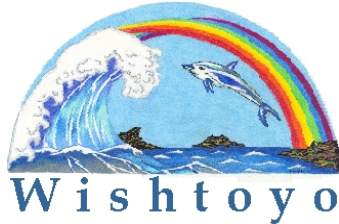


PRESS RELEASE

FOR IMMEDIATE RELEASE:

August 18, 2009



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Wishtoyo and its Ventura Coastkeeper Program File a Notice of Intent to Sue the California Government to Make Ventura County’s Air Safe to Breathe

Wishtoyo’s and its Ventura Coastkeeper Program’s Move to Reduce Volatile Organic Compounds (“VOC”) Emissions from Pesticide Emissions to Help Eliminate Smog and PM2.5 Pollution, Aims to Improve the Health of Ventura County Residents and Pesticide Applicators

Ventura, Calif. – Grassroots Environmental Justice and community organizations including Wishtoyo and its Ventura Coastkeeper Program, El Comité para el Bienestar de Earlimart, Committee for a Better Arvin, the Association of Irrigated Residents (“AIR”), Community and Children’s Advocates Against Pesticide Poisoning, all represented by the Center on Race, Poverty, and the Environment, sent a notice of intent to sue California state officials in federal court for violating the Clean Air Act by not regulating pesticide air pollution as promised. The Legal Notice charges the California Department of Pesticide Regulation (“DPR”), Air Resources Board, and the Secretary of the California Environmental Protection Agency with failing to meet commitments to reduce air pollution in five California Air Basins.

Specifically, the Notice alleges that the regulators have violated the State Implementation Plan and the federal Clean Air Act because DPR slashed the reduction goal from 20% to 12% in the San Joaquin Valley only, deferred emission limits on pesticide fumigants until

2011 when the reductions should have occurred by 2005, chose to only regulate pesticide fumigants in summer months instead of the promised year-round reductions, and have opted to not regulate non-fumigant pesticides, which account for the vast majority of pesticide emissions in the San Joaquin Valley and elsewhere.

The American Lung Association's ("ALA") State of the Air 2009 Report reveals that Ventura County ranks 15th nationwide for the People at risk in the 25 most ozone polluted counties. This is not surprising since Ventura County, with VOC emissions climbing steadily since 1990, is a distant second to San Joaquin Valley's in terms of VOC emissions from pesticide and fumigant use. In Ventura, the products with the highest contribution of VOCs contain Chloropicrin, Methyl Bromide, 1,3-Dichloropropene, Metam-Sodium, and Chlorpyrifos. At risk from the average of 34.2 unhealthily high ozone days in 2005-2007 were Ventura County's 798,364 residents, 208,953 residents under 18 years old, 88,679 residents 65 years old and older, 18,996 residents suffering from Pediatric Asthma, 44,410 residents suffering from adult asthma, 19,958 residents suffering from Chronic Bronchitis, and 9,630 residents suffering from emphysema.

"With increasing VOC emissions, the health risks to Ventura County's residents and pesticide applicators will only continue to worsen without adequate regulations... We all have a right to breath clean air, and it is an injustice to allow Ventura County's and California's residents to suffer at the hands of protecting excess agribusiness profits," said Jason Weiner, Ventura Coastkeeper's Associate Director and Staff Attorney.

Summer Dangers of VOC Emissions: Smog / Ground Level Ozone: Ground-level ozone, commonly known as "smog", is one of the major contributors to the Valley's poor air quality. Ozone is formed when VOCs and nitrogen oxides (NOx) mix in the heat and sunlight. Unlike ozone in the upper atmosphere, ground-level ozone has various harmful health and environmental effects, including damaging lung tissue, crops, and vegetation, and exacerbating asthma, reducing lung capacity, increasing respiratory and cardiovascular hospital admissions, and increasing school and work absenteeism. Even at levels that fall below the national ozone standard, the health effects of ozone include the exacerbation of asthma and emphysema, and adverse effects on children and the elderly. Persons with respiratory illnesses, children who are active outdoors, and adults who engage in heavy manual labor or vigorous exercise are particularly vulnerable to adverse health effects from ozone exposure.

Winter Dangers of VOC Emissions: PM2.5 Particles: NOx and VOC react in wintertime to form PM2.5 particles. PM2.5 has similar effects as smog, and has been proven to damage the body in similar ways to cigarette smoking. It is a major factor in premature death in residents with cardio-pulmonary disease, but anyone living in an area with high PM2.5 pollution is at risk. Long-term exposure to PM2.5 pollution has been found to increase the rate of slowed lung function growth in children and teenagers, cause significant damage to the small airways of the lungs, as well as cause death from lung cancer and cardiovascular disease. Recently, California Air Resources Board scientists tripled their estimate of the number of deaths caused by particulate matter pollution, attributing 18,000 premature deaths a year (with a range between 5,600 to 32,000 deaths) to particulate matter pollution.

In Ventura County, pesticides are the third largest source of smog and PM2.5 particle-forming volatile organic compound (VOC) emissions. “Despite smog-forming emissions actually increasing over time, the California Government chose to protect pesticide users and manufacturers rather than public health.” said Mati Waiya, Executive Director of the Wishtoyo Foundation and the Ventura Coastkeeper. Mati also states that “Wishtoyo and Ventura Coastkeeper place a priority on fighting for the health of Ventura County’s residents and workers, and ensuring Ventura’s residents and pesticide applicators are guaranteed their human right to breathe air without fearing for their health.”

Agritoxins Campaign: This Notice of Intent to Sue is part of Wishtoyo’s and its Ventura Coastkeeper Program’s 7 year campaign to rid Ventura County’s air and waterbodies of Agritoxins pollution and its devastating ecological and health consequences. In 2006, Wishtoyo, Ventura Coastkeeper, and other litigants won a court decision mandating the California Government to adopt regulations necessary to reduce smog forming VOC emissions from pesticides by 20% below 1990 levels. In 2008, the Ninth Circuit Court of Appeals vacated that victory, and DPR later modified the court-ordered regulations which prompted this notice letter.

About The Wishtoyo Foundation and its Ventura Coastkeeper Program:

The Wishtoyo Foundation, a community based 501(c)(3) non profit with over 700 members consisting of Ventura County residents, Chumash Native Americans, and the general public that enjoys, depends on, and visits Ventura County’s inland and coastal waterbodies. Wishtoyo uses traditional Native American Chumash beliefs, practices, songs, stories and dances to increase awareness of our connection with the environment and to preserve the maritime culture and resources of the Chumash people and coastal communities. Core values of the Chumash include sustainable living and respect for the environment. In 2000, the Wishtoyo Foundation launched the Ventura Coastkeeper to protect, preserve, and restore the ecological integrity and water quality of Ventura County's inland waterbodies, coastal waters, and watersheds.

Wishtoyo and its Ventura Coastkeeper program believe that our land, waterbodies, and oceans are interconnected, co-dependent communities to which we as individuals, are one of many living entities that belong. As such, it is our responsibility to protect the land, water, and oceans we exist upon for the common good and to sustain our well being, co-existence, and harmony with the world and the many diverse surrounding communities that we depend on.