertiary links to pesticides. In fact, the authors do not provide defensible arguments to primary exposures to pesticide or the links to the dozen mechanisms and processes they discuss. Throughout the paper they use words and phrases such as “infer”, “suggests”, “possible”, “quite likely” and numerous other unsubstantiated terms that fail to link their hypothesis to direct or confirmed pesticide exposure. After five pages of discussion they state as their summary that “The review successfully highlights the indiscriminate regional use of pesticides,” which does not even remotely link causality to their hypothesis.

Moreover, the active ingredients cited in the paper are not proposed for use in the District’s Integrated Vector Management Program (IVMP). See also responses to email Comment I-Fra7.

### ***Response 42***

This statement by the commenter is not substantiated or verified and, although an interesting observation, is not supported by the data provided in the article cited in Response 41 above or any evidence relevant to the PEIR or the District’s IVMP.

### ***Response 43***

The commenter suggests that her goal is to have healthy grandchildren. Comment noted.

### ***Additional References***

Brodman, R., W.D. Newman, K. Laurie, S. Osterfeld, and N. Lenzo. 2010. Interaction of an aquatic herbicide and predatory salamander density on wetland communities. *Journal of Herpetology* 44(1):69-82

National Park Service. 2016. Invasive Plant Management Plan for Yosemite National Park ESA.

National Agriculture Statistics Service (NASS). 2016. Honey Bee Surveys and Reports. Available online at [https://www.nass.usda.gov/Surveys/Guide\\_to\\_NASS\\_Surveys/Bee\\_and\\_Honey/#bee\\_honey](https://www.nass.usda.gov/Surveys/Guide_to_NASS_Surveys/Bee_and_Honey/#bee_honey).

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**T-Petaluma**

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MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT

Public Review and Hearing of  
Draft Programmatic Environmental Impact Report (PEIR)  
For the Marin/Sonoma Mosquito and  
Vector Control District's  
Integrated Vector Management Program

SCH#2012052066

PETALUMA COMMUNITY CENTER

320 N. MCDOWELL BLVD.

PETALUMA, CALIFORNIA

MONDAY, SEPTEMBER 21, 2015

Reported by:

Julie Link



**COPY**

CALIFORNIA REPORTING LLC  
(415) 457-4417

**T-Petaluma**

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APPEARANCES

Philip D. Smith, District Manager

Susan Hootkins, Senior Consultant

Public

None

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**T-Petaluma**

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**T-Petaluma**

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1                                   PETALUMA, CALIFORNIA

2   MONDAY, SEPTEMBER 21, 2015                                   6:38 P.M.

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4                   MS. HOOTKINS: Okay. At this point, I'm  
5 going to open the public hearing. Julie will  
6 start to transcribe.

7                   MALE VOICE: Maybe you can mention that  
8 they will need to come up so that we can  
9 (inaudible).

10                  MS. HOOTKINS: Yes. If anyone wishes to  
11 speak, I'd like you to fill out a speaker card and  
12 you will be coming up here to address us all.

13                  And be sure and speak into this microphone  
14 so that it is recorded by the court reporter.

15                  At this point does anyone wish to speak  
16 tonight? All right.

17                  I'll tell you what. I think what we'll do  
18 is we'll put the hearing part into suspension. We  
19 might still have someone come and want to speak,  
20 so we'll hang out for a little while.

21                  So at this point I'm not going to close  
22 the public hearing, it is just going into  
23 suspension.

24                  So thank you.

25                  (Off the record 6:39 p.m. to 7:22 p.m.)

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**T-Petaluma**

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1 MR. SMITH: Seeing no further commenters,  
2 it's 7:22 p.m. and we close the public hearing.

3 (Adjourned at 7:22 p.m.)

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**T-Petaluma**

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**REPORTER'S CERTIFICATE**

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of September, 2015.



Juliana Link  
CER-830

CALIFORNIA REPORTING LLC  
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**T-Petaluma**


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**TRANSCRIBER'S CERTIFICATE**

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Terri Harper  
Certified Transcriber  
AAERT No. CET\*\*D-709

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(415) 457-4417

**Hearing Transcript T-Petaluma**

**September 21, 2015**

**Petaluma, California**

There were no oral comments or written comments handed in at the hearing. No responses are required.