



Memorandum

TO: Honorable Mayor &
City Council

FROM: Toni J. Taber, MMC
City Clerk

SUBJECT: The Public Record
May 29, 2025 – June 5, 2025

DATE: June 11, 2025

ITEMS FILED FOR THE PUBLIC RECORD

Letters from Boards, Commissions, and Committees

Letters from the Public

1. Letter from Pacific Gas and Electric Company (PG&E), dated May 30, 2025, regarding: Notice of Pacific Gas and Electric Company's Request to Change Rates for its 2026 ERRA Forecast Application (A.25-05-011).
2. Letter from Pacific Gas and Electric Company (PG&E), dated May 30, 2025, regarding: Notice of Pacific Gas and Electric Company's Request to Increase Rates to Support Historic Electric Demand Growth and Invest in Safe, Reliable, Clean Energy as Part of its 2027 General Rate Case Application (A.25-05-009).
3. Letter from Lita Kurth, dated May 31, 2025, regarding: Suggestions on homeless issue.
4. Letter from Mike Wagner, dated June 1, 2025, regarding: SJACS - Lack of Adult Cats for Adoption.
5. Letter from California Department of Food and Agriculture (Stephanie Jacobs), dated June 2, 2025, regarding: Important ACP Proclamation of an Emergency Program 2025-01 for Morgan Hill and San Jose, Santa Clara County, 5/30/25.
6. Letter from M. Martin, dated June 2, 2025, regarding: Reformatted Open letter regarding herbicide use at Alum Rock Park (now 351 cosigners).

Rules and Open Government Committee
June 11, 2025
Subject: Public Record
Page 2

A handwritten signature in black ink, appearing to read "Toni J. Taber", is positioned above a horizontal line.

Toni J. Taber, MMC
City Clerk

TJT/tt

DATE: May 30, 2025

TO: STATE, CITY AND LOCAL OFFICIALS

NOTICE OF PACIFIC GAS AND ELECTRIC COMPANY'S REQUEST TO CHANGE RATES FOR ITS 2026 ERRA FORECAST APPLICATION (A.25-05-011)

Acronyms you need to know

PG&E: Pacific Gas and Electric Company

CPUC: California Public Utilities Commission

Why am I receiving this notice?

On May 15, 2025, PG&E filed its Energy Resource Recovery Account (ERRA) Forecast application with the CPUC requesting approval to change rates for the following:

- Recovery of \$2.705 billion in costs related to fuel needed to produce electricity as well as buying energy from third parties to serve bundled customer loads that are included in ERRA
- Setting certain charges for bundled and departing load customers for the recovery of costs of PG&E's portfolio that are included in the Power Charge Indifference Adjustment (PCIA), Ongoing Competition Transition Charge (CTC), Cost Allocation Mechanism (CAM), and Public Purpose Program (PPP) rate

Certain costs included in this application are associated with renewable resources to further the state's energy policy goals.

In addition, as part of this application, PG&E customers will also receive the California Climate Credit. The credit will be applied twice a year—in April 2026 and October 2026—for residential and eligible small business electric customers. Eligible EITE (emission-intensive and trade-exposed) electric customers will receive the credit during April 2026.

Why is PG&E requesting this rate change?

The ERRA Forecast proceeding is the regulatory process to forecast fuel and purchased power costs which can be recovered in customer rates. **While this may result in a change in rates, PG&E recovers these costs with no markup for return or profit.** If the CPUC approves this application, PG&E will recover its costs in electric rates effective January 1, 2026.

PG&E will update its rate proposal later in the year to reflect any CPUC directives impactful to PG&E's rate request and updated market conditions, as well as update other proposals submitted in this application. Notably, CPUC Rulemaking 25-02-005 is considering changes to cost allocation calculation and a decision may impact PG&E's updated rate proposal. Further, market prices may be higher or lower than at the time the application was filed. These factors may result in higher or lower rates and bill impacts than those initially presented.

In addition, at the end of the year, PG&E will compare actual costs to the revenues forecasted in this application and will apply any differences toward next year's application.

How could this affect my monthly electric rates?

Many customers receive bundled electric service from PG&E, meaning they receive electric generation, transmission, and distribution services.

Detailed rate information will be sent directly to customers in a bill insert in June 2025.

The bill for a typical residential customer using 500 kWh per month would decrease from \$214.93 to \$204.02 or 5.1%.

Direct Access (DA) and Community Choice Aggregation (CCA) customers receive electric transmission and distribution services and select Commission-ordered services from PG&E. On average, rates for services provided by PG&E to these customers would increase by 3.9% if this application is approved. DA providers and CCAs set their own generation rates. Check with your DA provider or CCA to learn how this would impact your overall bill.

Another category of nonbundled customers is Departing Load. These customers do not receive electric generation, transmission, or distribution services from PG&E. However, these customers are required to pay certain charges by law or CPUC decision. On average, existing Departing Load customers would see a rate decrease of 3.8%.

Actual impacts will vary depending on usage and are subject to CPUC regulatory approval.

How does the rest of this process work?

This application will be assigned to a CPUC Administrative Law Judge who will consider proposals and evidence presented during the formal hearing process. The Administrative Law Judge will issue a proposed decision that may adopt PG&E's application, modify it, or deny it. Any CPUC Commissioner may sponsor an alternate decision with a different outcome. The proposed decision, and any alternate decisions, will be discussed and voted upon by the CPUC Commissioners at a public CPUC Voting Meeting.

Parties to the proceeding may review PG&E's application, including the Public Advocates Office, which is an independent consumer advocate within the CPUC that represents customers to obtain the lowest possible rate for service consistent with reliable and safe service levels. For more information about the Public Advocates Office, please call **1-415-703-1584**, email: **PublicAdvocatesOffice@cpuc.ca.gov** or visit **PublicAdvocates.cpuc.ca.gov**.

Where can I get more information?

CONTACT PG&E

If you have questions about PG&E's filing, please contact PG&E at **1-800-743-5000**. For TTY call **711**. Para obtener más información sobre cómo este cambio podría afectar su pago mensual, llame al **1-800-660-6789** • 詳情請致電 **1-800-893-9555**

If you would like an electronic copy of the filing and exhibits, please write to the address below:

Pacific Gas and Electric Company
2026 ERRR Forecast Application (A.25-05-011)
P.O. Box 1018
Oakland, CA 94604-1018

CONTACT CPUC

Please visit **apps.cpuc.ca.gov/c/A2505011** to submit a comment about this proceeding on the CPUC Docket Card. Here you can also view documents and other public comments related to this proceeding. Your participation by providing your thoughts on PG&E's request can help the CPUC make an informed decision.

If you have questions about CPUC processes, you may contact the CPUC's Public Advisor's Office at:

Email: **Public.Advisor@cpuc.ca.gov**

Mail: CPUC
Public Advisor's Office
505 Van Ness Avenue
San Francisco, CA 94102

Call: **1-866-849-8390** (toll-free) or **1-415-703-2074**

Please reference PG&E's **2026 ERRR Forecast Application 25-05-011** in any communications you have with the CPUC regarding this matter.

RECEIVED
SAN JOSE CITY CLERK
2025 JUN 05 AM 11:23

PL

Ma, I

DATE: May 30, 2025

TO: STATE, CITY AND LOCAL OFFICIALS

NOTICE OF PACIFIC GAS AND ELECTRIC COMPANY'S REQUEST TO INCREASE RATES TO SUPPORT HISTORIC ELECTRIC DEMAND GROWTH AND INVEST IN SAFE, RELIABLE, CLEAN ENERGY AS PART OF ITS 2027 GENERAL RATE CASE APPLICATION (A.25-05-009)

Acronyms you need to know

PG&E: Pacific Gas and Electric Company

CPUC: California Public Utilities Commission

GRC: General Rate Case

Why am I receiving this notice?

On May 15, 2025, PG&E filed its 2027 General Rate Case (GRC) application with the California Public Utilities Commission (CPUC). This filing is required every four years and outlines PG&E's forecasted costs to operate, maintain, and improve its electric and gas systems. If approved by the CPUC, this proposal will result in a \$1.237 billion revenue increase for 2027 and additional increases of \$1.014 billion (2028), \$1.075 billion (2029), and \$1.143 billion (2030). These funds will be used to support critical upgrades, including wildfire safety measures, clean energy expansion, and grid improvements for a more reliable system. The CPUC will review the proposal through a public process before making a final decision.

Why is PG&E requesting this rate change?

PG&E is proposing this rate change to meet California's growing energy needs while improving safety and reliability. The requested increase would fund investments to:

- **Reduce wildfire risk** by installing high-definition cameras, weather stations, strong poles, covered powerlines, and undergrounded powerlines.
- **Expand energy capacity** to serve new homes, businesses, electric vehicles, and artificial intelligence data centers.
- **Strengthen climate resilience** through microgrids and clean energy projects to improve reliability during extreme weather and high-demand periods.
- **Enhance gas system safety** by upgrading infrastructure to keep communities safe and reduce emissions.

If the CPUC approves this application, beginning January 1, 2027, PG&E will recover these costs through electric and gas customer rates over the four-year period of 2027 to 2030.

How could this affect my monthly electric rates?

Many customers receive bundled electric service from PG&E, meaning they receive electric generation, transmission, and distribution services.

Detailed rate information will be sent directly to customers in a bill insert in June 2025.

A typical residential non-CARE¹ customer using 500 kWh per month would see an increase from \$214.93 to \$226.11, or 5.2% in 2027, from \$226.11 to \$232.99, or 3.0% in 2028, from \$232.99 to \$240.24, or 3.1% in 2029, and from \$240.24 to \$248.01, or 3.2% in 2030.

Direct Access (DA) and Community Choice Aggregation (CCA) customers receive electric transmission and distribution services and select CPUC-ordered services from PG&E. If this application is approved, on average compared to current rates, rates for services provided by PG&E to these customers would increase by 8.1% in 2027, 4.4% in 2028, 4.5% in 2029, and 4.6% in 2030. DA providers and CCAs set their own generation rates. Check with your DA provider or CCA to learn how this would impact your overall bill.

Another category of nonbundled customers is Departing Load. These customers do not receive electric generation, transmission, or distribution services from PG&E. However, these customers are required to pay certain charges by law or

¹ CARE (California Alternative Rates for Energy) is an income qualified discount program. Electric CARE customers are exempt from certain charges and receive a 35% discount on non-exempt charges, for an overall average discount of approximately 38%.

CPUC decision. On average, existing Departing Load customers would see a rate increase of 3.1% in 2027, 1.8% in 2028, 1.9% in 2029, and 2.1% in 2030.

Actual impacts will vary depending on usage and are subject to CPUC regulatory approval.

How could this affect my monthly gas rates?

Bundled gas customers receive transmission, distribution, and procurement services from PG&E.

Detailed rate information will be sent directly to customers in a bill insert in June 2025.

Based on rates currently in effect, the bill, including the average monthly climate credit, for a typical non-CARE bundled residential customer averaging 31 therms per month would decrease from \$83.86 to \$83.32, or -0.6% in 2027, and then increase from \$83.32 to \$86.38, or 3.7% in 2028, from \$86.38 to \$89.63, or 3.8% in 2029, and from \$89.63 to \$92.94, or 3.7% in 2030.

Actual impacts will vary depending on usage and are subject to CPUC regulatory approval.

How does the rest of this process work?

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Mail

Please reference the **2027 General Rate Case Application A.25-05-009** in any communications you have with the CPUC regarding this matter.



Outlook

Fw: Suggestions on homeless issue

From Agendadesk <Agendadesk@sanjoseca.gov>**Date** Mon 6/2/2025 10:31 AM**To** Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

From: City Clerk <city.clerk@sanjoseca.gov>**Sent:** Monday, June 2, 2025 7:52 AM**To:** Agendadesk <Agendadesk@sanjoseca.gov>**Subject:** FW: Suggestions on homeless issue

From: L A Kurth [REDACTED] >**Sent:** Saturday, May 31, 2025 1:35 PM**To:** City Clerk <city.clerk@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>**Subject:** Suggestions on homeless issue

[**External Email.** Do not open links or attachments from untrusted sources. [Learn more](#)]

Dear Mayor and members of the city council, including Michael Mulcahey, my D 6 rep,
Has anyone considered the option of making tiny homes and other temporary shelters available for more than 6 months? It seems to me that if I were homeless and wanting to turn things around and build bonds with other people who are trying to get healthy, I wouldn't be able to do it in 6 months. Knowing I only had 6 months of shelter, I don't know if I would really invest in it. What about a year or 18 months? Of course if permanent housing becomes available sooner, that would be terrific.

Also, I'm noticing that around the Bird and Autumn Street areas and further downtown, there are several homes that Google bought that now sit empty. Can those be made available for housing again?

In at least one case, stable, non addicted tenants were forced out of an apartment building near the light rail station and no landlord would accept their housing voucher so they ended up on the streets! This is tragic!

I'm so disappointed and even disgusted by the desperately needed housing that sits empty!

Sincerely,

Lita Kurth [REDACTED]

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Fw: SJACS - Lack of Adult Cats for Adoption

From Agendadesk <Agendadesk@sanjoseca.gov>

Date Mon 6/2/2025 10:27 AM

To Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

3 attachments (3 MB)

Sam SJACC.pdf; SAM Medical Record Data Acacia Vet Clinic 05 21 2025.pdf; Pet Compass JUNE 1st.PNG;

From: City Clerk <city.clerk@sanjoseca.gov>

Sent: Monday, June 2, 2025 7:53 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Subject: FW: SJACS - Lack of Adult Cats for Adoption

From: M Wagner [REDACTED]

Sent: Sunday, June 1, 2025 5:35 PM

To: Maguire, Jennifer <jennifer.maguire@sanjoseca.gov>

Cc: City Clerk <city.clerk@sanjoseca.gov>; Rios, Angel <Angel.Rios@sanjoseca.gov>; Ortiz, Peter <Peter.Ortiz@sanjoseca.gov>; Doan, Bien <Bien.Doan@sanjoseca.gov>; Candelas, Domingo <Domingo.Candelas@sanjoseca.gov>; Campos, Pamela <Pamela.Campos@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; Mulcahy, Michael <Michael.Mulcahy@sanjoseca.gov>; Casey, George <George.Casey@sanjoseca.gov>; Mossing, Mackenzie <Mackenzie.Mossing@sanjoseca.gov>; Reed, Jim <Jim.Reed@sanjoseca.gov>; Loesch, Matthew <Matt.Loesch@sanjoseca.gov>; Icard, Kiska <Kiska.Icard@sanjoseca.gov>

Subject: Re: SJACS - Lack of Adult Cats for Adoption

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Good afternoon Miss Maguire,

As you may recall, I approached you with a question on April 17th / 18th as to why there were no more than a handful of adult cats available for adoption in mid-April.

The lack of cats being available for adoption has been highly noticeable to volunteers and the public alike for quite some time this year. You directed your public works director Matt Loesch to follow-up with me to provide an explanation.

On April 24th, Mr. Loesch stated that the reason why there were hardly any adult cats available for adoption was because there were "120 cats on stray-wait hold" as of April 15th and that it takes time to get off the "hold" as well as spay/neuter them.

On April 28th, I reiterated to Mr. Loesch and other City Administrators (such as yourself) that his "explanation" was highly questionable and appeared to be yet another "false narrative" promoted by your staff.

In fact, on May 12th, SJACS Director of Operations Kiska Icard had a much different "explanation" than Mr. Loesch and told the NSE Committee that the lack of adult cats available for adoption was due to a historical pattern and a "seasonal" low. She was quite confident in her assessment.

Fast forward to June 1st and there are still only 10 adult cats available at SJACS for adoption according to *Pet Compass* (see attached).

One would have thought that the 120 cats that Mr. Loesch had identified with his datapoint of April 15th, would have matriculated their way through the system and been available for adoption by now literally 6 weeks later. Yet, for some reason that certainly hasn't been the case.

I reiterate that volunteers and shelter partners have never seen such a sustained period where adult cats weren't available for adoption. This has been going on for months now as the number of cats being Returned to the Field (RTF) by shelter staff has dramatically increased.

The San Jose community continues to find these "explanations" from your Directors quite troubling - - - especially given the fact that approximately 240 cats had been Returned to Field (RTF) during this same time period.
(April 15th - June 1st).

As you are well aware, my questions to Mr. Loesch in the same email of April 17th regarding the shelter's RTF program were ignored and went unanswered - - - even after I reiterated them in a second email.

They were as follows:

- 1.) Who is in charge of the RTF program at SJACS?
- 2.) Who is in charge of determining which cats are "friendly" and "adoptable" and which cats go RTF?
- 3.) Does the shelter employee in charge of RTF have a suitable background in behavior evaluation?
- 4.) Or do they have a staff member that has a background certified in behavior that reports to them?

As we all know too well, SJACS has never had a behaviorist on staff or anyone certified in being able to evaluate cat (or dog) behavior. This makes the RTF program that more problematic, does it not?

This certainly puts the operations of the shelter's RTF program under a microscope. It certainly raises the question as to whether or not cat adoption has taken a backseat to other live outcomes such as simply sending cats back out into the community via RTF after having had not much in the way of medical care other than being altered.

Case in point:

Attached you will find records for an adult cat by the name of "Sam" (#A1380935) that SJACS staff had scheduled to be Returned to Field (RTF) last month even though the reporting party (a family) had found the cat and found that it was very "friendly". In fact, after the cat was neutered and SJACS notified the RP that it was time to pick the cat up to return it to the field (RTF) the family was "stunned" given that they thought "Sam" would be a great candidate for adoption.

Given that the family did not want to see this "friendly" cat with four fractured canines Returned to Field (RTF), the family networked their way to a rescue called *Pink Paws for the Cause* run by Charlene Mercadante. I was told in no uncertain terms by Miss Mercadante that the cat was indeed "friendly" and was enjoying head-rubs within only 20 minutes of being inside her home in Los Altos. Moreover, Miss Mercadante took the cat to her vet at *Acacia Clinic* where she incurred a \$724 medical invoice and more to come for dental work.

If it wasn't for the family taking measures to get "Sam" to a rescue partner he would have undoubtedly been Returned to Field (RTF) by shelter staff and a State law would have been violated.

As I have brought to your attention on a number of occasions since December of 2024, any cat deemed "friendly" and "adoptable" that is sent back out into the community via RTF is a violation of a California state law called the *Hayden Act*.

This was reaffirmed by San Diego Superior Court Judge Katherine Bacal on December 20th of 2024 in her decision against the San Diego Humane Society which runs a shelter for the City of San Diego.

Miss Maguire, we all want to see the shelter get better and get better as soon as possible. But community concerns have repeatedly been deflected, deferred, discounted and dismissed.

As the City Audit by Joe Rois clearly showed last year, proper protocols and policy does not appear to be in place or applied in many shelter operations, let alone basic ASV shelter guidelines. As illustrated above, the case of "Sam" is highly problematic - - - thus putting the City at risk of violating a State animal welfare law.

This is just another specific and documented example of your management team "failing". One of many over the past 3 years.

Clearly, the lack of adult cats available for adoption does not help the credibility of the shelter and certainly begs the question as to how does SJACS and its highly paid management team serve the public and taxpayer to the tune of \$17 million dollars a year.

I would strongly encourage you to find a management team that can actually perform their duties in a competent and professional manner instead of repeatedly falling prey to "shortcuts".

Throwing "mud" up against the wall hoping something "sticks" when community members ask basic questions about adult cat availability - - - let alone flat-out ignoring questions concerning the shelter's RTF program is not a winning recipe when it comes to serving the community.

This would not be acceptable at Google, Intel, Microsoft, or Apple.
So why is this acceptable at the City of San Jose?

Sincerely,

Mike Wagner

This message is from outside the City email system. Do not open links or attachments from untrusted sources.



SAM

SAN JOSE ANIMAL CARE & SERVICES

A1380935'S MEDICAL HISTORY

ANIMAL ID	WEIGHT	TYPE	COLOR	SEX	BREED	AGE
A1380935		CAT	BUFF	N	DOMESTIC SH	

05/06/2025

VISIT TYPE	CONDITION	WEIGHT	TREATMENT BY
LABWORK	OTHER		SMUI

TREATMENT TYPE

TREATMENT DESCRIPTION

Collection
Free Catch
Color
Straw
Clarity
Clear
Specific Gravity
1.019
White Blood Cells
<1 /HPF
Red Blood Cells
7 /HPF
Bacteria, Cocci
*
None detected
Bacteria, Rods
*
Suspect presence
Squamous Epithelial Cells
None detected
Non-Squamous Epithelial Cells
<1 /HPF
Hyaline Casts
None detected
Non-Hyaline Casts
None detected
Calcium Oxalate Dihydrate Crystals
None detected
Struvite Crystals
None detected
Ammonium Biurate Crystals
None detected
Bilirubin Crystals
None detected
Unclassified Crystals
None detected

VISIT TYPE	CONDITION	WEIGHT	TREATMENT BY
SURGERY	WOUND	9.60 LBS	SMUI

TREATMENT TYPE

EAR TIP

RABIES (REPEAT IN ONE YEAR) E129300A

FVRCP

CONVENIA INJ

CASTRATION

Dogs and cats are examined, vaccinated, dewormed, treated with flea preventive, microchipped, and spayed or neutered prior to adoption. See your veterinarian for recommendations about vaccination, deworming, and flea preventive schedules.

- FVRCP: Cat 3-in-one vaccine (Feline Viral Rhinotracheitis, Calicivirus, Panleukopenia).

-

- Rabies: 1-year Rabies vaccination.

- Deworm: Pyrantel, a medication which treats common intestinal parasites such as roundworms. ***This medication does not treat tapeworms.***

- Advantage II: Advantage is a monthly topical flea treatment.

- Paradefense: Paradefense is a monthly topical flea treatment (same ingredients as found in Advantage II).

- Activyl: Activyl is a monthly topical flea treatment.

- Combiva II: Combiva is a monthly topical flea treatment (similar to Advantage II)

- Microchip: a form of ID. It does not replace a license or ID tag. A microchip is about the size of a grain of rice and is implanted under the skin between the shoulder blades. The microchip is inactive until it is read with a scanner used by shelters and veterinary clinics. Each microchip produces a unique number when read with a scanner. In order for your pet to be reunited with you, you must register your pet's microchip. Registration can be done for any brand of microchip for free at www.foundanimals.org. Please note that you must update your pet's microchip contact information (e.g. address, phone number, email address) whenever it changes.

The Bay Area has seen an outbreak of canine influenza virus in dogs. Adopted dogs should be monitored for signs of coughing, sneezing, or decreased activity and call their veterinarian if signs are noted. This disease is contagious to other dogs and dogs can also be infected without showing symptoms. Adopters should keep their dogs separate from other dogs for 7 days after adoption to observe them for signs.

MAC

TREATMENT DESCRIPTION

Feral Cat Neuter. Vetchcheck for urinating blood

Temperament: wide eyed in kennel, upon attempting to move into den lunged and hissed/ spat

Butorphanol 10mg/ml 0.09ml + dexdomitor 0.5mg/ml 0.4 ml IM

QAR-H. Adult dentition with moderate tartar and all 4 canines fractured close to gingasiva, CV/Resp-clear. Integ- 2cm wound along medial RPL with no discharge BCS 4-5/9.

A: Wound

UTI

Dilute urine r/o secondary to UTI vs CKD vs AKI vs urolith vs other

Periodontitis- shelter unable to provide dental at this time

Carbocaine testicular block. Routine closed castration. Spermatic cords self-ligated.

Clipped/ cleaned wound, flushed with saline, closed with 3/0 monomend cruciates

UA: see separate entry, USG 1.019, suspect rods

Convenia 80mg/ml 0.43ml SQ

Notched Left Ear.

Pink Paws for the Cause Org

(650) 533-7979 | pinkpawsftc@gmail.com



Sam

Species: Feline
Breed: Domestic Shorthair
Sex: MN
Color: Orange
DOB: 05/12/2015

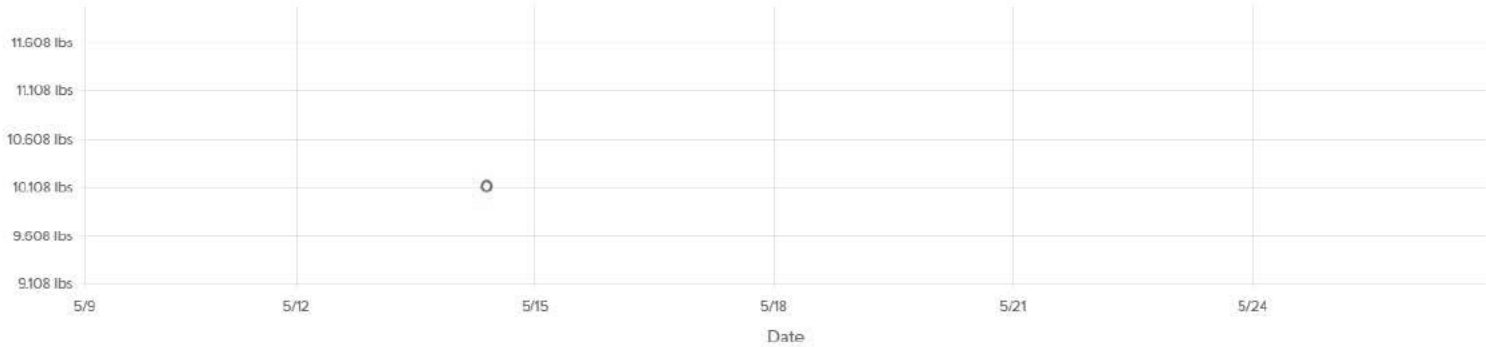
Last Weight: 4.59 kgs/10.12 lbs on 05/14/2025
Microchip Number: -
Rabies Tag: -

 FIV +ve (5/14/25)-HSS

Current Reminders	Due Date
Feline Triple Test	05/14/2026
Annual Exam	05/14/2026
Rabies Vaccine- 1 Year	05/06/2026
FVRCP Vaccine- 2nd Booster	05/27/2025

Current Vaccines	Date Given
Rabies 1 year	05/06/2025

Weight Graph



Date Created	Estimate Title	Charges	Status	Approval Date
05/14/2025 02:43 PM	Dental estimate	\$1,019.18 - \$1,019.18	Pending	
05/14/2025 09:33 AM		\$724.87 - \$724.87	In Plan/Rx	05/14/2025 09:39 AM

Invoice #	Description	Date
2996	Drontal for Cats	05/14/2025
2996	Convenia Injection - 80 mg/ml	05/14/2025
2996	Laceration Repair	05/14/2025
2996	Sedation 0-25 lbs	05/14/2025
2996	Metronidazole Oral Suspension - 50 mg/ml	05/14/2025
2996	IDEXX VetLab Station SNAP Feline Triple	05/14/2025
2996	Medical Waste Fee/Biohazard Fee	05/14/2025
2996	Drop Off Exam	05/14/2025

SOAP Date	SOAP Title	Diagnosis
05/14/2025	P has worms (stomach hard) & broken teeth, Re-stitch wound, +/-sedation, /facial swelling, guesstimate age	FIV infection, Laceration of skin, Diarrhea, Dental disease



Heartworm Results

Description:

Emailed O neg HWT results.

Created By Summer Cothran on 05/15/2025



SOAP 05/14/2025 - P has worms (stomach hard) & broken teeth, Re-stitch wound, +/-sedation, /facial swelling, guesstimate age

Locked

Initial Complaint

O mentioned P has worms & also mentioned P has broken teeth - JR Re-stitch wound, +/-sedation, /facial swelling, guesstimate age

History

Signalment: Approximately 10yo male intact cat

Presenting Complaint: Sam presents for recheck of surgical site

Patient History:

- Recently rescued stray cat
- Recent laceration repair at shelter with dissolvable internal sutures
- Currently receiving daily subcutaneous fluids
- Recent onset of diarrhea
- Currently eating soft food only due to dental issues
- History of being fed as an outdoor cat
- Previously presented to shelter for suspected hematuria, found to have thigh laceration instead

Vitals

05/14/2025 09:35 AM

Temp:

-

Pulse:

-

Respiratory Rate:

-

Weight:

4.59 kgs/10.12 lbs

Capillary Refill Time:

-

Mucus Membrane Color:

-

Mentation:

-

Notes:

-

Physical Exams

Dr. Steele exam

Dr. Catarina Steele, DVM 05/14/2025 01:02 PM

Behavior/Temperament

NORMAL

Good for exam



General Appearance

NORMAL

Bright, alert, responsive. Adequate hydration.

BCS

5/9

-

Eyes

NORMAL

Within normal limits. No ocular discharge. No nystagmus.

Ears

NORMAL

Within normal limits. Normal waxy debris. Left ear tipped

Nose

NORMAL

Within normal limits. No nasal discharge.

Oral Cavity

ABNORMAL

Broken canines, some missing teeth, gingivitis

Heart

NORMAL

Regular rhythm, no murmur auscultated, strong synchronous femoral pulses.

Lungs

NORMAL

Normal bronchovesicular sounds, no respiratory distress.

Abdominal Palpation

ABNORMAL

Somewhat tense, gassy when palpated

Musculoskeletal

NORMAL

Within normal limits. Normal gait upon ambulation, no lameness observed. Normal ROM of all legs, no pain or crepitus on ROM.

Neurological

NORMAL

Within normal limits. Cranial nerves are symmetrical and intact. Full neurologic exam not performed.

Skin

ABNORMAL

Laceration on inside of right thigh---previously suture at animal shelter on 5/6 but opening up

Lymph Nodes

NORMAL

Within normal limits. All less than 1 cm diameter.

G/U

NORMAL

Within normal limits. No mammary gland masses. Normal external genitalia. Neuter site looks good

Rectal

ABNORMAL

Not performed. Diarrhea

Note

-

Assessment

Problem List:

- Dental disease - r/o periodontal disease, broken teeth, stomatitis
- Diarrhea - r/o stress, diet change, parasites, IBD
- FIV positive status- r/o immunosuppression
- Surgical site healing - r/o delayed healing, infection

Diagnosis

FIV infection

Laceration of skin

Diarrhea

Dental disease

Lab Documents



_IDEXX_Result_275885859_20
25-05-14.pdf

Recommendation

Sedation

Buprenorphine 0.3mg/ml: 0.1ml IM

Dexdomitor: 0.1ml IM

Ketamine: 0.1ml IM

Antisedan :0.1ml IM

Cleaned and prep surgical area--

Freshened edges of laceration and resutured with 2-0 Nylon with a cruciate pattern

Diagnostics:

- Dental radiographs recommended during dental procedure



Treatment Plan/Medications:

- Administered dewormer (Drontal)
- Medication dispensed for diarrhea
- Dental cleaning and extractions recommended
- Continue soft food diet
- Previously administered Advantage for flea prevention

Client Communication:

- Discussed FIV status and implications:
- More susceptible to illness
- Recommended single cat household
- Generally good prognosis with proper care
- Discussed dental procedure:
- Will include dental radiographs
- Multiple extractions likely needed
- To be scheduled before foster period ends on the 24th
- Advised to use wipes for cleaning until sutures are removed
- Continue current feeding routine with soft food

Service and Treatment History

Drontal for Cats - Qty: 1

Entered by Dr. Catarina Steele, DVM on 05/14/2025 02:40 PM

Convenia Injection - 80 mg/ml - Qty: 0.5 ml(s) - Other

Entered by Dr. Catarina Steele, DVM on 05/14/2025 01:01 PM

Laceration Repair - Qty: 0.5

Entered by Dr. Catarina Steele, DVM on 05/14/2025 01:01 PM

Sedation 0-25 lbs - Qty: 1

Entered by Dr. Catarina Steele, DVM on 05/14/2025 01:01 PM

IDEXX VetLab Station SNAP Feline Triple - Qty: 1

Entered by Dr. Catarina Steele, DVM on 05/14/2025 09:54 AM

Antisedan - 5 mg/ml - Qty: 0.1 ml(s) - IM

Entered by Dr. Catarina Steele, DVM on 05/14/2025 09:53 AM

Ketamine - 100 mg/ml - Qty: 0.1 ml(s) - IV

Entered by Dr. Catarina Steele, DVM on 05/14/2025 09:53 AM

Dexdomitor/Dexmedesed - 0.5 mg/ml - Qty: 0.1 ml(s) - IM

Entered by Dr. Catarina Steele, DVM on 05/14/2025 09:53 AM

Buprenorphine - 0.3 mg/ml - Qty: 0.1 ml(s) - IM

Entered by Dr. Catarina Steele, DVM on 05/14/2025 09:53 AM

Medical Waste Fee/Biohazard Fee - Qty: 1

Entered by Dr. Catarina Steele, DVM on 05/14/2025 09:49 AM

Drop Off Exam - Qty: 1

Entered by Dr. Catarina Steele, DVM on 05/14/2025 09:49 AM

Prescriptions





Prescription: Metronidazole Oral Suspension - 50 mg/ml - SOAP 05/14/2025 - P has worms (stomach hard) & broken teeth, Re-stitch wound, +/-sedation, /facial swelling, guesstimate age

Rx #: 17517140

Date Filled: 05/14/2025

Date Prescribed: 05/14/2025

Rx Valid Thru: 05/14/2026

Expiration: 05/14/2026

Refills Authorized: 0

Directions:

Give 1.4 ml(s) orally every 12 hours for 5 days.

Prescribing Doctor: Dr. Catarina Steele, DVM

Quantity Prescribed: 15 ml(s)

Discharge Instructions

Sedation 0-25 lbs

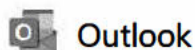
Dear Amani Hamed,

Sam was sedated today for O mentioned P has worms & also mentioned P has broken teeth - JR Re-stitch wound, +/- sedation, /facial swelling, guesstimate age.

- Due to being sedated, Sam may have a decreased appetite tonight. This is normal. You may try to feed a small amount at a time and if no vomiting occurs, you can feed more.
- Monitor for loss of appetite for more than 2 days, refusal to drink water for more than 1 day, weakness, vomiting, diarrhea, changes in breathing and straining urinate/defecate

If you have any questions or concerns about Sam's treatment, follow-up care, or progress, please do not hesitate to call our practice at (408) 264-6354 or email us at acaciapetclinic@gmail.com. Thank you for your continued trust in Acacia Pet Clinic.





Outlook

FW: Important ACP Proclamation of an Emergency Program 2025-01 for Morgan Hill and San Jose, Santa Clara County, 5/30/25

From City Clerk <city.clerk@sanjoseca.gov>

Date Mon 6/2/2025 10:37 AM

To Agendadesk <Agendadesk@sanjoseca.gov>; Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

3 attachments (1 MB)

ACP-PEP2025-01_OfficialNotice_SanJoseSantaClaraCounty_2025-05-30.pdf; ACP-PEP2024-01_Findings_SanJoseSantaClaraCounty_2025-05-30_signed.pdf; ACP-PEP2025-01_SantaClaraCounty_TreatmentMap_2025-05-30.pdf;

From: Jacobs, Stephanie@CDFA <[REDACTED]>

Sent: Monday, June 2, 2025 9:24 AM

To: [REDACTED] Mary Ann Dewan
 [REDACTED] Raymond, Drew <[REDACTED]>
 [REDACTED] Thom, Michelle <[REDACTED]>
 [REDACTED] Lyle, Steve@CDFA
 [REDACTED] Birdsong, Christine@CDFA <[REDACTED]> Pegos, David@CDFA
 [REDACTED] Krout, Natalie@CDFA <[REDACTED]> Eastman, Hyrum@CDFA
 [REDACTED] Thimmayya, Ned@CDFA <[REDACTED]> Oriel, Michel@CDPR
 [REDACTED] Yanga, Nino@CDPR <[REDACTED]> pispillness@CDPR <pispillness@cdpr.ca.gov>; [REDACTED] Beucke, Kyle@CDFA <[REDACTED]> Weinberg, Justine@CDPH <[REDACTED]> CDPH Comms Media <[REDACTED]> Hutzel, Michelle@EPA <[REDACTED]> Sutherland-Ashley, Katherine@OEHHHA <Katherine.Sutherland-Ashley@oehha.ca.gov>; Claude, Jocelyn@OEHHHA <[REDACTED]> Kilian, Jason@OEHHHA <[REDACTED]> Miyasato, Lori@OEHHHA <[REDACTED]>
 [REDACTED] Vance, Julie@Wildlife <[REDACTED]>
 [REDACTED] Paige Shewmaker <[REDACTED]>
 [REDACTED] Aggarwal, Vaneet@CDPR <[REDACTED]> Okasaki, Keith@CDFA <[REDACTED]> Farsimadan, Afrooz@Waterboards <[REDACTED]> Martinez, Armando@Waterboards <[REDACTED]> Shadle, Joshua@Wildlife <[REDACTED]>
 [REDACTED] CDFA_DL_Permits <[REDACTED]> Escobar, Alice@CDFA <[REDACTED]>
 [REDACTED] Gutierrez, Antonio@CDFA <[REDACTED]> Kelch, Dean@CDFA <[REDACTED]>
 [REDACTED] Van Rein, Jay@CDFA <[REDACTED]> Watmore, Nilan@CDFA <[REDACTED]>
 [REDACTED] Phong, David@CDFA <[REDACTED]> Behla, Ravneet@CDFA <[REDACTED]>
 [REDACTED] Niem, Raymond@CDFA <[REDACTED]> Richter, Aleece@CDFA <[REDACTED]>
 [REDACTED] Khalid, Sara@CDFA <[REDACTED]> Dao, Kiana@CDFA <[REDACTED]>
 [REDACTED] City Clerk <city.clerk@sanjoseca.gov>; Webmaster Manager <webmaster.manager@sanjoseca.gov>; [REDACTED] superintendent@sjusd.org; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>;

District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>;
District 6 <district6@sanjoseca.gov>

Subject: Important ACP Proclamation of an Emergency Program 2025-01 for Morgan Hill and San Jose, Santa Clara County, 5/30/25

[External Email.] Do not open links or attachments from untrusted sources. [Learn more](#)

Good morning,

Please see the attached Asian citrus psyllid (ACP) Proclamation of an Emergency Program 2025-01 for Morgan Hill and San Jose, Santa Clara County, 5/30/25.

The documents and maps are posted on CDFA Website's Asian Citrus Psyllid/Huanglongbing:

https://www.cdfa.ca.gov/citrus/pests_diseases/acp/treatment_maps.html

Please call Pest Hotline for any questions. **Pest Hotline: 1-800-491-1899.**

If you are not the contact for this notice, please forward the attachment to the intended recipient.

Sincerely,



Stephanie Jacobs
Staff Services Analyst (General)
California Department of Food and Agriculture
Citrus Pest and Disease Prevention Division
1220 N Street | Sacramento, CA 95814
In office: M,F | Telework: T,W,Th
7:00 a.m. - 3:30 p.m.
(916) 699-0116 | stephanie.jacobs@cdfa.ca.gov

This message is from outside the City email system. Do not open links or attachments from untrusted sources.



CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

OFFICIAL NOTICE FOR COMMUNITIES OF MORGAN HILL AND SAN JOSE IN SANTA CLARA COUNTY PLEASE READ IMMEDIATELY

PROCLAMATION OF EMERGENCY PROGRAM FOR ASIAN CITRUS PSYLLID

Between April 9, 2025 and April 22, 2025, the California Department of Food and Agriculture (CDFA) confirmed the presence of the insect, Asian citrus psyllid (ACP), *Diaphorina citri* Kuwayama, which feed on citrus plants and can spread the disease huanglongbing (HLB), a devastating disease of citrus. ACP were collected in the cities of Morgan Hill and San Jose in Santa Clara County, necessitating survey and treatment in these areas. ACP presents a significant, clear, and imminent threat to California's commercial citrus production, residential citrus plantings, natural resources, and economy. Unless emergency action is taken to disrupt the ACP life cycles, there is high potential for sudden future detections in Santa Clara County.

To determine the extent of the infestation and to define an appropriate response area, CDFA conducts delimitation trapping and surveys. ACP traps are placed at a maximum density of 50 traps per square mile in a four-square mile delimitation area centered on each detection site. Traps are serviced weekly for one month. If no additional ACP are detected, traps are serviced monthly for one year past the date the ACP was identified. Additionally, unless the survey area triggered by a detection overlaps with an existing survey area, visual surveys take place in areas consisting of the ACP find sites and adjacent properties.

In accordance with integrated pest management principles, CDFA evaluated possible treatment methods and determined that there are no cultural, physical, or biological control methods available to adequately control ACP in this area. The Proclamation of Emergency Program is valid until April 22, 2027, which is the amount of time necessary to determine that the treatment was successful. Asian citrus psyllid is most easily detected when the plant is in "flush," which is when the plant is growing new leaves. The two-year period past the date of the last detection allows three to four flushing cycles of citrus, thereby enabling a detectable increase in nymph-feeding populations if nymphs are present.

The detection of ACP described above requires immediate action to address the imminent threat to California's commercial citrus production, residential citrus plantings, natural resources, and economy. More specifically, in addition to a variety of commercial citrus crops, ACP threatens loss and damage to native wildlife, private and public property, and food supplies. Due to ACP being a vector for the bacteria that causes HLB and the rapid reproductive rate of ACP, there is a high potential for ACP to establish and spread, resulting in sudden future detections of ACP and HLB in the cities and communities listed above. Therefore, the Secretary of the California Department of Food and Agriculture is invoking Public Resources Code Section 21080(b)(4) to carry out immediate emergency action to prevent the aforementioned loss and damage to California's resources.

The surveillance and treatment plan for the ACP infestation will be implemented within the ACP find sites and adjacent properties, with property owner or occupant consent, as follows:

- ACP and HLB surveillance including ACP delimitation traps placed at a maximum density of 50 traps per square mile in a four-square mile delimitation area centered on

the detection site. Traps are serviced weekly for one month. If no additional ACP are detected, the traps are serviced monthly for one year past the date the ACP was identified. Additionally, unless the survey areas triggered by the detections overlap with existing survey areas, visual delimitation surveys are conducted in areas consisting of the ACP find sites and adjacent properties. All plant and ACP samples collected from visual delimitation surveys shall be tested for the presence of *Candidatus Liberibacter asiaticus*, the bacteria that causes HLB.

- ACP treatment activities to eradicate or control incipient infestations. All ACP find sites and adjacent properties with hosts are treated. Treatments are in accordance with the following protocol to control ACP:
 - Tempo® SC Ultra (cyfluthrin), a contact insecticide for controlling the adults and nymphs of ACP, will be applied from the ground using hydraulic spray equipment to the foliage of host plants; and
 - Merit® 2F or CoreTect™ (imidacloprid), a systemic insecticide for controlling the immature life stages of ACP, will be applied to the soil underneath host plants. Merit® 2F is applied from the ground using hydraulic spray equipment. CoreTect™, which is used in place of Merit® 2F in situations where there are environmental concerns about soil surface runoff of liquid Merit® 2F, is applied by inserting tablets into the ground and watering the soil beneath the host plants.

Public Notification:

Residents of affected properties shall be invited to a public meeting or contacted directly by CDFA staff. Consultation with the California Department of Pesticide Regulation, the Office of Environmental Health Hazard Assessment, and the county agricultural commissioner's office will be provided at the public meeting or upon request to address residents' questions and concerns.

Residents are notified in writing at least 48 hours in advance of any treatment in accordance with the Food and Agricultural Code sections 5771-5779.

Following the treatment, completion notices are left with the residents detailing precautions to take and post-harvest intervals applicable to the citrus fruit on the property.

The following treatment information and additional resources are posted on CDFA's website:

- Treatment Maps: http://cdfa.ca.gov/plant/acp/treatment_maps.html
- ACP Pest Profile: https://www.cdfa.ca.gov/citrus/pests_diseases/acp/PestProfile.html
- ACP/HLB Work Plan:
https://www.cdfa.ca.gov/citrus/pests_diseases/ACP_HLB_Work_Plan.pdf
- Integrated Pest Management Analysis:
https://www.cdfa.ca.gov/citrus/pests_diseases/ACP_HLB_IPM_Analysis.pdf

Press releases, if issued, are prepared by the CDFA information officer and the county agricultural commissioner, in close coordination with the program leader responsible for treatment. Either the county agricultural commissioner or the public information officer serves as the primary contact to the media.

Information concerning the HLB/ACP program shall be conveyed directly to local and State political representatives and authorities via letters, emails, and/or faxes.

For any questions related to this program, please contact the CDFA toll-free telephone number at 800-491-1899 for assistance. This telephone number is also listed on all treatment notices.

Attachments

FINDINGS REGARDING AN EMERGENCY PROGRAM FOR ASIAN CITRUS PSYLLID

Morgan Hill and San Jose, Santa Clara County Program SA-5047

Between April 9, 2025 and April 22, 2025, the California Department of Food and Agriculture (CDFA) confirmed the presence of the insect, Asian citrus psyllid (ACP), *Diaphorina citri* Kuwayama, which feed on citrus plants and can spread the disease huanglongbing (HLB), a devastating disease of citrus. ACP were collected in the cities of Morgan Hill and San Jose in Santa Clara County, necessitating survey and treatment in these areas. Unless emergency action is taken to disrupt the ACP life cycle, there is high potential for sudden future detections in Santa Clara County and other areas.

Coinciding with the dates of the detections, CDFA conducts delimitation trapping and surveys. CDFA conducts these activities to determine the extent of the infestation in Santa Clara County and to define an appropriate response area. ACP traps are placed at a maximum density of 50 traps per square mile in four-square mile delimitation areas centered on the following detections in 2025: Morgan Hill (one detection on April 9); San Jose (nine detections on April 18 and seven detections on April 22). Additionally, unless the survey area triggered by a detection overlaps with an existing survey area, visual surveys take place in areas consisting of the ACP find sites and adjacent properties. Based on pest and disease surveillance, pest biology, findings and recommendations from California's HLB Task Force, the Primary State Entomologist, the Primary State Plant Pathologist, United States Department of Agriculture (USDA) experts on HLB and ACP, county agricultural commissioner representatives who are knowledgeable on HLB and ACP, and experience gained from USDA's control efforts in the southeastern United States, I have determined that an incipient ACP infestation exists and it poses a statewide significant imminent danger to California's commercial citrus production, residential citrus plantings, and natural resources, and the economy. For example, the expansion of ACP into new areas of the state may transmit HLB to other areas and would severely impact both the citrus industry and the urban landscape. The bacterium that causes the disease, *Candidatus Liberibacter asiaticus* (CLAs), blocks the flow of nutrients within the tree and causes the tree to starve to death within two to five years of infection. California is the top citrus-producing state in the U.S., with total citrus production valued at \$3.63 billion. A recent study estimated that a 20% reduction in California citrus acreage would cause a loss of 8,213 jobs, \$214 million in employee income, and reduce state GDP by \$569 million. Another recent study concluded that if steps are not taken to combat HLB, the total loss in production value could be up to \$2.7 billion over 20 years. Studies in Florida have shown that the presence of HLB increases citrus production costs by up to 40 percent and has resulted in a loss of over \$7 billion and 6,600 jobs.

Additional surveys also indicated that the local infestation is amenable to CDFA's ACP emergency response strategy, which includes chemical and biocontrol treatments. These options were selected based upon minimal impacts to the natural environment, biological effectiveness, minimal public intrusiveness, and cost.

ACP is an insect pest native to Asia. It has appeared in Central and South America. In the United States, ACP has been detected in Alabama, Arizona, Florida, Georgia, Hawaii, Louisiana, Mississippi, South Carolina, and Texas. In California, ACP has been detected in thirty counties.

ACP feeds on members of the plant family Rutaceae, primarily on *Citrus* and *Murraya* species, but is also known to attack several other genera, including over forty species of plants that act as hosts and possible carriers. The most serious damage to the environment and property caused by ACP – the death and loss in value of host plants – is due to its vectoring HLB. In addition, ACP also causes injury to their host plants via the withdrawal of large amounts of sap as they feed and via the

production of large amounts of honeydew, which coats the leaves of the tree and encourages the growth of sooty mold. The sooty mold blocks sunlight from reaching the leaves.

Due to the rapid reproductive rate of ACP, there is a high potential for ACP to establish and spread, resulting in sudden future detections of ACP/HLB in the cities and communities listed above.

ACP is the vector for the bacteria that causes HLB, and HLB is considered one of the most devastating diseases of citrus in the world. There is no cure for HLB. Symptoms of HLB include yellow shoots with mottling and chlorosis of the leaves, misshapen fruit, fruit that does not fully color, and fruit that has a very bitter and rancid taste, which makes it inedible for human consumption. These symptoms often do not appear until a minimum of two years after infection, making this disease particularly difficult to contain and suppress. These undesirable symptoms of HLB-infected plants result in the plants' loss of commercial and aesthetic value while at the same time such plants are hosts for spreading the bacteria that causes HLB.

If unabated, the establishment of ACP in new areas of California would harm the natural environment as commercial and residential citrus growers would be forced to increase pesticide use. It could lead to enforcement of quarantine restrictions by the USDA and California's international trading partners. Such restrictions would jeopardize California's citrus exports, which are valued at over \$7 billion in economic revenue.

CLas was first detected in Los Angeles in 2012. It has subsequently been detected in Orange, Riverside, San Bernardino, San Diego, and Ventura counties.

Infected host plants are mechanically removed as soon as they are discovered. However, due to the length of time it takes for symptoms to appear on infected plants, which is two to five years, new infestations continue to be discovered. If the current infestation is not abated immediately, ACP will likely become established in neighboring counties and could pave the way for a statewide HLB infestation.

CDFA evaluated possible treatment methods in accordance with integrated pest management (IPM) principles. As part of these principles, I have considered the following treatments for control of ACP: 1) physical controls; 2) cultural controls; 3) biological controls; and 4) chemical controls. Upon careful evaluation of each of these options, I have determined that it is necessary to address the imminent threat posed by ACP using currently available technology in a manner that is recommended by the HLB Task Force.

Based upon input from the HLB Task Force, the Primary State Entomologist, the Primary State Plant Pathologist, USDA experts on HLB and ACP, and county agricultural commissioner representatives who are knowledgeable on ACP and HLB, I find there are no cultural, physical, or biological control methods that are adequately effective against ACP and allow CDFA to meet its statutory obligations, and therefore it is necessary to conduct chemical treatments to abate this threat. As a result, I am ordering delimitation surveillance and insecticide treatments for ACP using ground-based equipment within the ACP detection sites and adjacent properties.

Sensitive Areas

CDFA has consulted with the California Department of Fish and Wildlife's California Natural Diversity Database for threatened or endangered species, the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the California Department of Fish and Wildlife when rare and endangered species are located within the treatment area. Mitigation measures for rare and endangered species will be implemented. CDFA shall not apply pesticides to bodies of water or undeveloped areas of native vegetation. All treatment shall be applied to ACP-host plants on residential properties, common areas within residential development, non-agricultural commercial properties, and rights-of-way.

Work Plan

The proposed delimitation surveillance and treatment area encompasses the ACP find sites and adjacent properties within Santa Clara County. The Proclamation of Emergency Program is valid until April 22, 2027, which is the amount of time necessary to determine that the treatment was successful. Asian citrus psyllid is most easily detected when the plant is in "flush," which is when the plant is growing new leaves. The two-year period past the date of the last detection allows three to four flushing cycles of citrus, thereby enabling a detectable increase in nymph-feeding populations if nymphs are present. Maps of the treatment boundaries are attached. The work plan consists of the following elements, which will be implemented where property owners or occupants' consent:

1. Surveillance
 - a. ACP Delimitation Trapping. ACP traps are placed at a maximum density of 50 traps per square mile in a four-square mile delimitation area centered on the detection site. Traps are serviced weekly for one month. If no additional ACP are detected, the traps are serviced monthly for one year past the date the ACP was identified. Subsequent detections may increase the size of the delimitation survey area and restart the one-year duration of the trap servicing requirement.
 - b. ACP and HLB Visual Survey. Unless the survey areas triggered by the detections overlap with existing survey areas, visual delimitation surveys are conducted in areas consisting of the ACP find sites and adjacent properties.
 - c. HLB Disease Testing. All symptomatic host plant tissues, and ACP life stages shall be tested for the presence of CLAs.
2. Treatment. All ACP find sites and adjacent properties with hosts are treated. Treatments are in accordance with the following protocol to control ACP:
 - a. Tempo® SC Ultra, containing the contact pyrethroid insecticide cyfluthrin, shall be applied by ground-based hydraulic spray equipment to the foliage of host plants for controlling the adults and nymphs of ACP. Treatment may be re-applied up to three times annually on additional ACP detection sites and adjacent properties.
 - b. Either Merit® 2F or CoreTect™, containing the systemic insecticide imidacloprid, will be applied to the root zone beneath host plants for controlling developing nymphs and providing long term protection against reinfestation. Merit® 2F is applied as a soil drench, while CoreTect™ tablets are inserted two to five inches below the soil surface

and watered in to initiate tablet dissolution. CoreTect™ is used in place of Merit® 2F in situations where there are environmental concerns about soil surface runoff of the liquid Merit® 2F formulation, such as host plants growing next to ponds and other environmentally sensitive areas. Treatment may be re-applied once annually on additional ACP detection sites and adjacent properties.

Public Information

Residents of affected properties shall be invited to a public meeting or contacted directly by CDFA staff. Consultation with the California Department of Pesticide Regulation, the Office of Environmental Health Hazard Assessment, and the county agricultural commissioner's office will be provided at the public meeting or upon request to address residents' questions and concerns.

Residents shall be notified in writing at least 48 hours in advance of any treatment in accordance with the Food and Agricultural Code (FAC), sections 5771-5779.

Following the treatment, completion notices are left with the residents detailing post-treatment precautions.

For any questions related to this program, please contact the CDFA toll-free telephone number at 800-491-1899 for assistance. This telephone number is also listed on all treatment notices. The following treatment information and additional resources are posted on CDFA's website:

- Treatment Maps: http://cdfa.ca.gov/plant/acp/treatment_maps.html.
- ACP Pest Profile: https://www.cdfa.ca.gov/citrus/pests_diseases/acp/PestProfile.html
- ACP/HLB Work Plan:
https://www.cdfa.ca.gov/citrus/pests_diseases/ACP_HLB_Work_Plan.pdf
- Integrated Pest Management Analysis:
https://www.cdfa.ca.gov/citrus/pests_diseases/ACP_HLB_IPM_Analysis.pdf

Press releases, if issued, are prepared by the CDFA information officer and the county agricultural commissioner, in close coordination with the program leader responsible for treatment. Either the county agricultural commissioner or the public information officer serves as the primary contact to the media.

Information concerning the HLB/ACP program will be conveyed directly to local and State political representatives and authorities via letters, emails, and/or faxes.

Findings

HLB and ACP pose a significant, clear, and imminent threat to California's natural environment, agriculture, public and private property, and its economy.

Unless emergency action is taken to disrupt the life cycles of recently detected ACP, there is high potential for sudden future ACP and HLB detections in Santa Clara County.

The work plan involving chemical control of these pests is necessary to prevent loss and damage to California's natural environment, citrus industry, native wildlife, private and public property, and food supplies.

Therefore, I am invoking Public Resources Code Section 21080(b)(4) to carry out immediate emergency action to prevent this loss and damage.

My decision to adopt the findings and take action is based on FAC sections 24.5, 401.5, 403, 407, 408, and 5761-5764.

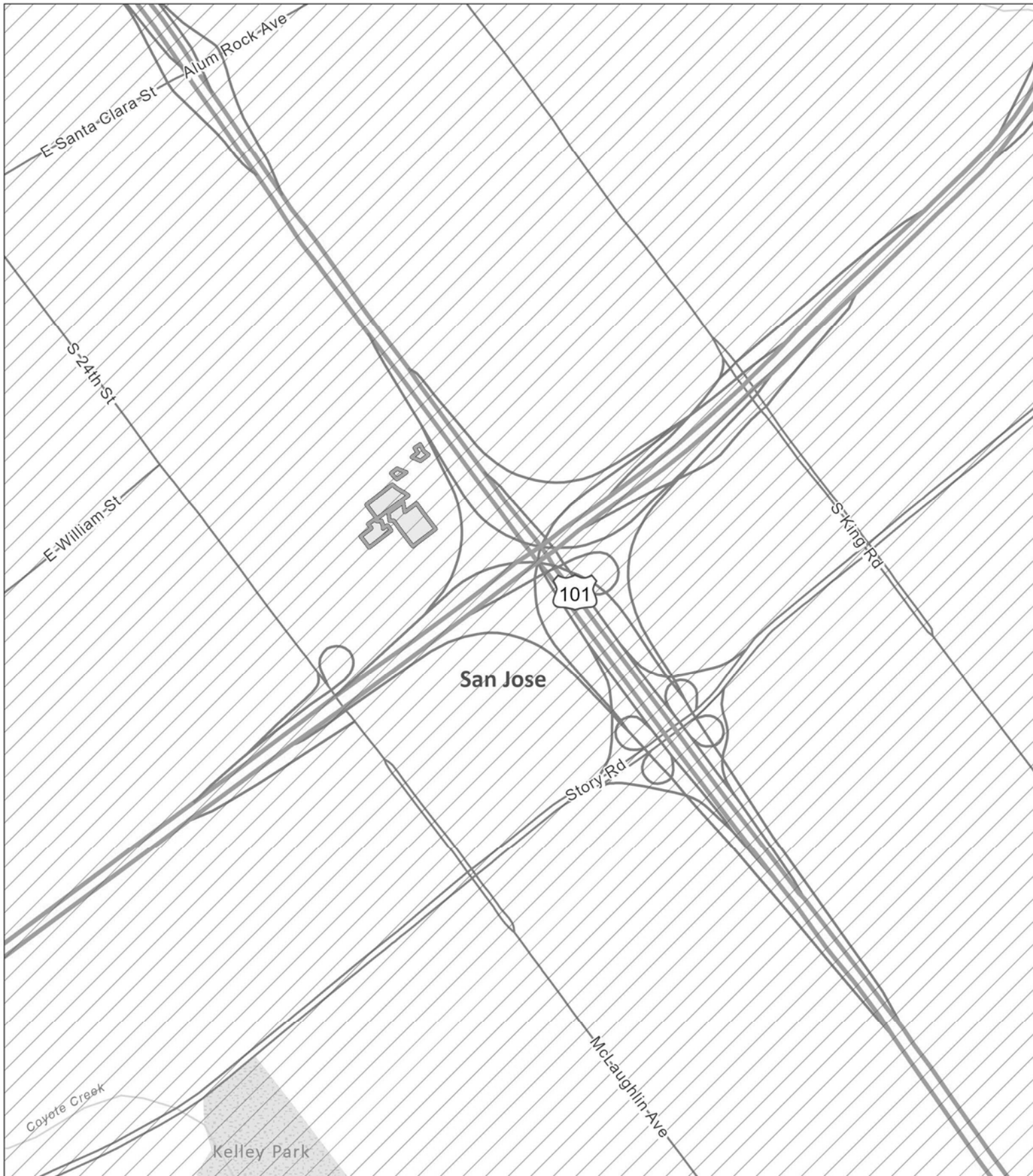
Karen Ross

Karen Ross, Secretary

Digitally signed by Karen Ross
Date: 2025.05.30 10:40:15
-07'00'

May 30, 2025

Date



Asian Citrus Psyllid Program - Proclamation of an Emergency Program Map (2025-01)
San Jose - Santa Clara County - Part 1

-  Treatment Area
-  Environmentally Sensitive Area: Treatment Mitigation in Place

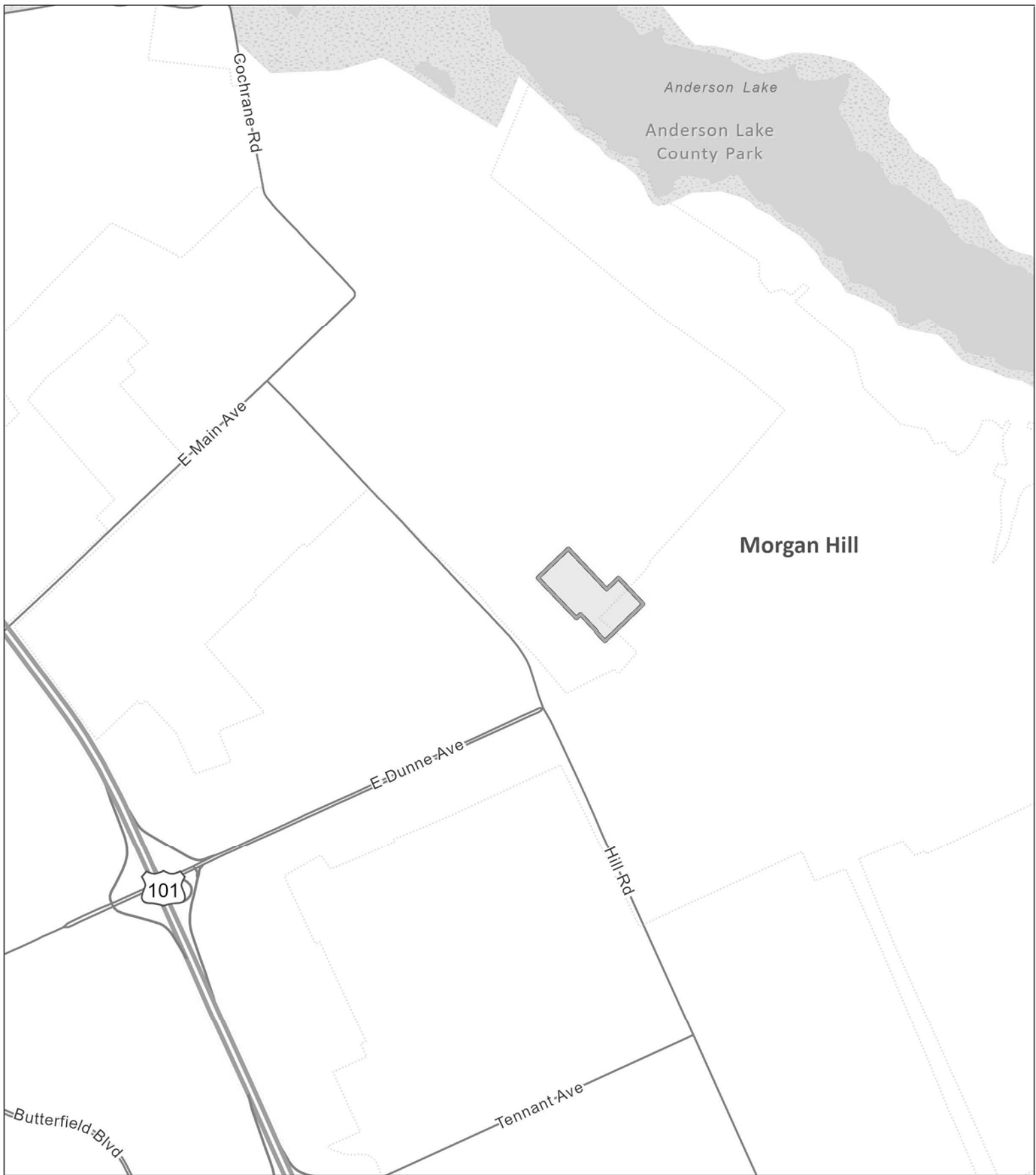
Map Printed: 5/19/2025

0 0.25 Miles

CITRUS PEST & DISEASE
PREVENTION DIVISION

cdfa

CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE



Asian Citrus Psyllid Program - Proclamation of an Emergency Program Map (2025-01)
Morgan Hill - Santa Clara County - Part 2

 Treatment Area

0 0.5 Miles



Fw: Reformatted Open letter regarding herbicide use at Alum Rock Park (now 351 cosigners)

From Agendadesk <Agendadesk@sanjoseca.gov>

Date: Tue 6/3/2025 9:02 AM

To: Rules and Open Government Committee Agendas <rulescommitteeagenda@sanjoseca.gov>

1 attachment (3 MB)

Open Letter Regarding Herbicide Use at Alum Rock Park.pdf

From: City Clerk <city.clerk@sanjoseca.gov>

Sent: Tuesday, June 3, 2025 7:40 AM

To: Agendadesk <Agendadesk@sanjoseca.gov>

Subject: FW: Reformatted Open letter regarding herbicide use at Alum Rock Park (now 351 cosigners)

From: Miriam Sachs Martin

Sent: Monday, June 2, 2025 9:56 PM

To: Mac, Huy <Huy.Mac@sanjoseca.gov>; Yotam, Avi <Avi.Yotam@sanjoseca.gov>; Maldonado, Frank David (PRNS) <Frank.Maldonado@sanjoseca.gov>; Rodriguez, Amanda <Amanda.Rodriguez@sanjoseca.gov>; Cicirelli, Jon <Jon.Cicirelli@sanjoseca.gov>; Flores Shelton, Andrea <Andrea.FloresShelton@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; Wong, Annie <Annie.Wong@sanjoseca.gov>; Parks and Recreation Commission 10 <PRC10@sanjoseca.gov>; Parks and Recreation Commission 2 <PRC2@sanjoseca.gov>; Parks and Recreation Commission 6 <PRC6@sanjoseca.gov>; Parks and Recreation Commission 8 <PRC8@sanjoseca.gov>; Parks and Recreation Commission 4 <PRC4@sanjoseca.gov>; Parks and Recreation Commission 1 <PRC1@sanjoseca.gov>; Parks and Recreation Commission CW <PRCCW@sanjoseca.gov>; Parks and Recreation Commission 7 <PRC7@sanjoseca.gov>; Parks and Recreation Commission 9 <PRC9@sanjoseca.gov>; Parks and Recreation Commission 3 <PRC3@sanjoseca.gov>; Parks and Recreation Commission 5 <PRC5@sanjoseca.gov>; Schulte, Veronica <veronica.schulte@sanjoseca.gov>; Nguyen, Danny (PRNS) <dannyt.nguyen@sanjoseca.gov>; ESD - Watershed Protection <WSPinbox@sanjoseca.gov>

Subject: Reformatted Open letter regarding herbicide use at Alum Rock Park (now 351 cosigners)

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Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Dear City of San Jose Management and Governance - the previous Open Letter contained formatting errors which caused some sections to be replicated. My apologies! The letter is attached as a PDF, which should keep the formatting correct. The number of cosigners is now at 351. To leave a response to them directly, visit <https://chnq.it/29ZhRwFK9Q>.

Thank you for your understanding.

Dear PRNS Management, other City Staff, City Council, and Mayor Mahan:

The following open letter currently has 350 cosigners, named below. You may find an updated number of cosigners at: <https://chnq.it/29ZhRwFK9Q>. *Note: although this letter is long, and in some cases, unavoidably technical, we request that you read the entire document. Alum Rock Park is a gem among parks, and deserves your careful consideration as to its protection. Additionally, jeopardizing park visitor health and safety is no small concern. Thank you in advance for your time.*

We, your constituents, park visitors, taxpayers, and concerned community members, are horrified to have learned that the roadsides of Alum Rock Park appear to have been entirely blanketed with herbicide on April 4th, 2025, under the guise of "fuel reduction". This mistreatment of a beloved and highly visited park raises numerous concerns in three main categories:

- 1: There was inadequate and inaccurate notice to the public, and park visitors may have been placed in harm's way.
- 2: Sensitive habitats and species were sprayed, including a rare population of a native orchid.
- 3: The spraying did not follow fuel reduction best practices and may have increased fire danger rather than lessened it.

The spraying also blatantly disregarded the City of San José's [Pollution Prevention Plan](#), and its [Best Management Practices for Integrated Pest Management](#).

We request that the City of San Jose:

- A: Conduct an open and transparent inquiry into what went wrong and how to prevent future recurrence.
- B: Contract for habitat restoration to see if the rare Michael's Rein Orchid population can be saved from going locally extinct.
- C: Immediately address the ecological land management concerns created by the spraying debacle. This must include proper wildfire risk reduction before the upcoming fire season.
- D: Create an internal staffing structure for accountability and ownership of wise natural lands stewardship at Alum Rock Park.

Photos of the spray's impacts can be seen on our [Google Drive](#).

Section 1 - PUBLIC RISK: There was inadequate and inaccurate notice to the public, and park visitors may have been placed in harm's way. A copy of the warning sign issued by PRNS (Parks, Recreation, and Neighborhood Services) here: [Copy of Herbicide Use Signage](#). It states that the spraying used three herbicide products: Rodeo, Milestone, and Dimension. It lists the active ingredient as Glyphosate, and the signal word as "Caution".

A: Misleading Signage: The active ingredient in Rodeo is indeed glyphosate. However, the active ingredient in Milestone is aminopyralid, and the active ingredient in Dimension is dithiopyr. The signal word for some formulations of dimension is not caution, but "warning." If the public wanted to avoid being in the park after the spraying of certain chemicals, or even if they were curious what had been sprayed, then this sign was misleading and erroneous.

B: Hazardous Chemical: The sign states that fuel reduction took place from 9-1 PM. The park reopened at 1 PM. Upon reopening, no signage indicated that people should avoid sprayed vegetation. Upon the park's reopening, **there were multiple freshly-sprayed areas adjacent to and in walking paths, parking spaces (including wheelchair accessible loading zones), and places where children might be present.** This image shows herbicide damage on the lower limbs of this willow, where it protrudes over the loading zone for a wheelchair accessible parking spot.

One of the chemicals used, **Dimension/dithiopyr**, is classified as **hazardous** under the criteria of the Federal OSHA Hazard Communication Standard 29CFR 1910.1200. It's classed as **Category 2 for Skin irritation, Sub-category 1B for Skin sensitisation, and Category 2 for Reproductive toxicity.** The materials safety data sheet for dithiopyr issues the following precautionary statements:

- **Avoid breathing dust/ fume/ gas/ mist/ vapours/ spray.**
- **Wash skin thoroughly after handling.**
- **Contaminated work clothing should not be allowed out of the workplace.**
- **Wear protective gloves.**
- **Use personal protective equipment as required.**
- **Response IF ON SKIN: Wash with plenty of soap and water.**
- **IF exposed or concerned: Get medical advice/ attention.**
- **If skin irritation or rash occurs: Get medical advice/ attention.**
- **Take off contaminated clothing and wash before reuse.**

From: https://labelsds.com/images/user_uploads/Dimension%20%20EW%20SDS%208-25-16.pdf accessed 4/21/25.

C: Possible risk to visitors and their households: Because this active ingredient was not listed, and because the park was reopened immediately after the spray period ended, **park visitors may have sustained damage or risk that would have been avoidable with proper signage. People may have touched vegetation freshly sprayed with dithiopyr.** They may have brushed up against it with their clothes, and then gone home and, wearing those same clothes, picked up their children or pets. Anyone in their home with a compromised immune system or allergies to certain chemicals may also have been at risk.

Section 2 - ENVIRONMENTAL DESTRUCTION: Sensitive habitats and species were sprayed, including a known population of a rare orchid. Alum Rock Park is a rich center of biological diversity. Several rare plant and animal species call the park home. As the oldest municipal park in California, Alum Rock Park serves an important role as a habitat refuge amidst other areas which have already been paved over.

A: Vulnerable species: Penitencia Creek Road, per its name, parallels the creek. In some cases, the creek even crisscrosses under the road. Creekside, or riparian, habitat is often considered more sensitive than upland areas. **Numerous rare, special status, or sensitive species have been documented in Penitencia Creek within Alum Rock Park, including but not limited to:**

- California red-legged frog (*Rana draytonii*) - federally listed as threatened by the USFWS. California Priority 1 Species of Special Concern - see <https://wildlife.ca.gov/Conservation/SSC> for definitions.
- Monarch butterflies (*Danaus plexippus*) - proposed federal listing as endangered. California listed Terrestrial and Vernal Pool Invertebrates of Conservation Priority, and Species of Greatest Conservation Need in California's Wildlife Action Plan. See: <https://wildlife.ca.gov/Conservation/Invertebrates/Monarch-Butterfly#status> for more information.
- Western pond turtle (*Clemmys marmorata*) - proposed federal listing as threatened, California Species of Special Concern.
- California roach (*Hesperoleucus venustus*) - California State Species of Special Concern.

B: Was the wrong chemical used?: Two of the three chemicals listed on the signage may not have been appropriate for riparian (creek) zones. Milestone should only be used when those riparian areas are seasonally dry. All of Penitencia Creek was still running when the spraying was done; the few areas in the park that do dry out had not yet done so for the year. The Dimension warning label lists acute toxicity to fish, acute toxicity to aquatic invertebrates, and acute toxicity to algae and aquatic plants. The herbicide spray line is easily visible along the intersection of Alum Rock and Penitencia Creek roads, affecting willow, holly-leaved cherry, snowberry, and California blackberry, among other native riparian plants. Therefore, it appears that chemicals not approved for use in riparian (creek) zones may have been applied in an area that contains documented rare or special status species.

C: California native flowers, shrubs, and trees were sprayed: Many other native plants received the full brunt of the spray, including but not limited to the following plants indigenous to - and in some cases only found in - California: sagebrush, morning glory, paintbrush, owl's clover, coast live oak, valley oak, polypody fern, gumplant, sticky monkeyflower, canyon dudleya, California bay laurel, toyon, coast live oak, valley oak, arroyo willow, snowberry, California blackberry, hedgenettle, native lilies, native grasses, and other wildflowers, shrubs, trees, and perennials. An area where a Ranger had created a native California wildflower restoration was sprayed.

D: Rare orchid sprayed, possible local extinction caused: Perhaps the most disturbing abuse of the natural environment was the spraying of a rare orchid. Michael's rein orchid, *Piperia michaelii*, has a California Native Plant Society rare plant rank of 4.2B. **The vulnerable population in Alum Rock is isolated from other individuals in the county and is locally rare.**

A park visitor, Bob Jarrett, had brought the orchid to the Rangers' attention several years ago. Jarrett and Rangers worked over the years to flag, weed around, and protect the orchids. With these efforts, the observed population grew from 8 orchids to more than 20. Because the entire population was alongside one of the park's internal roads, recently the Park Rangers worked with an Eagle Scout troop to install a sturdy wooden fence. This was to prevent the orchids from accidentally being stepped on or otherwise damaged. Therefore, **in addition to being ecologically significant, the population had been known, protected, and cared for for many years.**

More photos in the Google Drive

Orchids are shallowly rooted. These plants were sprayed while they were at full growth and about to flower. It seems unlikely that the population will survive. This is extremely grievous because this is how extinctions happen. Whether through carelessness, avarice, or incompetence, population after population winks out, until eventually, none are left at all. PRNS can be - must be - better than this. This handful of orchids was a rare and unusual population in Santa Clara County. Now, it is most likely gone.

E: Were nesting birds sprayed? The parks' information email address was queried about whether a nesting bird survey was done prior to the work. The response neither confirmed nor denied if a survey had been done. **Doing a nesting bird survey would have been a part of ecological best practices in fuel reduction. Many birds covered by the Migratory Bird Treaty Act live within the spray corridor.** Just a small example includes: red-winged blackbirds, western bluebird, American crow, mourning dove, great egret, snowy egret, Canada goose, Cooper's hawk, red-tailed hawk, red-shouldered hawk, California towhee, barn owl, great horned owl, screech owl, and others. **A nesting bird survey would have allowed the contractor to avoid spraying areas where sensitive species might forage or hunt. If this was not done, then these birds were not protected.**

- There are screech owl family generations that live in a sycamore tree next to the road. These birds have been documented in many photographs by staff and visitors over the years. This owl in this tree was shared on the **PRNS Facebook page in 2020**. Spray **carpeted the vegetation all along the base** of the tree, where the prey those owls need to hunt lives.
- While California quail are not protected by this treaty, they are nonetheless ecologically significant and have a special place in the hearts of many park users. April and May are the time when quail are nesting and egg laying. **An area where California quail hatch broods year after year, by the Rustic Lands parking lot, was thoroughly sprayed, and any nests or eggs that were in that area were sprayed as well.**

Section 3 - FIRE RISK: The spraying was not done in accordance with fuel reduction best practices, and it may have increased fire danger rather than lessened it.

A: The spraying was done when foliage was still green, **creating a dead zone of tall standing weeds where there was previously moist green foliage.**

B: The spraying did not differentiate between grass/herbs and shrubs/trees. Thus, **it created numerous areas of killed grass that lead into killed lower limbs of shrubs. This is a perfect recipe for a “fuel ladder”** to bring flames from a lower to a higher strata of vegetation. Fuel ladders are very dangerous. More information about them can be found at [Fire Safe Marin](#).

C: **High moisture perennial plants, including ferns, succulents, and willows were sprayed.**

D: **Pre-existing piles of dead branches and foliage were sprayed with herbicide instead of being removed.**

E: **Many trees that were sprayed are already exhibiting limb die back in the spray zones.** In addition to the immediate concern of dead and dying vegetation, this creates an issue for future fire safety. Trees that have been blasted with herbicide may become sick or struggle to survive. **Sick vegetation contains less fuel moisture than healthy vegetation.** Some of these trees may end up dying. Dead foliage contains the least moisture of them all.

F: Best practices in roadside fuel reduction are generally considered as follows:

- o Mow /cut grass and weeds when it begins to dry out.
- o Remove invasive plants.
- o Limb up trees to create a shaded fuel break.
- o Depending on the species, either cut back or remove brush.
- o Remove all dead and dying vegetation.

Indeed, the [Santa Clara County Community Wildfire Protection Plan](#) details numerous such sensible fuel reduction steps for Alum Rock Park and the surrounding communities, for example:

- o Limb trees and remove brush along roadways to at least reclaim full original width and height. Goal: minimum 20-foot clear width and 15-foot clear height.
- o Encourage continued grazing in parks and open space for grass/light fuel maintenance.
- o Clear brush, limb trees, and remove dead woody materials, located within 10 feet of road edges
- o Regular maintenance needed to ensure the fuel break remains clear of vegetation.
- o Monitor for erosion and invasive species.

Limbing trees and removing dead materials makes sense. Broadcast herbicide spraying in the middle of spring does not. It's doubtful whether any fire authority could see these before and after photos and conclude that fire danger was lessened by these actions. **It is widely known that the creation of dead fuels and ladder fuels is part of the problem, not part of the solution. Literally doing nothing would have provided more fire risk reduction than this.**

To say that Alum Rock Park is important to San Jose residents is an understatement. The park is deeply beloved. As the oldest municipal park in California, this park contains a rich history for many folks who have visited it all their lives. They hold dear the experiences of wildflowers, the hills which turn green and then gold, and maybe even a sighting of a hawk or a fox. For animals, plants, and even humans, Alum Rock Park is home. You don't treat your home like this.

To prevent such a catastrophe from happening again, we request the following accountability measures:

- o **PRNS should conduct a thorough internal investigation and fact-finding.** What went wrong, and how will you prevent it from happening again, either here or on other city lands? Results should be reported to the public.
- o **The City needs better communication with its own staff as well as with the community at large.** To endanger public health with inaccurate signage of wide-scale herbicide use in a popular park and play area is unacceptable. Additionally, Park Ranger staff were well aware of many of these sensitive areas and species, having worked on them over the years. What methods will be put in place to improve communication within and outside the city, and prevent a recurrence of this travesty?
- o **PRNS needs skilled ecological oversight.** All of the regional parks, as well as some others such as Montgomery Hill Park, contain actual and potential habitat for listed and sensitive species. That, combined with high recreation use and proximity to critical fire danger zones, make skilled ecological land management an imperative. However, since this letter is specifically about Alum Rock Park, we ask the city to investigate options for wise natural lands stewardship of this park, and to report back with an update.
 - o Although the City of San Jose is one of the highest-income areas in the country, PRNS is chronically underfunded. However, the Bay Area is rich with supportive resources and frameworks to guide skilled land use.
 - o The Bay Area Open Space Council, Committee for Green Foothills, Santa Clara Valley Fire Safe Council, Santa Clara Valley Greenprint, Together Bay Area, the California Native Plant Society Santa Clara Valley Chapter, and many others provide a wealth of knowledge, skill, information, and training which could shape natural resources protection at Alum Rock Park and beyond.
 - o The Open Space Authority (OSA) owns and manages the Sierra Vista Open Space Preserve, contiguous with Alum Rock Park. Some listed species with unique habitat needs, such as burrowing owls, are present in both parks. Unlike PRNS, OSA has staff with robust natural resources training. Can a memorandum of understanding, or other agreement be crafted whereby OSA guides the natural resources stewardship of Alum Rock Park?
- o **There needs to be a staff person or department with accountability and ownership of wise natural resources stewardship at Alum Rock Park.** In the aftermath of most failures, the parties involved may point fingers away from themselves to avoid blame. If that is happening in this case, the solution would be to build the ownership and accountability for making proper ecological land management happen into one person's job. There should be one person who deploys funding wisely, or, if there is not enough funding, who coordinates and collaborates with existing knowledge pools so that this harm is not replicated. **Someone, somewhere, needs to say: "This is my job. The buck stops here." If this person does not exist, then, in the interests of protecting public health, following the laws, reducing wildfire risk, and protecting treasured natural resources, you should find them.**
- o The City must undertake habitat restoration, particularly to **see if there's anything that can be done to salvage the population of Michael's rein orchid.** Since PRNS does not have a dedicated natural resources staff, restoration should be guided by an expert consultant, such as Ecological Concerns Incorporated, Shelterbelt Builders, HT Harvey, or Jones and Stokes. There is precedent for this - Guadalupe Oak Grove Park is managed in part through an ecological consulting firm.
- o **Habitat restoration should not be dismissed with a “mitigation” strategy** by which additional trees or plants are installed elsewhere in the park. One only needs to look to the abandoned mitigation area - filled with wire tree protection cages, invasive plants, and a fair amount of actual garbage - along Penitencia Creek Trail past the hot springs to see why this is a meaningless step. Alum Rock Park is bursting with native flora and fauna. You don't need to plant new plants. You just need to step up and take better care of the ones you have.
- o **Alum Rock Park still needs fuel reduction! Piles of dead and poisoned brush should be removed, dead grass and weeds should be cut, fuel ladders created by the spraying should be disconnected.** This should be done with ecological best practices such as exclusion of sensitive species and nesting birds.
- o **You need to try and make this right.**

The mission of the Parks, Recreation, and Neighborhood Services is to “Build healthy communities through people, parks, and programs.” Alum Rock Park, specifically, deserves to be treated with the respect and care that its status as a cherished community icon and precious natural resource deserves.

The actions and consequences discussed above were anything but healthy. How will you do better in the future? What will you do to try and make this right?

To respond directly to co-signers, leave a comment on the original open letter here: <https://chnng.it/R5dGLggXzS>

Very truly yours – cosigners as of 6/2/25

M. Martin
Ruth Silver Taube

Diana Heideman
Doug Musto
Bob Jarrett
Eve Moran
Darcy Ogle
Sue Kensill
Ric Curtice
Stacy Brobst
Rita Jarrett
sarah wadstrup
Jo-Ann Armstrong
Janine Crawford
Olga Gavrylyako
Adele Lanier
Victoria Desrosier
Felicia Gershberg
Sharon Moreno
Simoni kapa
armer teufel reger
Andréa Branco
Yolanda Schultes
Linda MacLeod
Djamila Grouci
Temple Terkildsen
Amy Himes
atilla demir
Dominique Girard
Renata Nogueira
Elizabeth Ward
Analía Caiazza
Erica Fleniken
Senjuti Sarangi
Marian Fricano
Chris MacIntosh
Robin Goka Huynh
Laura Bevington
Jim Azevedo
Barbara Hamel
Rebecca Keyser
Travis Nicholas
Liz Steward
Adrienne Frisbee
Michelle Austin
Susana Gallardo
Gillian Claus
Andrea Gelenter
Rosi Zang
Denise Chamberjian
Julie Kodama
Sandi Spires
F. C.
Jessie Southan
Chi Phan
Biancarosa Alfieri
Marley Wong
susan devereaux
Greg Lustig
Jason Kangas
Annamarie Hernandez
Kishore Thadikonda
Tina Maple
Rosa Cabrerizo
Consuelo Serena Velasco
Rod Smith
Antonio Stokes
Joe Frisbee
Roxana Moya
Sukhjot Kaur
Nelly PRESTAT
Kathryn Zeidenstein
Sara Diaz
Mahvash Hajaghai
Marga Gili

Rita Allen
Mira Albert Bullis
Yasmany Suarez Lopez
T Baker
Michelle MacKenzie
Sheela Ram-Prasad
Jessica Maciel
Sonia Garcia
Sergio Andrade
Sarah Bricksin
Michael Stephenson. Jr
Medha Gadikere
Mia Andrade
Rebekah Davis-Matthews
Peg Carlson-Bowen
Brian Haberly
Brittney Castanon
Rev. Rowan Fairgrove
Anke Dosedal
Daya Vivek
Selene Vega
Ted Smith
Matthew Abely
Susana BURGOS
Felicity Rosenberg
Jacob Richards
Michi Ikegami
Sandi Fox
Mary Bui-Pham
Natalie Bailey
Rain Scott
Linda Conroy
Dave Hermeyer
Laura GALVAN
Laura Hamilton
Sue Bowling
Krista Nelson
Joshua Greene
MATT ROBEN
Laura Varteressian
Amber Brandom
Paul Berg
Erica Rein
Penelope Thompson
Briana Cavanaugh
Dominique Sollars
Michael Litzky
Stephen Musto
Kim Lemmer
Dagmar Hesker
Lorin Peritz-Sharp
Mercedes Cazares
Kily Tracy
Amy Wright
Mary Hamilton
Beth Stauter
Beatrice Bayly
Kristine Karnos
Trasie Priya Sikka
Larisa Brown
Mimi Spreadbury
Ramkumar Sridharan
Julie Nano
Sabine Won
Kathleen Goll-Derstine
Colin Heyne
Maria Weingarten
Clara Jaeckel
Erica Peters
Thrisha Malireddy
Cathy Baird
Anna Liu
Laurie Goldberg

Aerie Anderson
Kryssel Elevazo
Debra Reynolds
Mounika Katakam
Michal Lim
eve lindsay
Madison Davids
Monique Koller
Leesa Lovelace
Rick Umstattd
Colleen Alley
Laurie Alaimo
Jacqueline Rivera
Hannah McEvers
Timothy Lilly
Danny Ventura
Shannon Loucks
Jeanne Diaz-Kleiboer
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Terri Renfro
Maria Macias
Dr. E. Melson
Ev Melson
Hoai-An Truong
Mich Chen
Nguyen Vo
Jeannine Hammersley
Aischa Standing Crow
Rebekah Martin
Charles Hinkle
Lauren Peterson
Randi McMasters
Linda E Lopez
Dori Faust
Linden Skjeie
Todd Hayes
Margaret Aslanian
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Mikayla Abeyagunawardene
Kay Fontana
Kaaren Hack
Anna Kitajewski
Morgan Aslanian
Michelle M
Jerry Wang
Rochelle Hall
Margaret Forman
Ramona Lione
Maria de lourdes Lopez carrillo
Bee Kromrey
Shannon McKendry
Estrella Martin
Louri Chang
Vyjayanthi Prasad
Not Normal
Frank Farris
Joni Y
Hanah Farahani
Steven Nemetz
Lisa Biggam
Catherine Cummings
Nick Yeung
Sushma Boyapati
Maricela V
Siumui Chang
PAMELA ROOT
Gloria Navan
Cynthia Allen

Tina Rivera
Marnie Singer
Cody Farmer
Jennifer Oliver
Donna Highstreet
Todd Oliver
Francesca Voss
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Vinny Zappia
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Merav Vonshak
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Ramya Janardhanan
Peter Chianchiano
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Sameera Taher
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Natasha Palana
Freddy vazquez
Emmylou Munoz
Tim Kaufmann
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Victor Alvarez
Jo Wilsom
Calvin Lewis
William Cabanas
Irving Bautista
Uatanape Lauaki
Zala Simbo
Jennifer Koga
Eve Meier
Debbie Anderes
Rehab Mansour
Erika N Roldan
MJ Wilder
Frank Beltran Jr
Debra Clifton
Myra García
Justin Wilkinson
Barbara Galiotto
Gia S
Cyrus Zardkoohi-Shaw
Tania Smith
Judith Ebenhahn
Ivan Trieu
Vicki Alexander
Blanca Flores
Stefany Cruz
A Sul
Carina Cortez
Myesha Williams
austin ward
Anar Daswani
Emily Quezada
grace garcia
Josie Ramos
Sara Pacheco
Natalie Romanov
Kelly Ashlock
Kaitlyn Dela Cruz
Niqk Robinson
emo frens
Rodrigo Sandoval
Hailey Lynd

Mani Murthy
 Arabella King
 Kathryn Rabalais
 alejandra alvarado
 Patricia De Cardenas
 Christina Nguyen
 foxee diaz
 Nosrat Yazdani
 Smolich Liudmyla
 Andy Lawrence
 Thomas Sullivan
 Carrie Levin
 Antoinette Luzano
 Patricia Coates
 Rosso Mando
 Mary Ma
 Michelle Valdez
 London Bailey
 Maurya Hennessy
 Wafaa Salaje
 Marjorie Siegel
 Ganesh Nadakudhiti
 Devin LGBT
 kari olandese
 Miriam Marte
 Skylar Stumpf
 Angie Bega
 Mirna Arriaga
 Candi Ausman
 Kimberly Tipolt
 Stephanie Duque Castillo
 Pratap Singh
 Roxanne Roberts
 Maiya Wan
 Arturo Parra
 Rene Ortiz
 mark jackson
 Rash Dahmash
 Trish Nguyen
 Sanjana Thangavelu
 Kelly Tang
 Reina Rosas
 Leena Wang
 Chuong Pham
 Ashleigh Edwards
 alicia wright
 Evelyn Sarabia Morales
 Charlotte Casey
 Dee Bailey
 Debbie Gaxiola
 Abbie Espiritu
 Pam VanCura
 Cristian Angeles
 Marlon Edmond
 Manthan Shah
 Lilly Young
 katherine yu

On Sat, May 31, 2025 at 7:38 PM Miriam Sachs Martin [REDACTED] wrote:

Dear PRNS Management, other City Staff, City Council, and Mayor Mahan:

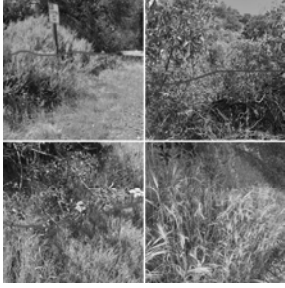
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Dear City of San Jose Management and Council:

We, your constituents, park visitors, taxpayers, and concerned community members, are horrified to have learned that the roadsides of Alum Rock Park appear to have been entirely blanketed with herbicide on April 4th, 2025, under the guise of "fuel reduction". This mistreatment of a beloved and highly

visited park raises numerous concerns in three main categories:

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- Photos of the spray's impacts can be seen on our [Google Drive](#).

Section 1 - PUBLIC RISK:

1: There was inadequate and inaccurate notice to the public, and park visitors may have been placed in harm's way. A copy of the warning sign issued by PRNS (Parks, Recreation, and Neighborhood Services) here: [Copy of Herbicide Use Signage](#). It states that the spraying used three herbicide products: Rodeo, Milestone, and Dimension. It lists the active ingredient as Glyphosate, and the signal word as "Caution".

A: Misleading Signage: The active ingredient in Rodeo is indeed glyphosate. However, the active ingredient in Milestone is aminopyralid, and the active ingredient in Dimension is dithiopyr. **The signal word for some formulations of dimension is not caution, but "warning."** If the public wanted to avoid being in the park after the spraying of certain chemicals, or even if they were curious what had been sprayed, then **this sign was misleading and erroneous.**

B: Hazardous Chemical: The sign states that fuel reduction took place from 9-1 PM. The park reopened at 1 PM. Upon reopening, no signage indicated that people should avoid sprayed vegetation. Upon the park's reopening, **there were multiple freshly-sprayed areas adjacent to and in walking paths, parking spaces (including wheelchair accessible loading zones), and places where children might be present.** This image shows herbicide damage on the lower limbs of this willow, where it protrudes over the loading zone for a wheelchair accessible parking spot.



One of the chemicals used, **Dimension/dithiopyr, is classified as hazardous** under the criteria of the Federal OSHA Hazard Communication Standard 29CFR 1910.1200. It's classed as **Category 2 for Skin irritation, Sub-category 1B for Skin sensitisation, and Category 2 for Reproductive toxicity.** The materials safety data sheet for dithiopyr issues the following precautionary statements:

- o Avoid breathing dust/ fume/ gas/ mist/ vapours/ spray.
- o Wash skin thoroughly after handling.
- o Contaminated work clothing should not be allowed out of the workplace.
- o Wear protective gloves.
- o Use personal protective equipment as required.
- o Response IF ON SKIN: Wash with plenty of soap and water.
- o IF exposed or concerned: Get medical advice/ attention.
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- o Take off contaminated clothing and wash before reuse.

From: https://labelsds.com/images/user_uploads/Dimension%202%20EW%20SDS%208-25-16.pdf accessed 4/21/25.

C: Possible risk to visitors and their households: Because this active ingredient was not listed, and because the park was reopened immediately after the spray period ended, **park visitors may have sustained damage or risk that would have been avoidable with proper signage. People may have touched vegetation freshly sprayed with dithiopyr.** They may have brushed up against it with their clothes, and then gone home and, wearing those same clothes, picked up their children or pets. Anyone in their home with a compromised immune system or allergies to certain chemicals may also have been at risk.

Section 2: ENVIRONMENTAL DESTRUCTION

Sensitive habitats and species were sprayed, including a known population of a rare orchid. Alum Rock Park is a rich center of biological diversity. Several rare plant and animal species call the park home. As the oldest municipal park in California, Alum Rock Park serves an important role as a habitat refuge amidst other areas which have already been paved over.

A: Vulnerable species: Penitencia Creek Road, per its name, parallels the creek. In some cases, the creek even crisscrosses under the road. Creekside, or riparian, habitat is often considered more sensitive than upland areas. **Numerous rare, special status, or sensitive species have been documented in Penitencia Creek within Alum Rock Park, including but not limited to:**

- o California red-legged frog (*Rana draytonii*) - federally listed as threatened by the USFWS. California Priority 1 Species of Special Concern - see <https://wildlife.ca.gov/Conservation/SSC> for definitions.
- o Monarch butterflies (*Danaus plexippus*) - proposed federal listing as endangered, California listed Terrestrial and Vernal Pool Invertebrates of Conservation Priority, and Species of Greatest Conservation Need in California's Wildlife Action Plan. See: <https://wildlife.ca.gov/Conservation/Invertebrates/Monarch-Butterfly#status> for more information.
- o Western pond turtle (*Clemmys marmorata*) - proposed federal listing as threatened, California Species of Special Concern.
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The above picture shows how creekside native plants - like this California blackberry - were sprayed, creating dead zones in relatively high moisture areas. **B:** highly visited park raises numerous concerns in three main categories:

- 1: There was inadequate and inaccurate notice to the public, and park visitors may have been placed in harm's way.
- 2: Sensitive habitats and species were sprayed, including a rare population of a native orchid.
- 3: The spraying did not follow fuel reduction best practices and may have increased fire danger rather than lessened it.





The spraying also blatantly disregarded the City of San José's [Pollution Prevention Plan](#), and its [Best Management Practices for Integrated Pest Management](#). We request that the City of San Jose:

A: Conduct an open and transparent inquiry into what went wrong and how to prevent future recurrence.

B: Contract for habitat restoration to see if the rare Michael's Rein Orchid population can be saved from going locally extinct.

C: Immediately address the ecological land management concerns created by the spraying debacle. This must include proper wildfire risk reduction before the upcoming fire season.

D: Create an internal staffing structure for accountability and ownership of wise natural lands stewardship at Alum Rock Park.

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The above picture shows how creekside native plants - like this California blackberry - were sprayed, creating dead zones in relatively high moisture areas.

B: Was the wrong chemical used?: Two of the three chemicals listed on the signage may not have been appropriate for riparian (creek) zones. Milestone should only be used when those riparian areas are seasonally dry. All of Penitencia Creek was still running when the spraying was done; the few areas in the park that do dry out had not yet done so for the year. The Dimension warning label lists acute toxicity to fish, acute toxicity to aquatic invertebrates, and acute toxicity to algae and aquatic plants. The herbicide spray line is easily visible along the intersection of Alum Rock and Penitencia Creek roads, affecting willow, holly-leaved cherry, snowberry, and California blackberry, among other native riparian plants. **Therefore, it appears that chemicals not approved for use in riparian (creek) zones may have been applied in an area that contains documented rare or special status species.**

C: California native flowers, shrubs, and trees were sprayed: Many other native plants received the full brunt of the spray, including but not limited to the following plants indigenous to - and in some cases only found in - California: sagebrush, morning glory, paintbrush, owl's clover, coast live oak, valley oak, polypody fern, gumplant, sticky monkeyflower, canyon dudleya, California bay laurel, toyon, coast live oak, valley oak, arroyo willow, snowberry, California blackberry, hedgenettle, native lilies, native grasses, and other wildflowers, shrubs, trees, and perennials. An area where a Ranger had created a native California wildflower restoration was sprayed.

D: Rare orchid sprayed, possible local extinction caused: Perhaps the most disturbing abuse of the natural environment was the spraying of a rare orchid. Michael's rein orchid, *Piperia michaelii*, has a California Native Plant Society rare plant rank of 4.2B. The vulnerable population in Alum Rock is isolated from other individuals in the county and is locally rare.

A park visitor, Bob Jarrett, had brought the orchid to the Rangers' attention several years ago. Jarrett and Rangers worked over the years to flag, weed around, and protect the orchids. With these efforts, the observed population grew from 8 orchids to more than 20. Because the entire population was alongside one of the park's internal roads, recently the Park Rangers worked with an Eagle Scout troop to install a sturdy wooden fence. This was to prevent the orchids from accidentally being stepped on or otherwise damaged. Therefore, in addition to being ecologically significant, the population had been known, protected, and cared for for many years.

On the left, a healthy Michael's Rein Orchid, caged against accidental damage by visitors or maintenance staff, in April 2024. On the right, the orchid in April 2025, after being sprayed.



[More photos in the Google Drive](#)

Orchids are shallowly rooted. These plants were sprayed while they were at full growth and about to flower. It seems unlikely that the population will survive. This is extremely grievous because this is how extinctions happen. Whether through carelessness, avarice, or incompetence, population after population winks out, until eventually, none are left at all. PRNS can be - must be - better than this. This handful of orchids was a rare and unusual population in Santa Clara County. Now, it is most likely gone.

E: Were nesting birds sprayed? The parks' information email address was queried about whether a nesting bird survey was done prior to the work. The response neither confirmed nor denied if a survey had been done. **Doing a nesting bird survey would have been a part of ecological best practices in fuel reduction. Many birds covered by the Migratory Bird Treaty Act live within the spray corridor.** Just a small example includes: red-winged blackbirds, western bluebird, American crow, mourning dove, great egret, snowy egret, Canada goose, Cooper's hawk, red-tailed hawk, red-shouldered hawk, California towhee, barn owl, great horned owl, screech owl, and others. **A nesting bird survey would have allowed the contractor to avoid spraying areas where sensitive species might forage or hunt. If this was not done, then these birds were not protected.**

- o There are screech owl family generations that live in a sycamore tree next to the road. These birds have been documented in many photographs by staff and visitors over the years. This owl in this tree was shared on the [PRNS Facebook page in 2020](#). Spray carpeted the vegetation all along the base of the tree, where they prey those owls need to hunt lives.
- o While California quail are not protected by this treaty, they are nonetheless ecologically significant and have a special place in the hearts of many park users. April and May are the time when quail are nesting and egg laying. **An area where California quail hatch broods year after year, by the Rustic Lands parking lot, was thoroughly sprayed, and any nests or eggs that were in that area were sprayed as well.**

Section 3: The spraying was not done in accordance with fuel reduction best practices, and it may have increased fire danger rather than lessened it.

A: The spraying was done when foliage was still green, **creating a dead zone of tall standing weeds where there was previously moist green foliage.**



B: The spraying did not differentiate between grass/herbs and shrubs/trees. Thus, **it created numerous areas of killed grass that lead into killed lower limbs of shrubs. This is a perfect recipe for a "fuel ladder"** to bring flames from a lower to a higher strata of vegetation. Fuel ladders are very dangerous. More information about them can be found at [Fire Safe Marin](#).

C: High moisture perennial plants, including ferns, succulents, and willows were sprayed.

D: Pre-existing piles of dead branches and foliage were sprayed with herbicide instead of being removed.

E. Many trees that were sprayed are already exhibiting limb die back in the spray zones. In addition to the immediate concern of dead and dying vegetation, this creates an issue for future fire safety. Trees that have been blasted with herbicide may become sick or struggle to survive. **Sick vegetation contains less fuel moisture than healthy vegetation.** Some of these trees may end up dying. Dead foliage contains the least moisture of them all.

F: Best practices in roadside fuel reduction are generally considered as follows:

- o Mow /cut grass and weeds when it begins to dry out.
- o Remove invasive plants.
- o Limb up trees to create a shaded fuel break.
- o Depending on the species, either cut back or remove brush.
- o Remove all dead and dying vegetation.

Indeed, the [Santa Clara County Community Wildfire Protection Plan](#) details numerous such sensible fuel reduction steps for Alum Rock Park and the surrounding communities, for example:

- o Limb trees and remove brush along roadways to at least reclaim full original width and height. Goal: minimum 20-foot clear width and 15-foot clear height.
- o Encourage continued grazing in parks and open space for grass/light fuel maintenance.
- o Clear brush, limb trees, and remove dead woody materials, located within 10 feet of road edges
- o Regular maintenance needed to ensure the fuel break remains clear of vegetation.
- o Monitor for erosion and invasive species.

Limbing trees and removing dead materials makes sense. Broadcast herbicide spraying in the middle of spring does not. It's doubtful whether any fire authority could see these before and after photos and conclude that fire danger was lessened by these actions. **It is widely known that the creation of dead fuels and ladder fuels is part of the problem, not part of the solution. Literally doing nothing would have provided more fire risk reduction than this.**



To say that Alum Rock Park is important to San Jose residents is an understatement. The park is **deeply beloved**. As the oldest municipal park in California, this park contains a rich history for many folks who have visited it all their lives. They hold dear the experiences of wildflowers, the hills which turn green and then gold, and maybe even a sighting of a hawk or a fox. For animals, plants, and even humans, Alum Rock Park is home. **You don't treat your home like this.**

To prevent such a catastrophe from happening again, we request the following accountability measures:

- o **PRNS should conduct a thorough internal investigation and fact-finding.** What went wrong, and how will you prevent it from happening again, either here or on other city lands? Results should be reported to the public.
- o **The City needs better communication with its own staff as well as with the community at large.** To endanger public health with inaccurate signage of wide-scale herbicide use in a popular park and play area is unacceptable. Additionally, Park Ranger staff were well aware of many of these sensitive areas and species, having worked on them over the years. What methods will be put in place to improve communication within and outside the city, and prevent a recurrence of this travesty?
- o **PRNS needs skilled ecological oversight.** All of the regional parks, as well as some others such as Montgomery Hill Park, contain actual and potential habitat for listed and sensitive species. That, combined with high recreation use and proximity to critical fire danger zones, make skilled ecological land management an imperative. However, since this letter is specifically about Alum Rock Park, we ask the city to investigate options for wise natural lands stewardship of this park, and to report back with an update. Although the City of San Jose is one of the highest income areas in the country, PRNS is chronically underfunded.
 - o Although the City of San Jose is one of the highest-income areas in the country, PRNS is chronically underfunded. **However, the Bay Area is rich with supportive resources and frameworks to guide skilled land use.**
 - o The Bay Area Open Space Council, Committee for Green Foothills, Santa Clara Valley Fire Safe Council, Santa Clara Valley Greenprint, Together Bay Area, the California Native Plant Society Santa Clara Valley Chapter, and many others provide a wealth of knowledge, skill, information, and training which could shape natural resources protection at Alum Rock Park and beyond.
 - o The Open Space Authority (OSA) owns and manages the Sierra Vista Open Space Preserve, contiguous with Alum Rock Park. Some listed species with unique habitat needs, such as burrowing owls, are present in both parks. Unlike PRNS, OSA has staff with robust natural resources training. Can a memorandum of understanding, or other agreement be crafted whereby OSA guides the natural resources stewardship of Alum Rock Park?
- o **There needs to be a staff person or department with accountability and ownership of wise natural resources stewardship at Alum Rock Park.** In the aftermath of most failures, the parties involved may point fingers away from themselves to avoid blame. If that is happening in this case, the solution would be to build the ownership and accountability for making proper ecological land management happen into one person's job. There should be one person who deploys funding wisely, or, if there is not enough funding, who coordinates and collaborates with existing knowledge pools so that this harm is not replicated. **Someone, somewhere,**

needs to say: "This is my job. The buck stops here." If this person does not exist, then, in the interests of protecting public health, following the laws, reducing wildfire risk, and protecting treasured natural resources, you should find them.

- o The City must undertake habitat restoration, particularly to **see if there's anything that can be done to salvage the population of Michael's rein orchid**. Since PRNS does not have a dedicated natural resources staff, restoration should be guided by an expert consultant, such as Ecological Concerns Incorporated, Shelterbelt Builders, HT Harvey, or Jones and Stokes. There is precedent for this - Guadalupe Oak Grove Park is managed in part through an ecological consulting firm.
- o **Habitat restoration should not be dismissed with a "mitigation" strategy** by which additional trees or plants are installed elsewhere in the park. One only needs to look to the abandoned mitigation area - filled with wire tree protection cages, invasive plants, and a fair amount of actual garbage - along Penitencia Creek Trail past the hot springs to see why this is a meaningless step. Alum Rock Park is bursting with native flora and fauna. You don't need to plant new plants. You just need to step up and take better care of the ones you have.
- o **Alum Rock Park still needs fuel reduction! Piles of dead and poisoned brush should be removed, dead grass and weeds should be cut, fuel ladders created by the spraying should be disconnected.** This should be done with ecological best practices such as exclusion of sensitive species and nesting birds.
- o **You need to try and make this right.**

The mission of the Parks, Recreation, and Neighborhood Services is to "Build healthy communities through people, parks, and programs." Alum Rock Park, specifically, deserves to be treated with the respect and care that its status as a cherished community icon and precious natural resource deserves. The actions and consequences discussed above were anything but healthy. How will you do better in the future? What will you do to try and make this right?

To respond directly to co-signers, leave a comment on the original open letter here: <https://chnng.it/R5dGLggXzS>

Very truly yours,

Ruth Silver Taube
 Diana Heideman
 Doug Musto
 Bob Jarrett
 Eve Moran
 Darcy Ogle
 Sue Kensill
 Ric Curtice
 Stacy Brobst
 Rita Jarrett
 sarah wadstrup
 Jo-Ann Armstrong
 Janine Crawford
 Olga Gavrylyako
 Adele Lanier
 Victoria Desrosier
 Felicia Gershberg
 Sharon Moreno
 Simoni kapa
 armer teufel reger
 Andréa Branco
 Yolanda Schultes
 Linda MacLeod
 Djamila Grouci
 Temple Terkildsen
 Amy Himes
 atilla demir
 Dominique Girard
 Renata Nogueira
 Elizabeth Ward
 Analia Caiazza
 Erica Fleniken
 Senjuti Sarangi
 Marian Fricano
 Chris MacIntosh
 Robin Goka Huynh
 Laura Bevington
 Jim Azevedo
 Barbara Hamel
 Rebecca Keyser
 Travis Nicholas
 Liz Steward
 Adrienne Frisbee
 Michelle Austin
 Susana Gallardo
 Gillian Claus
 Andrea Gelenter
 Rosi Zang
 Denise Chamberjian
 Julie Kodama

Sandi Spires
F. C.
Jessie Southan
Chi Phan
Biancarosa Alfieri
Marley Wong
susan devereaux
Greg Lustig
Jason Kangas
Annamarie Hernandez
Kishore Thadikonda
Tina Maple
Rosa Cabrerizo
Consuelo Serena Velasco
Rod Smith
Antonio Stokes
Joe Frisbee
Roxana Moya
Sukhjot Kaur
Nelly PRESTAT
Kathryn Zeidenstein
Sara Diaz
Mahvash Hajaghai
Marga Gili
Rita Allen
Mira Albert Bullis
Yasmany Suarez Lopez
T Baker
Michelle MacKenzie
Sheela Ram-Prasad
Jessica Maciel
Sonia Garcia
Sergio Andrade
Sarah Bricksin
Michael Stephenson. Jr
Medha Gadikere
Mia Andrade
Rebekah Davis-Matthews
Peg Carlson-Bowen
Brian Haberly
Brittney Castanon
Rev. Rowan Fairgrove
Anke Dosedal
Daya Vivek
Selene Vega
Ted Smith
Matthew Abely
Susana BURGOS
Felicity Rosenberg
Jacob Richards
Michi Ikegami
Sandi Fox
Mary Bui-Pham
Natalie Bailey
Rain Scott
Linda Conroy
Dave Hermeyer
Laura GALVAN
Laura Hamilton
Sue Bowling
Krista Nelson
Joshua Greene
MATT ROBEN
Laura Varteressian
Amber Brandom
Paul Berg
Erica Rein
Penelope Thompson
Briana Cavanaugh
Dominique Sollars
Michael Litzky
Stephen Musto
Kim Lemmer

Dagmar Hesker
Lorin Peritz-Sharp
Mercedes Cazares
Kily Tracy
Amy Wright
Mary Hamilton
Beth Stauter
Beatrice Bayly
Kristine Karnos
Trasie Priya Sikka
Larisa Brown
Mimi Spreadbury
Ramkumar Sridharan
Julie Nano
Sabine Won
Kathleen Goll-Derstine
Colin Heyne
Maria Weingarten
Clara Jaeckel
Erica Peters
Thrisha Malireddy
Cathy Baird
Anna Liu
Laurie Goldberg
Aerie Anderson
Kryssel Elevazo
Debra Reynolds
Mounika Katakam
Michal Lim
eve lindsay
Madison Davids
Monique Koller
Leesa Lovelace
Rick Umstatt
Colleen Alley
Laurie Alaimo
Jacqueline Rivera
Hannah McEvers
Timothy Lilly
Danny Ventura
Shannon Loucks
Jeanne Diaz-Kleiboer
Mark Hubbell
David Sacerdote
Shanna Brewer
magaly toscano
Tina Woodward
RHODA ABIDOG
Terri Renfro
Maria Macias
Dr. E. Melson
Ev Melson
Hoai-An Truong
Mich Chen
Nguyen Vo
Jeannine Hammersley
Aischa Standing Crow
Rebekah Martin
Charles Hinkle
Lauren Peterson
Randi McMasters
Linda E Lopez
Dori Faust
Linden Skjeie
Todd Hayes
Margaret Aslanian
no no
Mikayla Abeyagunawardene
Kay Fontana
Kaaren Hack
Anna Kitajewski
Morgan Aslanian
Michelle M

Jerry Wang
Rochelle Hall
Margaret Forman
Ramona Lione
Maria de lourdes Lopez carrillo
Bee Kromrey
Shannon McKendry
Estrella Martin
Louri Chang
Vyjayanthi Prasad
Not Normal
Frank Farris
Joni Y
Hanah Farahani
Steven Nemetz
Lisa Biggam
Catherine Cummings
Nick Yeung
Sushma Boyapati
Maricela V
Siumui Chang
PAMELA ROOT
Gloria Navan
Cynthia Allen
Tina Rivera
Marnie Singer
Cody Farmer
Jennifer Oliver
Donna Highstreet
Todd Oliver
Francesca Voss
Jennifer Amin
Vinny Zappia
David Carlson
Eva Weber
Merav Vonshak
Mark Nool
Ramya Janardhanan
Peter Chianchiano
Nancy Reyering
Sameera Taher
Shari Baker
Rebecca Wheale
German Cazarez
Julie Rose
Deborah Metzger
Susan Glass
Loraine Marlow
J Burchinal
Natasha Palana
Freddy vazquez
Emmylou Munoz
Tim Kaufmann
Lily Golestani
Mario Ramos
Victor Alvarez
Jo Wilsom
Calvin Lewis
William Cabanas
Irving Bautista
Uatanape Lauaki
Zala Simbo
Jennifer Koga
Eve Meier
Debbie Anderes
Rehab Mansour
Erika N Roldan
MJ Wilder
Frank Beltran Jr
Debra Clifton
Myra Garcia
Justin Wilkinson
Barbara Galiotto

Gia S
Cyrus Zardkoohi-Shaw
Tania Smith
Judith Ebenhahn
Ivan Trieu
Vicki Alexander
Blanca Flores
Stefany Cruz
A Sul
Carina Cortez
Myesha Williams
austin ward
Anar Daswani
Emily Quezada
grace garcia
Josie Ramos
Sara Pacheco
Natalie Romanov
Kelly Ashlock
Kaitlyn Dela Cruz
Niqk Robinson
emo frens
Rodrigo Sandoval
Hailey Lynd
Mani Murthy
Arabella King
Kathryn Rabalais
alejandra alvarado
Patricia De Cardenas
Christina Nguyen
foxee diaz
Nosrat Yazdani
Smolich Liudmyla
Andy Lawrence
Thomas Sullivan
Carrie Levin
Antoinette Luzano
Patricia Coates
Rosso Mando
Mary Ma
Michelle Valdez
London Bailey
Maurya Hennessy
Wafaa Salaje
Marjorie Siegel
Ganesh Nadakudhiti
Devin LGBT
kari olandese
Miriam Marte
Skylar Stumpf
Angie Bega
Mirna Arriaga
Candi Ausman
Kimberly Tipolt
Stephanie Duque Castillo
Pratap Singh
Roxanne Roberts
Maiya Wan
Arturo Parra
Rene Ortiz
mark jackson
Rash Dahmash
Trish Nguyen
Sanjana Thangavelu
Kelly Tang
Reina Rosas
Leena Wang
Chuong Pham
Ashleigh Edwards
alicia wright
Evelyn Sarabia Morales
Charlotte Casey
Dee Bailey

See updated list here: <https://chng.it/29ZhRwFK9Q>

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Dear PRNS Management, other City Staff, City Council, and Mayor Mahan:

The following open letter currently has 350 cosigners, named below. You may find an updated number of cosigners at: <https://chng.it/29ZhRwFK9Q>. *Note: although this letter is long, and in some cases, unavoidably technical, we request that you read the entire document. Alum Rock Park is a gem among parks, and deserves your careful consideration as to its protection. Additionally, jeopardizing park visitor health and safety is no small concern. Thank you in advance for your time.*

We, your constituents, park visitors, taxpayers, and concerned community members, are horrified to have learned that the roadsides of Alum Rock Park appear to have been entirely blanketed with herbicide on April 4th, 2025, under the guise of “fuel reduction”. This mistreatment of a beloved and highly visited park raises numerous concerns in three main categories:

- 1: There was inadequate and inaccurate notice to the public, and park visitors may have been placed in harm’s way.**
- 2: Sensitive habitats and species were sprayed, including a rare population of a native orchid.**
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The spraying also blatantly disregarded the City of San José's **Pollution Prevention Plan**, and its **Best Management Practices for Integrated Pest Management**.

We request that the City of San Jose:

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This must include proper wildfire risk reduction before the upcoming fire season.

D: Create an internal staffing structure for accountability and ownership of wise natural lands stewardship at Alum Rock Park.

Photos of the spray's impacts can be seen on our [Google Drive](#).

Section 1 - PUBLIC RISK: **There was inadequate and inaccurate notice to the public, and park visitors may have been placed in harm's way.** A copy of the warning sign issued by PRNS (Parks, Recreation, and Neighborhood Services) here: [Copy of Herbicide Use Signage](#). It states that the spraying used three herbicide products: Rodeo, Milestone, and Dimension. It lists the active ingredient as Glyphosate, and the signal word as "Caution".

A: Misleading Signage: The active ingredient in Rodeo is indeed glyphosate. However, the active ingredient in Milestone is aminopyralid, and the active ingredient in Dimension is dithiopyr. **The signal word for some formulations of dimension is not caution, but "warning."** If the public wanted to avoid being in the park after the spraying of certain chemicals, or even if they were curious what had been sprayed, then **this sign was misleading and erroneous.**

B: Hazardous Chemical: The sign states that fuel reduction took place from 9-1 PM. The park reopened at 1 PM. Upon reopening, no signage indicated that people should avoid sprayed vegetation. Upon the park's reopening, **there were multiple freshly-sprayed areas adjacent to and in walking paths, parking spaces (including wheelchair accessible loading zones), and places where children might be present.** This image shows herbicide damage on the lower limbs of this willow, where it protrudes over the loading zone for a wheelchair accessible parking spot.



One of the chemicals used, **Dimension/dithiopyr**, is classified as hazardous under the criteria of the Federal OSHA Hazard Communication Standard 29CFR 1910.1200. It's classed

as **Category 2 for Skin irritation, Sub-category 1B for Skin sensitisation, and Category 2 for Reproductive toxicity**. The materials safety data sheet for dithiopyr issues the following precautionary statements:

- **Avoid breathing dust/ fume/ gas/ mist/ vapours/ spray.**
- **Wash skin thoroughly after handling.**
- **Contaminated work clothing should not be allowed out of the workplace.**
- **Wear protective gloves.**
- **Use personal protective equipment as required.**
- **Response IF ON SKIN: Wash with plenty of soap and water.**
- **IF exposed or concerned: Get medical advice/ attention.**
- **If skin irritation or rash occurs: Get medical advice/ attention.**
- **Take off contaminated clothing and wash before reuse.**

From: https://labelsds.com/images/user_uploads/Dimension%202%20EW%20SDS%208-25-16.pdf accessed 4/21/25.

C: Possible risk to visitors and their households: Because this active ingredient was not listed, and because the park was reopened immediately after the spray period ended, **park visitors may have sustained damage or risk that would have been avoidable with proper signage. People may have touched vegetation freshly sprayed with dithiopyr.** They may have brushed up against it with their clothes, and then gone home and, wearing those same clothes, picked up their children or pets. Anyone in their home with a compromised immune system or allergies to certain chemicals may also have been at risk.

Section 2 - ENVIRONMENTAL DESTRUCTION: Sensitive habitats and species were sprayed, including a known population of a rare orchid. Alum Rock Park is a rich center of biological diversity. Several rare plant and animal species call the park home. As the oldest municipal park in California, Alum Rock Park serves an important role as a habitat refuge amidst other areas which have already been paved over.

A: Vulnerable species: Penitencia Creek Road, per its name, parallels the creek. In some cases, the creek even crisscrosses under the road. Creekside, or riparian, habitat is often considered more sensitive than upland areas. **Numerous rare, special status, or sensitive species have been documented in Penitencia Creek within Alum Rock Park, including but not limited to:**

- **California red-legged frog (*Rana draytonii*)** - federally listed as threatened by the USFWS. California Priority 1 Species of Special Concern - see <https://wildlife.ca.gov/Conservation/SSC> for definitions.
- **Monarch butterflies (*Danaus plexippus*)** - proposed federal listing as endangered. California listed Terrestrial and Vernal Pool Invertebrates of Conservation Priority, and Species of Greatest Conservation Need in California's Wildlife Action Plan.

See: <https://wildlife.ca.gov/Conservation/Invertebrates/Monarch-Butterfly#status> for more information.

- Western pond turtle (*Clemmys marmorata*) - proposed federal listing as threatened, California Species of Special Concern.
- California roach (*Hesperoleucus venustus*) - California State Species of Special Concern.



The above picture shows how creekside native plants - like this California blackberry - were sprayed, creating dead zones in relatively high moisture areas.

B: Was the wrong chemical used?: Two of the three chemicals listed on the signage may not have been appropriate for riparian (creek) zones. Milestone should only be used when those riparian areas are seasonally dry. All of Penitencia Creek was still running when the spraying was done; the few areas in the park that do dry out had not yet done so for the year.

The Dimension warning label lists acute toxicity to fish, acute toxicity to aquatic invertebrates, and acute toxicity to algae and aquatic plants. The herbicide spray line is easily visible along the intersection of Alum Rock and Penitencia Creek roads, affecting willow, holly-leaved cherry, snowberry, and California blackberry, among other native riparian plants. Therefore, it appears that chemicals not approved for use in riparian (creek) zones may have been applied in an area that contains documented rare or special status species.

C: California native flowers, shrubs, and trees were sprayed: Many other native plants received the full brunt of the spray, including but not limited to the following plants indigenous to - and in some cases only found in - California: sagebrush, morning glory, paintbrush, owl's clover, coast live oak, valley oak, polypody fern, gumplant, sticky monkeyflower, canyon dudleya, California bay laurel, toyon, coast live oak, valley oak, arroyo willow, snowberry, California blackberry, hedgenettle, native lilies, native grasses, and other wildflowers, shrubs, trees, and perennials. An area where a Ranger had created a native California wildflower restoration was sprayed.

D: Rare orchid sprayed, possible local extinction caused: Perhaps the most disturbing abuse of the natural environment was the spraying of a rare orchid. Michael's rein orchid, *Piperia michaelii*, has a California Native Plant Society rare plant rank of 4.2B. The vulnerable population in Alum Rock is isolated from other individuals in the county and is locally rare.

A park visitor, Bob Jarrett, had brought the orchid to the Rangers' attention several years ago. Jarrett and Rangers worked over the years to flag, weed around, and protect the orchids. With these efforts, the observed population grew from 8 orchids to more than 20. Because the entire population was alongside one of the park's internal roads, recently the Park Rangers worked with an Eagle Scout troop to install a sturdy wooden fence. This was to prevent the orchids from accidentally being stepped on or otherwise damaged. Therefore, **in addition to being ecologically significant, the population had been known, protected, and cared for for many years.**

On the left, a healthy Michael's Rein Orchid, caged against accidental damage by visitors or maintenance staff, in April 2024. On the right, the orchid in April 2025, after being sprayed.



More photos in the Google Drive

Orchids are shallowly rooted. These plants were sprayed while they were at full growth and about to flower. It seems unlikely that the population will survive. This is extremely grievous because this is how extinctions happen. Whether through carelessness, avarice, or incompetence, population after population winks out, until eventually, none are left at all. PRNS can be - must be - better than this. This handful of orchids was a rare and unusual population in Santa Clara County. Now, it is most likely gone.

E: Were nesting birds sprayed? The parks' information email address was queried about whether a nesting bird survey was done prior to the work. The response neither confirmed nor denied if a survey had been done. **Doing a nesting bird survey would have been a part of ecological best practices in fuel reduction. Many birds covered by the Migratory Bird Treaty Act live within the spray corridor.** Just a small example includes: red-winged blackbirds, western bluebird, American crow, mourning dove, great egret, snowy egret, Canada goose, Cooper's hawk, red-tailed hawk, red-shouldered hawk, California towhee, barn owl, great horned owl, screech owl, and others. **A nesting bird survey would have allowed the contractor to avoid spraying areas where sensitive species might forage or hunt. If this was not done, then these birds were not protected.**

- There are screech owl family generations that live in a sycamore tree next to the road. These birds have been documented in many photographs by staff and visitors over the years. This owl in this tree was shared on the PRNS Facebook page in 2020. Spray carpeted the vegetation all along the base of the tree, where the prey those owls need to hunt lives.
- While California quail are not protected by this treaty, they are nonetheless ecologically significant and have a special place in the hearts of many park users. April and May are the time when quail are nesting and egg laying. **An area where California quail hatch broods year after year, by the Rustic Lands parking lot, was thoroughly sprayed, and any nests or eggs that were in that area were sprayed as well.**

Section 3 - FIRE RISK: The spraying was not done in accordance with fuel reduction best practices, and it may have increased fire danger rather than lessened it.

A: The spraying was done when foliage was still green, creating a dead zone of tall standing weeds where there was previously moist green foliage.



B: The spraying did not differentiate between grass/herbs and shrubs/trees. Thus, it created numerous areas of killed grass that lead into killed lower limbs of shrubs. This is a perfect

recipe for a “fuel ladder” to bring flames from a lower to a higher strata of vegetation. Fuel ladders are very dangerous. More information about them can be found at [Fire Safe Marin](#).

C: High moisture perennial plants, including ferns, succulents, and willows were sprayed.

D: Pre-existing piles of dead branches and foliage were sprayed with herbicide instead of being removed.

E. Many trees that were sprayed are already exhibiting limb die back in the spray zones. In addition to the immediate concern of dead and dying vegetation, this creates an issue for future fire safety. Trees that have been blasted with herbicide may become sick or struggle to survive. **Sick vegetation contains less fuel moisture than healthy vegetation.** Some of these trees may end up dying. Dead foliage contains the least moisture of them all.

F: Best practices in roadside fuel reduction are generally considered as follows:

- Mow /cut grass and weeds when it begins to dry out.
- Remove invasive plants.
- Limb up trees to create a shaded fuel break.
- Depending on the species, either cut back or remove brush.
- Remove all dead and dying vegetation.

Indeed, the [Santa Clara County Community Wildfire Protection Plan](#) details numerous such sensible fuel reduction steps for Alum Rock Park and the surrounding communities, for example:

- Limb trees and remove brush along roadways to at least reclaim full original width and height. Goal: minimum 20-foot clear width and 15-foot clear height.
- Encourage continued grazing in parks and open space for grass/light fuel maintenance.
- Clear brush, limb trees, and remove dead woody materials, located within 10 feet of road edges
- Regular maintenance needed to ensure the fuel break remains clear of vegetation.
- Monitor for erosion and invasive species.

Limbing trees and removing dead materials makes sense. Broadcast herbicide spraying in the middle of spring does not. It's doubtful whether any fire authority could see these before and after photos and conclude that fire danger was lessened by these actions. **It is widely known that the creation of dead fuels and ladder fuels is part of the problem, not part of the solution. Literally doing nothing would have provided more fire risk reduction than this.**



To say that Alum Rock Park is important to San Jose residents is an understatement. The park is deeply beloved. As the oldest municipal park in California, this park contains a rich history for many folks who have visited it all their lives. They hold dear the experiences of wildflowers, the hills which turn green and then gold, and maybe even a sighting of a hawk or a fox. For animals, plants, and even humans, Alum Rock Park is home. You don't treat your home like this.

To prevent such a catastrophe from happening again, we request the following accountability measures:

- **PRNS should conduct a thorough internal investigation and fact-finding.** What went wrong, and how will you prevent it from happening again, either here or on other city lands? Results should be reported to the public.
- **The City needs better communication with its own staff as well as with the community at large.** To endanger public health with inaccurate signage of wide-scale herbicide use in a popular park and play area is unacceptable. Additionally, Park Ranger staff were well aware of many of these sensitive areas and species, having worked on them over the years. What methods will be put in place to improve communication within and outside the city, and prevent a recurrence of this travesty?
- **PRNS needs skilled ecological oversight.** All of the regional parks, as well as some others such as Montgomery Hill Park, contain actual and potential habitat for listed and sensitive species. That, combined with high recreation use and proximity to critical fire danger zones, make skilled ecological land management an imperative. However, since this letter is specifically about Alum Rock Park, we ask the city to investigate options for wise natural lands stewardship of this park, and to report back with an update.
 - Although the City of San Jose is one of the highest-income areas in the country, PRNS is chronically underfunded. However, the Bay Area is rich with supportive resources and frameworks to guide skilled land use.
 - The Bay Area Open Space Council, Committee for Green Foothills, Santa Clara Valley Fire Safe Council, Santa Clara Valley Greenprint, Together Bay Area, the California

Native Plant Society Santa Clara Valley Chapter, and many others provide a wealth of knowledge, skill, information, and training which could shape natural resources protection at Alum Rock Park and beyond.

- The Open Space Authority (OSA) owns and manages the Sierra Vista Open Space Preserve, contiguous with Alum Rock Park. Some listed species with unique habitat needs, such as burrowing owls, are present in both parks. Unlike PRNS, OSA has staff with robust natural resources training. Can a memorandum of understanding, or other agreement be crafted whereby OSA guides the natural resources stewardship of Alum Rock Park?
- **There needs to be a staff person or department with accountability and ownership of wise natural resources stewardship at Alum Rock Park.** In the aftermath of most failures, the parties involved may point fingers away from themselves to avoid blame. If that is happening in this case, the solution would be to build the ownership and accountability for making proper ecological land management happen into one person's job. There should be one person who deploys funding wisely, or, if there is not enough funding, who coordinates and collaborates with existing knowledge pools so that this harm is not replicated. **Someone, somewhere, needs to say: "This is my job. The buck stops here." If this person does not exist, then, in the interests of protecting public health, following the laws, reducing wildfire risk, and protecting treasured natural resources, you should find them.**
- The City must undertake habitat restoration, particularly to **see if there's anything that can be done to salvage the population of Michael's rein orchid.** Since PRNS does not have a dedicated natural resources staff, restoration should be guided by an expert consultant, such as Ecological Concerns Incorporated, Shelterbelt Builders, HT Harvey, or Jones and Stokes. There is precedent for this - Guadalupe Oak Grove Park is managed in part through an ecological consulting firm.
- **Habitat restoration should not be dismissed with a "mitigation" strategy** by which additional trees or plants are installed elsewhere in the park. One only needs to look to the abandoned mitigation area - filled with wire tree protection cages, invasive plants, and a fair amount of actual garbage - along Penitencia Creek Trail past the hot springs to see why this is a meaningless step. Alum Rock Park is bursting with native flora and fauna. You don't need to plant new plants. You just need to step up and take better care of the ones you have.
- **Alum Rock Park still needs fuel reduction! Piles of dead and poisoned brush should be removed, dead grass and weeds should be cut, fuel ladders created by the spraying should be disconnected.** This should be done with ecological best practices such as exclusion of sensitive species and nesting birds.
- **You need to try and make this right.**

The mission of the Parks, Recreation, and Neighborhood Services is to “Build healthy communities through people, parks, and programs.” Alum Rock Park, specifically, deserves to be treated with the respect and care that its status as a cherished community icon and precious natural resource deserves.

The actions and consequences discussed above were anything but healthy. How will you do better in the future? What will you do to try and make this right?

To respond directly to co-signers, leave a comment on the original open letter here: <https://chnng.it/R5dGLggXzS>

Very truly yours – cosigners as of 6/2/25

M. Martin
Ruth Silver Taube
Diana Heideman
Doug Musto
Bob Jarrett
Eve Moran
Darcy Ogle
Sue Kensill
Ric Curtice
Stacy Brobst
Rita Jarrett
sarah wadstrup
Jo-Ann Armstrong
Janine Crawford
Olga Gavrylyako
Adele Lanier
Victoria Desrosier
Felicia Gershberg
Sharon Moreno
Simoni kapa
armer teufel reger
Andréa Branco
Yolanda Schultes
Linda MacLeod
Djamila Grouci
Temple Terkildsen
Amy Himes
atilla demir
Dominique Girard
Renata Nogueira
Elizabeth Ward
Analía Caiazza

Erica Fleniken
Senjuti Sarangi
Marian Fricano
Chris MacIntosh
Robin Goka Huynh
Laura Bevington
Jim Azevedo
Barbara Hamel
Rebecca Keyser
Travis Nicholas
Liz Steward
Adrienne Frisbee
Michelle Austin
Susana Gallardo
Gillian Claus
Andrea Gelenter
Rosi Zang
Denise Chamberjian
Julie Kodama
Sandi Spires
F. C.
Jessie Southan
Chi Phan
Biancarosa Alfieri
Marley Wong
susan devereaux
Greg Lustig
Jason Kangas
Annamarie Hernandez
Kishore Thadikonda
Tina Maple
Rosa Cabrerizo
Consuelo Serena Velasco
Rod Smith
Antonio Stokes
Joe Frisbee
Roxana Moya
Sukhjit Kaur
Nelly PRESTAT
Kathryn Zeidenstein
Sara Diaz
Mahvash Hajaghai
Marga Gili
Rita Allen
Mira Albert Bullis
Yasmany Suarez Lopez
T Baker
Michelle MacKenzie
Sheela Ram-Prasad

Jessica Maciel
Sonia Garcia
Sergio Andrade
Sarah Bricksin
Michael Stephenson. Jr
Medha Gadikere
Mia Andrade
Rebekah Davis-Matthews
Peg Carlson-Bowen
Brian Haberly
Brittney Castanon
Rev. Rowan Fairgrove
Anke Dosedal
Daya Vivek
Selene Vega
Ted Smith
Matthew Abely
Susana BURGOS
Felicity Rosenberg
Jacob Richards
Michi Ikegami
Sandi Fox
Mary Bui-Pham
Natalie Bailey
Rain Scott
Linda Conroy
Dave Hermeyer
Laura GALVAN
Laura Hamilton
Sue Bowling
Krista Nelson
Joshua Greene
MATT ROBEN
Laura Varteressian
Amber Brandom
Paul Berg
Erica Rein
Penelope Thompson
Briana Cavanaugh
Dominique Sollars
Michael Litzky
Stephen Musto
Kim Lemmer
Dagmar Hesker
Lorin Peritz-Sharp
Mercedes Cazares
Kily Tracy
Amy Wright
Mary Hamilton

Beth Stauter
Beatrice Bayly
Kristine Karnos
Trasie Priya Sikka
Larisa Brown
Mimi Spreadbury
Ramkumar Sridharan
Julie Nano
Sabine Won
Kathleen Goll-Derstine
Colin Heyne
Maria Weingarten
Clara Jaeckel
Erica Peters
Thrisha Malireddy
Cathy Baird
Anna Liu
Laurie Goldberg
Aerie Anderson
Kryssel Elevazo
Debra Reynolds
Mounika Katakam
Michal Lim
eve lindsay
Madison Davids
Monique Koller
Leesa Lovelace
Rick Umstattd
Colleen Alley
Laurie Alaimo
Jacqueline Rivera
Hannah McEvers
Timothy Lilly
Danny Ventura
Shannon Loucks
Jeanne Diaz-Kleiboer
Mark Hubbell
David Sacerdote
Shanna Brewer
magaly toscano
Tina Woodward
RHODA ABIDOG
Terri Renfroe
Maria Macias
Dr. E. Melson
Ev Melson
Hoai-An Truong
Mich Chen
Nguyen Vo

Jeannine Hammersley
Aischa Standing Crow
Rebekah Martin
Charles Hinkle
Lauren Peterson
Randi McMasters
Linda E Lopez
Dori Faust
Linden Skjeie
Todd Hayes
Margaret Aslanian
no no
Mikayla Abeyagunawardene
Kay Fontana
Kaaren Hack
Anna Kitajewski
Morgan Aslanian
Michelle M
Jerry Wang
Rochelle Hall
Margaret Forman
Ramona Lione
Maria de lourdes Lopez carrillo
Bee Kromrey
Shannon McKendry
Estrella Martin
Louri Chang
Vyjayanthi Prasad
Not Normal
Frank Farris
Joni Y
Hanah Farahani
Steven Nemetz
Lisa Biggam
Catherine Cummings
Nick Yeung
Sushma Boyapati
Maricela V
Siumui Chang
PAMELA ROOT
Gloria Navan
Cynthia Allen
Tina Rivera
Marnie Singer
Cody Farmer
Jennifer Oliver
Donna Highstreet
Todd Oliver
Francesca Voss

Jennifer Amin
Vinny Zappia
David Carlson
Eva Weber
Merav Vonshak
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Ramya Janardhanan
Peter Chianchiano
Nancy Reyerling
Sameera Taher
Shari Baker
Rebecca Wheale
German Cazarez
Julie Rose
Deborah Metzger
Susan Glass
Lorraine Marlow
J Burchinal
Natasha Palana
Freddy vazquez
Emmylou Munoz
Tim Kaufmann
Lily Golestani
Mario Ramos
Victor Alvarez
Jo Wilsom
Calvin Lewis
William Cabanas
Irving Bautista
Uatanape Lauaki
Zala Simbo
Jennifer Koga
Eve Meier
Debbie Anderes
Rehab Mansour
Erika N Roldan
MJ Wilder
Frank Beltran Jr
Debra Clifton
Myra García
Justin Wilkinson
Barbara Galiotto
Gia S
Cyrus Zardkoohi-Shaw
Tania Smith
Judith Ebenhahn
Ivan Trieu
Vicki Alexander
Blanca Flores

Stefany Cruz
A Sul
Carina Cortez
Myesha Williams
austin ward
Anar Daswani
Emily Quezada
grace garcia
Josie Ramos
Sara Pacheco
Natalie Romanov
Kelly Ashlock
Kaitlyn Dela Cruz
Niqk Robinson
emo frens
Rodrigo Sandoval
Hailey Lynd
Mani Murthy
Arabella King
Kathryn Rabalais
alejandra alvarado
Patricia De Cardenas
Christina Nguyen
foxee diaz
Nosrat Yazdani
Smolich Liudmyla
Andy Lawrence
Thomas Sullivan
Carrie Levin
Antoinette Luzano
Patricia Coates
Rosso Mando
Mary Ma
Michelle Valdez
London Bailey
Maurya Hennessy
Wafaa Salaje
Marjorie Siegel
Ganesh Nadakudhiti
Devin LGBT
kari olandese
Miriam Marte
Skylar Stumpf
Angie Bega
Mirna Arriaga
Candi Ausman
Kimberly Tipolt
Stephanie Duque Castillo
Pratap Singh

Roxanne Roberts
Maiya Wan
Arturo Parra
Rene Ortiz
mark jackson
Rash Dahmash
Trish Nguyen
Sanjana Thangavelu
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Leena Wang
Chuong Pham
Ashleigh Edwards
alicia wright
Evelyn Sarabia Morales
Charlotte Casey
Dee Bailey
Debbie Gaxiola
Abbie Espiritu
Pam VanCura
Cristian Angeles
Marlon Edmond
Manthan Shah
Lilly Young
katherine yu