



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE
Karen Ross, Secretary

**Notification of Vacating of the Certification of the Final Environmental Impact Report for
the Light Brown Apple Moth Eradication Program and Approval of the Light Brown
Apple Moth Eradication Program**

On March 22, 2010, the Secretary of the California Department of Food and Agriculture (Department) certified the Final Environmental Impact Report, including a mitigation monitoring program, (Final EIR) for the Light Brown Apple Moth Eradication Program (LBAM Program) and approved the LBAM Program evaluated in the Final EIR. A petition was filed with the Sacramento County Superior Court contesting the adequacy of the Final EIR. The Superior Court denied the petition, but that decision was overturned on appeal. Since that time, the activities evaluated in the Final EIR under the LBAM Program have ceased and no funding is currently available for those activities.

In compliance with the Superior Court's September 14, 2016 Peremptory Writ of Mandate in *North Coast Rivers Alliance v. Kawamura*, Case No. 34-2010-80000518, and its September 26, 2016 Peremptory Writ of Mandate in *Our Children's Earth Foundation v. California Department of Food and Agriculture*, Case No. 34-2010-80000638, the Department vacates the March 22, 2010 certification of the Final EIR for the LBAM Program and vacates the March 22, 2010 approval of the activities of the LBAM Program.



Karen Ross, Secretary



Date

