



Received: 16-12-2024
Accepted: 26-01-2025

International Journal of Advanced Multidisciplinary Research and Studies

ISSN: 2583-049X

Stewardship and the Preservation of Life in the Tohono O’odham Haki:dag

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Abstract

Honorable Chair of the Tohono O’odham Nation, Verlon Jose kindly asks us all to respect every twig and rock in their sacred homeland. We make every effort to live by this. The

Tohono O’odham ancestors still dwell in these holy places and the native creatures are the relatives of the Tohono O’odham people.

Keywords: Stewardship, Life, Haki:dag

Introduction

I am a Jane Goodall Institute three-time grantee for Stewardship and the Preservation of Life with the privilege and honor of living and working in the Tohono O’odham Haki:dag – the sacred homeland of the Tohono O’odham Nation in occupied Tucson and Babad Du’ag - the Catalina Mountains of the Sonoran Desert.

Stewardship; preservation; life; native; Tohono O’odham; sacred; homeland; respect

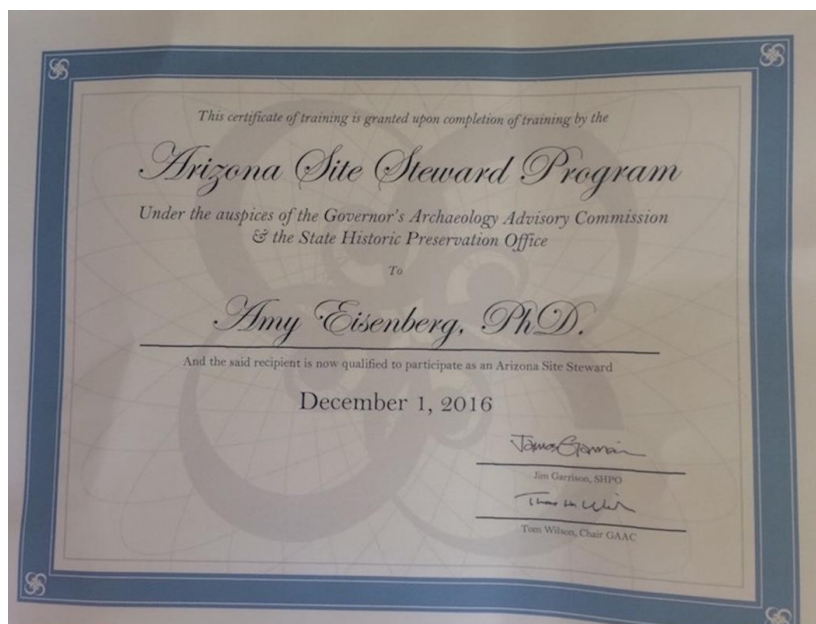


Fig 1



Fig 2

I teach Stewardship and Impacts to Native Species in the Tohono O’odham homeland at the University of Arizona. John Amato, RN and I became Arizona Site Stewards in 2016 (Fig 1) (Fig 2) for respecting, protecting and preserving Tohono O’odham and other Native American ancestral sacred sites in Babad Du’ag of the Coronado National Forest, the largest and most biodiverse national forest in the U.S. It is unfortunate and inappropriate that this extraordinary national forest is named for a conquistador who committed atrocities against the First Peoples of the Southwest region.

We report vandalism (Eisenberg and Amato 2017 (<https://intercontinentalcry.org/tohono-oodham-sunburst-petroglyph-vandalized-hakidag/>)^[1] of Native American cultural resources and protect the natural heritage of these ceremonial places by removing invasive plants that harm and kill **Ha:sañ** – *Carnegiea gigantea*, Saguaro, *Gopherus morafkai*, Sonoran Desert Tortoises and other beloved sentient native species.

Lamentably, some *Homo sapiens* do not respect nature. According to the U.S. Constitution and the United Nations Sustainable Development Goals, we have the right to a clean, healthy and safe environment that sustains all life. A healthy environment supports healthy beings rather than a degraded one. We are deeply committed to protecting Pachamama and preserving the Rights of Mother Earth and her precious creatures.



Fig 3



Fig 4

Sadly, I found a young quail (Fig 3) with severe neurological damage who was dragging her leg near to where a deeply misguided pest control company – Arizona Pest Control unlawfully placed deadly difethialone anticoagulant poison rodenticide traps (Fig 4) in our 90-acre wildlife corridor without authorization or permission. I tried to feed and hydrate her and made a vegetative nest to prop her up as she was not able to stand or sit properly. I then turned her over to Arizona Bird Rescue. Their veterinarians could not save her...



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

June 12, 2018

Kylli Paavola
Compliance Specialist
Liphatech, Inc.
3600 W. Elm Street
Milwaukee, WI 53209

Subject: PRIA Label Amendment –To review efficacy data submitted to support *Peromyscus* mice for the Basic confidential statement of formula (dated 01/07/11), add a study to data matrix, and to add new brand name
Product Name: Difethialone Soft Bait
EPA Registration Number: 7173-258
Application Date: 1/26/18
Decision Number: 537945

Dear Ms. Paavola:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

EPA Reg. No. 7173-258
Decision No. 537945

Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Marianne Lewis by phone at (703 308-8043) or via email at lewis.marianne@epa.gov.

Sincerely,

Gene Benbow, Product Manager 7
Invertebrate & Vertebrate Branch 3
Registration Division (7505P)
Office of Pesticide Programs

Fig 5

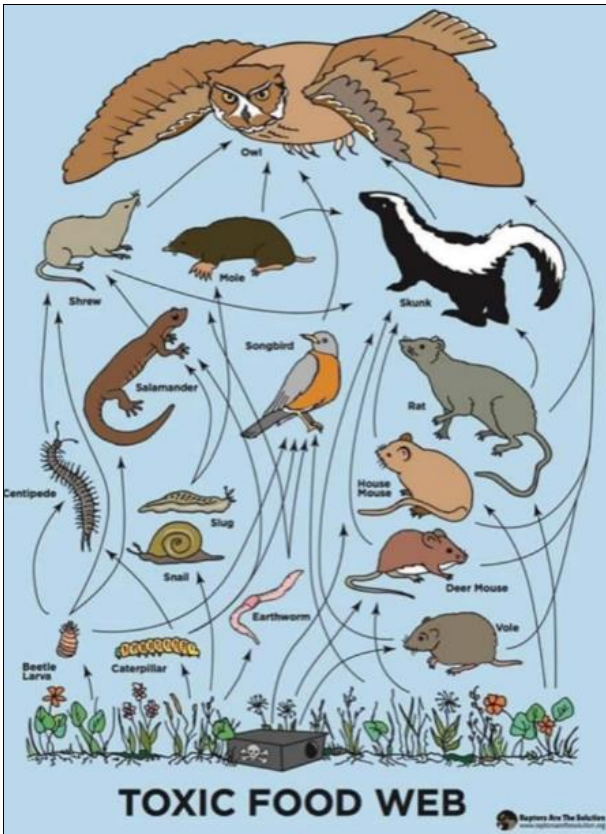


Fig 6

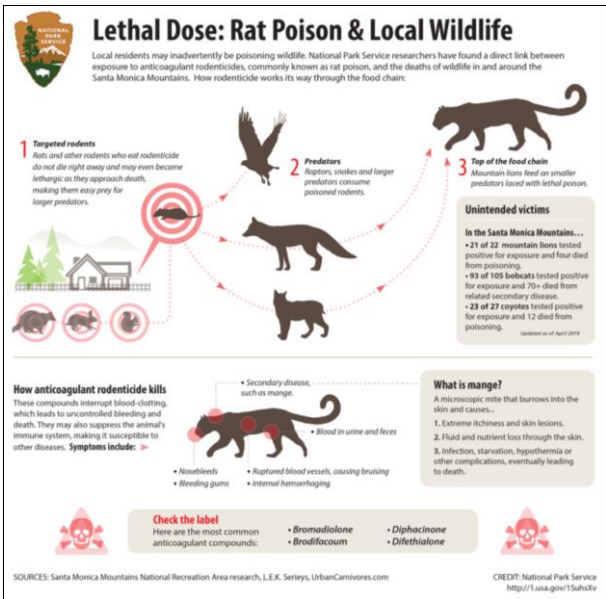


Fig 7

I contacted USDA about the numerous poison rodent traps in our wildlife corridor and were told to contact the Arizona Department of Agriculture, which is supposedly “the pesticide regulatory agency in Arizona”. *Both Arizona Department of Agriculture and EPA would not address the improper and illegal placement of deadly difethialone rodenticide traps in our wildlife corridor by the pest control company, Arizona Pest Control (Fig 5) and the residents who do not want rodenticides in their backyard to possibly poison their children, pets and wildlife. All of these traps were placed unlawfully in our wildlife corridor and not in the private property of residents with whom the pest control

company has contracts endangering children, pets and wildlife (Fig 6) (Fig 7).

MARK KELLY
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United States Senate
WASHINGTON, DC 20510-0909
June 27, 2023

COMMITTEE
ARMED SERVICES
ENERGY AND NATURAL RESOURCES
ENVIRONMENT AND PUBLIC WORKS
JOINT ECONOMIC COMMITTEE

The Honorable Katie Hobbs
Honorable Katie Hobbs
Arizona Governor Hobbs' office
1700 West Washington Street
Phoenix, AZ 85007-2812

Dear Governor Katie Hobbs,

I wish to bring to your attention Dr. Amy Eisenberg, who has encountered a problem with the Arizona Department of Agriculture. Dr. Eisenberg's primary concern is that poison bait traps, that contain Difethialone, are being left in the common areas of her neighborhood. She feels that the traps, even though tamper resistant, are extremely dangerous to children that may find and open them. In addition, once opened the poison poses potentially lethal danger not only to the children, but also to pets and other nontarget animals.

Dr. Eisenberg feels that the "Arizona Revised Statutes, Title 3 - Agriculture, Chapter 20 - Pest Management Division Page 19 3-3624, B. 4. Applying pesticides in a manner that is inconsistent with the label and labeling of the pesticide or that may cause harm to the public, the environment or nontarget animals." addresses her concern.

Dr. Eisenberg states that the Arizona Department of Agriculture is aware that a local private pest exterminator is setting the bait traps in common areas / wildlife corridors in a way that could potentially cause harm to the public and that it is not enforcing the ARS cited above.

Additionally, Dr. Eisenberg cites the EPA Precautionary Statements specifically referencing the danger to children:

CAUTION: Harmful if swallowed. Harmful if absorbed through the skin. Causes moderate eye irritation. Avoid contact with eyes, skin or clothing. Keep away from children, domestic animals and pets. All handlers (including applicators) must wear long pants, shoes, socks, and waterproof gloves. Any person who retrieves carcasses or unused bait following application of this product must wear waterproof gloves.

Dr. Eisenberg can be reached at the following:

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2318 E. Camelback Rd.
Suite 115
Phoenix, AZ 85016
Phone: (602) 471-7001

TUCSON
1681 N. Saguaro Rd.
Suite 208
Tucson, AZ 85712
Phone: (520) 471-9377

Dr. Amy Eisenberg
11848 North Labyrinth Drive
Tucson, AZ 85737-3448
774-777-0173
dramyeis@yahoo.com

Because the situation is under the jurisdiction of the State of Arizona, I am respectfully referring this matter to you for consideration. I do not require a reply in this instance and respectfully request that you or the appropriate entity respond directly to the constituent.

Sincerely,
Mark Kelly
Mark Kelly
United States Senator

MK/RG
821427

Fig 8

We brought out Arizona Department of Agriculture “inspectors” because of the numerous poison rodent traps and insect traps in our wildlife corridor, and they were not helpful. They failed to document the traps that we did encounter together and did not conduct a thorough inspection. I contacted Governor Hobbs, who is an environmental attorney and opened casework with senators and congressional representatives (Fig 8) as I reached out to numerous agencies for assistance to no avail... Arizona Department of Agriculture and EPA stated, “The label is law” and the pest control company followed the label!” I reported Arizona Pest Control to the Better Business Bureau and this corporation threatened to sue me for defamation. Truth begets justice. California prohibits the use of deadly difethialone rodenticide as stated on the label. I spoke with Luke Thompson from Arizona Game and Fish. He said that in Arizona one can target native rodents! Therefore, THE LABEL IS NOT LAW because native rodents are not on the label! This is disgraceful and preposterous. Where is it written into law that one can

poison native species? *No response from Arizona Game and Fish about this pressing question. I contacted U.S. Fish and Wildlife Service about the rare, endangered and threatened rodents in Arizona. Some are teetering on the brink of extinction such as the Mesquite Mouse, the New Mexico Jumping Mouse and Mount Graham Red Squirrel.

On page 19 of **Arizona Revised Statutes Title 3 - Agriculture Chapter 20 – Pest Management Division** (Fig 9) it states: 4. Applying pesticides in a manner that is inconsistent with the label and labeling of the pesticide *or that may cause harm to the public, the environment or nontarget animals such as the unlawful placement of Arizona Pest Control difethialone rodenticide traps in our Catalina Shadows Common Area - 90-acre wildlife corridor without authorization or permission.

*Children, pets and wildlife are endangered by the unlawful and irresponsible placement of multiple deadly difethialone rodenticide rodent traps in our wildlife corridor by Arizona Pest Control, without authorization or permission. This violates our U.S. Constitutional rights to a clean, healthy and safe environment.

Veterinarian Dr. John Mundahl, DVM stated that difethialone should be taken off the market because there is no antidote.

We seek to ban all deadly anticoagulant rodenticides including difethialone. It has no place in a wildlife corridor - our Common Area where multiple poison traps were set unlawfully by Arizona Pest Control. This is toxic trespassing. We sincerely hope that we can implement proactive, sustainable and positive change in Arizona, the nation and the world for the preservation of life. Mother Earth and her beloved sentient beings are in crisis in this extreme environment and we must give our all and do our very best. There are indeed safe and effective alternatives to using deadly anticoagulant rodenticides that poison children, pets, wildlife and ecosystems.

I formally reported Arizona Pest Control for their endangering toxic trespassing to honorable Arizona Attorney General Kris Mayes and await her response.....

Elid g Jewed – Respect the Earth

“We are given life that we may enhance life.” - Gemara

“We cannot live on if the natural world dies.” – Jane Goodall, UN Messenger of Peace

There are no conflicts of interest in the preparation and submission of this manuscript.

References

1. Eisenberg Amy, John Amato. Sunburst Petroglyph Vandalized in the Tohono O’odham Haki:dag. Intercontinental Cry, 2017. <https://intercontinentalcry.org/tohono-oodham-sunburst-petroglyph-vandalized-hakidag/> 13 December 2017.