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NORTHERN CALIFORNIA'S LARGEST NEWSPAPER

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## S.F. species harmed by EPA-approved pesticides, group says

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The nation's top environmental agency has illegally approved 60 pesticides without first checking to see if they could harm endangered wildlife, including many Bay Area species, according to a lawsuit filed today.

The Center for Biological Diversity, a nonprofit organization with offices in San Francisco, accuses the U.S. Environmental Protection Agency of failing to consult with federal wildlife agencies before approving some pesticides.

EPA officials in Washington dismissed the allegations, saying the agency appropriately investigates pesticides to make sure they do not have a significantly detrimental impact on protected species.

But the environmental group countered that the pesticides in question could harm at least 30 animal species found in the San Francisco Bay region and protected under the Endangered Species Act.

Those species include once-common fish like the Delta smelt and the tidewater goby, as well as the California clapper rail, salt marsh harvest mouse,

California tiger salamander, San Francisco garter snake, California freshwater shrimp, San Joaquin kit fox, Alameda whipsnake, bay checkerspot butterfly and the valley elderberry longhorn beetle.

The lawsuit asks the U.S. District Court in San Francisco to compel the EPA to consult with the U.S. Fish and Wildlife Service on the issue as required by federal law. It also asks that the EPA be forced to study the cumulative environmental impacts of several pesticides as well as the potential harm caused by so-called "inert" chemicals used to produce pesticides.

For decades, the EPA has resisted consulting with other agencies and in 2004 changed a regulation to eliminate the requirement. Pesticide manufacturers supported the change, but a coalition of environmental groups challenged the rule in court and it was overturned in 2006.

The environmental group wants Magistrate Judge Joseph Spero to prevent the use of any of the 60 pesticides if they could enter occupied wildlife habitat or an area that has been designated as critical to the recovery of a species. Some of the pesticides include chemicals that have been shown to disrupt hormonal systems.

Among the 60 pesticides covered in the lawsuit are the three most common organophosphates used in California agriculture -- chlorpyrifos, diazinon and malathion. The insecticides are used on oranges, cotton, almonds, spinach, lettuce and alfalfa, among other crops.

This week, the U.S. Geological Survey released a study showing that those three pesticides break down into chemicals that are highly toxic to amphibians. In early May, the Pesticide Action Network released results of a study that linked chlorpyrifos found in the air of the Central Valley town of Lindsay with the presence of the chemicals in 11 of the 12 residents who were tested.

EPA headquarters issued a statement today that said the agency "takes its responsibilities to safeguard people, wildlife and the environment seriously."

The pesticide registration process that EPA follows "uses well-established scientific methods to investigate and regulate substances and minimize their impact on the environment," according to the statement.

The agency did not comment on the lawsuit specifically.

The lawsuit said pesticides don't necessarily stay on crops.

"The pesticides that are sprayed on our food, our soil and our lawns find their way into local creeks and ultimately the San Francisco Bay, posing a significant threat to water quality and jeopardizing endangered species," according to the lawsuit.

The EPA has registered more than 18,000 pesticides, including the 900 that California allows for use. At least 30 of the 51 federally protected animal species in the Bay Area's nine counties may be adversely affected by the yearly use of more than 8 million pounds of pesticide, according to the lawsuit. That amount encompasses all pesticides, including the 60 chemicals at issue in the suit.