LGPC Response to LGA ProcellaCOR Public Statement

LGA Statements in Black Font, LGPC Comments in Red Font

LGA/Waterkeeper Statement on Park Commission's Approval of Herbicide Use (LGA Website) APRIL 26, 2022

This is a sad day for Lake George. The Lake George Park Commission has abdicated its responsibility to protect the Queen of American Lakes by voting, by a margin of 6-2, to use a chemical herbicide, ProcellaCOR, in the Lake this spring despite a striking lack of independent scientific data about potential adverse impacts to Lake George water quality, human health, and aquatic plant and animal life. (False: This product has undergone more than 100+ scientific reviews, and has been approved by the US EPA following eight years of study. The State of Washington Environmental Impact Statement lists all of these studies, and this EIS is on the Commission website. New York State (and 48 others) have also reviewed and approved this aquatic herbicide. California's approval is pending, and Alaska has no identified need.)

The Commission's decision not only ignores the absence of sound science but disregards the voices of the more than 1,300 concerned citizens who spoke out in opposition to the plan. (Fact: Almost every email in opposition that the Commission has received has simply re-stated the inaccurate talking points that the LGA has put forth to the public. The LGA, to date, has unfortunately not presented a scientifically truthful picture of this project and the product to its thousands of members and our local elected officials. This is unhelpful to our collective work to protect Lake George.) We commend Commissioners Bill Mason and Dean Cook for stepping up for Lake George and voting no on this plan, urging a more thorough scientific review of the potential impacts.

The Lake George Association, Lake George Waterkeeper and our partners in The Jefferson Project have repeatedly offered to put our advanced scientific and technical research capabilities to work in partnership with the Commission to address the many unanswered scientific questions about potential impacts before the herbicide is used in the Lake, but were refused. (Intentionally Misleading: The LGA offer was for the Commission to 'pause' its year-long effort, so the Jefferson Project could begin, from scratch, unspecified scientific work. NYS DEC Pesticides Registration Division Chief Jeanine Broughel noted publicly and clearly that 'there are no data gaps' in proving the public safety or ecological impacts of ProcellaCOR. Scientific research takes several years to provide conclusions, which the EPA product review scientists and all states have conducted. Initiating new research locally that would be scientifically valid would take several years at best to draw conclusions, and would also require independent confirmation (peer review).)

Such study would have addressed:

- possible negative impacts to human health; (False: NYS DEC Division of Pesticides Director Jeanine Broughel: "If this product had negative impacts to human health at its labeled use, the DEC and DOH would not have approved this herbicide")
- lack of adequate, peer-reviewed scientific data regarding potentially adverse impacts to native plants and organisms that are specific to Lake George; (False: 100+ studies, all

identified in the EPA "Environmental Fate and Ecological Effects Risk Assessment", which is available on our website. Minimal impacts to native species are well studied and well-known. In addition, there are no public health or drinking water impacts related to ProcellaCOR, as stated by the EPA, the NYS Department of Health and the NYS Department of Environmental Conservation in their product registration.

- concern that intense, rapid and concentrated nutrient loading from herbicide-treated and decomposing milfoil would cause significant algal growth and increase the risk of harmful algal blooms; (False: Milfoil is treated early in the season, at 10-20% of its annual biomass. The die-off of the plants, and associated nutrient loading, concurrently is 10-20% of what happens naturally every year. Plus, this die-off happens only one time, then the milfoil bed is eliminated, and the 100% die-off that happens every year is eliminated as well. Therefore, there is a vastly reduced nutrient loading than occurs naturally from this invasive species.)

- the likely spread of the herbicide miles from the proposed testing sites due to the Lake's strong currents; (False: These two bays have been visited repeatedly by LGPC and APA staff as well as by the applicator to evaluate their suitability for treatment, and it has been confirmed that they are clearly suitable and meet the product label requirements. As for ProcellaCOR traveling 'miles' from the site, this statement is not founded in an understanding of the product itself or its application rates. Every lake-based (larger than a private pond) ProcellaCOR treatment in the Northeast (dozens) have all required water quality sampling outside of the project area, with nothing remotely close to the stated 'miles' from their treatment area. The product is rapidly uptaken by the target plant population, breaks down very quickly by photolysis, and there is simply not enough product being applied at each site to come close to making this statement accurate. The conservative DEC dilution model estimates no detection within a very small fraction of the 'miles' noted in the LGA statement. This is backed up by dozens of ProcellaCOR treatments and subsequent modeling, including Lake Winnipesaukee, which is a public drinking water supply.)

- concerns about how long the chemical will remain in the Lake, and the fact that it eventually breaks down into chemicals that are as toxic as the parent; (False: The EPA's Environmental Fate and Ecological Effects Risk Assessment for florpyrauxifen-benzyl looked at toxicity for the three different breakdown compounds to non-target vascular aquatic plants using EWM as one reference plant. For ProcellaCOR (florpyrauxifen-benzyl), EPA concluded: ...the relative toxicity of the transformation products on SAVs: florpyrauxifen-acid was 30x less toxic, benzyl-hydroxy was 1,700x less toxic, hydroxy-acid was 11,400x less toxic.)

- the likelihood that the herbicide's projected effectiveness will be reduced by the Lake's strong currents since the manufacturer clearly states its product performs best in "slow moving/quiescent waters with little or no continuous outflow …" (False: see above statement regarding herbicide spread)

We are disappointed that the Park Commission would choose the allure of a possible quick-fix solution to milfoil management rather than taking the time to properly study the potential long-term harm to the Lake, human health and our region's Lake-based economy. (Inflammatory and Inaccurate: The Commission has been managing EWM since the 1980's. In 2022, the Commission,

resulting from its work with Albany DOB/DEC to increase EPF Lake George milfoil funding, is putting forth the highest level of funding for traditional hand/suction harvesting than at any other time in its history. With regard to ProcellaCOR not being 'properly studied', this statement is patently false, as evidenced by the vast array of scientific studies noted above.)

The LGA and Waterkeeper are committed to keeping this herbicide out of Lake George until all of the scientific questions have been answered. We look forward to working closely with the many concerned citizens and groups who stood up in opposition to the herbicide plan as we consider any and all options available to put this premature plan on pause for the protection of Lake George.