



CITY OF OAKLAND  
**news**release  
Office of the City Attorney

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**City Council Authorizes Aggressive Legal Strategy to Prevent State from Spraying Pesticide Without Proper Review**

OAKLAND – The City Council today authorized the City Attorney’s Office to coordinate with other Bay Area cities on an aggressive legal strategy to compel the State of California to perform a serious environmental review before conducting a massive aerial pesticide spraying program in the region.

Despite hundreds of complaints of adverse health reactions to the chemical in the Monterey/Santa Cruz area, the California Department of Food and Agriculture is now moving forward with its plans to spray a pheromone-based pesticide called “CheckMate” over Bay Area cities including Oakland this summer.

According to the state, the pesticide is necessary to eradicate the light brown apple moth, which is deemed an invasive species. The state is claiming an emergency exemption from the California Environmental Quality Act to begin spraying without conducting any real environmental review of the program.

The City Council is expected to pass a resolution tonight opposing the aerial spray program until the state has studied the public health implications and determined there are no environmental or health risks. The resolution by Councilmembers Jane Brunner and Larry Reid was approved by the Public Safety Committee February 26.

“The community has a right to know what the possible effects of this spray might be,” Councilmember Reid said. “It’s especially a concern for small children and residents with existing health problems.”

The City Council’s resolution states that “aerial and other blanket pesticide applications have repeatedly been shown in the past to cause unintended, unpredictable, and often serious human health effects.”

“We, as a city, need to take action to protect our residents,” Councilmember Brunner said. “Our office has been flooded with calls and e-mails about this issue. People are understandably upset about airplanes flying overhead and spraying pesticides.”

If necessary and appropriate, Oakland will sue to compel the state to conduct a transparent and substantive environmental review, City Attorney John Russo said.

“Something as simple as trimming a tree or putting a new façade on a commercial building can trigger a California Environmental Quality Act review,” City Attorney Russo said. “But the state wants to use airplanes to spray untold amounts of chemicals over our homes and businesses, for an undetermined number of years, in order to interrupt the reproductive cycle of a living organism – and no review is necessary? That is ridiculous on its face.”

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