



**TOWN OF FAIRFAX
STAFF REPORT
December 6, 2017**

TO: Mayor and Town Council
FROM: Michele Gardner, Town Clerk
SUBJECT: Receive annual report on the Marin/Sonoma Mosquito & Vector Control District (MSMVCD)

RECOMMENDATION

Receive the report.

DISCUSSION

The Town's appointed representative on Marin/Sonoma Mosquito & Vector Control District Board, Mr. Frank Egger, submitted the attached report. He will be at the meeting to answer any questions from the Council.

FISCAL IMPACT

None

ATTACHMENT

Report

Nov 28, 2017

To: Fairfax Town Council

Re: Year-end report, Marin-Sonoma Mosquito & Vector Control District

From: Frank Egger, Fairfax's appointed trustee

The Fairfax town council, in response to community concerns regarding pesticide spraying on the commons, appointed me to the mosquito district as Fairfax's representative in 2004. At that time a dead crow had been found in Fairfax and tested positive for WNV. The Marin-Sonoma Mosquito & Vector Control District was preparing to address the threat of West Nile Virus (WNV) by spraying pesticides in Fairfax Park along creek areas.

Fairfax had adopted Ordinance # 686 prohibiting spraying pesticides on the commons and requiring "neighbor notification" when private properties were sprayed with pesticides in 2001.
Fairfax Town Code:

§ 8.52.010 PURPOSE.

(A) The use of pesticides with known carcinogens in the Town of Fairfax is of such great concern to the Town Council that in order to protect the health, safety and welfare of Fairfax residents this chapter is being adopted. The Town Council is formalizing Fairfax's official policy of not using pesticides on town property by prohibiting the use of pesticides on Fairfax parks, open space parcels and public rights of way including both aerial spraying and ground applications; and, requiring public notice entitled "neighbor notification" prior to pesticide use on private property.

(B) Residents of Fairfax have a right to know when pesticides are being used in their neighborhood on private property in order to allow time to take precautions to protect themselves, their family, pets and property from the hazards of pesticide exposure.

(C) (1) The headwaters for Corte Madera Creek are the Fairfax and San Anselmo (Cascade) Creeks which traverse the town limits.

(2) Coho salmon and steelhead (native to these creeks) have been listed as threatened under the Federal Endangered Species Act.

(Ord. 686, passed 3-2-2001)

I remember back in the 60's & 70's, Ronita and I used to sleep outside from May to Oct and when the

M/SM&VCD spray rig came into the Cascades early in the AM spraying adulticides for mosquitoes, we would jump out of bed and go into the house.

After my appointment, Fairfax got into a huge argument with the mosquito district over spraying pesticides in town. The showdown that looked like it might head to court never materialized and the mosquito district, at my urging, started an educational program in order to reduce pesticide use and seeking less toxic pesticides to use.

Fast forward to 2015. Two years ago the Fairfax Town Council reappointed me for a two year term ending Dec 31st, 2017. The mosquito district was in the process of preparing an EIR with consultant Cardno ENTRIX, Inc., the first ever, to meet CEQA requirements and trying to deal with unfunded liabilities for retiree healthcare and pensions. (Cardno ENTRIX also prepared the PEIR for the State of CA for the Light Brown Apple Moth-LBAM-eradication program.)

There were a number of comments made to the District's DPEIR regarding pesticides being used. Methoprene, Zenivex E20 (a.k.a. Etofenprox) and Glyphosate (a Roundup type) were of concern. The DPEIR should include the following but it does not. (The State of New York, whose pesticide neighborhood notification law I used as the model of Fairfax's pesticide ordinance when I wrote it, does not allow Zenivex 20 to be used). The district posts Material Safety Data Sheets on its website.

"The MSDS for ZENIVEX E20 that M/SM&VCD is using says it is toxic to fish and bees".

Other hazards OSHA HCS 2012 I

This product is toxic to aquatic organisms, including fish and invertebrates. This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Under United States Regulations (29 CFR 1910.1200 - Hazard Communication Standard), this product is considered hazardous

12. ECOLOGICAL INFORMATION Toxic to aquatic organisms, including fish and invertebrates. The product is toxic to

bees exposed to direct treatment on blooming crops and weeds. ECOTOXICITY [Active Ingredients Only] Etofenprox Acute Toxicity: fish: LC50 (trout): 3.3 ppb, (bluegill): 8.5 ppb."

At the hearing for certification of the PEIR, I asked that it be recirculated because of new information regarding certain pesticides' adverse impacts on salmon and pollinators. There were West Marin concerns regarding the District's pesticide use and impacts on organic farms. I stated folks in Marin believe Glyphosate (Roundup type pesticides) may be a carcinogen. The board of trustees voted 15-2 (Pebbles-West Marin & Egger-Fairfax no) to certify the PEIR.

The CA Dept of Fish & Wildlife continues to have some issues with practices at the M/SM&VCD.

On the issues of unfunded liabilities, they have created a huge hole in our funding. We have consultant reports from Bartel Associates and NBS. Revenues this year are up 2% and the approved employee MOU has a 3.7% increase in salary and benefits, the major portion of our costs. With the salary increases given, it has added the \$500,000 over a 10 year period. The next 10 years because of projected raises, that increase will be roughly \$1.2 million. By fiscal 2021-22, the District either has to reduce expenses or raise taxes. I expressed a concern that because of the loss of 6,000+ structures in the devastating Sonoma fires, the district would lose a portion of its tax base but the consultant said, it would not impact our funding that much (I think it will).

I do object to district operations from time to time. For example, our financial officer retires this year and the manager made the recommendation that the overlap to get the new financial person up to speed be 10 months, that is almost double the salary costs for that position this year. I stated 3 months should have been sufficient but could not get any support from the board. The board generally goes with the manager's recommendations.

It has been my pleasure to represent Fairfax for the past 14 years on the mosquito district, trying to stop unnecessary pesticide use, greatly expand our educational programs and to continually seek safer pesticides, OMRI approved, for District use. At times I felt like a double agent, fighting pesticide use statewide and sitting on an agency board whose main function is killing pests/bugs. There was a time when one drove to Santa Rosa and their windshield was splattered with bugs, doesn't happen anymore and pesticides have contributed to the decline in Salmon species that at one time flourished in Marin and Sonoma counties.

OMRI's printed and web version lists, and comprehensive web search, provide the organic community with accurate, current information about products and materials allowed for organic use. The current *OMRI Products List*® and *OMRI Canada Products List*® are both available as free PDF downloads using the links below. The OMRI search includes these lists and information about materials from the *OMRI Generic Materials List*® for USDA National Organic Program standards, and the *OMRI Canada Standards Manual*® for Canada Organic Regime standards. Printed lists can be ordered directly from OMRI using the links below.