

Notice of Preparation

To: Responsible, Federal and Trustee Agencies From: California Department of Food and
Agriculture

(Agency)

1220 N Street, Suite 400

(Address)

Sacramento, CA 95814

Subject: **Notice of Preparation of a Draft Environmental Impact Report**

The California Department of Food and Agriculture (CDFA) is the lead agency and is preparing a program environmental impact report (EIR) for the project identified below. CDFA would like input from your agency and interested members of the public regarding the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the program EIR prepared by CDFA when considering any permit or other approval related to the proposed project.

The project description, location, and potential environmental effects are contained in the attached materials. A copy of the initial study is is **not** attached.

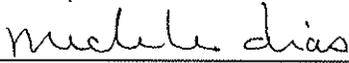
Because of the time limits mandated by state law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Michele Dias at the address above. Please include your name or the name of a contact person in your agency.

Project Title: Statewide Plant Pest Prevention and Management Program

Project Applicant, if any: n/a

Date: June 23, 2011

Signature: 

Title: Acting Chief Counsel

Email: PEIR.info@cdfa.ca.gov

Reference: Cal. Code Regs., tit. 14, (CEQA Guidelines) Sections 15082, subd. (a), 15103, 15375.

**NOTICE OF PREPARATION OF A DRAFT
ENVIRONMENTAL IMPACT REPORT
FOR THE
STATEWIDE PLANT PEST PREVENTION AND
MANAGEMENT PROGRAM**

1. Introduction

The California Department of Food and Agriculture (CDFA) is currently developing a program Environmental Impact Report (EIR) for the proposed Statewide Plant Pest Prevention and Management Program (Statewide Program), described below. The overall goal of the Statewide Program is to evaluate the range of plant pest prevention and management activities currently implemented by CDFA and its partners throughout California and those that are likely to occur in the reasonably foreseeable future.

The Program EIR will be prepared by CDFA in accordance with the provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. CDFA will be the lead agency pursuant to CEQA and will consider comments from responsible and trustee agencies, property owners, and interested persons and parties regarding the scope and content of the environmental information to be included in the EIR.

2. Project Area

The Statewide Program includes plant pest prevention and management activities that could occur throughout California (see Figure 1). Due to California's rich and diverse natural and agricultural environment, many plant and animal communities are present, and the potential exists for a variety of pests to occur in a variety of areas. Plant pests may be found and prevention activities may occur in urban, rural, natural, and agricultural settings. The potential geographic extent of prevention and management activities for any particular plant pest depends on the existence of suitable climatic and ecological conditions for the pest and its hosts, such as appropriate elevation and temperature. Projects occur where the pests are found. The specific area and extent of use for management tactics depend on the size and density of the pest population, and the severity of threat to agriculture, natural lands, and/or urban populations, among a variety of other factors. For each pest group discussed in the EIR, the program area will be further defined.

3. Project Description

Program Purpose

The Statewide Plant Pest Prevention and Management Program (Statewide Program) encompasses the range of pest prevention activities carried out against plant pests by CDFA throughout California. The Statewide Program consists of a variety of programs designed

for prevention and management of plant pests, and identifies numerous methods for controlling them. These programs and management tactics are intended for use in individual projects that could occur throughout California. Plant pests include arthropods, plant pathogens, noxious weeds, and vertebrates. Animal pests and diseases are not included in the Statewide Program.

The Statewide Program EIR will describe CDFA's various prevention and management programs and the management tactics authorized for use against a variety of plant pests. The EIR will also evaluate the environmental impacts of these programs and activities. The EIR will provide a program framework that can be used for subsequent CEQA analysis, including tiering of project-level CEQA documentation for (1) plant pest prevention and management activities implemented by CDFA and other agencies; and (2) integration of new prevention and management tactics and new plant pests. To facilitate future use of the program EIR, pest prevention and management information will be organized into pest groups. This information will be designed to capture how and where a project can be implemented for similar types of pests, and the range of management tactics that can be used against particular pests.

Program Objectives

The Statewide Program has been designed to achieve the following objectives:

- Minimize the impacts of invasive plant pests to the state of California's various resources, including agricultural, biological, and water resources, by preventing the establishment of introduced invasive species;
- Minimize the impacts of management tactics to human health and the state of California's various resources, including agricultural, biological, and water resources;
- Promote the production of a safe, secure food supply;
- Support CDFA's goal of providing rapid response by developing a statewide plant pest prevention and management program to streamline project-level implementation activities and to integrate new pests as they are detected and new pest management tactics as they are developed;
- Develop a program that is broad enough to apply to a wide range of methods of management and pests groups in California;
- Be consistent with existing CDFA permits, protocols, and policies, including CDFA's State Water Resources Control Board (State Water Board) NPDES Permit; and
- Develop a checklist evaluation tool that (1) can be used by CDFA and other agencies to evaluate environmental impacts of specific projects and new pests or management tactics; and (2) can be understood and reviewed by the public.

Discretionary Actions

CDFA is mandated to prevent the introduction and spread of injurious insect or animal pest, plant diseases, and noxious weeds in California (California Food and Agriculture Code

[CFAC] Section 403). To meet this requirement, CDFA conducts a variety of activities. Collectively, these activities make up the Statewide Program. Many of these activities have been previously addressed by CEQA documents. This CEQA document is not intended to supplant prior CEQA efforts. Instead, it addresses the following discretionary actions:

- Authorization of existing CDFA pest prevention and management programs, to the extent that (and focusing on) changes in program characteristics, regulatory requirements, or physical conditions could potentially result in new or more significant impacts (compared to those disclosed in prior CEQA documents);
- Adoption of a project-level checklist for evaluation of potential impacts related to implementation of specific pest prevention and management activities;
- A methodology for evaluation of the environmental impacts related to new pests, pest management tactics, and pest prevention and management programs; and
- Promulgation of regulations related to the above actions.

Existing CDFA plant pest prevention and management programs and activities without the potential for new or more significant impacts than those previously disclosed in prior CEQA documents are not considered discretionary actions in the program EIR.

To the extent that the impacts of the activities described above are addressed in this program EIR, no additional CEQA compliance would be necessary. Note that CDFA conducts public outreach for all of its pest management activities, regardless of whether CEQA compliance is required. In providing CEQA coverage for the range of discretionary actions in the Statewide Program, the program EIR supports the CDFA's goal of rapid response by providing a framework for tiered CEQA analysis. When additional impacts that have not been disclosed in this program EIR could result from future activities, a tiered CEQA document could be prepared including public participation for the tiered document. Plant pest prevention and management activities requiring CEQA analysis that may be covered by the Statewide Program include:

- Implementation of individual projects;
- Authorization of newly developed management tactics or alteration of existing management tactics; and
- Program activities for specific pest species or newly detected types of pests.

It should be noted that this EIR is not intended to address emergency projects. An "emergency" is defined as a "sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services" (Public Resources Code Section 21060.3). When CDFA determines that a newly identified pest population requires an emergency response, CDFA authorizes an emergency project. In accordance with the State CEQA Guidelines Section 15269, emergency projects authorized by CDFA are exempt from CEQA. However, use of the program EIR likely would decrease the time required for future CEQA evaluation and related implementation of pest control activities. Therefore, this program EIR likely would reduce the future need for CDFA to declare an emergency project in order to quickly respond to new pest infestations.

Statewide Program Components

The Statewide Program consists of three primary components: pest detection and response, pest prevention and management branches which implement and develop programs, and pest prevention and management projects carried out under these programs. Each of these components has a fundamental role in how CDFA conducts plant pest prevention and management activities.

Pest Detection and Response

In conducting pest detection and response, the Statewide Program is based on the principles of early detection and rapid response or containment, and use of the Integrated Pest Management (IPM) approach:

1. Early Detection: Early detection occurs through a collaborative effort between the U.S. Department of Agriculture (USDA), CDFA, county agricultural commissioners, and a large group of detection partners outside of these agencies, including private citizens. Detection of an invasive pest indicates the possible presence of an infestation. Once a detection occurs, a delimitation survey is conducted to determine whether an infestation exists and, if present, its boundaries.
2. Rapid Response/Eradication: When a new plant pest is discovered, or a previously discovered plant pest is identified in a new area, rapid response is essential to prevent the establishment of a pest. The goal of rapid response is to eradicate the pest, or rather prevent the establishment of a reproducing population. This occurs by reducing the replacement rate in the population to zero. CDFA, county agricultural commissioners, and others implement rapid response/eradication projects utilizing CDFA's guidance for different groups of pests and specific species of pests. Because most pests spread rapidly, the opportunity for rapid response typically has a brief window. As a result, the rapid response/eradication goal is most often feasible only for small, new infestations of plant pests.
3. Containment. Containment is pursued if rapid response/eradication is determined not to be feasible. Containment allows for the establishment of a reproducing population, but with the goal of maintaining the pest population density at a target density defined for the population. Similar to rapid response/eradication projects, containment projects are carried out utilizing CDFA's guidance for different groups of pests and specific species of pests by CDFA, county agricultural commissioners, and others.
4. Use of Integrated Pest Management Approach. CDFA incorporates several aspects of the IPM approach in developing programs and projects for plant pest prevention and management. CDFA's Use of IMP is implemented using a four-tiered approach, as follows:
 - Pest Identification
 - Pest Population Threshold
 - Selection of Management Tactics

- Monitoring

Pest Prevention and Management Branches

CDFA maintains multiple pest prevention and management branches under the Statewide Program. The scope of CDFA's pest prevention and management branches varies greatly; however, their general role is developing and implementing programs to facilitate prevention and management of specific types of pests; implementing projects; educating the public; developing and implementing management tactics; and carrying out other related duties. Pest prevention and management programs are developed and implemented by the Plant Health and Pest Prevention Services Division of CDFA. Within this division, programs are administered by four separate branches: Plant Pest Diagnostics, Pest Detection/Emergency Projects, Integrated Pest Control, and Pest Exclusions.

Pest Prevention and Management Projects

A pest prevention project can generally be described as the implementation of a management tactic, or set of management tactics, against a pest. Management tactics are continuously being developed by CDFA and other agencies and organizations. Three general types of pest prevention projects may be implemented, including:

- Eradication Projects
- Containment Projects
- Quarantines

Description of Management Tactics

A management tactic reduces the density of a pest population by affecting an aspect of the life system (or the target) of the pest population. Several types of methods can be used to control pests, including the following:

- **Cultural.** Cultural management tactics include any technique that indirectly alters environmental or other factors related to the survival of a pest population in a manner that reduces the size of the population.
- **Physical.** Physical management tactics include the use of human or mechanical means to remove or control a pest or host, or the use of physical barriers to isolate a pest or host.
- **Biological.** Biological management tactics involve the use of biological organisms to reduce the number or density of pests in a pest population.
- **Chemical.** Chemical management tactics use pesticides to kill a pest or host directly, or pheromones to alter the behavior of the pest resulting in density reduction; chemical controls often include the use of baits, traps, lures, and attractants.
- **Regulatory.** Regulatory management tactics restrict or limit human activities in order to restrict the artificial movement of a pest or host (e.g., quarantine activities);

restrictions typically prevent an activity from occurring or limit how the activity occurs.

The EIR will identify the types of management tactics used, or recommended for use, by CDFA, as well as a general discussion of the use of the each management tactic and CDFA's process for developing certain types of management tactics.

Pest Groups and Authorized CDFA Pest Prevention and Management Programs

CDFA conducts and oversees control programs for several classifications of pests. Within each of these control programs, pests are grouped based on similar aspects of biology and control. For each pest group, the EIR will provide information on the potential geographic distribution of the pest and CDFA's guidance on conducting pest prevention and management activities, including detection and project implementation, potential targets for management tactics, and use of authorized management tactics against the pest. Pest groups included in the following control programs will be discussed in detail in the EIR:

- **Invasive Arthropod Control Programs**, including for fruit flies, moths, beetles, and plant diseases – vector control;
- **Noxious Weed Control Program**, including for terrestrial weeds, hydrilla and other aquatic weeds;
- **Vertebrate Pest Control Program**; and
- **Quarantine Programs**, including for fruit flies, moths, plant diseases- vector control, noxious weeds, and plant diseases/pathogens, among others.

4. CEQA Process

Notice of Preparation

This Notice of Preparation (NOP) presents general information on the Statewide Program, the scoping and larger CEQA process, and the environmental issues to be addressed in the EIR. CDFA has prepared this NOP pursuant to CEQA Guidelines section 15082.

Scoping Meetings

In order for the public and agencies to have an opportunity to ask questions and submit comments on the scope of the EIR, several public scoping meetings will be held during the NOP review period. Because the Statewide Program is a "project of statewide, regional, or areawide significance," the scoping meetings will be conducted in five different locations throughout the State. The scoping meetings will be held to solicit input from the public and interested public agencies regarding the nature and scope of environmental impacts to be addressed in the draft EIR.

All five meetings will use the same format and interested parties may attend one or all meetings. A brief presentation will be made in order to provide an overview of the Statewide Program and the CEQA process. Afterwards, CDFA staff will accept public comments on the Statewide Program. Oral comments will be noted and considered at the meetings, and written comments will be accepted both during the meetings as well as anytime during the 30-day scoping period. Comment forms will be available at the scoping meetings for those who wish to submit written comments during or at the meeting.

The dates, times, and exact locations of the public scoping meetings are scheduled for:

- July 6th 2011, 5:30 – 7:30 PM
Chico Municipal Center
421 Main Street
Chico, CA 95928
- July 7th 2011, 5:30 – 7:30 PM
Department of Health Care
Services and Department of
Public Health Building
1500 Capitol Avenue
Sacramento, CA 95814
- July 12th 2011, 5:30 – 7:30 PM
Irvine Ranch Water District's
Duck Club
3512 Michelson Drive
Irvine, CA 92618
- July 13th 2011, 5:30 – 7:30 PM
San Francisco Public Library
100 Larkin Street
San Francisco, CA 94102
- July 14th 2011, 5:30 – 7:30 PM
UC Fresno Business Center
5245 N. Backer Ave
Fresno, CA 93740

In addition, the July 7th meeting in Sacramento will be broadcast live as a 'webinar' session through the internet for those interested in participating remotely. Webinar participants will be able to view the meeting in real time and provide comments on the scope of the EIR. To participate via the webinar session, please sign up at:

<https://www2.gotomeeting.com/register/926803362>

This scoping meeting information will also be published in local newspapers and the CDFA's Statewide Program website (<http://www.cdfa.ca.gov/go/peir>).

Draft EIR

The primary purpose of the EIR is to analyze and disclose the direct and reasonably foreseeable indirect environmental impacts that may occur as a result of the Statewide Program. The draft EIR, as informed by public and agency input through the scoping period, will analyze and disclose the potentially significant environmental impacts associated with the Program and, where any such impacts are significant, potentially feasible mitigation measures and alternatives that substantially lessen or avoid such effects will be identified and discussed.

Below is a preliminary list of potential environmental issues to be addressed in detail in the EIR. The analysis in the draft EIR ultimately will determine whether these impacts could reasonably occur, whether such direct or reasonably foreseeable indirect impacts are

significant based on the identified threshold of significance, and whether such impacts can be avoided or substantially lessened by potentially feasible mitigation measures and alternatives.

- Aesthetics
- Agricultural Resources
- Air quality
- Biological Resources
- Climate Change
- Cultural Resources
- Geology, Soils, and Seismicity
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Utilities
- Recreation
- Transportation and Traffic
- Cumulative Impacts
- Irreversible Impacts

As part of the environmental analysis, CDFA will be preparing comprehensive human health and ecological risk assessment, to evaluate the in more detail the potential risks associated with the use of various compounds under the Program.

Public Review of the Draft EIR

Once the draft EIR is completed, it will undergo public review for a minimum of 45 days. CDFA is also planning to hold several public meeting. The meetings will begin with a brief overview of the analysis and conclusions set forth in the draft EIR. This introductory presentation will then be followed by the opportunity for interested members of the public to provide oral comments to CDFA regarding the Statewide Program under CEQA. The date, time, and exact location of the public meetings will be published in local newspapers prior to the event.

Final EIR

Written and oral comments received in response to the draft EIR will be addressed in a Response to Comments document which; together with the draft EIR will constitute the final EIR. The Final EIR, in turn, will inform the CDFA's exercise of discretion as a lead agency under CEQA in deciding whether or how to approve the Statewide Program.

5. Submittal of Scoping Comments

This NOP is being circulated to local, state, and federal agencies, and to interested organizations and individuals who may wish to review and comment on the Program at this stage in the process. In addition, CDFA has created a website where individuals can access Statewide Program documents and keep informed of the overall progress and upcoming scheduled events. Interested persons are encouraged to visit the Statewide Program website (<http://www.cdfa.ca.gov/go/peir>). Written comments concerning the scope and content of this EIR are welcome.

Due to the time limits mandated by State law for public review of an NOP, your response to and input regarding the scope of the EIR should be sent at the earliest possible date, but **not later than** ~~Tuesday July 19th, 2011~~ ^{Monday July 25, 2011}. Please include a name, address, and telephone number of a contact person for all future correspondence related to the Statewide Program. Send your comments to:

California Department of Food and Agriculture
Attn: Michele Dias, Acting Chief Counsel
1220 N Street, Suite 400
Sacramento, CA 95814

Or email:
PEIR.info@cdfa.ca.gov

PUBLICATION DATE: June 23, 2011

Signature:



Michele Dias, *Project Manager*

Attachments:

1- Program Area Map



Figure 1
Program Area