CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE

Statewide Plant Pest Prevention and Management Program Environmental Impact Report

Volume 5 - Comments and Responses to Comments on Draft PEIR

December 2014

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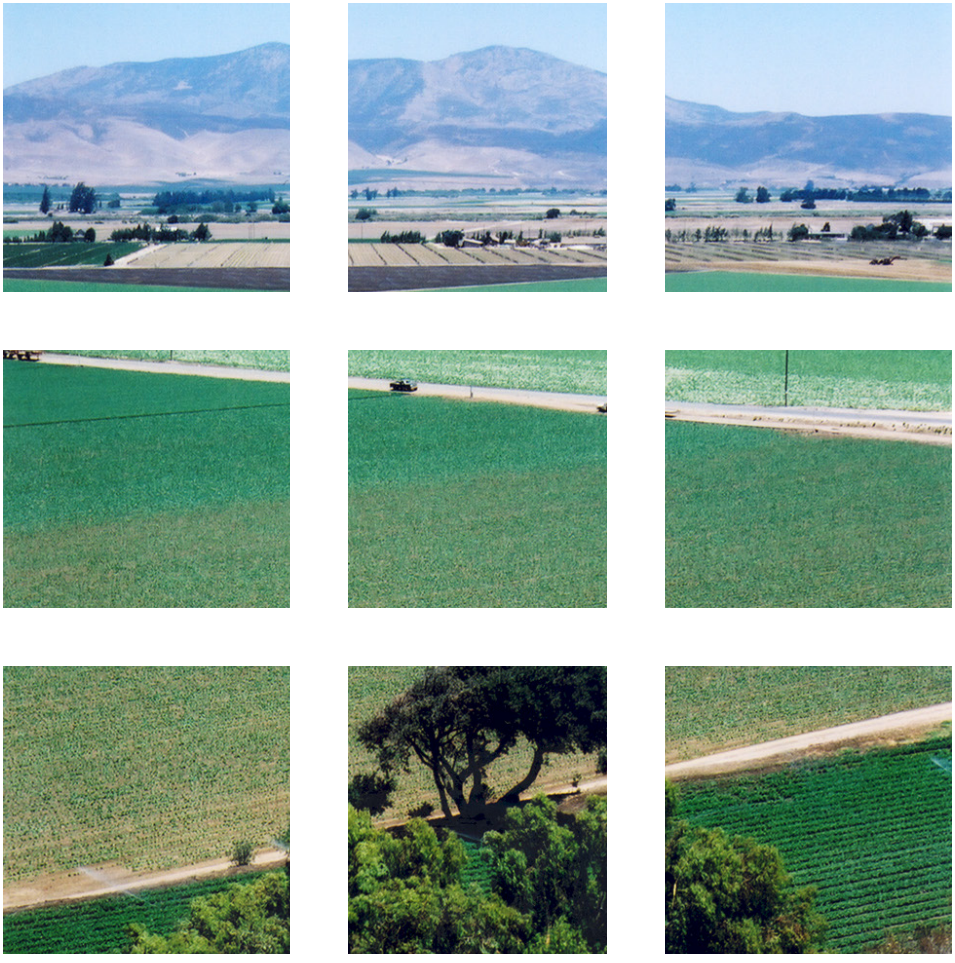

Horizon WATER and ENVIRONMENT

Volume 5 – Comments and Responses to Comments on the Draft PEIR

FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

Statewide Plant Pest Prevention and Management Program

SCH #2011062057

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Chapter 1
INTRODUCTION

The California Department of Food and Agriculture (CDFA) has prepared this "Comments and Responses to Comments on the Draft PEIR" document to respond to comments provided on the Draft Program Environmental Impact Report (PEIR) for the Statewide Plant Pest Prevention and Management Program (Proposed Program), and to identify changes to the text of the Draft PEIR. The document has been prepared in compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended) and the CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.). Together with Volumes 1 through 4, this document constitutes the Final PEIR for the Proposed Program.

1.1 Format and Organization of this Document

This "Comments and Responses to Comments on the Draft PEIR" document contains the following components:

- **Chapter 1, *Introduction*.** This chapter describes the organization of the document and its preparation. This chapter also contains information on the public review period for the Draft PEIR and the Final PEIR certification process.

- **Chapter 2, *Master Responses*.** This chapter contains the master responses prepared in response to comments received on the Draft PEIR. As is described in Section 1.5, *Preparation of the Comments and Responses Document*, below, more than 15,700 letters were received during the public review period for the Draft PEIR. Many of these letters raised similar concerns, and in many cases did not contain specific comments on the draft document. As such, master responses were prepared to eliminate repetitiveness in responding to comments and to address the shared concerns and comments expressed in a number of letters received during the public review period.

- **Chapter 3, *Individual Responses to Comments*.** This chapter contains individual responses to specific comment letters received on the Draft PEIR. Although many letters received during the review period were general in nature, a number of comment letters were specific to the analysis contained in the draft document, and were determined by CDFA to warrant an individual response. In addition to individual responses, Chapter 3, *Individual Responses to Comments*, contains a list of persons, agencies, or organizations that provided specific comments.

- **Chapter 4, *List of Letters Addressed Entirely by Master Responses*.** This chapter contains a table listing the persons, agencies, or organizations who submitted general comments that are entirely addressed by the master

responses presented in Chapter 2, *Master Responses*. The table provided in this chapter also indicates which master responses apply to each comment letter.

- **Chapter 5, *Form Letters*.** This chapter contains copies of the six types of form letters received during the public review period and responses to those letters. A list of the individuals that submitted each letter is provided at the end of the chapter.

- **Chapter 6, *Revisions to the Draft PEIR*.** This chapter presents revisions to the Draft PEIR. As is described in Section 1.5, *Preparation of the Comments and Responses Document*, below, revisions to the Draft PEIR were either made in response to comments received during the public review period or initiated by CDFA.

- **Chapter 7, *Report Preparation*.** This chapter lists the individuals who assisted in the preparation of this "Comments and Responses to Comments on the Draft PEIR" document.

- **Attachment A, *Draft PEIR Notices and Mailing List*.** This attachment contains the various notices prepared for the Draft PEIR, including the Notice of Availability (NOA) and notice of extension of the public review period, the Notice of Completion (NOC) that was sent to the State Office of Planning and Research (OPR), and the newspaper advertisements announcing the availability of the draft document and the times and locations of the public meetings. Also included in Attachment A is the distribution list for Draft PEIR notices.

- **Attachment B, *Draft PEIR Meeting Materials.*** This attachment contains the materials and handouts distributed at the public meetings for the Draft PEIR, including the meeting agenda, sign-in sheets, comment and speaker forms, posters, Microsoft PowerPoint presentation, and meeting flyer.

- **Attachment C, *Copies of Letters Addressed Entirely by Master Responses*.** This attachment contains copies of all comment letters received during the public review period for the Draft PEIR and listed in Chapter 4, *List of Letters Addressed Entirely By Master Responses*, that were entirely addressed by master responses.

- **Attachment D, *Copies of Form Letters*.** This attachment contains copies of all the form letters received during the public review period. Form letters are organized by designated type (e.g., Form Letter 1, Form Letter 2).

Note the Mitigation Reporting Program for the Proposed Program is Appendix P in Volume 4 of the PEIR.

1.2 Public Review of the Draft PEIR

The public review period for the Draft PEIR was initiated on August 25, 2014, with the filing of the NOC with the State Clearinghouse and the distribution of the NOA. Copies of the NOA were distributed via direct mail to the following entities: members of the public; local, state,

and federal agencies; county agricultural commissioners; and other interested parties via direct mail. Electronic copies of the Draft PEIR (i.e., CD-ROMs) were distributed to certain individuals and agencies. The NOA was also posted at all 56 County Clerks' offices in the state, and on CDFA's website. Notices advertising the availability of the Draft PEIR and the location and times of the Draft PEIR public meetings were published in the newspapers of five major metropolitan areas around the state: the Fresno Bee, Los Angeles Times, Sacramento Bee, San Francisco Chronicle, and the San Diego Union-Tribune.

In compliance with the requirements of CEQA, the public review period for the Draft PEIR was originally scheduled to last for 45 days. However, based on requests from members of the public to extend the review period, CDFA extended the review period to 69 days, which ended on October 31, 2014. During this time, the Draft PEIR was made available for review on CDFA's website, at libraries throughout the state, at CDFA's office in Sacramento (1220 N Street), and via mail on CD-ROM by request.

The various Draft PEIR notices and the associated mailing list are provided in Attachment A of this "Comments and Responses to Comments on the Draft PEIR" document.

1.3 Public Meetings on the Draft PEIR

CDFA conducted five public meetings on the Draft PEIR in San Diego, Los Angeles, Tulare, Sacramento, and Napa counties. The public meeting dates, times, and locations were as follows:

- **San Diego:** September 22, 2014, 5:30–7:30 p.m., San Diego County Farm Bureau (1670 E. Valley Parkway, Escondido, CA 92027)
- **Los Angeles:** September 23, 2014, 5:30–7:30 p.m., Huntington Library (1151 Oxford Road, San Marino, CA 91108)
- **Tulare:** September 24, 2014, 5:30–7:30 p.m., Tulare County Agricultural Commissioner's Office (4437 S. Laspina, Tulare, CA 93274)
- **Sacramento:** September 29, 2014, 5:30–7:30 p.m., California Department of Food and Agriculture (1220 N Street, Auditorium, Sacramento, CA 95814)
- **Napa:** September 30, 2014, 5:30–7:30 p.m., Napa County Agricultural Commissioner's Office (1710 Soscol Avenue, Napa, CA 94559)

Each meeting began with an approximately 20-minute open-house session, where participants were invited to peruse informational posters on the Proposed Program, the CEQA process, and the risk assessment, and to chat with Program staff. This open-house session was followed by an approximately 30-minute PowerPoint presentation by CDFA and consultant staff on the Proposed Program, environmental analysis, and CEQA process. After the presentation, members of the public were given the opportunity to provide comments or ask questions about the Proposed Program.

In general, the meetings were lightly attended. Attendance ranged from one to five people, with the Sacramento meeting seeing the greatest attendance at five. The Sacramento meeting also was simultaneously broadcast live as a "webinar" session via the Internet, and approximately eight individuals attended the webinar. Few public comments were provided at the meetings, but several people did share comments or ask questions. Commenters were instructed to provide their comments in writing if they would like to receive written responses in the Final PEIR and have their comments be part of the administrative record. Webinar participants were given the opportunity to submit comments electronically, though none did.

The various meeting materials (e.g., meeting agenda, poster boards, presentation, and comment forms) for the Draft PEIR public meetings are provided in Attachment B of this document.

1.4 Comments Received During the Public Review Period

Though the public meetings were lightly attended, the public showed substantial interest in the Proposed Program and Draft PEIR by submitting a large number of written comments. In total, roughly 15,700 comment letters were received during the public review period for the Draft PEIR. In addition to those 15,700 letters, at least as many comment letters have been received following the close of the review period (i.e., after 5 p.m. on October 31, 2014). Comments were received primarily through an email account CDFA created to receive public comments on the program, and also received by regular mail.

Of the roughly 15,700 letters received during the review period, approximately 13,300 were form letters (letters that were essentially the same, other than the name of the person who signed the letter). Six different form letters were identified, with the majority (12,300 out of 13,300) being "Form Letter 1" (see Chapter 5, *Form Letters*, for a copy of Form Letter 1). For the most part, Form Letter 1 was submitted via email using a form on the website of the non-governmental organization Earthjustice; the emails noted that the letters were sent by Earthjustice on behalf of individuals who had signed the letter. Form Letter 6 was also submitted in large numbers, although the majority of these were received after the close of the review period. Similar to Form Letter 1, Form Letter 6 was generally submitted by an organization, Care2, on behalf of individuals. Virtually all of the comment letters received after the close of the public review period were Form Letter 6. Copies of all form letters received within the public review period are provided in Attachment D. The letters received after the close of the public review period are not reproduced in this Final PEIR, but are included as part of the administrative record for the PEIR, and will be considered by the Secretary of Food and Agriculture when determining whether to certify the PEIR and approve the Proposed Program.

The remaining approximately 2,300 of the 15,700 letters received during the comment period were determined to be unique (i.e., not form letters). Of these, the majority was general in nature and did not contain specific comments on the Draft PEIR. These letters typically expressed general concerns about the information they had read on the internet about the Proposed Program and/or the environmental analysis, most commonly regarding the potential impacts of pesticides on human health and the environment, the perceived

purpose of the PEIR in providing "blanket approval" for future pesticide programs without further public review and input, and the potential for mandatory pesticide spraying on organic farms and related impacts. These comments generally reflect an inaccurate understanding of the Proposed Program, as described in the responses to comments. As is described in Section 1.5, *Preparation of the Comments and Responses Document,* below, these comments were addressed through master responses. Copies of all general comment letters entirely addressed through master responses are provided in Attachment C.

Thirty-nine letters received during the public review period were determined to be sufficiently unique and specific to warrant an individual response. These letters often expressed similar concerns to those expressed in general comments, such as the potential for the Proposed Program to impact organic farms, but provided specific comments related to the contents of the Draft PEIR and/or addressed issues not covered in master responses. Copies of individual response letters are provided in Chapter 3, *Individual Responses to Comments.*

1.5 Preparation of the Comments and Responses Document

As described in Section 1.4, *Comments Received During the Public Review Period*, above, letters received on the Draft PEIR were divided into several categories based on their character or content: form letters, letters entirely addressed by master responses, and letters responded to through individual responses.

For form letters, one complete response to each form letter is provided in this Final PEIR (six different form letters were identified), and then all persons who submitted that form letter are referred to that response. In some instances, individuals submitting form letters added or modified text, or otherwise personalized the letter. These "variants" were noted and reviewed for substantive comments. If the form letter variant was determined to have specific or substantive comments on the document, it was moved to the individual response category and responded to individually. Otherwise, the variants were summarized (see Chapter 5, *Form Letters*). Chapter 5, *Form Letters* contains a copy of each form letter and a response to each letter. Attachment D contains copies of all form letters submitted (i.e., each individual letter submitted).

For comment letters that only raised general concerns or comments on the Draft PEIR, master responses were prepared for each general topic raised, and persons who submitted such letters are referred to the applicable master responses related to the concerns raised in their letters. Chapter 4, *List of Letters Addressed Entirely by Master Responses* contains a table listing all persons who submitted such letters, and identifies which of the master responses (presented in Chapter 2, *Master Responses*) apply to their letters. Attachment C contains copies of all letters addressed by master responses.

For letters that were not form letters and brought up specific or substantive comments on the Draft PEIR, individual responses to comments were prepared. Specific or substantive comments typically discussed specific pages or sections of the document and/or cited reference material. The first step in preparing individual responses was to divide each letter into individual comments within each letter. A response to each individual substantive

comment within each letter was then prepared. If the response to a comment involved a change to the Draft PEIR, that change was shown in the response as it would appear in the text. Text revisions to the Draft PEIR were also shown in Chapter 6, *Revisions to the Draft PEIR,* and reflected in the final document. Copies of delineated individual response letters and responses to each comment are presented in Chapter 3, *Individual Responses to Comments.*

1.6 Final PEIR Review and Certification

The Final PEIR will be distributed to public agencies that provided comments on the Draft PEIR at least 10 days before its certification. At the close of the 10-day public agency review period, the Secretary of Food and Agriculture will consider the PEIR, staff recommendations, and public testimony, and decide whether to certify the PEIR and approve or deny the Proposed Program.

If CDFA chooses to certify the PEIR and approve the Proposed Program, it will file a Notice of Determination (NOD) with OPR (14 CCR 15093[c]). Because significant impacts are identified in the PEIR that cannot be mitigated to a level of insignificance, a statement of overriding considerations would be included in the record of project approval, and would be mentioned in the NOD (14 CCR 15093[c]).

Chapter 2
MASTER RESPONSES

This chapter contains the master responses prepared in response to comments submitted on the Draft Program Environmental Impact Report (PEIR). As described in Section 1.5, *Preparation of the Comments and Responses Document*, a number of general concerns or comments were raised repeatedly in comment letters, and it was determined that preparation of master responses would be the most appropriate and efficient means of responding. General concerns and/or comments included comments regarding the scope of the Proposed Program, comments on the public review process, comments on the environmental analysis contained in the Draft PEIR, and statements of opinion or preference. The comments on the Draft PEIR raised a total of 18 topics for which master responses were determined to be appropriate. The 18 master responses fall into three categories in terms of types of issues they address: (1) the nature of the Proposed Program (i.e., the Program Description), (2) environmental effects of the Proposed Program, and (3) public review of the Draft PEIR and the comment/response process.

The master responses themselves are provided below. For a table that lists the individuals who submitted comments fully addressed by master responses, and shows which master responses apply to which comments, see Chapter 4, *List of Letters Addressed Entirely by Master Responses*. For copies of these letters, see Attachment C.

2.1 Program Description

Master Response 1: Scope of the Statewide Program

Issues:

Commenters alleged that the PEIR would provide blanket permission for the California Department of Food and Agriculture (CDFA) to conduct unlimited pesticide spraying throughout the entire state, with no future California Environmental Quality Act (CEQA) compliance, eliminating opportunities for public review and comment on individual management activities and pest programs, requiring compulsory pesticide use, and limiting property owners' (e.g. farmers') pest management options. Commenters have also requested clarification regarding whether aerial spraying would occur in residential areas. Commenters have also alleged that a particular CEQA document (Initial Study) must be prepared for all future Proposed Program activities regardless of their coverage under the existing PEIR. Some commenters inquired how mitigation measures would be tracked and enforced.

Response:

Proposed Program Activities

Under the existing authority of California's Food and Agriculture Code Section 403, CDFA is responsible for preventing the introduction and spread of injurious plant pests in California. To fulfill this mandate, CDFA has historically implemented and continues to implement various pest detection, rating, eradication, and control activities to control and eliminate individual target pests throughout California. The PEIR specifically discusses activities administered by CDFA through its Plant Health Division and Pierce's Disease Control Program (PDCP), and collectively identifies these *existing and ongoing* activities as the "Statewide Program." It also refers to *future* pest management activities by the Plant Health Division and the PDCP as the "Proposed Program."

It appears that many commenters have been misled into believing that the Proposed Program represents a fundamental shift in CDFA's pest management approach, with comments using phrases such as "a shift to chemical-centric management approaches," "unlimited spraying throughout the entire state," etc. Although the Proposed Program does differ in some important ways from the Statewide Program, it does not expand CDFA's authority or represent a fundamental shift in approach. The document will support the Statewide Program as it is currently; however, under the Proposed Program, managers would have flexibility to more effectively conduct eradication, suppression and control projects. For example, the Proposed Program would provide CDFA with the ability to utilize updated, newer treatments that are safer, more-cost efficient and more efficacious. The Statewide Program as mandated by California's Food and Agriculture Code, is guided by International Phytosanitary measures and will continue to strive to safeguard California Agriculture by choosing the best available management approaches while protecting human and environmental health. As new treatments become available (i.e. new chemistries) and are evaluated for implementation by appropriate entities, these would be integrated into the Proposed Program.

The Proposed Program would not allow "blanket permissions" for all future CDFA-led pest programs. The PEIR would only provide CEQA coverage for future pest management activities that were:

1. Determined to be under the jurisdiction and discretion of CDFA, and

2. Adequately analyzed in the PEIR.

The Proposed Program includes specific chemical use scenarios that were evaluated in the PEIR. These scenarios have been determined through the risk assessment and PEIR analysis to not cause human health risk exceeding the level of concern. The scenarios are in many cases more restrictive than what could be performed under the existing Statewide Program, which simply requires compliance with existing laws, regulations, policies, and other applicable requirements (e.g., label requirements). As discussed further below, CDFA would ensure that the Proposed Program scenarios are followed using mechanisms such as compliance agreements with regulated entities (e.g., growers), which will specify acceptable pest management approaches, required mitigation measures, and MPs. As such, the Proposed Program provides increased certainty that adverse environmental impacts would

be avoided and minimized, compared to the baseline condition. In addition, as detailed further below, the Proposed Program requires public notification prior to implementation of any chemical pest management treatments.

The Proposed Program also clarifies the circumstances under which aerial spraying may occur. Aerial spraying scenarios previously have been developed for the following two pests. These scenarios do not involve aerial applications of pesticides in residential or urban areas.

1. Exotic fruit flies, for which aerial applications could be made in production agriculture settings in response to interior quarantines, using GF-120-Naturalyte Fruit Fly Bait (Scenario FF-04) or Malathion 8 Aquamul (Scenario FF-08); and

2. The glassy-winged sharpshooter (GWSS) (the host for Pierce's disease), for which aerial applications could be made in bulk citrus (i.e., production agriculture) settings in response to interior quarantines, using Assail 30 SG (Scenario PDCP-03), Assail 70 WP (Scenario PDCP-09), Baythroid XL (Scenario PDCP-16); and in large production nurseries in response to interior quarantines, using Discus (Scenario PDCP-25), Tristar SG 30 (Scenario PDCP-56), and Tristar 8 5 SL (Scenario PDCP-62).

The Proposed Program does not include, nor did the PEIR analyze, any aerial spraying scenarios besides those identified above. Therefore, in the future, if aerial spraying is under consideration that would be different from the scenarios described above, further evaluation under CEQA would be required prior to implementation. See the Tiering Strategy discussion below for details.

Several comments requested further definition of the terms "residential" and "urban." These terms were used in the PEIR to provide the general public with assurance that CDFA would not conduct aerial spraying in locations consistent with a "common sense" understanding of these terms. However, CDFA has updated the PEIR's Chapter 9, Glossary and Acronyms, text to include a revised "residential" area definition as follows:

> Residential: A noncommercial area containing multiple or single family dwellings. Does not apply to a residence found in a commercial (e.g., farm) setting.

In addition, the definition of an "urban/residential area" has been modified to match the definition above of a "residential area." That said, since farms or ranches may be located in production agriculture, bulk citrus, or large production nursery settings where aerial spraying may occur, the Human Health Risk Assessment (HHRA) evaluated the potential for residents (the "downwind bystander") to be present during such spraying activities. The analysis concluded that human health impacts would be below the established level of concern, and accordingly would be less than significant.

Public Notification and Comment Opportunities

For future pest management activities not fully analyzed in the PEIR, public comment opportunities would be provided via the tiered environmental document preparation and approval process. Depending upon the type of CEQA document, CDFA would provide public notice of comment periods, hold public comment periods of at least 30 days for each tiered document, and consider all public comments when determining whether to approve or deny a proposed project. See full discussion of Tiering Strategy below.

Future activities that fall within the scope of the activities analyzed in this PEIR and for which no further CEQA evaluation is needed, or for which a CEQA Addendum is prepared, would have a different public notification process as detailed below. Per Section 15164 of the CEQA Guidelines, EIR addendums do not need to be recirculated for public review but can be included in or attached to the final EIR. Thus, in these circumstances, CDFA would complete the Tiering Strategy Checklist form with information specific to the future proposed project, attach supporting documents as appropriate (such as a CEQA Addendum) to the completed checklist, and keep this material on file as demonstration of CDFA's CEQA compliance.

In addition to the public review process mandated by CEQA, CDFA would continue to implement its public notification process regarding proposed pest programs under the Proposed Program. As described in PEIR Volume 1, Section 2.4.2, *Public Notification* (page 2-4), public notification is a necessary and important component of the existing Statewide Program and the future Proposed Program. The types of notification activities are described in Section 2.4.2, *Public Notification,* and Mitigation Measure HAZ-CHEM-1a requires that CDFA continue to work with the California Department of Pesticide Regulation (CDPR), OEHHA, and county agricultural commissioners (CACs) to conduct public information sessions in the local communities where Proposed Program chemical management activities are proposed to be conducted. The public information sessions will focus on educating residents whose properties are being treated, or who live in proximity to areas being treated, about MPs for pesticide applications—including an emphasis on notification, signage, re-entry periods, potential adverse health effects, and how to seek proper help if an accident is suspected. As necessary, sessions will be conducted in or translated into a language understood by the target audience.

Tiering Strategy

The PEIR's purpose is to evaluate the Proposed Program's environmental impacts, and to inform and support CDFA's further modifications, approval, or denial of the Proposed Program. As described in PEIR Volume 1, Chapter 1, *Introduction* (pages 1 through 4), the PEIR, if certified, would serve as a program-level Environmental Impact Report (EIR), pursuant to CEQA Guidelines Section 15168, or as a first-tier EIR prepared pursuant to CEQA Guidelines Section 15152. The PEIR would provide a foundation for subsequent, more detailed analyses associated with individual activities conducted under the Proposed Program. The PEIR provides CEQA coverage for the specific activities described in PEIR Volume 1, Chapter 2, *Proposed Program Description*, and Chapter 3, *Proposed Program Activities,* and provides a Tiering Strategy (Appendix C) that can be used to determine appropriate CEQA compliance efforts for future pest management activities.

Activities under CDFA's jurisdiction include activities conducted or funded by CDFA, or activities conducted to meet requirements established by CDFA. If an activity is determined to be under CDFA's jurisdiction, then the Tiering Strategy provides specific steps (Table 1 of the Tiering Strategy) for CDFA staff to determine if an activity is already adequately analyzed in the PEIR or if it warrants further CEQA analysis.

As detailed in the Tiering Strategy, proposed future activities that were not contemplated in the PEIR, and/or which may have new significant, or more significant, impacts than were considered in the PEIR, would require preparation of a tiered project-level environmental document (i.e., CEQA Addendum, Negative Declaration [ND], Mitigated Negative Declaration [MND], or EIR). Part C of the Tiering Strategy provides further details about which type of CEQA document may be appropriate for a particular activity. For all future pest management activities related to the Proposed Program, this CEQA evaluation process would be documented via a completed Tiering Strategy Checklist, supported by supplemental documentation (including any tiered CEQA documentation that was prepared). Opportunities for public comment during this process would be available, as further detailed above.

Some commenters alleged that CDFA must prepare an Initial Study and file a Notice of Determination for all subsequent site-specific activities conducted under the Proposed Program. However, this allegation is only true for site-specific activities that are not covered under the PEIR as further described below. The Tiering Strategy supports CDFA's obligations under CEQA and is available for any other public agency to use. It has been developed to provide a tool for CDFA to fulfill the requirements of CEQA Guidelines Sections 15152 and 15168. Specifically, as described in CEQA Guidelines Section 15168(c)(4): "Where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR." The Tiering Strategy Checklist is intended to serve as this written checklist. Based on the results of the checklist evaluation, CDFA would follow CEQA Guidelines Sections 15868(c)(1) and (2), which state:

1. If a later activity would have effects that were not examined in the program EIR, a new initial study would need to be prepared leading to either an EIR or a negative declaration.

2. If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.

CDFA will always prepare an Initial Study and file a Notice of Determination when required.

Mechanisms of Implementing and Enforcing PEIR Requirements

Some commenters inquired how mitigation measures would be tracked and enforced. In Volume 1, Section 2.13.2, *Use of the PEIR by Others* (page 2-32), the PEIR notes that CDFA would enforce the PEIR's requirements for the Proposed Program through the use of a

variety of contractual agreements, in the form of compliance agreements, permits, grants, contracts, or other similar means. For regulated entities in a CDFA-established quarantine area (e.g., farmers, nursery operators, shippers), CDFA and the entity enter into a Compliance Agreement. As described in the PEIR's Tiering Strategy Attachment 2, the Compliance Agreement is used to ensure the orderly marketing of regulated hosts or articles when a grower wishes to ship host material outside of an established quarantine area. The Compliance Agreement must include any relevant PEIR requirements, such as descriptions of authorized chemical treatment approaches, protective measures related to special-status species, MPs, and applicable PEIR mitigation measures. Regulated entities could typically select from multiple pest management options (from those described in PEIR Volume 1, Chapter 2, *Proposed Program Description*, and Chapter 3, *Proposed Program Activities*) identified in their compliance agreements—for instance, organic farms may wish to use organic options (such as U.S. Department of Agriculture [USDA] organic pesticides; or physical and biological management options as identified in the PEIR's Volume 1, Chapter 2, *Proposed Program Description*, and Chapter 3, *Proposed Program Activities,* such as removal of pests or host material). Therefore, the PEIR and CDFA's compliance agreements offer some flexibility to regulated entities in how they may comply with an established quarantine.

Flexibility in Choosing Pest Management Options

As described above, growers typically would be given options for compliance with quarantines, which would be described in their compliance agreements with CDFA. Other options may be available if they have been subjected to the Tiering Strategy and determined to either fall within the scope of the Proposed Program, or have been evaluated in a later tiered CEQA analysis. Growers may also have reduced requirements if they do not plan to ship their products outside of the quarantine area.

Various options are also typically available for private residents located in areas subject to one of CDFA's eradication projects. CDFA would continue its existing practice of notifying residents prior to conducting activities on their property. For those landowners who do not wish to have pesticides used on their property, other treatment methods may be available (e.g., host removal). However, there may be certain circumstances where no effective treatment options exist besides use of a pesticide, in which case CDFA would work with the resident to ensure that they understand the steps that CDFA is taking, and that the resident can take, to ensure that they and their families are not adversely affected by the treatment.

Master Response 2: Integrated Pest Management Approach

Issue:

Some commenters have expressed concern that the Proposed Program's Integrated Pest Management (IPM) approach would not be protective enough of human health and ecological receptors, and that it promotes the use of pesticides above non-pesticide pest management methods. In addition, some commenters felt that the Proposed Program's IPM approach was inaccurate because it did not, in their opinion, follow the defined University of California (UC) IPM approach.

Response:

The CDFA IPM approach is designed to protect human health and the environment and does not promote one management activity over another; instead CDFA's IPM approach is designed to meet its legislative mandate to prevent the introduction and spread of injurious plant pests in California.

The Proposed Program encompasses a range of pest prevention, management, and regulatory activities, to be carried out or overseen by CDFA to address specific plant pests. For selection and implementation of its Proposed Program target pest control activities, CDFA would continue its existing practice under the Statewide Program of using an IPM approach. As discussed in the PEIR's Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, and shown in Figure 2-3, the IPM approach would continue under the Proposed Program using a four-tiered approach that involves pest identification/ rating, establishment of a population threshold, selection of management approaches, and monitoring. The IPM process involves the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods, to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment. The IPM approach considers information on pest life cycles and their interaction with the environment, and all appropriate pest management options. Implementation often results in a combination of strategies, including mechanical control, biological control, cultural control, and the use of pesticides where indicated. As shown in Figure 2-3 (page 2-19 of Volume 1 of the PEIR), the IPM approach involves a careful decision-making process with public outreach conducted at several steps along the way.

Along with efficacy, economic damage, and resources, the potential for environmental damage and human health risk is always considered when selecting an appropriate pest management response. Human health risk is the highest priority consideration, and the chance of harmful effects to human health must be minimized. In addition, the risk to non-target organisms, water resources, air quality, and other environmental resources is considered when selecting an appropriate management response for a target pest. The Proposed Program's MPs (PEIR Volume 1, Section 2.11, *Proposed Management Activities*) and mitigation measures would further minimize the potential for the Proposed Program to affect human health or the environment, by minimizing pesticide runoff and drift, minimizing pesticide spills, and continuing training sessions for CDFA staff and contractors regarding safe pesticide handling and application, etc.

Comparison of the Proposed Program's IPM Approach and the UC IPM Approach

A number of definitions of IPM exist, and no one definition has been universally agreed upon. One commonly used definition is that of the UC, which defines an IPM program as:

> *…an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that*

> *minimizes risks to human health, beneficial and nontarget organisms, and the environment.*
> (UC IPM Online, n.d)

CDFA's definition of the Proposed Program's IPM approach is similar:

> *IPM is the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment, achieving adequate efficacy to meet the goal of the program. The IPM approach considers information on the life cycles of pests and their interaction with the environment, and all appropriate pest management options. Implementation often results in a combination of strategies, including mechanical control, biological control, cultural control, and the use of pesticides where indicated. (PEIR Volume 1, Page 2-17)*

Below, CDFA's IPM approach is compared with the various parts of UC's IPM definition:

- *"… IPM is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage …"*

CDFA's exterior quarantines and eradication programs meet this criterion and achieve long-term damage prevention by preventing establishment of a pest. CDFA's suppression and containment programs also meet this criterion because they are designed to lessen the damage from invasive pests now established in parts of California.

- *"… through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties."*

CDFA's programs meet this criterion by striving to use multiple techniques when possible. For example, the EGVM pest management program includes the use of conventional and organically-approved pesticides, pheromones, fruit stripping, and other techniques. However, because the CDFA programs are conducted in non-commercial areas that are not readily modified, such as residential properties, the last three examples above are not generally feasible. For suppression and containment programs, biocontrol is often an integral part of the program (e.g., Asian citrus psyllid [ACP]), but biocontrol is not applicable to eradication programs because it does not drive the pest population to a level that it can no longer be detected. In addition, for typical eradication projects, the population of the pest is typically too small to sustain a population of the biological control agent. At their own discretion, growers subject to quarantines may use on-farm practices such as habitat manipulation, modification of cultural practices, and use of resistant varieties to reduce the potential for, or extent of, pest infestations on their property.

- *"Pesticides are used only after monitoring indicates they are needed according to established guidelines, …"*

CDFA's programs meet this criterion by having established treatment triggers for various targeted pests, which are based on the recommendations of scientists familiar with those

organisms, via Science Advisory Panels and/or USDA Technical Working Groups. As described above, once a pest infestation has occurred and eradication is the goal, treatment methods besides pesticides are often not feasible because they would not drive the pest population to non-detectable levels.

- *"… and treatments are made with the goal of removing only the target organism."*

CDFA's programs meet this criterion by being designed to eradicate or suppress only the target pests, while seeking to prevent adverse effects on other organisms as much as possible.

- *"Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment."*

CDFA's programs meet these criteria by selecting the safest and most efficacious methods that also are sufficiently effective enough to achieve the goal, whether that is eradication or suppression. Only pesticides registered with the CDPR are used, and these are analyzed by the California Office of Environmental Health Hazard Assessment (OEHHA) to ensure that their usage by CDFA does not pose a risk to human health. In addition, as described in Master Response 1, Scope of the Statewide Program, all Proposed Program activities would be conducted as described in the PEIR, following applicable MPs and mitigation measures; and for applications of pesticides, following the chemical use scenarios that have been evaluated in the PEIR and HHRA and determined to be safe for humans. Another important PEIR requirement involves reviewing a proposed treatment area through consultation with the California Department of Fish and Wildlife's (CDFW's) California Natural Diversity Database for special-status species and other data sources. CDFA then develops site-specific measures to avoid impacts on special-status species; these measures are provided to CDFW, the United States Fish and Wildlife Service (USFWS), and/or the National Marine Fisheries Service (NMFS) for their review, and to obtain suggestions as to how the measures can be modified or improved to further reduce impacts.

2.2 Environmental Effects of the Proposed Program

Master Response 3: Impacts on Organic Farming

Issues:

CDFA received letters and comments that expressed concerns regarding the Proposed Program's potential impacts on organic farming. Numerous commenters alleged that implementation of the Proposed Program would result in the application or drift of non-USDA organic-approved chemical treatments to organic farmlands. The end result, many suggested, would be the loss of farms' organic certifications, and economic hardships to organic farmers who would have to sell their products as conventionally grown, or not at all. Several commenters were also concerned that the Proposed Program would negatively affect their ability to buy organic products. However, the commenters provided no data to support these allegations.

Response:

Before discussing potential impacts of the Proposed Program on organic farming, it is important to mention CDFA's obligatory role to protect and promote agriculture throughout California. CDFA is mandated to prevent the introduction and spread of injurious plant pests in California (California Food and Agricultural Code [CFAC] Section 403). The Secretary of Food and Agriculture has the authority to establish, maintain, and enforce quarantine, eradication, and other regulations necessary to circumscribe, exterminate, or prevent the spread of any pest not generally distributed within California (CFAC Sections 5321 and 5322). CDFA will use all reasonable means to contain or eradicate newly discovered pests (CFAC Sections 5251 through 5254).

Accordingly, the mission of the Proposed Program is to protect California from damage caused by the introduction or spread of harmful plant pests. Such pests are harmful not only to agricultural lands in general, but also to organic farmlands, community and home gardens. To achieve this mission, goals of the Proposed Program include: (1) providing rapid response resources to address pest infestations as they occur, and (2) using an IPM approach in conducting activities. The IPM approach would minimize the use of chemical pesticides under the Proposed Program, because these pesticides would be only one of several potential approaches which would be considered.

Organic Options under the Proposed Program

Some commenters base their criticism of the Proposed Program on the false premise that the program is *centered* on the use of chemical pesticides. In fact, many treatment activities under the Proposed Program would not involve the application of chemical pesticides.

CDFA intentionally identified a number of organic options to avoid or minimize the need to use non-USDA organic pesticide products on organic farms or elsewhere. To summarize, potential treatment options for eradication, suppression, and control projects that would minimize disruption to organic production include:

- Use an organically approved pesticide if applying to areas of, or bordering on, organic production, and an efficacious one is available;
- Use bait stations placed near but not on crops;
- Apply non-toxic species-specific sex pheromones to achieve mating disruption;
- Release sterile insects to interfere with reproduction; and
- Physically remove infested parts of host plants.

Suppression and containment projects may also include the release of BCAs.

As discussed in much detail in the PEIR, the IPM techniques in the Proposed Program can be separated into physical, biological, and chemical approaches. Physical management activities may include visual observation to identify presence of pests, detection trapping, and field work such as hand picking fruit/flowers to remove host material. Physical management activities may be performed directly by CDFA staff for detection, delimitation, exclusion, and control projects, or by individual growers or commodity shippers in response to a quarantine regulation. These techniques are described in the PEIR Volume 1, Section 2.9.1, *Physical Management Activities,* and 3.1, *Physical Management Activities*.

Biological management activities for pest suppression under the Proposed Program would include the use of biological control agents (BCAs) and the sterile insect technique. These agents and techniques are described in the PEIR Volume 1, Section 2.9.2, *Biological Management Activities,* and Section 3.2, *Biological Control Agents.*

Chemical approaches in the Proposed Program include USDA organic as well as non-USDA organic chemical treatments. USDA organic natural pesticide products or synthetic pesticide products are those specifically allowed under Title 7, Part 205.601 (Synthetic Substances Allowed for Use in Organic Crop Production) of the Code of Federal Regulations (CFR). Examples of USDA organic pesticide products include horticultural oil, sticky traps, synthetic pheromones and bait stations, sulfur, pyrethrum, kaolin clay, *Bacillus thuringiensis*, insecticidal soaps, and spinosad, among others, as allowed by USDA organic regulations. These USDA organic approaches are described in the PEIR Volume 1, Section 2.9.3, *Chemical Management Activities,* and Section 3.3, *Chemical Management Activities*.

Consideration and Selection of Treatment Options

CDFA recognizes the importance of organic farming in California, gives careful consideration to non-USDA organic pesticide use, and would continue to do so under the Proposed Program. Use of a particular pesticide is considered in the context of the IPM approach (as described above, in Master Response 2 and in PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*). CDFA has established the following criteria for use:

- Other alternative methods are evaluated as applicable to the response plan;
- The pesticide must be registered by the United States Environmental Protection Agency (U.S. EPA) and CDPR;
- The OEHHA is included in the evaluation process, and is consulted for guidance;
- The risk to humans and non-target organisms must be below established risk thresholds;
- The pesticide must be available for use when and where it is needed; and
- The environmental fate and non-target effects must be understood.

As stated above, eradication or control of the majority of priority pests discussed in the Draft PEIR may be achievable with the use of physical, biological, and USDA organic chemical management approaches. However, the eradication or control of certain pests, such as the GWSS, ACP, exotic fruit flies, and Japanese beetle (JB), likely would not be achievable with currently available organic options (see PEIR Volume 1, Section 7.4.3, *USDA Organic Pesticide Alternative,* for more details).

The Proposed Program's approaches to treating residential (i.e. non-commercial) properties and the methods that would be employed by growers under the Proposed Program in response to a CDFA-mandated quarantine differ. Each is discussed in turn.

For residential properties, Proposed Program activities to address ACP, European grapevine moth (EGVM), JB, and gypsy moth all use a cover spray that may be used on home-grown fruiting plants if the fruit is on the pesticide product label. In those cases, the fruit would be exposed to the spray. Master Response 5, Human Health, discusses food safety and pesticide

residue in food. Although pesticides used for the ACP and JB treatments are not organically approved, the current pesticides used for EGVM and gypsy moth are. Because the fruit grown on residential properties is generally not sold commercially, treatment of fruit on these residential properties would have little effect on organic produce grown for sale.

For organic growers located in a quarantine area, no organically approved option may exist with sufficient efficacy to allow the safe movement of the commodity out of the quarantine area and prevent the artificial spread of target pests. With the concurrence of USDA, CDFA may approve alternative methods for Federal Action Pests. This may include allowing organic produce to move from or within a quarantine area for approved processing without any treatments. CDFA will continue to work with UC to identify and evaluate organic options to meet industry needs. Growers responding to a CDFA-established quarantine for ACP or EGVM may select treatments from lists recommended by the UC's IPM. USDA organic pesticide options are available for EGVM's treatments. Consequently, rather than reduce the opportunity for the public to consume organic foods, promptly and properly implementing efficacious quarantine treatment requirements to contain pests within infested areas would increase the likelihood of successful growth of organic products elsewhere in the state.

Potential Impacts on Organic Acreage

Only when all other IPM approaches are deemed ineffective in achieving the goals of the Proposed Program would non-USDA organic pesticides be required for use on organic farms. With respect to potential economic impacts on organic farmers by the application of non-USDA organic pesticides, it is important to note that strictly economic impacts are outside the purview of CEQA (and therefore, the Draft PEIR). Section 15131 of the CEQA Guidelines states that "economic or social effects shall not be treated as significant effects on the environment." Therefore, economic effects are not considered environmental impacts under CEQA unless they subsequently result in an impact on the physical environment. Thus, in accordance with Appendix G of the CEQA Guidelines, the Draft PEIR focuses on the potential of the Proposed Program to result in physical impacts, such as the conversion of farmland to non-farmland uses.

Evidence was not found during preparation of this Draft PEIR to suggest that individual organic farmers have experienced reduced profitability under the Statewide Program in the past such that they temporarily or permanently converted to conventional agricultural methods or grew alternative crops that are not hosts to a CDFA target pest managed under the Statewide Program. In addition, although many commenters have stated that the Proposed Program could result in organic farms converting to non-agricultural uses, no evidence has been provided by these commenters to support these claims.

Contrary to concerns expressed by some commenters, implementation of the Proposed Program would actually create an economic incentive *against* conversion of farmland to non-agricultural uses. Please see Section 6.1, *Agricultural Resources and Economics,* of the PEIR for a further discussion. This finding is supported by data collected by CDFA's Organic Program. According to these data, the trend in organic farming is markedly positive throughout California under the existing Statewide Program. These data are summarized as follows:

Year	Harvested Acres of Organic Crops
2009	557,216.46
2010	819,146.72
2011	600,947.73
2012	564,815.75
2013	965,482.30

The numbers shown above demonstrate that organic farming is booming under the existing Statewide Program. It should be noted that these data reflect "harvested" acre values, which may differ from actual acreage. These data are based on commodity-specific acreage values, which means that harvested acres can exceed actual acres in the ground. For example, a producer may have 5 *physical* acres registered for organic production, but if s/he harvests three separate crops on the same 5 acres, his/her harvested acres will be reported as 15. This may account for some fluctuations in the values shown above. Some numbers can fluctuate based on an operation's crop rotation, production plan, production yield, and other factors. Setting aside industry factors, the larger value for the 2010 year is a result of miscategorization by some agricultural operations that reported their livestock as a "Production" activity, resulting in their livestock being reported as acreage. This mistaken reporting of livestock as acreage would thereby increase the total number of reported "harvested acres." The acreage value shown for 2013 reflects correct reporting of harvested acres of organic crops.

Furthermore, respondents to a USDA organic survey (USDA, 2010) indicated that they face various challenges, including regulatory, production, management, and marketing issues. Despite these challenges, more than 78 percent indicated that they plan to maintain or increase their organic production over the next 5 years. Therefore, it is unlikely that organic farmers would allow their lands to become fallow or otherwise result in a conversion of farmland to non-agricultural use.

In addition to considering the data above, which suggest that existing non-organic pesticide use does not result in substantial effects on the organic farming industry, the economic impacts of not preventing, controlling, suppressing, or eradicating plant pests can be devastating to the agricultural community, including organic farming. For example, it is imperative that CDFA prevent the artificial spread of ACP wherever possible, to ensure that the devastating damage caused by the huanglongbing virus (HLB) is limited to the smallest area possible. An economic analysis study by the University of Florida's Institute of Food and Agricultural Sciences Extension (2012) concluded that after HLB's introduction in Florida, HLB had a total negative impact of $3.64 billion, and eliminated 7 percent of the total Florida workforce. Since California is the number one economic citrus state in the nation, with the USDA putting the value of California citrus at $1.13 billion (Federal Register Vol. 71 No. 83; published May 1, 2006; pg. 25487), California must do everything possible to exclude both HLB-associated pathogens and ACP from the state.

CDFA Organic Program and Organic Certification

It is important to emphasize that *organic farms would not lose their organic certification status if they apply pesticides under a CDFA quarantine.* However, organic farmers or shippers would temporarily lose the ability to label, market, and sell crops as USDA organic if those crops have had contact with a prohibited substance. According to 7 CFR §205.672 (Emergency pest or disease treatment), when a prohibited substance is applied to a certified operation due to a federal or state emergency pest or disease treatment program, and the certified operation otherwise meets the requirements of this part of the code, the certification status of the operation will *not* be affected as a result of the application of the prohibited substance. Underlying this is the proviso that any harvested crop or plant part to be harvested that has contact with a prohibited substance applied as the result of a federal or state emergency pest or disease treatment program cannot be sold, labeled, or represented as organically produced. In addition, should drift occur as a result of a mandated treatment, the certification status of an operation will *not* be affected.

Although the unintended contact with a prohibited substance as a result of drift does not result in the immediate loss of organic certification or registration, the residue level of a prohibited substance determines whether the product can be sold as organic. If the residue is at or below 5 percent of a U.S. EPA-established tolerance level, then the following occurs:

1. The grower/operation is notified of test results;

2. An assessment is performed to determine why residue is present, and an investigation is conducted to determine the source of contamination (e.g., whether it was determined to be drift);

3. A Notice of Non-Compliance may be issued if a buffer zone is inadequate under 7 CFR 205.202(C) to prevent unintended application of prohibited substance;

4. Corrective actions may be implemented if needed to prevent future unintended contamination (extend the buffer zone); and

5. The product can continue to be sold as organic.

If the residue is above 5 percent of a U.S. EPA-established tolerance level or a U.S. EPA tolerance level is not established, then the following occurs:

1. The operation is immediately notified of the test results, and instructed to remove product from sale as organic;

2. An assessment is performed to determine why the residue is present, and an investigation is conducted to determine the source of contamination (e.g., whether it was determined to be drift);

3. A Notice of Non-Compliance is issued for violation of 7 CFR 205.671 (having prohibited substances at levels greater than 5 percent of the U.S. EPA tolerance level);

4. Corrective actions may be implemented if needed to prevent future unintended contamination (extend the buffer zone); and

5. The contaminated product cannot be sold as organic.

According to 7 CFR §205.671 (Exclusion from organic sale), when residue testing detects prohibited substances at levels that are greater than 5 percent of the U.S. EPA's tolerance for the specific residue detected or unavoidable residual environmental contamination, the agricultural product must not be sold, labeled, or represented as organically produced. The operation loses the organic status of the contaminated crop, *but maintains the organic certification and status of the land*. Any future crop produced on the land can be sold as organic as long as it does not come in contact with the prohibited substance.

Conclusions

Both organic and conventional growers may need to find new markets at some point as a result of pest introductions or other market factors. This affects all types of business, not just agriculture. CDFA has concluded, based on examples such as HLB in Florida as described above, that negative market impacts to growers will be greater and longer term without pest prevention and management programs. These long-term negative market impacts to the industry as a whole greatly outweigh any short-term impacts which may be experienced by individual growers (organic or otherwise).

With respect to potential economic impacts to organic farmers, CDFA recognizes that products treated with non-USDA organic-approved chemicals would not command the typical premium prices demanded for organic produce in the marketplace, and for certain growers without an established distribution system for non-organic produce, may not be able to be sold at all. However, the commenters have provided no evidence and CDFA found no evidence during preparation of the PEIR that individual organic farmers would temporarily or permanently convert to conventional agricultural methods, grow alternative crops that are not hosts to the pest in question, or convert farms to non-agricultural uses. Therefore, in the absence of such evidence, the PEIR's conclusion is that there would be no impact related to conversion of farmland to non-agricultural uses.

A similar rationale applies to the potential for Proposed Program non-USDA organic approved pesticide treatments to create drift that potentially could affect an organic farm's ability to market their product as organic. CDFA has not found, nor have commenters provided, any evidence to suggest that this effect has occurred under the Statewide Program in the past.

In conclusion, in the event that organic growers apply non-organic pesticides under the Proposed Program or experience drift, organic certification would not be lost, and would not result in the conversion of farmland to non-agricultural use. The limited extent to which the Proposed Program would cause organically grown produce to be sold as conventionally grown would not appreciably affect the availability of organic produce for consumers.

Master Response 4: Impacts on Agriculture

Issues:

CDFA received numerous letters expressing concerns about potential impacts of the Proposed Program on agriculture. These concerns pertained to impacts such as pollinator population declines, degradation of soil on farmlands from the application of non-organic pesticides, etc. Types of potential soil degradation mentioned included loss of soil nutrients and beneficial microbes, and the degree to which non-organic pesticides contaminate soil on organic farmlands. However, the commenters provided no data or evidence to support these concerns.

Response:

How the PEIR Considered Potential Impacts to Agriculture

According to Appendix G of the CEQA Guidelines, a project may result in significant impacts to agriculture if it would:

A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;

B. Conflict with existing zoning for agricultural use, or a Williamson Act contract; or

C. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

Potential impacts of the Proposed Program on agriculture are described in detail in PEIR Volume 1, Section 6.1, Agricultural Resources and Economics. A summary of this analysis is provided below. Note that none of the Proposed Program activities have the potential to conflict with existing zoning for agricultural use or a Williamson Act contract; for this reason, Criterion B is not discussed further.

The Proposed Program would not involve activities that would directly convert farmland to non-agricultural use. In the PEIR, the discussion of the potential impacts on agricultural lands considers indirect effects on organic farming and organic farm certification, beneficial insects and pollinators, economic effects, and the related potential for the Proposed Program to result indirectly in conversion of farmland.

Over the long term, the Proposed Program's pest management activities would benefit the agriculture industry, by controlling and ideally eradicating pest populations. When taken in the context of the total potential economic losses associated with priority pests, these long-term benefits would outweigh the short-term economic costs associated with implementation of the Proposed Program. The Proposed Program would be economically beneficial overall, creating an economic incentive against conversion of farmland to non-agricultural uses.

Effects of Application of Non-Organic Pesticides on Organic Farmlands

In the event that organic growers apply non-organic pesticides under the Proposed Program, organic certification would not be lost, and the use of chemicals would not be expected to result in the conversion of farmland to non-agricultural use. Therefore, under CEQA, no impact would occur. For further discussion of the potential impacts of the Proposed Program on organic farming, please see Master Response 3.

Impacts on Pollinators

Potential impacts of the Proposed Program on pollinators are discussed in Master Response 8, Pollinators. With respect to agricultural conversion, no evidence was found during preparation of this PEIR to suggest that impacts on pollinators or other beneficial insects from past Statewide Program pesticide use has been of sufficient magnitude that it resulted in conversion of agricultural lands to non-agricultural uses, or that such conversion would be likely to occur in the future. Therefore, under CEQA, no impact would occur.

Impacts Associated with Loss of Soil Nutrients and Beneficial Microbes

It has long been known that pesticides, particularly fungicides, can have detrimental effects on soil microbes (Moorman, 1989; Chen et al., 2001). However, no fungicides are applied in the Proposed Program. More recently, other pesticides, such as insecticides, have been shown to have the potential to either benefit, harm, or have no impact on soil microbes, depending on the species of bacteria, the chemical properties of the pesticide, and the local soil conditions (Chowdbury et al., 2008; Lo, C.-C., 2010). For example, high clay or organic content in local soils reduces any impacts of pesticides on microbes (Ahtiainen et al., 2003). In one study (Cycoń and Piotrowska-Seget, 2009), there were no impacts on soil microbes at normal field application rates, but at elevated rates microbe populations were decreased. This same study showed that there could be a shift in the species of microbes that dominate the populations following applications of pesticides.

Because impacts to soil microbes are only likely when soil concentrations of insecticides are above normal field application rates, the potential for impacts to soil microbes following applications of insecticides under the Proposed Program is low. In addition, applications made in the Proposed Program occur for only a limited time in any area. Without the likelihood of repeated applications in the same area, high concentrations in soils are unlikely, with the possible exception of nursery areas where potted plants might be treated. Because any soils beneath potted plants in nurseries would not be used for growing plants, any impacts on soil microbes would not have detrimental impacts on populations of microbes deemed to be beneficial. Tu (1980) also showed that soil microbe populations recovered 2 to 4 weeks following treatment with pyrethroid insecticides, and even experienced a stimulatory effect. Pyrethroids are one of the classes of insecticides used in the Proposed Program. Applications of pesticides as part of the Proposed Program are therefore not considered likely to have lasting detrimental impacts on beneficial populations of soil microbes, and certainly not to a level that would cause farmland to go out of production. Therefore, under CEQA, no impact would occur.

Potential Contamination of Soils by Non-Organic Pesticides

The Dashboard database contains soil degradation rates for all pesticides analyzed for the Statewide Program. Soil half-lives for the active ingredients in pesticide used in the Proposed Program range from less than a day to 960 days. The half-life of a chemical is the amount of time required for half of the material in soil to degrade. Following an application of a pesticide, the amount of the pesticide in the soil will disappear at differing rates, depending on the traits of the chemicals in the pesticide.

For a chemical to accumulate in soil, multiple applications must occur over a short enough period of time that residues of the chemical from a previous application are still present in the soil. For a chemical like spirotetramat with a soil half-life of less than a day, there is little potential for accumulation in the soil. Within a relatively short time, all the residue from spirotetramat will have degraded. Other chemicals in the Proposed Program have soil half-lives of more than a year. The potential for accumulation in soil will depend not only on the amount of time a chemical requires to break down, but also the interval between applications.

In the Proposed Program, the only application scenarios using those pesticides with half-lives of more than a year occur in nurseries. Because these applications are made to different potted plants each time, the majority of the residues are removed from the site once the nursery plants are sold, greatly limiting any opportunity for accumulation at the nursery. Any soils beneath potted plants when they receive pesticide applications would not be productive soils used for growing plants. Therefore, should any of these longer-lived pesticides remain in these areas of soil within a nursery, little or no impact to other plants or wildlife would occur. Therefore, the use of chemicals would not be expected to result in the conversion of farmland to non-agricultural use due to soil contamination. Under CEQA, no impact would occur.

Master Response 5: Human Health

Issue:

A number of comments were received expressing concern regarding the potential effects of Proposed Program pesticide use on human health. This included concern for specific populations of individuals including pregnant women, fetuses, infants, children, and those with specific existing health problems. In addition, concern was raised regarding how the HHRA accounted for the effects of gender and age. Concern was raised regarding causation of specific diseases and some non-adverse health effects. Several commenters expressed concern about eating purchased or home-grown food that has been treated with pesticides. In addition, comments inquired on how cumulative exposures were considered.

Response:

An HHRA (Appendix B of the PEIR) was conducted to evaluate the chemicals (active and inert) contained in pesticides that may be used under the Proposed Program, following the specific application scenarios described in PEIR Volume 1, Chapter 3, *Proposed Program Activities*, and the HHRA. A total of 79 pesticides products (including adjuvants or other formulations used in conjunction with pesticides), containing 91 different active or inert

ingredients, were assessed. PEIR Volume 1, Chapter 6.5, *Hazards and Hazardous Materials,* presents the major conclusions of the HHRA, and uses these conclusions to evaluate potential impacts to human health under CEQA. The HHRA itself provides further details, with even further detail provided in the Dashboard database. The main purpose of the HHRA is to quantify the risk of specific substances to human health. The HHRA focused on the potential risks to several categories of individuals who may be exposed to pesticide use from application scenarios described for the Proposed Program.

PEIR Volume 1, Section 6.0.6, *Environmental Risk,* provides a description of risk assessment methodology at a level of detail appropriate for the average lay reader to understand how the evaluation was conducted. This description is not repeated here; rather this master response focuses on key concerns raised in public comment.

Pesticide Residue in Food

CDPR conducts annual compliance monitoring of pesticide residues in food sold in California. Analysis of the CDPR monitoring data collected over the past 5 years (2009 through 2013) indicates that none of the Proposed Program pesticides used in production agriculture were detected in excess of their respective crop tolerance levels. Annual food residue monitoring data collected by CDPR is available at CDPR (2014b).

Note, however, that CDPR does not analyze for residues of methyl bromide. Methyl bromide has a high vapor pressure, and as a result is a gas at room temperature. Because it is a gas at room temperature, it often either volatilizes out of, or degrades in the commodity that is being treated. Residues of methyl bromide in food are often not detected, but instead bromide anion may be detected as a breakdown product of methyl bromide.

Numerous statistically based studies have been done on the risks posed by pesticide residues on food. For example, recent work by Winter and Katz (2011) has shown that these risks are negligible.

The PEIR's risk evaluation did not consider human health risks for retail purchasers of treated vegetation (i.e., fruits/vegetables purchased at a grocery store, farmer's market, etc.). Numerous factors that made evaluating exposure of these receptors extremely difficult include but are not limited to: quantity and frequency of treated vegetation consumption, potential pesticide concentration remaining on a treated product, and use of cultural practices to remove pesticides prior to consumption (i.e., washing treated vegetation). However, the risk to a variety of other more highly exposed receptors was considered as a result of consumption of home-grown treated vegetation, as described below.

As identified in Master Response 3, Organic Farming, select Proposed Program pest management activities may expose residential home-grown fruiting plants (and their fruit) to pesticide spray. The PEIR's risk evaluation (HHRA) considered potential receptors that could consume home-grown treated vegetation: the adult and child Post Application Resident (PAR) and the adult and child Downwind Post Application Resident (DPAR) receptors. These receptors act as conservative surrogates for the retail purchaser. The HHRA found that the PAR and DPAR were not modeled to have risk exceeding the level of concern.

Exposure Durations

Several comments requested further information regarding how exposure durations were estimated for use in the HHRA. CDFA developed estimates for duration exposure based on the longest period over which treatments have ever occurred at a given location under the Statewide Program in the past. Typically, treatments are infrequent in any given location, and occur only as periodic events throughout the overall duration of treatment (e.g., between 1 and 4 times per year). CDFA performs such treatments in a given residential neighborhood over the course of 1 year, or 2 years if necessary. To be conservative, CDFA elected to use a "worst-case" maximum duration in a given residential neighborhood of 3 consecutive years during which these periodic treatments could occur. Therefore, for treatments occurring in residential settings, the receptors (i.e., adult and child PAR and adult and child Downwind-Bystander (DWB)) were assumed to have the potential to be periodically exposed to Proposed Program-applied pesticide active and inert ingredients over a duration of 3 years.

Proposed Program activities in nurseries and production agriculture facilities may occur for longer than 3 years, because these facilities are under continuous monitoring to prevent the spread of invasive pests. For Proposed Program activities in a nursery or production agriculture setting, the exposure duration of a resident adjacent to the treated facility (i.e., adult and child DWB) was assumed to be 24 years for an adult, as recommended by DTSC (2011a), and 14 years for a child, in accordance with the child's age range given in U.S. EPA (2005q). This is considered a conservative value, as no Statewide Program quarantine has ever lasted 14 years or longer.

Accounting for Individual Variation

A number of comments asked how individual variations in risk were considered, specifically sensitive populations such as children, pregnant women, fetuses, and the elderly. For a discussion of hypersensitive individuals, please refer to Master Response 6, Comments Regarding Multiple Chemical Sensitivity.

The HHRA characterized non-cancer risk using the Margin of Exposure (MOE) approach. This approach divides the dose estimate by the No Observable Adverse Effect Level (NOAEL). Inherent in the MOE approach used in this risk assessment is the incorporation of safety/uncertainty factors. Two safety factors were used: one for interspecies variability (10×) and another for intraspecies variability (10×). These two safety factors together result in a value of 10×10=100 for the MOE. Interspecies safety/uncertainty factors are intended to account for uncertainty in extrapolating animal data to humans; they are intended to account for variation in susceptibility (i.e., differences in sensitivity) among members of the human population (e.g., differences based on sex, race, age, and health conditions). This approach provides confidence that sensitive receptors (e.g., the elderly, sick people, or pregnant women) are accounted for.

For cancer risk assessments, the procedures used to extrapolate cancer potency factors from epidemiological or animal carcinogenicity data are generally health-protective in that they determine an upper confidence bound on the risk experienced by an exposed population. These procedures are intended to include the majority of variability in the

general human population, including more sensitive individuals, within the confidence bounds of the estimate.

In certain cases, data are available allowing further refinement in the characterization of risk for more susceptible sub-populations. For example, age-dependent adjustment factors were incorporated into the cancer risk assessment to account for differences in cancer susceptibility based on age of exposure (USEPA, 2005q). These adjustments, in addition to the default conservative approach to deriving cancer potency factors, further increase the health-protection for sensitive sub-populations.

Additional safety/uncertainty factors were included throughout the assessment where appropriate. These factors are intended to account for 1) uncertainty in extrapolating from data obtained in a study with less-than-lifetime exposure (e.g., extrapolating sub-chronic to chronic exposure); 2) uncertainty in extrapolating from the Lowest Observable Adverse Effect Level rather than a NOAEL; or 3) uncertainty associated with extrapolation when toxicity data are limited or incomplete.

Age

Age-dependent adjustment factors were incorporated into the cancer risk assessment to account for differences in cancer susceptibility based on age of exposure. In addition, different exposure factors were used for children than adults, including body weight.

Infants and Children

For any given scenario in the HHRA, the decision to assess a receptor was based on whether that receptor could be reasonably assumed to have exposure to the Proposed Program-applied pesticide active and inert ingredients used in that particular scenario. An infant between the ages of 0 and <2 years was deemed to have a discountable level of exposure, and is likely to have mostly incomplete exposure pathways. An infant spends most of his/her time indoors and away from areas affected by CDFA treatments. When outdoors, an infant is typically under adult supervision and is less mobile than children over the age of 2 years, therefore is less likely to spend a significant duration in areas targeted for CDFA treatments. CDFA treatments on residential properties have the potential to target tree canopies, soil immediately around the trunk of a tree, and garden foliage, but not lawns. CDFA always notifies the residents prior to applying pesticides on the property.

The potential risk to a child Post-Application-Resident between the ages of 2 to <16 years was assessed for dermal contact with residues from Proposed Program-applied pesticide active and inert ingredients on plant surfaces and soil; incidental ingestion of residues on vegetation from hand-to-mouth activity; and ingestion of treated produce and soil. The assessments of these exposure pathways were believed to result in the highest potential for risk to the child and are expected to be health-protective of all other related child exposures. For the purposes of this HHRA, a child becomes an adult (physically mature) at age 16. An adult receptor has the potential to be exposed for 24 years, based on the recommended exposure duration for an adult resident in DTSC (2011a) and this receptor was also quantitatively considered.

Non-adverse Health Effects

Consistent with U.S.EPA risk assessment standards and practices, the most sensitive adverse endpoint available was selected for the risk analysis. Note that these endpoints were limited to adverse effects only. Adverse effects include any effect that causes a deviation from a healthy, normal, or efficient condition (i.e., pathological). Changes in enzyme levels, cellular activity, body weight, organ weight, or blood parameter measurements are not necessarily adverse; therefore, these endpoints were not used in the risk analysis unless they were indicative of pathology or progression toward an adverse effect. For example, red blood cell cholinesterase inhibition was selected as the endpoint used in risk analysis for chlorpyrifos, an organophosphate insecticide, because this effect has been established as indicative of progression toward neuropathic effects and a suitable NOAEL was available for risk evaluation.

It is worth noting that epidemiological data, although informative, are usually insufficient for quantifying risk in a risk assessment. This insufficiency is typically due to the lack of endpoint data on which to do risk estimation. Epidemiological data are generally correlative and do not establish a causal relationship between chemical dose and adverse effect. Epidemiological studies, however, may be useful to support the case that a particular chemical or group of chemicals is capable of causing an adverse effect.

Although epigenetic effects have the potential to cause adverse effects, considerable uncertainty exists regarding the relationship between exposure to chemicals that may elicit epigenetic effects and adverse health outcomes. In general, epigenetic data are not sufficient for conducting risk assessment. As a result, epigenetic effects were not explicitly assessed in the HHRA. However, if suitable endpoints were available for adverse effects that may result from epigenetic factors were available (e.g., developmental toxicity, and carcinogenicity), those endpoints were considered in the risk analysis. In this way, the HHRA implicitly accounted for various epigenetic effects.

Although endocrine disruptors are generally considered to have the potential to cause adverse effects, considerable uncertainty exists regarding the relationship between endocrine disruptor exposure and adverse health outcomes. In many cases, only screening level data are available to indicate the potential for a chemical to interact with the endocrine system in a way that may produce an adverse effect (U.S. EPA, 2011v). In general, these and other forms of endocrine disruptor data are not sufficient for conducting a risk assessment. As a result, endocrine disruption was not explicitly assessed in the HHRA. However, if suitable endpoints were available for an adverse effect that may result from endocrine disruption (e.g., developmental toxicity or carcinogenicity), those endpoints were considered in the risk analysis. In this way, the HHRA implicitly accounted for various endocrine disrupting effects.

Synergistic Effects

CDFA acknowledges that synergism and other combination interactions exist (including negative combinations due to mechanism overload); however, there is a lack of studies evaluating combinations of chemicals in order to determine effect. The currently accepted approach for risk assessments is to use additivity. This is a known and accepted limitation of the risk assessment process. However, for purposes of making risk management

decisions, and given the safety and uncertainty factors involved, this is acceptable for informing agencies on how to proceed with a policy decision regarding risk given that some degree of uncertainty always exists.

Cumulative Health Effects

Exposure estimates did not include concurrent or consecutive exposures as a result of other Proposed Program scenarios; other non-Proposed Program pesticide use; or other potential contributions to human health risk, such as smoking, household chemical exposure, and UV radiation.

As described in Impact HAZ-CUM-2 (PEIR, Volume 1, Section 6.5, *Hazards and Hazardous Materials*, page 6.5-22), the HHRA found meaningful quantitative assessment of the health impacts of multiple chemicals from multiple CDFA treatment programs to be infeasible, given available risk assessment methodologies. Such an assessment would require too many speculative assumptions regarding the frequency, quantity of material used, type of pesticide used, and application mechanisms that could occur in any of the many unique settings in California.

The discussion in Impact HAZ-CUM-2 goes on to present evidence that multiple pesticide uses do not cause a health hazard above the level of concern. This was done by referencing detailed analyses conducted by U.S. EPA (U.S. EPA, 2012b) that specifically looked at cumulative exposure of pesticides with the same mechanism of action. Pesticides with the same mechanism of action are the pesticides most likely to have a potential cumulative impact. U.S. EPA concluded that by using recommended practices and following existing regulations, the combined use of the pesticides with the same mechanism of action does not exceed U.S. EPA's level of concern for human health. The U.S. EPA studies were used because it was not feasible to quantitatively evaluate the cumulative health risk.

For further discussions regarding challenges related to developing a framework for cumulative risk assessments, see U.S. EPA's *Framework for Cumulative Risk Assessment* (U.S. EPA, 2003).

State of the Science of Human Health Risk Assessment and Risk-Based Decisions by Agencies

The process of HHRAs has continually been evaluated to improve the scientific basis and risk communication of risk assessments. The National Academy of Sciences has periodically published reviews of the state of risk assessment and the future direction for risk assessment to be considered by government agencies involved in human health risk-based decision making, in particular U.S. EPA (NAP, 1983; NAP, 1994). These seminal publications have provided the framework in which HHRAs and risk-based decisions have been conducted and evolved, in particular by the U.S. EPA. For new frameworks to be incorporated, often significant research and policy decisions are required before new frameworks in approaching risk assessments can be used. Recently, the National Academy of Sciences (National Academy Press, 2007; National Academy Press, 2009; Rodricks and Levy, 2013) has studied the role of toxicology and the future of risk assessments, given our evolving understanding and ability to measure more sophisticated human health endpoints and intermediate biochemical processes. The role of low-level exposures in developing

various human health endpoints and other more subtle effects that do not have a defined severe adverse outcome (e.g. lowered intelligence) is a challenge that has not been fully characterized by current risk assessment practices and toxicological methods used to study this effect. Substantial future research and methodology development are needed, and would need to be reviewed and approved by regulatory agencies before such new approaches could be implemented. CDFA will continue to track such new developments, and would conduct additional evaluation of the potential health impacts of the Proposed Program as necessary, including tiered CEQA compliance. In addition, such advances will be addressed in future pesticide re-registrations by CDPR and U.S. EPA, which are required at least every 15 years.

As a result, no appropriate methodology exists to incorporate more sophisticated human health endpoints, low level exposures, and/or subtle effects that lack a defined severe adverse outcome into a risk assessment, and adequate scientific knowledge, data, and understanding are not available to make a meaningful assessment. Any analysis of this information would be speculative, because a lack of sufficient scientific understanding exists on these issues. Per CEQA Guidelines Section 15145, if a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact. Therefore a complete impact evaluation of these types of risks, and any related mitigation, is neither required nor presented in the PEIR.

Influence of Regulatory Environment on Pesticide Use and Human Health

A number of commenters pointed out the extensive laws, regulations, policies, and practices which apply to pesticide use, and the ways in which they help ensure that Proposed Program pesticide use would be safe to humans. These regulations, policies, and practices do provide important context for the health and safety requirements for pesticide applications and therefore play an important role in the conclusions developed as part of risk characterization. See Appendix B, *Human Health Risk Assessment*, Section 1.6, for a discussion of regulatory requirements which are relevant to the Proposed Program, including the pesticide registration process, label restrictions, CDPR's pesticides and pest control operation regulations, and the Pesticide Illness Surveillance Program.

Master Response 6: Comments Regarding Multiple Chemical Sensitivity

Issue:

A number of comments were received expressing concern regarding the Proposed Program's potential health effects on individuals reporting that they suffer an adverse physical reaction to low levels of many common chemicals, commonly referred to as Multiple Chemical Sensitivity (MCS), although some commenters refer to it by a different term. Some commenters critiqued the PEIR for not including a detailed impact evaluation regarding MCS. However, the commenters did not present any feasible recommendations besides ceasing the use of chemicals.

Response:

The PEIR acknowledges that alternative names are used to define those individuals with an adverse physical reaction to low levels of many common chemicals. The primary term used

in this document is MCS. Alternative names include idiopathic environmental intolerance and Toxicant-Induced Loss of Tolerance (TILT). A variety of theories have been proposed to explain MCS, but no strong consensus has been formed amongst the scientific community. The PEIR acknowledges the existence of hypersensitive individuals, including a description of typical symptoms and factors that exacerbate MCS.

Sources cited in the PEIR on the topic of MCS include government agencies such as U.S. Department of Labor (2013), National Institute of Environmental Health Sciences-National Institutes of Health (NIEHS, 2004), and Australian Government Department of Health and Ageing (NICNAS/OCSEH, 2010). Other sources cited include leading medical institutions (Cleveland Clinic Foundation. 2009; Johns Hopkins Medicine, 2013) and peer-reviewed scientific journals (Magill et al., 1998; Graveling et al., 1998). Heimlich (2008) is a fact sheet prepared by the Ohio State University Extension; it includes links to several advocacy organizations for more information. The Chemical Sensitivity Foundation (http://www.chemicalsensitivityfoundation.org/) is another advocacy organization. Text has been added to the PEIR to acknowledge recent theories, including problems with the nitric oxide and its oxidant product peroxynitrite cycle (NO/ONOO cycle), and initiation by a toxic exposure that leads to the loss of tolerance for common chemicals.

Prevalence of MCS

Commenters provided several references that discuss the prevalence of individuals with MCS in the general population. In reviewing this literature, a wide range of values was seen, from 0.6 percent to 33 percent. This was highly dependent on the criteria used by a particular study to classify an individual as having chemical sensitivity. Many of these studies were based on phone interviews of a small sample set, and relied solely on patient responses to questions rather than any diagnostic criteria. Some definitions included getting sick after smelling chemical odors like those of perfume, pesticides, fresh paint, cigarette smoke, new carpets, or car exhaust. Odor is a sensory characteristic of chemicals, and is poorly correlated with toxicity. The design of the questions used in the interviews did not always distinguish between normal aversion to harsh chemical odors and a true hypersensitivity to common substances at low levels (Caress and Steinemann, 2003). In the study by Caress and Steinemann they report on a sample of 1,582 individuals from the Atlanta, Georgia metropolitan area. Their survey found that 12.6 percent of the individuals reported a hypersensitivity, and 1.8 percent reported losing their jobs because of their hypersensitivity. In another study by Caress and Steinemann (2004), they surveyed 1,054 randomly selected individuals in the United States; 11.2 percent of the individuals reported an unusual hypersensitivity to common chemical products, but only 2.5 percent reported they had been medically diagnosed with MCS. In a study conducted by the California Department of Health Services (Kreutzer et al., 1999), 4,046 individuals were surveyed based on 13 chemical sensitivity questions. The survey found that 15.9 percent of the individuals stated they were unusually sensitive to everyday chemicals, with 8.3 percent of the respondents reporting a health impairment. The respondents who reported a doctor-diagnosed environmental illness or MCS was 6.3 percent; about half of these individuals with a diagnosis of MCS considered themselves unusually sensitive to everyday chemicals. In addition, 0.6 percent of the respondents that had both a doctor diagnosis of MCS and a perception of unusual sensitivity to chemicals reported having a restrictive health problem, which is the closest definition to those described as MCS sufferers in medical clinic settings.

Gaps in Scientific Understanding of MCS

As detailed below, gaps in the scientific understanding of MCS make evaluation of potential risks to individuals suffering from this condition speculative. Thus, a complete impact evaluation of the risks to individuals suffering from this condition, and any related mitigation, is neither required nor presented in the PEIR.

Although several theories for a physical mechanism have been proposed and outlines for research protocols have been published, no substantial studies have been conducted to test these theories (Kreutzer et al., 1999). Several studies on potential genetic markers have suggested some basis for genetic predisposition to lower tolerance due to polymorphisms found in specific genes associated with chemical metabolism (McKeown-Eyssen et al., 2004). McKeown-Eyssen et al. note that their study needs replication, and that it only suggests new research directions on genetically variable toxin pathways that might be important. Studies to specifically evaluate various immunological markers in blood that may indicate disease have run across problems with reproducibility of measurement levels conducted in the same lab on different days and also between laboratories (Hoover et al., 2003). In addition, studies have been conducted that show that when individuals are blindly exposed to chemicals they are certain cause harmful responses, no adverse effects are observed, and that responses occur when subjects can discern differences between active and placebo substances. This suggests that the mechanism of action is not specific to the chemical itself, and might be related to expectations and prior beliefs (Das-Munshi et al., 2006).

The TILT theory suggests that there is an initial exposure event that induces a person to become hypersensitive to chemicals that they previously could tolerate (Miller, 2001). Pesticide exposure has been suggested as one of several possible initial exposure events that induces the lowered tolerance, but there has been no presentation of the concentration required for this to occur, nor any physical verification that exposure did occur—which is information required for a risk assessment. The studies were based on individuals self-reporting their exposure to a pesticide, with no secondary investigation or corroboration of the incidents in question. Once the loss of tolerance is induced, the studies do not indicate a level of pesticide exposure that elicits a response, a parameter which is required for a risk assessment analysis. Furthermore, once an individual is sensitive, no methods besides isolation from all chemicals have been suggested as providing a relief to symptoms.

The NO/ONOO theory suggests that exposure to various chemicals initiates a biochemical cascade cycle that involves the balance of peroxynitrite and nitric oxide (Pall, 2002). The commenters did not provide any studies that specifically demonstrate that a specific pesticide exposure initiates and further exacerbates this pathway, leading to MCS. The studies presented are a theoretical hypothesis, lacking real-world studies verifying the theory. This pathway has been suggested to be involved in many diseases, but is not fully understood. It also does not specify the levels that are required to initiate the cascade, nor is it shown what levels of chemicals exacerbate this cascade cycle—all of which is required information to conduct a risk assessment.

Although a full scientific understanding does not exist of the role of chemical concentrations and exposure levels in MCS, it brings up the discussion of the evolving understanding of

chemical toxicity, risk assessments, and risk management decisions. The process of HHRAs has continually been evaluated to improve the scientific basis and risk communication of risk assessments. The National Academy of Sciences has periodically published reviews of the state of risk assessment, and the future direction for risk assessment to be considered by government agencies involved in human health risk-based decision making—in particular, U.S. EPA (NAP, 1983; NAP, 1994). These seminal publications have provided the framework in which HHRAs and risk-based decisions have been conducted and evolved, in particular by the U.S. EPA. For new frameworks to be incorporated, often significant research and policy decisions are required. Recently, the National Academy of Sciences (NAP, 2007; NAP, 2009; Rodricks and Levy, 2013) has studied the role of toxicology and the future of risk assessments, given our evolving understanding and ability to measure more sophisticated human health endpoints and intermediate biochemical processes. The role of low-level exposures in developing various human health endpoints and other more subtle effects that do not have a defined severe adverse outcome (e.g. lowered intelligence) is a topic that has not been fully addressed in current risk assessment practices and the toxicological methods used to study this effect. Although changes are suggested for the future direction, it is clearly noted that significant future research is required, along with approval by regulatory agencies, before any new approaches are determined. In the future, if new risk assessment methodologies and risk management decisions are established, CDFA would address them as applicable in future tiered CEQA compliance. In addition, they will be addressed by U.S. EPA and CDPR during pesticide reregistrations, required at least every 15 years.

As a result, no appropriate methodology exists to incorporate this information into a risk assessment; and adequate scientific knowledge, data, and understanding are not available to make a meaningful assessment. Any analysis of this information would be speculative, because a lack of sufficient scientific understanding exists on these issues. Per Section 15145 of the CEQA Statutes, if a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact. Therefore, a complete impact evaluation of the risks to individuals suffering from this condition, and any related mitigation, is neither required nor presented in the PEIR.

How the Proposed Program Considers MCS Individuals

The IPM process is one of the best methods available to minimize the use of chemical pesticides, through the use of alternatives and early action in regard to invasive pests. The PEIR provides for this approach with respect to the activities that are part of the Proposed Program. This is consistent with pesticide policy recommendations for institutions to implement for dealing with individuals with MCS (Brown, 1999). Future CEQA compliance obligations for the Proposed Program (e.g., tiered environmental analysis) will take into account the state of the science with respect to analyzing exposure of individuals, including MCS individuals, at the time. CDFA will be required to comply with any applicable future regulations that may be developed regarding protection of MCS individuals.

The PEIR does not formally present a discussion of mitigation for MCS, because—for the reasons described in the previous section—the PEIR was not able to, nor was it required to, evaluate impacts to determine whether they could be significant. However, the Proposed

Program already incorporates several recommended strategies (Brown, 1999) that lower pesticide exposure for all individuals, including those with MCS. This includes implementing IPM approaches as described above; providing pre-notification of planned pesticide applications, with procedures allowing for emergency applications; onsite posting of treated areas; application of pesticides by trained individuals; application of pesticides when no unauthorized persons are present in the treatment area; and development of documented materials and a website to provide information on the locations of proposed treatments, and the chemicals used in pest control.

Commenters did not present any feasible recommendations beyond those mentioned above, besides ceasing the use of chemicals. Master Response 12, Alternatives Analysis, which describes the PEIR's alternatives analysis, provides a rationale for why CDFA has not chosen this approach.

Accessibility for Individuals with MCS to Comment on the Draft PEIR

CDFA regrets that some individuals may not have found the public meetings accessible. As shown in the newspaper ad for the public meetings (see Attachment 2), CDFA offered to provide auxiliary aides and services to individuals with disabilities, and the Sacramento public meeting was broadcast as a webinar so that individuals could attend from a remote location where they could presumably avoid being subject to symptoms of MCS.

Master Response 7: Biological Resources

Issue:

A number of comments were received expressing concern regarding the potential adverse effects of Proposed Program pesticide use on ecological receptors (i.e., any living organism apart from humans that could be exposed to chemicals; please also see PEIR Volume 1, Chapter 9, *Glossary and Acronyms*).

Response:

An Ecological Risk Assessment (ERA; Appendix A of the PEIR) was conducted to evaluate the chemicals (active and inert) contained in pesticides that may be used under the Proposed Program, following the specific application scenarios described in PEIR Volume 1, Chapter 3, *Proposed Program Activities*, and the HHRA. The ERA did not evaluate chemicals used in fumigation chambers and lures used in trapping programs; these were evaluated qualitatively. In total, 222 separate and distinct application scenarios were evaluated. This included 50 pesticide products comprising of 23 active ingredients and 24 inert ingredients. In addition, 13 adjuvants were also considered. PEIR Volume 1, Section 6.3, *Biological Resources*, presents the major conclusions of the ERA, and uses these conclusions to evaluate potential impacts to biological resources under CEQA. The ERA itself provides further details, with even further detail provided in the Dashboard database. The main purpose of the ERA is to quantify the risk of specific substances to biological organisms. The ERA focused on the potential risks to common and special-status species. The biological resources impacts in PEIR Volume 1, Section 6.3, *Biological Resources*, builds on the conclusions of the ERA to assess the potential for Proposed Program activities to result in significant impacts on special-status species and sensitive natural communities. The ERA

also contained the concentration of chemicals in various environmental media, including soil, water, and air. The concentrations in the environmental media were used in various resource specific impact analyses in particular water quality.

PEIR Volume 1, Section 6.0.6, *Environmental Risk*, provides a description of risk assessment methodology at a level of detail appropriate for the average lay reader to understand how the evaluation was conducted. This description is not repeated here; rather this master response focuses on key concerns raised in public comment.

Species Considered in ERA

Some commenters questioned the ERA's general use of or choice of evaluated surrogate species; as a result, the commenters alleged that the ERA's analysis and the PEIR's impact conclusions were inadequate and/or incorrect. A very large number of species occurs in California. For this reason, this ERA does not assess risk for every one of these species; such an assessment would be infeasible. Instead, 51 native species were selected to act as surrogates for various types of species found in California, and their related life histories. Appendix L contains a listing of the species used in the ERA, and a mapping of surrogates to special-status species. Those species with documented and readily available life history information were selected over species for whom this information was lacking. Because CEQA focuses in particular on special-status species, whenever possible, special-status species were selected as surrogates for groups of species with similar habitats and exposure pathways. In cases where insufficient information existed regarding the potential effects of Proposed Program chemicals on a representative special-status species, a more common native species was chosen to represent the group.

Taken as a whole, the surrogate species evaluated in this ERA inhabit all the ecoregions in which the Proposed Program could occur, providing complete geographic coverage for the evaluation of the potential effects of the Proposed Program. These surrogate species exhibit a wide variety of life history traits, such as diet and habitat preferences.

Commenters were specifically concerned about salmon, beneficial insects, and pollinators. For specific discussion of salmon for each application scenario, refer to the discussion of fish in Chapter 5, *Risk Characterization*, of the ERA. For specific discussions about beneficial insects and pollinators for each application scenario, refer to the discussion of terrestrial insects in Chapter 5, *Risk Characterization*, of the ERA. In addition, see Master Response 8, Pollinators, for a discussion of pollinators.

Specific Concerns Regarding Neonicotinoid Pesticides

Commenters expressed concern regarding the impact of neonicotinoid pesticides on ecological receptors (e.g., honey bees). Neonicotinoid pesticides in the Proposed Program include imidacloprid, acetamiprid, and thiamethoxam. The ERA considered potential impacts of these substances on all surrogate species, as presented in Chapter 5, *Cumulative Scenario*, of the ERA. In addition, see Master Response 8, Pollinators, for a discussion of neonicotinoid impacts on pollinators.

Master Response 8: Pollinators

Issue:

Commenters have alleged that CDFA's pesticide use would directly or cumulatively negatively affect pollinators. Several comments have stated that the PEIR should have concluded that impacts on pollinator populations would be significant. However, the commenters have failed to provide data or evidence in support of their allegations. Others have asked for clarification regarding how the measures described in Attachment 1 to PEIR Appendix K serve to fulfill CEQA's requirements related to mitigation measures.

Response:

CDFA recognizes that healthy pollinator populations are critical to protecting the environmental quality and agricultural resources of the state. In this master response, the term "pollinators" is used to refer to honey bees (*Apis mellifera*), native bees, and species of invertebrates, bats, birds, and some mammals. CDFA has and will continue to engage in a number of activities to help protect the health of pollinator populations, and minimize the potential for CDFA's activities to contribute to their decline (as provided in Attachment 1 to the PEIR's Appendix K, Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources). These measures are further discussed below.

CEQA Thresholds of Significance

As stated in the PEIR Volume 1, Section 6.0.3, *Significance of Environmental Impacts* (page 6.0-2), the PEIR's significance criteria are drawn from the CEQA Guidelines' Appendix G: Environmental Checklist Form, per CEQA Guidelines' Section 15064.7. For the purpose of evaluating potential impacts on or related to pollinators, the PEIR focuses on the Proposed Program's potential to affect pollinators in such a way that the Proposed Program would exceed a significance threshold related to agricultural impacts (convert farmland to non-agricultural uses), and biological resource impacts (have substantial adverse impacts on special-status pollinator species, special-status flowering plants, and sensitive natural communities). Thus, impacts to common animal species, including pollinator species that are not special status (e.g., honey bees), would not be considered significant unless they exceeded the thresholds for the indirect impacts described above.

Pollinator Discussions in the PEIR

CDFA addressed the concerns of the commenters, the importance and ecological role of pollinators, and the Proposed Program's potential impacts on pollinators, in multiple PEIR sections. Specifically, the PEIR discusses the Proposed Program's potential pollinator-related effects in the PEIR Volume 1, Section 6.1, *Agricultural Resources*; Section 6.3, *Biological Resources*; Appendix A, *Ecological Risk Assessment*; and Appendix K. The PEIR's impact discussions that specifically address pollinator-related impacts include Impacts AG-CHEM-3, AG-CUM-1, BIO-CHEM-2, BIO-CHEM-4, BIO-CHEM-6, BIO-CUM-2, BIO-CUM-3, and multiple discussions in Appendix K. Impact discussions in PEIR Volume 1, Section 6.1, *Agricultural Resources and Economics,* and Section 6.3, *Biological Resources,* rely on the analyses in Appendices A and K.

Some commenters were concerned about the indirect loss or conversion of agricultural lands due to pollinator population declines. The PEIR Volume 1, Section 6.1, *Agricultural Resources*, discusses the potential indirect and cumulative effects of the Proposed Program's activities on agricultural lands. Specifically, this section of the PEIR addresses the potential for the Proposed Program's chemical use to adversely affect beneficial insects and pollinators to a level where agricultural production would be reduced and farmland would be converted to a non-agricultural use. As stated in Impacts AG-CHEM-3 and AG-CUM-1, the PEIR concluded that its impacts on pollinators or beneficial insects would not be so great that it would result in agricultural conversion, or that the Proposed Program would make a considerable contribution to cumulative conversion of farmland to non-agricultural uses. A chief objective of the Proposed Program is to protect agriculture from the impacts of pest species, and as a whole, the Proposed Program helps protect against conversion of farmland to non-agricultural use.

The PEIR Volume 1, Section 6.3, *Biological Resources*, discusses the Proposed Program's potential impacts on biological resources, including pollinators. As described in this section of the PEIR, Mitigation Measure BIO-CHEM-2 would be implemented to reduce the potential for pesticide applications under the Proposed Program to affect special-status species, including special-status pollinators and special-status flowering plants. It is important to note that *none* of the bee species are identified as special-status species by either CDFW or USFWS. Mitigation Measure BIO-CHEM-2 would require CDFA to identify any suitable habitat for special-status species that may occur in the area of a proposed treatment program. If any such habitat exists, Mitigation Measure BIO-CHEM-2 would require CDFA to develop treatment plans that would avoid or minimize substantial adverse effects on special-status species. These plans would be provided to USFWS, CDFW, and/or NMFS for their review. Treatment plan measures may include modifications in the timing, locations, and/or methods for chemical treatments on a case-by-case basis, including establishment of site-specific buffers. In addition—as discussed in Impacts BIO-CHEM-4 and BIO-CHEM-6—the MPs discussed in the PEIR Volume 1, Chapter 2, *Proposed Program Description* would minimize the Proposed Program's potential adverse effects in such a way that special-status pollinators or pollinator-dependent special-status flowering plants would not be significantly impacted. Although these measures may not completely eliminate all risk to bees and other pollinators, they will substantially reduce those risks. Overall, with these measures, the Proposed Program would not be anticipated to have measurable adverse impacts on pollinators, or to contribute considerably to cumulative impacts on special-status flowering plants or special-status pollinators (see Impacts BIO-CUM-2 and BIO-CUM-3).

PEIR Appendix A, *Ecological Risk Assessment*, quantifies potential risks to common and special-status species, including pollinators, from chemicals potentially used under CDFA's Proposed Program. Appendix A assesses potential future activities to be conducted under CDFA's Proposed Program in the context of the specific application scenarios that may occur under the Proposed Program, taking into account manufacturers' product label requirements and other relevant regulatory requirements. Pollinator risk evaluated in Appendix A considered impacts on pollinators from direct exposure (presence during a pesticide application), and post-application exposure. For example, as stated in Appendix A's Section 3.4, *Terrestrial Exposure Assessment* (page A-63), the pollinator (honey bee) risk assessment for foliar and soil pesticide applications considered oral exposure of

honey bees to systemic pesticides (including neonicotonoids) that would be absorbed by the treated plant and potentially present in pollen and nectar following these pesticide applications. The pollinator risk assessment was based on U.S. EPA methodology that represents the best methodology currently available (Appendix A, Section 3.4.2, *Honey Bee and Nontarget Insect Exposures*, page A-70).

Appendix K discusses the potential effects of pesticides on pollinator physiology and behavior, and how effects on pollinators could in turn affect pollinator-dependent plant species, agricultural outputs, special-status flowering plants, and sensitive natural communities. The appendix notes that Proposed Program activities potentially could affect native and non-native pollinators through several mechanisms that are potential stressors on pollinators. These mechanisms include application of pesticides by soil application or foliar application, using both ground-based and aerial methods. Furthermore, the appendix identifies pathways for pollinators to come into contact with pesticides, and discusses systemic pesticides and neonicotonoids (pesticides toxic to bees). However, the appendix concludes that with implementation of a number of avoidance and minimization measures as part of the Proposed Program (including MPs; Mitigation Measure BIO-CHEM-2; pesticide label restrictions to reduce the potential for drift and protect pollinators), the contribution of the Proposed Program to pollinator declines and the stressors that potentially result in pollinator declines is likely to be small, relative to other mechanisms that are part of the baseline environment.

In addition, Appendix K's Attachment 1 describes actions that CDFA currently is implementing or proposing to implement to benefit pollinator species. To distinguish between actions that are reflected in baseline conditions, the actions are divided into two groups—those implemented by CDFA before issuance of the Notice of Preparation (June 2011), and those implemented since that time or to be implemented in the future. Future actions include, but are not limited to:

- Additional CDFA coordination with agencies/researches to develop and promote educational/outreach materials;
- Encouraging permitting of native pollinators;
- Working collaboratively with the State Apiary Board;
- Developing a pollinator awareness checklist section for treatment crews;
- Providing dedicated water lines for bees at all border stations; and
- Providing outreach and education regarding access to clean water for bees.

It is important to note that the various measures listed in the attachment to the Appendix K are intended to address pollinators in general, and did not serve as the basis for the PEIR's conclusions related to special-status pollinators. Because impacts on non-special-status pollinators were not found to be significant in the PEIR and there is no significant impact to mitigate, these measures are not intended as CEQA mitigation measures. Rather, they are voluntary measures that CDFA will engage in out of the agency's commitment to the state's agricultural and natural resources, including supporting healthy populations of honey bees and other pollinators. They are therefore not subject to the various requirements that normally apply to CEQA mitigation measures. Mitigation Measure BIO-CHEM-2 is the mitigation measure that addresses special-status pollinator and pollinator-dependent

species; this mitigation measure fully meets CEQA's requirements for mitigation, and would ensure that impacts on special-status species are less than significant.

Conclusions

The PEIR's analysis, based on the ecological risk assessment (ERA) and pollinator analysis, determined that with mitigation, the Proposed Program would have a less-than-significant impact or no effect on special-status pollinators, pollinator-dependent special-status flowering plants, sensitive natural communities, and the conversion of farmland to non-agricultural uses.

Master Response 9: Water Quality

Issue:

A number of commenters expressed concern regarding the Proposed Program's impact on water quality. Many commenters expressed concern over impacts to drinking water through groundwater or surface water contamination. Some commenters expressed concern regarding pesticide contamination in urban settings.

Response:

Water quality impacts were assessed in PEIR Volume 1, Section 6.7, *Water Quality*. The analysis of water quality included an assessment of groundwater and surface water monitoring data for all chemicals considered in the Proposed Program, including inert ingredients and major degradation products. This was assessed by classifying all chemicals into one of five categories based on their potential to exceed an applicable water quality standard:

1. Generally regarded as safe;
2. No numerical thresholds exist;
3. Numeric thresholds exist, but the ERA did not model the concentration;
4. ERA-modeled concentration of chemical is below the numerical threshold; and
5. ERA-modeled concentration of chemical is at or above the numerical threshold.

The chemicals were then evaluated using a combination of quantitative and qualitative assessments of their potential to impact water quality and/or exceed water quality standards. Finally, the analysis considered cumulative impacts on impaired water bodies. This response provides an overview of the Draft PEIR's water quality analysis in the context of the comments received related to water quality. Each major topic from comment letters is addressed in turn below (e.g., groundwater and drinking water).

Groundwater

PEIR Volume 1, page 6.7-6, describes CDPR's Groundwater Protection Program (GWPP). The GWPP evaluates and samples for pesticides to determine if they may contaminate groundwater, identifies areas sensitive to pesticide contamination, and develops mitigation measures to prevent that movement. It also adopts regulations, and conducts outreach to carry out mitigation measures. The measures are designed to prevent continued movement to groundwater in contaminated areas, and to prevent problems before they occur in other

areas. Approximately 100 identified chemicals that have the ability to pollute groundwater are on the Groundwater Protection List (CDPR, 2011b).

The California Department of Pesticide Regulation (CDPR) and State Water Resources Control Board (SWRCB) maintain comprehensive databases of pesticides in surface and groundwater (CDPR, 2014a; SWRCB, 2014b; SWRCB, 2014c). These surface and groundwater databases draw data from a variety of sources, including public, federal, state, and local agencies, private industry, and environmental groups. Examples of these sources include: United States Geological Survey (USGS, 2011), State Water Resources Control Board (SWRCB 2014c), California Department of Public Health (CDPH), and CDPR (CDPR, 2009a; CDPR, 2010b; CDPR, 2011b; CDPR, 2012a; CDPR, 2012b; CDPR, 2012d). These databases were queried for detections of Proposed Program pesticide ingredients over the past 5 years (2009-2014) in order to assess the potential for exposure to these ingredients via the ingestion of drinking water from both groundwater and surface water sources. Further details regarding the information considered in the PEIR can be found in these referenced studies.

The PEIR provides a summary of the numerous applicable groundwater monitoring datasets at a level of detail sufficient to allow for a meaningful analysis of the Proposed Program's potential to affect groundwater quality. Although some commenters have critiqued the level of detail in the analysis, CDFA has found that it is appropriate given the programmatic nature of the analysis, and that it is sufficient to provide the Secretary of CDFA with information to make a decision regarding the Proposed Program that is informed and takes into account the reasonably foreseeable environmental consequences of the Proposed Program (see CEQA Guidelines Section 15151). As described elsewhere throughout the various responses to comments, CDFA would conduct site-specific analysis of individual Proposed Program activities using its CEQA Tiering Strategy, including consideration of local groundwater conditions and other factors relevant to the potential impacts of the activity on groundwater quality.

Although the PEIR provides a thorough characterization of the groundwater monitoring data that was readily available, CDFA recognizes that there may be limitations in these groundwater monitoring data, in terms of their geographic scope, the pesticides monitored, etc. However, CDFA considers these datasets as comprehensive enough to allow them to serve as the basis for meaningful conclusions, because the monitoring datasets generally focus on those pesticides that are most likely to result in substantial water quality problems.

The detected concentrations of chemicals in the monitoring data are available for review in the Dashboard database by selecting Chemical, choosing an individual chemical, and selecting the button labeled "Detected Concentration in Surface Water and Ground Water." As described in the PEIR, Volume 1, page 6.7-7, few samples of Proposed Program chemicals were detected above U.S. EPA acute or human health benchmarks or drinking water standards; specifically, methyl bromide and common constituents of gasoline and diesel fuel. The Proposed Program's use of methyl bromide would be contained entirely within fumigation chambers or sea vans, with no mechanism by which the pesticide could reach groundwater. The chemicals related to gasoline and diesel fuel found in less than 5 percent of any given pesticide formulation, and the monitoring data suggest that the contamination

is related to leaking underground storage tanks, and not to the use of pesticides. For these reasons, the Proposed Program was determined to not have the potential to cause or contribute to exceedances of water quality standards in groundwater.

Surface Water

The PEIR considers numerous databases containing surface water sampling data as listed in the groundwater discussion above The detected concentrations of chemicals in the surface water monitoring data are available for review in the Dashboard database using the same steps described above for the groundwater monitoring data.

Of the chemicals that may be used under the Proposed Program, the following pesticides were detected above their risk-based screening threshold were acephate, chlorpyrifos, DDVP (dichlorvos), diazinon, and methamidophos. Note that the use of DDVP within the Proposed Program is limited to trap and splat application methods to trees and telephone poles. These methods involve highly targeted applications to very small areas. Thus, it is not likely that the Proposed Program's use of DDVP will result in substantial, if any, transport to water. However, there exists the potential for the other four chemicals to reach surface waters. In the Dashboard, the highest detected concentration is reported for these chemicals. The available data suggest that these chemicals would be of the most potential concern for the Proposed Program.

In addition to past monitoring results, the PEIR considered the Proposed Program's MPs designed to prevent pesticides from reaching surface water, as well as a host of other regulatory requirements to prevent surface water contamination, such as pesticide label requirements and Clean Water Act requirements (e.g., CDFA's National Pollutant Discharge Elimination System [NPDES] permit and the Ag Waivers Program). Although the treatments which may be conducted under the Proposed Program may contribute to surface water concentrations of these ingredients, treatments are limited to areas where potentially impacted surface waters are not used as drinking water resources.

Specifically, the Proposed Program MPs contain numerous measures designed to monitor, reduce, or eliminate the potential for transport of Proposed Program pesticides to surface waters. These MPs include but are not limited to the following requirements that must be followed by CDFA, CDFA contractors, and regulated entities:

- Identify and make plans to avoid streamside management areas and surface water to prevent chemicals not labeled for aquatic use from drifting over open water, or from accidentally being applied directly to water.
- Monitor wind conditions to avoid pesticide drift. Delay or do not apply foliar sprays if wind speeds are over 10 miles per hour.
- Check weather service prior to application. Delay or do not apply foliar treatments if there is a 40% or higher chance of rain forecast to occur 24 hours before or after the planned application. This minimizes the chance of substantial runoff.
- Use buffer zones where applicable to protect sensitive areas, such as bodies of water, critical habitat for threatened and endangered species, and other identified sensitive areas.

- Do not make direct application to water bodies.
- Make sure that the aircraft pilot is in radio communication with Proposed Program personnel on the ground, to verify wind speed and direction and location of non-target sites, including water bodies, people, vehicles, and buildings.

Also relevant to the PEIR analysis were properties of the various chemicals, such as fate and transport mechanisms, including degradation half-lives in soil, hydrolysis, photo-degradation, and several other key factors. Discussion of and numerical values for these properties can be found in the Dashboard database by selecting "Chemical Details," selecting a specific chemical, and then selecting "Chemical Summary." The Chemical Summary information contains numerous citations in support of the conclusions contained in the PEIR.

In this context, the PEIR analysis reviewed applicable water quality standards and compared them with surface water concentrations modeled in the ERA for those constituents modeled. The modeled concentrations of Proposed Program chemicals in environmental media including water can be found in the Dashboard database by selecting "Programs," selecting a specific application scenario, selecting a Scenario Run Description, and then clicking either "Acute Eco EECs" or "Chronic ECO EECs."

The ERA used conservative assumptions in selecting appropriate environmental conditions, because it was not feasible to know or model all potential site-specific environmental conditions that may occur. By selecting conservative assumptions, the results represent a worst-case analysis—which means that in most situations, the actual impacts will be lower than those indicated by modeling. Specifically, some of the conservative assumptions built into the modeling were that a water body was immediately adjacent to the treatment site (which would rarely, if ever, be the case), that the water body would have no flow-through, and that the modeling did not account for MPs and regulatory requirements when calculating concentrations. Modeled concentrations are therefore thought to overstate the real-world concentrations of pesticides that could be found in water bodies as a result of Proposed Program treatments.

For chemicals whose modeled concentrations were below applicable water quality standards, the PEIR concluded that there was no potential for significant impacts. For those that were not modeled, or were modeled in excess of a water quality standard, the analysis went a step further and considered the likelihood that Proposed Program activities would result in an exceedance of an applicable water quality standard and/or impairment of beneficial uses in light of the various factors described above (empirical monitoring data, regulatory requirements, chemical properties, and model limitations) to reach an overall conclusion of impact significance. The analysis concluded that, taking all of these various factors into consideration, water quality standards would not be exceeded as a result of Proposed Program activities, and that impacts would be less than significant.

Drinking Water

Potential for Proposed Program pesticide use to result in degradation of groundwater quality, including for its use as a source of potable supply, was dismissed based on the rationale described above under the heading *Groundwater*.

With respect to surface water, the HHRA concluded that the receptors modeled in its risk analysis would not drink water that could potentially become directly contaminated as a result of Proposed Program activities. For instance, farm workers would not drink from farm ponds, and residents would not drink water out of any surface waters near their homes following a Proposed Program treatment. For this reason, this exposure pathway was dismissed from the HHRA.

The PEIR also considered impacts to individuals not physically located in proximity to a treatment, but who could drink water that may have received runoff or drift from a treatment. The same approach as was described above for surface water was used, with the main difference being that the analysis focused on drinking water standards, and the analysis made the same conclusion (that impacts would be less than significant).

Urban Surface Water

Several commenters expressed concern regarding the impact on water quality from pesticide applications in the urban environment. In particular, they were concerned with the runoff of pesticides from impervious surfaces entering surface waters through storm drains.

Applications made as part of the Proposed Program in an urban residential setting would not be made directly to impervious surfaces. Many applications would be made directly to soil as either soil drench or soil injection applications. Such applications would result in limited run-off to urban streams, and were appropriately modeled in the existing analysis. Foliar applications would only be made as spot applications to specific host plants and not be made to lawns, etc. There is a potential for a small amount of pesticide from the foliar applications to drift to impervious surfaces. However, because the number of host plants will vary among sites and is unknown, the conservative assumption was made that the entire area would be treated. Additionally, the surface water body was assumed to be immediately adjacent to the application area. These assumptions would lead to an overestimation of the amount of pesticide applied, and which could migrate to urban streams. This overestimated amount of pesticide available for movement to urban streams should be greater than and include the small contribution from pesticides that drift over impervious surfaces.

Urban nurseries could make pesticide applications to impervious surfaces. Standard practice in nurseries is not to apply pesticides to areas that would drain directly into an urban stream. The modeling conducted in the existing setting assumed that a water body could be immediately adjacent to any nursery application site. Because such a scenario is unlikely to occur, the current modeling overestimates the amount of pesticide that could move to a water body following an application in a nursery.

The specific proximity to a water body that is relevant is dependent on the site-specific conditions, as well as the specific application scenario that will be used. The relevant MPs include MP-SPRAY-1 through MP-SPRAY-7, MP-GROUND-1 through MP-GROUND-4, and MP-AERIAL-1, which would be implemented to provide proper application based on site-specific conditions, setback buffering, minimization of aerial drift, and proper handling and storage. The MPs and mitigation measures ensure that all application activities address

water quality impacts, are commonly used practices, and are similar to measures listed in CDFA's NPDES permit. MP-SPRAY-1, MP-SPRAY-4, and MP-SPRAY-5 require a site survey that includes the location of storm drains, delay in application if rain is predicted, and protection of waterways (including storm drains) with buffer zones. In areas where CDFA or CDFA contractors are conducting the pesticide application, additional measures listed in CDFA's NPDES permit are designed to ensure that overspray and drift are prevented or minimized to a level that the quality of runoff would not be significantly impacted. Individual growers conducting pesticide application in response to internal quarantines must implement relevant Proposed Program MPs, and also may have their own NPDES permits or comply with the Ag Waivers program.

Impact of Sediment Contamination on Water Quality

As discussed in the ERA, sediment toxicity was directly assessed via the PE5 model. PE5 simulates chemical transport via runoff and erosion to water bodies where the chemical partitions into limnetic water column, sediment, and benthic sediment pore water compartments. In these compartments, the chemical undergoes various degradation processes, such as hydrolysis, limnetic aerobic degradation, and benthic anaerobic degradation. Ultimately, PE5 estimates limnetic water column and benthic sediment pore water concentrations. Because it is the best predictor of sediment toxicity, benthic pore water concentration was used to evaluate aquatic exposure and estimate risk for benthic organisms.

Residues bound to sediments are less bioavailable to aquatic invertebrates than dissolved residues. The ERA considered dissolved residues in the water column or sediment pore water. Compared to bound residues, these dissolved residues are more readily available to produce any potential adverse effects for aquatic invertebrates. The ERA assessed the exposure of benthic invertebrates to residues dissolved in pore water that has reached an equilibrium with the residues bound to sediments.

Proposed Program activities would not include any substantial ground disturbances that would cause erosion, nor would they be likely to be located in areas susceptible to sedimentation. Therefore, MPs aimed at erosion reduction are not necessary. Because of this, and considering the other existing regulations and label requirements, the potential for a substantial contribution to sedimentation caused by Proposed Program activities was determined to be less than significant.

Impact to Aquatic Organisms

The ERA, found in Appendix A of the PEIR, thoroughly evaluated the effects of specific application scenarios on aquatic organisms. The evaluation was based on conservative modeling conducted to determine the potential chemical concentrations that could be found in water, assuming that a surface water body is immediately adjacent to the application site. The conservative modeling indicated that there may be some aquatic organisms exposed above the level of concern. However, several MPs could not be quantified in the ERA, including the effect of buffer zones between the application site and water body. Several MPs require site-specific analysis including location of potential water bodies, and application procedures to minimize the amount of pesticides that may reach surface waters. In addition, CDFA would obtain technical assistance from USFWS, CDFW, and NMFS to

develop treatment plans to avoid or minimize substantial adverse effects on special-status species. Implementation of the treatment plan measures would reduce the impacts on special-status species by modifying the timing, locations, and methods for chemical treatments on a case-by-case basis, including establishment of site-specific buffers. Therefore, the PEIR concludes that the Proposed Program would not have any substantial impacts to aquatic organisms.

Master Response 10: Air Quality

Issue:

A number of comments were received expressing concern regarding the Proposed Program's impact on air quality, in particular the finding that criteria pollutants and greenhouse gas (GHG) emissions would be significant and unavoidable. A general concern was also expressed regarding a reduction in air quality from pesticide applications, in particular human health inhalation hazards. Some commenters had specific questions regarding how the analysis that was conducted, as well as the existing setting information.

Response:

Existing Setting and Air Monitoring

The PEIR evaluated the existing air quality in California by air basin, with specific notes on county differences, where applicable, in PEIR Volume 1, Section 6.2, *Air Quality,* in the Environmental Setting on pages 6.2-5 through 6.2-14. This included results of monitoring data for 1-hour ozone, 8-hour ozone, PM_{10}, and $PM_{2.5}$ which are all the criteria pollutants classified as non-attainment relevant to Proposed Program activities. It also described the National Ambient Air Quality Standards and California Ambient Air Quality Standards attainment designations for all areas in California. In addition, it presented the pesticide volatile organic compound emissions during the ozone season. The PEIR acknowledged that the location and intensity of Statewide Program activities is inherently variable from year to year, but based on the locations of pest infestations and quarantines, total emissions by air basin were presented in PEIR Volume 1, Section 6.2, *Air Quality,* Table 6.2-8, to reflect existing and future conditions.

The ambient air monitoring data presents a good representation of the air that people are breathing. This existing ambient air quality includes the contribution of pollutants from existing Statewide Program activities. If the Proposed Program does not involve significant increases in activities in a given location, ambient air quality will not change substantially. In addition, numerous regulations are in place that will be decrease emissions in the future from Proposed Program activities and other sources.

Several studies monitored pesticide concentrations in the air. These are described in Appendix O, Regulatory Setting, Section O.2.2. In February 2011, CDPR established a monitoring network to sample ambient air for 34 pesticides for 1 day each week in Ripon (San Joaquin County), Salinas (Monterey County), and Shafter (Kern County). Since August 2010, CARB has been sampling ambient air for several fumigants in the Oxnard area (Ventura County) and Santa Maria (Santa Barbara County). CARB has been monitoring in the Pajaro area (Monterey County) since January 2012. Monitoring at all three sites

continued through December 2013. Under an agreement with U.S. EPA, CDPR, and CARB also conducted air monitoring for methyl bromide in several communities between 2011 and 2013. CDPR also requested that CARB monitor a 2,4-Dichlorophenoxyacetic acid application and a chlorpyrifos application in 2013. Several of these monitored pesticides could be used under the Proposed Program.

The results of CDPR's monitoring for 2012 in the locations selected to have some of the highest pesticide use, showed that 94.5 percent of the analyses resulted in no detectable concentrations. Only 1.3 percent of the analyses had quantifiable concentrations above the level of quantification. None of the pesticides exceeded their screening levels for any of the exposure periods, indicating low health risk to the people in these communities (CDPR, 2013). CDPR and CARB have also conducted several pesticide-specific monitoring activities in the past that may be either ambient monitoring or application-site monitoring. These studies by pesticide can be found at:

http://www.cdpr.ca.gov/docs/emon/pubs/tac/tacstdys.htm

In most cases, the pesticides are found to be below the level of quantification, with only a few measurable detections found. It should be noted that results of older studies may not be good indicators of air emissions currently or in the future, due to specific changes CDPR has made to pesticide use and applications as a result of past air monitoring information.

This monitoring data, along with the evaluation in the HHRA and PEIR Volume 1, Section 6.2, *Air Quality*, suggest that inhalation hazards are not of substantial concern.

Air Quality Impact Analysis

Air quality impacts were assessed in PEIR Volume 1, Section 6.2, *Air Quality*, and Section 6.4, *Global Climate Change*. The analysis determined that there would **potentially** be significant and unavoidable impacts related to criteria pollutant and GHG emissions as a result of the Proposed Program. CDFA's determination was based primarily on the uncertainty involved in estimating current and future emissions associated with Proposed Program activities. By the very nature of the Statewide Program, activities will not always be in the same location or require the same intensity of activity from year to year. This is dependent on the location and extent of pest infestations, and the related management responses. In addition, for any pest, several different management responses may be used, which may involve different equipment and different emission rates. Given these uncertainties, it was determined that it was reasonably foreseeable that emissions may increase above the relevant significance threshold; and so it was conservatively determined to be a significant impact. CDFA already implements all feasible mitigation within their control, including compliance with air toxic control measures, and programs and actions mandated by the State Agency Greenhouse Gas Reduction Report Card with the co-benefit of criteria air pollutant reductions. CDFA lacks the authority to mandate emission reductions on the equipment used by individual growers and applicators in response to CDFA quarantines; this is the responsibility of other agencies, such as CARB and U.S. EPA.

Although the PEIR conservatively determined that the Proposed Program would result in potentially significant and unavoidable impacts, it is possible that the Proposed Program's

emissions and impacts when compared to baseline conditions (i.e., the Statewide Program's emissions) would actually be reduced, if no other factors were changed between the Proposed Program and Statewide Program. This is due to existing CARB-enforced regulations that require future emission reductions in vehicles and equipment, which will reduce emissions as fleet turnovers occur. Thus, assuming that other factors such as the Proposed Program's activity levels and locations (i.e., similar air basins) were unchanged from the Statewide Program (existing conditions), the entering of newer vehicles with lower emissions into the fleet would reduce emissions. While CDFA would comply with these future requirements, the timing of the fleet turnovers would be in response to the CARB regulations and performed gradually as funding allows.

The analysis included emissions from all vehicle trips required by CDFA to conduct activities—in particular trapping, surveys—and all emissions associated with pesticide application equipment, based on the highest-emitting application technique. Emissions associated with aircraft were included.

Impact AQ-3 dealt with those criteria pollutant emissions that may have an impact on a local scale, also known as a "hot-spot." These pollutants may cause local high concentrations that could cause local exceedances of air quality standards. Because most of the activities that occur in any given location would be of short duration and would use only one or two pieces of equipment at a time, it would be unlikely for a single activity to cause or contribute to an exceedance of an ambient air quality standard for carbon monoxide, particulate matter of aerodynamic radius of 10 microns or less (PM_{10}), or particulate matter of aerodynamic radius of 2.5 microns or less ($PM_{2.5}$). Use of equipment for the Proposed Program is consistent with general agricultural and pest control practices occurring throughout the state—including local air district regulations in many air basins that control fugitive dust from agriculture activities. The infrequent and short duration of use for Proposed Program activities would not be substantially noticeable with respect to local hot-spot air emissions from the activity that is already occurring at a specific location.

The impact of toxic air contaminants (TACs) was considered in Impact-AQ-4. TAC emissions and related inhalation hazards were determined to be less than significant. The analysis of TACs relied on the results of the HHRA for the chemicals contained in pesticides. The HHRA considered various types of individuals that may be exposed. Of most relevance to individuals not directly involved in Proposed Program activities is the child and adult DWB, which was quantitatively evaluated in the HHRA and found to be below the level of concern. A qualitative analysis of the impact from inhalation of emissions of fossil-fueled equipment was also addressed.

Master Response 11: Pesticide Resistance

Issues:

Some commenters expressed concern that the Proposed Program would exacerbate resistance of pests to pesticides, thereby resulting in greater and greater use of pesticides. This is sometimes referred to as the "pesticide treadmill."

Response:

CDFA appreciates the concern related to development of pesticide resistance in targeted pests. Pesticide resistance refers to the decreased susceptibility of a pest population to a pesticide that was previously effective at controlling the pest. Pest species evolve pesticide resistance via natural selection. If an inheritable trait is present that allows individuals with that trait to survive the application of a particular insecticide, then over time that trait may be selected for in the population by repeated applications of that pesticide. This produces a population that has this resistance trait, thereby decreasing the effectiveness of future applications. Resistance can be prevented or managed by alternating pesticides sufficiently different from one another so that a resistant trait in one generation is not selected for in the following generation. The same principle can apply when different pesticides targeting different life stages within the same generation are used.

Implementation of CDFA's IPM approach often results in a combination of strategies including mechanical control, biological control, cultural control, and the use of pesticides where indicated. This approach reduces the possibility of resistance of a targeted pest from any single treatment strategy. If a chemical pesticide application is selected, CDFA strives to target multiple life stages so that future generations of targeted pests do not develop a resistance to particular pesticides. Furthermore, most pest projects only last for a limited period of time in any given location, reducing the potential that the pest population would develop a resistance. CDFA's eradication projects are designed to drive a pest population to zero in as short a time period as possible, thereby eliminating the potential for resistance development. CDFA does conduct some longer term treatment projects whose goals is to suppress rather than eradicate a pest population. However, these are conducted in limited areas, are not conducted throughout the ranges of the pest, and are only conducted as needed based on defined trigger criteria, thereby decreasing or eliminating the likelihood of selecting for resistant populations. To date, there have been no known instances of resistance being developed in a pest population as the result of the Statewide Program.

As discussed in PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, the Proposed Program's IPM approach involves the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods. When selecting appropriate management techniques, CDFA and its Scientific Advisory Panel take into consideration information pertaining to the population biology and evolutionary biology of pests, including pest life cycles, reproductive patterns, and potential for resistance to a given strategy. Every pest prevention and management project also includes a monitoring component. One goal of the monitoring component is to ensure that the targeted pest has not developed a resistance to the selected treatment, and CDFA uses an adaptive management approach to address resistance if it is detected.

In summary, there is no evidence that Statewide Program activities lead to substantial increases in pest resistance or result in a substantial increase in the use of pesticides.

Master Response 12: Alternatives Analysis

Issue:

CDFA received letters and comments expressing support for an approach that does not include the use of pesticides (including USDA organic pesticides). In addition, some comments suggested other alternative pest management approaches (such as the "Eco-Agricultural Approach"), or were critical of the range of alternatives evaluated in the Draft PEIR.

Response:

This response describes the PEIR's alternatives analysis, including its consideration of alternatives that would not involve the use of pesticides, or that would only use USDA organic pesticides. It describes the full range of alternatives considered in the PEIR, and then considers other alternatives suggested by commenters. It should be noted that the Eco-Agricultural Approach was not submitted for consideration during the scoping period. If it had been, CDFA would have addressed that alternative in the Draft PEIR; as described below in Master Response 14, it would have been considered but dismissed from detailed analysis. The non-pesticide alternative was submitted and subsequently was addressed in the Draft PEIR. For a full discussion of the Eco-Agricultural Approach, please refer to Master Response 14, Ecological-Agricultural Approach.

CEQA Requirements for Alternatives

Under CEQA, an EIR needs to describe a range of reasonable alternatives to the proposed Project that would feasibly attain most of the basic objectives of the Project, but would avoid or substantially lessen any of the significant effects of the project; and evaluate the comparative merits of the alternatives. An EIR does not need to consider every conceivable alternative to a project, nor alternatives that have speculative effects, are infeasible, or do not meet most project objectives. An EIR must also consider a no project alternative.

Development and Consideration of Alternatives for the PEIR

During the planning phase of the Proposed Program, CDFA considered numerous alternatives for achieving the goal of successful plant pest prevention and management. This included alternatives suggested by the public during the scoping period.

The following alternatives considered in the PEIR because they could meet Program Objectives to some degree, were potentially feasible, would avoid significant environmental impacts of the Proposed Program, and were sufficiently defined that their impacts could be evaluated:

- No Pesticide Alternative
- No Pesticides, Synthetic Lures, or Synthetic Attractants Alternative
- Reduced Pesticide Use Intensity Alternative
- Pesticide Phase-Out and Replacement Alternative
- USDA Organic Pesticide Alternative

The analysis also included a No Program Alternative as required by CEQA. These alternatives are described in detail in PEIR Volume 1, Chapter 7, *Alternatives Analysis*.

CEQA requires that an environmentally superior alternative be identified. Some commenters claimed that because the USDA Organic Pesticide Alternative was identified as the environmentally superior alternative in the PEIR, it was irresponsible for CDFA to not adopt the USDA Organic Pesticide Alternative. However, while the USDA Organic Pesticide Alternative was considered environmentally superior in comparison to the other alternatives considered in the PEIR (other than the No Program Alternative), it is not considered to be environmentally superior to the Proposed Program, and therefore CDFA is not proposing to adopt it. Further discussion of how these conclusions were reached is provided below.

The PEIR describes that, considering all environmental aspects, the Proposed Program would be environmentally superior to the alternatives evaluated in the PEIR. It would strike an appropriate balance between protecting natural and agricultural resources from the adverse impacts of pest invasions, while providing for impact avoidance and minimization through a coordinated program for management of Proposed Program activities, including PEIR mitigation and other protective measures. It is for this reason that CDFA has chosen the Proposed Program as its preferred approach.

The Proposed Program is not an alternative per se; as such, to comply with CEQA, an environmentally superior alternative was also identified from among the alternatives carried forward for full analysis. CDFA considers the No Program Alternative to be the environmentally superior alternative. It generally would have impacts that would be similar to the Proposed Program, although it would not benefit from the impact minimization and avoidance offered by the Proposed Program's coordinated approach to managing Statewide Program activities, including PEIR mitigation and other protective measures.

Under CEQA, if the environmentally superior alternative is the "no project" alternative, an EIR also shall identify an environmentally superior alternative among the other alternatives. Of the remaining alternatives, CDFA considers the USDA Organic Pesticide Alternative to be environmentally superior. It would avoid any potential impacts associated with use of conventional pesticides, but could result in some offsetting adverse effects, such as impacts associated with greater reliance on organic pesticides. The alternative also could result in other adverse environmental impacts, because of the inability to achieve effective eradication and control of certain priority pests. Such effects may include resource degradation from more widespread invasions of these pests into natural and agricultural areas. In addition, use of conventional pesticide outside the framework of the Statewide Program and CDFA's authority may increase to address these pests, which would have impacts similar to those potential impacts associated with the Proposed Program but without the benefit of a coordinated program for management of such activities, including PEIR mitigation and other protective measures. Because the USDA Organic Pesticide Alternative would not be able to achieve Proposed Program objectives for certain pests, and because it would have offsetting impacts that may be comparable to those of the Proposed Program, CDFA has not selected this alternative as its preferred approach.

PEIR Volume 1, Section 7.7, *Environmentally Superior Alternative*, further describes why the other alternatives were not considered environmentally superior.

Alternatives Suggested by Commenters

Many commenters suggested alternatives that would not involve the use of pesticides, or would only use USDA organic pesticides. The PEIR contained evaluation of these alternatives, as described in PEIR Volume 1, Section 7.7, *Environmentally Superior Alternative*.

At least one comment suggested that the USDA Organic Pesticide Only Alternative was too limiting in that it did not consider other management strategies such as physical, cultural, and biological approaches. The USDA Organic Pesticide Only Alternative does not in fact exclude these strategies; they are part of the Proposed Program, and were also assumed to be part of this alternative as it was evaluated in the PEIR. For simplicity, the description of alternatives in the PEIR focused on the ways in which an alternative was different from the Proposed Program. CDFA apologizes for any confusion this may have caused, for reviewers who erroneously reached the conclusion that certain activities had been excluded from an alternative because they were not explicitly identified as being part of that alternative.

Several commenters suggested an alternative termed by one commenter to be the "Ecological-Agricultural Approach." For a full discussion of this alternative, please refer to Master Response 14, Ecological-Agricultural Approach.

Several commenters also suggested that CDFA develop a Proposed Program using a different definition of IPM, such as the UC IPM definition, or a definition of IPM in which pesticide use would not be allowed. CDFA has not considered these alternatives, for two reasons: (1) the definition of IPM used in the PEIR is consistent with the UC IPM definition (see Master Response 2, Integrated Pest Management Approach), and so would not result in an alternative that would be substantively different from the Proposed Program; and (2) CDFA has considered but elected not to propose an alternative in which pesticides would not be used.

Finally, several commenters felt that the alternatives considered in the PEIR were too "simplistic." The alternatives that CDFA developed for evaluation in the PEIR were focused on the major types of changes that could be made to the Proposed Program to reduce or avoid the Proposed Program's potentially significant impacts, and be responsive to the public concerns about the Statewide Program expressed during the scoping process. Accordingly, the alternatives addressed major topics and policy preferences expressed by the public, such as "no pesticides," or "no eradication." The PEIR complies with CEQA Guidelines Section 15125.6(d), which states (in part), "The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project."

Master Response 13: General Impacts to the Environment

Issues:

General concerns were raised by commenters about the impacts of the Proposed Program on the environment in general, and/or that the PEIR did not properly analyze potential effects to the environment. However, the commenters did not provide sufficient information to warrant further analysis.

Response:

CEQA organizes the evaluation of environmental impacts around topical resource areas. Therefore, the PEIR evaluated general impacts on the environment through the framework of these individual topics. The PEIR properly analyzed all relevant environmental topics, each of which is summarized below. Where master responses have already been provided regarding a particular impact topic, the reader is referred to that master response.

Agricultural Resources

Please see Master Responses 3 and 4 for a detailed discussion of the Proposed Program's potential impacts on agricultural resources.

Air Quality

Please see Master Response 10, Air Quality, for a detailed discussion of the Proposed Program's potential impacts on air quality.

Biological Resources

Please see Master Responses 7 and 8 for a detailed discussion of the Proposed Program's potential impacts on biological resources.

Global Climate Change

PEIR Volume 1, Section 6.4, *Global Climate Change*, evaluates potential impacts related to global climate change. Program activities would be unlikely to conflict with local climate action plans, Assembly Bill (AB) 32, or other applicable climate change plans and policies, because they parallel the strategies outlined in CDFA's Ag Vision report. The Proposed Program is anticipated to have the potential for a significant and unavoidable effect related to GHG emissions. Although GHG emissions will decrease compared to the baseline because of regulated emission reduction requirements for vehicles and equipment, global climate change is anticipated to lead to increased pest infestations in California. This could result in an increased intensity of pest management activities and shifts in the types of activities that may affect emissions.

Please see PEIR Appendix H*, Air Quality and Greenhouse Gas Technical Report* for details on the methodology and assumptions used to estimate criteria air pollutant, GHG, emissions, and petroleum-based fuel use associated with Proposed Program activities.

Hazards

Please see Master Responses 5 and 6 for a detailed discussion of the Proposed Program's potential human health impacts.

Noise

PEIR Volume 1, Section 6.6, *Noise*, evaluates potential impacts related to noise. The analysis took into account areas of sensitive receptors, existing noise, and operation and vibration from machinery, during both daytime and nighttime hours. Following implementation of Mitigation Measure NOISE-PHYS-1*, Conduct Activities during the Daytime*, all additional noise generated by equipment and aircraft of the Program would be considered less than significant.

Please see PEIR Appendix N, *Noise Technical Report,* for a detailed discussion on noise metrics and fundamentals of noise.

Water Quality

Please see Master Response 9, Water Quality, for a detailed discussion of the Proposed Program's potential impacts on water quality.

CEQA Sections Eliminated from Further Analysis

The PEIR eliminated eleven environmental resource areas from further analysis. The list and justification for the dismissal of each environmental resource area is found in PEIR Volume 1, Section 6.0.5, *Sections Eliminated from Further Analysis*, beginning on page 6.0-3. Note that impacts on soils, although dismissed from the Draft PEIR, are further discussed in Master Response 4, Impacts on Agriculture.

The environmental resource areas dismissed were:

- Aesthetics
- Cultural Resources
- Geology and Soils
- Hydrology
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Traffic and Transportation
- Utilities and Service Systems

In addition to the above-listed environmental resource areas, economic impacts were not formally evaluated in the PEIR. Section 15131 of the CEQA Guidelines states that "economic or social effects shall not be treated as significant effects on the environment." As explained in Master Response 4, there is no substantial evidence of any economic impacts leading to significant physical impacts on the environment, such as the conversion of agricultural land to non-agricultural uses as a result of the implementation of pest control activities.

Master Response 14: Ecological-Agricultural Approach

Issues:

Some commenters requested that CDFA consider a sustainable, ecological-agricultural pest prevention alternative. According to one comment letter, alternative names for this approach are an "ecological pest management," a "biological farming," or "conservation agriculture" approach. Studies were cited that demonstrate the relationship between plant nutritional state and resistance to pests. These studies provide evidence of the effectiveness of organic culture methods, particularly for soil amendment, in preventing pest infestation and increasing plants' resistance so that pest levels can be kept below a threshold of economic damage. According to the research cited, supporting plants' optimum nutritional state (and thus pest resistance) requires both avoiding pesticide use and employing nutrient MPs that enhance soil biological processes.

Response:

CDFA supports an ecological pest management approach, but must carry out its mandates using existing, proven approaches to achieve pest prevention and management for the protection of California agriculture. Those aspects of the ecological pest management approach that have been shown to be feasible and efficacious have already been incorporated as part of the Proposed Program's IPM approach. However, at this time, CDFA does not consider the specifics of an ecological pest management approach to be sufficiently developed and shown to be feasible to allow for wholesale implementation on a statewide basis. CDFA encourages the commenters and others to conduct or participate in the necessary research that will inform and enable CDFA to continue to add ecological pest management approaches into our toolbox of approaches. Similarly, CDFA encourages individual growers to engage in on-farm practices that integrate ecological pest management approaches where the grower finds that it will decrease their need to engage in other types of pest management activities.

The Legislature has given the UC the responsibility to conduct and oversee research on an ecological pest management approach, as described below. Due to the flexibility of the Proposed Program via implementation of the Tiering Strategy, incorporation of eco-agricultural approaches to the Proposed Program is easily achievable once the approaches have been shown to be sufficiently operationally specific, feasible, and efficacious.

In terms of the request that the ecological pest management approach be considered as an alternative in the PEIR, an EIR need not consider an alternative whose effect cannot be ascertained and whose implementation is remote and speculative (CEQA Guidelines Section 15.126.6[f][3]). At this time, CDFA concludes that the ecological pest management approach is not sufficiently defined to allow for it to be evaluated as a stand-alone alternative in the PEIR. In addition, as described above, the Proposed Program includes an IPM approach that uses those ecological pest management approaches found to be efficacious and feasible, and also does not preclude growers from implementing aspects of the ecological pest management approach. Indeed, the responsibility for implementing an ecological pest management approach lies primarily with the growers themselves, because these approaches involve on-farm practices that are individual decisions on the part of growers.

The remainder of this master response addresses applicable statutory citations, research symposia, and funding that CDFA is providing toward research on this approach.

Applicable Statutory Citations

Sustainable Agriculture (CFAC Sections 500 and 501)

500. Pursuant to subdivision (d) of Section 821, it is the intent of the Legislature that programs at the University of California designed to promote research on, and facilitate adoption of, sustainable agricultural practices, including, but not limited to, research, teaching, and outreach in the areas of sustainable farming systems, biologically integrated farming systems, organic agriculture, small farms, agroecology systems, biointensive integrated pest management, and biological pest control shall be adequately funded through the annual budget process to ensure the programs' ongoing ability to respond to the needs of all sectors of California's agricultural industry. It is the further intent of the Legislature that the sustainable agricultural practices, methods, and materials identified and developed by these programs be incorporated into appropriate programs of the state and the university to maximize the access of California farmers and ranchers to the information needed to adopt and implement these measures.

501. Pursuant to Section 500 and subdivision (d) of Section 821, the Legislature requests that the Regents of the University of California do both of the following:

a) Provide adequate and ongoing funding to programs at the University of California designed to promote research on, and facilitate adoption of, sustainable agricultural practices, including, but not limited to, research, teaching, and outreach in the areas of sustainable farming systems, biologically integrated farming systems, organic agriculture, small farms, agroecology systems, biointensive integrated pest management, and biological pest control to ensure the programs' ongoing ability to respond to the needs of all sectors of California's agricultural industry.

b) Fully incorporate the sustainable agricultural practices, methods, and materials identified and developed by the programs enumerated in this article into all appropriate programs of the university to ensure that California farmers and ranchers have maximum access to the information needed to adopt and implement these measures.

Also pertinent is CFAC Section 821, which is the State Agricultural Policy promoting and protecting the agricultural industry. See subsection (d): To maximize the ability of farmers, ranchers, and processors to learn about and adopt practices that will best enable them to achieve the policies stated in this section.

Sustainable Agriculture Research and Education Act of 1986 [CFAC Sections 550 through 552]

551. The Legislature finds and declares all of the following:

a) There is a growing movement in California and the nation to change farming techniques by adopting more resource-conserving, energy-efficient systems of agriculture. The objective of these changes is to produce agricultural products that may reduce the use of petrochemicals, improve means of biological pest management, improve soil productivity, improve erosion control, and improve irrigation, cultivation, and harvesting techniques.

b) Over the long term, adoption of more efficient resource-conserving systems of agricultural production can benefit both the producing and consuming public.

c) The resolution of many agricultural problems depends on immediate efforts to provide farmers with practices that are both resource conserving and economical for food producers, and to foster food production and distribution methods that reduce dependence on petroleum-based inputs.

552. The purpose of this article is to promote more research and education on sustainable agricultural practices, such as organic methods, biological control, and integrated pest managements, including the analysis of economic factors influencing the long-term sustainability of California agriculture. This article is intended to foster economically and ecologically beneficial means of soil improvement, pest management, irrigation, cultivation, harvesting, transportation, and marketing for California agriculture based on methods designed to accomplish all of the following:

a) The control of pests and diseases of agricultural importance through alternatives that reduce or eliminate the use of pesticides and petrochemicals.

b) The production, processing, and distribution of food and fiber in ways that consider the interactions among soil, plants, water, air, animals, tillage, machinery, labor, energy, and transportation to enhance agricultural efficiency, public health, and resource conservation.

553. (a) It is the intent of the Legislature that the Regents of the University of California establish the Sustainable Agriculture Research and Education Program to support all of the following:

1) Competitive grants for research on topics described in Section 552.

2) The giving of instructions and practical demonstrations in agriculture and imparting information through demonstrations, publications, and otherwise, and for printing and distribution of information in connection with the Sustainable Agriculture Research and Education Program. Where feasible, these demonstrations shall include field research conducted on cooperating farms.

3) Planning for and management of University of California farmlands committed to supporting long-term continuous research in sustainable agricultural practices and farming systems.

(b) Those eligible to apply for competitive grants under subdivision (a) shall include individuals affiliated with public and private institutions of higher education and with nonprofit tax-exempt organizations.

(c) All grant applications shall be subject to peer review for scientific merit.

(d) In awarding grants, preference shall be given to projects that include field evaluation and offer the greatest potential for measurable progress toward attaining the long-term goals pursuant to Section 552.

University of California Pest Research Act of 1990 [CFAC Sections 576 through 585]

577. The Legislature finds and declares all of the following:

a) There is a need to develop and apply ecologically based pest management alternatives that are environmentally sound to prevent, control, and eradicate pests.

b) The continuation of pest control technology in agriculture which relies primarily on synthetic chemicals may be impractical, given the dwindling number of newly registered chemicals, increasing resistance of numerous pests to pesticides, public concern about pesticide residues, and potential threats posed to environmental quality and human health.

c) To be adequately prepared for existing and new infestations of agricultural pests, California needs to have a means of coordinating and evaluating long-term basic and applied pest research, including the impact of prevention, control, and eradication efforts upon public health and the environment.

d) The state should facilitate, promote, and support collaborative pest research programs and projects by its agencies, public and private universities, the federal government, and the agricultural industry that work toward developing environmentally sound, ecologically based pest management techniques.

e) In order to strengthen pest prevention, control, and eradication efforts, it is the intent of the Legislature that an administrative structure be created within the University of California which, in cooperation with California's public and private universities, the state, the agricultural industry, and persons experienced with environmentally sound, ecologically based pest management alternatives, advances pest research and formulates innovative solutions that better safeguard the environment and public health.

Toward these ends, the Legislature requests that the Regents of the University of California establish a pest research center which will review and prioritize pest-related research activities conducted through the university. It is the intent of the Legislature that University of California programs engaged in pest research shall, when applicable, follow the research priorities established by the center. The center is encouraged to develop research priorities in cooperation with other public and private universities and with state, federal, and county

agencies, including, but not limited to, the Department of Food and Agriculture, State Department of Health Services, Department of Forestry and Fire Protection, county agricultural commissioners, United States Department of Agriculture, National Science Foundation, National Institutes of Health, and the agricultural industry, and with environmental and public and occupational health groups.

578. Unless the context otherwise requires, the definitions in this section govern the construction of this article.

a) "Center" means the University of California Center for Pest Research.

b) "Pest" means any of the following pests that are, or are likely to become, dangerous or detrimental to the agricultural or nonagricultural environment of the state.

1. Any insect, nematode, or weed.

2. Any form of terrestrial, aquatic, or aerial plant, virus, fungus, bacteria, or other microorganism, except viruses, fungi, bacteria, or other microorganisms on, or in, a living human or any other living animal.

579. It is the intent of the Legislature that the responsibilities of the center include, but are not limited to, all of the following: . . .

a) Encouraging the use of biological controls, integrated pest management, sustainable agriculture, and other alternative pest management methods to combat pests, and, thereby, reducing exposure to toxic substances in air, water, and soil.

b) Supporting basic and applied pest research, including practical field trials and awarding competitive grants, when economically feasible, and other projects administered by the center.

c) Developing information systems that enable academics, farmers, and public policymakers to quickly analyze and apply pest research data.

580. (a) It is the intent of the Legislature that the center, through its director, develop a list of recommended pest management research priorities for the University of California that emphasize and encourage the development and implementation of biological controls, sustainable agriculture, integrated pest management strategies, agroecology, cultural and mechanical practices, and other alternative pest management methods and programs which are ecologically based and environmentally sound.

581. To the extent that it is economically and scientifically feasible, it is the intent of the Legislature that the center shall award pest research funds obtained by the center on or after January 1, 1991, based upon a competitive application process and peer review. The center is encouraged to give high priority to exotic pest research proposals.

In awarding pest research funds, the center shall give priority to proposals that support pest control methods which use ecologically based and environmentally sound alternatives to pesticides and other chemicals, and eliminate or reduce pesticide use or eliminate or minimize pesticide residues, protect the public health and environment, and satisfy a majority of the following criteria:

a) Are cost-effective.
b) Improve the agricultural industry and the state economy.
c) Do not significantly or extensively duplicate other research.

Research Symposia

CDPR – Soil Health Symposium

CDPR, in association with the CDFA, UC Davis, and USDA National Resources Conservation Service hosted a day-long symposium on soil health. It brought together about 100 scientists, practitioners, and industry representatives to discuss how to better understand the gaps in our knowledge and where best to focus our research priorities as we learn more about producing healthy soil without polluting the environment. The soil health symposium summary and research recommendations are available on the CDPR website.

CDFA – 21st Century Invasive Pest Management Symposia

CDFA hosted the 21st Century Invasive Pest Management Symposia, a series of symposia on invasive pest management. The symposia provide an open discussion about how we can better collaborate in preventing, preparing for, responding to, and recovering from invasive plant, insect, and disease detections. The goals of the symposia include (1) exploring 21st century invasive pest management challenges and possible improvements to CDFA policies and procedures; and (2) fostering communication and understanding among the diverse people involved in California's food and agricultural systems. More information can be found on CDFA's website at www.cdfa.ca.gov/plant/21stCenturySymposia.

Research Funding

Specialty Crop Block Grant Program

CDFA is now accepting proposals for 2015 Specialty Crop Grants. The CDFA conducts an annual competitive solicitation process to award Specialty Crop Block Grant Program funds to projects that solely enhance the competitiveness of California specialty crops. CDFA anticipates that up to $19 million will be awarded in 2015. Grant amounts range from $50,000 to $450,000. Non-profit and for-profit organizations; local, state, and federal government entities, including tribal governments; and public or private colleges and universities are eligible to apply.

CDFA - Inspection Services Division

The Feed, Fertilizer, and Livestock Drugs regulatory Services Branch (FFLDRS) works to ensure that all fertilizing materials sold in California are safe, effective, and meet the manufacturers' quality and quantity guarantees. FFLDRS also plays a crucial role in the

protection of the state's environment by regulating the manufacture and labeling of fertilizing materials used in agriculture.

The Commercial Fertilizing Materials Inspection Program is responsible for regulating the manufacture and distribution of fertilizing materials in California, as well as the registration of fertilizing material package labels. Effective since January of 2010, AB 856 implemented a new program to review Organic Input Material (OIM) used for organic food and crop production, in the Fertilizing Materials Inspection Program. The main goal of AB 856 was to ensure the integrity and composition of OIM that are used for organic food and crop production in California. OIM requires review by registration staff for compliance with the National Organic Program Standards.

The Fertilizer Research and Education program funds research to advance agronomic practices for fertilizing materials that maximize efficiency while protecting the environment. The Fertilizer Research and Education program also disseminates fertilizer educational materials and information, to ensure that California growers have access to the latest information and guidelines.

2.3 Public Review of the Draft PEIR and the Comment/Response Process

Master Response 15: Comments in Support or Opposition to the Proposed Program

Issues:

CDFA received numerous letters and comments that expressed support for, or opposition to, the Proposed Program, specific aspects of the Proposed Program, and/or the Draft PEIR. Some commenters stated that based on the quantity of comment letters opposing the Proposed Program that it would be irresponsible for CDFA to adopt the PEIR or approve the Proposed Program.

Response:

CDFA circulated the Draft PEIR and provided notice of the Proposed Program to solicit comments regarding the sufficiency of the related environmental analysis. Although the public comment process is not intended to be a "vote counting" exercise, comments expressing a preference are noted and will be considered by CDFA as it contemplates final action. As to comments expressing policy or program preferences, no further specific response is required under CEQA or the Administrative Procedure Act. That said, many comments expressing preferences also included specific information regarding the environmental analysis and/or the Proposed Program, and this information is considered and addressed in the responses to comments, with corresponding changes being made to the Final PEIR, where and as appropriate.

Master Response 16: Comments Inquiring Whether or How the Draft PEIR Evaluated Particular Issues

Issues:

CDFA received comments pertaining to whether or how the PEIR addressed a variety of topics. In some cases, commenters alleged that the PEIR did not address particular issues.

Response:

The PEIR addressed the following issues, and the locations in which these issues are addressed are indicated below.

Topic/Issue	Location in PEIR
Effects on farmers and children	Sections 6.5.1, 6.5.2, and the Human Health Risk Assessment (Appendix B); Master Responses #5 and #6
Effects on/protection of agricultural workers	Sections 6.5.1, 6.5.2; Master Responses #5 and #6
Pesticide spraying near public parks, schools	Sections 6.0.5 and 6.5.2
Protection of food	Master Response #5 (Human Health)
Safety of proposed chemicals	Section 6.5
Carcinogenic effects	Section 6.5.2 and the Human Health Risk Assessment (Appendix B)
Potential bioamplification of pesticides	Section 3.3.2 of Ecological Risk Assessment
Special effects of glyphosate	Response to Comments 14382-1 through 14382-3
Effects of nano-aluminum	Nano-aluminum is not a component of the Proposed Program
Effects on fish and animals	Section 6.3.3 and Ecological Risk Assessment (Appendix A)
Effects on migrating birds and fish	Section 6.3.3; Ecological Risk Assessment (Appendix A)
Effects on salmon habitat	Section 6.3.3
Effects on water quality	Section 6.7 and Master Response #9 (Water Quality)
Impacts on climate change	Section 6.04
Protection of soil and nutrients	Master Response #4 (Agriculture)
Effects on small farmers	Master Responses #1 (Scope of the Statewide Program), #3 (Organic Farming), #4 (Agriculture)
Monitoring of mitigation measures	Appendix P
Definition of pest	Section 9
Damage caused by pests/necessity of the Program	Appendix F
Violation of private property rights	Section 6.0.5

Topic/Issue	Location in PEIR
Long term impacts	See impact analyses for each resource topic
Inadequate/not enough locations of public meetings	Section 1.6.3
The Proposed Program is illegal	Sections 1.1, 1.2, 1.3, 1.4, 1.5
What is the monetary payout for damages incurred?	This issue is irrelevant to the PEIR, as no damages are anticipated from implementation of the Proposed Program.
Who organizes assistance to those who get health issues?	This issue is irrelevant to the PEIR, as no significant health issues are anticipated from the implementation of the Proposed Program.
Will you pay to ship organic, non GMO-food to me in Europe?	No. This is not an issue covered under CEQA.
Who paid for research/EIR funding?	The PEIR was funded by CDFA
Transparency needed to prove this is not Big Food trying to undermine organics	Master Response #1

Master Response 17: Accessibility of the Dashboard

Issue:

CDFA received comments expressing concerns about the accessibility of the Dashboard, a Microsoft Access database in which much of the supporting information for the PEIR's risk assessment is housed. Some commenters implied that use of the Dashboard required personal ownership of Microsoft Access. In addition, some commenters noted that the Dashboard was a software program that ran only on the Microsoft Windows platform, and not on the Apple operating system; as such, these commenters (who only had Macintosh computers) indicated that they were unable to view the Dashboard. Finally, some commenters were concerned about the size of the Dashboard and their ability to download it.

Response:

The Dashboard is packaged with a "runtime" version of Microsoft Access, which alleviates the need for a user to own (or purchase a license to) the full version of Microsoft Access. Microsoft does not offer a runtime version for the Macintosh operating system. However, the Dashboard would be accessible for someone who has Microsoft Access on their Macintosh, with no runtime version needed.

CDFA provided the public with a variety of achievable options for viewing the Dashboard, which are listed on the agency's website. Given the more limited software availability for a Macintosh, the options for viewing on that platform are a bit different than for a Windows computer.

Several options were available during the Draft PEIR's public review period, and continue to be available, for Macintosh owners to view the Dashboard:

1. CDFA has a computer with the Dashboard at its office in Sacramento. This computer is available for public use. For those wishing to use this computer, please call (916) 403-6881, or email laura.petro@cdfa.ca.gov to arrange a visit.

2. If the individual has access to a computer that runs Windows, s/he can use the Dashboard on that computer. Most libraries have computers that are available to the public.

3. Several software packages are available that allow one to run Windows software on a Macintosh. For example: http://www.codeweavers.com/products/crossover-mac/. One can download a free 14-day trial and then use it to view the Dashboard.

The options above provide Apple Macintosh users with several ways to view the Dashboard.

In addition, CDFA maintained a "Dashboard Hotline" during the public review period for those individuals seeking technical assistance with using the Dashboard. CDFA was able to assist several users through this hotline.

With respect to the size of the Dashboard, CDFA sent CD-ROMs of the Dashboard to any individual or entity requesting one; downloading the Dashboard was not a barrier to its use.

Given the various options above, the public was afforded sufficient opportunity to review the Dashboard, and was not unreasonably restricted from its use in a manner that precluded anyone from meaningfully evaluating the Draft PEIR and its supporting documentation.

Master Response 18: Comment Period Duration and Notice

Issues:

Some commenters expressed concern that the initial duration of the public review period (45 days) was insufficient given the length of the PEIR (along with appendices); that public meetings were not held near to them; and that the public review period coincided with external events that made review difficult. In addition, some commenters expressed concern that sufficient public notice was not provided.

Response:

CDFA exceeded CEQA requirements for public review related to the comment period duration, public meetings, and the public notice process, thereby supporting the goal of public involvement that is at the heart of CEQA. Further details are provided below.

Comment Period

The CEQA Guidelines establish required review times for EIRs under various circumstances (see sections 15087, 15105, and 15203). In general, a Lead Agency needs to provide adequate time for other public agencies and members of the public to review and comment on the draft EIR that it has prepared. The minimum public review period for a draft EIR is 30 days except for state agencies submitting a draft PEIR to the State Clearinghouse (as is the case with this PEIR), then the public review period shall be at least 45 days.

The Draft PEIR was initially circulated for a 45-day review period. Early in the public review period, CDFA received comments requesting that the review period be extended. In response to these comments, CDFA extended the public review period from 45 days to 69 days. As a result, the public review period for this PEIR began on August 25, 2004, and closed at 5 p.m. on October 31, 2014. This public review period exceeded the duration recommended for typical situations under CEQA, and is responsive to public concerns given the scope and complexity of the Proposed Program.

The PEIR is not a particularly long document by CEQA standards. The main body of the Draft PEIR was 488 pages, which is succinct, considering the scope and complexity of the Proposed Program.

The comment period closed on October 31, shortly before the November 4 general election. Several commenters expressed consternation that this inhibited their ability to prepare to vote and also review the Draft PEIR. However, ample time was available far in advance of the election to review the Draft PEIR, given that the review period began on August 25, more than 2 months before the election.

Public Comment Opportunities

CDFA conducted five public meetings on the Draft PEIR in locations throughout the state. The public meeting dates, times, and locations were as follows:

- **San Diego:** September 22, 2014, 5:30–7:30 p.m., San Diego County Farm Bureau (1670 E. Valley Parkway, Escondido, CA 92027)
- **Los Angeles:** September 23, 2014, 5:30–7:30 p.m., Huntington Library (1151 Oxford Road, San Marino, CA 91108)
- **Tulare:** September 24, 2014, 5:30–7:30 p.m., Tulare County Agricultural Commissioner's Office (4437 S. Laspina, Tulare, CA 93274)
- **Sacramento:** September 29, 2014, 5:30–7:30 p.m., California Department of Food and Agriculture (1220 N Street, Auditorium, Sacramento, CA 95814)
- **Napa:** September 30, 2014, 5:30–7:30 p.m., Napa County Agricultural Commissioner's Office (1710 Soscol Avenue, Napa, CA 94559)

The September 29 meeting in Sacramento was simultaneously broadcast live as a "webinar" session via the Internet, for those who could not participate in person and were interested in participating remotely.

In addition to the public meetings, CDFA created a webpage for the Statewide Plant Pest Prevention and Management Program (http://www.cdfa.ca.gov/plant/peir/). The website provided the Draft EIR in its entirety, as well as offering a synopsis of the Program, the project status, and information on how to participate/submit comments in person, through regular mail, and using email.

Note that CEQA does not require a public meeting on Draft EIRs (CEQA Guidelines Section 15087[i]); and in cases where a meeting is held, it is not a formal evidentiary meeting, and the lead agency is not required to respond to questions or comments raised at the meeting. As such, CDFA's choice to conduct five public meetings throughout the state greatly exceeded CEQA requirements, and demonstrates CDFA's commitment to involving the public in the PEIR process.

Public Noticing

Per CEQA Guidelines Section 15087, lead agencies must provide public notice of the availability of a draft EIR at the same time they sends a notice of completion to the Office of Planning and Research. In addition, Section 15087 stipulates that notice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing, and shall also be given by at least one of the following procedures:

1. Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.

2. Posting of notice by the public agency on and off the site in the area where the project is to be located.

3. Direct mailing to the owners and occupants of property contiguous to the parcel or parcels on which the project is located. Owners of such property shall be identified as shown on the latest equalized assessment roll.

As stated in the Section 1.6.3, *Draft EIR Public Review and Comment Period*, and supported with documentation in Attachment A, CDFA exceeded these requirements through issuance of a Notice of Availability (NOA), publication of this NOA in multiple newspapers and on its website, and additional methods as detailed below. The NOA's purpose was to provide agencies and the public with formal notification that the Draft PEIR was available for review. The NOA was placed on August 25, 2014, in five general-circulation newspapers (The Fresno Bee, The Los Angeles Times, the Sacramento Bee, the San Francisco Chronicle, and the San Diego Union-Tribune) throughout the state. In addition, the NOA was available on the CDFA website, and sent directly to all California County Clerks, all responsible and trustee agencies, all CACs, and all other individuals indicated in Attachment A, Draft PEIR

Notices and Mailing List. CDFA also submitted the NOA and a Notice of Completion to the State Clearinghouse. Similar notice was provided regarding the extension of the public review period.

Electronic copies of the PEIR were made available at numerous libraries, as indicated in Attachment A. A copy of the Draft PEIR on CD-ROM was also provided to any person or organization requesting one. CDFA also sent an email to its PEIR List Serve email list regarding the availability of the Draft PEIR, as well as making targeted outreach calls and press releases. In addition, numerous other interest groups and news organizations ran notices on their web pages, ran news articles, and sent notification to their members regarding the availability of the Draft EIR.

Chapter 3
INDIVIDUAL RESPONSES TO COMMENTS

This chapter contains copies of specific or substantive comment letters received on the Draft Program Environmental Impact Report (PEIR) for which the California Department of Food and Agriculture (CDFA) determined an individual response was appropriate, and the individual responses to those comments. Each letter or e-mail has been assigned a number, and specific comments within each letter/e-mail have been numbered consecutively (e.g., for Letter 150, comments would be numbered 150-1, 150-2, 150-3, etc.) in the left margin, adjacent to each individual comment. Each comment letter and e-mail is followed by CDFA's response(s) to that letter or e-mail. The responses are numbered to correspond with the comments marked on the letter or e-mail. Where the response indicates that a change has been made to the Draft PEIR, those revisions have been included in the response as they would appear in the document. Revisions are shown in underline (for insertions) and ~~strikethrough~~ (for deletions). Chapter 6, *Revisions to the Draft PEIR,* also presents the revised text.

3.1 List of Individual Response Comment Letters

Table 3-1 presents the list of individual response comment letters received on the Draft PEIR, sorted by the last name of the individual who submitted the letter.

Table 3-1. List of Individual Response Comment Letters

Letter Number	Commenter Name	Commenter Agency/Organization	Letter Date
236	Debbie Friedman	N/A	October 23, 2014
305	James Hosley	N/A	October 23, 2014
2784	Bobbie and Andrew Wright	N/A	October 24, 2014
12076	Kathryn Phillips	Sierra Club	October 27, 2014
12326	Todd Benton	N/A	October 28, 2014
12993	Richard Mazess	N/A	October 28, 2014
13544	Mary McAllister	N/A	October 28, 2014
13868	Isabelle Kay	N/A	October 29, 2014
13869	Brenda Smyth	California Department of Resources Recycling and Recovery	October 28, 2014
14382	Bob McFarland	California State Grange	October 29, 2014
14438	Nicholas Egan	N/A	October 30, 2014
14440	Kerry McGrath	Marin Organic	October 30, 2014
14446	Don Smith and Lyndon Comstock	Bolinas Community Public Utility District	October 30, 2014
14449	Betsy Peterson	California Seed Association and California Association of Nurseries	October 30, 2014

Letter Number	Commenter Name	Commenter Agency/Organization	Letter Date
		and Garden Centers	
14455	Ramona Robinson	California State Parks Natural Resources and Boating and Waterways Division	October 30, 2014
14530	Pamela Reed Gibson	N/A	October 30, 2014
14807	Kurt Floren	California Agricultural Commissioners and Sealers Association	October 29, 2014
14808	Gerhardt Hubner	California Stormwater Quality Association	October 31, 2014
14809	Nina Beety	N/A	October 31, 2014
14811	Eleanor Lyman	N/A	October 31, 2014
14821	Terri Pencovic	California Department of Transportation	October 31, 2014
16552	Edward S. Ross	N/A	October 31, 2014
16555	Stephan C. Volker	North Coast Rivers Alliance	October 31, 2014
16556	Nan Wishner et al., James Frazier, Warran Porter	California Environmental Health Initiative et al., Earthjustice	October 31, 2014
16574	Sandra Ross	Health & Habitat	October 31, 2014
16575	M.D. Oster	N/A	October 31, 2014
16584	Andrea Fox	California Farm Bureau Federation	October 31, 2014
16585	Glo Anderson	N/A	October 30, 2014
16606	Stacy Carlsen	County of Marin, Department of Agriculture, Weights and Measures	October 30, 2014
16630	Kelly Damewood	CCOF	October 31, 2014
16633	Christopher Valadez	California Fresh Fruit Association	October 31, 2014
16634	Patricia Clary	Californians for Alternatives to Toxics	October 31, 2014
16745	Constance J. Barker	Environmental Health Network of California	October 31, 2014
16771	Janet B. O'Hara	San Francisco Bay Regional Water Quality Control Board	October 31, 2014
16783	Helen Birss	California Department of Fish and Wildlife	October 30, 2014
16784	Cheriel Jensen	N/A	October 31, 2014
16785	Rachel Kubiak	Western Plant Health Association	October 31, 2014
200006	Christopher Browder	California Department of Forestry and Fire Protection	October 9, 2014
200011	Carol Roberts	U.S. Fish and Wildlife Service, Carlsbad Office	October 8, 2014

3.2 Comment Letters and Responses to Comments

This section presents copies of the individual response comment letters or e-mails received on the Draft PEIR, and responses to each comment contained in the letters. Letters are presented first, followed by responses.

Comment Letter 236

From: Debbie Friedman
To: Petro, Laura@CDFA; Dias, Michele@CDFA
Cc: CDFA Pest Prevention EIR@CDFA
Subject: Fwd: Failure Notice
Date: Thursday, October 23, 2014 8:42:10 AM

Dear Laura & Michele,

236-1 Please see below. We've been advised that people trying to submit comments to the Pest PEIR email address are receiving failure notices. Public comments from yesterday may have been lost; and we are not certain whether it is working today. This is a very short comment period in light of the voluminous document and database. We'd appreciate your immediate attention to this matter and an extension of the comment period for each day that CDFA's email is not available to receive comments.

Please let us know as soon as possible whether the problem has been resolved and for how long the PEIR email address was unable to receive public comment.

Regards,
Debbie Friedman

Debbie Friedman
Co-Chair, MOMS Advocating Sustainability
415-608-8317
debbie@momsadvocatingsustainability.org

www.momsadvocatingsustainability.org
Facebook I momsadvocatingsustainability
Twitter I momas4change

Begin forwarded message:

From: laura breisky <lbreisky@yahoo.com>
Date: October 22, 2014 1:08:19 PM PDT
To: Debbie Friedman <debbie@momsadvocatingsustainability.org>
Subject: Fw: Failure Notice
Reply-To: laura breisky <lbreisky@yahoo.com>

I thought I would try again, to see if the problem has been fixed, but it bounced back again.

----- Forwarded Message -----
From: "MAILER-DAEMON@yahoo.com" <MAILER-DAEMON@yahoo.com>
To: lbreisky@yahoo.com
Sent: Wednesday, October 22, 2014 1:07 PM
Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

<PEIR.info@cdfa.ca.gov>:
No MX or A records for cdfa.ca.gov

--- Below this line is a copy of the message.

Received: from [98.139.215.140] by
nm50.bullet.mail.bf1.yahoo.com with NNFMP; 22 Oct 2014
20:07:26 -0000
Received: from [98.139.212.201] by
tm11.bullet.mail.bf1.yahoo.com with NNFMP; 22 Oct 2014
20:07:26 -0000
Received: from [127.0.0.1] by omp1010.mail.bf1.yahoo.com with
NNFMP; 22 Oct 2014 20:07:26 -0000
X-Yahoo-Newman-Property: ymail-3
X-Yahoo-Newman-Id:
196997.99414.bm@omp1010.mail.bf1.yahoo.com
X-YMail-OSG:
lxZSzt8VM1nyD1m1IoCJD_wFhDtuea5EvOLlgGm0SzSt5HgmipVk
9YJMCIXVyhZ
gTKL54D2auly_BB6fTd9BYA5_gpYFL7cQol_k4YVR4Xcnm4b5LN
aPh6XJtmdUf3YAofLn.bxwWe.
BA.6FM51LTC1FmBXhx6vkqfwzfkM2nJf_faRK2ZX8rdVB0d7hVZ
W6cJyuS6GliHCb7V_FlYbeIx9
MCbxwMktooFp.a85xxbsBnZj0etU.BsusDZD95ZalOng8yfOwcprrE
DIWF1Enk1fVPg.ultxtlEQ
p2hqnx9hdhRSTM92jmj6p_p3GyW_CRyn4gueoiR1rSRTj8bYvLP
MkQorhBRO55KobkKHyWPdV_jJ
Rbc3uPEvDe7IQqMB9cf9Syq5wqXZ6R0y8FrodsW9LwqTgwMW8
uL.UgznvM6E5JrFXuswumFfOhYw
ohI._VYg2Pdeu5ayI_xcAquVMnJMdGQzmNGsnyaX0SLl00hSmuZ
ELHk3TDb6BFm7QKz6N
Received: by 66.196.81.113; Wed, 22 Oct 2014 20:07:22 +0000
Date: Wed, 22 Oct 2014 20:07:15 +0000 (UTC)
From: laura breisky <lbreisky@yahoo.com>
Reply-To: laura breisky <lbreisky@yahoo.com>
To: "PEIR.info@cdfa.ca.gov" <PEIR.info@cdfa.ca.gov>
Message-ID:
<1345323979.675568.1414008437923.JavaMail.yahoo@jws10614
1.mail.bf1.yahoo.com>
In-Reply-To: <BACD890D-467E-477C-8CD5-
C964630686EF@yahoo.com>
References: <BACD890D-467E-477C-8CD5-
C964630686EF@yahoo.com>
Subject: Fw: Please
MIME-Version: 1.0
Content-Type: multipart/alternative;
boundary="----=_Part_675567_441395106.1414008437920"

Content-Length: 2648

------=_Part_675567_441395106.1414008437920
Content-Type: text/plain; charset=UTF-8
Content-Transfer-Encoding: quoted-printable

=20
----- Forwarded Message -----
From: Lbreisky <lbreisky@yahoo.com>
To: "PEIR.info@cdfa.ca.gov" <PEIR.info@cdfa.ca.gov>=20
Sent: Wednesday, October 22, 2014 11:48 AM
Subject: Please=20
=20
Please allow communities and citizens within the state of California
to ret=
ain a voice about whether, when, and how much they are to be
sprayed and wi=
th what chemicals.=C2=A0 This is a critical public health issue and
the pub=
lic should not be excluded from the evolving discussion of what is
safe and=
fair.
Thank you,
Laura Breisky
20 Birch Avenue
Corte Madera, CA 94925

=20

------=_Part_675567_441395106.1414008437920
Content-Type: text/html; charset=UTF-8
Content-Transfer-Encoding: quoted-printable

<html><body><div style=3D"color:#000; background-color:#fff;
font-family:He=
lveticaNeue, Helvetica Neue, Helvetica, Arial, Lucida Grande,
sans-serif;fo=
nt-size:16px"><div
id=3D"yui_3_16_0_1_1414007117788_12538">
</d=
iv>
 <blockquote
id=3D"yui_3_16_0_1_1414007117788_12542" style=3D"border=
-left: 2px solid rgb(16, 16, 255); margin-left: 5px; margin-top: 5px;
paddi=
ng-left: 5px;"> <div id=3D"yui_3_16_0_1_1414007117788_12541"
style=3D"font=
-family: HelveticaNeue, Helvetica Neue, Helvetica, Arial, Lucida

Grande, sa=
ns-serif; font-size: 16px;"> <div
id=3D"yui_3_16_0_1_1414007117788_12540" s=
tyle=3D"font-family: HelveticaNeue, Helvetica Neue, Helvetica,
Arial, Lucid=
a Grande, sans-serif; font-size: 16px;"> <div dir=3D"ltr"> -----
Forwarded =
Message -----
  <span
style=3D"font-=
weight:bold;">From: Lbreisky
<lbreisky@yahoo.com>
 <=
span style=3D"font-weight: bold;">To:
"PEIR.info@cdfa.ca.gov" &l=
t;PEIR.info@cdfa.ca.gov>
 <span style=3D"font-weight:
bold;">Sent=
: Wednesday, October 22, 2014 11:48 AM
<span style=3D"fon=
t-weight: bold;">Subject: Please

<div id=3D"=
yui_3_16_0_1_1414007117788_12539"
class=3D"y_msg_container">
Please allo=
w communities and citizens within the state of California to retain a
voice=
about whether, when, and how much they are to be sprayed and
with what che=
micals. This is a critical public health issue and the public
should =
not be excluded from the evolving discussion of what is safe and
fair.
T=
hank you,
Laura Breisky
20 Birch Avenue
Corte
Madera, CA 94925
=

   </blockquote> </body></html>
------=_Part_675567_441395106.1414008437920--

Letter 236: Debbie Friedman (October 23, 2014)

Response to Comment 236-1

Thank you for bringing this issue to our attention. As stated in our original reply of October 23, 2014, CDFA's technical staff investigated the issue and did not find any problems with the PEIR e-mail system. There is no information to support that any e-mails were lost, though it is a possibility. Anyone who submitted an e-mail that failed to go through would have received a failure notice (unless it got filtered to their spam folder), and would have had the opportunity to attempt to e-mail their comments again or send them via regular mail. In our reply to you of October 23, we provided you with information on how to submit comments by mail. This information was also available in the Notice of Availability (NOA) and on CDFA's website. Therefore, anyone whose e-mail failed to go through to the PEIR e-mail account was also able to submit their comments by mail. Because the problem was resolved within hours of receipt of this e-mail, and because an alternate method of submitting comments was available for the entire public review period, the comment period was not extended.

Comment Letter 305

From: James Hosley
To: CDFA Pest Prevention EIR@CDFA
Subject: PEIR public review
Date: Thursday, October 23, 2014 2:49:10 PM

Hello, my name is James and I am an assistant in the Education and Engagement Program at the Ecology Center in Berkeley, CA.

I have been reviewing of the Statewide Plant Pest Prevention and Management Program Environmental Impact Report (EIR). I wonder if I might receive the notes or written records of all of the public comments at the Draft PROGRAM EIR meetings, that CDFA held between Aug. 24, 2014 and now ? I know that the public comment period was extended until Oct. 31, 2014, but if the notes up until now are available, I would appreciate receiving them as they exist. I am mainly interested in who publicly testified or addressed CDFA on this issue.

305-1

Your assistance will be appreciated.

James,
Education and Engagement Program assistant (Wed. & Thurs. Noon - 5PM, only)
Ecology Center http://ecologycenter.org/

Letter 305: James Hosley (October 23, 2014)

Response to Comment 305-1

CDFA did not take formal oral public comments at the Draft PEIR public meetings. Members of the public were given the opportunity to comment on the Draft PEIR or ask questions during the meetings, but these comments were not recorded and are not responded to in the final document. Anyone who provided oral comments, and all meeting attendees, were instructed to provide written comments if they would like their comments to be responded to and/or included in the administrative record. Forms on which individuals could write comments, and flyers with information on how to submit comments by e-mail or regular mail, were passed out to all meeting attendees (see Attachment B).

In general, few oral comments were received at the meetings. As described in Chapter 1, *Introduction*, the meetings were lightly attended (five or fewer people attended each meeting), and few attendees chose to provide oral comments.

Comment Letter 2784

From: Andrew Wright
To: CDFA Pest Prevention EIR@CDFA
Subject: PEIR
Date: Friday, October 24, 2014 2:39:20 PM

To Whom It May Concern:

These are our concerns about this "project":

2784-1 P. ES-4: the paragraph beginning with "Public notification....". Note that the phrase "may include" is used rather than "will include" when discussing if the CDFA will do public notifications of plans to spray pesticides. Note also that the practice/use of IPM is addressed - with no clarification that IPM can and does include pesticide spraying when a "quick response" is needed on the part of the CDFA.

2784-2 P. ES-7: the segment entitled "Scoping Comments & Meetings": in the process of creating this Draft Plan, the CDFA was required to hold public meetings throughout the state. The exclusion of Monterey Bay counties - is a significant oversight in the CDFA's scoping of comments and meeting places. Most importantly:

2784-3 P. ES-8: "Areas of Known Controversy": The Draft Plan is required to list areas of known controversy. This area is a summation of the issues that 'may be' controversial to the general public. The public should be "commenting on" these known controversies - IF ONLY THE PUBLIC KNEW of the Draft Plan. Pay special attention to the "known controversy" of the impact on bees - remembering that the UCANR website speaks to the potential catastrophic impact on world-wide food production if we don't get a handle on the demise of bees.

Bobbie and Andrew Wright
P.O. Box 1249
Carmel CA93921
(831)625-6284

Letter 2784: Bobbie and Andrew Wright (October 24, 2014)

Response to Comment 2784-1

As discussed further in Master Response 1, Scope of the Statewide Program, the Proposed Program would always involve public notification prior to any chemical management activities (such as use of pesticides). Specifically, Mitigation Measures HAZ-CHEM-1a and HAZ-CHEM-1b in PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials*, require that CDFA continue to work with California Department of Pesticide Regulation (CDPR) and county agricultural commissioners (CACs) to conduct public information sessions in local communities where such activities would take place, and stipulate that CDFA's compliance agreements with regulated entities (e.g. growers) would include notification requirements.

The Proposed Program's use of Integrated Pest Management (IPM) is fully discussed in PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, and depicted graphically on PEIR Volume 1, Figure 2-3. Further information on the IPM process and specific management techniques can be found in Master Response 2, *Integrated Pest Management Approach*.

Response to Comment 2784-2

The California Environmental Quality Act (CEQA) does not require that scoping meetings be held "throughout the state." However, CDFA did voluntarily elect to conduct a number of meetings in various locations in the state to engage the public in the scoping process. It was not feasible to conduct meetings in all possible locations; as detailed in the PEIR Appendix D, *Scoping Report*, CDFA held scoping meetings in Chico, Sacramento, Irvine, San Francisco, and Fresno. A scoping meeting was not held in Monterey County, but the Sacramento scoping meeting was broadcast live as a webinar to provide an opportunity for remote public participation. Furthermore, CDFA accepted written public comments during the Proposed Program's scoping comment period from June 23 through July 25, 2011.

Response to Comment 2784-3

As indicated by the commenter, PEIR Volume 1, *Executive Summary*, contained a section entitled "Areas of Known Controversy." This section of the Draft PEIR was one possible portion of the document upon which the public could comment during the public review period.

CDFA engaged in a robust public outreach process to notify the public regarding the availability of the Draft PEIR for public review. As further described in PEIR Volume 1, Section 1.6.3, *Draft EIR Public Review and Comment Period*, and also in Master Response 18, Comment Period Duration and Notice, CDFA issued an NOA to provide agencies and the public with formal notification that the Draft PEIR was available for review. The NOA was placed in five general-circulation newspapers in the cities where public meetings were held during the public review period: the Fresno Bee, the Los Angeles Times, the Sacramento Bee, the San Francisco Chronicle, and the San Diego Union-Tribune. The NOA was also available on the CDFA website, sent directly to all California County Clerks, responsible and trustee agencies, CACs, and the other individuals and organizations listed in Attachment A, *Draft PEIR Notices and Mailing List*. This attachment also lists the numerous libraries

throughout the state in which electronic copies of the Draft PEIR were made available. An electronic version of the Draft PEIR was available for download from CDFA's website, and a CD-ROM of the document was provided to any person or organization requesting a copy. The public review period lasted 68 days, which is longer than the required period of 45 days. CDFA's extensive efforts to notify the public regarding the Draft PEIR exceeded CEQA's requirements.

CDFA agrees that the health of bees is critical to agriculture, both in the state and globally. Master Response 8, Pollinators, and Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*, describes the Proposed Program's potential effects on pollinators, and the numerous measures that CDFA is implementing or plans to implement to benefit pollinator species.

Comment Letter 12076

From:	Kathryn Phillips
To:	CDFA Pest Prevention EIR@CDFA
Cc:	victoria brandon
Subject:	Sierra Club Comments on PEIR for Plant Pest Management Program
Date:	Monday, October 27, 2014 2:12:06 PM
Attachments:	SierraClub Comments on CDFA Plant Pest PEIR.pdf

Dear Ms. Petro,
Please find attached Sierra Club California's comment letter on the PEIR for the Plant Pest Management Program.
Best,

Kathryn Phillips
Director
Sierra Club California
909 12th Street, Suite 202
Sacramento, CA 95814
Ph: 916-557-1100 x 102
Mobile: 916-893-8494
kathryn.phillips@sierraclub.org
http://www.sierraclubcalifornia.org

Like us on Facebook.

Follow @SierraClubCA and @KPatSierraClub and @ProtectCA on Twitter.

Sierra Club California's advocates give voice to the environment in the State Capitol. Our work relies heavily on individual donors. You can contribute by clicking here.



Comment Letter 12076-Cont.

October 27, 2014

Laura Petro
Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814

Submitted via email: PEIR.info@cdfa.ca.gov

Re: PEIR on Statewide Plant Pest Management Program

Dear Ms. Petro:

Sierra Club California welcomes this opportunity to submit formal comments on the Programmatic Environmental Impact Report (PEIR) on CDFA's Statewide Plant Pest and Management Program.

Invasive species cause significant damage to California's agriculture and environment. We acknowledge that a detailed, comprehensive PEIR based on rigorous scientific principles can provide a basic environmental framework that evaluates similar features of invasive species response programs, while leaving unique aspects to be examined later on a site- and project-specific basis. Properly employed, this approach can have significant benefits by allowing rapid response to new invasive species while maintaining the meticulous standard of environmental review mandated by the California Environmental Quality Act (CEQA).

As stated in our scoping comments of July 25, 2011, we also believe that the efforts to defend against invasive species must cause the "least possible hazard to people, property, and the environment" (www.epa.gov/opp00001/factsheets/ipm.htm), and that both the practical value of the PEIR and its legal justification under CEQA depend on its being conducted in great detail and at a very high level of rigor. With the exception of several specific points detailed below, the assessments of existing programs and control methods seems to meet that standard. Not only is a great deal of detailed information provided, it is organized in a systematic way that simplifies the task of comparative evaluation, and should allow the most effective and environmentally sound implementation decisions to be made.

The value of the PEIR in facilitating decisions regarding new invasions and new control methods is less apparent. In fact, we have grave doubts about the adequacy of the tiering process laid out in Appendix B. Again, our specific comments, pointing out the deficiencies we see, are detailed below.

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Specific Comments on the Main Body Text.

12076-1 *Aerial spraying.* We applaud the categorical exclusion of residential areas from aerial spraying (ES-2n), but think the exclusion should extend to all urban areas including commercial centers and city parks. Since it is virtually impossible to restrict the application of toxic chemicals to their targets when aerial application techniques are employed, aerial spraying is inherently unsuitable for use in areas where large numbers of human beings can reasonably be expected to be present. The identification of "use of aerial spraying in residential areas" among the known areas of controversy (ES-8) is similarly too restrictive. The addition of the word "urban" to "residential" according to the usage provided in the Aerial Spray Management Practice (2-28) would represent a dramatic improvement.

12076-2 *Organic Agriculture.* The analysis concludes that neither mandated use of non-organic pesticides on organic farms nor pesticide drift onto organic farms would cause significant harm because organic certification would not be lost in these circumstances, nor would it be likely to lead to the conversion of farmland to nonagricultural use. (ES-9) This definition of "harm" is unreasonably narrow. It is acknowledged that loss of the price premium that ordinarily benefits organic agriculture would be detrimental to the farmer, and might lead to the conversion of organic to conventional agriculture. Even if the land is not lost to agriculture altogether, such conversion would have distinct environmental disadvantages ranging from increased toxic loading to decreased carbon sequestration that may rise to the level of significance, especially cumulatively. This potential impact requires analysis. Similar comments apply to Impact AG-CHEM-1: Potential for chemical use in response to interior quarantine requirements to disrupt organic farming and convert farmland to non-agricultural use. (6.1-28). Although it is acknowledged that non-organic pesticide applications under a CDFA quarantine can make it impossible to sell the crop as organic with consequent loss of income to producer, this is completely discounted and the only "impacts" regarded as significant are loss of certification and conversion of farmland. Very similar reasoning is used in Impact AG-CHEM-2: Potential for pesticide drift to disrupt organic farming (6.1-29). In both cases the conclusion is reached that "no impact" will occur to organic agriculture, and in both cases we believe this conclusion is reached only because the PEIR adopts an unreasonably rigid standard of significance that fails to take the full range of impacts into account.

12076-3 *Section 2.6.5 Management Response.* Although the prioritization of objectives is reasonable–prevention first, then early detection with the goal of eradication–it must be recognized that eradication is not always possible. Section 2.7.3, Suppression, lists a number of additional IPM strategies under these circumstances, but it is unclear whether these strategies would be employed to control a chronic infestation of pests in the long term, or if they are to be used only in the context of an eradication program. It's also unclear how the line would be drawn between one and the other. What happens when there is no longer any reasonable expectation of the eradication of a particular invasive pest? The Final EIR should answer these questions.

12076-4 *Microbial Insecticides.* (2-23). Reference is made to the "following three microbial insecticides" allowed under the Proposed Program, but only two (spinosad and *Bacillus thuriengiensis*) are named: are there two or are there three?

12076-5 *Spray Management Practices.* (2-28) The MPs listed for aerial spraying very appropriately state "Do not make direct application to water bodies," but the rules for ground spraying shift to weaker language "avoid direct application to water bodies." The unequivocal phrasing ("do not") should apply to ground as well as aerial spraying, especially since compliance is easier to achieve.

12076-6 *Section 3.4.36, Polyphagous Shot Hole Borer.* This very brief section states "In 2013, no activities were conducted to manage the polyphagous shot hole borer." Although this statement is true, considering the dramatic expansion of this extremely threatening pest and the accompanying expansion of control efforts, this section needs to be updated to reflect the latest practices, or the PEIR will be outdated before it is approved.

12076-7 *Section 4.2.2, Gypsy Moth.* A 1992 EIR on gypsy moth eradication efforts is summarized, but a number of techniques are omitted from further analysis "because these activities are no longer conducted." We are concerned about what will happen if a large-scale infestation in the future requires the renewed use of control activities other than egg-mass removal and foliar applications of Bt. It would be unfortunate if the necessity for additional CEQA review at that time delays effective action. We urge the Final EIR to include a complete review of all techniques that the Department might ever use.

12076-8 *Historical Uses of Pesticides* (5-2). The context indicates that the reference to the "beginning of the nineteenth century" in the first line should be "twentieth century."

12076-9 *Ingestion of Vegetation* (6.0-11). This category of possible pesticide exposure is limited to "eating garden produce" but pesticide-contaminated vegetation can be "ingested" under other circumstances as well. For example, traditional native basket makers commonly process their raw materials with their teeth. The same comment applies to the treatment of this subject on p 8 of Appendix A, Human Health Risk assessment.

12076-10 *Chart consistency.* The value of the geographic analysis contained in the charts in Section 6.1 is reduced because the data is not consistently presented. For example, in the Proposed Program Area categories in Section 6.1.2 Lake County is included in the Central Coast agricultural region, but in Table 6.1-6 it's listed as part of the Northwest region. Similar inconsistencies affect other counties. The Final EIR should present the data consistently throughout.

12076-11 *Impacts to Agricultural Resources.* Impacts are considered significant only if they would convert farmland to non-agricultural use or if the activities analyzed would conflict with existing zoning or Williamson Act contracts. (6.1-27) As in our comments on Organic Agriculture above, we question the validity of the criteria being used to determine significance, since the PEIR fails to address other potentially environmentally and economically significant impacts such as loss of

12076-11 cont.

productivity, damage to the soil, or harm to pollinators. Immediately below (Impact AG-GEN-1) the Proposed Program is considered to have a beneficial effect in reducing pest infestations, which "left unchecked . . .could cause certain crops to no longer be economically viable". This conclusion is almost certainly correct, but the economic viability standard should be applied throughout.

12076-12

"Candidate" species under the California Endangered Species Act (6.3-2). The text now reads "'Take' of any State endangered species is prohibited . . ." but context indicates that it should read "candidate" species.

12076-13

Cumulative Impacts on Water Quality (6.7-33). A great deal of detail is provided about existing impairments for pesticide contamination, including listed impairments for specific pesticides that may be used under the Proposed Program, with the additional comment that these "waterbodies would have no additional assimilative capacity for a specific pesticide(s) that may be used under the Proposed Program (where the impairment is specific to that pesticide[s]), pesticides in general (where the impairment is not specific to a particular pesticide), or any sort of toxic substance (for waterbodies impaired for toxicity)." The conclusion is that "any additional contribution by the Proposed Program to an impairment would be a considerable contribution to a cumulatively significant impact." We concur with this conclusion, but not with the inadequate and vague language in the proposed mitigation, which is to implement MPs "so that discharges to these waterbodies would not occur or would be minimized." Since *ANY* additional pesticide loading to these impaired waterbodies is acknowledged to be considerable, then the only acceptable mitigation is to ensure that it "would not occur." Reliance on a minimization standard does not provide sufficient assurance that impacts would be reduced below the level of significance.

A MAJOR CONCERN

12076-14

Appendix B, Tiering Strategy. As stated in our scoping comments, we recognize that this PEIR will make it possible for CDFA to implement future control programs without the necessity for undertaking further project-level EIRs specific to every new invasive species. Our scoping comments went on to say "additional environmental review tiered upon the PEIR will always be necessary, if only to establish that all impacts have been identified and appropriate mitigations provided." Additional review in a tiered process must always comply with fundamental CEQA requirements, including the opportunity for meaningful public participation. We believe the process outlined in Appendix B in the chart on page B-8 fails to meet this standard in three different particulars.

12076-15

(a) It is left up to the agency to determine by internal evaluation whether an activity not explicitly covered in the PEIR is "substantially similar" to something that is already included. If the agency decides it is, then the response is to prepare a "CEQA addendum" that adds the new activity to the PEIR. Since rules relating to an "Addendum" as outlined in CEQA Guideline 15164 specifically provide that "an addendum need not be circulated for public review," then

this crucial determination would be made outside the CEQA process, with no public involvement and no check on agency determination of equivalence or effectiveness.

12076-15 cont.

This defect can be repaired quite easily by requiring the agency to prepare a "draft addendum," to be circulated for public comment for 30 days, followed by preparation of a "final addendum" that takes any comments received into account. We also recommend an additional requirement that any person making a comment receive a copy of the "final addendum" so that they can consider whether or not they want to pursue further action.

12076-16

(b) If the question of substantial similarity involves something other than a "mitigation measure" (for example a new control activity or an existing one directed at a new pest) then it doesn't seem to be addressed at all, even though the control activities would be more likely to be problematic than the mitigations.

Again, the defect can be repaired quite easily: in Question 2 in the Tiering Needs chart on page B-8, simply substitute "control or mitigation measure" for the words "mitigation measure".

12076-17

(c) In question 3 in the flowchart appears the question: "would the activity result in significant impacts which were (1) not considered in the PEIR, (2) not considered to be significant in the PEIR, or (3) would be more substantially more significant than disclosed in the PEIR?" The answer to this question is crucial in determining whether additional CEQA review (including public involvement) will be necessary, and it is the wrong question, incorporating a standard of evidence that is not consistent with basic CEQA requirements. . The standard of whether to undertake a more rigorous environmental review (possibly including a new tiered project-level EIR) is based not on whether an impact *WOULD* occur, but on whether a fair argument based on substantial evidence indicates that adverse impacts *MIGHT* occur. This is black letter CEQA law, and is not affected by the existence of the PEIR: With or without the PEIR, all "possible" impacts must be evaluated. Use of the word "would" in this context presumes an independent determination on the part of CDFA of a question that is supposed to be decided through the CEQA process itself.

Changing the word "would" to "could" or "might" will remove this very serious procedural failing.

Thank you for your attention to our concerns. We hope we will find that the Final EIR responds to them in a substantive way.

Sincerely,

Kathryn Phillips

Kathryn Phillips
Director

Letter 12076: Kathryn Phillips, Sierra Club Director (October 27, 2014)

Response to Comment 12076-1

The PEIR identifies several instances in which aerial spraying would be employed (Volume 1, Chapter 3, *Proposed Program Activities,* Table 3-1, beginning on page 3-37). Specifically, aerial spraying may be used in response to interior quarantines established to manage exotic fruit flies (in production agriculture settings), and glassy-winged sharpshooter (GWSS) (in bulk citrus and large production nurseries). These scenarios occur in rural, commercial agricultural settings away from urban areas.

The Human Health Risk Assessment (HHRA) (Appendix B in the Final PEIR) analyzed potential exposure to adjacent residences and downwind bystanders (DWBs) of areas receiving aerial treatments. Potential exposure risks were below the established level of concern.

For further discussion of the Proposed Program scenarios involving aerial spraying, and the settings in which they could occur, please refer to Master Response 1, Scope of the Statewide Program.

Response to Comment 12076-2

CDFA based its impact conclusions related to agriculture on the Appendix G Checklist of the CEQA Guidelines, and has determined that these are the appropriate thresholds to use to determine whether an impact would be significant. This is not to say that CDFA is not concerned about effects on organic farms that would not be significant under CEQA. However, the PEIR must comply with CEQA, and CDFA was therefore rigorous in applying CEQA's significance criteria in determining whether an impact could be significant.

Please see Master Response 4, Impacts on Agriculture, regarding the potential for toxic buildup in soils, which CDFA has concluded would not be significant. The suggestion that the Proposed Program could result in the conversion from organic to conventional agriculture and result in a decrease of carbon sequestration that would rise to a level of significance is highly speculative, and the commenter has provided no evidentiary basis to support such a claim.

For further discussion of organic farming in relationship to the Proposed Program, which responds to concerns related to marketing produce as conventional and economic effects, please see Master Response 3, Impacts on Organic Farming.

Response to Comment 12076-3

CDFA is mandated by the legislature to "eradicate" pests, if necessary, as stipulated in California Food and Agriculture Code (CFAC), Division 4, Part 1, Chapter 5, Sections 5321 and 5322. "Eradication" is also recognized internationally as a real and valid goal.

CDFA follows guidelines published by the International Plant Protection Convention (IPPC), including International Standards for Phytosanitary Measures (IPCC, 2014a and 2014b); follows guidelines published by the North American Plant Protection Organization

(NAPPO), including NAPPO Regional Standards for Phytosanitary Measures (NAPPO, 2014); and participates as a member state in the National Plant Board. As an example, CDFA bases its eradication of fruit flies of economic importance on scientific information discussed at the international level with participants from the World Health Organization, The Food and Agriculture Organization of the United Nations, Agriculture Departments of most countries, and within the countries at the states and provinces level.

CDFA finds that eradication is an achievable goal. Opponents of eradication management approaches claim that a recurrence of an "eradicated" pest on an annual basis suggests that a pest was never actually "eradicated," and that an established population still exists. However, recent studies determined that genetic evidence and incursion outbreak sites strongly support the notion of multiple introductions rather than established populations (McInnis et al., 2014; Barr et al., 2014; and Gutierrez et al., 2014). As stated in McInnis et al. (2014), because a negative can't be proven scientifically, the burden of proof lies with those postulating established fruit fly populations. Furthermore, McInnis et al. (2014) contends that claiming fruit fly population establishment, as eradication management opponents do, without positive proof can be very damaging to international trade, the natural environment and the economy. A recent paper shows that multiple, independent pest introductions into California from different sources may have given the appearance that eradication techniques have not been successful and an established population existed, although DNA tests suggest the pests originated from different sources after eradication efforts were completed (Barr et al., 2014).

CDFA's Eradication Process

As summarized in PEIR Volume 1, Section 2.7.2, *Eradication*, eradication projects use a combination of complementary IPM approaches to achieve their goals. The decision-making process for determining the appropriate IPM eradication approaches are further detailed below.

When a plant pest is detected in an area of the state where the pest is not known to occur, CDFA may convene a Scientific Advisory Panel, or the U.S. Department of Agriculture (USDA) may convene a Technical Working Group to consider each situation before deciding on a response plan. In addition, CDFA incorporates an Incident Command System (ICS) response to various emergency projects that integrates strategies for pest responses and feasibility of eradication. CDFA's eradication planning process involves the consideration of multiple factors to determine if eradication is feasible. These factors include but are not limited to:

- Availability of an efficient detection technology;
- Distance from areas where pest is established;
- Barriers to prevent natural spread from areas where pest is established;
- Population density;
- Effective quarantine restrictions; and
- Funding.

Once an eradication program has begun, CDFA evaluates each program over time, using an adaptive management approach. If it is determined that the program is not meeting the goal of eradication, then the objective may change to reflect a new strategy or goal. Individual programs are defined at the project level, and not at the programmatic level. The evaluation

criteria for evaluating the effectiveness of a program once it has begun are driven by the biology of the pest, location of pest, feasibility of eradication, etc. After an eradication program has begun, if there is no longer any reasonable expectation that eradication of a particular invasive pest is feasible, CDFA will consider three factors to determine appropriate program outcomes. The three factors considered are:

- Is the particular pest a USDA federal action pest (i.e., a target pest for whom USDA has established interstate quarantine restrictions)?
- Is the particular pest under official control, as the result of any legislation, regulation, or official procedure having the purpose to prevent the introduction and/or spread of the targeted pest?
- Is there grower support for an eradication/control program?

After consideration of those factors, CDFA will choose one or more of the following approaches:

- A regulatory program;
- A long-term suppression program;
- A biological control program;
- An outreach program; and/or
- State Plant Regulatory Official support of research proposals from the University of California (UC).

Response to Comment 12076-4

Thank you for pointing out this error. There are in fact only two microbial insecticides that would be used the Proposed Program. PEIR Volume 1, page 2-23, under Microbial Insecticides, third sentence down, has been updated as follows.

> The following ~~three~~two microbial insecticides may be used under the Proposed Program: spinosad and *Bacillus thuringiensis*.

Response to Comment 12076-5

We appreciate your input, but have determined the language is appropriate.

Response to Comment 12076-6

CDFA does not currently conduct any eradication or control activities against the polyphagous shot-hole borer, and has determined that any such future activities are not currently sufficiently defined for the purposes of a CEQA evaluation. Prior to conducting such activities, CDFA would evaluate such activities through a tiered CEQA analysis, which would be streamlined as a result of the PEIR to allow for rapid response. For more details on the tiering process, please refer to Appendix C, *CEQA Tiering Strategy*.

Response to Comment 12076-7

Upon adoption of the PEIR and approval of the Proposed Program, CDFA would be able to prepare a tiered CEQA document for any future gypsy moth management techniques that

were required but not covered in the PEIR. CDFA is confident that preparation of these tiered documents would not prevent CDFA from effectively implementing management actions to control or eradicate gypsy moth.

Response to Comment 12076-8

In Volume 1, Chapter 5.4.2*, Historical Uses,* page 5-9 of the PEIR, the text has been amended as follows:

> At the beginning of the ~~nineteenth~~ twentieth century, pest control was restricted primarily to botanical preparations, elemental sulfur, oil soaps, and kerosene…

Response to Comment 12076-9

The risk assessment considered the exposure of an adult and child resident during and after pesticide application. Exposure included consumption of vegetation, and in the case of the pica child, soil. Prior to applications to residential sites, CDFA notifies and gains permission from the resident. Native basket makers and others who may chew plant material would be notified of any application prior to the application occurring. Depending on the type of pesticide and the method of application, notification would include advising those on the site not to chew or eat treated vegetation, or to wash it prior to chewing or eating it.

Response to Comment 12076-10

CDFA appreciates the input regarding these inconsistencies; however, CDFA has not found that this is overly confusing, nor would adjusting the PEIR as the commenter suggests affect the analysis or conclusions of the PEIR in any way.

The economic data presented in PEIR Volume 1, Section 6.1, *Agricultural Resources and Economics,* Tables 6.1-1, 6.1-2, 6.1-3, and 6.1-9 were compiled using the grouping stated within the text on PEIR Volume 1, Section 6.1, *Agricultural Resources and Economics,* page 6.1-1:

> In accordance with USDA District classification, the state is divided into six agricultural regions by the following counties:
>
> - **Central Coast**: Lake, Sonoma, Napa, Marin, Contra Costa, Alameda, San Francisco, San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey, and San Luis Obispo
> - **Northeast**: Del Norte, Humboldt, Mendocino, Siskiyou, Shasta and Trinity
> - **Sacramento Valley**: Tehama, Glenn, Butte, Colusa, Sutter, Yuba, Yolo, Solano, and Sacramento
> - **San Joaquin Valley**: San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern
> - **Sierra Nevada Mountains**: Modoc, Lassen, Plumas, Sierra, Nevada, Placer, El Dorado, Amador, Alpine, Calaveras, Tuolumne, Mariposa, Mono, and Inyo

- **Southern California**: Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, San Diego, and Imperial

PEIR Volume 1, Table 6.1-6, *Agricultural Profiles by Region and County (2010-2011*), on page 6.1-14, presents farmland data for each county individually. Although the counties were separated by region and the counties included in each region differ from the lists above, regional totals were not tabulated. The geographical grouping served simply as an aide in assisting the reader to more easily find specific counties.

Response to Comment 12076-11

Please see Response to Comment 12076-2 and Master Response 3, Impacts on Organic Farming, for a discussion of why the significance criteria used in the PEIR are appropriate and in compliance with CEQA. With respect to the other impacts that the commenter identifies, the PEIR does in fact address these topics. Please refer to the following master responses, which discuss how they were evaluated in the PEIR:

- Loss of productivity and damage to soil: Master Response 4, Impacts on Agriculture.
- Effects on pollinators: Master Response 8, Pollinators.

With respect to the question regarding the use of economics in the impact conclusions, economic issues are only relevant if they were to lead to a physical effect on the environment, such as conversion of farmland to non-agricultural use. In the evaluation of effects on organic farming, the PEIR concludes that economic effects on farmers would not rise to a level that would result in such an outcome. However, ample evidence exists to suggest that pest infestations in the past have led to agricultural lands going out of production, and so CDFA has determined that this assertion is well-founded.

Response to Comment 12076-12

In Volume 1, Section 6.3.2, page 6.3-2 of the PEIR, the following text edits have been made:

> State threatened (ST): species designated as threatened under the CESA. These include native species or subspecies that, although not threatened currently with extinction, are likely to become an endangered species in the foreseeable future in the absence of special protection and management efforts (CESA Section 2067). Take, as defined by Section 86 of the Fish and Game Code, of any State ~~endangered~~ threatened species is prohibited, except as authorized by the CDFW.
>
> State candidate (SC): species designated as a candidate for listing under the CESA. These are native species or subspecies for which the Fish and Game Commission has accepted a petition for further review under Section 2068 of the CESA, finding that sufficient scientific information exists to indicate that the petitioned action may be warranted. "Take" of any State ~~endangered~~ candidate species is prohibited, as defined by Section 86 of the Fish and Game Code, except as authorized by CDFW.

Response to Comment 12076-13

Mitigation Measure WQ-CUM-1 would be implemented to address concerns under Impact WQ-CUM-1 regarding impacts to impaired water bodies. This mitigation measure requires CDFA to identify whether a treatment location or quarantine area contains or is in proximity to any water bodies impaired for relevant pesticides, pesticides in general, or toxicity. For those treatments where impaired water bodies are present, CDFA will implement relevant management practices (MPs); and for quarantines where impaired water bodies exist, CDFA shall implement Mitigation Measure WQ-CHEM-5, which requires individual growers to comply with the MPs. CDFA has found that with implementation of these MPs, the contribution of pesticides to the impaired water bodies would not be detectable, and therefore would not be a considerable contribution to a cumulative impact.

Response to Comment 12076-14

CDFA will always comply with CEQA, including preparation of tiered environmental documents as necessary and related public participation requirements. The Tiering Strategy is intended as a tool to assist CDFA in determining the level of tiered CEQA compliance that is necessary, and in no way abridges or exempts CDFA's CEQA obligations. We disagree that the process outlined in the CEQA Tiering Strategy implies otherwise. See the specific responses below.

Response to Comment 12076-15

Contrary to what the commenter suggests, the process by which CDFA as lead agency would determine whether an activity has been fully covered in the PEIR, or whether a CEQA Addendum or other CEQA document is required, is fully within the CEQA process, in compliance with CEQA Guidelines Sections 15152 and 15168. In events where CDFA determines that no further CEQA compliance is necessary or that a CEQA Addendum is the appropriate CEQA document, CEQA is very clear that no public review of this determination or documentation is required (CEQA Guidelines Section 15164 states that addendums do not need to be circulated for public review, but can be included in or attached to the final Environmental Impact Report [EIR]). Accordingly, in compliance with CEQA, CDFA does not plan to circulate its addendums for public review. The public could request copies of addendums to the final PEIR and supporting documentation from CDFA, because CDFA would keep these materials on file as demonstration of its CEQA compliance, and they would be part of the public record.

CDFA suggests that the commenter's complaint would be more effectively addressed by working with the Office of Planning and Research to amend the CEQA Guidelines, because their concern relates to the requirements of CEQA, and not any deficiency in the manner in which CDFA plans to comply with CEQA.

Response to Comment 12076-16

Activities that are not mitigation measures are addressed through Questions 1 and 3. Question 1 first asks if the activity is "substantially similar," meaning that due to its similarity to an activity considered in the PEIR, it would not have any new or more significant impacts than were considered in the PEIR. If the answer is "yes," then a CEQA

Addendum would be the appropriate document. If the answer is "no," then Question 3 eventually applies, which allows the reader to determine whether the activity would have any new or more significant environmental impacts, and the related level of CEQA documentation that is required. On this basis, the changes suggested in the comment are not necessary.

Response to Comment 12076-17

CDFA appreciates the commenter's suggestion, and has concluded that this can be remedied by adding the word "potentially." The text of Appendix C, *CEQA Tiering Strategy,* page C-8, Question 3, is changed as follows:

> Would the activity <u>potentially</u> result in significant impacts which were…

Comment Letter 12326

From: Todd Benton
To: CDFA Pest Prevention EIR@CDFA
Subject: I oppose Pest PEIR
Date: Tuesday, October 28, 2014 10:41:49 AM

I am writing to voice my opposition to Pest PIER. We live in an agricultural district in Bonsall, in North San Diego County. We live right next to a tomato farm, we also have citrus and avocado farms nearby. We fear the consequences of the PIER program. Two-thirds of the proposed funding for the PEIR comes from two current programs that rely on pesticides that cause birth defects, genetic damage, miscarriage, and reduced survival of newborns as well as being highly toxic to bees, fish, and aquatic organisms.

12326-1

We need a new model. Work is already funded and under way at UC Davis to develop a 21st Century Invasive Pest Policy that would employ ecological pest management, be more cost- and resource-efficient than the state's currentmodel, more effective in preventing physical damage from pests and in satisfying economic and trade concerns, less burdensome and disruptive to farmers, and less dependent on widespread chemical intervention and thus more acceptable to the public due to reduced health risks. UCSF and other California institutions have done extensive research on the health and environmental impacts of pesticides; the results of this research, which have been published over the past decade, must inform the design of the state's pest and invasive species programs going
forward.

12326-2

I urge you to shift course, stop the PEIR process before any more money is spent on it, and focus on reducing adverse impacts on human health, the environment, and farmers from statewide pest programs.

Thank you,

Todd Benton | Consultant, Web Designer | BentonWebs | T: (760) 731-4855| F: (760) 874-2844 | todd@bentonwebs.com | www.bentonwebs.com | about.me/toddbenton

32305 Leprechaun Lane, Bonsall, CA 92003

Creating authentic connections online and offline

Letter 12326: Todd Benton (October 28, 2014)

Response to Comment 12326-1

Please see Master Response 5, Human Health; Master Response 7, Biological Resources; and Master Response 8, Pollinators, which provide an overview of the PEIR's analysis and conclusions regarding human health, ecological receptors, and pollinators, respectively. With the mitigation identified in the PEIR, the Proposed Program would not have significant impacts on human health and biological resources.

Response to Comment 12326-2

The Statewide Program is a "living program," and CDFA plans to implement new effective management approaches as they become available, using the best available science. The commenter is referred to the 21st Century Invasive Pest Management Symposia hosted by CDFA, a series of symposia on invasive pest management. The symposia provide an open discussion about how we can better collaborate on preventing, preparing for, responding to, and recovering from invasive plant, insect, and disease detections. The goals of the symposia include (1) to explore 21st century invasive pest management challenges and possible improvements to CDFA policies and procedures; and (2) to foster communication and understanding among the diverse people involved in California's food and agricultural systems. More information can be found on CDFA's website at www.cdfa.ca.gov/plant/21st CenturySymposia.

The commenter is also referred to Master Response 2, Integrated Pest Management Approach, which details the Proposed Program's IPM approach.

Comment Letter 12993

From: richard mazess
To: CDFA Pest Prevention EIR@CDFA
Cc: Das Williams; Hillary Blackerby
Subject: Pesticides
Date: Tuesday, October 28, 2014 10:21:10 AM
Attachments: Lu et al 2012 neonics.pdf
WIA-Conclusions-summary.pdf

Sirs,

12993-1 Your proposal for widespread use of pesticides, including neonicotinoids, is not only poorly justified but is frankly dangerous. There has been a recent series of publications on the neonics (World Integrated Assessment, attached below) that show their negative effects on habitat and wildlife, including the now clear effects on bee hive destruction (see Lu et al on colony collapse disorder that is attached). Bees are critical to plant pollination, and are essential for the critical CA almond crop. Please be aware of Assembly Bill 1789 requiring the Department of Pesticide Regulation to assess the dangers of neonics.

12993-2 Your plan for widespread use of pesticides, aside from the documented danger to humans from contamination, and the negative effects on organic farms, will result in longer term agricultural declines that more than offset any short term gains.

Richard B Mazess PhD
Emeritus Prof Medical Physics
1015 Hot Springs Lane
Santa Barbara, CA 93108
805-636-4877

Comment Letter 12993-Cont.

The following is a summary of the conclusions chapter that will appear in Environmental Sciences and Pollution Research of Springer Verlag.

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Conclusions of the Worldwide Integrated Assessment on the risks of neonicotinoids and fipronil to biodiversity and ecosystem functioning

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Introduction

The use of systemic pesticides is increasing, including their use as a prophylactic. They are persistent and potent neurotoxins and concerns have been raised about their impacts on biodiversity, ecosystem functioning and the ecosystem services provided by a wide range of affected species and environments.

The combination of their widescale use and inherent properties, has resulted in widespread contamination of agricultural soils, freshwater resources, wetlands, non-target vegetation, estuarine and coastal marine systems. This means that many organisms inhabiting these habitats are being repeatedly and chronically exposed to effective concentrations of these insecticides.

Neonicotinoids and fipronil currently account for approximately one-third (in monetary terms) of the world insecticide market. They are used for insect pest management across hundreds of crops in agriculture, horticulture and forestry and are also widely used to control insect pests and disease vectors of companion animals, livestock and aquaculture, and for urban and household insect pest control and timber conservation.

The Worldwide Integrated Assessment (WIA) presents the first attempt to synthesize the state of knowledge on the risks to biodiversity and ecosystem functioning posed by the widespread global use of neonicotinoids and fipronil. It is based on the results of over 800

peer-reviewed journal articles published over the past two decades. The Authors assessed respectively the trends, uses, mode of action and metabolites (Simon-Delso et al. 2014), the environmental fate and exposure (Bonmatin et al. 2014), effects on non-target invertebrates (Pisa et al. 2014), direct and indirect effects on vertebrate wildlife (Gibbons et al. 2014), risks to ecosystem functioning and services (Chagnon et al. 2014) and finally explored sustainable pest management practices that can serve as alternatives to the use of neonicotinoids and fipronil (Furlan and Kreutzweiser 2014).

Mode of action, environmental fate and exposure

Neonicotinoids and fipronil operate by disrupting neural transmission in the central nervous system of organisms. Both pesticides produce lethal and a wide range of sublethal adverse impacts on invertebrates but also some vertebrates. Most notable is the very high affinity with which neonicotinoid insecticides agonistically bind to the nACh-receptor such that even low dose exposure over extended periods of time can culminate into substantial effects.

As a result of their extensive use, these substances are found in all environmental media including soil, water and air. Environmental contamination occurs via a number of disparate routes including: dust generated during drilling of dressed seeds; contamination and accumulation in arable soils and soil water; run-off into surface and ground waters; uptake of pesticides by non-target plants via their roots followed by translocation to pollen, nectar, guttation fluids, etc.; dust and spray drift deposition on leaves, and wind- and animal mediated dispersal of contaminated pollen and nectar from treated plants. Persistence in soils, waterways and non-target plants is variable but can be long; for example the half-lives of neonicotinoids in soils can exceed 1000 days and they can persist in woody plants for periods exceeding one year.

This combination of persistence (over months or years) and solubility in water has led to large-scale contamination of, and the potential for build-up in, soils and sediments (ppb-ppm range), waterways (ground water and surface water in the ppt-ppb range) and treated and non-treated vegetation (ppb-ppm range).

There is strong evidence that soils, waterways and plants in agricultural and urban environments and draining areas are contaminated with highly variable environmental concentrations of mixtures of neonicotinoids or fipronil, and their metabolites.

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There are multiple routes for chronic and multiple acute exposure of non-target organisms. For example, pollinators (including bees) are exposed through at least: direct contact with dust during drilling; consumption of pollen, nectar, guttation drops, extra-floral nectaries, and honeydew from seed-treated crops; water; consumption of contaminated pollen and nectar from wild flowers and trees growing near treated crops or contaminated water bodies. Studies of food stores in honeybee colonies from a range of environments worldwide demonstrate that colonies are routinely and chronically exposed to neonicotinoids, fipronil and their metabolites (generally in the 1-100 ppb range), often in combination with other pesticides some of which are known to act synergistically with neonicotinoids.

Impacts on non-target organisms

Impacts of systemic pesticides on pollinators are of particular concern. In bees, field-realistic exposures in controlled settings have been shown to adversely affect individual navigation, learning, food collection, longevity, resistance to disease and fecundity. For bumblebees, colony-level effects have been clearly demonstrated, with exposed colonies growing more slowly and producing significantly fewer queens.

For almost all insects, the toxicity of these insecticides is very high including many species that are important in biological control of pests. The sensitivity to the toxic effect is less clear with non-insect species. For annelids such as earthworms, the LC_{50} is in the lower parts per billion range for many neonicotinoids.

At field realistic environmental concentrations, neonicotinoids and fipronil can have negative effects on physiology and survival for a wide range of non-target invertebrates in terrestrial, aquatic, wetland, marine and benthic habitats. Effects are predominantly reported from laboratory toxicity testing, using a limited number of test-species. Such tests typically examine only lethal effects over short time frames (i.e. 48 or 96 hour tests), whereas ecologically relevant sublethal effects such as impairment of flight, navigation or foraging ability, and growth are less frequently described. It has become clear that many of the tests use insensitive test species (e.g. *Daphnia magna*), and are not sufficiently long to represent chronic exposure, and therefore lack environmental relevance.

Our review shows a growing body of published evidence that these systemic insecticides pose serious risk of harm to a broad range of non-target invertebrate taxa often below the

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expected environmental concentrations. As a result an impact on the many food chains they support is expected.

We reviewed nearly 150 studies of the direct (toxic) and indirect (e.g. food chain) effects of fipronil and the neonicotinoids imidacloprid and clothianidin on vertebrate wildlife - mammals, birds, fish, amphibians and reptiles. Overall, at concentrations relevant to field exposure scenarios in fields sown with coated seeds, imidacloprid and clothianidin pose risks to small birds, and ingestion of even a few treated seeds could cause mortality or reproductive impairment to sensitive bird species. Some recorded environmental concentrations of fipronil have been sufficiently high to potentially harm fish. All three insecticides exert sublethal effects, ranging from genotoxic and cytotoxic effects, to impaired immune function, reduced growth, or reduced reproductive success. Furthermore, these effects often occur at concentrations well below those associated with direct mortality. This is a trend in many taxa reported throughout the reviewed literature: short-term survival is not a relevant predictor of mortality measured over the long term, nor of impairment of ecosystem functions and services performed by the impacted organisms.

Despite the lack of research and the difficulty in assigning causation, indirect effects may be as important as direct toxic effects on vertebrates, and possibly more important.

Indirect effects are rarely considered in risk assessment processes and there is a paucity of data, despite the potential to exert population-level effects.

Impacts on ecosystem functioning and ecosystem services

Neonicotinoid insecticides and fipronil are frequently detected in environmental media (soil, water, air) at locations where no pest management benefit is provided or expected. Yet these media provide essential resources to support biodiversity, and are known to be threatened by long term or repeated contamination. The literature synthesized in this integrated assessment demonstrates the large scale bioavailability of these insecticides in the global environment at levels that are known to cause lethal and sublethal effects on a wide range of terrestrial (including soil) and aquatic microorganisms, invertebrates and vertebrates. Population level impacts have been demonstrated to be likely at observed environmental concentrations in the field for insect pollinators, soil invertebrates and aquatic invertebrates. There is a growing body of evidence that these effects pose risks to ecosystem functioning, resilience, and the services and functions provided by terrestrial and

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aquatic ecosystems. Such services and functions can be provisioning, regulating, cultural or supporting, and include amongst others: soil formation, soil quality, nutrient cycling, waste treatment and remediation, pollination, food web support, water purification, pest and disease regulation, seed dispersal, herbivory and weed control, food provision (including fish), aesthetics and recreation.

Knowledge gaps

While this assessment is based on a growing body of published evidence, some knowledge gaps remain. These compounds have been subject to regulatory safety tests in a number of countries. However, several potential risks associated with the present global scale of use are still poorly understood.

For most countries there are few or no publicly available data sources on the quantities of systemic pesticides being applied, nor on the locations. Reliable data on the amounts used is a necessary condition for realistic assessments of ecological impacts and risks.

Screening of neonicotinoid and fipronil residues in environmental media is extremely limited despite their known water solubility and propensity for movement. Only very scarce data for marine systems exist.

Long-term toxicity to most susceptible organisms has not been investigated. For instance: toxicity tests have only been carried out on four of the approximately 25,000 globally known species of bees, and there are very few studies of toxicity to other pollinator groups such as hoverflies or butterflies and moths. Similarly, soil organisms (beyond earthworms) have received little attention, despite playing multiple roles in the formation and maintenance of soil fertility. Toxicity to vertebrates (such as granivorous mammals and birds which are likely to consume treated seeds) has only been examined in a handful of species.

Those toxicological studies that have been performed are predominantly focused on acute toxicity tests, whereas the effects of long-term, acute and chronic exposure is less well known, despite being the most environmentally relevant scenario for all organisms in agricultural and aquatic environments.

At present, no studies have addressed the additive or synergistic effects of simultaneous exposure to multiple compounds of the neonicotinoid family. Risk assessments are done for each chemical separately, while many non-target species, such as pollinators, are

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simultaneously being exposed to multiple neonicotinoids as well as other pesticides and stressors. As a consequence, the risks have been systematically underestimated.

Interactions between systemic insecticides and other stressors, such as other pesticides, disease, and food stress, have been explored in only a handful of studies but these have revealed important synergistic effects. For example, in honeybees, low doses of neonicotinoids greatly increase susceptibility to viral diseases.

Impacts of these systemic insecticides on the delivery of a wide range of ecosystem services are still uncertain. The accumulation in soil and sediments might lead us to predict impacts on soil fauna such as earthworms and springtails (Collembola), which may in turn have consequences for soil health, soil structure and permeability, and nutrient cycling. Contamination of field margin vegetation via dust, or ground or surface water might lead us to expect impacts on fauna valued for aesthetic reasons (e.g. butterflies), and is likely to impact populations of important beneficial insects that deliver pollination or pest control services (e.g. hoverflies, predatory beetles). General depletion of farmland and aquatic insect populations is likely to impact insectivorous species such as birds and bats. Contamination of freshwater is hypothesized to reduce invertebrate food for fish, and so impact fisheries. The same might apply to coastal marine systems, potentially posing serious threats to coral reefs and saltmarsh estuaries. None of these scenarios have been investigated.

The short- and the long-term agronomic benefits provided by neonicotinoids and fipronil are unclear. Given their use rates, the low numbers of published studies evaluating their benefit for yield or their cost-effectiveness is striking, and some recent studies suggest that their use provides no net gain or even a net economic loss on some crops. It is not currently known what the impact on farming would be if these systemic pesticides were not applied or applied less (though their recent partial withdrawal in the EU provides an opportunity for this to be examined).

Given these knowledge gaps, it is impossible to properly evaluate the full extent of risks associated with the ongoing use of systemic insecticides, but the evidence reviewed in the WIA suggests that while the risks affect many taxa, the benefits have not been clearly demonstrated in the cropping systems where these compounds are most intensively used.

Overall Conclusion

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The existing literature clearly shows that present day levels of pollution with neonicotinoids and fipronil caused by authorized uses, frequently exceed lowest observed adverse effect concentrations for a wide range of non-target species and are thus likely to have wide ranging negative biological and ecological impacts.

The combination of prophylactic use, persistence, mobility, systemic properties and chronic toxicity is predicted to result in substantial impacts on biodiversity and ecosystem functioning.

The body of evidence reviewed indicates that the present scale of use of neonicotinoids and fipronil is not a sustainable pest management approach and compromises the actions of numerous stakeholders in maintaining and supporting biodiversity and subsequently the ecological functions and services the diverse organisms perform.

In modern agricultural settings, it is increasingly clear that insecticide treatments with neonicotinoids and fipronil - and most prominently its prophylactic applications - are incompatible with the original mindset that led to the development of the principles of integrated pest management (IPM). Although IPM approaches have always included insecticide tools, there are other approaches that can be effectively incorporated with IPM giving chemicals the position of last resort in the chain of preferred options that need be applied first. The current practice of seed treatment is the opposite: it applies chemicals as the first resort.

Because of the persistent and systemic nature of fipronil and neonicotinoids (and the legacy effects and environmental loading that come with these properties), these compounds are incompatible with IPM.

Recommendations

The authors suggest that regulatory agencies consider applying the principles of prevention and precaution to further tighten regulations on neonicotinoids and fipronil, and consider formulating plans for a substantial reduction of the global scale of use.

Continued research into alternatives is warranted, but equally pressing is the need for education for farmers and other practitioners, and the need for policies and regulations to encourage the adoption of alternate agricultural strategies to manage pests.

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The adequacy of the regulatory process in multiple countries for pesticide approval must be closely considered and be cognizant of past errors. For example, other organochloride insecticides such as DDT were used all over the world before their persistence, bioaccumulation and disruptive impacts on ecosystem functioning were recognized, and they were subsequently banned in most countries.

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In situ replication of honey bee colony collapse disorder

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Abstract

The concern of persistent loss of honey bee (*Apis mellifera* L.) colonies worldwide since 2006, a phenomenon referred to as colony collapse disorder (CCD), has led us to investigate the role of imidacloprid, one of the neonicotinoid insecticides, in the emergence of CCD. CCD is commonly characterized by the sudden disappearance of honey bees (specifically worker bees) from hives containing adequate food and various stages of brood in abandoned colonies that are not occupied by honey bees from other colonies. This *in situ* study was designed to replicate CCD based on a plausible mechanistic hypothesis in which the occurrence of CCD since 2006 was resulted from the presence of imidacloprid, one of the neonicotinoid insecticides, in high-fructose corn syrup (HFCS), fed to honey bees as an alternative to sucrose-based food. We used a replicated split-plot design consisting of 4 independent apiary sites. Each apiary consisted of 4 different imidacloprid-treated hives and a control hive. The dosages used in this study were determined to reflect imidacloprid residue levels reported in the environment previously. All hives had no diseases of symptoms of parasitism during the 13-week dosing regime, and were alive 12 weeks afterward. However, 15 of 16 imidacloprid-treated hives (94%) were dead across 4 apiaries 23 weeks post imidacloprid dosing. Dead hives were remarkably empty except for stores of food and some pollen left, a resemblance of CCD. Data from this *in situ* study provide convincing evidence that exposure to sub-lethal levels of imidacloprid in HFCS causes honey bees to exhibit symptoms consistent to CCD 23 weeks post imidacloprid dosing. The survival of the control hives managed alongside with the pesticide-treated hives unequivocally augments this conclusion. The observed delayed mortality in honey bees caused by imidacloprid in HFCS is a novel and plausible mechanism for CCD, and should be validated in future studies.

Key words: colony collapse disorder, imidacloprid, *Apis mellifera*, neonicotinoid insecticides, high-fructose corn syrup.

Introduction

The abrupt emergence of colony collapse disorder (CCD) in the United States during 2006-2007 (vanEngelsdorp *et al.*, 2007; 2008), and other countries later (Bacandritsos *et al.*, 2010) has raised the concern of losing this important perennial pollinator globally. The persistence of CCD worldwide was highlighted in a recent United Nations report (UN News Center, 2011), which calls for changes in honey bee colony management in order to save this important insect. CCD is commonly characterized by the sudden disappearance of honey bees (specifically worker bees) from hives containing adequate food (e.g. honey, nectar, and pollen) and various stages of brood in abandoned colonies that are not robbed by honey bees from other colonies, as described in a recent review article (Spivak *et al.*, 2011). Although some losses of honey bees from healthy and well managed hives during the winter months have always been part of apiculture (for instance, in the New England area, winter losses of honey bee hives are typically 15-30%), never in the history of the beekeeping industry has the loss of honey bee hives occurred in such magnitude and over such a widely distributed geographic area.

The honey bee (*Apis mellifera* L.) is an insect that has evolved the ability to survive winters by forming a cluster of thousands of bees that cooperatively generate heat with their thoracic muscles. Temperatures within a cluster can and often exceed 32 °C when the outside temperature is well below freezing. Honey bees obtain the needed energy from sugar stored as honey or supplemental sugar-based alternatives supplied by beekeepers. Worker caste bees that emerge in the summer typically live about 40 days, whereas those emerging in September through November will live up to 200 days and consume significant stores of food, mostly honey, throughout the winter months (Robinson *et al.*, 2005; Patel *et al.*, 2007). In the fall, honey bees migrate to the bottom of their hive and as the temperature continues to drop, bees cluster under their honey stores. Heat lost from the cluster rises to warm the honey immediately above it. As the winter season progresses, the cluster moves upward consuming the warmed honey immediately above, however, bees are limited in their ability to consume cold honey to the side of the cluster. Winter losses of honey bee hives usually occur because honey bees run out of or cannot access food, or the cluster becomes too small to generate sufficient heat.

A long list of biological, chemical, and environmental stressors has been linked to CCD, including *Varroa* mites (de Miranda *et al.*, 2010), Israel acute paralysis virus (Cox-Foster, 2007; Blanchard *et al.*, 2008), *Nosema ceranae* (Higes *et al.*, 2008), and exposure to systemic neonicotinoid insecticides, e.g. imidacloprid (Girolami *et al.*, 2009; Maini *et al.*, 2010). The practices of migratory commercial beekeeping, which often involve moving hives long distances to pollination sites, and malnutrition associated with monocultural food sources, have also been blamed for causing CCD (Spivak *et al.*, 2011). Although a recent report concludes that biotic factors (e.g., pests and pathogens) are most likely responsible for the extensive loss of honey bee colonies, such a conclusion remains debatable considering these stressors

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have been associated with beekeeping for decades and are as common among sedentary as migratory colonies (Neumann and Carreck, 2010). None of these potential culprits, either alone or in combination, has been demonstrated to trigger the symptoms of CCD. Therefore, the status of CCD research is best summarized in a recent article as: "Most reports express opinions but little hard science" (Ratnieks and Carreck, 2010).

This *in situ* study was designed to replicate CCD based on a plausible mechanistic hypothesis that has not yet been discussed widely. We hypothesized that the first occurrence of CCD in 2006/2007 resulted from the presence of imidacloprid (1-((6chloro-3-pyridinyl) methyl)-N-nitro-2-imidazolidinimine, CAS# 138261-41-3), in high-fructose corn syrup (HFCS), fed to honey bees as an alternative to sucrose-based food. There are three facts to support this hypothesis. First, since most of the suspected but creditable causes for CCD were not new to apiculture, there must have been an additional new stressor introduced to honey bee hives contemporaneous with the first occurrence of CCD during the winter months of 2006 and early 2007. Second, while commercial beekeepers appear to be affected by CCD at a disproportional rate, their beekeeping practices have been relatively unchanged during these years except for the replacement of honey or sucrose with HFCS as the supplemental sugar source for economic and convenient reasons. This is because many of the commercial beekeepers leave very little honey in their hives to sustain honey bees through the winter months, and therefore require the least expensive alternative for honey. Although the replacement of honey/sucrose-based feeds with HFCS among commercial beekeepers took place much earlier than 2006/2007, it was the timing of the introduction of neonicotinoid insecticides to the corn-seed treatment program first occurring in 2004/2005 that coincides with CCD emergence (Bonmatin *et al.*, 2005; Benbrook, 2008). Lastly, several earlier reports have shown that corn and sunflower plants grown from genetically engineered seeds treated with imidacloprid, one of the neonicotinoid insecticides, produce pollen with average levels of 2.1 and 3 µg/kg of imidacloprid, respectively (Suchail *et al.*, 2001, Rortais *et al.*, 2005). Furthermore, a recent paper published during the course of this *in situ* study showed elevated imidacloprid residue levels of 47 mg/L in seedling corn guttation drops germinated from seeds treated with 3 different neonicotinoid insecticides-treated (including imidacloprid) corn plants that are high enough to kill honey bees instantaneously (Girolami *et al.*, 2009). These study results lend credence to our hypothesis that the systemic property of imidacloprid is capable of being translocated from treated seeds to the whole plant, including corn kernels and therefore likely into HFCS. The widespread planting of genetically engineered corn seeds treated with elevated levels of neonicotinoid insecticides, such as imidacloprid since 2004 (Van Duyn, 2004), and their acute toxicity to honey bees led us to hypothesize a link between CCD and feeding of HFCS containing neonicotinoid insecticides. It should be noted here that the residue levels of imidacloprid, or other neonicotinoid insecticides, have not been routinely monitored in HFCS.

Materials and methods

We used brand new hive materials, as well as new honey bee packages to minimize any possibility of unknown pesticide residues or diseases present in existing honey bee colonies. We used a replicated split-plot design consisting of 4 sites with 5 honey bee hives on each site. Study sites were located at least 12 km away from each other; therefore, each study site is considered an independent apiary. Each apiary consisted of 4 different imidacloprid-treated hives and a control hive, which was managed identically to the treated hives except no imidacloprid was added to its HFCS. The dosing regime was initiated after each of the 20 hives consisted of at least 15 frames of bees and all 20 frames of comb were drawn. The dosages used in this study were determined to reflect imidacloprid residue levels reported previously (Suchail *et al.*, 2001; Bonmatin *et al.*, 2005; Rortais *et al.*, 2005; Girolami *et al.*, 2009). Imidacloprid was initially fed to honey bees at 0.1, 1.1, 5.3, and 10.5 µg/kg in HFCS per week for 4 weeks starting on July 1st 2010, followed by 20, 40, 200, and 400 µg/kg per week for additional 9 weeks, which ended on September 30th 2010. The field investigators were blind to the dosing regime in order to minimize bias and subjective assessment. This *in situ* study involving the use of honey bees was reviewed and waived by Harvard School of Medicine Animal Care Committee.

Preparation of honey bee hives

Twenty, new 10-frame Langstroth pine hives were made (Humble Abodes Inc., Windsor ME), assembled (Autumn Morning Farm, Barre MA), and painted externally with white latex paint. Each hive consisted of two deep hive bodies, a telescoping, metal clad outer and a vented inner cover, a bottom board and a hive stand. A third deep hive body was provided to house syrup feeding bottles. Five hives were setup in each of four apiaries about 12 kilometers apart in southern Worcester County located in Central Massachusetts, USA. This separation was sufficient to isolate one apiary from the other. At each apiary the five hives were set upon two parallel sixteen foot 4 × 4 leveled timbers about 40 cm off the ground with a slight forward pitch according to standard practice. Hives faced south to southeast and had a windbreak to their rear, either a structure or evergreen trees. Wax foundation (Walter T. Kelley Bee Co., Clarkson, KY) was installed on 21.59 × 42.55 cm pine frames and placed in the hive bodies.

Twenty packages (each weighing approximately 1.4 kg) of Italian honey bees (Rossman Apiaries Inc., Moultrie, Georgia) were installed in the bottom hive body on March 28th, 2010. All hives were fed with HFCS from plastic frame feeder (Mother Loader Products, Sonora CA). Hives were monitored weekly, and managed using standard beekeeping techniques. These included balancing hives within each apiary by moving brood between hives during the setup period and preventing so called "honey-bound" conditions. During this setup period, 6 nonperforming queens (2 for apiary #1 and #3 and 1 for apiary #2 and #4) were replaced with queens obtained from Rossman Apiaries. By May 21st, 2010 all twenty

frames in each of 20 hives were drawn out into comb and contained at least 14 frames of capped brood. No further movement of frames between hives was allowed after May 21st, 2010.

Imidacloprid administration via HFCS

Imidacloprid (Catalog No. PS-2086, Chem Service, Inc. West Chester, PA) was dissolved in methanol to form a stock solution, and then diluted in 4-ml glass vials to four pre-determined dosages, plus a control with no imidacloprid added, in de-ionized water before adding to HFCS on site (table 1). Glass vials were labeled 1-5, the corresponding to hive ID numbers at each of the 4 apiaries. The imidacloprid dosing regime was blind to field investigators. On each dosing day, each vial was mixed into one glass jar containing approximately 2.6 kg of HFCS and fitted with metal screw caps (AB Container, Enfield CT). The glass jars were set upon the inner covers of the hives. Honey bee obtained HFCS through holes drilled in the caps. The imidacloprid dosages delivered to the hives were confirmed in the quality assurance/quality control program (table 2).

Apiaries were numbered 1-4 and hives were numbered 1-5 such that hive ID#1-1 was referred as the far-left hand hive at apiary 1 and hive ID#4-5 was referred as the far-right hand hive at apiary 4. Treatments were repeated weekly from July 1st - September 30th, 2010. Unused syrup was measured and discarded and exposure calculations adjusted accordingly, although the incomplete consumption of HFCS rarely occurred. After September 30th, 2010 all hives were fed with blank HFCS to ensure that all hives had at least fifteen frames of stored food for the winter.

Monitoring brood production

A number of factors could influence the production of brood in a healthy hive including availability of nectar and pollen, availability of open cells for egg laying, numbers of nurse bees, and overall vitality and quality of the queen. From July 7th to September 30th 2010, the brood production of all hives was assessed on a bi-weekly basis. All hives at two of the four apiaries were assessed weekly using a modification of the brood assessment method (Emsen, 2005). The twenty frames in each hive were scored cumulatively for the area covered by "sealed brood". Sealed brood is the pupal stage of honey bee development and for the worker caste extends for fourteen days. This bi-weekly assessment therefore provides an objective measurement of each colony's brood rearing. Brood was estimated by dividing the face of each side of frame into 32 squares (each square containing approximately 100 cells). All 20 frames in each hive were scored by visually estimating the number of squares of capped brood per frame face. Two hives from each treatment group were scored per week. The alternate two hives were assessed the following week. During this scoring process notes were also made of the number of frames of adult bees observed. No other procedures were implemented during the imidacloprid dosing months.

Treatment for parasites and winter monitoring

Two Apistan strips (Mann Lake Ltd., Hackensack, MN) were placed next to brood to control *Varroa* mite on October 5th, 2010 in all hives and then removed on November 20th, 2010. During the same period, all hives were fed 7.6 litres of blank HFCS containing 9.1 g

Table 1. The weekly administration of imidacloprid (µg/kg) in high-fructose corn syrup (HFCS) and the total imidacloprid dose (µg) delivered to each honey bee hives [1].

Imidacloprid dosages	Hive ID#				
	1	2	3	4	5
Initial dosage (µg/kg of HFCS) per week for 4 weeks	10.5	5.3	1.1	0.1	Control
Amount of imidacloprid delivered to each hive per week (µg) [2]	26	13	2.6	0.26	0 [3]
Total amount of imidacloprid delivered to each hive during the first 4 weeks (µg)	104	52	10.4	1.04	0
Follow-up dosage (µg/kg of HFCS) per week for 9 weeks	400	200	40	20	Control
Amount of imidacloprid delivered to each hive per week (µg) [2]	1,038	519	103.8	51.9	0 [3]
Total amount of imidacloprid delivered to each hive during the follow-up 9 weeks (µg)	9,342	4,671	934.2	467.1	0
Total amount of imidacloprid delivered to each hive during the 13 weeks (µg) [4]	9,446	4,723	944.6	468.1	0

[1] The dosages corresponding to individual hive ID# were applied to 4 apiaries.
[2] Aliquot (3mL) of imidacloprid dissolved in methanol was added to 1.9 litres of HFCS which weighs 2.59 kg. This is the weekly dosage that is delivered to the corresponding hive.
[3] Only aliquot (3mL) of methanol was added to HFCS.
[4] The sum of imidacloprid (µg) delivered to each hive for the entire 13 weeks.

Table 2. Recoveries of imidacloprid in high-fructose corn syrup (HFCS) prepared in the quality assurance/quality control program[1].

Sample type	Imidacloprid (µg/kg)	Sample size	Recovery (%)[2]
Quality control[3]	2 - 25	12	114 (11.8)
Quality assurance[4]	0.5 - 200	9	97 (13.5)
Blank HFCS[5]	n.a.[6]	6	n.a.

[1] Imidacloprid in HFCS analyzed using method published by Zhang *et al*. (2011).
[2] Standard deviation for the respective recovery in the parenthesis.
[3] Fortifying HFCS used in this study with known amount of imidacloprid in the laboratory.
[4] HFCS samples with various imidacloprid dosages collected from the field.
[5] The original HFCS samples used in this study.
[6] Contained imidacloprid levels below the limit of detection at 0.1 µg/kg.

Fumagillin B (Medivet Pharmaceuticals Ltd., High River, Alberta Canada) to control *Nosema apis* and *Nosema ceranae*, two common intestinal parasites. Entrance reducers were also installed.

The survival of all hives was monitored weekly beginning in December 3rd, 2010. Starting December 22nd 2010, hives stores were supplemented with crystallized HFCS mixed into a paste with granular sucrose. The food was placed on waxed paper on top of the frames inside the inner covers. Notes were taken on the general appearance and size of the clusters observed. As soon as a hive was identified as a dead hive, food was removed and the entry to the hive was sealed with duck tape to prevent early spring robbing by other honey bees.

Results

The timeline of this experiment, including the dates of observed events, is shown in table 3. We assessed brood rearing by estimating the number of sealed brood in all 20 frames of each hive on a bi-weekly basis from July to the end of September 2010. We found that the initial brood rearing corresponded to imidacloprid doses two weeks after the initial imidacloprid dosing, however, it is inversely related to imidacloprid dosages at the end of dosing regime (figure 1). The number of sealed brood for both treated and control hives decreased significantly from July to September (GLM, $p < 0.001$), however this decrease is independent of different imidacloprid doses applied to the hives. It should be noted that the steady decreasing trend of sealed brood during the

Table 3. The progression of the *in situ* study and the dates of dead honey bee hive observation.

Date	Event
Jan-Feb, 2010	Assembling 20 new 10-frame Langstroth pine honey bee hives.
March, 2010	Study site selection and apiary setup.
March 28th, 2010	Introducing honey bees (bee shaking) to 20 new hives in 4 apiaries.
May 21st, 2010	All 20 hives contained at least 15 frames of capped brood.
July 1st - 29th, 2010	Initial low imidacloprid dosing for 4 consecutive weeks.
July 29th - Sept 30th, 2010	Follow-up high imidacloprid dosing for 9 consecutive weeks.
July-Sept, 2010	Monitoring strength of honey bee hives biweekly.
Oct 5th - Nov 20th, 2010	Parasite treatment (Apistan strips and Fumagillin B) on all hives.
Dec 3rd, 2010 - present[1]	Winter hive strength monitoring.
Dec 22nd, 2010 - present[1]	Feeding hives with crystallized HFCS mixed with granular sucrose.
Dec 22nd, 2010	Last monitoring date without the observation of dead hives.
Dec 31st, 2010	The 1st and 2nd hives treated with 400 µg/kg imidacloprid dose dead.
Jan 7th, 2011	The 1st hive treated with 40 µg/kg imidacloprid dose dead.
Jan 14th, 2011	The 1st hive treated with 200 µg/kg imidacloprid dose dead.
Jan 19th, 2011	The 2nd hive treated with 200 µg/kg imidacloprid dose dead.
Feb 4th, 2011	The 3rd and 4th hives treated with 400 µg/kg imidacloprid dose dead. The 2nd hive treated with 40 µg/kg imidacloprid dose dead.
Feb 24th, 2011	The 3rd, 3rd and 4th, and 1st and 2nd hives treated with 200, 40, and 20 µg/kg imidacloprid dose, respectively dead. The 1st control hive dead.
March 10th, 2011	The 4th and 3rd hive treated with 200 and 20 µg/kg imidacloprid dose, respectively, dead. The 4th hive treated with 40 µg/kg imidacloprid and 3 control hives remain alive.

[1] On-going activities as of March 21st, 2011.

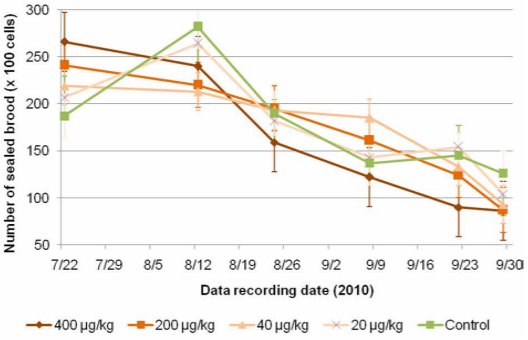

Figure 1. The average estimated numbers of sealed brood of four honey bee hives for each of four imidacloprid dosages and the controls. Data were recorded every two weeks from July to September 2010.

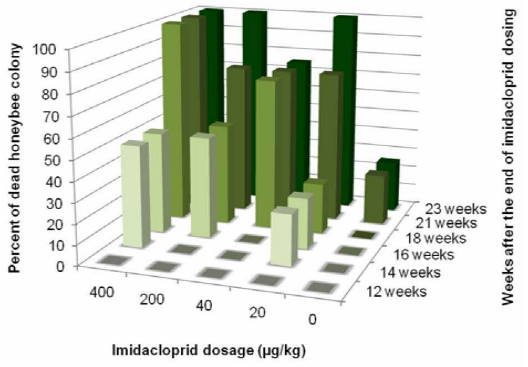

Figure 2. The progression of honey bee hive mortality associated with imidacloprid dosages and the control 23 weeks post imidacloprid dosing. Each imidacloprid-treated group and the controls included four hives placed in four different apiaries.

summer months as observed in this study is vastly different from that normally seen in honey bee hives residing in the central Massachusetts area. Under normal growing conditions, brood rearing in well-managed hives often begins in mid-January and builds exponentially until mid-June. Typically, brood rearing levels off until mid-July, and then takes a slight dip due to the nectar dirth that usually continues until early August at which point there is a slight brief resurgence in brood rearing before leveling off in late August. Brood rearing takes a quick last surge in September until mid-October at which point there is a quick decline with brood rearing ending in November.

All twenty hives were alive when they were assessed on December 22nd 2010, 12 weeks post imidacloprid dosing (PID), although at this time the strength of hives treated with the highest imidacloprid dose appeared to be weakening as observed by smaller clusters and frozen dead honey bees scattering (on snow) in front of the hives. The first observation of two dead hives was recorded 13 weeks PID (table 3). Additional imidacloprid-treated hives began to show signs of weakness throughout January 2011. Significant loss of hives did not occur until 18 weeks PID in which during the following 5-week period, additional 8 hives treated with various imidacloprid doses died. All control hives remained alive 18 weeks PID. Three additional imidacloprid-treated hives and the first control hive died 21 weeks PID. Twenty-three weeks PID, only 1 imidacloprid-treated hive remained alive, whereas 3 of the four control hives were alive. Figure 2 shows the progression of hive mortality associated with different imidacloprid dosages 23 weeks PID.

Discussion

The magnitude and the pattern of honey bee hive loss during the winter months in this study resemble the reported symptoms of CCD. The loss of 15 of 16 imidacloprid-treated hives (94%) across 4 apiaries occurred over a period of 10 weeks following the first hive death. Dead hives were remarkably empty except for stores of food and some pollen left on the frames (figure 3). The dead hives, particularly for those treated with higher dosages of imidacloprid, was preceded by the observation of dead bees scattered on snow in front of the hives, with diminished small clusters remaining the week before death. Snow usually fell between weekly hive examinations making the observation of scattered dead honey bees in front of individual hives noticeable. Although this observation is not quite reminiscent of the reported CCD symptoms, it is important to consider that if these hives were located in a warmer climate region, such as in Florida USA where migratory hives overwinter, bees exiting the hives would have dispersed some distance from the hives and therefore would not be observed in front of the hives.

The replicated controlled design of this *in situ* study in the apiarian setting, and the survival of honey bees in 3 of 4 control hives (figure 4), eliminate the possibility that hive deaths were caused by common suggested risk factors, such as long-distance transportation of hives, malnutrition, or the reported toxic effect of hydroxymethylfurfural, a heat-formed contaminant during the distillation process of making HFCS, to honey bees (LeBlanc *et al.*, 2009). We used the same HFCS in both the imidacloprid-treated and control hives. The loss of imidacloprid-treated hives in this study is also highly unlikely due to pathogen infection since the presence of neither *Nosema* nor a large number of *Varroa* mites was observed in hives during the summer and fall seasons. In addition, all hives were treated with Apistan strips and Fumagillin B, two effective treatments for parasite prevention, prior to the winter season. Since all hives were considered healthy as they went into fall season, those pathogens posed very little threat to the health of honey bee hives. The only dead control hive exhibited symptoms of dysentery in which dead honey bees were found both inside and outside of the hive, which is not seen in the other 19 hives.

Data from this *in situ* study provide convincing evidence that exposure to sub-lethal levels of imidacloprid

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Figure 3. Dead hive (ID# 4-4) treated with 20 µg/kg of imidacloprid which shows the abundance of stored honey and some pollen, but no sealed brood or honey bees. Photo was taken on February 24th, 2011.



Figure 4. Control hive (ID# 2-5), which shows a cluster of honey bees, some stored honey and uncapped larvae, but no sealed brood. Photo was taken on March 4th, 2011.

causes honey bees to exhibit symptoms consistent to CCD months after imidacloprid exposure. Should stressor factors other than feeding honey bees with HFCS containing imidacloprid cause CCD, the loss of honey bees would not occur disproportionally on those imidacloprid-treated hives. The survival of the control hives unequivocally augments this conclusion. The study hypothesis is further supported by the mortality data presented in figure 2, which clearly demonstrates a dose-response relationship, in which the highest imidacloprid dose exterminates hives more quickly than the subsequent doses in all 4 apiaries. Although imidacloprid, and other neonicotinoid insecticides have been suggested as a possible contributing factor to CCD because of its toxicity in impairing foraging ability or triggering other neuro-behavioral problems (e.g. failure to return to the hive) in honey bees at sub-lethal doses (Suchail *et al.*, 2001; Rortais *et al.*, 2005; Thompson and Maus, 2007; Yang *et al.*, 2008; Mullin *et al.*, 2010), its attribution to CCD in the apiary setting has never been documented. The results from this study underscore the paucity of research concerning the sub-lethal effects of pesticides on CCD, particularly of neonicotinoids throughout the yearly life cycle of entire honey bee colonies under natural conditions (Maini *et al.*, 2010; Spivak *et al.*, 2011).

One apparent deficiency, in addition to the small number of honey bee hives used in this study, is that we were not able to obtain HFCS manufactured in 2005/2006 for use in this experiment. Instead, we used food-grade HFCS fortified with different levels of imidacloprid, mimicking the levels that are assumed to have been present in the older HFCS. The range of dosages used in this study from 20 to 400 µg/kg were not only environmentally relevant to those reported imidacloprid levels by studies that are cited previous, but also lie within legally allowable levels, set by the US Environmental Protection Agency (EPA) as the tolerance of 0.05 ppm (50 µg/kg) for corn (US CFR, 2010). Since there is no tolerance level for imidacloprid in HFCS, we applied a 10-fold concentrating factor, or 0.5 ppm (500 µg/kg) of imidacloprid in HFCS, by taking into account the uptake by corn plants from seeds that are treated with imidacloprid. The 10-fold concentrating factor is very conservative compared to the reported average level of 47 mg/L of imidacloprid measured in guttation drops collected from corn seedlings germinated from commercial seeds obtained in 2008 coated with 0.5 mg/seed of imidacloprid (Girolami *et al.*, 2009). Considering that honey bees were diluting the concentrations of imidacloprid fed to the hives with natural nectars foraged during the HFCS feeding months (July to September), honey bees may have exposed to imidacloprid at the dosage lower than 20 µg/kg in which is sufficient to render mortality in honey bees. Therefore, we are confident that the imidacloprid dosages applied in this study would be comparable, if not lower to those encountered by honey bees inside and outside of their hives. Nevertheless, the finding of the loss of honey bee hives at the levels as low as 20 µg/kg of imidacloprid in HFCS raises the question of whether there is a no-observed-adverse-effect-level of imidacloprid (and most likely of other neonicotinoids as well) for honey bees.

There are several questions that remain unanswered as a result of this study. First, the systematic loss of sealed brood in the imidacloprid-treated and control hives may indicate a common stress factor that was present across all 4 apiaries. Although brood rearing is known to be affected by various field conditions, such as available cells for egg laying, availability of nectar and pollen, temperature, and the age and quality of honey bee queen, the continuous decrease of brood rearing over the summer month raises the question of whether feeding honey bees with HFCS would compromise the quality of brood rearing in the hives. This concern is relevant to apiculture since CCD is often linked to feeding honey bees with a monoculture diet either from pollinating a single crop (e.g., almonds) or *via* a single sugar-based food source, like HFCS.

Second, while it is apparent that honey bees died during the winter months did not directly consume HFCS containing imidacloprid when it was fed during the summer months, the delayed mortality in honey bees observed in late winter months remains puzzling. One plausible explanation is that these adult honey bees, which emerged in late summer/early fall, were exposed

to imidacloprid during their larval stage, and the toxicity of imidacloprid at the sub-lethal levels was later manifested in the adult honey bees. Results from a recent *in vitro* study (Medrzycki *et al*., 2010) alluded to a mechanism that may relate to CCD caused by imidacloprid in HFCS. Medrzycki *et al.* demonstrated a link between the quality of the brood rearing environment and both the reduction in longevity and the susceptibility to an insecticide in adult honey bees emerging from their larvae. They reported that by lowering the brood rearing temperature 2 °C from the optimal 35 °C, it strongly affected adult honey bees' mortality and their susceptibility to dimethoate, an organophosphate insecticide. Since it is well known that the physiology of adult honey bees can be affected by the health of their larvae and/or pupae, it implies that the onset of CCD as a result of delayed mortality in adult honey bees may start in the larval stage. The feeding of HFCS containing imidacloprid throughout honey bees' life cycle may initiate CCD by compromising larval development throughout the summer and early fall months as observed in this *in situ* study (figure 1). The presence of imidacloprid in HFCS subsequently renders additional susceptibility, in the form of shorter longevity, to adult honey bees that emerged in early fall. The loss of honey bees due to shorter longevity during the winter months would have no doubt affected the size of the cluster, leading to the collapse of imidacloprid-treated honey bee colonies. The delayed mortality phenomenon would therefore be seen in imidacloprid-treated hives, but not in the control hives. If imidacloprid exposure is truly the sole cause of CCD, it might also explain the scenario in which CCD occurred in honey bee hives not fed with HFCS. Considering the sensitivity of honey bees to imidacloprid as demonstrated in this study and the widespread uses of imidacloprid and other neonicotinoid insecticides, pollen, nectar, and guttation drops produced from those plants would have contained sufficient amounts of neonicotinoid insecticide residues to induce CCD (Benbrook, 2008).

From the ecological and apicultural perspectives, the results from this study show a profound and devastating effect of low levels of imidacloprid in HFCS on honey bee colonies. The initial investigations of the causes of CCD focusing on direct exposures *via* foliar or soil application, ingestion of pollen/nectar, or cross-contamination in hives, failed to detect the link of the sub-lethal toxicity of imidacloprid in sugar-based alternative feeds, such as HFCS. By incorporating the findings from this *in situ* study and other reports, we have validated the study hypothesis in which the initial emergence of CCD in 2006/2007 coincided with the introduction of genetically engineered corn seeds treated with imidacloprid and other neonicotinoid insecticides. It is likely that CCD was caused by feeding honey bees with low levels of imidacloprid in HFCS throughout their lifecycle in which toxicity occurred during the larval/pupal stages and was later manifested in the adult honey bees. The proposed mechanism of delayed mortality should be carefully examined and validated in future studies.

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corrigenda

***In situ* replication of honey bee colony collapse disorder**
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Page 102, Table 3, change last two lines Feb 24th, March 10th as follow:

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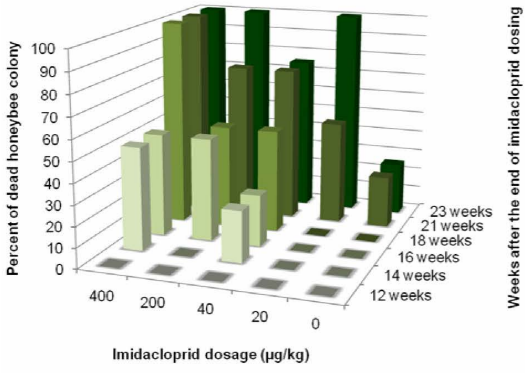
Dec 31st, 2010	The 1st and 2nd hives treated with 400 µg/kg imidacloprid dose dead.
Jan 7th, 2011	The 1st hive treated with 40 µg/kg imidacloprid dose dead.
Jan 14th, 2011	The 1st hive treated with 200 µg/kg imidacloprid dose dead.
Jan 19th, 2011	The 2nd hive treated with 200 µg/kg imidacloprid dose dead.
Feb 4th, 2011	The 3rd and 4th hives treated with 400 µg/kg imidacloprid dose dead. The 2nd hive treated with 40 µg/kg imidacloprid dose dead.
Feb 24th, 2011	The 3rd, 3rd, and 1st and 2nd hives treated with 200, 40, and 20 µg/kg imidacloprid dose, respectively dead. The 1st control hive dead.
March 10th, 2011	The 4th, and 3rd and 4th hive treated with 200 and 20 µg/kg imidacloprid dose, respectively, dead. The 4th hive treated with 40 µg/kg imidacloprid and 3 control hives remain alive.

Page 103, replace Figure 2 as follow:



Letter 12993: Richard Mazess (October 28, 2014)

Response to Comment 12993-1

The Proposed Program would not involve the "widespread use of pesticides"; rather, it includes a suite of management techniques, both chemical and non-chemical. Under the Proposed Program, CDFA would continue to implement a detailed decision-making process to determine whether and how to respond to a pest infestation. As such, all actions that would be taken under the Proposed Program would have a clear justification.

CDFA agrees that pollinators are critical to the state's agricultural and environmental resources, and is committed to supporting healthy pollinator populations. CDFA has carefully evaluated the impacts of Proposed Program activities, and has concluded that they would not be "dangerous." In particular, the potential impacts on sensitive habitats and wildlife species from possible use of neonicotinoids under the Proposed Program have been fully evaluated in the PEIR according to the CEQA Guidelines, supported by an extensive Ecological Risk Assessment (ERA). The PEIR identifies mitigation measures to ensure that these impacts would not be significant. Please refer the Master Response 8, Pollinators, for additional details regarding effects on bees and other pollinators, and Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources,* for a description of the numerous actions that CDFA is taking or plans to take to benefit pollinators.

Response to Comment 12993-2

CDFA refers the commenter to the following Master Responses for more information on the Proposed Program's potential effects on humans, agriculture, and organic farming:

- Master Response 3, Impacts on Organic Farming;
- Master Response 4, Impacts on Agriculture; and
- Master Response 5, Human Health.

In addition, impact discussions in PEIR Volume 1, Section 6.1, *Agricultural Resources and Economics*, beginning on page 6.1-27, describe the Proposed Program's potential impacts on organic agriculture. This analysis concludes that, contrary to what the commenter suggests, the Proposed Program is not anticipated to have significant adverse impacts on organic agriculture, and would benefit agriculture overall, protecting against the conversion of farmland to non-agricultural use and maintaining long-term yields.

Comment Letter 13544

From: marymcallister@comcast.net
To: CDFA Pest Prevention EIR@CDFA
Subject: Statewide Plant Pest Prevention & Management Programmatic Environmental Impact Report - Public Comment
Date: Tuesday, October 28, 2014 2:39:46 PM

I am writing to object to the "Statewide Plant Pest Prevention & Management Programmatic Environmental Impact Report" because it prospectively approves the use of pesticides in California without further analysis or opportunity for public review and comment. I am opposed to this program because it will increase the use of pesticides in California. I am opposed to indiscriminate use of pesticides for the following reasons:

The testing of pesticides in the United States is woefully inadequate to ensure against the use of pesticides which damage the environment and endanger the people and animals that live in it. For example:

13544-1
- Adult honeybees are the only insect on which the EPA requires testing of new pesticides. It is well known that neonictinoids are most damaging to the juvenile larvae of honeybees, yet no testing is done on them. Pesticides may have toxic effects on other insects which are not tested.

13544-2
- The manufacturers of pesticides engage in bogus research to discredit any scientific study which finds evidence of toxicity of their products. Professor Tyrone Hayes's experience with Syngenta's atrazine is a case in point. When he discovered that atrazine causes severe birth defects in frogs, Syngenta employed a team to discredit both his research and his personal reputation. Atrazine is still on the market, despite the considerable evidence that it is poisoning much of the drinking water in the US and causing birth defects in humans and other animals.

13544-3
- Inadequate regulation of pesticides also enables products to be put on the market on a "provisional" basis for many years, without any testing. A small fraction of the 84,000 chemical compounds available on the market have been fully tested.

13544-4
- There is very little testing for pesticides in the environment. Therefore little is known about the prevalence of the many chemicals in the environment which are undoubtedly damaging the environment and human health. The *New York Times* reported, "The number of chemicals contaminating our environment is growing at an exponential rate…everyone from researchers to environmental groups to the chemical industry agrees that the law is frustratingly inadequate…'Our chemical safety net is more hole than net.'" http://well.blogs.nytimes.com/2014/09/25/a-rising-tide-of-contaminants/?_php=true&_type=blogs&module=Search&mabReward=relbias%3Ar&_r=0

13544-5
- No tests are required for the synergistic effects of combining pesticides, which is frequently done in the field.

Escalating pesticide use is ultimately a dead end, both literally and figuratively. The more pesticide that is used, the more pesticide must be used to be effective. For example:

13544-6
- Indiscriminate pesticide use is a short-term strategy that ultimately increases populations of pests by creating evolutionary pressure for pests to evolve resistance to them. The reaction of manufacturers of pesticides to pest resistance has been to request EPA approval to use greater quantities and concentrations. The greater the pesticide use, the greater the evolutionary pressure for the pest to evolve resistance to pesticides.

13544-7
- The more pesticides that are used, the more beneficial insects are destroyed as collateral damage. By destroying the insects that are the potential predators of agricultural pests, the pesticide user becomes progressively more dependent on pesticides.

13544-8
- The easier and cheaper it is to use pesticides, the less motivation there is to find solutions that are less damaging to the environment, such as
  - Crop rotation and other "cultural" methods of pest control.

Comment Letter 13544-Cont.

13544-8 cont.

- Using sound vibrations and odor to fight off insects from cultivated fields. http://www.sciencedaily.com/releases/2014/09/140916122938.htm
- Using evolutionary strategies to solve environmental challenges such as agricultural pests. http://www.sciencedaily.com/releases/2014/09/140912152112.htm

The Draft Statewide Plant Pest Prevention & Management Programmatic Environmental Impact Report should not be approved unless and until all of these concerns have been addressed and the questions they raise have been resolved.

Thank you for your consideration.

Mary McAllister
4127 Gilbert St
Oakland, CA 94611
510-547-2563

Letter 13544: Mary McAllister (October 28, 2014)

Response to Comment 13544-1

The commenter is correct regarding United States Environmental Protection Agency (U.S. EPA) requirements related to adult honey bees. However, toxicity testing in larval honey bees is now a requirement, but these tests have not yet been conducted on any of the pesticides included in the Proposed Program. University researchers will publish toxicity test results for other beneficial insects, and European regulatory agencies require testing on additional insect species. When these data were available, they were used also to assess effects on insects. In summary, the ERA used the best available scientific information in its analysis, and its conclusions are valid for the purposes of reaching conclusions under CEQA related to special-status species.

Response to Comment 13544-2

The toxicity tests on which our effects analyses were performed in either the HHRA or the ERA relied heavily on tests submitted to and accepted by U.S. EPA or CDPR. Some toxicity test data were derived from peer-reviewed scientific journals, particularly for species for which U.S. EPA does not require toxicity testing. For any toxicity data that were not found in U.S. EPA or CDPR documents, the scientific merit of the study was evaluated prior to including those data in either risk assessment. Many studies were rejected from inclusion because they were considered flawed in some way, or because sufficient details were not available to establish the quality of the study. All data used in either risk assessment were from government source documents or peer-reviewed scientific journals, and were of high scientific quality.

Also, note that atrazine is not being considered for use under the Proposed Program.

Response to Comment 13544-3

Pesticide registration and use is highly regulated at both the federal and state levels in an effort to protect human health and the environment. PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials*, the HHRA (Appendix B), and PEIR Appendix O, *Regulatory Setting,* describe the regulatory process and requirements in great detail. All pesticide products that may be used under the Proposed Program are registered for use in the United States by the U.S. EPA Office of Pesticide Programs, and for use in California by CDPR. All applications made under the Proposed Program would be conducted in accordance with the U.S. EPA- and CDPR-approved labels.

Response to Comment 13544-4

Toxicity testing and environmental fate data might be lacking for some groups of chemicals, but this is not the case with pesticides. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires that numerous toxicity and environmental fate studies be completed prior to even Experimental Use Permits being approved. All pesticide products that may be used under the Proposed Program have been registered with U.S. EPA and CDPR, with all required toxicity and environmental fate data reviewed and approved by these agencies.

Response to Comment 13544-5

In the absence of information regarding the potential for synergistic effects, the adverse effects—represented by Risk Quotients in the ERA, and Hazard Quotients in the HHRA—were added together to arrive at a total risk estimate for any application scenario. Without a way to quantify synergism, additivity was assumed. See Response to Comments14808-18 and 16556-128 for further discussion of this topic.

Response to Comment 13544-6

CDFA acknowledges that pesticide use, if done improperly or indiscriminately, would result in future pests with immunity or enhanced resistance to pesticides. Master Response 11, Pesticide Resistance, addresses this topic in detail, and CDFA's actions to prevent and minimize pest resistance. It should further be noted, as detailed in Master Response 2, Integrated Pest Management Approach, that pesticide use is only one of multiple management techniques that CDFA employs or recommends; the Proposed Program would not involve "indiscriminate" use of pesticides.

Response to Comment 13544-7

As described in Master Response 2, Integrated Pest Management; Master Response 12, Alternatives Analysis; and PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, CDFA carefully considers a number of factors to determine appropriate management approaches, such as risks to the environment and non-target organisms, including predators of agricultural pests. PEIR Volume 1, Section 6.3, *Biological Resources*, considers the potential for impacts on non-target species, and includes mitigation to ensure that these impacts would not be significant. On this basis, CDFA has not found that the Proposed Program would lead to pesticide dependence; as new effective eradication or control techniques are developed (chemical or otherwise), they would be used. In fact, a number of promising non-chemical techniques are currently in use or in development, such as releases of sterile insects, and development of RNAi technologies.

Response to Comment 13544-8

As stated in PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, and Master Response 2, Integrated Pest Management Approach, CDFA's IPM approach considers the full range of pest management options; and pest management responses often involve use of a combination of strategies, including mechanical control, biological control, cultural control, and the use of pesticides where indicated. Master Response 12, Alternatives Analysis, further discusses CDFA's appreciation for evolutionary biology principles, and CDFA's efforts to select pest management strategies for each target pest that will minimize pesticide dependence, or the creation of pesticide-resistant or pesticide-immune pests. Although CDFA supports the use of on-farm cultural controls to address pests, CDFA does not have the jurisdiction or authority to dictate that farmers use specific cultural methods of pest control, such as crop type or crop rotations. The decision rests with the individual grower as to whether they wish to use such techniques; the Proposed Program is intended to address situations where a pest infestation has occurred despite (or in the absence of) such practices. It is up to California's growers to test and/or use cultural or physical methods of pest prevention, control, and eradication, including

those strategies suggested by the commenter (e.g., crop rotation, sound vibrations, evolutionary strategies [choosing drought- and flood-resistant crop varieties], or pheromones [one of the Science Daily articles cited by the commenter describes the use of pheromones in disrupting the mating cycle of certain pests]). Do note that, as described in PEIR Volume 1, Section 3.3, *Chemical Management Activities*, the Proposed Program's MPs include the use of pheromones, parapheromones, and mixtures of pheromones and pesticides. CDFA employs a variety of pest management strategies with consideration for evolutionary principles and pesticide resistance.

Comment Letter 13868

From: Isabelle Kay
To: CDFA Pest Prevention EIR@CDFA
Subject: CDFA PEIR
Date: Wednesday, October 29, 2014 1:24:03 AM

ATTN: Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814
submitted by email to: PEIR.info@cdfa.ca.gov

October 29, 2014

RE: STATEWIDE PLANT PEST PREVENTION AND MANAGEMENT PROGRAM ENVIRONMENTAL IMPACT REPORT (EIR)

Dear Ms. Petro

I am writing to urge you not to approve the plan, and not to certify the EIR described in the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report for many reasons, including:

13868-1
- The risks appear too great, and the benefits too small, to allow the California Department of Food and Agriculture the authority to use toxic pesticides over wide areas of the state into the indefinite future.

13868-2
- The tiered approach to the EIR proposed makes scrutiny of projects in the future difficult.

13868-3
- The measure of significance used – "the conversion of farmland to non-agricultural use" -- is far too high a threshold to have meaning; very large human and insect health impacts could be felt before this measure of significance is met.

13868-4
- The summary report states that the effects on native and Special Status Pollinators could be significant, and that organic farmers would likely experience over-spray.

13868-5
- Impacts to air pollution would be significant and unavoidable.

13868-6
- The goal of eradication rather than control necessitates the excessive use of pesticides

13868-7
- The PEIR appears biased, as it concludes that the project is the environmentally-preferred alternative, and that the No Project Alternative is the next best, leaving the Organic–Pesticide Alternative as the one that must be chosen. This suggests that more work could be done to developed a truly environmentally-superior alternative.

Thank you for the opportunity to comment.

Isabelle Kay

Comment Letter 13868-Cont.

3163 Evening Way, Unit A

La Jolla, CA 92037

858-909-0807

Letter 13868: Isabelle Kay (October 29, 2014)

Response to Comment 13868-1

CDFA refers the commenter to Master Response 1, Scope of the Statewide Program, which provides information on the characteristics of the Proposed Program; it would not involve use of "toxic pesticides over wide areas of the state into the indefinite future."

In addition, CDFA disagrees with the commenter that the benefits of the Proposed Program are too small compared to the potential risks. As disclosed in the PEIR, the only significant and unavoidable impacts from the Proposed Program's implementation would be related to air quality and global climate change via criteria air pollutant and greenhouse gas (GHG) emissions. All other impacts, including impacts on agriculture, biological resources, hazards and hazardous materials, noise, and water quality would be either beneficial, have no impact, or be less than significant with implementation of the PEIR's mitigation measures. The massive economic and environmental impacts of unchecked pest infestations have been well documented, and in this context, the benefits of the existing Statewide Program and the Proposed Program are substantial.

Response to Comment 13868-2

The commenter is referred to Master Response 1, Scope of the Statewide Program, which provides detailed information about how activities conducted under the Proposed Program would be evaluated, and how the public would be given the opportunity to engage in the process.

Response to Comment 13868-3

CDFA relied upon Appendix G of the CEQA Guidelines to determine appropriate significance thresholds for evaluation of potential impacts. The significance threshold the commenter cites is a specific agricultural resources threshold provided in Appendix G, and is appropriate to use for the purposes of the CEQA analysis. That said, there may be impacts that would not be considered significant under CEQA but which CDFA takes into consideration as part of its decision-making process (e.g., economic effects).

CDFA evaluated potential effects on human health and biological resources separately from agricultural resources, and did not presume that if impacts on agriculture were less than significant, then impacts on humans and other species would also not be significant. These impacts were evaluated in PEIR Appendices A and B, the ERA and HHRA, respectively, and throughout PEIR Volume 1, Chapter 6, *Environmental Setting and Impacts Analysis*. The PEIR concluded that with implementation of mitigation measures, impacts on humans and biological resources would be less than significant.

Response to Comment 13868-4

CDFA refers the commenter to Master Response 8, Pollinators, for further information on potential impacts on pollinators, including special-status pollinators; actions CDFA is taking to minimize effects on pollinators; and required mitigation measures that would ensure that impacts on special-status pollinators would be less than significant.

The commenter is also referred to Master Response 3, Impacts on Organic Farming, for further discussions about potential impacts of the Proposed Program on organic farms; the Proposed Program includes practices to avoid over-spray onto organic farms.

Response to Comment 13868-5

According to CEQA Guidelines Section 15092, any lead agency may approve a project for which an EIR was prepared, if it has (a) eliminated or substantially lessened all significant effects on the environment where feasible, as shown in findings under CEQA Guidelines Section 15091; and (b) determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns, as described in CEQA Guidelines Section 15093. As stated in CEQA Guidelines Section 15093, CEQA requires the decision-making agency to balance, as applicable when determining whether to approve the project, the economic, legal, social, technological, or other benefits of a proposed project, including region-wide or statewide environmental benefits, against the project's unavoidable environmental risks. If the specific economic, legal, social, technological, or other benefits of a proposed project, including region-wide or statewide environmental benefits, outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

With respect to air quality and GHGs, it is not certain that impacts would be significant, but CDFA has found that it was reasonably foreseeable that this was possible, and so conservatively concluded it could occur. As detailed in PEIR Volume 1, Section 6.2, *Air Quality*, and Section 6.4, *Global Climate* Change, CDFA already implements, and would continue to implement, all feasible measures to minimize criteria air pollutant and GHG emissions, thereby meeting the requirements of the CEQA Guidelines for approval of the Proposed Program. If CDFA makes a statement of overriding considerations, and includes it in the Proposed Program's record of approval, then CDFA would be permitted under the CEQA Guidelines to adopt the PEIR and approve the Proposed Program. Therefore, although impacts on air quality are significant and unavoidable, this would not necessarily require that CDFA not approve the Proposed Program. CDFA has determined that the extensive environmental and economic damage that would be avoided by implementation of the Proposed Program greatly outweighs the impacts related to air quality and GHGs.

Response to Comment 13868-6

CDFA is mandated by the state legislature to eradicate pests, if necessary (see CFAC, sections 5321 and 5322). Therefore, eradication is a goal of the Proposed Program. Eradication is also recognized as a real and valid goal internationally. CDFA follows guidelines published by the IPPC, including International Standards for Phytosanitary Measures; follows guidelines published by NAPPO, including the NAPPO Regional Standards for Phytosanitary Measures; and participates as a member state in the National Plant Board.

Also note that CDFA has found that using a goal of eradication potentially results in less use of pesticides than a goal of control. Eradication involves very targeted use of pesticides on relatively small infestations; the amount of pesticides needed to control an established population of a pest is likely to greatly exceed the amount necessary to ensure that they do not become established.

Response to Comment 13868-7

Please see Master Response 12, Alternatives Analysis, for a discussion of the PEIR's alternatives analysis.

Comment Letter 13869

From:	Yates, Elena@CalRecycle
To:	CDFA Pest Prevention EIR@CDFA
Cc:	Smyth, Brenda@CalRecycle; Pogue, Kyle@CalRecycle; Horowitz, Robert@CalRecycle
Subject:	CalRecycle Comments on CDFA Draft Programmatic EIR - Due 10/31/2014
Date:	Wednesday, October 29, 2014 9:17:28 AM
Attachments:	image002.png image003.png image004.png image006.png CalRecycle PEIR Comment Letter 102814.pdf Copy CalRecycle PEIR Comment Letter dated 71811.pdf
Importance:	High

Dear Ms. Petro:

Attached you will find the California Department of Resources Recycling and Recovery's (CalRecycle) written comments concerning the California Department of Food and Agriculture's program environmental impact report (PEIR) for the proposed statewide plant pest prevention and management program—the original copy of the letter will follow via U.S. mail. Also, attached is a follow up letter (dated 7/18/11) to an earlier input CalRecycle sent to CDFA.

Do you know when the EIR is scheduled to be released? If so, please let us know beforehand and share an advanced copy so that we can verify our comments have been incorporated.

Sincerely,

Elena Yates
Department of Resources Recycling and Recovery (CalRecycle)
Statewide Technical &Analytical Resources Branch
Phone (916) 341-6466
Fax (916) 319-7142
Elena.yates@CalRecycle.ca.gov



Comment Letter 13869-Cont.

California Environmental Protection Agency Edmund G. Brown Jr., Governor

CalRecycle DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027
P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

October 28, 2014

California Department of Food and Agriculture
ATTN: Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
1220 N Street, Suite 221
Sacramento, CA 95814

Written Comments Concerning the California Department of Food and Agriculture's Program Environmental Impact Report for the Proposed Statewide Plant Pest Prevention and Management Program

Dear Ms. Petro:

Thank you for allowing the California Department of Resources Recycling and Recovery (CalRecycle) the opportunity to comment on the California Department of Food and Agriculture's (CDFA) program environmental impact report (PEIR) for the proposed statewide plant pest prevention and management program (Statewide Program). In a July 2011 letter to Michele Dias, CalRecycle provided suggestions on CDFA's early PEIR concepts. Unfortunately, those comments did not make it into the report. Some of them either bear repeating or needed clarification, which is provided below. 13869-1

CalRecycle's mandate is to promote diversion of organic materials from being landfilled and the recycling or reuse of the diverted material to the highest end use, which includes the production of mulch and compost. CalRecycle's parallel mission is to protect public health, safety and the environment by ensuring that solid waste facilities meet statewide minimum standards for design and operation. This includes ensuring that regulated composting facilities meet time and temperature requirements for destruction of pathogens. These same techniques are proven to kill the glassy-winged sharpshooter[i], and preliminary tests indicate they are lethal to the Asian Citrus Psyllid as well.[ii] 13869-2

CalRecycle recommendations:

1. **Support for the role of soil health in pest risk reduction:** Given the Governor's interest in healthy soils as a climate adaptation method for California agriculture, culminating in the Food and Agriculture Board's Oct. 7, 2014 Soil Health Summit, it bears repeating that healthy soils have a role to play in fighting the impacts of pests and diseases. Please consider the following language in Page ES-1 of the Executive Summary of the Draft PEIR report. 13869-3

   Overview of the Statewide Program, Goals and Objectives include:

   - ***Promote Healthy Soils – including the use of compost and mulch to build water holding capacity and organic matter in soils, to protect soil biology from temperature and weather extremes, and to increase the number and variety of beneficial organisms living in agricultural soil, all of which lead to stronger and more pest-resistant cropping systems.***

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Comment Letter 13869-Cont.

2. **Add compost time and temperature requirements from *Title 14 CCR, Section 17868.3 of* CalRecycle's regulations to ensure pest kill in potentially infested materials composted on site or sent elsewhere for composting.** *Page 6.3-8, Impact BIO-PHYS-2: Disposal of infested host material within internal quarantine areas would not affect sensitive biological resources. (No Impact).*

Disposal methods for infested host material and equipment use within internal quarantine areas potentially could affect sensitive biological resources if such resources occur within disposal areas. The required specific types of disposal for infested materials are detailed below. These disposal activities would occur at nurseries, in agricultural areas, in urban areas, or within landfills, and would be similar in intensity to ongoing, non-pest-related disposal of agricultural and ornamental botanical waste. Thus, they are not expected to affect sensitive biological resources. These activities would include materials that are:

- buried deeply in a landfill;
- ***composted within the quarantine area, at an approved receiver or on site. All composting of potentially infested materials from quarantined areas shall, at a minimum, meet time and temperature requirements as specified in Title 14 CCR, Section 17868.3. Maintain records for on-site composting to demonstrate compliance.***
- ***composted at an approved receiver outside the quarantine area, following transport by an approved hauler under a compliance agreement. All composting of potentially infested materials from quarantined areas shall, at a minimum, meet time and temperature requirements as specified in Title 14 CCR, Section 17868.3***
- double-bagged and disposed as trash;
- incinerated to ash;
- sterilized;
- grinded and discharged into an approved sewage treatment system;
- crush-processed grape and olive fruit within quarantine areas; or
- infected grape shipments for destruction.

Focal pests for these activities would include fruit flies, European grapevine moth, and gypsy moth, although these activities may be implemented for other pests (including future pests not currently addressed under the Statewide Program). Therefore, no impact would occur.

The regulations cited above may be found on line at:
http://www.calrecycle.ca.gov/Laws/Regulations/Title14/ch31a5.htm#article7

13869-4

We hope that these suggestions can be added to the PEIR and look forward to continuing our collaborative efforts to strengthen and protect California agriculture. If you have any questions, please contact Elena Yates at (916) 341-6466.

Sincerely,

Brenda Smyth

Brenda Smyth, Branch Chief
Statewide Technical and Analytical Resources Branch

Enclosed: CalRecycle's letter to CDFA, (07/18/2011)

cc: Caroll Mortensen, Director, CalRecycle
Scott Smithline, Deputy Director, CalRecycle
Howard Levenson, Deputy Director, CalRecycle

[i] Crohn D et al. "Probabilities for survival of glassy-winged sharpshooter and olive fruit fly pests in urban yard waste piles," *Bioresource Technology* 99 (2008) 1425-1432.
[ii] Telephone conversation with Dr. David Crohn, UC Riverside, (10/2/2014)

Comment Letter 13869-Cont.

Natural Resources Agency

Edmund G. Brown, Jr., Governor

CalRecycle

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

801 K STREET, MS 19-01, SACRAMENTO, CALIFORNIA 95814 • (916) 322-4027 • WWW.CALRECYCLE.CA.GOV

July 18, 2011

COPY

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

Written Comments Concerning the California Department of Food and Agriculture's Program Environmental Impact Report for the Proposed Statewide Plant Pest Prevention and Management Program

Dear Ms. Dias:

Thank you for allowing the California Department of Resources Recycling and Recovery (CalRecycle) the opportunity to participate and comment on the California Department of Food and Agriculture's (CDFA) program environmental impact report (PEIR) for the proposed statewide plant pest prevention and management program (Statewide Program). We agree with CDFA that programs and activities need to be enacted to protect our state's plants and green material from harmful pests, while keeping the environmental impacts of these programs and activities in mind.

CalRecycle's mandate is to promote diversion of organic materials from being landfilled and the recycling or reuse of the diverted material to the highest end use, which includes compost. As part of this, CalRecycle is lead agency in the state that ensures compost products meet regulatory quality assurance and proper control standards for pathogen reduction and effective performance. Given this role, CalRecycle recommends that the Statewide Program emphasize an integrated pest management program that includes compost for healthy soils, as a proactive measure that minimizes the need for pesticides.

CalRecycle is a Responsible Agency as part of the Technical Advisory Committee and would like to submit the following perspectives:

- We request the Statewide Program consider compost use as a proactive measure to foster healthy soils and possibly reduce the need for pesticides;
- We are concerned with the use of persistent pesticides on plants and other compostable materials, specifically because these pesticides do not completely break down in the composting process and are returned back into the organic agriculture setting (e.g., bifenthrin, clopyralid, aminopyralid, etc.);
- We believe that composting green materials from quarantine zones (due to agriculture pests such as Asian Citrus Psyllid, Sudden Oak Death, Light Brown Apple Moth, European Grapevine Moth, etc.) could be used as a mitigation measure which may suppress the spread of pests; and
- There is also the potential for a significant increase in the amount of chipped green material directly applied to agricultural land due to the upcoming closure of the Puente Hills landfill in Los Angeles County. This material, currently being used for alternative daily cover (ADC), could be destined for land application in surrounding counties and, if not properly handled, may contribute to the spread of imported pests.

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Comment Letter 13869-Cont.

As mentioned, CalRecycle is a part of the Technical Advisory Committee and Pat Paswater is our peer review group member. Pat will provide further CalRecycle input to the development of the PEIR at upcoming Committee meetings. You may contact Pat at (916) 341-6870 or you can contact me directly using the information listed below.

Sincerely,

Brenda Smyth

Brenda Smyth, Chief
Statewide Technical and Analytical Resources Branch
CalRecycle
(916) 341-6605

cc: Mark Leary, Acting Director, CalRecycle
Howard Levenson, Deputy Director, CalRecycle

Letter 13869: Brenda Smyth, California Department of Resources Recycling and Recovery (October 28, 2014)

Response to Comment 13869-1

CDFA thanks CalRecycle for clarification on its scoping comments. Although CDFA reviewed and considered CalRecycle's scoping comments as part of its review of all scoping comments, CDFA determined at the time of initial scoping comment review that CalRecycle's suggestions were not feasible under CDFA's authority; were outside the scope of the Proposed Program; and/or that the topics raised would be addressed through the PEIR development or through implementation of the Proposed Program (e.g., via compliance agreements with regulated entities [e.g. growers]), should the Proposed Program be approved. Further responses to the scoping comments that CalRecycle repeated or clarified in its PEIR comment letter are provided below.

Response to Comment 13869-2

CDFA appreciates CalRecycle's input on its composting facilities. Select programs under the Proposed Program incorporate Title 14 California Code of Regulations (CCR), Section 17868.3 of CalRecycle's regulations, into CDFA compliance agreements with regulated entities (e.g. growers).

Response to Comment 13869-3

Please see Master Response 14, Ecological-Agricultural Approach, which provides information on CDFA's support for a sustainable eco-agricultural pest prevention alternative, and the promotion of healthy soils.

Response to Comment 13869-4

As mentioned above, select programs under the Proposed Program incorporate Title 14 CCR, Section 17868.3 of CalRecycle's regulations, into CDFA compliance agreements with regulated entities (e.g. growers). Therefore, although CDFA appreciates CalRecycle's suggested text edit, it is unnecessary for CDFA to add that proposed language to its Impact BIO-PHYS-2 discussion.

Comment Letter 14382

From: Bob McFarland
To: CDFA Pest Prevention EIR@CDFA; CDFA Pest Prevention EIR@CDFA
Subject: Testimony on Glyphosates
Date: Wednesday, October 29, 2014 12:23:56 PM
Attachments: Glyphosate Ltr.pdf

POSTED HERE and FILE ATTACHED

October 29, 2014

Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N. Street, Suite 221
Sacramento, CA 95814

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

Ms. Petro:

On behalf of our 10,000 members serving 185 communities state wide, the California State Grange opposes the approval of the use of Glyphosate in the draft Statewide Plant Pest Prevention and Management Program Environmental Impact Report, posted October 1st, 2014 by the California Department of Food and Agriculture.

Started in 1870, the California State Grange is a grassroots nonprofit organization. We support and advocate for healthy communities, family farms, local economies, cultural diversity, public schools and education, the arts, and a variety of charitable causes. The Grange was the first organization to support and promote women as equal voting members. The Grange is non-partisan and non-denominational.

At our 142nd Annual Meeting held this month, 109 representatives from across the state, from San Diego County to Lassen County, by overwhelming majority voted to actively work to ban the sale and use of Glyphosate in California.

The California State Grange actively opposes the use of Glyphosate in agriculture and food preparation because:

<!--[if !supportLists]-->• <!--[endif]-->Glyphosate has been found to harm the soil's microbial biome and reduce nutrient uptake in plants.

<!--[if !supportLists]-->• <!--[endif]-->Glyphosate can be found in much of the food consumed by Americans.

<!--[if !supportLists]-->• <!--[endif]-->Glyphosate has been found in the breast milk of Mothers.

<!--[if !supportLists]-->• <!--[endif]-->Mounting evidence indicates the correlation between Glyphosate and adverse human health conditions, including

Comment Letter 14382-Cont.

cancer, autism, Parkinson's, and many others.

The long list of studies that motivates the position of the California State Grange includes:

- Awad A. Shehata et al. The Effect of Glyphosate on Potential Pathogens and Beneficial Members of Poultry Microbiota In Vitro. Curr Microbiol, November, 2012.
- Anthony Samsel and Stephanie Seneff. Glyphosate's Suppression of Cytochrome P450 Enzymes and Amino Acid Biosynthesis by the Gut Microbiome: Pathways to Modern Diseases. Entropy 2013, 15(4), 1416-1463.
- N. Benachour et al. Time- and Dose-Dependent Effects of Roundup on Human Embryonic and Placental Cells. Arch. Environ. Contam. Toxicol. 53, 126–133 (2007).

The California State Grange believes that the allowance for the use of Glyphosate is simply irresponsible. Supporting for the use of Glyphosate in agriculture practices does not sufficiently outweigh the body of evidence claiming either uncertain or definitively adverse biological effects.

The unconscionable reality is that our children are being used as human guinea pigs. This must STOP NOW until further studies can prove that Glyphosate are safe.

The California State Grange demands that the California Department of Food and Agriculture remove Glyphosate from the list of approved chemicals in the Statewide Plant Pest Prevention and Management Program Environmental Impact Report.

Concerned,

Bob McFarland, President
California State Grange

Bob McFarland ~ President
California State Grange
It feels good to be a Granger

Comment Letter 14382-Cont.

California State Grange

3830 U Street, Sacramento, California 95817
916-454-5805 · Fax 916-739-8189
info@californiagrange.org

October 29, 2014

Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N. Street, Suite 221
Sacramento, CA 95814

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

Ms. Petro:

14382-1

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The California State Grange actively opposes the use of Glyphosate in agriculture and food preparation because:

- Glyphosate has been found to harm the soil's microbial biome and reduce nutrient uptake in plants.
- Glyphosate can be found in much of the food consumed by Americans.
- Glyphosate has been found in the breast milk of Mothers.
- Mounting evidence indicates the correlation between Glyphosate and adverse human health conditions, including cancer, autism, Parkinson's, and many others.

Comment Letter 14382-Cont.

14382-2

The long list of studies that motivates the position of the California State Grange includes:

- Awad A. Shehata et al. The Effect of Glyphosate on Potential Pathogens and Beneficial Members of Poultry Microbiota In Vitro. Curr Microbiol, November, 2012.
- Anthony Samsel and Stephanie Seneff. Glyphosate's Suppression of Cytochrome P450 Enzymes and Amino Acid Biosynthesis by the Gut Microbiome: Pathways to Modern Diseases. Entropy 2013, 15(4), 1416-1463.
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14382-3

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The unconscionable reality is that our children are being used as human guinea pigs. This must STOP NOW until further studies can prove that Glyphosate are safe.

The California State Grange demands that the California Department of Food and Agriculture remove Glyphosate from the list of approved chemicals in the Statewide Plant Pest Prevention and Management Program Environmental Impact Report.

Concerned,

Bob McFarland, President
California State Grange

Letter 14382: Bob McFarland, California State Grange (October 29, 2014)

Response to Comment 14382-1

CDFA notes the California State Grange's opposition to the use of glyphosate. Under the Proposed Program, glyphosate would be used in a limited fashion as a stump treatment for citrus trees removed due to being infected with the huanglongbing virus (HLB). This use results in very direct and precise application, and the Draft PEIR concluded that the use of glyphosate in this context would not have the potential for significant impacts. In particular, the Draft PEIR considered topics such as breast milk, food consumption, and adverse health conditions in its HHRA, and in PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials*.

Response to Comment 14382-2

CDFA used the best available science and considered the body of published literature in conducting the analysis for the PEIR. CDFA appreciates the provision of these references; however, they do not change the Draft PEIR's conclusion that use of glyphosate in the situations described above would not result in significant impacts on humans or the environment.

Response to Comment 14382-3

CDFA uses an IPM approach that considers a range of possible management approaches and their efficacy, and balances this against potential adverse outcomes. As described above, glyphosate would only be used under the Proposed Program in limited instances to achieve specific management objectives related to removal of HLB-infested citrus trees. The PEIR concludes that this use would not result in any significant impacts to humans or other environmental resources. CDFA has therefore determined that removal of glyphosate from the Proposed Program is not necessary.

Comment Letter 14438

From: Nicholas Egan
To: CDFA Pest Prevention EIR@CDFA
Subject: Attention: Laura Petro, Senior Environmental Scientist (Supervisory)
Date: Thursday, October 30, 2014 10:47:45 PM

Dear Dr. Petro,

14438-1 In reference to the Air Quality section of the Executive Summary for PIEF, what level of site-specific pesticide-derived pollutant exposure is considered substantial? Will that be determined before every Proposed Program activity? Additionally, in regards to the Hazards
14438-2 and Hazardous Materials section, there is no process described for what would occur should proper procedure not be followed for the involved parties. Also, for the Water Quality
14438-3 section, how does drought and other weather effects affect CFDA chemical application to waterbodies? Accounting for potential, accidental runoff to these bodies, the effects of these incidents may be considerably more influential in a period of time with reduced groundwater.

14438-4 It also appears that Attachment 1 of Appendix J holds a primary focus on maintaining and protecting current pollinator populations, but does not seem to emphasize the recovery of these populations. While the border stations will provide respite for a number of hives, they are few in number in comparison to the enormous amount of beehives in the state of California, and does not substantially benefit most other pollinators present in the environment, most of which are displayed in Table J-1. Under the Proposed Activities/Actions to Benefit Pollinators, the principal to "encourage permitting of natural pollinators" is emphasized, yet most of the Appendix focuses almost entirely upon bees, without regard for other pollinators. The far-reaching ranges of many pollinators, including bees, must also be taken into account when surveying areas that fall within the jurisdiction of the Proposed Program.

14438-5 Looking through Appendix A, the Risk Assessment ~~M~~ethodology is very assuring, and the Post-Application-Worker and -Resident research seems appropriately in-depth. Following suit, the entirety of Appendix A's analysis is impressive, and similarly complex. Appendix B also seems to permit a substantial amount of options for handling situations that undergo the PIER process. Hopefully this flexibility will allow the addressal of the above comments, and will permit a healthy and adequate response to both our pest problems, and our environmental issues.

Sincerely,

Nicholas Egan

11735 Ridge Creek Ct., Cupertino, CA

(408)482-7337

Letter 14438: Nicholas Egan (October 30, 2014)

Response to Comment 14438-1

Detailed information regarding the specific significance thresholds for pesticide-derived pollutant exposure can be found in the HHRA, including Section ES-5 (Appendix B, *Human Health Risk Assessment* Step 4: Risk Characterization, pg. 9). As defined in Appendix B, *Human Health Risk Assessment,* the goal of risk characterization is to provide an understanding of the type and magnitude of an adverse health effect that a particular chemical could cause under particular circumstances. The process of combining exposure and dose-response is different for carcinogens and noncarcinogens. For noncarcinogens, a Margin of Exposure (MOE) is used as a risk threshold to assess dermal and inhalation exposures. If the MOE is greater than 100, the chemical exposure under consideration is regarded as unlikely to lead to adverse health effects (U.S. EPA, 2007). If the MOE is less than 100, adverse health effects are more likely, and measures to reduce the potential for such effects need to be considered. The MOE is not an actual measure of risk, but it is a benchmark that can be used to estimate the likelihood of risk. For carcinogens, excess lifetime risk is calculated by multiplying the dose estimate by a cancer potency factor. The result is an upper bound probability that lifetime exposure to a chemical will lead to excess cancer risk. This value is usually expressed as a population risk, such as 1×10^{-6}, which means that no more than 1 in a million exposed persons is expected to develop cancer. Generally, acceptable cancer risk is set at no more than one potential new case in a population of 1 million (OEHHA, 2001). Thus, these were the specific pollutant exposure thresholds used to determine if an air quality impact related to toxic air contaminants (TACs) would be significant.

As described in Appendix C, *CEQA Tiering Strategy*, every activity will be specifically evaluated; but for activities conducted consistent with the scenarios evaluated in the HHRA, no further risk evaluation would be needed, because Appendix B, *Human Health Risk Assessment,* provided a complete analysis of potential site-specific pesticide-derived pollutant exposures related to the Proposed Program.

Response to Comment 14438-2

In general, as with any federal, state, or local law, agencies or individuals that violate adopted laws would be subject to appropriate criminal or civil penalties, including but not limited to monetary fines or imprisonment. If CDFA determined that a regulated entity (e.g. grower) was intentionally or accidentally not complying with all requirements stipulated in a compliance agreement, CDFA would have the authority to pursue a variety of enforcement actions pursuant to the compliance agreement.

Response to Comment 14438-3

In general, under drought conditions, less moisture and runoff would be anticipated, which would lead to less potential opportunities for pesticides to be transported via runoff to nearby surface waters. In addition, there would likely be less groundwater recharge and less potential transport of pesticides to groundwater via recharge.

As described in PEIR Volume 1, Chapter 2, *Proposed Program Description*, CDFA would require compliance with MP-SPRAY-4, Apply chemicals only under favorable weather conditions, to minimize the potential for chemicals to enter local surface waters. MP-SPRAY-4 requires that chemicals not be sprayed if rain or high winds are forecast. Other MPs, MP-GROUND-1 and MP-GROUND-2, also require consideration of weather conditions prior to and during pesticide spraying activities.

Finally, as described in Appendix B, *Human Health Risk Assessment*, on pages 37 and 38, except for methyl bromide and the inert ingredients 1,2,4-trimethylbenzene, naphthalene, and xylenes, Proposed Program pesticides have not been detected in groundwater in excess of their respective risk-based screening threshold. However, as discussed in PEIR Volume 1, Section 6.7, *Water Quality*, CDFA's chemical applications, with implementation of the MPs described above and others detailed in PEIR Volume 1, Chapter 2, *Proposed Program Description,* would not result in any significant water quality impacts on surface water or groundwater.

Response to Comment 14438-4

CDFA is committed to not just maintaining, but improving, the health of pollinator populations, including both honey bees and other pollinators (including special-status pollinators). For further discussion of this issue, please refer to Master Response 8, Pollinators.

Response to Comment 14438-5

CDFA thanks the commenter for his review and analysis of the Proposed Program's risk assessment.

Comment Letter 14440

From: Kerry McGrath
To: CDFA Pest Prevention EIR@CDFA
Subject: CDFA PEIR public comment from Marin Organic
Date: Thursday, October 30, 2014 2:24:00 PM
Attachments: CDFA PEIR MO comments 10.30.14.pdf

Hello, I am submitting our public comment on behalf of Marin Organic.
Thank you,
-kerry

--
Kerry McGrath | Program Manager
Marin Organic | marinorganic.org
t. 415.663.9667

Comment Letter 14440-Cont.

October 30, 2014

Laura Petro, Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento CA 95814

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Petro,

I am writing on behalf of Marin Organic, a non-profit organization that advocates for organic agriculture, provides food system education, and increases access to fresh produce for people in need. We believe that the PEIR is unacceptable because of the broad mandate it would provide to the California Department of Food and Agriculture (CDFA) for chemical pesticide use without further opportunity for environmental review in specific settings such as certified organic farms. 14440-1

Within our county we have over 40,000 acres of certified organic agriculture with a gross value of approximately $45,960,415. The CDFA's DPEIR admits that the Proposed Program would be economically harmful to organic farming because of "unintended pesticide residues and/or plant damage that could jeopardize organic certification for USDA Organic – certified growers, or more likely, affect their ability to market their product as organic," and that conversion of organic to conventional farming could result. This impact would likely ruin many of the farms we represent because conventional farming would not be economically sustainable in Marin County considering the high costs of operation. 14440-2

Chemical pesticides are ruinous not only to organic crops directly, but also to the pollinators and other beneficial insects that are an integral part of an organic farm. It is grossly insufficient for the CDFA to settle for mitigating the acknowledged harm to these insects by proposing other programs to help them. It is also specious for the DPEIR to dismiss the ongoing widespread pollinator decline by saying that "the acreage of pollinator-dependent crops has continued to increase in the state." 14440-3

The proposed PEIR would allow the California Department of Food and Agriculture (CDFA) to avoid almost all subsequent environmental review and public scrutiny for its plant pest programs. This is unacceptable. 14440-4

Overall, we believe the CDFA's proposed program to be a big step backwards in its approach of pest management. 14440-5

Non-toxic physical and biological approaches are more selective to the target pest and disrupt the ecosystem either shorter-term or not at all. We believe that this is 14440-6

Comment Letter 14440-Cont.

14440-6 cont'd

the way of the future and is where CDFA should be putting most of its effort. CDFA promises an environmentally appropriate approach to pest management, which chemical pesticides do not. It also supports California's increasingly important (and profitable) organic farming movement.

14440-7

We strongly urge you to rethink the entire Program. It has been acknowledged that "the USDA Organic Pesticide Alternative is considered to be environmentally superior." We want the CDFA to reject the proposed Program and instead pursue in earnest the USDA Organic Pesticide Alternative.

Sincerely,



Kerry McGrath
Marin Organic
PO BOX 962, Point Reyes Station, CA 94956
(415) 663 9667

Letter 14440: Kerry McGrath, Marin Organic (October 30, 2014)

Response to Comment 14440-1

It would be incorrect to characterize the Proposed Program as providing a "broad mandate" for "chemical pesticide use without further opportunity for environmental review in specific settings such as certified organic farms." The PEIR does not allow CDFA to avoid future environmental review. As described in Appendix C, *CEQA Tiering Strategy,* CDFA would analyze the potential environmental impacts of all future pesticide programs through completion of the Tiering Strategy Checklist (see Appendix C, *CEQA Tiering Strategy*). The Tiering Strategy Checklist would require CDFA staff to determine whether a particular management activity (e.g., use of a pesticide) was considered in the PEIR, and whether its potential environmental impacts were fully captured by the PEIR. Any proposed activities not fully analyzed in the PEIR would require additional CEQA analysis and documentation.

CDFA shares the concerns of organic farmers and consumers of organic products; for this reason, CDFA has included organic pest management approaches as part of the Proposed Program. Non-USDA organic pesticides would only be applied on organic farms as a last resort, when absolutely necessary to eradicate or control infestations of damaging agricultural pests. As described in PEIR Volume 1, Chapter 2, *Proposed Program Description,* CDFA would consider the potential for environmental damage when responding to pest infestations, and would select the least damaging and most economical management approach. MP-SPRAY-1 would be implemented for all pesticide programs, and would require that the least persistent and lowest toxicity pesticide that will efficaciously treat the target pest be selected. USDA organic treatment options would be provided to growers for quarantine compliance whenever possible (i.e., whenever they are determined to be effective). Unfortunately, as described in PEIR Volume 1, Section 6.1, *Agricultural Resources and Economics*, Impact AG-CHEM-1, the eradication or control of certain pests, such as the GWSS, Asian citrus psyllid (ACP), exotic fruit flies, and Japanese beetle (JB), likely would not be achievable with currently available organic options. Organic growers of host crops for these species, and/or shippers of the products, may need to use non-USDA organic-approved chemical treatments on those crops grown within an interior quarantine area to ship the products outside the quarantine area.

Measures are included in the PEIR to protect organic farms from the potential for pesticide drift. In addition to selecting the least persistent and lowest toxicity pesticide, MP-SPRAY-1 would require a site assessment, including identification of neighboring organic farms. MP-SPRAY-5 would drift reduction techniques be implemented, such as using buffer zones where applicable to protect sensitive areas (including organic farms), and using low-pressure application equipment if applicable. MP-SPRAY-4 would similarly require that chemicals only be applied under favorable weather conditions (e.g., by monitoring wind conditions and delaying foliar spray applications if wind speeds are more than 10 miles per hour), so as to avoid the potential for pesticide drift.

Please see Master Response 3, Impacts on Organic Farming, for additional information on the Proposed Program's evaluation of potential impacts on organic farming.

Response to Comment 14440-2

CDFA recognizes the importance of organic farming, and is committed to protecting and fostering organic agriculture. CDFA's Organic Program is responsible for enforcement of the federal Organic Foods Production Act of 2003, and the California Organic Products Act of 2003. These statutes protect consumers, producers, handlers, processors, and retailers by establishing standards under which fresh agricultural products and foods may be labeled and/or sold as "organic."

As described in Response to Comment 14440-1 above, and in PEIR Volume 1, Chapter 7, *Alternatives Analysis,* CDFA's experts have found that use of non-USDA organic pesticides may be necessary in certain instances to eradicate or control certain pests, including GWSS, ACP, exotic fruit flies, and JB. The PEIR's alternatives analysis found the currently available USDA organic pesticides, as well as alternative physical and biological methods, to be ineffective against these pests. Given the potential environmental and economic damage these pests could inflict (see Appendix F, *Pest Profiles*) if not promptly and effectively responded to, CDFA finds that overall, its proposed management activities would be protective of organic agriculture in Marin County and elsewhere in the state.

CDFA acknowledges and cares about the impacts that these management activities may have on organic farms. To this end, CDFA will continue to work with organic growers to minimize the impacts of its activities and regulations on organic farms, and only require treatment of organic crops with non-USDA organic pesticides as a last resort to eradicate or control the spread of damaging agricultural pests.

With respect to economic impacts on organic farms, the CEQA Guidelines are explicit in their instructions on consideration of economic impacts. Section 15131 of the CEQA Guidelines states that "economic or social effects shall not be treated as significant effects on the environment." According to the CEQA Guidelines (Section 15131[[a]),] an EIR may trace the chain of cause and effect from economic to environmental impacts, focusing on the resultant physical change in the environment, but economic effects alone are not to be considered significant. As such, the PEIR followed the criteria contained in Appendix G of the CEQA Guidelines, and considered economic impacts on organic farms only to the extent that they may cause conversion of land from agricultural to non-agricultural use. This is not to say that CDFA does not care about economic impacts on organic farms; rather, this topic is outside of the scope of CEQA.

Similarly, Appendix G of the CEQA Guidelines states that a significant impact on agriculture would be one which led to the conversion of farmland to non-agricultural use. Accordingly, the PEIR focused on whether such a consequence could be a reasonably foreseeable outcome of the Proposed Program. In our analysis, we did not find any evidence to suggest that organic farmers may choose or be forced to put land out of production due to CDFA quarantines or eradication projects. To CDFA's knowledge, none of the Statewide Program activities to date have ever caused agricultural land to go out of production, and therefore CDFA does not consider such an impact to be reasonably foreseeable. The chemical pesticides that may be used under the Proposed Program degrade relatively quickly, and treatments would not jeopardize a farmers' organic certification. Individual crops may not be able to be marketed as organic. CDFA acknowledges that this may have economic impacts, but is not aware of any instances where this caused an organic farm to convert to

non-agricultural use. This was the reasoning behind our significance determination. None of the commenters have provided evidence to suggest that such an outcome is anything more than speculative. Please see Master Response 3, Impacts on Organic Farming, and PEIR Volume 1, Section 6.1, *Agricultural and Resources Economics* for additional information.

Response to Comment 14440-3

The PEIR evaluated the potential impacts of chemical pesticide use on pollinators and beneficial insects in several locations in the document, including PEIR Volume 1, Section 6.1, *Agricultural Resources and Economics;* Section 6.3, *Biological Resources;* Appendix A, *Ecological Risk Assessment;* and Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources.* In general, the PEIR analysis concluded that, given implementation of avoidance and minimization measures, Proposed Program activities would have relatively minor adverse impacts on pollinators and beneficial insects relative to other existing and ongoing stressors (e.g., other agricultural pesticide use, and pests [e.g., varroa mite]). Please see Master Response 8, Pollinators, and the PEIR sections listed above for additional information.

CDFA cares about the health of pollinator and beneficial insect populations, and recognizes the critical importance of these populations to agriculture. As described in Master Response 8, Pollinators, and Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resource*, CDFA is currently implementing a number of measures to protect pollinators and beneficial insects, and would continue to do so under the Proposed Program. However, these actions are not CEQA mitigation measures; they are being implemented at the discretion of CDFA to protect pollinators outside the framework of CEQA.

According to Appendix G of the CEQA Guidelines, impacts to pollinators would only be significant if (1) the specific pollinator species being impacted were special-status species, and the effect were "substantial"; or (2) if impacts to pollinators (special-status or otherwise) were to result in an a change in the physical environment, such as conversion of land from agricultural to non-agricultural use. The PEIR concluded that, with implementation of mitigation measures, pesticide use under the Proposed Program would not adversely impact pollinators in a way that would result in conversion of farmland, significantly affect special-status plants, or result in any other significant effect on the environment.

It was not the intent of CDFA to dismiss the ongoing widespread pollinator decline. The statement regarding the acreage of pollinator-dependent crops was intended to support the conclusion that although Colony Collapse Disorder and pollinator declines are serious problems, they have not been severe enough to date to result in conversion of land from agricultural to non-agricultural use (i.e., trigger a CEQA significance threshold). The acreage of certain pollinator-dependent crops (e.g., almonds) has been increasing at the same time that issues related to honey bees have been of concern (see Fertilizer Research and Education Program [FREP], 2014 for a summary of changes in almond acreage and production over time).

Response to Comment 14440-4

CDFA disagrees with this assertion. The PEIR is intended to streamline implementation of Proposed Program activities, but it would not avoid subsequent environmental review and public scrutiny, and would in no way change CDFA's obligations under CEQA. As described in Master Response 1, Scope of the Statewide Program, and Appendix C, *CEQA Tiering Strategy,* CDFA would still be required to consider the environmental effects of all of its activities; and would do so through completion of the Tiering Strategy Checklist, and conducting additional CEQA analysis when necessary. The Tiering Strategy Checklist would require CDFA to determine (and document for the public record) whether an activity was considered in the PEIR, and/or whether it would have any potential new significant, or more significant, environmental effects not captured by the PEIR analysis. If an activity could potentially have new or more significant environmental effects than those evaluated in the PEIR, CDFA would need to prepare a tiered CEQA document (e.g., a Negative Declaration [ND] or EIR), which would involve the same public review process as a standard CEQA document.

In addition, CDFA would continue to implement its existing program for notifying the public regarding pest management activities, as described in Master Response 1, Scope of the Statewide Program, and PEIR Volume 1, Chapter 2, *Proposed Program Description* (see page 2-4).

Response to Comment 14440-5

CDFA finds that the Proposed Program represents a substantial positive step forward for pest management. CDFA has found that the commenter may have misunderstood the nature of the Proposed Program; it has been developed as an improvement upon the existing Statewide Program, and provides for a consistent and comprehensive set of management approaches, including mitigation measures to ensure that human health and biological resources are protected. Also, the Proposed Program does not represent a shift toward more chemical-intensive management approaches. The Statewide Program is a "living program," which will continue to evolve over time as our scientific understanding of pests and pest management advances and new pest management approaches are developed. As discussed in Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, and shown on Figure 2-3 in the PEIR, the Proposed Program would use an IPM approach. The IPM process involves the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage—by the most economical means, and with the least possible hazard to people, property, and the environment, while achieving adequate efficacy to meet the goal of the program. The IPM approach considers information on pest life cycles and their interaction with the environment, and all appropriate pest management options. Implementation often results in a combination of strategies, including mechanical control, biological control, cultural control, and the use of pesticides where indicated. Under the Proposed Program, CDFA would continue to work with researchers at the UC, USDA, and others to develop and implement the most current and environmentally friendly pest MPs and technologies.

Response to Comment 14440-6

CDFA supports the development and use of non-chemical management approaches. The Proposed Program includes a full range of management strategies, including physical and biological management approaches. As described in Master Response 2, Integrated Pest Management Approach, and PEIR Volume 1, Chapter 2, *Proposed Program Description* (page 2-17), CDFA always considers the potential for human health and environmental impacts in developing pest programs and/or quarantine regulations, and selects the least damaging and most economical method or combination of methods that can accomplish its objectives of eradication, prevention, or control. Please see Master Response 2, Integrated Pest Management Approach, and PEIR Volume 1, Chapter 2, *Proposed Program Description,* for additional information on IPM and CDFA's decision-making process. Also, see PEIR Volume 1, Chapter 3, *Proposed Program Activities,* for information on the various physical and biological management activities included in the Proposed Program.

Response to Comment 14440-7

The PEIR did not find that the USDA Organic Pesticide Alternative was environmentally superior to the Proposed Program. Rather, among the action alternatives to the Proposed Program, it was considered the environmentally superior alternative. Considering all environmental aspects, the Proposed Program was actually found to be environmentally superior, because it would strike an appropriate balance between protecting natural and agricultural resources from the adverse impacts of pest invasions, while providing for impact avoidance and minimization. However, because the Proposed Program was not an alternative per se, an environmentally superior alternative was also identified from among the alternatives carried forward for full analysis in the PEIR. Similarly, the No Program Alternative (a "business as usual" scenario) was found to be environmentally superior to the action alternatives, including the USDA Organic Pesticide Alternative. Under CEQA, if the environmentally superior alternative is the "no project" alternative, an EIR also shall identify an environmentally superior alternative among the other alternatives. Of the remaining alternatives, the USDA Organic Pesticide Alternative was found to be environmentally superior.

As described in PEIR Volume 1, Section 7.7, *Environmentally Superior Alternative* (page 7-21), the USDA Organic Pesticide Alternative would avoid any potential impacts associated with use of conventional pesticides, but could result in offsetting adverse effects, such as impacts associated with greater reliance on organic pesticides or with the inability to achieve effective eradication and control of certain priority pests (e.g., ACP, GWSS, JB, exotic fruit flies). Such effects may include resource degradation from more widespread invasions of these pests into natural and agricultural areas. In addition, use of conventional pesticides outside the framework of the Statewide Program and CDFA's authority may increase to address these pests; this would have impacts similar to those potential impacts associated with the Proposed Program, but without the benefit of a coordinated program for management of such activities, including PEIR mitigation and other protective measures.

Please see Master Response 12, Alternatives Analysis, and PEIR Volume 1, Chapter 7, *Alternatives Analysis,* for additional information on the USDA Organic Pesticide Alternative and the PEIR's alternatives analysis. Also see Master Response 15, Comments in Support or

Opposition to the Proposed Program, regarding statements of opinion for or against the Proposed Program.

Comment Letter 14446

From: Jennifer Blackman
To: CDFA Pest Prevention EIR@CDFA
Subject: Comment Letter - PEIR
Date: Thursday, October 30, 2014 4:37:37 PM
Attachments: BCPUD Comment Letter - PEIR.PDF

Laura Petro
Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street
Suite 221
Sacramento, California 95814

Attached please find a letter of comment from the Bolinas Community Public Utility District on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report.

Please contact me with any questions; thank you very much.

Jennifer Blackman

Jennifer Blackman
General Manager
Bolinas Community Public Utility District
270 Elm Road
P.O. Box 390
Bolinas, California 94924
(415) 868-1224
jblackman@bcpud.org

Comment Letter 14446-Cont.

BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

BCPUD BOX 390 270 ELM ROAD BOLINAS CALIFORNIA 94924 415 868 1224

October 30, 2014

VIA E-MAIL:

Laura Petro
Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street
Suite 221
Sacramento, California 95814

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Petro:

We are writing on behalf of the Bolinas Community Public Utility District ("BCPUD"), a political subdivision of the State of California. The BCPUD's publicly elected Board of Directors approved this comment letter in opposition to the Statewide Plant Pest Preventing and Management Programmatic Environmental Impact Report ("PEIR") at a duly noticed special meeting of the BCPUD Board on October 30, 2014. As detailed below in this letter, the BCPUD and the community it serves could be directly and adversely impacted in significant ways by the program proposed in PEIR. We also believe that the PEIR is unacceptable because of the broad mandate it would provide to the California Department of Food and Agriculture (CDFA) for chemical pesticide use without further opportunity for environmental review in specific settings.

14446-1

1. Contamination of Our Public Water Supply.

The BCPUD obtains all of the water it supplies to its customers from local surface water sources. It is unacceptable to us that the watersheds supplying this water ever be sprayed with toxic chemicals because there is no way to ensure that such chemicals would not enter the BCPUD's water sources. Specifically, spray-drift could cause such chemicals to directly enter our primary water source, the Arroyo Hondo Creek, as well as our two surface water reservoirs, Woodrat1 and Woodrat 2. In addition, chemicals deposited anywhere within our watersheds could be washed into our creek and reservoirs by rain and, with regard to the creek, also by fog-drip from the creek watershed's dense conifer forest cover. Any attempt to time the spraying to avoid rain would be an insufficient safeguard since weather predictions are notoriously unreliable. Summer fog is even less predictable and is very common in our coastal location backed by mountains. Indeed, we regularly observe an appreciable rise in the flow in the Arroyo Hondo Creek due to fog-drip in the middle of dry season, even when it has not rained for months beforehand. To protect the quality of our water sources, the BCPUD does not allow the use of any chemical pesticides on lands which it owns and we strongly oppose the use of chemical pesticides on our lands, as well as the lands surrounding our watersheds, by any public or private entity.

14446-2

Comment Letter 14446-Cont.

2. Threat to Our Community's Farmers.

14446-3

Organic farming is a mainstay of the Bolinas economy and the economies of many coastal Marin County communities. Due to the intensive requirements of organic farming, Bolinas farmers are struggling to survive, even with the premium prices paid for organic produce. The CDFA's PEIR acknowledges that the proposed program would be economically harmful to organic farming because of "unintended pesticide residues and/or plant damage that could jeopardize organic certification for USDA Organic-certified growers, or more likely, affect their ability to market their product as organic", and that conversion of organic to conventional farming could result. In fact, we believe the impact of the program likely would ruin organic farms, because conventional farming would not be economically sustainable here, given the small acreage and high costs of operation.

14446-4

Chemical pesticides are ruinous not only to organic crops directly, but also to the pollinators and other beneficial insects that are an integral part of an organic farm. It is grossly insufficient for the CDFA to settle for mitigating the acknowledged harm to these insects by proposing other programs to help them. It also is specious for the PEIR to dismiss the ongoing widespread pollinator decline by saying that "the acreage of pollinator-dependent crops has continued to increase in the state".

3. Public health concerns.

14446-5

In addition to the potential contamination of drinking water supplies, chemical pesticide use such as that contemplated in the PEIR poses potentially significant public health hazards that have been documented extensively in the scientific literature. Our comments in this letter are focused on the impacts to drinking water sources and surrounding watersheds/local businesses, but we respectfully submit that the documented public health hazards of such chemical pesticide use outweigh any potential benefits.

4. Potential impacts on environmentally protected areas.

14446-6

Coastal Marin is home to numerous areas of environmental significance. Among the protected areas in Bolinas are the Bolinas Lagoon, a wetland of international importance, and Duxbury Reef, which is an Area of Special Biological Significance ("ASBS" under California's Ocean Plan) and part of a national marine sanctuary. The issue of potential pesticide (and also herbicide) runoff onto Duxbury Reef already has been addressed by relevant supervisory agencies. The following is an excerpt from Section 5.1.6 of the Draft Duxbury Reef ASBS Compliance Plan:

On the November 2005 ballot 86 percent of the Bolinas voters approved Measure E which endorsed the BCPUD efforts to negotiate a non-toxic protocol with the Marin/Sonoma Mosquito and Vector Control District (MSMVCD). The BCPUD and the MSMVCD signed a written agreement which provides that only mechanical and bacteriological means of mosquito control will be employed in West Marin; the only exception is if the MSMVCD, in conjunction with the Marin County Public Health Officer and California Department of Health Services – Vector Borne Disease Section, declares a state of emergency based on response levels as outlined in the Arbovirus Surveillance Response Plan.

Comment Letter 14446-Cont.

14446-7 In our view, this approach is the proper one for the use of toxic chemical pesticides: specifically, such pesticides should be prohibited unless a state of emergency has been declared in conjunction with public health officials. Please note that no such state of emergency has ever been declared in Bolinas and that mosquito and vector control management has been accomplished without the use of chemical pesticides.

5. Unacceptable mandate for pesticide use by CDFA.

14446-8 The proposed PEIR would allow the CDFA to avoid almost all subsequent environmental review and public scrutiny for its plant pest programs, which is unacceptable and poor public policy, as well.

Conclusions and Recommendations:

14446-9 Overall, we believe the CDFA's proposed program as set forth in the PEIR is a step backwards in its approach to pest management. The coastal areas of Marin County long ago left behind the type of chemical-based approach to pest management envisioned in the PEIR. As noted above with regard to Bolinas, the non-toxic approach to pest control received 86% voter approval in Bolinas in 2005; we believe that the voter approval percentage would be even higher today.

It has been decades since the first warnings of the dangers of chemical pesticides were made public. We therefore are surprised that the CDFA does not acknowledge that society's long experience with the use of chemical pesticides repeatedly has shown them to be more harmful than expected for both ecosystem diversity and human health, while only temporarily diminishing the target pest and rarely eradicating it (except locally).

14446-10 Non-toxic physical and biological approaches are more selective to the target pest and disrupt the ecosystem either shorter-term or not at all. We believe such approaches are the way of the future and where CDFA should focus its efforts and the taxpayers' money. These approaches offer environmentally appropriate pest management, whereas chemical pesticides do not. And these approaches are consistent with California's increasingly important (and profitable) organic farming movement that may someday provide the template for how farming must be done if it is to be sustainable generations into the future.

14446-11 We believe that California should lead the way in the crucial work of learning to live with nature, and we strongly urge the CDFA to rethink the entire program set forth in the PIER. Indeed, the PEIR already acknowledges that "the USDA Organic Pesticide Alternative is considered to be environmentally superior." We urge the CDFA to serve the people of California by rejecting the proposed program and instead pursuing in earnest the USDA Organic Pesticide Alternative.

On behalf of the BCPUD Board of Directors,

Don Smith
Member, Board of Directors

Lyndon Comstock
Member, Board of Directors

Letter 14446: Don Smith and Lyndon Comstock, Bolinas Community Public Utility District (October 30, 2014)

Response to Comment 14446-1

CDFA disagrees that the Proposed Program could significantly adversely impact Bolinas Community Public Utility District (BCPUD) and the community it serves. The PEIR fully considered and disclosed all potential impacts to human and environmental health. The PEIR concluded that there would be no significant impacts to human or environmental health from implementation of the Proposed Program that could not be mitigated, with the exception of a possible future increase in regional air pollutant emissions and GHG emissions from petroleum-fueled equipment.

In addition, the Proposed Program does not alter or extend CDFA's existing authority, and in no way abridges CDFA's future obligations under CEQA. The Proposed Program is not a "broad mandate" for chemical pesticide use; the Proposed Program includes a broad range of management approaches, both chemical and non-chemical. Specific management activities would be developed using an IPM approach (see Master Response 2, Integrated Pest Management Approach), and would be subjected to site-specific analysis through the framework of the CEQA Tiering Strategy (Appendix C) and tiered CEQA documentation as needed. For further discussion of the nature of the Proposed Program and how it would be implemented, please see Response to Comment 14440-1 and Master Response 1, Scope of the Statewide Program.

Response to Comment 14446-2

The Proposed Program includes specific MPs (found in PEIR Volume 1, Section 2.11, *Program Management Practices*, page 2-26) addressing BCPUD's concerns about avoiding pesticide drift and maintaining water quality. The PEIR specifically evaluated the potential for Proposed Program activities to result in violations of drinking water standards, and concluded that with implementation of MPs, label requirements, National Pollutant Discharge Elimination System (NPDES) requirements, and other applicable regulatory requirements, no violations would occur. For further discussion of the PEIR's evaluation of and conclusions related to water quality, please see Master Response 9, Water Quality.

Response to Comment 14446-3

For discussion of the issues that the commenter raises related to organic farming, see Response to Comment 14440-2 and Master Response 3, Impacts on Organic Farming.

Response to Comment 14446-4

For discussion of the issues that the commenter raises related to pollinators, pollinator-dependent crops, and other related issues, see Response to Comment 14440-4 and Master Response 8, Pollinators.

Response to Comment 14446-5

The PEIR fully evaluated potential human health impacts of chemical use that may occur under the Proposed Program, and concluded that when conducted consistent with Proposed Program requirements, including applicable mitigation measures and regulatory requirements, no significant impacts to human health would result; and CDFA has determined that the benefits of responsible use of chemicals where necessary outweigh the low risks. For further discussion of how the PEIR considered human health, see Master Response 5, Human Health.

Response to Comment 14446-6

The Proposed Program includes MPs designed to avoid impacts to sensitive biological areas, such as Areas of Special Biological Significance and marine environments. Before conducting Proposed Program activities, a site-specific evaluation would be conducted to identify whether any sensitive natural communities are present that could be adversely affected by the activities, and CDFA would develop avoidance measures (e.g., buffers), which would be subject to review by the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW) and/or the National Marine Fisheries Service (NMFS).

Response to Comment 14446-7

CDFA appreciates BCPUD's position on this topic. The Proposed Program specifically excludes situations meeting the definition of an emergency (as defined in Public Resources Code [PRC] 21060.3), which are exempt from CEQA. For non-emergency situations, the Proposed Program includes a range of management techniques, including physical, biological, and chemical management approaches. CDFA would use an IPM approach as part of its decision-making process; this includes consideration of a variety of factors, including efficacy in achieving the desired management objective, and potential impacts on humans and the environment. The Proposed Program does not include any chemical management approaches determined to be "unsafe," and CDFA would always coordinate with the local community prior to conducting activities under the Proposed Program.

Response to Comment 14446-8

CDFA disagrees with this assertion. The PEIR is intended to streamline implementation of Proposed Program activities, but it would not avoid subsequent environmental review and public scrutiny, and would in no way change CDFA's obligations under CEQA. As described in Master Response 1, Scope of the Statewide Program, and Appendix C, *CEQA Tiering Strategy,* CDFA would still be required to consider the environmental effects of all of its activities, and would do so by completing the Tiering Strategy Checklist and conducting additional CEQA analysis when necessary. The Tiering Strategy Checklist would require CDFA to determine (and document for the public record) whether an activity was considered in the PEIR, and/or whether it would have any potential new significant, or more significant, environmental effects not captured by the PEIR analysis. If an activity could potentially have new or more significant environmental effects than those evaluated in the PEIR, CDFA would need to prepare a tiered CEQA document (e.g., an ND or EIR), which would involve the same public review process as a standard CEQA document.

In addition, CDFA would continue to implement its existing program for notifying the public regarding pest management activities, as described in Master Response 2, Integrated Pest Management Approach, and PEIR Volume 1, Chapter 2, *Proposed Program Description* (see page 2-4).

Response to Comment 14446-9

CDFA finds that the Proposed Program represents a substantial positive step forward for pest management. CDFA finds that the commenter may have misunderstood the nature of the Proposed Program; it has been developed as an improvement on the existing Statewide Program, and provides for a consistent and comprehensive set of management approaches, including mitigation measures to ensure that human health and biological resources are protected. Also, the Proposed Program does not represent a shift toward more chemical-intensive management approaches. The Statewide Program is a "living program," which will continue to evolve over time as our scientific understanding of pests and pest management advances, and new pest management approaches are developed. As discussed in Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, and shown on Figure 2-3, the Proposed Program would use an IPM approach. The IPM process involves the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage—by the most economical means, and with the least possible hazard to people, property, and the environment, while achieving adequate efficacy to meet the goal of the program. The IPM approach considers information on pest life cycles and their interaction with the environment, and all appropriate pest management options. Implementation often results in a combination of strategies, including mechanical control, biological control, cultural control, and the use of pesticides where indicated.

Response to Comment 14446-10

CDFA supports the development and use of non-chemical management approaches. The Proposed Program includes a full range of management strategies, including physical and biological management approaches. As described in Master Response 2, Integrated Pest Management Approach, and PEIR Volume 1, Chapter 2, *Proposed Program Description* (page 2-17), CDFA always considers the potential for human health and environmental impacts in developing pest programs and/or quarantine regulations, and selects the least damaging and most economical method or combination of methods that can accomplish its objectives of eradication, prevention or control. Please see Master Response 2, Integrated Pest Management Approach, and PEIR Volume 1, Chapter 2, *Proposed Program Description,* for additional information on IPM and CDFA's decision-making process. Also, see PEIR Volume 1, Chapter 3, *Proposed Program Activities,* for information on the various physical and biological management activities included in the Proposed Program.

Response to Comment 14446-11

Please see Response to Comment 14440-7.

Comment Letter 14449

From: Betsy Peterson
To: CDFA Pest Prevention EIR@CDFA
Subject: Comments Statewide Program Draft PEIR
Date: Thursday, October 30, 2014 4:09:27 PM
Attachments: PEIR Comments 10 30 2014.pdf

Please accept comments for the Statewide Program Draft PEIR on behalf of the California Seed Association and California Association of Nurseries and Garden Centers.

Thank you,

Betsy Peterson

Betsy K. Peterson
Ag Association Management Services, Inc.
1521 I Street
Sacramento, California 95814
Telephone (916) 441-1064
Fax (916) 446-1063
email betsy@agamsi.com

Comment Letter 14449-Cont

October 30, 2014

California Department of Good and Agriculture

ATTN: Laura Petro, Senior Environmental Scientist (Supervisory)

Statewide Program Draft PEIR Comments

1220 N Street, Suite 221

Sacramento, CA 95814

RE: Comments for the Draft Program Environmental Impact Report (PEIR) Regarding the Statewide Pest Prevention and Management Program

Please accept these comments on behalf of the California Seed Association (CSA) and the California Association of Nurseries and Garden Centers. CSA is a nonprofit agricultural trade association which has served the seed industry since 1940. CSA membership consists of those firms which believe that the best way to achieve common goals and respond to the problems that affect the seed industry is through cooperative effort and group action. The California Association of Nurseries and Garden Centers (CANGC) is the only organization in California that represents all segments of the Nursery Industry in California. CANGC recently celebrated its 100th year in operation. The Nursery Industry is on the frontline in regards to invasive pests, fertilizer management, irrigation and general regulatory requirements.

14449-1 This PEIR is a reflection of the type of cooperative effort by a wide range of experts, representing the diversity of our state. CSA and CANGC members support the PEIRs (Statewide Program) overarching goals and objectives to protect California from damage caused by invasive plant pests and insects with a few minor suggestions to clarify and strengthen the document.

14449-2 Invasive species cost millions of dollars annually to California both from loss of crop but also by the serious impacts they have on the environment. The risk of allowing a new invasive pest to move from a single introduction to becoming a widespread uncontrolled problem can and will happen if effective and efficient mitigation measures are not implemented in a Rapid Response format.

14449-3 Several tools were identified in the Scoping Document that could be used to mitigate invasive species, IPM, physical and biological management activities and chemical management, pesticides. Pesticides were recognized in the scoping document as one of the tools to be considered for controlling both invasive plants and insects. Pesticides are not meant to be the first choice however there are situations where they may be the only viable choice for eradication and/or management.

Comment Letter 14449-cont.

14449-4 The PEIR draft has left out some very important information regarding the use and application of pesticide products in California. Specifically it is critically important that this PEIR be consistent with existing California Department of Pesticide Regulation, (CDPR), licenses, protocols, laws and regulations. The California Code of Regulations (Title 3. Food and Agriculture) Division 6. Pesticides and Pest Control Operations are the regulations that govern pesticide use in California. The importance of abiding by the existing laws and regulations that are put in place cannot be overstated; this will serve to minimize the impacts of pest management approaches on human health and urban and natural environments.

14449-5 The objectives as stated in the Executive Summary we feel are missing one critical point with regards to pesticide use; we suggest adding;

Be consistent with existing California Department of Pesticide Regulation, (CDPR), licenses, protocols, laws and regulations.

14449-6 We further suggest that CDR should be listed in the Program Management Practices section as a source of technical advice with regards to the application of pesticides.

14449-7 Every pesticide is required to be registered specific to the crop and/or site of application and the pests that it will control. Every pesticide to be registered for use in California first requires a registration at US EPA, followed by registration at CDPR. Rigorous evaluation is part of the process at both US EPA and CDPR. Every product is required to have a label affixed that includes all of the information for use of that product that includes application rates and methods of application, re-entry into the treated area/field. In addition to the product label there is a Material Safety Data Sheet a comprehensive document that includes:

1. Product and Company Information
2. Hazards Identification
3. Composition / Information on Ingredients
4. First Aid Measures
5. Fire Fighting Measures
6. Accidental Release Measures
7. Handling and Storage
8. Exposure Controls/ Personal Protection
9. Physical and Chemical Properties
10. Stability and Reactivity
11. Toxicological Information

Comment Letter 14449-cont.

14449-7

12. Ecological Information
13. Disposal Considerations
14. Transport Information
15. Regulatory Information
16. Other Information

CDPR registers products for use in California and oversees and enforces how pesticide applications are made and reported. Licenses or certificates are required for a person to be eligible to apply pesticides on a commercial scale.

14449-8 We are pleased that pesticides are being recognized as one of the tools in the PEIR however we feel that not enough emphasis has been placed on the appropriate procedures laws and regulations that are already in place for their use. The following are our recommendations for changes to a few items in the PEIR document that we feel will provide better clarification and strengthen this important document.

Suggested changes in MP-Spray

14449-9 1) Reverse the order of MP-2 and MP-3

2) MP-SPRAY-3 Changes

14449-10 Change - Ensure staff are trained to properly apply pesticide.

Require employees who supervise the handling and application of pesticides maintain a Qualified Applicator License issued by CDPR.

3) MP-Spray-3

14449-11 Change - Read pesticide label.

Read and follow the pesticide label

4) MP-Spray-3

14449-12 Change - Use appropriate application methods and rates.

Use application rates according to the label.

Suggested Changes for MP-Ground

14449-13 1) Change - MP-Ground-3 to MP-Ground-1

2) MP-Ground-3

14449-14 Change - Require employees who supervise the handling and application of pesticides maintain a Qualified Applicator Certificate, issued by CDPR or have County License for Pesticide Regulation.

Comment Letter 14449-cont.

14449-15 *Require employees who supervise the handling and application of pesticides to maintain a Qualified Applicator License, issued by CDPR*

3) MP-GROUND-2

14449-16 Change - Allow only trained staff to perform backpack spot treatments.

Backpack spot treatments to be made only under the supervision of a Licensed Qualified Applicator

Suggested changes in MP-HAZ

1) Add to MP-HAZ-1

14449-17 *Maintain multiple copies of the Material and Safety Data Sheet on site of application to refer to in the event of a spill.*

Follow instructions for First Aid Measures as listed on the Material Safety Data Sheet.

2) MP-HAZ-3: Implement decontamination

14449-18 Change- Decontaminate paved surfaces per site specific protocols.

Decontaminate paved surfaces per Accidental Release Measures on the Material Safety Data Sheet.

3) MP-HAZ 1: Implement a Spill Contingency Plan

14449-19 Change - Use common sense in determining the appropriate action in the event of an accidental crash of a spray rig, tanker, or aircraft. Replace "common sense" with "established protocols."

14449-20 One last general recommendation is to make certain the language in this document is appropriate language for a legal document such as this.

14449-21 Sometimes the only or best option for mitigating invasive species is through the use of pesticides; this is not a first option but still is an important tool to have available. In general we support the PEIR as written with the few suggested changes/additions that we feel provide needed clarification regarding the use of pesticides. Thank you for considering our comments; if you should have any questions please feel free to contact me at (916) 441-2251 or betsy@agamsi.com.

Respectfully,

Betsy Peterson

Betsy Peterson

Director Technical Services

CSA/CANGC

Letter 14449: Betsy Peterson (October 30, 2014)

Response to Comment 14449-1

Thank you for your comments, and the suggestions that follow.

Response to Comment 14449-2

CDFA agrees with your comment, and finds that your comment is consistent with the Proposed Program.

Response to Comment 14449-3

CDFA agrees with your comment.

Response to Comment 14449-4

CDFA agrees that existing laws and regulations related to use of pesticides are very important and help ensure their safe and responsible use. The PEIR indeed identifies these requirements throughout the document, in particular in PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials*, and Appendix O, *Regulatory Setting*.

Response to Comment 14449-5

CDFA always complies with applicable licenses, protocols, laws, and regulations. CDFA appreciates the commenter's text edit suggestion, but has decided that the existing text is appropriate as written.

Response to Comment 14449-6

CDFA appreciates this comment, and does indeed coordinate with CDPR for advice regarding topics within CDPR's area of authority and expertise. CDFA appreciates the commenter's text edit suggestion, but has decided that the existing text is appropriate as written.

Response to Comment 14449-7

CDFA is aware of this information.

Response to Comment 14449-8

CDFA appreciates the commenter's interest in highlighting the procedures, laws, and regulations in place for use of pesticides. The Proposed Program would be implemented in accordance with all applicable procedures, laws, and regulations, along with the specific practices described in PEIR Volume 1, Chapter 2, *Proposed Program Description,* and Chapter 3, *Proposed Program Activities,* of the PEIR, and the PEIR's mitigation measures. With respect to the suggested commenter's text changes, please see Responses to Comments 14449-10 through 14449-19.

Response to Comment 14449-9

CDFA appreciates the commenter's text edit suggestion, but has decided that the existing text is appropriate as written.

Response to Comment 14449-10

CDFA agrees with and currently implements this comment. In PEIR Volume 1, Section 2.11, *Program Management Practices*, page 2-27, the following sentence has been amended for MP-SPRAY-3 bullet point #2:

> ~~*Ensure staff are trained to properly apply pesticide.*~~ *Require employees who supervise the handling and application of pesticides to maintain a Qualified Applicator License issued by CDPR.*

Response to Comment 14449-11

CDFA agrees with the comment. In PEIR Volume 1, Section 2.11, *Program Management Practices*, page 2-27, the following sentence has been amended for MP-SPRAY-3, bullet point #1:

> ~~*Read pesticide Label.*~~ *Comply with Pesticide label.*

Response to Comment 14449-12

CDFA appreciates the commenter's text edit suggestion, but has decided that the existing text is appropriate as written.

Response to Comment 14449-13

CDFA appreciates the commenter's text edit suggestion, but has decided that the existing text is appropriate as written.

Response to Comment 14449-14

CDFA appreciates the commenter's text edit suggestion, but has decided that the existing text is appropriate as written.

Response to Comment 14449-15

CDFA appreciates the commenter's text edit suggestion, but has decided that the existing text is appropriate as written.

Response to Comment 14449-16

CDFA appreciates the commenter's text edit suggestion, but has decided that the existing text is appropriate as written.

Response to Comment 14449-17

CDFA agrees with the comment. Material Safety Data Sheets are contained in CDFA Trapping Manuals, with Treatment Crews, and are available at any time. In PEIR Volume 1, Section 2.11, *Program Management Practices*, page 2-31, the following sentence has been added for MP-HAZ-1:

> *Follow instructions for First Aid Measures as listed on the Material Safety Data Sheet.*

Response to Comment 14449-18

CDFA agrees with the comment. In PEIR Volume 1, Section 2.11, *Program Management Practices*, page 2-31, the following sentence has been amended for MP-HAZ-3, bullet point #1:

> Decontaminate paved surfaces per site protocols and Accidental Release Measures on the Material Safety Data Sheet.

Response to Comment 14449-19

CDFA agrees with the comment. PEIR Volume 1, Section 2.11, *Program Management Practices*, page 2-30, the following sentence has been amended for MP-HAZ-1, bullet point #4:

> *Use ~~common sense~~ established protocols in determining the appropriate action in the event of an accidental crash of a spray rig, tanker, or aircraft.*

Response to Comment 14449-20

In accordance with CEQA Guidelines (Section 15140), this PEIR has been written in plain language and uses appropriate graphics so that decision makers and the public can readily understand it.

Response to Comment 14449-21

Thank you for providing thoughtful and useful input on this PEIR.

Comment Letter 14455

From:	Robison, Ramona@Parks
To:	CDFA Pest Prevention EIR@CDFA
Cc:	Tobias, Kathryn@Parks; Archambault, Laurie@Parks; Ramos, Leandro@Parks; Hard, Edward@Parks
Subject:	Comments on the CDFA PEIR
Date:	Thursday, October 30, 2014 5:32:08 PM
Attachments:	CDFA PEIR Comments_20141030.docx

Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814

Dear Ms. Petro,

Thank you for the opportunity to comment on CDFA's Statewide Plant Pest Prevention and Management Program Environmental Impact Report (PEIR). We have compiled comments from State Parks Natural Resources and Boating and Waterways Divisions, and these are included in the attached word document. If you have any questions or require additional information, please contact me.

Sincerely,

Ramona Robison
Senior Environmental Scientist
Natural Resources Division
California State Parks
1416 9th Street, Rm 923
Sacramento, CA 95814
916-653-0578
Ramona.robison@parks.ca.gov

Comment Letter 14455 Cont.

Comments on the CDFA Statewide Plant Pest Prevention and Management Program Environmental Impact Report (PEIR) from California State Parks Natural Resources and Boating and Waterways Divisions
October 30, 2014

California Boating and Waterways is now called the California Department of Parks and Recreation, Division of Boating and Waterways.

Executive Summary
Program Area, page ES-2

14455-1 The section states "Proposed Program activities may occur anywhere that a pest is (or may be) found in agricultural or nursery settings (in cooperation with commercial growers), in residential communities, at border protection stations, and sometimes outside California." Proposed Program activities could also occur in natural areas such as State Parks lands. This comment also applies to Section 2.3.

Chapter 1

14455-2 CDFA is mandated to prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds in California (California Food and Agricultural Code Section 403). Why are noxious weeds not included in the coverage of pests in this PEIR?

Chapter 2
Section 2.10.2

14455-3 In the event that a pest is identified on a State Parks property, State Parks would request notification and involvement in determination of whether special-status species occur in the proposed treatment area. While the PEIR does include assessment of the California Natural Diversity Database (CNDDB) for special-status species locations and consultation with Department of Fish and Wildlife (DFW), State Parks staff often have specific local knowledge of special-status species locations which may not be included in the CNDDB. Therefore it is important that they be involved as soon as possible in the determination of whether special-status species or their habitat are present.
This comment also applies to Impact BIO-CHEM-2 and Mitigation Measure BIO-CHEM-2.

Page 2-14. Pest control

14455-4 2.7.1 Exclusion. Pest Management Activities at Border Stations. It states that exclusion begins with monitoring vehicles entering the state to determine whether they are free of pests. Are California Border Stations staff trained in identifying noxious aquatic invasive weed species? Are there pest ratings established for aquatic weeds?

Page 2-17. Pest Prevention and IPM Approach

14455-5 Establishment of Population Threshold. It states that population thresholds are pest-specific and are set based on input from USDA, the University of California, other State agencies, and others in the scientific and research community. Does CDFA have a threshold established for noxious aquatic weed species such as Hydrilla, water hyacinth, Egeria densa, etc.?

Chapter 3

14455-6 Page 3-11. Current Pest Management Program. This section does not include any discussion on invasive aquatic weed species. Does CDFA propose to control aquatic weed pests? If so which species are being targeted and what are the proposed control measures?

Page 1

Comment Letter 14455 Cont.

14455-7 **Chapter 6**
Section 6.3.2, page 6.3-1
Under definitions of special-status species, state-listed Endangered and Threatened plants are included, but state-listed Rare plants are not listed. These should also be included under the definition of special-status species in the PEIR.

14455-8 IMPACT BIO-CHEM-5
States "Proposed Program activities would not occur within wetlands and other aquatic or sensitive natural communities. Therefore, no impact would occur." This is incorrect as many sensitive natural communities occur in non-wetland locations. It is quite possible that program activities could occur in these locations. For example, the list in Appendix I includes sensitive natural communities which occur on State Parks lands in uplands, such as Bishop Pine Forest (G3 S3) and Monterey Pine Forest Alliance (G1 S1).

Page 2

Letter 14455: California State Parks Natural Resources and Boating and Waterways Divisions, Ramona Robison (October 30, 2014)

Response to Comment 14455-1

CDFA's pest management activities would not take place on State Parks land. If a pest infestation occurred within State Parks lands, State Parks would be the lead agency for any subsequent pest management activities on its lands.

Response to Comment 14455-2

The weed program was not included in the Draft PEIR because there is not an active program at this time. CDFA may consider adding a weed program in the future. Please also see Response to Comment 14455-6, below.

Response to Comment 14455-3

Please refer to Response to Comment 14455-1.

Response to Comment 14455-4

In regard to the commenter's first question, CDFA border stations staff are trained in identifying noxious aquatic invasive weed species. In regard to the second question, there are pest ratings established for aquatic weeds.

Response to Comment 14455-5

Yes, CDFA has a population threshold for Hydrilla per Assembly Bill 763; Senate Bill 1416; and California Food and Agricultural Code, Sections 6048 and 7271.

Response to Comment 14455-6

As described in Response to Comment 14455-2, the weed program was not included in the Draft PEIR because there is not an active program at this time. CDFA may consider adding a weed program in the future.

CDFA is mandated by the legislature to control Hydrilla per California Food and Agricultural Code, Sections 6048 and 7271. Control measures may be described in CDFA Hydrilla Annual Reports, and as part of the program information posted on the CDFA, Plant Health, Integrated Pest Control website.

Response to Comment 14455-7

All California Native Plant Society (CNPS) Rank 1 and 2 species and state and federally listed plants were considered "special-status" for the purposes of the PEIR analysis. Please refer to PEIR Volume 1, Section 6.3.2, *Biological Resources*, *Environmental Setting*, for a definition of CNPS Rank 1 and 2 species; and Appendix I, *Special Status Species in California*, of the Final PEIR for a full list of state and federally listed plants.

Response to Comment 14455-8

The inclusion of sensitive natural communities in Impact BIO-CHEM-5 is intended to indicate that Proposed Program activities would not occur within sensitive natural communities in addition to wetlands and other aquatic habitats. Please refer to PEIR Volume 1, Section 2.3 for a complete description of areas covered by the Program.

Comment Letter 14530

From: Sandy Ross
To: CDFA Pest Prevention EIR@CDFA
Subject: PLANT PEST DPEIR
Date: Thursday, October 30, 2014 4:36:05 PM
Attachments: CA_plant_pest.docx

MR. PETRO, This arrived on my computer. Not sure if it was sent to you, the recipient. Please confirm you received this. Sandra Ross

Begin forwarded message:

From: "Gibson, Pamela R - gibsonpr" <gibsonpr@jmu.edu>
Date: October 30, 2014 6:00:53 AM PDT
To: Sandy Ross <healthhab@igc.org>

Pamela Gibson, Ph.D., Professor of Psychology
James Madison University, MSC 7704
Harrisonburg, VA 22807
540-568-6195

Comment Letter 14530 Cont.

Laura Petro, Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento CA 95814
PEIR.info@cdfa.ca.gov

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Petro:

Below are some of our concerns about the CEQA deficient Draft Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report (DPEIR).

The DPEIR Must Analyze the Proposed Program's Impact on Receptors with Chemical and/or Environmental Sensitivities (DPEIR-6.5-13) for the following reasons:

14530-1 I have researched the life impacts of chemical/environmental sensitivities since 1992. Consequently I have read and listened to hundreds and hundreds of very difficult life stories of those with sensitivities. Reactions to pesticides are among, if not the worst reported of any chemicals. With pesticide exposure, people evidence not only the usual 3 or so day sickness of most exposure, but they often lose ground permanently. By this I mean that people become permanently more sensitive to pesticides and other chemicals, making for a severe and long-term negative life impact. If sensitivities become serious enough, people are often housebound and unable to work because of the presence of chemicals in the workplace and the possibility/probability of encountering debilitating exposures when going out. Sadly, many of my research participants go only to the doctor and the health food store. It is impossible for those who do not experience the condition to understand the devastating effects on one's life.

14530-2 This is not a small group of people. In the US 12.8% of the population reports having chemical sensitivities. Researchers in Denmark, Germany, Australia, Japan, and a number of other countries also report similar and higher percentages of persons who not only have the sensitivities, but also have had to make life changes in order to survive.

14530-3 The people in my studies are not somaticizing. It's hard to somaticize a rash, a seizure, heart effects, or asthma. Some of the symptoms experienced from pesticide exposures are among the worst of any chemical. People have described terrible debilitation, life threatening rashes (one person died with a rash all over her body after neighbors sprayed herbicides), and serious flattening of affect. We have not paid adequate attention to these people, mainstream journals make it difficult to publish their voices, and the general public is uneducated about the problem. It seems that only the courts actually occasionally listen. The loss of employment and need for disability compensation for this group could be avoided if appropriate accommodations were made and environmental impacts understood before the damage was done. Participants in my

Comment Letter 14530 Cont.

research long for their lost ability to work (contrary to the myth of "secondary gain") and desperately want to be involved in society. The poisoning of this group adds up to an ever-increasing pool of wasted talent and unnecessary need for disability payments.

14530-4

All of this is in addition to burgeoning literature on the connection between pesticides and Parkinson's Disease (Gatto, Cockburn, Bronstein, Manthripragada, & Ritz, 2009; Tanner et al., 2011), childhood cancer (particularly brain tumors) (Carozza, Li, Elgethun, & Whitworth, 2008), breast cancer (Gray, 2010), and a myriad of other once rare cancers. Prenatal atrazine exposure is associated with low birth weight and small head circumference in human neonates (Chevrier et al., 2011). Prenatal exposure to organophosphate pesticides is associated with cognitive deficits at ages 12 and 24 months (Engel et al, 2011) and at 7 years (Bouchard et al., 2011; Rauh et al., 2011). On top of this, women and minorities can be more affected by toxic exposure than the male and white population (Rios, Poje & Detels, 1993; Setlow, Lawson, & Woods, 1998). The use of pesticides is therefore an environmental justice issue for more groups than those with environmental sensitivities. Because none of these issues have been addressed, the Programmatic Environmental Impact Report is incomplete. For the sake of everyone, including those with sensitivities, please require environmental impact studies before spraying neurotoxic chemicals.

It truly doesn't matter whether or not mainstream organizations like the CDC recognize environmental sensitivities. It does not make them any less real. The CDC has its own problems, and apparently, cannot even handle anthrax appropriately. California is often a leader in terms of social and environmental change. Please be a role model for other states in carefully considering the effects of widespread use of pesticides.

Sincerely,
Pamela Reed Gibson, Ph.D., Professor of Psychology
James Madison University, MSC 7704
91 E. Grace St.
Harrisonburg, VA 22807
gibsonpr@jmu.edu

References

Bouchard, M.F., Chevrier, J., Harley, K.G., Kogut, K., Vedar, M., Calderon, N., Trujillo, C., Johnson, C., Bradman, A., Barr, D.B., & Eskenazi, B. (2011). Prenatal exposure to organophosphate pesticides and IQ in 7-year-old children. *Environmental Health Perspectives, 119*, 1189-1195.

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Comment Letter 14530 Cont.

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Wang, A., Costello, S., Cockburn, M., Zhang, X., Bronstein, J., & Ritz, B. (2011). Parkinson's disease risk from ambient exposure to pesticides. *European Journal of Epidemiology*, *26*(7), 547-555.

Letter 14530: Pamela Reed Gibson, Ph.D., James Madison University (October 30, 2014)[1]

Response to Comment 14530-1

The issues raised in this comment are discussed in detail in Master Response 6, Comments Regarding Multiple Chemical Sensitivity. That master response describes the status of the science, and the reasons why the PEIR could not evaluate this issue. The commenter does not provide substantial evidence to support an alternative conclusion. In particular, the commenter suggests that people exposed to pesticides never fully recover and are permanently impacted. Based on our review of available scientific literature, most individuals have several mechanisms to help them recover from exposure to chemicals, and in serious cases medical intervention can address more serious effects. There have been some suggestions in the scientific literature that a small group of individuals may experience a loss of the body's natural tolerance to potentially toxic chemicals; this is known as the Toxicant-Induced Loss of Tolerance (TILT) theory. At this time, this is only a hypothesis used to explain individuals with Multiple Chemical Sensitivity (MCS). No studies have determined the specific mechanism of MCS, nor associated it with a specific exposure concentration to induce the loss of tolerance process. Studies available in the scientific literature are based on correlation analysis and individual opinions as to the cause, and no studies exist that link this phenomenon to a specific exposure.

Response to Comment 14530-2

See Master Response 6, Comments Regarding Multiple Chemical Sensitivity, for a discussion of the various studies regarding prevalence of MCS in the population. It is important to note that due to the lack of a clear understanding of MCS, lack of diagnostic tests available, and lack of comprehensive surveys, the number of individuals who may potentially have MCS are highly variable between studies, and are subject to response bias and definitions used in the studies.

Response to Comment 14530-3

Please see Master Response 6, Comments Regarding Multiple Chemical Sensitivity, section entitled *Prevalence of MCS*, for a discussion of the percentage of individuals who have reported losing their jobs due to MCS.

Response to Comment 14530-4

Consistent with U.S. EPA risk assessment standards and practices, the most sensitive adverse endpoint available was selected for the risk analysis. Note that these endpoints were limited to adverse effects only. Adverse effects include any effect that causes a deviation from a healthy, normal, or efficient condition (i.e., pathological). Changes in enzyme levels, cellular activity, body weight, organ weight, or blood parameter

[1] Note that this same letter (in all cases signed by Pamela Reed Gibson) was submitted by several individuals, including Constance J. Barker, Sandra Ross, and Ms. Gibson herself. Because all three copies of the letter are identical, only this copy has been included and responded to in the PEIR.

measurements are not necessarily adverse; therefore, these endpoints were not used in the risk analysis unless such endpoints were indicative of pathology or progression toward an adverse effect. For example, red blood cell cholinesterase inhibition was selected as the endpoint used in risk analysis for chlorpyrifos, an organophosphate insecticide, because this effect has been established as indicative of progression toward neuropathic effects, and a suitable No Observable Adverse Effect Level (NOAEL) was available for risk evaluation.

It is worth noting that epidemiological data, although informative, are usually insufficient for quantifying risk in a risk assessment. This insufficiency is typically due to the lack of endpoint data on which to do risk estimation. Epidemilogical data are generally correlative and do not establish a causal relationship between chemical dose and adverse effect. Epidemilogical studies, however, may be useful to support the case that a particular chemical or group of chemicals is capable of causing an adverse effect.

Studies such as Carozza et al., 2008, are exploratory in nature and associate cancer with crop production, not particular pesticides or their use. Data of the type presented in the aforementioned paper, although informative, are insufficient for quantifying risk in a risk assessment due to the lack of endpoint data on which to do risk estimation.

With respect to the comment on atrazine, because it is not a chemical proposed for use under the Proposed Program, this comment is irrelevant.

Finally, regarding environmental justice issues, please refer to PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials* pages 6.5-8 onward, which addresses this issue in a section entitled *Highly Affected and Socioeconomically Disadvantaged Communities.*

In conclusion, the PEIR is not incomplete; the issues raised in this comment were fully considered in the document.

Comment Letter 14807

From:	Fred Crowder
To:	CDFA Pest Prevention EIR@CDFA
Cc:	County Ag Commissioner, Los Angeles; Cansler, Tim@CACASA; Petro, Laura@CDFA; County Ag Commissioner, Kings; County Ag Commissioner, Santa Barbara; Jim Allan; County Ag Commissioner, Yolo
Subject:	CACASA Comments on Draft PEIR
Date:	Friday, October 31, 2014 3:57:28 PM
Attachments:	PEIR_CACASAcomments_CoverLetter.pdf PEIR_CACASAcomments_101914_Final.pdf

Attention: Laura Petro

Dear Laura - California's Agricultural Commissioners and Sealers Association (CACASA) strongly supports the intent of the PEIR document and welcomes the opportunity to comment. Attached, please find:

1) CACASA comments on CDFA's Draft Programmatic Environmental Impact Report, and
2) Cover letter from CACASA President Kurt Floren.

Thank you for the opportunity to comment. Please contact me, or Kurt if you have any questions, need additional information, or would like to discuss matters in greater detail.

Fred Crowder
Agricultural Commissioner / Sealer of Weights and Measures
County of San Mateo
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650.363.4700

Comment Letter 14807-cont.

California Agricultural Commissioners and Sealers Association

October 29, 2014

Kurt Floren, President
Los Angeles County
Agricultural Commissioner /
Sealer of Weights & Measures

Jim Allan, President-elect
Solano County
Agricultural Commissioner /
Sealer of Weights & Measures

Cathy Fisher, Vice President
(Agriculture)
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John Young, Vice President
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ATTN: Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814

Also sent via e-mail: PEIR.info@cdfa.ca.gov

From: Kurt Floren, President
California Agricultural Commissioners and Sealers Association
(CACASA)

Re: CDFA Draft Programmatic Environmental Impact Report

As an enthusiastic and committed partner in pest prevention, CACASA welcomes and appreciates the opportunity to comment on the draft Programmatic Environmental Impact Report. Attached, please find CACASA's specific comments on the draft PEIR as well as comments on Appendices A through N.

CACASA is confident that adoption of the PEIR will provide a sound basis for the evaluation of pest response methodologies and supports adoption and implementation of the Proposed Program. It will not only provide CEQA compliance, but will allow for program flexibility enabling pest management response and projects to be dynamic and responsive to changing pest situations and developing issues. The Program's reliance on foundational data and science to identify risks and benefits provides a greatly enhanced decision making tool that reduces the potential for unintended consequences and negative impacts for the community and environment.

There are, however, issues in the draft document for which CACASA has concerns, particularly issues associated with references to the non-utilization of aerial spraying in residential areas. It is hoped that the comments contained within the attached comments are adequately explained and supported with justifying statements. Preliminarily, though, CACASA wishes to state that it appreciates the controversy generated when such aerial applications are considered, and does understand that aerial spraying in residential areas is not intended to be a component of the Program covered by this PEIR. However, any inclusion of language that serves to suggest, or may be interpreted to state, that considerations of aerial sprays in residential areas are summarily dismissed under any circumstances, including emergency projects, is of grave concern, as such is an important tool that must be retained to address extraordinary pest infestations requiring emergency action for effective pest management, control, and eradication.

14807-1

PROTECTION & SERVICE SINCE 1881

Comment Letter 14807-cont.

14807-2 Additionally, CACASA notes that the draft PEIR does not include some high profile pests such as Red Imported Fire Ant and noxious weeds. County Agricultural Commissioners (CACs) dedicate a substantial portion of their budgets to noxious weed programs and have requested an environmental document to address CEQA concerns and weed management programs. In response to these requests

14807-3 CDFA has indicated that Cal Fire and/or Cal Trans has/have developed, or may be developing, such documents upon which CACs might "piggy back" respective noxious weed programs. Should such documents exist, we respectfully request that CDFA provide guidance as to how they might be accessed and used to address CAC regulatory weed control programs.

14807-4 The document frequently refers to "IPM" (Integrated Pest Management). For many in the concerned community, "IPM" is taken to mean "no pesticides," and there are some document sections with phrasing and verbiage that suggest that the use of pesticides is not, or would never be, an option as an initial response to an exotic, invasive pest infestation. These areas have been identified and CACASA recommends that they be clarified.

14807-5 Finally, it has become increasingly common for individual property owners/operators or communities to opt out of treatments to address infestations as a result of pesticide-related concerns, presenting significant challenges to the conduct of timely and effective control or eradication measures. Though voluminous, the document is narrow in scope and does not appear to provide flexibility to remedy such circumstances. It is hoped and encouraged that the document be considered to be a "living

14807-6 document" that can be updated to incorporate alternative treatment methods as they are developed and to allow for inclusion of new chemistries as they become approved and available.

Thank you again for the opportunity to comment. Please contact me if you have any questions, need additional information, or would like to discuss matters in greater detail.

With Best Regards,

Kurt Floren,
President, California Agricultural Commissioners and Sealers Association

PROTECTION & SERVICE SINCE 1881

Comment Letter 14807-cont.

CACASA Comments on Draft Programmatic Environmental Impact Report

CACASA strongly supports the intent of the Draft Programmatic Impact Report and, as a general statement, is highly supportive of the vast majority of all components thereof. CACASA respectfully offers the following comments, recommendations, and requests for clarification or additional information as specifically noted in the cited extracts below. (All comments and suggestions shown in *italics*)

Volume 1 Main Body:

14807-7 **Page ES-1, Executive Summary, Overview of the Statewide Program, Goals and Objectives:** *None of the nine bullets mention Survey and Monitor for pests. Recommend adding a bullet between first and second bullet stating, "Survey and Monitor for pests of concern, allowing for early detection to facilitate prompt response for eradication of pests of concern".* ***Suggested Edit***

14807-8 **Page ES-4, Executive Summary, first paragraph, last sentence** reads, "Implementation often results in a combination of strategies, including mechanical control, biological control, cultural control, and the use of pesticides where indicated." *Is important to have a definition of IPM and clarify exactly what IPM is. For many in the concerned community, "IPM" is interpreted to mean no pesticides, yet the goal is to minimize its use and to utilize least toxic materials. IPM is key to pest management and, where necessary, eradication – but just as important is to ensure pesticides are in the IPM tool box.* ***General Comment and Statement of Support***

14807-9 **Page ES-4, Executive Summary, fifth bullet, second sub-bullet,** reads, "identification for the IPM analysis of alternative treatment methods". *To the point above, there is no need to state "alternative treatment methods," as IPM by definition includes review and consideration of all treatment methods. The inclusion of "alternatives" may give the impression of alternatives to pesticides, which leads some to think pesticides are not an option in the IPM toolbox.* ***Suggested Edit***

14807-10 **Page ES-4, Executive Summary, sixth bullet, second sub-bullet,** reads, "Information about the method or methods of applying the pesticide". *This is an awkward sentence. Recommend, "Providing information about any pesticides that may be used and the method, or methods, of application".* ***Suggested Edit***

14807-11 **Page ES-4, Executive Summary, last bullet** – reads, "Providing regulatory information to affected growers, businesses and residents about quarantine regulations and applicable restrictions or prohibitions on the movement of hosts from quarantine areas." Recommend amending sentence to say, "Providing regulatory information to affected growers, businesses and residents about quarantine regulations and applicable restrictions or prohibitions on the movement *of pests, hosts or host material* from quarantine areas". ***Suggested Edit***

14807-12 **Page ES-6, Executive Summary, Risk Assessment, second paragraph, second sentence, refers to "ecological receptors"** – *Suggest that clarification or additional specificity be provided to explain what "ecological receptors" means.* ***Clarification***

Comment Letter 14807-cont.

14807-13

Page ES-8, Executive Summary, Areas of Known Controversy, second bullet, reads, "note that the proposed program does not include aerial spraying in residential areas." *It is critical to ensure that nothing in this proposed program serves to eliminate, or can be interpreted to suggest elimination of, aerial applications as a potential treatment option in the event of emergency projects necessitated by an infestation that has progressed beyond what can be controlled by ground treatments typically used upon initial identification of invasive pest presence of a limited nature. It is recommended that language be developed and incorporated to clarify that, while the Programmatic EIR does not address aerial spraying in residential areas, nothing shall be interpreted to prohibit its use in emergency projects. Additionally, it is recommended to include a definition of "residential area." Is a residential area any area where there is even a single residence in the midst of agricultural production areas, or are zoning criteria to be used? Please clarify.* ***Question, Clarification***

NOTES REGARDING ABOVE RECOMMENDATIONS: CACASA recognizes the controversy that can be generated when aerial applications are considered over residential areas, but any potential suggestion to dismiss them outright, under any circumstances, would serve to base emergency treatment and eradication decisions not upon sound science and careful risk assessment, but, rather, upon what is often unreasonable perception of risk and public opinion. A program driven by public opinion was an alternative considered and rejected in Chapter 7.5, Alternatives Considered and Dismissed, page 7-11, Section 7.5.1, "Public Decision-Making Process Alternative". Automatic dismissal of consideration of aerial applications over a residential area would remove a very important, proven tool from the proverbial tool box, which could be devastating to agriculture and native plant species if circumstances developed where it was needed.

14807-14

Page ES-8 Executive Summary, Areas of Known Controversy, fifth bullet, reads, "Cumulative or synergistic effects of pesticide exposure." Recommend inserting "*Concern over* cumulative or synergistic effects of pesticide exposure". *As presently written, the statement implies that there are risks of synergistic effects with all pesticides, which is not the case. Anti-pesticide activists have managed to insert such thoughts into the urban conscientious as a concern and controversy. The statement, as phrased here, lends legitimacy to this misconception and perpetuates the misperception.* ***Suggested Edit***

14807-15

Page ES-8, Executive Summary, Areas of known Controversy, seventh bullet, reads, "Effects of CDFA's IPM activities on organic farming". *Recommend replacing "IPM" with "pest management." In many aspects of IPM practices, there is nothing that conflicts with organic farming. IPM is a corner stone of organic farming, however, some specific CDFA pest management practices may be incompatible with organic farming practices as specified by USDA's National Organic Program.* ***Suggested Edit***

14807-16

Page ES-9, Executive Summary, Overview of Environmental Topics Evaluated in the Draft PEIR, Agricultural Resources and Economics, second paragraph, fourth sentence, reads, "And while crops treated with pesticides would not be allowed to be marked as organic, the farms themselves would maintain their organic certification." *This statement is incorrect. Organic crops treated with* ***unapproved*** *pesticides would not be allowed to be marketed as organic, but a number of pesticide materials are approved for use in organic production. Recommend, "And while crops treated with pesticides not approved by the National Organic Program would not be allowed to be marked as organic, the farms themselves would maintain their organic certification."* ***Suggested Edit***

Comment Letter 14807-cont.

14807-17

Page ES-10, Executive Summary, Air Quality, first paragraph, fourth, fifth, and sixth sentences, reads, **"**CDFA already implements all available and feasible measure to control and reduce emissions, but it lacks the authority to mandate emission reductions on the equipment used by individual growers and applicators in response to CDFA quarantines. Thus, no feasible mitigation exists that would reduce the impact to a level that would be less than significant. Therefore to the impact would be significant and unavoidable." *The authority for regulating air quality lies with the Air Quality Resources Control Board, which sets standards for air quality and regulations and enforces regulations concerning individual's emissions. We suggest that CFDA would have authority to mandate emission regulations on equipment used by contractors through contract agreements specifying that vehicles and equipment used by contractors and/or service providers comply with standards set by the AQRCB. Would this not mitigate the impact?* ***Disagree with the Impact Conclusion of "Significant and Unavoidable".***

Page ES-11, Executive Summary, Global Climate Change, first paragraph third sentence, reads, "The analysis concluded the GHG emissions possibly could increase to a level that could be significant", *not due to CDFA activities, but due to CDFA lacking* "the authority to mandate emission reductions on the equipment used by individual growers and applicators in response to CDFA quarantines." *As noted above, we suggest that, CDFA has the authority to mandate emission compliance by service providers via contractual terms, while the authority for regulating air quality and emissions generated by growers lies with the Air Quality Resources Control Board, which sets standards for air quality and regulations and enforces regulations concerning individual emissions. Because CDFA can contractually require compliance from service providers, and enforcement authority is possessed by the AQRCB, the impact would be mitigated and would not be considered "significant and unavoidable".* ***CACASA Disagrees with the Impact Conclusion of "Significant and Unavoidable".***

14807-18

Page ES-13, Executive Summary, Alternatives Considered, No Pesticide Alternative, first sentence, reads, "Under the No Pesticide Alternative, CDFA would continue to generate a list of high priority pests, would continue its biological control program, and enforcing State Quarantine regulations, and requiring that they result in use of pesticides". *This references CDFA continuing their biological control program, however, CDFA has stated that it no longer operates a Bio-control program. Additionally, as currently worded, there appears to be an implicit (and incorrect) assumption/conclusion in this sentence that quarantines result in the use of pesticides. Because this is in context of a "No Pesticide Alternative," it would seem appropriate that the closing statement say "enforcing quarantine regulations and requiring that they* ***DO NOT*** *result in the use of pesticides." Regarding the reference to CDFA's non-existent Bio-control program, CACASA is fully supportive of CDFA re-implementing the bio-control program, as it is a critical and key element for any IPM program. But, if such is not feasible, it is recommended that the statement be edited to say, "Under the No Pesticide Alternative, CDFA would continue to generate a list of high priority pests, continue investigating and considering biological control alternatives, and enforcing State Quarantine regulations, and requiring that they do not result in use of pesticides".* ***Possible Document Oversight, Suggested Edit***

14807-19

Page ES-15, Executive Summary, Environmentally Superior Alternative, third paragraph, first sentence, reads, "Under CEQA, if the environmentally superior alternative is the "no project" alternative, an EIR also shall identify an environmentally superior alternative among the other alternatives." *Does CEQA evaluation take into consideration the "no response" option and assess the impacts of no response to control a pest and the resulting impacts of that pest on the environment (?), or does CEQA only consider and address the effects and impacts of direct actions taken to control a destructive pest?* ***Clarification Needed***

Comment Letter 14807-cont.

14807-20

Page ES-15, Executive Summary, Environmentally Superior Alternative, third paragraph, third sentence, reads, "It would avoid any potential impacts associated with use of conventional pesticides, but could result in some offsetting adverse effects, such as impacts associated with greater reliance on organic pesticides." *It is a misconception that "organic" and "conventional" are incompatible, as there are conventional pesticides approved for organic crop production. Recommend rephrasing sentence to "It would avoid any potential impacts associated with use of non-organic conventional pesticides, but could result in some offsetting adverse effects, such as impacts associated with greater reliance on, and increased applications of pesticides approved for organic crop production*". ***Suggested Edit***

14807-21

Chapter 2, Proposed Program Description, page 2-1, second paragraph, second sentence, reads, "The proposed program would consist of a variety of focused programs, using a set of integrated pest management (IPM) options for controlling target pests". *See preceding comment regarding the need to incorporate a clear definition of "IPM," as many in the concerned community interpret "IPM" to mean no use of any types of pesticides. IPM as a tool is key to pest management and, where necessary, eradication, but it remains critical to ensure pesticides remain a component in the IPM tool box.* ***Comment***

Page 2-16, Section 2.7.2 Eradication, third paragraph, first sentence – *see preceding comment. Again CACASA recommends a clear definition as to what IPM means (see above).* ***Comment***

14807-22

Page 2-17, Proposed Program Description, Section 2.8, Pest Prevention and Integrated Pest Management Approach, first paragraph –reads, "IPM is the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment." *Efficacy is a most important factor in pest management decision making. Recommend incorporating efficacy into statement by adding, at the end, "…while achieving adequate efficacy."* ***Suggested Edit***

14807-23

Page 2-21, Proposed Program Description, Section 2.9.3, Chemical Management Activities, first paragraph, reads (emphasis added), "Utilizing the IPM approach would reduce the use of pesticides under the proposed program because they would be used ***only*** when other less effective treatment methods are determined not to be succeeding". *Recommend editing, as this language serves to preclude any use of chemicals in initial responses to infestations, regardless of evaluative process, and would obligate CDFA to first employ and exclusively utilize non-chemical treatment methods, and make a determination that alternative (non-chemical) methods are not succeeding before chemical pest management can be justified. Such a situation could promote ineffective pest control, significantly increase program costs, and delay effective treatment of pest populations, possibly resulting in expanse of pest to the extent that eradication or effective management is not feasible. Recommend changing language to "Utilizing the IPM approach would reduce the use of pesticides under the proposed program because they would be used only when alternative treatment methods would not be effective*". ***Comment, Suggested Edit***

Comment Letter 14807-cont.

14807-24 **Page 2-28, Proposed Program Description, Management Program Practices, MP AERIAL-1, first bullet** reads, "Do not spray in urban/residential areas". *As previously noted, precluding aerial applications over urban areas removes a potentially critical pest management tool from the pest prevention tool box. CACASA strongly suggests that language be incorporated to clarify that nothing shall be construed to suggest that aerial sprays are prohibited outside the scope of the PEIR, particularly in regard to emergency projects.* ***Comment, Possible Document Oversight***

14807-25 **Page 2-28, Proposed Program Description, MP-Ground-1, first and second bullet,** reads, "Avoid direct applications to water bodies." Suggest including statement,"*… unless the material is registered for such use."* Same for bullet two. ***Suggested Edit***

14807-26 **Page 2-29, Proposed Program Description, fifth bullet from top,** reads, **"**Allow only staff or private entities under contract to perform ground-rig spot treatment", Suggest edit to say "Allow only staff or private entities under contract *that are appropriately trained and licensed* to perform ground rig spot treatment". ***Suggested Edit***

14807-27 **Page 2-29, Proposed Program Description, MP-Ground-2, first bullet** – reads, "Avoid direct applications to water bodies." *Again, suggest amending to include "..unless the material is registered for such use".* ***Suggested Edit***

14807-28 **Page 2-29, Proposed Program Description, MP-Ground-3: Train personnel in proper use of pesticides,** *recommend adding a third bullet stating that "Contractors will be appropriately trained and licensed".* ***Suggested Edit***

14807-29 **Page 3-4, Proposed Program Activities, Chapter 3, Section 3.2 Biological Management Activities, 3.2.1 Biological Control Agents:** Each bullet and listing of the bio-control organism states "This parasitoid would be released to control…" or "This parasitic wasp would be released to control…," or similar. CACASA respectfully suggests that, while *BCA's may be effective for management of pests, they are rarely effective tools when the goal is eradication. Stating that BCA's can and should be used for eradication of pests (instead of chemicals) is a common misconception. Recommend changing "control", to "manage".* ***Suggested Edit***

14807-30 **Page 3-7, Proposed Program Activities, third Bullet – Methyl Eugenol, or Cue lure Jackson Trap:** The second-to-last sentence reads, "A sticky insert on the bottom side captures pests and a pesticide kills pests on contact." *Eugenol lure kills by fuming action, not "contact." Recommend editing to say "A sticky insert on the bottom side captures pests and fuming action of a pesticide kills the pest by proximity."* ***Suggested Edit***

14807-31 **Page 3-8, 3.3.2, Proposed Program Activities, Foliar Spray Applications, seventh (and last) bullet, Aerial Applications,** reads, "Aerial applications are allowed only for quarantine projects as a treatment option by commercial growers in agricultural or nursery settings, per federal treatment protocols". **–** *CACASA seeks information about the potential need for applications over public lands, such as national forests, to treat, for example, against European or Asian Gypsy Moth?* ***Question***

Comment Letter 14807-cont.

14807-31 cont.

"Aerial spraying would not occur in residential areas." – –*Once again, CACASA urges inclusion of clarification that nothing shall be construed to eliminate the option for aerial spraying in urban/residential areas outside the scope of the PEIR, such as regarding emergency projects. Additionally recommended is inclusion of a definition for "residential areas," as the presence of a single (or limited) residence amongst agricultural production areas (or rural, open space) may result in claims that such is a "residential area."* ***Comment, Clarification, Possible Document Oversight***

14807-32

Page 3-11 (through 3-36), Proposed Program Activities, 3.4 Current Pest Management Program: *CACASA notes that the PEIR does not address weeds or weed programs. Similar to Bio-control mentioned earlier in this comment, CDFA eliminated the Weed program as a result of budget cuts. However, weed management is a mandate of CDFA, weeds were included in the scoping of the PEIR, and CDFA continues to have an aquatic weed program in which pesticides are used.I It would appear logical that a section of the PEIR should address weeds. Even if these pest management programs (the aquatic program, or weeds in general) are not to be included in the PEIR, it would substantially address a perceived oversight and hole in the PEIR that there be a section stating the reasons for the exclusion of weeds from the document. Agricultural Commissioners continue to dedicate a substantial portion of their budgets to weed suppression and eradication and an environmental document to address CEQA and weeds would be of substantial benefit. In response to CAC's asking for a CEQA compliant weed EIR, CDFA has stated that Cal Fire has developed, or is developing, such a document on which CAC's may "piggy back" their weed programs. Presently, no such document appears to exist, and even if it is being developed, CACASA seeks information regarding whether or not such a document developed for vegetation management would sufficiently address regulatory weed control.* ***Comment, Clarification, Question, Possible Document Oversight***

14807-33

Page 3-37 through 3-77, Proposed Program Activities, Tables 3-1, 3-2, 3-3: *Pests listed include specific pesticides to be used respectively for their control. CACASA seeks clarification regarding whether or not the PEIR has the flexibility to be updated to reflect the availability of newer, softer chemicals that might be used as they are developed and become available and are approved for projects.* ***Comment, Question***

14807-34

~~P~~age 4-10, Prior CEQA Coverage, top of page, first sentence, reads "drench pesticide ground application with backpack, ground boom sprayer, or airplanes, and pesticide aerial applications…" with footnote "**Aerial spraying would not occur in residential areas."** *This is the fifth mention that aerial applications would not occur in residential/urban areas, making it one of the most frequently repeated statements in the document., CACASA, again, stresses the need for inclusion of a clarifying statement that nothing shall be construed to prohibit the use of aerial applications over residential areas for emergency projects, and cautions against any suggestion or potential interpretation that removes this important tool from the pest management tool box.* ***Comment, Possible Document Oversight***

14807-35

Page 4-10, Prior CEQA Coverage, 4.2.6 Light Brown Apple Moth Eradication Program EIR, fourth paragraph reads, "The primary tool for LBAM eradication in California is the sterile insect technique. The program releases sterile male moths for mating with wild moths to eradicate the population, USDA has accelerated the process of developing large-scale mass rearing facilities to support LBAM eradication" *USDA discontinued the SIT program for LBAM many years ago. Recommend deleting paragraph.* ***Suggested Edit***

Comment Letter 14807-cont.

14807-36 **Page 4-10, Prior CEQA Coverage, 4.2.6 Light Brown Apple Moth Eradication Program EIR, last paragraph, first sentence,** reads, "Alternatives evaluated and analyzed in the 2010 PEIR included the use of biological control agents, mating disruption with pheromones, male moth attractants, and organically approved pesticides …" *The phrase "organically approved pesticides" is vague. Recommend editing to say, "Alternatives evaluated and analyzed in the 2010 PEIR included the use of biological control agents, mating disruption with pheromones, male moth attractants, and pesticides approved for use in organic systems by the National Organic Program".* ***Suggested Edit***

14807-37 **Page 5-20, Chapter 5, Cumulative Scenario, Table 5-8, Column 2,** reads, "Total Cancer-Causing Pesticide Use". *As written, inference is that any exposure to these pesticides will result in cancer. Previous table provided context with "Prop 65", recommend this table be worded, suggest "Prop 65 Pesticides, Identified as Having Cancer Potential".* ***Suggested Edit***

14807-38 **Page 5-46, Cumulative Scenario, Cumulative Impacts of Pesticide Use, Effects on Human Health and Ecological Receptors, first paragraph, third sentence,** reads, "Effects on Human Health from cumulative exposure to pesticides include cancer, respiratory irritation, nausea reproductive issues, and nervous system damage". *As written, inference is that exposure to any pesticide will result in cancer, rather than, there are pesticides which have the* ***potential*** *to cause cancer. Recommend editing to state "Potential effects on Human Health …"* ***Suggested Edit***

14807-39 **Page 5-51, 5.5 Cumulative Impacts, Table 5-18, Biological Resources,** reads, "Increasing population levels, urbanization, and activities such as pesticide use are resulting in a cumulatively significant conversion of habitat, loss of species, and increased number of federally- and State-listed endangered and threatened species". *The validity of this statement is questionable in regard to whether or not pesticides play a significant role in the conversion of habitat or status of protected species. Though popularly suggested as highly influential by the media, pesticides rank very low, relative to development, invasive species, climate change, vehicle "take" on roadways, domestic cats, etc., on the list of factors influencing protected species and habitat. Recommend editing statement to read, "Increasing population levels, urbanization, invasive species, and climate change, together with negative effects from some pesticides, are resulting in a cumulatively significant conversion of habitat, loss of species, and increased number of federally- and State-listed endangered and threatened species."* ***Suggested Edit***

14807-40 **Page 5-52,Table 5-18, Hazards and Hazardous Materials,** reads, "Increasing population levels; urbanization; pesticide use ; international, interstate, and intra state travel and movement of goods; and global industrialization and development are generating cumulatively significant impacts on the physical environment related to hazards and hazardous material, including increased health risks from exposure to hazardous chemicals and increasing cancer rates." *Adjusted for population growth (per capita), cancer rates are declining, not increasing. Though popularly cited in the media as carcinogen contributors, pesticides, relative to other environmental stressors such as tobacco, plastics, alcohol, pharmaceuticals (HRT, aspirin, etc.), petroleum products, household cleaners, air pollutants (vehicle emissions), caffeine, etc., are relatively low in significance as a contributor to cancer rates. When dose/exposure is factored in, for the general public, pesticides are relatively far less significant as a contributor to cancer. Recommend editing to state, "Increasing populations levels: urbanization;*

Comment Letter 14807-cont.

14807-40 cont.

environmental stressors (tobacco, plastics, alcohol, pharmaceuticals (HRT, aspirin, etc.), petroleum products, household cleaners, air pollutants (vehicle emissions), caffeine, etc., international, interstate, and intra state travel and movement of goods; and global industrialization and development are generating cumulatively significant impacts on the physical environment related to hazards and hazardous material, including increased health risks for exposure to hazardous chemicals, including pesticides." ***Suggested Edit***

14807-41

Page 5-52,Table 5-18, Water Quality, reads, **"**Increasing population levels, urbanization, and **pesticide use** in the region may lead to a variety of cumulatively significant impacts on water quality, including new sources of point source and non-point source pollution…" *Pesticides always warrant review and consideration. In California's substantial regulatory environment, pesticide use presents the only situation where a toxicant is actually allowed to be placed in the environment. They are important tools, but they are highly regulated, continually scrutinized, and their potential impacts are routinely evaluated. However, with the exception of Water Quality, there is little justification to mention pesticides in Table 5-18 as "Cumulatively Significant Factors" when later analysis and statements in the PEIR document indicate the impacts of pesticide are not significant. Pages 6.1-28 through 32 ("Chemical Management Approaches" and "Cumulative Impacts"); Chapter 6.3-11 ("Biological Resources"); Chapter 6.5 ("Hazards and Hazardous Materials"); and Chapter 6.7 ("Water Quality"), state that the impact of pesticides is "insignificant", insignificant with mitigations", or "no impact". At the risk of avoiding the perpetuation of urban myths, it might be beneficial to keep statements concerning pesticides in context with risk, and recommend (with the possible exception of the Resource Topic of "Water Quality") that there be no mention of pesticides in Table 5-18.* ***Comment, Suggested Edit***

14807-42

Page 6.0-6, 6.0.6 Environmental Risk, second paragraph – reads, "For the purposes of this Draft PEIR, risk is defined as the probability of harmful effects on human health or on ecological receptors (i.e., species) resulting from exposure to an environmental stressors. A stressor is any physical, biological, or chemical entity that can induce an adverse response. Environmental risk is a function of the probability of occurrence for an environmental stress event and the magnitude of the potential harm that would be caused by such an event." *Nicely encapsulates what this is all about.* ***Comment***

14807-43

Page 6.0-10, Introduction to the Environmental Setting and Impacts Analysis, Exposure Assessment - *Agree with and appreciate the reasoning/rationale and support the conclusions in Chapter 6.0 . The relatively detailed review and discussion of the potential for exposure and the associated risks may be lost on some, but has been a controversial issue perpetuated by misinformation and fear.* ***Comment***

14807-44

Page 6.1-1, Agricultural Resources and Economics, 6.1.2, Environmental Setting, Proposed Program Area – second bullet reads, "Northeast: Del Norte, Humboldt, Mendocino, Siskiyou, Shasta and Trinity" – *CACASA questions the accuracy of the title "Northeast" and recommends simply "North"* ***Suggested Edit***

Comment Letter 14807-cont.

Page 6.1-27, Agricultural Resources and Economics, Environmental Impacts of the Proposed Program, All Management Approaches:

"AG GEN-1 – reads, **"**Proposed program activities would reduce pest infestations and would help prevent conversion of farm land to non-agricultural use. (Beneficial Impact)" Last paragraph, second sentence – "Treatments and inspections could take weeks to complete and could cause decrease in agricultural revenues from the loss of access to domestic and international markets. Use of biological control agents would require funding to develop, produce, release and manage. To the extent that these activities would be funded by industry, they could increase costs to producers, shippers, receivers, and consumers of agricultural products". *CACASA respectfully suggests that bio-control agents are rarely fully effective if the management goal is eradication. Appreciate and support the recognition that complying with quarantine and exotic pest regulations after they are established not only increases industry operational costs, but also increases pesticide use. Also appreciate recognition of the economic impacts of pest infestations, quarantines, and complying with regulations being a significant burden to California's agricultural industry.* ***Comment***

14807-45

Page 6.1-28, Agricultural Resources and Economics, Environmental Impacts of the Proposed Program, All Management Approaches, first paragraph, last sentence, reads, "The Proposed Program would be economically beneficial overall, creating an economic incentive against conversion of farmland to non-agricultural uses. Therefore the impact would be beneficial."

CACASA agrees with and supports statement. ***Comment***

Page 6.1-28 through 30, Agricultural Resources and Economics, Chemical Management Approaches:

- **AG-CHEM-1** (page 6.1-28), **"**Potential for chemical use in response to interior quarantine requirements to disrupt organic farming and convert farmland to non-agricultural use, (No Impact)."
- **AG-CHEM-2** (page 6.1-29)"Potential for pesticide drift to disrupt organic farming and convert farmland to non-agricultural use (No Impact)."
- ***AG-CHEM-3*** (page 6.1-30) "Potential for indirect effects of pesticide use on beneficial insects and pollinator to cause a reduction in agricultural production and lead to conversion of farmland to non-agricultural use. (No Impact)"

14807-46

CACASA agrees with and supports conclusions. ***Comment***

Page 6.1-31 through 32, Agricultural Resources and Economics, Cumulative Impacts:

- ***AG-CUM-1*** (Cumulative Impacts, page 6.1-31) "Potential for pesticide use from Statewide Program activities to contribute to cumulative honeybee mortality and result in a conversion of farmland to a non-agricultural use. (No Impact)."
- ***AG-CUM-2*** (page 6.1-32) "Potential for pesticide use from Statewide Program activities to disrupt organic farming and result in a conversion of farmland to a non-agricultural use. (No Impact)."
- ***AG-CUM-3*** (page 6.1-32) "Potential for Statewide Program activities as a whole to contribute to conversion of farmland to a non-agricultural use. (Beneficial Impact)."

CACASA agrees with and supports conclusions. ***Comment***

Comment Letter 14807-cont.

Page 6.3- 8, Biological Resource, Physical Management Approaches:

- **BIO-PHYS-1** Activities associated with implementing external quarantines would not affect biological resources. (No Impact)
- **BIO-PHYS-2,** Disposal of infested host material within internal quarantine areas would not affect sensitive biological resources. (No Impact)
- **BIO-PHYS-3**, Plant observation and soil sampling would not impact sensitive biological resources. (No Impact)
- **BIO-PHYS-4,** Traps would not cause substantial mortality to non-target special-status invertebrates or substantially reduced populations of pollinating insects. (Less Than Significant)
- **BIO-PHYS-5,** Sweep net surveys would not cause substantial mortality of Special-status species. (Less Than Significant)
- **BIO-PHYS-6,** Host fruit removal and disposal practices would not substantially impact special status species or sensitive natural communities. (Less than Significant)
- **BIO-PHYS-7,** Adjusted crop harvesting protocols would not affect special status species or sensitive natural communities above existing baseline crop harvesting practices. (No Impact)

CACASA agrees with and supports conclusions on Page 6.3-8 through 10 concerning "Physical Management Approaches". ***Comment***

Page 6.3- 10 through 11, Biological Resource, Biological Management Activities:

14807-46 cont.

- **BIO-BIO-1,** Introduction of sterile insects would not substantially impact special status species or sensitive natural communities. (Less than Significant)
- **BIO-BIO-2,** Release of sterile insects from airplanes would not substantially disturb special status bird nesting and rookery sites (Less than Significant)
- **BIO-BIO-3,** Introduction of Bio-control agents would not substantially affect special status species. (Less Than Significant)

CACASA agrees with and supports conclusions on Page 6.3-10 through 11. ***Comment***

Page 6.3- 11 through 15, Biological Resource, Chemical Management Activities:

- **BIO-CHEM-1**, Scenarios that would result in no elevated risk for special status species. (Less Than Significant)
- **BIO-CHEM-2**, Scenarios that would result in no elevated risk to special-status species with implementation of mitigation. (Less Than Significant with Mitigation)
- **BIO-CHEM-3** Effects on special-status insectivores from scenarios with elevated risk to insects. (Less Than Significant)
- **BIO-CHEM-4**, Effects on special-status flowering plants from scenarios with elevated risk to pollinators. (Less Than Significant)
- **BIO-CHEM-5**, Effects of chemical treatments on sensitive natural communities or wetlands. (No Impacts)
- **BIO-CHEM-6**, Potential for chemical traps to cause substantial mortality to non-target special-status invertebrates or substantially reduce populations of pollinating insects. (Less Than Significant)

CACASA agrees with and supports conclusions on Page 6.3-11 through 15. ***Comment***

Comment Letter 14807-cont.

14807-46 cont.

Page 6.3- 15 through 16, Biological Resource, Cumulative Impacts:

- **BIO-CUM-1**, Proposed program activities would minimize natural area invasions. (Beneficial Impact)
- **BIO-CUM-2,** Effects on special-status flowering plants from scenarios with elevated risk to pollinators. (Less than Significant)
- **BIO-CUM-3**, Effects on special-status pollinators. (Less than Significant)

CACASA agrees with and supports conclusions on Page 6.3-15 through 16. ***Comment***

Pages 6.5-18, Hazards and Hazardous Materials, Environmental Impacts of the Proposed Program, Physical Management Approaches:

- **HAZ-PHYS-1,** Proposed Program Activities could expose physiologically sensitive populations to human health hazards (Less than Significant)

CACASA agrees with and supports conclusions on Page 6.3-18, Physical Management Approaches. ***Comment***

Pages 6.5-18, Hazards and Hazardous Materials, Environmental Impacts of the Proposed Program, Biological Management Approaches:

- **HAZ-BIO-1,** Biological management activities under the Proposed Program could expose physiologically sensitive populations to human health hazards (Less than Significant)

CACASA agrees with and supports conclusions on Page 6.3-18, Biological Management Approaches. ***Comment***

Pages 6.5-18, Hazardous and Hazardous Materials, Environmental Impacts of the Proposed Program, Chemical Management Approaches:

- **HAZ-CHEM-1,** Proposed Program activities could create a substantial hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of pesticides or related chemicals in to the environment. (Less than Significant with Mitigation). Mitigations:
  1. HAZ-CHEM-1a, Conduct Public information sessions regarding pesticide safety practices.
  2. HAZ-CHEM-1b, Conduct training sessions and prepare educational materials regarding safe handling and application of pesticides.
- **HAZ-CHEM-2**, Proposed Program activities could result in hazardous emissions or could involve handling hazardous or acutely hazardous pesticides or other related substances within 0.25 mile of an existing or proposed school. (Less than significant)
- **HAZ-CHEM-3,** Proposed Program activities could expose physiologically sensitive populations to human health hazards. (Less than Significant with Mitigation). Mitigation - Require compliance with the Proposed Programs Authorized Chemical Application Scenarios.

CACASA agrees with and supports conclusions on Page 6.3-18, Chemical Management Approaches. ***Comment***

Comment Letter 14807-cont.

14807-46 cont.

Pages 6.5-21, Environmental Impacts of the Proposed Program, Cumulative Impacts:

- **HAZ-CUM-1 –** The Proposed Program could make a considerable contribution to cumulatively significant non-chemical hazards. (Less than Significant)
- **HAZ-CUM-2**, The Proposed Program could make a considerable contribution to cumulatively significant human exposure to health hazards. (Less than Significant with Mitigation). Mitigation measures recommended – HAZ-GEN-4a, HAZ-GEN-4b, HAZ-GEN-4c, HAZ-CHEM-1a, HAZ-CHEM-1b, HAZ-CHEM-3.

CACASA agrees with and supports conclusions. ***Comment***

Page 6.7-28, Water Quality, Environmental Impacts of the Proposed Program, All Management Approaches:

- **WQ-ALL-1,** The proposed Program could result in incidental or accidental release of fuels, oil, or grease associated with vehicle use for physical, biological, and chemical management activities (Less than Significant)
- **WQ-CHEM-1,** The Proposed Program may include applications of environmentally safe chemicals. (Less than Significant)
- **WQ-CHEM-2,** The Proposed Program may include applications of chemicals with no numeric water quality standard, which could violate narrative standards of future numeric standards. (Less than Significant with Mitigation). Mitigation – track emerging water quality standards and implement additional mitigation as appropriate.
- **WQ-CHEM-3**, The Proposed Program may include applications of chemicals with numeric water quality standards, but which were not modeled. (Less than Significant)
- **WQ-CHEM-4,** The Proposed Program may include chemical applications modeled to be below applicable numeric or narrative water quality standards. (Less than Significant)
- **WQ-CHEM-5,** The Proposed Program could include chemical applications modeled to exceed applicable numeric water quality standards. (Less than Significant with Mitigation). Mitigation WQ-CHEM-5, Require implementation of proposed Program MP's as part of compliance agreements

CACASA agrees with and supports the conclusions. ***Comment***

Page 6.7-33 through 6.7-34, Water Quality, Environmental Impacts of the Proposed Program, Cumulative Impacts:

- **WQ-CUM-1,** The proposed Program could include chemical applications modeled to exceed applicable numeric water quality standards or otherwise degrade water quality in impaired/303(d) listed water bodies. (Less than Significant with Mitigation).
  (1) **WQ-CUM-1 mitigation,** Identify whether Proposed Program Pesticide Applications may occur in proximity to impaired water bodies and implements appropriate MPs.

CACASA agrees with and supports the conclusions. ***Comment***

Comment Letter 14807-cont.

14807-47

Page 7-3, Alternative Analysis, 7.4 Alternatives Considered:

- No Program Alternative,
- No Pesticide Alternative
- US Department of Agriculture (USDA) Organic Pesticide Alternatives
- No Eradication Alternative

With the exception of the No Program Alternative (continuing current method of pest prevention program implementation), none of the alternatives considered provide the tools to adequately protect the environment and agriculture in California. ***Comment***

14807-48

Page 7-11, Alternative Analysis, 7.5 Alternatives Considered and Dismissed:

- Public Decision-Making Process Alternative
- No Pesticides, Synthetic Lures, or Synthetic Attractants Alternative
- No Biological Control Agents Alternative
- Lower Risk Pesticide Alternative
- Reduced Pesticide Use Intensity Alternative
- Pesticide Phase-out Alternative
- Host –Free Zone Alternative

CACASA agrees that these alternatives may be dismissed as key components of the Program, as each meets one or more of the criteria noted in the narrative. However, though not sufficiently robust or effective when implemented individually, these alternatives are worthy of consideration and incorporation as elements of The Proposed Program. For instance, pesticides should routinely be reviewed to assess whether new chemistries result in materials with reduced impacts yet comparable efficacy. ***Comment***

14807-49

Page 7-21, Alternative Analysis, 7.7 Environmentally Superior Alternative: *CACASA supports the Proposed Program as a preferred alternative, which, given the broad and multiple impacts to be considered and balanced, provides the most comprehensive protection for the environment and the agricultural community in California.* ***Comment***

14807-50

Page 8-1, Other Statutory Considerations.

CACASA has no additional comments on Volume 1- Main Body of the PEIR ***Comment***

Comment Letter 14807-cont.

Comments on Draft Programmatic Environmental Impact Report (Continued)

Volume 2 - Appendix A:

Appendix A is committed to Human Health Risk Assessment, or HHRA. A substantial portion is internal working papers, presentations, meeting documentation, both discussion and charts outlining risk assessments for individual pests, pesticides, application scenarios, and potential impacts on sensitive and indicator species.

14807-51 *There are two (2) sections in Appendix A titled "Executive Summaries." This makes it very difficult to provide direction as to the particular section to which a comment is intended. Recommend renaming one, or both, of the Executive Summaries to make it easier to provide direction as to the location of comments.* ***Suggested Edit***

14807-52 *The role of Agricultural Commissioners (CACs) in pesticide regulation are outlined and described in several locations in Appendix A. In these descriptions, the role of the CAC appears to be appropriately documented as to roles and responsibilities concerning pesticide regulation. For further detail, see Appendix A,* **page 1, ES-1 Introduction** *(general description of CAC role);* **page 4, ES-1.6.3 Pesticides and Pest Control Operations** *(CACs inspect); page 4,* **ES-1.6.4 Pesticide Illness Surveillance Program** *(CAC's investigate). Note that CAC roles and responsibilities as they pertain to pest prevention are additionally described in Appendix B-F and Appendix G-N.* ***Comment***

The following comments apply to specific sections of Volume 2 – Appendix A:

14807-53 **Page 4, of Executive Summary, ES-1.6.2 - Compliance with Label Restrictions**, reads, "CDFA requires that pesticides used under the Statewide Program follow all applicable label restrictions." *This language makes little or no mention of existing pesticide regulations, California's Department of Pesticide Regulation, or obligation to comply with the substantial volume of laws and regulations specifying how pesticides are to be used in California. Suggest editing to read, "CDFA requires that pesticides used under the Statewide Program be applied following all applicable label restrictions and in compliance with all State laws and regulations".* ***Suggested Edit***

14807-54 **Page 20, of Executive Summary, ES-1.6.5 - CDFA Requirements,** reads, "Under the proposed Program CDFA would require pesticide use to be conducted consistent with the approaches described in Chapters 2 and 3 of the PEIR, as well as PEIR mitigation measures". *There is no mention of compliance with the substantial volume of laws and regulations specifying how pesticides are to be used in California. Suggest editing statement to read, "Under the proposed Program, CDFA would require pesticide use to be conducted consistent with the approaches described in Chapters 2 and 3 of the PEIR, as well as PEIR mitigation measures and in compliance with all State laws and regulations".* ***Suggested Edit***

Comment Letter 14807-cont.

(The following comments apply to the Executive Summary found half way through Appendix A)

Page 11, Executive Summary and Introduction, 1.7.1.3 Chemical Use Scenarios, reads, "For the purposes of evaluation in this ERA, Proposed Program activities have been divided into six different categories, focusing mainly on specific major invasive pests, as follows:

- Exotic Fruit Fly Control
- Asian Citrus Psyllid Control
- Pierce's Disease Control
- European Grapevine Moth Control
- Light Brown Apple Moth Control
- Pest Detection/Emergency Program – Eradication

14807-55

The six categories above do not include European Gypsy moth, a pest routinely introduced and eradicated in California. CACASA questions if European Gypsy moth (or Asian GM) is considered a pest of greater consideration or concern than EGVM. EGVM is included above, but it is possible that, once this pest is eradicated, it may never again be encountered.

Overall, in the Draft PEIR, there are some notable pest (and program) exceptions - notably RIFA and weed programs. Review of the "Tiering Strategy Guidelines" in Appendix B (page B-4 indicates these are activities that would be considered in the PEIR. Is this an oversight or can an explanation be provided for their exclusion from the document? Though the Tiering Strategy Guidelines in Appendix B are to provide the criteria for consideration and inclusion of pests in the PEIR, the process is unclear. Can additional explanation be provided as to determination of PEIR inclusion, or direction to where greater detailed information may be found? Such an explanation may help with understanding why some pests were not included in the document. ***Question, Possible Document Oversight***

14807-56

Page 18, Executive Summary and Introduction, 1.6.3, Pesticide and Pest Control Operations, seventh bullet following first paragraph, *reads, "Cultural commissioners". CACASA notes that this is intended to state "Agricultural Commissioners" and recommends the phrase, "Cooperative regulatory activities of County Agricultural Commissioners"* ***Suggested Edit***

14807-57

Page 21, Executive Summary and Introduction, Section 2.1.2 Asian Citrus Psyllid Control Activities, reads "Asian citrus psyllid control activities are performed for regulatory compliance purposes (i.e., in response to quarantines). Pesticide applications can be made in either the nursery production areas or on nursery loading docks, and consist of a foliar spray application combined with a soil drench application". *There is no mention of control activities in residential areas. ACP treatments are presently being conducted in residential areas and it is anticipated that such treatments will continue in the future. Should the PEIR consider residential treatment of ACP?* ***Possible Document Oversight***

14807-58

Page 23, Executive Summary and Introduction, Section 2.1.4 European Grapevine Moth Control Activities, reads, "The eradication and control activities evaluated for the European grapevine moth would occur in nursery settings only, for regulatory compliance purposes (i.e., in response to quarantines). Nursery stock is treated as part of a quarantine program to ensure moths are not transported outside of designated quarantine areas". *As above with ACP, there is no mention of control activities in residential areas. EGVM treatments have been conducted in residential areas and it is anticipated that such treatments will continue in the future. Should the PEIR consider residential treatment of EGVM?* ***Possible Document Oversight***

Comment Letter 14807-cont.

14807-59

Page 23, Executive Summary and Introduction, Sections 2.1.5 Light Brown Apple Moth Control Activities, reads, "Eradication and control activities related to the Light Brown Apple Moth Control Program occur in agricultural and nursery settings, for regulatory compliance purposes (i.e., in response to quarantines). Treatments options depend on the life stage targeted and the host plant. *As noted above for ACP and EGVM, there is no mention of control activities in residential areas. LBAM treatments are presently being conducted in residential areas and it is anticipated that such treatments will continue in the future. Should the PEIR consider residential treatment of LBAM?* ***Possible Document Oversight***

14807-60

4, 2 Risk Assessment Methodology, 2.1.1, reads, For the purposes of evaluation in this HHRA, Proposed Program activities have been divided into eight different categories; the first five focus on specific major invasive pests, while the final three categories address a variety of pests, as follows:

- Exotic Fruit Fly Control
- Asian Citrus Psyllid Control
- Pierce's Disease Control Program
- European Grapevine Moth Control
- Light Brown Apple Moth Control
- Pest Detection/Emergency Program – Eradication
- Pest Detection/Emergency Program – Detection
- Integrated Pest Control Program

The eight categories above do not include European Gypsy moth, a pest routinely introduced and eradicated in California. CACASA questions if European Gypsy moth (or Asian GM) is to be considered a pest of greater consideration or concern than EGVM. EGVM is included above, but it is possible that, once this pest is eradicated, it may never again be encountered.

Again, as noted in previous comment, there are notable exceptions, namely - RIFA and weed programs. Review of the "Tiering Strategy Guidelines" in Appendix B (page B-4 indicates these are activitities that would be considered in the PEIR. Is this an oversight or can an explanation be provided for their exclusion from the document? Though the Tiering Strategy Guidelines in Appendix B are to provide the criteria for consideration and inclusion of pests in the PEIR, the process is unclear. Can additional explanation be provided as to determination of PEIR inclusion, or direction to where greater detailed information may be found? Such an explanation may help with understanding why some pests were not included in the document. ***Question, Possible Document Oversight***

Comment Letter 14807-cont.

Comments on Draft Programmatic Environmental Impact Report (Continued)

Volume 3, Appendix B-F:

The following comments apply to specific sections of Volume 3 – Appendix B-F:
Appendix B-F outlines CEQA Tiering Strategy Guidelines and documents the Scoping process for the Project, as well as public meeting notices, presentations, scoping comments and correspondence, NPDES permit application and associated pest profiles.

14807-61 *The role of County Agricultural Commissioners (CACs) in pest prevention and pesticide regulation are prominently featured and described throughout Volume 3, Appendix B-F. Initially introduced on Page B-10 - see immediately below – provides summary of the varied CACs roles and responsibilities. These continue to be reviewed in further detail throughout the document and appear to be accurate in their description.* ***Comment***

14807-62 **Page B-10, Appendix B-F, 3. Use of the PEIR by Other Public Agencies,** reads, **"**Public agencies other than CDFA implement or oversee pest prevention and management activities, or may be a responsible agency for some of the activities that are part of the Proposed Program. These public agencies also may be able to use the PEIR for CEQA compliance or as a source of information. Those using the PEIR in this manner may include county **agricultural commissioner** offices and various state or local agencies. County **agricultural commissioners** serve as the primary local enforcement agents for State agricultural laws and regulations. These **commissioners** carry out detection, eradication, exclusion, and other related regulatory activities in their respective counties, pursuant to California Food and Agriculture Code. They are responsible for enforcement of laws and regulations pertaining to the use of pesticides in any setting, whether for agricultural, institutional or other uses.

14807-63 **Page D-8, a. Emergency Invasive Insect Control,** reads, "Specific emergency program action is based on current information available at the time the pest is detected. Each new project will commence with guidance from an Emergency Action Plan that has been developed by the California CDFA, in consultation with the Pest Prevention Committee of the California Agricultural Commissioner's Association…"**.** *CACASA looks forward to continuing and enhancing its working relationship with CDFA through Pest Prevention.* ***Comment***

14807-64 **Page D-15, Appendix B-J, Noxious Weeds Control,** reads, "The objective of the Noxious Weeds Control Program is the early detection, containment, and eradication of federal and state listed noxious weeds. A-rated noxious weeds are those weeds with potential great economic or environmental importance, and with the current limited distribution in the State and for which eradication efforts will likely be successful. Noxious Weed Eradication projects are a cooperative effort between the CDFA, County Agricultural Commissioners, US Department of Agriculture (USDA) Forest Service, and Weed Management Areas (WMAs) across the State. The program mainly uses herbicide products with aminopyralid, chlorsulfuron, clopyralid, glyphosate, imazapyr, triclopyr butoxyethyl ester, and triclopyr triethylamine salt as active ingredients. The herbicides are applied by backpack spray by truck mounted spray rigs, ATV mounted spray rigs, backpack spray or other handheld low pressure equipment, and in rare instances CDFA cooperators may apply herbicides to rangeland by helicopter. These applications are far removed from water sources." *As CDFA has declared that it no longer has a weed program, CACASA seeks clarification as to why this comment is included.* ***Question, Clarification***

Comment Letter 14807-cont.

Comments on Draft Programmatic Environmental Impact Report (Continued)

Volume 4, Appendix G-N:

Appendix G-N outlines Air quality and greenhouse gas emissions, protected species, pollinators, chemical and trades names of pesticides, a noise technical report, and an impressive summary of the California regulatory setting.

14807-65

The role of Agricultural Commissioners (CACs) is reprised in two locations in Volume 4, Appendix G-N, pages N-41, and N-58. See below for content. Again provides summary of the varied CACs roles and responsibilities. There is one correction necessary – "Cultural commissioners" in N-41 should be edited to "Agricultural Commissioners" and CACASA recommends the phrase, "Cooperative regulatory activities of County Agricultural Commissioners". ***Comment***

The following comments apply to specific sections of Volume 4 – Appendix G-N:

14807-66

Page G-5 Aircraft Emissions, reads, "Emissions were calculated for aircraft that are used in aerial release of biological control agents (BCAs) and for aerial spraying in nursery and agricultural (not residential) settings" *Again, CACASA remains concerned over any potential interpretation that aerial sprays in residential areas are prohibited under any circumstances, such as in emergency projects. As previously stressed, aerial applications, while not considered a component of this Program, remain a critical tool in the IPM tool box and CACASA feels it is imperative to provide clarification to avoid future misinterpretations of intent.* ***Comment, Possible Document Oversight***

14807-67

Page N-1 through N-82, Regulatory Setting: *A thorough but formidable list - everything from Air to Porter-Cologne, to Williamson Act, to Healthy Schools to Tire Inflation Requirement.* ***Comment***

14807-68

Page N-41, California Code of Regulations: Pesticides and Pest Control Operations, bullets read…

- Licensing of pesticide professionals;
- Site-specific permits before restricted-use pesticides may be used in agriculture;
- Strict rules to protect workers and consumers;
- Mandatory reporting of pesticide use by agriculture and by pest control businesses;
- Environmental monitoring of water and air; and
- Testing fresh produce for pesticide residues; and
- Cultural commissioners

The last bullet should be corrected to Read "Agricultural commissioners" and CACASA recommends the phrase, "Cooperative regulatory activities of County Agricultural Commissioners" ***Correction, Suggested Edit***

14807-69

Page N-56, Section N.6.3 Local Laws, Plans, Policies, and Regulations, Pesticide Regulatory Program: County Agricultural Commissioners, reads, "Although CDPR is responsible for managing California's statewide pesticide regulatory program, the local administration of pesticide use enforcement is delegated to CACs. With assistance from CDPR, CACs plan and develop county programs and regulate pesticide use so that applicators comply with label directions and pesticide laws and regulations (CDPR 2011). CACs oversee pesticide use reporting, promote best management practices, monitor field applications, and may assist in cleanup of accidental pesticide spills. CACs inspect operations and records of growers, nonagricultural applicators (including industrial and

Comment Letter 14807-cont.

14807-69 cont.

institutional), pest control dealers, agricultural pest control advisers, farm labor contractors, and government agencies for compliance with worker protection standards and other pesticide safety requirements. CACs, assisted by CDPR, investigate incidents where pesticides harm agricultural workers, people nearby, and the environment, including contamination or environmental damage such as fish or wildlife kills, and water quality contamination. When an enforcement action is needed, CACs have the option to revoke or suspend the right of a pest control or other company to do business in the county or to issue civil or criminal penalties (CDPR 2011). With respect to the Proposed Program, local CACs are responsible for implementing and enforcing many aspects of pesticide regulation discussed in the section State Agencies, Laws, and Programs". *Appears to be an accurate assessment of CACs pesticide regulatory responsibilities.* ***Comment***

Letter 14807: Kurt Floren, California Agricultural Commissioners and Sealers Association (October 29, 2014)

Response to Comment 14807-1

Under the Proposed Program, aerial spraying would not occur in urban or residential areas. If, under future unforeseen circumstances, aerial spraying in residential areas were to be deemed warranted, such activities would need to be analyzed through a tiered CEQA analysis. See Response to Comment 14807-13 below for a further discussion.

Response to Comment 14807-2

The weed program was not included in the Draft PEIR, because there is not an active CDFA program at this time. CDFA is currently working with USDA to consider Red Imported Fire Ant for deregulation, and for this reason did not include it in the Proposed Program. CDFA may consider adding these programs in the future. Note that the PEIR's cumulative impact analysis did consider other programs that are not part of the Proposed Program, such as weed control.

Response to Comment 14807-3

CDFA suggests that coordination with Calfire and/or Caltrans would be the appropriate approach, as these agencies would be the experts regarding their own programs and any related CEQA compliance documentation.

Response to Comment 14807-4

CDFA's IPM program does include a suite of management approaches, including the use of pesticides when appropriate. Please see the corresponding responses below for further guidance on this issue.

Response to Comment 14807-5

As far as CDFA is aware, there is no legal requirement for a "no spray" list of any state agency/department. Prior to treatment, CDFA does and will contact all impacted residents, and consider all inquiries and special requests. As detailed in Mitigation Measure HAZ-CHEM-1a and PEIR Volume 1, Section 2.4.2, *Public Notification*, CDFA does and will continue to hold public meetings, visit homes, distribute educational door hangers, and provide local experts to educate the public—such as the County Public Health Officer; state partners such as the California Office of Environmental Health Hazard Assessment (OEHHA) and CDPR; the CAC; and industry stakeholders. These efforts will help to inform the public about individual management activities, and also about the Proposed Program; and in the process minimize any misperceptions about the program. Furthermore, CDFA's IPM approach is an adaptive management approach that allows for management technique adjustments if it is determined that proposed pest management techniques are ineffective for any reason.

Response to Comment 14807-6

The Statewide Program is a "living program," and CDFA intends to update it as new and improved management approaches and chemistries are developed. This is one of the reasons that the PEIR is a program-level CEQA document, and it is anticipated that this PEIR will be tiered from in the future to add these types of improvements to the Proposed Program. Please see Master Response 1, Scope of the Statewide Program, for a further discussion of the Proposed Program's tiering strategy.

Response to Comment 14807-7

CDFA appreciates your suggestion. However, have found that survey and monitor objectives/activities are captured in the first bullet on PEIR Volume 1, page ES-1, and therefore adding a bullet on survey and monitor activities is not necessary.

Response to Comment 14807-8

The amended PEIR Volume 1, Section 1.2, *Overview of Activites Conducted under the Statewide Program*, explains the term IPM as it applies to the Proposed Program:

> *"IPM is the coordinated use of information about pest population biology and the host environment combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment, <u>while achieving adequate efficacy to meet the goal of the program</u>. IPM uses information on the life cycles of pests and their interaction with the environment, and takes advantage of all appropriate pest management options including mechanical control, biological control, and the use of pesticides where indicated."*

As indicated by the statement above, the Proposed Program's IPM approach includes the use of pesticides where indicated.

Response to Comment 14807-9

CDFA appreciates your suggestion and agrees that use of the term "alternative" could lead some readers to consider IPM as not inclusive of pesticide use. CDFA finds that it is clear elsewhere in the document that IPM includes pesticide use, but this statement could add confusion. Accordingly, page ES-4 of PEIR Volume 1, text (on page ES-4) has been amended as follows.

- A description of public notification process associated with the response
- An identification of the IPM analysis of ~~alternative~~ treatment methods
- The project work plan

Response to Comment 14807-10

CDFA concurs with your suggestion. Page ES-4 of PEIR Volume 1, text has been amended as follows.

- CDFA project staff, Office of Environmental Health Hazard Assessment staff, Department of Pesticide Regulation staff, local Agricultural Commissioner staff

- ~~Information about the method or methods of applying the pesticide~~Providing information about any pesticides that may be used, and the method or methods of application

- The CDFA Hotline to address further questions, information, or scheduling concerns

Response to Comment 14807-11

CDFA concurs with your suggestion. Page ES-4 of PEIR Volume 1, text has been amended as follows.

- An opportunity for the public to ask questions

- Providing regulatory information to affected growers, businesses, and residents about quarantine regulations and applicable restrictions or prohibitions on the movement of pests, hosts, or host material ~~from quarantine areas~~

Response to Comment 14807-12

Ecological receptors are those wildlife, fish, and terrestrial or aquatic invertebrates that were considered in the ERA for possible adverse effects from exposure to pesticide products used in the Statewide Program. Surrogate species were selected to represent all special-status wildlife, fish, and terrestrial or aquatic invertebrates that could occur in areas where pesticide applications may be implemented under the Proposed Program.

Response to Comment 14807-13

CDFA has determined that aerial spraying in urban and residential areas is a matter of great public concern, and has elected to not include this management approach as part of the Proposed Program at this time. Any such activity would need to be thoroughly evaluated through a tiered CEQA analysis and associated public review process before being added to the Proposed Program.

CDFA has not categorically excluded aerial application as a pest management approach; the Proposed Program does include several scenarios involving aerial application of pesticides in large commercial nursery and production agriculture settings. These settings would generally not include residences, but the HHRA (Appendix B) did evaluate the potential for adjacent residents to be present, and determined that the risk to these individual would be below the established level of concern.

Note that the Proposed Program specifically excludes situations meeting the definition of an emergency (as defined in PRC 21060.3), which are exempt from CEQA.

Response to Comment 14807-14

The fifth bullet of page ES-8 in the PEIR Volume 1, Executive Summary, is changed as follows:

- ~~Cumulative~~ Concern over cumulative or synergistic effects of pesticide exposure.

Response to Comment 14807-15

CDFA agrees with your suggestion. Page ES-8 of PEIR Volume 1, text under *Areas of Known Controversy* has been amended as follows.

- Public involvement and input regarding CDFA's IPM activities and decision making process
- Effects of CDFA's ~~IPM~~pest management activities on organic farming

Response to Comment 14807-16

CDFA agrees with your suggestion. Page ES-9 of PEIR Volume 1, text under *Agricultural and Resource Economics* has been amended as follows.

> MPs addressing appropriate weather conditions under which pesticides may be applied, and other methodologies, would be sufficient to reduce the risk and extent of pesticide drift. In addition, ~~And~~ while crops treated with pesticides not approved by the National Organic Program would not be allowed to be marketed as organic, the farms themselves would maintain their certification.

Response to Comment 14807-17

The authority to regulate offroad equipment lies with the U.S. EPA, and—with special permission from the U.S. EPA—the California Air Resources Board (CARB). CARB has some regulations that do require offroad engine fleets (considering all engines owned by an entity) to reduce emissions over time. At present, this only includes some agriculture engines; agriculture off-road tractors and other mobile equipment are not included. CARB plans to consider measures for agriculture off-road tractors and other mobile equipment in the future. The amount of engine use that would be required to conduct CDFA activities by an individual grower, considering useful life and cost, does not make it economically reasonable for CDFA to require use of newer equipment than already required by existing regulations. In addition, use of fossil-fueled equipment to conduct application activities may be preferred over manual application methods, to better protect human health.

Response to Comment 14807-18

CDFA appreciates your input and concurs with your suggested edits. Page ES-13 of PEIR Volume 1, text under *No Pesticide Alternative* has been amended as follows.

> Under the No Pesticide Alternative, CDFA would continue to generate a list of high priority pests, would continue its biological control ~~program~~activities, would

continue to release sterile insects, and would continue developing and enforcing State quarantine regulations and requiring that they do not result in use of pesticides.

Response to Comment 14807-19

A "no response" option, where CDFA would not respond in any way to a pest infestation, was considered but dismissed in the alternatives analysis for the PEIR. CEQA does allow for consideration of such an alternative, and typically the "no project" alternative is more along these lines. However, it was determined that a "no response" alternative would not meet the objectives of the program nor CDFA's fundamental mandates in CFAC to prevent pest introduction and establishment. As the Statewide Program is ongoing, the No Program Alternative was equivalent to continuation of the existing Statewide Program.

Response to Comment 14807-20

CDFA concurs with your suggested edit. Page ES-15 of PEIR Volume 1, text under *Environmentally Superior Alternative* has been amended as follows.

> Of the remaining alternatives, the USDA Organic Pesticide Alternative is considered to be environmentally superior. It would avoid any potential impacts associated with use of non-USDA organic conventional pesticides, but could result in some offsetting adverse effects, such as impacts associated with greater reliance on ~~organic pesticides~~, and increased applications of, USDA organic pesticides approved for organic crop production. The alternative also could result in other adverse environmental impacts because of the inability to achieve effective eradication and control of certain priority pests.

Response to Comment 14807-21

Please see Response to Comment 14807-8.

Response to Comment 14807-22

CDFA concurs with your suggested edit. Page 2-17 of PEIR Volume 1, text under Section 2.8, *Pest Prevention and Integrated Pest Management Approach,* has been amended as follows.

> IPM is the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment, while achieving adequate efficacy to meet the goal of the program.

Response to Comment 14807-23

CDFA appreciates your input and agrees with your suggested edit. Page 2-21 of PEIR Volume 1, text under Section 2.9.3, *Chemical Management Activities,* has been amended as follows.

Utilizing the IPM approach would reduce the use of pesticides under the proposed program because they would be used only when alternative treatment methods are determined not to be succeeding, or would not be effective.

Response to Comment 14807-24

See Response to Comment 14807-13. Because the Proposed Program already does not include aerial spraying in urban/residential areas, it is redundant to specify it in this MP. Page 2-28 of PEIR Volume 1, text under MP-AERIAL-1 has been amended as follows.

MP-AERIAL-1: Use appropriate aerial spray treatment procedures

- ~~Do not spray in urban/residential areas.~~
- Do not make direct applications to water bodies.

Response to Comment 14807-25

CDFA agrees with your suggestion. Page 2-28 of PEIR Volume 1, text under MP-GROUND-1 has been amended as follows.

MP-GROUND-1: Follow appropriate ground-rig foliar treatment procedures

- Avoid direct applications to water bodies unless the material is registered for such use.
- Maintain a 30-foot buffer around water bodies per NPDES permit.

Response to Comment 14807-26

CDFA concurs with your suggested edit. Page 2-29 of PEIR Volume 1, text under MP-GROUND-1 has been amended as follows.

- Perform ground-rig foliar treatments at low pressure, to reduce the quantity of fine droplet particles where applicable.
- Allow only staff or private entities under contract that are appropriately trained and licensed to perform ground-rig spot treatments.
- Check weather service prior to application. Delay foliar treatments if there is a 40% or higher chance of rain forecast to occur 24 hours before or after the planned application.

Response to Comment 14807-27

CDFA concurs with your suggested edit. Page 2-29 of PEIR Volume 1, text under MP-GROUND-2 has been amended as follows.

MP-GROUND-2: Follow appropriate low-pressure backpack treatment procedures

- Avoid direct applications to water bodies unless material is registered for such use.
- Maintain a 30-foot buffer from water bodies per NPDES permit.

Response to Comment 14807-28

CDFA concurs with your suggestion. Page 2-29 of PEIR Volume 1, text under MP-GROUND-3 has been amended as follows.

MP-GROUND-3: Train personnel in proper use of pesticides

- Conduct training for personnel in the safe and proper mixing, loading, and application of pesticides, in compliance with both federal and State pesticide regulations and the product label.
- Require employees who supervise the handling and application of pesticides maintain a Qualified Applicator Certificate, issued by CDPR or have County License for Pesticide Regulation.
- Contractors will be appropriately trained and licensed.

Response to Comment 14807-29

CDFA concurs with your suggestion. The word "control" has been changed to "manage" for all bullets on page 3-4 of PEIR Volume 1, Section 3.2.1, *Biological Control Agents*, as follows.

- ***Tamarixia radiata:*** This parasitoid would be released to ~~control~~manage populations of ACP. *T. radiata* is already being released in large numbers in southern California, and has become established at several locations.
- ***Diaphorencyrtus aligarhensis:*** This parasitoid would be released to ~~control~~manage populations of ACP. *D. aligarhensis* is being tested at the University of California, Riverside for potential release in California; it has been released in Florida.
- ***Psyttalia lounsburyi:*** This parasitoid would be released to ~~control~~manage populations of olive fruit fly. *P. lounsburyi* is considered established in San Luis Obispo and San Mateo counties, and releases are ongoing.
- ***Psyttalia poneraphaga:*** This parasitoid would be released to ~~control~~manage populations of olive fruit fly. *P. poneraphaga* currently is in quarantine and undergoing pre-release studies at the University of California, Berkeley. It has not been released previously in the United States.
- ***Psyllaephagous euphyllurae:*** This parasitoid would be released to ~~control~~manage populations of olive psyllid. *P. euphyllurae* currently is in

quarantine at the University of California, Riverside and is undergoing pre-release studies. It has not been released previously in the United States.

- ***Tetrastichus julis:*** This parasitic wasp would be released to ~~control~~manage populations of cereal leaf beetle. *T. julis* has been released and is considered established on cereal leaf beetle in Oregon and Washington. It initially was released in the Midwest and eastern U.S., where it now is common. The cereal leaf beetle has recently invaded northern California. Under the Proposed Program, CDFA would collect *T. Julius* in Oregon and release it in California.

- ***Trissolcus japonicus:*** This parasitic wasp would be released to ~~control~~manage populations of brown marmorated stink bug. The brown marmorated stink bug, a potential pest of stone fruits, grapes, and tomatoes, recently has invaded California. It occurs throughout California, from Los Angeles County north into Oregon. CDFA is working with the USDA Agricultural Research Service, Newark, Delaware, and the University of California, Riverside to develop the use of *T. japonicus*. It has not been released previously in the United States.

- ***Gonatocerus morrilli:*** This parasitic wasp would be released to ~~control~~manage GWSS. *G. morrilli* has been released in the California Central Valley.

- ***Gonatocerus morgani:*** This parasitic wasp would be released to ~~control~~manage GWSS. *G. morgana* has been released in the California Central Valley.

- ***Gonatocerus triguttatus:*** This parasitic wasp would be released to ~~control~~manage GWSS. *G. triguttatus* has been released in the California Central Valley.

- ***Trichogramma* sp.**: This specific to Gypsy moth species of parasitic wasps would be released to ~~control~~manage Gypsy moth. *Trichogramma* species have been released previously in Oregon and Washington. They most likely would migrate to California if Gypsy moth were present.

- ***Dolichogenidea tasmanica:*** This parasitic wasp would be released to ~~control~~manage LBAM. *D. tasmanica* needs evaluation before release as a BCA, and it has not been released previously in the United States.

- ***Trichogramma platneri:*** This parasitic wasp that is native to California would be released to ~~control~~manage LBAM. Further evaluations regarding methods of delivery and mass production are needed before its use as a BCA, but because it is native no other studies are needed before its use as a BCA.

Response to Comment 14807-30

CDFA agrees with your suggested edit. Page 3-7 of PEIR Volume 1, text has been amended as follows.

- **Methyl Eugenol or Cuelure Jackson Trap:** Used to trap cue-lure-responding (i.e., melon fly) and methyl eugenol-responding (i.e., oriental fruit fly, guava fruit fly, peach fruit fly) species of exotic fruit flies, this delta-shaped Jackson trap is

made of plastic-coated cardboard. The trap has a baited cotton wick with pesticide, suspended from the inside of the trap. A sticky insert on the bottom side captures pests, and fuming action of a pesticide kills the pest ~~s on contact~~by proximity. Either cue-lure or methyl eugenol (both parapheromone attractants) is used as the attractant.

Response to Comment 14807-31

In the event of a pest detection over public lands, the CDFA would consult with the appropriate governing agency before any activities would take place, and typically the management response would be the responsibility of the agency managing the public land.

Regarding a definition of "residential," CDFA has updated the PEIR's Chapter 9, Glossary and Acronyms, text to include a revised "residential" and "urban" area definition as follows:

> A noncommercial area containing multiple or single family dwellings. Does not apply to a residence found in a commercial (e.g., farm) setting.

The HHRA did consider the possibility of residents being located in these settings and evaluated the associated risk, finding that it would be below the level of concern. In this way, the PEIR addresses issues such as a farm house being located in an agricultural area.

Response to Comment 14807-32

CDFA does not have a weed program at this time. For information regarding our aquatic invasive weed management activities, please see Response to Comments 14455-5 and 14455-6.

Response to Comment 14807-33

CDFA refers CACASA to Master Response 1, Scope of the Statewide Program, and Appendix C, *CEQA Tiering Strategy*. As detailed in the Tiering Strategy's Section 4, *Maintenance of the PEIR*, CDFA anticipates conducting regular review of the environmental analysis in the PEIR in the context of changed regulations, environmental setting, and scientific understanding, as well as relevant changes to Proposed Program activities. An example of a new item that would be considered, and may require updates resulting from maintenance reviews, would be new or changed pest management techniques, including new pesticides. On completion of the Tiering Checklist for the new management technique, CDFA would determine whether the activity was covered under the PEIR or requires a tiered CEQA document. Depending on the formulation and intended use of a new pesticide, it may be addressed already by the PEIR's risk assessments, if the formulation and use falls within a scenario and formulation evaluated in the risk assessment. An example where the existing risk assessments would be applicable would be if the new formulation contains the same or reduced concentrations of active and listed inert ingredients as a product evaluated in the risk assessment; and would be used in the same setting with the same application equipment, and with the same or reduced frequency and/or amount of pesticide product.

Response to Comment 14807-34

CDFA acknowledges your concerns and has amended the footnote at the bottom of page 4-10 of PEIR Volume 1, Chapter 4, *Prior CEQA Coverage*, as follows.

> [1]Aerial spraying would not occur in residential areas without conducting additional tiered CEQA analysis and associated public review.

Response to Comment 14807-35

CDFA agrees with the comment and, in response, has removed the following text from PEIR Volume 1, Section 4.2.6, *Light Brown Apple Moth Eradication Program EIR,* as follows.

> ~~"The primary tool for LBAM eradication in California is the sterile insect technique. The program releases sterile male moths for mating with wild moths to eradicate the population, USDA has accelerated the process of developing large-scale mass rearing facilities to support LBAM eradication".~~

Response to Comment 14807-36

CDFA agrees with the comment, and has edited the first sentence of the last paragraphin PEIR Volume 1, Section 4.2.6, *Light Brown Apple Moth Eradication Program EIR,* on page 4-10 in the Draft PEIR, as follows.

> "Alternatives evaluated and analyzed in the 2010 PEIR included the use of biological control agents, mating disruption with pheromones, male moth attractants, and ~~organically approved~~ pesticides approved for use in organic systems by the National Organic Program."

Response to Comment 14807-37

The classification of cancer-causing chemicals may be different among regulations, agencies, and authoritative bodies. Proposition 65 is only one of many regulations or compilations of potential cancer-causing agents. Therefore, CDFA has determined that it is appropriate to use just the term "cancer-causing" to be more encompassing of differences that may occur between various classifications.

Response to Comment 14807-38

The text of the PEIR has been updated to add the words "potential to cause" on PEIR Volume 1, page 5-46:

> "Effects on human health from cumulative exposure to pesticides include potential to cause cancer, respiratory irritation, nausea, reproductive issues, and/or nervous system damage."

Response to Comment 14807-39

Although CDFA agrees with the commenter that pesticides are most likely not a leading cause of decline for many special-status species and related habitat, CDFA has not found

that the text should be amended on this basis, because such an assertion cannot be substantiated.

Response to Comment 14807-40

CDFA notes the commenter's statements regarding different ways to interpret cancer rates considering population growth and the contribution of pesticides to cancer rates. Because the commenter did not provide substantial evidence to support the claim, and because the requested changes come down to how one interprets the finer details, CDFA has elected to not make any changes to the text.

Response to Comment 14807-41

The discussion of cumulative impacts in Table 5-18 of PEIR Volume 1 is provided to describe resource topics that are considered cumulatively significant. In subsequent resource sections, the PEIR evaluates whether the Proposed Program would have a cumulatively considerable impact to the cumulative impact. As the commenter noted, the PEIR found that the Proposed Program would not have a cumulatively considerable impact on water quality. Based on this structure of first identifying the cumulative impacts in Section 5 and later identifying if the Proposed Program would have cumulatively considerable impact, no changes to the PEIR are needed.

Response to Comment 14807-42

Thank you for your comment.

Response to Comment 14807-43

Thank you for your comment.

Response to Comment 14807-44

CDFA appreciates your suggestion. However, the Northeast classification used in PEIR Volume 1, Section 6.1, *Agricultural Resources and Economics,* is consistent with the USDA District classification. For this reason, CDFA has found the classification is appropriate.

Response to Comment 14807-45

Thank you for your suggestion regarding the efficacy of biological control agents (BCAs). PEIR Volume 1, Section 2.9.2, *Biological Management Activities*, outlines the steps taken by CDFA to ensure the safety and efficacy of BCAs.

Response to Comment 14807-46

Thank you for your comments of support.

Response to Comment 14807-47

Thank you for your comment of support for the Proposed Program.

Response to Comment 14807-48

CDFA agrees that elements of the alternatives considered and dismissed are worthy of consideration as elements of the Proposed Program. As in the stated example, CDFA will routinely review treatment methods, including the use the pesticides, to assess whether new methods are developed that are equally or more effective, and/or may result in reduced impacts to the environment. If such methods are deemed worthy of consideration, CDFA would subject these methods to the analysis prescribed in the Proposed Program's Tiering Strategy.

Response to Comment 14807-49

Thank you for your comment of support for the Proposed Program.

Response to Comment 14807-50

Comment noted.

Response to Comment 14807-51

Appendix A of the Draft PEIR has been divided into two separate appendices in the Final PEIR. In the Final PEIR, Appendix A consists of the ERA; Appendix B contains the HHRA. This division has resolved the issue of two Executive Summaries in the former Appendix A.

Response to Comment 14807-52

Thank you for your comment.

Response to Comment 14807-53

CDFA appreciates your suggestion. However, CDFA has determined that the passage is fine as is. By definition, the Proposed Program would comply with all applicable laws and regulations. Please see Appendix O, *Regulatory Setting,* for information on laws and regulations related to pesticides and the Proposed Program.

Response to Comment 14807-54

There is no mention of compliance with state laws and regulations in part because the PEIR requirements for pesticide use (e.g., the scenarios described and analyzed in the HHRA and ERA) are in some cases more restrictive than state laws and regulations. Although the Proposed Program would be in compliance with all applicable laws and regulations, the PEIR may require additional protective measures. For this reason, CDFA has determined that the passage you reference is fine as is.

Response to Comment 14807-55

CDFA did consider a variety of gypsy moth species in its Application Scenarios evaluated in the ERA and HHRA (Appendices A and B, respectively). CDFA refers the commenter to PEIR Volume 1, Chapter 3, *Proposed Program Activities*, Tables 3-1 through 3-3, which indicate

that application scenarios were performed for "Exotic moths – various species." This category would cover the European Gypsy moth and the Asian gypsy moth.

The commenter is referred to Response to Comment 14807-2, which provides further details about why the red imported fire ant and noxious weeds were not included in the PEIR.

In addition, CDFA refers CACASA to Master Response 1, Scope of the Statewide Program, and Appendix C, *CEQA Tiering Strategy*, for details about the specific steps involved in the Tiering Strategy implementation. Table 1 of the Tiering Strategy and the Tiering Strategy Checklist are particularly helpful. Any proposed future activities that are not substantially similar to the activities described in the PEIR, or which may have impacts that were not captured by the PEIR, would require preparation of a tiered project-level CEQA document (i.e., an ND, Mitigated Negative Declaration [MND], or EIR). Part C of the Tiering Strategy provides further details about the circumstances when a CEQA Addendum, ND, MND, or EIR would be required for a future activity. For all future pest management activities related to the Proposed Program, this CEQA evaluation process would be recorded and substantiated via completion of the Tiering Strategy Checklist and provision of supplemental documentation.

Response to Comment 14807-56

CDFA concurs with your suggested edit. The seventh bullet after the first paragraph under Section 1.6.3, *Pesticides and Pest Control Operations*, on page 19 of Appendix B, *Human Health Risk Assessment*, has been amended as follows.

- ~~Cultural commissioners~~Cooperative regulatory activities of County Agricultural Commissioners

Response to Comment 14807-57

The referenced text describes CDFA's actions taken against ACP as part of its exclusion programs. However, the Proposed Program also includes eradication activities for ACP in residential areas; please refer to scenarios PD/EP-E-01, PD/EP-E-04, PD/EP-E-05, and ACP-25.

Response to Comment 14807-58

The referenced text describes CDFA's actions taken against European grapevine moth (EGVM) as part of its exclusion programs. However, the Proposed Program also includes eradication activities for EGVM in residential areas, including host removal, mating disruption, and chemical treatments; chemical treatments are included as scenario PD/EP-E-02.

Response to Comment 14807-59

CEQA coverage for CDFA's Light Brown Apple Moth (LBAM) eradication activities in residential areas has already been provided by the LBAM Eradication Program EIR (LBAM PEIR; CDFA, 2009, CDFA, 2010), and these activities have therefore not been included again as part of the Proposed Program.

Response to Comment 14807-60

Please see the Response to Comment 14807-46. In addition, CDFA refers the commenter to PEIR Volume 1, Chapter 3, *Proposed Program Activities*, Tables 3-1 through 3-3, which indicate that application scenarios were performed for "Exotic moths – various species."

Response to Comment 14807-61

Thank you for your comment of support.

Response to Comment 14807-62

Comment noted.

Response to Comment 14807-63

Thank you for your comment. CDFA is committed to maintaining its ongoing and productive collaboration with CACASA.

Response to Comment 14807-64

The commenter is referring to a section of CDFA's Statewide NPDES permit. Some of the CDFA pest management activities described in the Statewide NPDES permit are out of date, and are not included in the Proposed Program. The commenter is correct that CDFA's Proposed Program does not include a weed program.

Response to Comment 14807-65

We have made your suggested correction. The seventh bullet after the first paragraph under *California Code of Regulations: Pesticides and Pest Control Operations*, on page O-42 (previously N-42; the appendices were renumbered) of Appendix O (previously N), *Regulatory Setting*, has been amended as follows.

- ~~Cultural commissioners~~Cooperative regulatory activities of County Agricultural Commissioners

Response to Comment 14807-66

Please see prior responses addressing CACASA's concern. CDFA has not found that the commenter's referenced passage in Appendix G could be misinterpreted to mean that aerial spraying would not be allowed under any circumstances in the future.

Response to Comment 14807-67

Comment noted.

Response to Comment 14807-68

This suggested edit was made in Response to Comment 14807-51. Please see that response to comment, and Chapter 6, *Revisions to the Draft PEIR*, for the amended text.

Response to Comment 14807-69

Thank you for your comment.

Comment Letter 14808

From: Geoff Brosseau
To: CDFA Pest Prevention EIR@CDFA
Cc: CASQA - Board 2014; CASQA - Executive Program Committee - 2014; Geoff Brosseau
Subject: CASQA Comments on CDFA Draft PEIR/Statewide Pest Prevention and Management Program
Date: Friday, October 31, 2014 4:06:09 PM
Attachments: CASQA Comments on Draft CDFA Statewide PEIR.pdf

Ms. Petro:

Please accept these comments from the California Stormwater Quality Association (CASQA) on CDFA's Draft PEIR for its Statewide Pest Prevention and Management Program.

Thank you,

Geoff Brosseau

Geoff Brosseau
Executive Director
California Stormwater Quality Association (CASQA)
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CASQA is a 501(c)(3) non-profit organization dedicated to the advancement of stormwater quality management, science, and regulation.

Comment Letter 14808-Cont.



California Stormwater Quality Association®

Dedicated to the Advancement of Stormwater Quality Management, Science and Regulation

October 31, 2014

ATTN: Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814

Subject: Statewide Pest Prevention and Management Program, Draft PEIR

Dear Ms. Petro:

On behalf of the California Stormwater Quality Association (CASQA[1]), thank you for this opportunity to comment regarding the draft Program Environmental Impact Report (PEIR) for the Statewide Pest Prevention and Management Program (Statewide Program). CASQA is principally concerned with the potential impacts to water quality from pesticide applications in urban areas, and we question the adequacy of the draft PEIR in assessing those potential impacts.

Pesticide-related water pollution has created a persistent regulatory burden for many of our municipal members. Hundreds of California water bodies are listed as impaired by pesticides under Section 303(d) of the Clean Water Act.[2] In 2013, CASQA compiled a report of statewide monitoring data for current-use pesticides, documenting the widespread presence of pesticides and pesticide-caused toxicity in both the waters and sediments of California's urban waterways.[3] When such pollution occurs, municipalities can be subject to enforcement actions under the terms of their National Pollutant Discharge Elimination System (NPDES) permits, as well as potential litigation under the citizen suit provisions of the Clean Water Act (CWA).[4]

CASQA appreciates the inclusion of Integrated Pest Management (IPM) strategies within the Statewide Program, and the efforts of CDFA to comprehensively identify and address potential environmental impacts. The draft PEIR appropriately mentions the importance of stormwater runoff

[1] CASQA is comprised of stormwater quality management organizations and individuals, including cities, counties, special districts, industries, and consulting firms throughout California. Our membership provides stormwater quality management services to more than 22 million people in California.

[2] The State Water Resources Control Board's 2010 Clean Water Act Section 303(d) list is available at: http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml

[3] Ruby, Armand (2013). Review of Pyrethroid, Fipronil and Toxicity Monitoring Data from California Urban Watersheds. Prepared for the California Stormwater Quality Association (CASQA). July 10. Available at: https://www.casqa.org/LinkClick.aspx?fileticket=t%2btwBGMxunc%3d&tabid=194&mid=995

[4] c.f., Natural Resources Defense Council, Inc. v. County of Los Angeles (Filed July 13, 2011), Case No. 10-56017; Coalition for a Sustainable Delta, et al., v. City of Stockton and County of San Joaquin (Filed Feb. 18, 2009), Case No. 2:09-cv-00466-JAM-KJN

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and non-point sources as leading causes of water quality issues in the U.S. (p. 6.7-5), the pesticide-related Clean Water Act Section 303(d) listings of impaired waters in California (p. 6.7-8), the common occurrence of toxicity in urban watersheds (p. 6.7-6), and the results of numerous studies showing that environmental toxicity to aquatic invertebrates is most often caused by pesticides (p. 6.7-6). However, the assessment methods described in the draft PEIR do not appear to sufficiently address the unique circumstances associated with pesticide applications in urban areas, where application sites may include impervious surfaces that are directly connected to urban storm drain systems, which then discharge directly to urban creeks and rivers. Consequently, the PEIR does not fully identify the significant impacts of the pesticide applications that could occur in California urban areas under the Statewide Program.[5]

14808-1

Fourteen (14) of the pesticides included in the proposed Statewide Program are identified by the Urban Pesticide Pollution Prevention (UP3) Partnership as pollutants of concern for urban waterways and appear on the most recent UP3 Pesticide Tracking List (including the pyrethroid pesticides bifenthrin, cyfluthrin, cyhalothrin, and permethrin, as well as acetamiprid, carbaryl, chlorantraniliprole, chlorpyrifos, copper pesticides, diazinon, imidacloprid, malathion, pyrethrins, and spinosad), based on recent scientific data.[6]

14808-2

Because local agencies lack the statutory authority to regulate pesticide uses in urban areas and have no control over CDFA pesticide applications in the Statewide Program, it is essential that CDFA adequately assess and prevent water quality impacts from its pesticide applications. Once pesticides are present in urban runoff, it is technically and economically infeasible for municipal stormwater agencies to reduce pesticide levels sufficiently to meet Clean Water Act requirements in the receiving waters. CASQA therefore requests that CDFA revise the PEIR to adequately identify significant impacts, and introduce additional mitigation measures to address the identified significant impacts.

14808-3

We suggest two potential approaches for CDFA to better identify expected significant water quality impacts from pesticide applications in urban areas:

14808-4

- Employ improved risk assessment methods in the PEIR for water quality impacts stemming from pesticide applications in urban areas; or

14808-5

- Alternatively, based on data in the scientific literature, CDFA could reasonably assume that any broadcast application of the above-listed 14 pesticides - and any new pesticides with similar aquatic toxicity - in urban areas would significantly impact water quality.

14808-6

Many options exist to mitigate these impacts, including pesticide use limitations, employing alternative pest control methods, and selecting least toxic alternatives among available pesticides when broadcast sprays are used. CDFA should consult with the Water Boards and DPR's Surface Water Program and develop a set of mitigation measures to avoid water quality impacts.

[5] Specifically, available scientific evidence indicates that the conclusions of impact analyses WQ-CHEM 2, 3, 4, and 5 and WQ-CUM-1 are incorrect for one or more pesticides.

[6] UP3 Partnership Pesticide Tracking List; see: http://www.tdcenvironmental.com/resources/UP3-Project-Pesticide-Tracking-List.pdf

14808-7 If CDFA determines that it is not possible to mitigate all reasonably foreseeable significant water quality impacts associated with its urban pesticide applications, in association with its CEQA-required Findings of Overriding Consideration we request that CDFA notify our water quality regulators at the California Water Boards when pesticide discharges associated with CDFA's pest management activities may significantly affect water quality in urban water bodies.

Specific comments relating to the need for improved risk assessment methodologies to provide adequate identification of significant impacts and the need for inclusion of associated mitigation measures follow.

IDENTIFICATION OF SIGNIFICANT IMPACTS – IMPROVED RISK ASSESSMENT

The following technical improvements are needed to provide better identification of significant water quality impacts within the ecological risk assessment in the draft PEIR.

A. Water Quality Impacts Analysis Must Recognize Urban Area Transport Characteristics

The principal characteristics that distinguish transport of pesticides in urban land uses are:

- the widespread presence of impervious surfaces (buildings, driveways, sidewalks, patios, roads, parking lots, etc.) in urban areas, and
- the constructed municipal storm drain systems that rapidly convey runoff from application sites to receiving water bodies (creeks, streams, rivers, estuaries, bays, etc.).

14808-8

Impervious surfaces cause increases in both total runoff volume and pollutant quantity washed into surface waters, compared to runoff from agricultural soils or other pervious surfaces (e.g., vegetated landscaped surfaces)[7]. When pesticides are applied directly to impervious surfaces, and rainfall/runoff is transported via constructed urban storm drainage systems, pesticides can be washed off and transported quickly and efficiently away from application sites and into surface waters. Consequently, applications to impervious surfaces are considered to be a primary controlling factor in urban runoff contributions to pesticide-caused receiving water toxicity in urban areas[8]. Modeling of ecological risks from urban pesticide applications must therefore take these factors into account.

The draft PEIR recognizes three transport mechanisms for movement of pesticides from application sites to water bodies (p. 6.7-10):

- *Aerial drift to waterbody*
- *Movement from plant foliage to water or soil*
- *Movement through soil to waterbody via either of two mechanisms:*
  - *Adsorption to soil particles reaching water through erosion or sedimentation*
  - *Direct transport from water flowing through soil*

[7] Ecotoxicology Program, Office of Environmental Health Hazard Assessment (OEHHA), California Environmental Protection Agency. 2006. How Urbanization Affects the Water Cycle. July. Available at: http://www.oehha.ca.gov/ecotox/pdf/watercyclefacts.pdf

[8] Moran, K. D., and P. L. TenBrook. 2011. "Sources of Pyrethroid Insecticides in California's Urban Watersheds: A Conceptual Model." In: *Pesticide Mitigation Strategies for Surface Water Quality*; Goh, K.S., B. Bret, T. Potter, J. Gan. Eds.; ACS Symposium Series Vol. 1075, ACS Washington, D.C., 2011.

14808-9

Using parallel terminology, in urban areas, the most consequential and problematic mode of transport to water courses is a fourth pathway:

- Movement from impervious surfaces directly into constructed storm drainage systems with direct discharge to waterbody.

The Statewide Program's risk assessment approach should include identification of these potential sources of pollution, and incorporate more accurate modeling of their fate and transport from urban application sites to surface waterbodies.

14808-10

Alternatively, rather than re-doing the modeling work to accommodate the characteristics of urban area pollutant transport, CDFA could reasonably assume that any broadcast application of pesticides in urban areas would inevitably result in a substantial fraction of the pesticide being discharged to surface waters under typical rainfall/runoff conditions, based on data in the scientific literature.[9] Particularly in areas subject to pesticide applications from other sources, the discharges of pesticides from CDFA applications would be likely to cause or contribute to significant water quality impacts, as further detailed below.

B. Modeling Approach Should Reflect Urban Applications and Transport Characteristics

14808-11

For all urban chemical treatment scenarios, including nurseries and residential areas, the Conceptual Site Models shown in section 2.6 of the Ecological Risk Assessment (Appendix A to the draft PEIR) should reflect potential applications to impervious surfaces, and should assign transport pathways via rainfall/runoff through constructed storm drainage systems to surface waters.

The agricultural field scenario (the "farm pond scenario") from the USEPA PE5 PRZM/EXAMS Model that was used in the PEIR's Ecological Risk Assessment does not accurately represent transport under typical urban conditions. [It appears that for some nursery (and possibly other urban) scenarios, the application site (i.e., loading dock) was assumed to be directly adjacent to the modeled waterbody, but it is not clear how well those scenarios reflect the typical urban rainfall/runoff transport scenario from impervious surfaces. Due to deficiencies in the available PRZM/EXAMS scenarios for urban pesticide use and their propensities to underestimate urban pesticide water pollution, DPR recently developed a new scenario that CDFA could potentially use to revise its risk assessment.[10]

14808-12

It would be helpful for the Ecological Risk Assessment to provide a concise summary table of the key modeling parameters for each scenario modeled, indicating the active and inert ingredients modeled, receptor species, and toxicity reference values (TRVs). Much of this

[9] Jiang, W., et al. (2012). "Runoff of pyrethroid insecticides from concrete surfaces following simulated and natural rainfalls." Water Research 46(3): 645-652;
Jorgenson, B. C., et al. (2012). "Factors Contributing to the Off-Target Transport of Pyrethroid Insecticides from Urban Surfaces." Journal of Agricultural and Food Chemistry 60(30): 7333-7340;
Jiang, W., J. Gan and M. Rust. (2014). Runoff of Phenylpyrazole Insecticide Fipronil from Concrete Surfaces. In: *Describing the Behavior and Effects of Pesticides in Urban and Agricultural Settings*, American Chemical Society Symposium Series, Vol. 1168, Ch 1 pp. 1-12.

[10] Luo, Y. (2014). Methodology for Evaluating Pesticides for Surface Water Protection III. Module for Urban Scenarios. Prepared by the California Department of Pesticide Regulation.

14808-12 cont. information is available in text form, but the TRVs seem to be missing, and in any case summary tables would be useful.

C. Available Numerical Thresholds Should Be Included for Pesticides

14808-13 The PEIR (Section 6.7, pp. 6.7-13ff) erroneously claims that no reference values are available for pesticides for which there are no water quality criteria. Where water quality criteria are not available (i.e., for most pesticides), USEPA's Office of Pesticide Programs (OPP) has created Aquatic Life and Human Health Benchmarks.[11] OPP calculates its Benchmarks through established scientific methods. The values are based on toxicity test data. As these Benchmark values are used by USEPA to assess pesticide risks to aquatic ecosystems and human health, these values are completely appropriate for use in the PEIR for pesticides without water quality objectives. This would affect a number of the chemicals that PEIR Table 6.8-2 lists as "No Numerical Threshold Exists"; where there is a USEPA Benchmark value for these chemicals, a numerical analysis should be performed in the risk assessment.

D. Water Quality Impacts Assessment Must Consider Water and Sediments

14808-14 In recent years, many scientific studies have identified the presence of elevated levels of pesticides and associated toxicity in sediment samples from water bodies throughout California and elsewhere.[3,12,13,14]. In these studies, pesticides bound to sediment particles have been found to produce toxic conditions for sediment-dwelling invertebrates, including the common amphipod, *Hyalella azteca*. The footnoted studies in particular point to pyrethroid pesticides, with their strong affinity for attachment to particulates, as common causes of the sediment toxicity observed during the past ten years in aquatic systems. The water quality risk assessment described in the draft PEIR therefore must evaluate sediment-bound transport to water bodies and potential impacts in sediments.

Throughout section 6.7 of the PEIR, there are numerous references to attachment of pesticides to particles and sedimentation, and the expected diminution of aquatic impacts via those processes. In fact, the transport of pesticides to surface waters via runoff and subsequent deposition in aquatic sediments has caused widespread toxicity to invertebrate species in aquatic sediments throughout California, as documented extensively in the scientific literature describing instances of toxicity caused by pyrethroid pesticides [3,15,16]. This sediment toxicity occurs most efficiently

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[11] See http://www.epa.gov/oppefed1/ecorisk_ders/aquatic_life_benchmark.htm and http://iaspub.epa.gov/apex/pesticides/f?p=HHBP:home

[12] Amweg, E. L., D. P. Weston, J. You, M. J. Lydy. (2006). "Pyrethroid Insecticides and Sediment Toxicity in Urban Creeks from California and Tennessee." *Environ. Sci. Techno*l. **40**(5) 1700-1706.

[13] Ding, Y., D. P. Weston, J. You, A. K. Rothert, M. J. Lydy. (2010). Toxicity of Sediment-Associated Pesticides to *Chironomus dilutus* and *Hyalella azteca*. Arch Environ Contam Toxicol. DOI 10.1007/s00244-010-9614-2. Nov.

[14] Weston D.P., Ding Y., Zhang M., Lydy M.J. (2013). Identifying the cause of sediment toxicity in agricultural sediments: the role of pyrethroids and nine seldom-measured hydrophobic pesticides. Chemosphere. 2013 Jan; 90(3):958-64. doi: 10.1016/j.chemosphere.2012.06.039. Epub 2012 Jul 23.

[15] Anderson B., Hunt, J., Markiewicz, D., and Larsen, K. (2011). Toxicity in California Waters. Surface Water Ambient Monitoring Program. California State Water Resources Control Board. Sacramento, CA." Oct. 2011

[16] Holmes, R. W., B. S. Anderson, et al. (2008). "Statewide investigation of the role of pyrethroid pesticides in sediment toxicity in California's urban waterways." Environmental Science and Technology 42(18): 7003-9.

when pesticides are applied to impervious surfaces in urban areas and then transported rapidly through constructed storm drainage systems to surface waters during periods of rainfall/runoff.

E. Reliance on TMDL Sites and Impairments is Not Sufficiently Protective

Recent research, as referenced herein, provides abundant evidence of the widespread presence of current-use pesticides such as pyrethroids in waters and sediments of surface waters throughout California, with consequent toxicity to invertebrate test species in waters and sediments. But because of the lack of comprehensive monitoring for these pollutants, and the multi-year lag time associated with the 303(d) impaired waters listing process, as well several additional years required to adopt approved TMDLs, the TMDL regulatory process often does not accurately reflect current conditions in California's surface waters.

14808-15

The final sentence on page 6.7-27 of the draft PEIR states the following: "Table 6.8-3 shows the modeled results that exceed waterbody-specific numeric standards from TMDLs; discharges to other non-listed waterbodies would not be of concern." In fact, because of the preponderance of evidence demonstrating impacts from current-use pesticides in the literature, *it should be assumed that additional discharges of pesticides to all water bodies in areas with active pesticide uses may be of concern.* This is particularly important with respect to assessment of "Impact WQ-CHEM-5: The Proposed Program could include chemical applications modeled to exceed applicable numeric water quality standards", and the Cumulative Impacts assessment, "Impact WQ-CUM-1: The Proposed Program could include chemical applications modeled to exceed applicable numeric water quality standards or otherwise degrade water quality in impaired/303(d) listed waterbodies."

F. Copper-Containing Pesticide Applications Should Be Quantitatively Assessed

Copper-containing pesticides pose a significant risk to water quality in urban and suburban areas, for the following reasons:

14808-16

- In California, copper impairs numerous waters of the State that receive urban runoff. In 2010, the State Water Board identified copper as causing impairment in 83 California waterways. California Water Boards have adopted 18 copper Total Maximum Daily Loads (TMDLs), primarily in Southern California urban areas.
- Copper is one of the pollutants in stormwater that most often exceeds water quality standards at the point of discharge.
- Scientific studies have shown that copper pesticides contribute to copper in urban runoff and to impairment of waterways. [17,18]

[17] California Regional Water Quality Control Board, San Diego Region. (2005) Total maximum daily load for dissolved copper in Shelter Island Yacht Basin, San Diego Bay. Resolution No. R9-2005-0019, basin plan amendment and technical report. San Diego, California. 2005.

[18] TDC Environmental. Copper Sources in Urban Runoff and Shoreline Activities, prepared for the Clean Estuary Partnership, 2004; and
Process Profiles, Copper Released from Non-Brake Sources in the Bay Area, prepared for the Brake Pad Partnership, 2006.

14808-cont. Outdoor use of copper-containing pesticides under CDFA's Statewide Program in urban areas could contribute to copper water pollution. Depending on the specific pest control activity and quantity of copper used, this contribution could meet the significance criteria on page 6.7-28. Therefore the PEIR's Ecological Risk Assessment should include a quantitative assessment of copper water quality impacts.

G. Pesticide Degradates Must Be Evaluated and Included in the Risk Assessment

14808-17 When released into the environment, pesticide active ingredients typically degrade into known breakdown products. In some cases, such as with Naled and its degradate dichlorvos (DDVP), and POE Nonylphenol and its degradate nonylphenol, the degradates are more highly toxic than the original active ingredient. The PEIR risk assessment therefore must include identification and assessment of the known degradates of pesticides proposed for use in the Statewide Program for all degradates that are more toxic than the parent chemical or that contribute cumulatively to the potential for aquatic toxicity after the parent chemical is used.

Omitting degradates causes the PEIR to underestimate pesticide water quality impacts. For example, on page 6.7-19, the PEIR states that Naled "rapidly degrades to DDVP in the environment. Thus, it is not anticipated to pose any concern to water quality." The degradate DDVP is stable, highly toxic to aquatic organisms, and known to cause toxicity to aquatic organisms after low-volume Naled applications.[19] The PEIR should be revised to appropriately reflect this significant impact and to provide for appropriate mitigation, such as selection of an alternative control approach in locations where Naled may be washed into surface water.

H. Cumulative Analysis Must Recognize Additive/Synergistic Effects of Multiple Pesticides

14808-18 The cumulative analysis in the Ecological Risk Assessment should address the cumulative pesticide water quality impacts from the combination of CDFA's pesticide applications, recognizing that the effects of CDFA's pesticide applications will combine with other pesticide applications in urban areas. Scientific research has shown that the effect of multiple pyrethroid pesticides tends to be additive, for example.[20] This analysis must also consider the effects of known synergists, such as piperonyl butoxide (PBO), which acts as a synergist for pyrethroids.[21]

I. Other Issues:

Sensitive Aquatic Invertebrate Species Should be Selected for Risk Assessment

14808-19 The four special status freshwater invertebrates species selected as surrogates for risk assessment in the draft PEIR (Ecological Risk Assessment, section 2.5.6, p. 36) do not include the sensitive invertebrates most commonly used currently in environmental toxicity testing of water and sediment samples where current-use pesticides are of principal concern as potential toxicants (especially *Hyalella azteca*).

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[19] Phillips, B. M., et al. (2014). "Monitoring the aquatic toxicity of mosquito vector control spray pesticides to freshwater receiving waters." Integr Environ Assess Manag **10**(3): 449-455.

[20] Trimble, A. J., D. P. Weston, J. B. Belden, M. J. Lydy. (2009). Identification and Evaluation of Pyrethroid Insecticide Mixtures in Urban Sediments. Environmental Toxicology and Chemistry **28**(8): 1687-1695.

[21] Amweg, E. L. and D. P. Weston. (2007). Whole-sediment toxicity identification evaluation tools for pyrethroid insecticides: I. Piperonyl butoxide addition. Environmental Toxicology and Chemistry **26**(11): 2389-2396.

Aerial Spray Applications - Clarification

On pages ES-2, ES-8, 2-3, and elsewhere, the PEIR states that aerial spraying would not occur in residential areas. On pages 2-23 and 2-28, the PEIR states that the Statewide Program does not include aerial spray applications of pesticides in residential and urban areas. We request that CDFA clarify specifically how it defines urban areas that would be excluded from aerial spray applications. CASQA prefers a definition that excludes the entirety of all urban areas subject to NPDES urban runoff permits. Options include:

14808-20

(a) Use the definition used by USEPA's Office of Water, based on Census Bureau regulations (the Bureau of the Census determines UAs by applying a detailed set of published UA criteria; see 55 FR 42592, October 22, 1990); or

(b) Use the State Water Resources Control Board's lists of urban areas covered by municipal stormwater NPDES permits. The Water Boards have established a list of California urban areas per EPA's definition.

Clearly defining the exclusion of urban areas in this way would limit conflicts between CDFA's pesticides applications and municipal stormwater program Clean Water Act compliance obligations.

List of Active and Inert Ingredients Should be Clearly Defined

14808-21

Sections 2 and 3 of the draft Ecological Risk Assessment indicate that both active and inert ingredients were evaluated, but it is not clear what the full list consists of; this should be clearly specified.

J. Revisions to Risk Assessment Are Needed to Correctly Identify Significant Impacts

Because of the many issues raised above, the calculated exceedances of water quality objectives (PEIR Section 6.7) are likely to be erroneous in many or most cases. These miscalculations and related errors, as described in items A-I above, cause the draft PEIR to underestimate the water quality impacts of the Statewide Program and miss significant impacts deserving of mitigation, based on the impact significance criteria described on page 6.7-28 of the draft PEIR, which state that the Proposed Program would result in a significant impact related to water quality if it would:

A. Violate any water quality standards or waste discharge requirements;

14808-22

B. Create or contribute runoff water which would provide substantial additional sources of polluted runoff;

C. Otherwise substantially degrade water quality; or

D. Contribute considerably to cumulatively significant water quality impacts.

Violations of the narrative toxicity objective, which is included in every California basin plan, already occur widely throughout the state (c.f., footnoted references 2, 3, 15, 16); additional discharges of chemical pesticides from the CDFA Statewide Program in these areas would constitute significant impacts under impact criterion A. Similarly, additional discharges of pesticides in urban areas already affected by pesticide pollution in urban runoff could cause a municipality to violate the waste discharge requirements specified in its NPDES permit; this would also meet impact criterion A. Because of these existing conditions, on a local basis, CDFA

14808-22 cont. pesticide applications could also contribute significantly to runoff pollution, degrade water quality, and/or contribute significantly to cumulative water quality impacts, per impact criteria B, C, and D.

14808-23 For several pesticides, including carbaryl, chlorpyrifos, and four pyrethroids (bifenthrin, cyfluthrin, lambda-cyhalothrin, and permethrin), the draft PEIR modeling results predicted receiving water concentrations above the water quality regulatory thresholds. Yet even in these cases the draft PEIR fails to identify significant water quality impacts. In many cases the rationale offered on pp. 6.7-29ff of the draft PEIR for designation of those impacts as less than significant appears to contradict the preponderance of evidence showing existing impacts of these same pesticides in California waterways (c.f., footnoted references 2, 3, 15, 16).

MITIGATION MEASURES SHOULD BE DESIGNED FOR URBAN APPLICATIONS

All proposed water quality mitigation measures (Draft PEIR, Section 6.7) are non-specific. There is no demonstration that the designated mitigation measures would actually mitigate the significant water pollution impacts of the Statewide Program. There are many feasible mitigation options available that would not reduce CDFA's ability to respond in a timely manner to invasive pests.

14808-24 For all urban chemical treatment scenarios that could result in contamination of surface waters, the draft PEIR should specify management measures that specifically address potential impacts to surface waters from urban applications. This should include minimizing chemical applications to impervious surfaces, selecting least toxic chemicals when pesticides must be applied, maintaining buffer zones from storm drains and waterways, and providing minimum no-spray periods before expected rainfall. See related measures in California Department of Pesticide Regulation's recently adopted Surface Water Quality Regulations.[22]

We strongly urge CDFA to modify its pesticide selection procedures (page 2-22) to add consultation with DPR's Surface Water Program and the appropriate Regional Water Quality Control Board in the pesticide selection process. Although this is not specifically a mitigation measure, informed consultations with the state's water quality experts and use of their advice in chemical selection could avoid water quality impacts.

14808-25 Specific mitigation measures should be added to address water quality impacts of CDFA's Statewide Program, to include the following:

- Consult with CA DPR and the appropriate Regional Water Quality Control Board on selection of pesticides prior to all applications in urban areas.
- 14808-26 Implement a policy of selecting the least toxic chemical from among the available alternatives for all urban applications, based on available toxicity data (including water and sediment toxicity).

[22] California Department of Pesticide Regulation (DPR) (2013). Prevention of Surface Water Contamination by Pesticides - DPR Regulation No. 11-004. California Code of Regulations Division 6. Pesticides And Pest Control Operations. Sections 6000, 6970, and 6972.

14808-27 • Minimize chemical pesticide applications to impervious surfaces, and include relevant mitigation measures as indicated in DPR's Surface Water Quality Regulations as applicable.

14808-28 • Implement integrated pest management (IPM) alternatives as a first priority for urban areas.

CONCLUSION

CASQA requests that CDFA revise the draft PEIR in the following key ways:

14808-29 • Revise the Ecological Risk Assessment to more accurately assess impacts from chemical pesticide applications in urban areas, and to cover impacts to both surface waters and sediments.

14808-30 • Revise the assessment of impact significance to reflect the improved Risk Assessment results, and to better account for the reality of existing water quality conditions in California's urban surface waters.

14808-31 • Design and specify improved mitigation measures that specifically target the particular conditions of urban areas and the expected impacts of pesticide applications in those areas.

Thank you for your consideration of our comments. If you have any questions, please contact Dave Tamayo, CASQA Pesticide Subcommittee Co-Chair, at (916) 874-8024 (tamayod@SacCounty.net); or CASQA Executive Director Geoff Brosseau at (650) 365-8620.

Sincerely,



Gerhardt Hubner, Chair California Stormwater Quality Association

cc: Charles Andrews, California Department of Pesticide Regulation
David Duncan, California Department of Pesticide Regulation
Nan Singhasemanon, California Department of Pesticide Regulation
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CASQA Board of Directors, Executive Program Committee and CASQA Pesticides Subcommittee

Letter 14808: Gerhardt Hubner, California Stormwater Quality Association (October 31, 2014)

Response to Comment 14808-1

Applications made as part of the Statewide Program in an urban residential setting would not be made directly to impervious surfaces. Many applications would be made directly to soil as either soil drench or soil injection applications. Such applications would result in limited runoff to urban streams, and were appropriately modeled in the existing analysis. Foliar applications would only be made as spot applications to specific host plants, and would not be made to lawns, etc. There is a potential for a small amount of pesticide from the foliar applications to drift to impervious surfaces. However, because the number of host plants will vary among sites and is unknown, the conservative assumption was made that the entire area would be treated. Additionally, the surface water body was assumed to be immediately adjacent to the application area. These assumptions would lead to an overestimation of the amount of pesticide applied that could migrate to urban streams. This overestimated amount of pesticide available for movement to urban streams should be greater than and include the small contribution from pesticides that drift over impervious surfaces.

Standard practice in nurseries is not to apply pesticides to areas that would drain directly into an urban stream. The modeling conducted for the PEIR assumed that a water body could be immediately adjacent to any nursery application site. Because such a scenario is unlikely to occur, the current modeling overestimates the amount of pesticide that could move to a water body following an application in a nursery. Individual nurseries conducting pesticide application in response to internal quarantines must implement Proposed Program MPs, and also may have their own NPDES permits or comply with the Ag Waivers program.

The specific proximity to a relevant water body is dependent on the site-specific conditions, as well as on the specific application scenario that will be used. The MPs and mitigation measures ensure that all application activities address water quality impacts, are commonly used practices, and are similar to measures listed in CDFA's NPDES permit. The relevant MPs include MP-SPRAY-1 through MP-SPRAY-7, MP-GROUND-1 through MP-GROUND-4, and MP-AERIAL-1, which would be implemented to provide proper application based on site-specific conditions, setback buffering, minimization of aerial drift, and proper handling and storage. MP-SPRAY-1, MP-SPRAY-4, and MP-SPRAY-5 require a site survey that includes the location of storm drains, delay in application if rain is predicted, and protection of waterways (including storm drains) with buffer zones. In areas where CDFA or CDFA contractors are conducting the pesticide application, additional measures listed in CDFA's NPDES permit are designed to ensure that overspray and drift are prevented or minimized to a level that the quality of runoff would not be significantly impacted.

Response to Comment 14808-2

Of these chemicals, only pesticide products with cyfluthrin, acetamiprid, carbaryl, imidacloprid, malathion, and spinosad as the active ingredient may be used in the Proposed Program in urban residential settings. As discussed in Response to Comments 14808-1

and 14808-11, the modeling conducted in the existing analyses adequately addresses the potential for any of these chemicals to move to urban streams.

With respect to urban nurseries, only pesticide products containing bifenthrin, cyfluthrin, permethrin, acetamiprid, carbaryl, chlorantraniprole, chlorpyrifos, diazinon, imidacloprid, and spinosad as the active ingredient may be applied under the Proposed Program. Of these, diazinon-containing products would only be applied only as a soil drench to potted plants. The other chemicals could be applied as foliar sprays. As discussed in Response to Comments 14808-1 and 14808-11, the modeling conducted in the existing analyses adequately addresses the potential for any of these chemicals to move to urban streams.

The only copper-containing product is CoreTect Tree and Shrub Tablets, in which imidacloprid is the active ingredient. Copper is included as an "inert" ingredient in the formulation. CoreTect Tree and Shrub Tablets would only be applied by inserting the tablet beneath the soil surface, precluding any opportunity for copper to be deposited on an impervious surface. As is the case with many cations, copper is likely to be tightly bound to the soil it contacts. Therefore, tablets inserted into the soil virtually eliminate the probability that this source of copper could reach urban runoff.

Response to Comment 14808-3

The PEIR adequately addresses impacts to water quality by conservatively assuming that all application areas were located immediately adjacent to a water body. Because applications in the urban setting will not directly apply pesticide to impervious surfaces, and because MPs were designed to avoid waterways including storm drains, the impact on urban waterways was adequately addressed by the analysis presented in PEIR Volume 1, Section 6.7, *Water Quality*. See MP-SPRAY-1, MP-SPRAY-4, and MP-SPRAY-5 for specific MPs that require a site survey that includes the location of storm drains, delay in application if rain is predicted, and protection of waterways (including storm drains) with buffer zones.

Response to Comment 14808-4

See Response to Comment 14808-11.

Response to Comment 14808-5

Response to Comment 14808-2 explains why CDFA has found that the pesticides listed by the commenter are adequately addressed in the analysis presented in the PEIR.

Response to Comment 14808-6

Because CDFA's impact analysis in the PEIR is adequate and no new significant impacts have arisen, no additional mitigation measures are required. Note that CDFA does consult with the State Water Resources Control Board (SWRCB) regarding its pesticide application in obtaining and complying with its NPDES Permit for Biological and Residual Pesticide Discharges. The NPDES permit includes several advanced MPs that are required to be implemented. In addition, the NPDES permit requires preparation of a Pesticide Application Plan (PAP). The permit stipulates that a PAP must be prepared in accordance with the permit requirements and thresholds. Adherence to this permit and an approved PAP would

avoid discharge of these pesticides into surface water bodies, or would require monitoring if discharge is unavoidable. Appendix O, *Regulatory Setting,* contains further details of the requirements of the NPDES permit, including preparation and approval of the PAP. Pesticide applications by urban nurseries in response to CDFA interior quarantines interact with the State and Regional Water Quality Control Boards in obtaining their own NPDES permits, or participation in the Ag Waivers program.

Response to Comment 14808-7

As described in PEIR Volume 1, Section 6.7, *Water Quality,* of the PEIR, the PEIR did not find any significant and unavoidable water quality impacts. See the previous response regarding the existing protocol by which consultations with the Water Boards occur.

Response to Comment 14808-8

As discussed in Response to Comments 14808-1 and 14808-11, the modeling conducted in the existing analyses conservatively addresses the potential for any of these chemicals to move to urban streams.

Response to Comment 14808-9

The transport pathway that the commenter suggests adding is considered runoff. Runoff can either go directly into a surface water body or be transported by storm drains to water bodies. As described in Response to Comments 14808-1 and 14808-11, the modeling conducted in the existing analyses conservatively addresses such runoff. Therefore, no text updates are required.

Response to Comment 14808-10

See Response to Comments 14808-1 and 14808-11 regarding the PEIR's consideration of pesticide applications in urban areas, and how the PEIR analysis is adequate and conservatively characterizes impacts from these application areas. See Response to Comment 14808-2 regarding the use of pyrethroids in an urban setting, in particular the low likelihood that impervious surfaces will be substantially impacted. As such, the suggestions of the commenter, while appreciated, are not relevant.

Response to Comment 14808-11

For reasons described in Response to Comment 14808-2, impervious surface runoff from drench, cut-stump, and CoreTect Tree and Shrub Tablet applications would be negligible. For all other application scenarios in residential areas, applications are directed to foliage, and the majority of non-target spray would be to the soil underneath treated plants. Any drift or overspray onto impervious surface would be the exception rather than the rule. In addition, the Proposed Program's MPs, including MP-SPRAY-1, MP-SPRAY-4, and MP-SPRAY-5, require a site survey that includes location of the storm drains, delay in application if rain is predicted, and protection of waterways (including storm drains) with buffer zones. In addition, in urban areas where CDFA or CDFA contractors are conducting the pesticide application, the measures listed in CDFA's NPDES permit are designed to ensure that overspray and drift are prevented or minimized to a level that the quality of

urban runoff would not be significantly impacted. Individual growers conducting pesticide application in response to internal quarantines must implement Proposed Program MPs, and also may have their own NPDES permits or comply with the Ag Waivers program.

In addition, the conservative modeling assumptions described in Response to Comment 14808-1 adequately reflect the discharge pathway described in the comment. The use of the U.S. EPA PE5 model to evaluate urban runoff resulted in conservative surface water pesticide estimates because the "farm pond scenario" used assumed that affected waters are directly adjacent to the sites of application. The U.S. EPA model used to estimate this transport, PE5, conservatively assumes that the sites of application are directly adjacent to affected surface waters. This means that the model does not include any degradation or adsorption of the pesticides, because they travel across impervious surfaces or through storm drainage systems, and any estimated environmental concentration (EEC) output by the model is likely an overestimate of such a pathway.

PRZM (a model incorporated into PE5) is a model that is frequently used in non-agricultural settings, including residential lawns, golf courses, parks, or other locations with turf. Because turf is not impervious, PRZM would be unlikely to be an appropriate model for the setting described.

The commenter provides reference to a new methodology for modeling urban scenarios that was published after completion of the technical studies, in particular the ERA and HHRA, and was too late to be incorporated quantitatively into the PEIR's analysis. Based on an assessment of the methodology, and the facts that (1) discharge to or transport across impervious surfaces would be minimal (see responses elsewhere); and (2) the PE5 model adequately captures the possibility, we felt that the use of this new methodology was not warranted, because it would not change any of the impact significance determinations presented in PEIR Volume 1, Section 6.7, *Water Quality*.

Response to Comment 14808-12

All of the modeling parameters and assumptions, a complete list of pesticide active ingredients and inert ingredients analyzed, and all toxicity reference values (TRVs), as well as references used as a basis for selecting TRVs, were included in the Dashboard database, available for download from CDFA's website.

Response to Comment 14808-13

As discussed on PEIR Volume 1, Section 6.7, *Water Quality,* pages 6.7-12 and 6.7-13, the PEIR focused on enforceable numerical standards. The values suggested by the commenter are not enforceable. However, the values suggested were relevant to the analysis conducted in the ERA (Appendix A of the PEIR) and HHRA (Appendix B of the PEIR) to evaluate impacts to aquatic organisms or humans, which included an evaluation of impacts when no water quality criteria have been established. These analyses used conservative and worst-case toxicological end points to evaluate the potential impact to aquatic organisms and human health. Included in the development of the toxicological risk values are several safety factors to account for uncertainty. These were often based on U.S. EPA or other scientific studies. Therefore, the HHRA and ERA adequately capture potential risks to

aquatic organisms and human health without the need to treat the benchmarks suggested by the commenter as water quality standards.

Response to Comment 14808-14

As discussed in the ERA, sediment exposure was directly assessed via the PE5 model. PE5 simulates chemical transport via runoff and erosion to water bodies, where the chemical partitions into limnetic water column, sediment, and benthic sediment pore water compartments. In these compartments, the chemical undergoes various degradation processes such as hydrolysis, limnetic aerobic degradation, and benthic anaerobic degradation. Ultimately, PE5 estimates limnetic water column and benthic sediment pore water concentrations. Because it is the best predictor of sediment toxicity, benthic pore water concentration was used to evaluate aquatic exposure and estimate risk for benthic organisms.

Response to Comment 14808-15

CDFA is aware of the studies mentioned, and others, which underscore the serious issues related to pesticide contamination of water bodies and sediments. However, to assert that in areas of active pesticide use, every water body is, or could become, cumulatively impaired as a result of past, present, and reasonably foreseeable future pesticide use (including use under the Proposed Program) is a sweeping generalization that is not supported by substantial evidence. That said, CDFA acknowledges the likely existence of some non-listed water bodies that are or could become cumulatively impaired for pesticide contamination. Because of the conservative nature of the analysis that was conducted in the PEIR, and for the reasons described in the PEIR—specifically, that the Proposed Program would either result in no discharge, or a level of discharge that would not measurably impair water quality—the Proposed Program's contribution to cumulative water quality impacts associated with non-listed water bodies would not be considerable. For these same reasons, impacts at the project level would be also be less than significant.

CDFA acknowledges that the regulatory process surrounding total maximum daily load (TMDL) adoption takes time. Impact WQ-CHEM-2 addresses the circumstances of changed water quality standards, such as adoption of a TMDL standard.

Response to Comment 14808-16

As noted in the study conducted by TDC Environmental, the copper-containing pesticides of primary concern are those used directly in surface waters for aquatic weeds and algae control. The Proposed Program does not include the use of such pesticides. The only copper-containing product is CoreTect Tree and Shrub Tablets, in which imidacloprid is the active ingredient. Copper is included as an "inert" ingredient in the formulation. CoreTect Tree and Shrub Tablets would only be applied by inserting the tablet beneath the soil surface. As is the case with many cations, copper is likely to be tightly bound to the soil it contacts. Therefore, inserting tablets into the soil virtually eliminates the probability that this source of copper could reach surface water or groundwater.

Response to Comment 14808-17

The risk assessments considered all active and inert ingredients and their degradates. With one exception, we are unaware of any active or inert pesticide ingredients that may be used under the Proposed Program, and whose environmental degradates are considered more toxic than the parent compound. The one exception is acephate, and its degradate methamidophos. Our analysis did consider methamidophos and, consistent with U.S. EPA methodology, conservatively assumed 25 percent conversion efficiency of acephate to methamidophos upon release into the environment. This value is highly conservative and health-protective.

Response to Comment 14808-18

Uncertainty exists as to whether any of the chemicals analyzed in the PEIR produce synergistic effects. Although methodologies were available for assessing synergism, no usable endpoints were available in the literature to evaluate synergistic relationships between and within active and inert ingredients analyzed in the risk assessment. Therefore, synergistic effects could not be evaluated in the risk assessment. In the absence of information regarding the potential for synergistic effects, the adverse effects—represented by Risk Quotients in the ERA, and Hazard Quotients in the HHRA—were added together to arrive at a total risk estimate for any application scenario. Without a way to quantify synergism, additivity was assumed.

In terms of evaluating additive and synergistic effects in the cumulative impact analysis, please refer to Impact HAZ-CUM-2, which provides a detailed discussion of the issue.

Piperonyl butoxide was not listed as an ingredient in any of the pesticides that may be used under the Proposed Program. The potential for other (non-Proposed Program) activities to use this chemical in locations where pyrethroids may be used under the Proposed Program has been adequately addressed through the evaluation contained in Impact HAZ-CUM-1.

Response to Comment 14808-19

The surrogate species included in the ERA were selected to represent species of concern as required by CEQA. The TRVs used to calculate Risk Quotients for these surrogates were determined using published values, often for standard test species. See the Dashboard database, available for download from the CDFA website, for details on the test species used.

Response to Comment 14808-20

The Proposed Program only includes a small number of aerial spraying scenarios, which would only occur in production agriculture or large commercial nursery settings. The Proposed Program does not include, nor did the PEIR analyze, aerial scenarios in different settings. However, CDFA has updated the PEIR's Chapter 9, Glossary and Acronyms, text to include a revised "urban" area definition as follows:

> A <u>noncommercial area containing multiple or single family dwellings. Does not apply to a residence found in a commercial (e.g., farm) setting.</u>

Also, it may be of interest to the commenter that the HHRA evaluated the potential for residents to be present during the aerial spraying scenarios described above, because farms or ranches may be located in these settings. The analysis concluded that human health impacts would be below the established level of concern, and accordingly would be less than significant.

Response to Comment 14808-21

Appendix M, *List of Chemicals and Synonyms*, provides a full list of chemical active and inert ingredients considered in the PEIR. This information can also be found in the Dashboard database by clicking on chemicals.

Response to Comment 14808-22

As described in Response to Comments 14808-1 through 14808-21, CDFA has determined that the analysis of water quality impacts were properly evaluated in the PEIR, did not result in underestimation of impacts, and in most cases resulted in conservative assessments, including for urban areas. The impact analysis considered both narrative and numeric water quality standards. The Proposed Program's MPs, including MP-SPRAY-1, MP-SPRAY-4, and MP-SPRAY-5, along with Mitigation Measures WQ-CHEM-2, WQ-CHEM-5, and WQ-CUM-1, ensure that impacts to surface waters would be less than significant based on the significance criteria described in PEIR Volume 1, Section 6.7, *Water Quality*, on page 6.7-30, and listed by the commenter. Specifically, the analysis supported by the quantitative ERA and the qualitative assessment described in PEIR Volume 1, Section 6.7, *Water Quality*, concludes that with adherence to regulatory requirements, the Proposed Program scenarios, MPs, and PEIR mitigation measures, the Proposed Program would not result in violations of any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality. The discussions included under Impact WQ-CUM-1 and Response to Comments 14808-15 and 14808-18 conclude that the Proposed Program will not contribute considerably to cumulatively significant water quality impacts.

Response to Comment 14808-23

Chemicals identified as above numerical thresholds, based on the results of the ERA, were discussed in Impact WQ-CHEM-5. CDFA determined qualitatively that the potential water quality impacts would not be significant when considering model limitations, MPs, and regulatory requirements. For further discussion, please refer to Master Response 9, Water Quality.

Also, note that an existing condition indicating a cumulatively significant impact does not automatically mean that the Proposed Program would have a considerable contribution to that impact. See the consideration given to this issue in Impact WQ-CUM-1.

Response to Comment 14808-24

The commenter has stated that PEIR mitigation measures may not actually mitigate the water quality impacts to a level of insignificance, and are non-specific; but the commenter has not provided any substantial evidence supporting this assertion. The MPs and

mitigation measures ensure that all chemical management activities avoid significant water quality impacts; the MPs and mitigation measures in the PEIR are commonly used and similar to measures listed in CDFA's NPDES permit. Of particular relevance, MP-SPRAY-1, MP-SPRAY-4, and MP-SPRAY-5 require a site survey that includes location of storm drains, delay in application if rain is predicted, and protection of waterways (including storm drains) with buffer zones. In addition, in urban areas where CDFA or CDFA contractors are conducting the pesticide application, additional measures listed in CDFA's NPDES permit are designed to ensure that overspray and drift are minimized or prevented to a level that the quality of urban runoff would not be significantly impacted. Individual growers conducting pesticide application in response to internal quarantines must implement MPs listed in the PEIR, and also may have their own NPDES permits or comply with the Ag Waivers program. Any current and future applicable regulations adopted by CDPR applicable to surface water quality regulations would be implemented as required by the regulations. The MPs contained in Chapter 2 of the PEIR, the best management practices (BMPs) from CDFA's NPDES permit, and label requirements are consistent with the measures described in the comment, and adequately ensure that water quality impacts to surface water in urban settings would be less than significant.

In conclusion, the mitigation measures suggested by the commenter are already included in the Proposed Program through use of an IPM approach and the Proposed Program's MPs.

In addition, CDFA will always evaluate site-specific conditions prior to conducting an activity through the Tiering Strategy; at that point, CDFA may determine that new or more significant impacts are possible than were considered in this PEIR, and could address this through a tiered CEQA document.

Response to Comment 14808-25

CDFA regularly consults with CDPR as it conducts Statewide Program activities. CDFA also consults with the SWRCB regarding its pesticide application in obtaining and complying with its NPDES Permit for Biological and Residual Pesticide Discharges. Pesticide applications by individual growers in response to CDFA interior quarantines interact with the State and Regional Water Quality Control Boards in obtaining their own NPDES permits or participation in the Ag Waivers program.

Response to Comment 14808-26

CDFA implements an IPM approach that involves consideration of many different factors, including water quality and the effectiveness of treatment options, in determining appropriate application scenarios.

Response to Comment 14808-27

See Response to Comment 14808-1, which addresses application to impervious surfaces, including why applications to impervious surfaces are already minimized or unlikely to occur in substantial quantities. CDFA and individual growers must comply with applicable regulations enacted, including CDPR's Surface Water Quality Regulations. Therefore, there is no need to incorporate them as mitigation measures.

Response to Comment 14808-28

The Proposed Program would always use an IPM approach, including in urban areas.

Response to Comment 14808-29

For the reasons described above, the ERA has been determined to be adequate, and to conservatively assess the impacts from applications in urban areas to both surface waters and sediments.

Response to Comment 14808-30

For the reasons described above, the PEIR already does consider existing water quality conditions in California's urban surface waters; the impact analysis in the PEIR is accurate, and does not require revision.

Response to Comment 14808-31

The Proposed Program's MPs and mitigation measures—along with pesticide label requirements, other pesticide application regulations, NPDES permit requirements, and the Ag Waivers program—ensure that impacts from pesticide application in urban areas would not be significant.

Comment Letter 14809

From: nbeety@netzero.net
To: CDFA Pest Prevention EIR@CDFA
Cc: nbeety@netzero.net
Subject: CDFA Draft PEIR
Date: Friday, October 31, 2014 11:10:46 PM

October 31, 2014
Comments, CDFA Draft PEIR

14809-1 I have a number of objections to this draft PEIR. The first one is the lack of notice. I found out about it during the last few days of the comment period from a website that has nothing to do with agriculture or pesticides. It was a one-off article.

14809-2 The LBAM debacle was a very bad set of decisions by the state and CDFA. Science was seemingly the least important factor in the decisions that were made. People and animals were made very ill by the state's actions, as the state kept deflecting criticism and denying harm. The result has been a very high level of distrust toward the state and particularly CDFA, and the word "LBAM" is widely known.

It would be logical for CDFA to try to repair and improve its relationship with the public and to pursue future program decisions with a high level of transparency and greater accountability.

14809-3 However, exactly the opposite has happened. Except for those on CDFA mailing lists, who knows about this PEIR? It has not been in my newspapers. It has not even shown up on the environmental mailing lists I'm on. When I read that this is a programmatic EIR, my concern increased. And when I read about the "partners" that have worked with CDFA, I realize that nothing has changed. If anything, the agency is increasing its level of public exclusion.

That is very serious.

Because of the very brief time I've known about this, I have only had time to read the Executive Summary.

I have these observations and objections:

14809-4
1) This is a Programmatic EIR. That is like a blank check. This is not for individual programs, and it seems that once the overall program is approved, individual projects will take place without evaluation. With the rapid response projects, who will be in the loop? LBAM does not inspire confidence in CDFA's team or science or involvement of the public or understanding of harm or due diligence or willingness to admit mistakes. There was no accountability after the extent of these bad decisions and actions became known. I am opposed to CDFA getting a blank check. Having a forum for answering questions about a project which has already been decided upon is not public process.

14809-5

2) "The Statewide Program is implemented in partnership with a number of different entities, including international trading partners, the U.S. Department of Agriculture, County Agricultural Commissioners, other public agencies, industry groups, and academia." This is a very closed group of partners.

Where are the public advocacy groups and independent scientists? Groups like Organic Consumers Association, Food and Water Watch, Center for Biological Diversity, Pesticide Action Network. Physicians for Social Responsibility, Earthjustice, Sierra Club, Audubon, Ecological Farming and Gardening Association? These groups seem to be missing. In fact, I don't see a niche for public involvement, yet the public is funding this work and is subject to these decisions.

14809-6

3) Is it correct that CDFA staff proposes the program, does the PEIR, certifies the PEIR, and approves the program? That would mean it's all in-house, with no independent review, no independent anything. That very process would put this program at risk for abuse and mistakes.

14809-7

4) "Support CDFA's goal of rapid response by streamlining project-level implementation activities…". "Streamline" usually means eliminate or shorten steps, oversight, and public process. Because of the agricultural practices this agency and its agricultural commissioners already permit in the state, I am opposed to any streamlining over purported threats.

14809-8

5) "Be consistent with existing CDFA permits, protocols, and policies" – With the existing water contamination from practices and protocols and a broad range of toxic substances already allowed in California, this does not inspire any confidence.

14809-9

6) Page ES-4 -- Pest rating (evaluation of pest's environmental, agricultural, and biological significance). LBAM was evaluated incorrectly by CDFA. What has been done to correct that? Or does CDFA still believe that its evaluation was correct? What's the independent "peer review" for evaluating so-called pests?

14809-10

7) "Pest management response, which may include rapid eradication and/or control of new and/or existing pest populations" – Again, rapid eradication without sufficient scientific determination that there is a threat, or indeed, the use of toxins against the wishes of the public are alarming possibilities.

14809-11

8) "Public notification is a necessary and important component of the Statewide Program" and states holding public meetings so the public can ask question, but that is very different than the public having anything it can do about these decisions.

14809-12

9) There are repeated statements of "less than significant findings" and "below a level of concern". I have seen these assessments often made about a variety of hazardous exposures – always made by government agencies, often at odds with independent science, and usually when there is a powerful special interest that stands to gain by a "less than significant" determination. Air, water, and soil resources, and health and safety usually bear the brunt of the actions that follow.

14809-13

CDFA does the EIR and CDFA decides if it's adequate. Then CDFA rolls out the individual

programs for pests they deem problematic.

14809-13 cont.

I've dealt with federal and state agencies and officials for the last several years. I've seen firsthand how reality is often at complete odds with "official" assessments and how agencies rely on industry science instead of independent scientists. I've also seen the revolving door between industry and government, including educational institutions. It's been disturbing to see the public's money and trust regarded so lightly.

14809-14

That's no protection for Californians. I'm opposed to the inadequate noticing on this PEIR and the lack of partnership with public groups in creating this framework. The great potential exists to cause health damage to Californians and the environment.

14809-15

For all the reasons above, I object to this programmatic EIR and request that this process be re-noticed. This is necessary so that the public and public advocacy organizations can become informed about what CDFA is planning and participate in the process as the partners.

Sincerely,

Nina Beety
P.O. Box 1505
Monterey, CA 93942
nbeety@netzero.net

Letter 14809: Nina Beety (October 31, 2014)

Response to Comment 14809-1

CDFA refers the commenter to Master Response 18, Comment Period Duration and Notice, which provides details about efforts CDFA made to inform the public of scoping and comment periods related to the PEIR. As described in Master Response 18, Comment Period Duration and Notice, CDFA's notification efforts exceeded CEQA requirements, and CDFA made extensive efforts to solicit public comments through public meetings that were held throughout the state.

Response to Comment 14809-2

CDFA strives to conduct its activities with a high level of transparency and accountability. Future Proposed Program activities would be subject to the process described in Responses to Comments 14809-4 and 14809-6, which provide details about the use of program EIRs, the purpose of this PEIR, and the process to develop and, ultimately, adopt CEQA documents.

Note that the PEIR would in no way abridge CDFA's existing public outreach and notice process. CDFA would continue its existing program of public notification, which is described in PEIR Volume 1, Chapter 2, *Proposed Program Description,* Pages 2-4 and 2-5, and in Mitigation Measure HAZ-CHEM-1a (PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials,* page 6.5-19). In addition to the existing means of public notification, the PEIR would require further public notification as part of the tiered CEQA documentation that would be prepared on a project-by-project basis. This would include a 30- to 45-day public review period for comments and responses in cases where tiered NDs, MNDs, and EIRs are prepared. On the whole, the PEIR provides for enhanced public notice and engagement, and will help CDFA act with transparency and in compliance with the law.

Response to Comment 14809-3

CDFA does not exclude the public; notice of the Draft PEIR was run in a number of major newspapers throughout the state. The commenter is referred to Master Response 18, Comment Period Duration and Notice, for more information about the public notification efforts conducted for the PEIR.

Response to Comment 14809-4

As stated in PEIR Volume 1, Section 2.13.1, *Use of the PEIR by CDFA*, the PEIR provides CEQA coverage for the activities described in PEIR Volume 1, Chapter 2, *Proposed Program Description,* and Chapter 3, *Proposed Program Activities*. In addition, the PEIR is intended to rectify the deficiencies in the 2003 Pierce's Disease Control Program (PDCP) EIR that were identified by the Court of Appeal. The PEIR is also intended to be used as a starting point for subsequent CEQA evaluation, both for project-level activities and for program-level compliance for newly developed management approaches or newly identified types or species of plant pests. Use of the PEIR to facilitate CEQA compliance for individual projects and program components would facilitate rapid response, while minimizing risk to human health and environmental resources. However, this would not authorize a "blank check" for

any future activities; CDFA will always comply with CEQA and conduct tiered environmental analysis when necessary.

To determine whether activities proposed as part of a future individual project have been sufficiently described in the Proposed Program and adequately addressed in the PEIR, a CEQA Tiering Strategy and checklist have been developed. This CEQA Tiering Strategy is included as Appendix C of the PEIR. Future activities would be evaluated for CEQA compliance using the checklist. Activities that may have new impacts not described in the PEIR would be subject to future CEQA evaluation. Additional information about the PEIR's Tiering Strategy, use of the PEIR, and future public comment and notification opportunities is provided in Master Response 1, Scope of the Statewide Program.

For rapid response projects, CDFA would implement its IPM approach, as outlined in PEIR Volume 1, Chapter 2, *Proposed Program Description*, Figure 2-3; this would involve various CDFA Branches, the public, Science Advisory Panels, and regulatory agencies (USFWS, NMFS, and CDFW). As shown on Figure 2-2, CDFA's Pest Detection/Emergency Projects and Integrated Pest Control branches would be involved for most rapid response projects, and CDFA's PDCP would oversee rapid response projects related to Pierce's disease and the GWSS. If the rapid response projects involved any pesticide use, CDFA would hold public meetings, per Mitigation Measure HAZ-CHEM-1a; and perform other notification activities, as described in PEIR Volume 1, on pages 2-4 and 2-5, to ensure that all owners and residents of treated parcels were informed of the activities prior to any pesticide treatment on their property.

Response to Comment 14809-5

Public advocacy groups have the opportunity for public review, as described in the PEIR and the Tiering Strategy. This would include 30- to 45-day public review periods for comments and responses in cases where tiered NDs, MNDs, and EIRs are prepared. This PEIR provides the opportunity for all groups to participate. Opportunities for public input during the IPM process are shown in PEIR Volume 1, Chapter 2, *Proposed Program Description*, Figure 2-3. CDFA activities are transparent and made available in the PEIR, posted on CDFA's website, provided through public list serves, and discussed in public meetings.

Response to Comment 14809-6

CDFA staff developed the Proposed Program, and are conducting the PEIR analysis. The Secretary of the CDFA will be the party responsible for exercising independent judgment in determining whether to certify the PEIR and approve or deny the Proposed Program.

CEQA's process for a lead agency's preparation, review, and adoption of an EIR is detailed in the CEQA Guidelines' Article 7, EIR Process, Sections 15081 through 15097. During the EIR development process, there are distinct time periods where the other agencies and the public have opportunities to provide independent review: the scoping period, and the public comment period following the release of a Draft EIR. A scoping period is initiated upon the release of a Notice of Preparation (NOP); it typically extends for 30 days, during which time the lead agency accepts comments from the public and other agencies on the scope of the EIR, including alternatives to be analyzed. For projects of statewide, regional,

or areawide significance pursuant to Section 15206, the lead agency shall conduct at least one scoping meeting at which the public may submit comments. The public comment period is typically 45 days, beginning upon filing of a Notice of Completion (NOC) and release of a Draft EIR. A Final EIR is prepared in response to comments provided on the Draft EIR. As detailed in CEQA Guidelines Section 15092, Approval, the lead agency may approve a project if it has:

- Eliminated or substantially lessened all significant effects on the environment where feasible, as shown in findings under Section 15091, and
- Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns, as described in Section 15093.

Therefore, in compliance with CEQA Article 7, CDFA, as the Proposed Program's lead agency, has held a scoping period; prepared a Draft EIR; reviewed and responded to public comments on the Draft EIR; and prepared a Final EIR. If Findings and a Statement of Overriding Considerations are prepared, the Secretary of the CDFA would have the discretion to adopt the PEIR and approve the Proposed Program. Specific efforts that CDFA made to solicit public input during the scoping and Draft EIR comment periods are detailed in Master Response 18, Comment Period Duration and Notice.

CDFA also obtained technical assistance and independent review from CDPR and the OEHHA during preparation of the PEIR's risk assessment.

In addition, as detailed in Appendix C, *CEQA Tiering Strategy*, and Master Response 1, Scope of the Statewide Program, future Proposed Program activities would be evaluated by CDFA using the Tiering Strategy and Tiering Checklist to determine whether the activities would result in impacts not described in the PEIR. Any activities that would result in new significant, or more significant, impacts not described in the PEIR would be subject to future CEQA evaluation (i.e., an ND, MND, or EIR), which would have public comment periods. Furthermore, CDFA would keep records of completed Tiering Checklists and supporting documentation for the checklists.

Response to Comment 14809-7

Timeliness in responding to pest infestations is critical to successfully meeting pest management objectives. Streamlining the potentially time-consuming CEQA process is anticipated to result in improved pest management outcomes.

The primary purposes of the PEIR are to provide comprehensive and transparent CEQA coverage for future activities conducted under the Statewide Program, and to provide an efficient tool to streamline future CEQA compliance for implementation of these activities. The commenter is referred to the response above, and to Master Response 1, Scope of the Statewide Program, for further information about the use of the Tiering Strategy and Tiering Checklist.

The advantages of the PEIR and its Tiering Strategy are to provide uniform, updated MPs and mitigation measures that can be applied to CDFA's plant pest management activities under the Proposed Program.

Response to Comment 14809-8

CDFA is in compliance with its NPDES permit and has never violated it. In addition, the commenter is referred to Master Response 9, Water Quality, which provides further information on CDFA's approach to protecting water quality. Furthermore, as detailed in PEIR Volume 1, Chapter 5, *Cumulative Scenario*, CDFA considered a range of past, present, and reasonably foreseeable future projects to evaluate potentially significant cumulative impacts, and identified runoff of pesticides to water bodies as a known issue of concern. However, as detailed in Impact WQ-CUM-1, with implementation of Mitigation Measure WQ-CUM-1, the Proposed Program's incremental contribution to this significant cumulative impact would not be considerable.

Response to Comment 14809-9

Pest rating has been refined since LBAM was first evaluated. As detailed in PEIR Volume 1, Section 2.4.1, *Pest Evaluation*, the Proposed Program's pest rating system follows CDFA's adopted Pest Rating Process (contained in Title 3, Section 3172 of the CCR). After a determination is made that an organism is a pest, the Pest Rating Process is implemented to evaluate the pest and assign it a rating. The Pest Rating Process establishes a uniform and transparent method of evaluating pests, and provides opportunities for public input. Proposed ratings are available on CDFA's website for a 45-day comment period. Any interested party can use the standardized Pest Rating Proposal Form to propose a rating for a pest. The rating dictates the management response, which can include refusal of entry, return to owner, quarantine, treatment, holding, or destruction. In addition to CDFA's actions, the USDA evaluates all federal actions related to plant pests. USDA then sets eradication and quarantine triggers.

The commenter is referred to PEIR Volume 1, Section 2.4.1, *Pest Evaluation,* and the CCR's Section 3172 for further details on this process.

Response to Comment 14809-10

CDFA does not take any action without a science-based determination. The commenter is referred to PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, which lays out the role of science in each step of the IPM development and implementation via plant pest detection scientists, technical groups, science advisory panels, and input from USDA, the UC, other state agencies, and others in the scientific and research community. In addition, several sections of the document describe the science performed for the Proposed Program and PEIR analysis; future efforts to implement the Proposed Program; and future management activities based on science-based input. The commenter is referred to those sections: PEIR Volume 1, Section 2.4.1, *Pest Evaluation*; the detailed risk assessment analyses performed in the ERA and HHRA (Appendices A and B, respectively); and the PEIR's CEQA Tiering Strategy (Appendix C).

Response to Comment 14809-11

CDFA refers the commenter to the Responses to Comments 14809-1, 14809-3, 14809-4, and 14809-6, above. In addition, the commenter is referred to Master Response 18,

Comment Period Duration and Notice, which discusses the public comment and notification process.

Response to Comment 14809-12

The commenter does not provide any specific information that would conflict with the conclusions of the PEIR. As described in responses above—and in Master Response 4, Impacts on Agriculture; Master Response 5, Human Health; Master Response 7, Biological Resources; Master Response 8, Pollinators; Master Response 9, Water Quality—the PEIR provides a thorough, substantiated analysis of the Proposed Program's potential impacts on agriculture and soils, human health, biological resources, and water quality.

Response to Comment 14809-13

The commenter provides no specifics on their interactions with agencies, or whether they are referring to any interactions with CDFA. For this reason, CDFA can provide no additional response to the commenter's concerns about agency actions, except to state that the risk assessment and PEIR analysis used the best available scientific information, primarily relying on information published in peer-reviewed journals, and did not use any information not determined to be credible, whether the source of that information was industry or otherwise.

Response to Comment 14809-14

As described in the other responses to this comment letter, the PEIR includes a detailed, science-based analysis, and the Proposed Program would implement a number of MPs and mitigation measures to ensure that Californians are protected, and that significant impacts to human health and the environment are avoided. The PEIR followed all of CEQA's required public notification requirements, and the commenter has provided no information to suggest otherwise.

Response to Comment 14809-15

CDFA refers the commenter to Master Response 18, Comment Period Duration and Notice, regarding the public notification process; and Master Response 15, Comments in Support or Opposition to the Proposed Program, which discusses expressions of opinions or preferences regarding the PEIR and/or Proposed Program. CDFA engaged in a robust effort to engage the public and interest groups in the PEIR process.

Comment Letter 14811

From:	Eleanor Lyman
To:	CDFA Pest Prevention EIR@CDFA
Subject:	COMMENTS ON CDFA PEIR
Date:	Friday, October 31, 2014 1:50:50 PM
Attachments:	Template Comment Letter_Long10_31-RG.doc BCPUD Comment Letter - PEIR.PDF

Laura Petro, Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento CA 95814

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Petro:

I am deeply concerned and troubled about the proposed Department of Food and Agriculture's draft plant pest prevention and management programmatic environmental impact report.

I was witness to the 2007 aerial spraying by CDFA of *untested* pesticides that took place in Santa Cruz and Monterey. I talked with people whose health had been affected by the spraying and, since the spraying, had chronic asthma. These people became active in stopping the next proposed plan to aerial spray the whole Bay area in 2008.

14811-1

The plan was to aerial spray the whole Bay Area monthly for 7 years for the light brown apple moth. This was called an *emergency* so that no EIR would be necessary. Because of the public outcry this plan did not take place and the light brown apple moth turned out not to be a problem!

At that time I witnessed the CDFA's total unresponsiveness to people's concerns about the health impacts of the aerial spraying of pesticides.

Although I understand that the agency's task is to protect agriculture from unwanted pests, from having witnessed the LBAM plan, the CDFA is not an agency that I would entrust to protect the health, safety and welfare of the *public.* ***This is why I totally object to this agency having the power to make any plans without public notice and input!***

The program's "tiering strategy" improperly allows the Department to, in most cases, carry out program activities, approve new chemicals, new treatment areas, new pests, and any other change to the program using only a checklist and a "CEQA addendum." This addendum would require ***no public notice or review and no additional environmental analysis*** beyond the superficial discussions in this draft EIR.

14811-2

The result of this "tiering strategy" is that residents all over the state who are unaware of how this draft EIR might one day result in pesticide or other treatments in their communities will have no recourse to affect or stop those future treatments. This contradicts a basic purpose of the state's environmental laws: to inform the public ahead of time about activities that harm the environment and ensure that such harm is prevented. Oversight is needed and should be required.

Comment Letter 14811-cont.

Other elements of the Department of Food and Agriculture's draft plant pest prevention and management programmatic environmental impact report (EIR) I object to:

14811-3 o *This PEIR is a direct assault on organic farming.* Where I live, I am surrounded by organic farms. For one thing the EIR comments that organic farmers could sell as conventional after pesticide spraying takes place by CDFA ignores the fact that farms have business with regular buyers who would be lost, that organic farms could not be re-certified as organic for a period of 5 years. This would destroy the entire organic sector in California, cause huge business and financial losses and reduce the supply of organic foods in the marketplace and drive up costs. We want our organic farms, organic food supply and farm workers protected in California.

14811-4 o *The draft report continues the same pesticide-centered management practices that have been in use for decades* rather than proposing an approach that genuinely protects human health and the environment. The program calls itself "least toxic" when in fact it is not, relying on nearly 80 chemicals linked to cancer, birth defects, miscarriages reproductive harm, deaths of bees and other pollinators as well as other species - and with more chemicals potentially approved in the future. This needs to change.

14811-5 o *The EIR is overly broad in its scope.* The document covers the entire state and dozens of pesticides and unknown additional chemicals that might be added in the future, and most of the plant pests for which the Department now has projects as well as pests that are not yet identified. At the same time, much of the health and environmental impact analysis in the document is vague and general.

14811-6 The EIR states that many of the treatment activities it seeks to authorize are currently under way. These activities will continue without any further environmental review if this program is approved. In addition, as mentioned above, the "tiering strategy" allows the Department to approve future changes without any public scrutiny or additional in-depth environmental review.

This combination of factors means that this program poses potentially serious site-specific risks to health and the environment that have not been and will likely never be analyzed or disclosed, and the Department can continue to add to those risks without any further analysis, and without the public even knowing. This contradicts a basic purpose of the state's environmental laws: to inform the public ahead of time about activities that have potential environmental and public health impacts and ensure that these impacts are addressed.

In addition, many specific aspects of the document are flawed, including:

14811-7 1. The statement that aerial spraying will not take place in residential areas is meaningless because the EIR does not define what constitutes a residential area. Moreover, many rural and other areas of the state that might not appear to be residential are nonetheless inhabited. In
14811-8 addition, many areas with no human dwellings still host hikers, campers, and other travelers as well as sensitive animal and plant communities. Aerial spraying is not a "least-toxic" pest
14811-9 management tool and has no place in a program that claims to use least-toxic methods. It is not acceptable.

14811-10 2. The health and environmental impacts of the program are very superficially evaluated.

Comment Letter 14811-cont.

Here are just a few examples:

14811-11 o Infants are assumed never to be exposed to pesticide drift.

14811-12 o Young children are assumed not to play in gardens where there is residue from spraying carried out under the program.

14811-13 o The effects of the program's pesticides on pregnant women, the elderly, and those with chronic illness and multiple chemical sensitivity are not evaluated.

14811-14 o Endocrine-disrupting effects of program pesticide exposure are not evaluated.

14811-15 o The EIR states that pesticide spraying can take place at or near schools, yet no analysis is performed of the effect of this spraying on schoolchildren.

14811-16 o The fact that pesticide breakdown products can persist longer and be more toxic than the original product is ignored.

14811-17 o No location-specific analysis is presented of the impacts of program pesticides on surface, ground, or drinking water

14811-18 o Portions of the program violate the federal Clean Water Act and state Water Board permits

14811-19 o The analysis of impacts on pollinators, especially domestic and wild honeybees, is woefully lacking, and the Department's activities to support pollinators, such as providing water at border stations for bee transporters, are not sufficient to mitigate the impact of the program's use of neonicotinoid and other pesticides that are lethal to bees.

14811-20 This analysis is insufficient even for a program-level EIR and unquestionably insufficient to serve as project-level analysis under the California Environmental Quality Act.

14811-21 3. The impacts of program pesticide applications and pesticide drift on organic farms are evaluated in an unrealistic way that does not acknowledge the real effects on organic farmers and organic food consumers. For one thing under the program, these growers would bear the costs of growing organically without any assurance that they could sell their crops for the premium prices that organic food commands.

14811-22 The draft EIR artificially limits the analysis of agricultural impacts to the sole question of whether farmland would be taken out of production. This artificially narrow criterion both distorts the conclusions of the analysis and dismisses the serious impacts of the program on California's organic growers.

14811-23 4. The EIR appears to state that its proposed mitigation measures will prevent any impact from program pesticides on any environmental resource or on human health. This is not a credible conclusion and not supported by the evidence presented in the report and the *experience* in 2007 mentioned above.

14811-24 For example the program allows spraying within 30 feet of a water body and acknowledges that there are many water bodies in the state that are already contaminated with pesticides. How can the EIR then assert that it will have no impact on water quality?

14811-25 5. The EIR does not analyze less-toxic forms of pest control, such as those used by organic and ecological agriculture practitioners. The EIR dismisses - without supporting evidence - less- and non-toxic pest management alternatives, on the grounds that they would not work to eradicate or control pests or that their effectiveness is speculative. At the same time, the EIR asserts that the Department already uses "all feasible and effective management approaches" (page 7-12), but offers no evidence to support that claim.

14811-26 In particular, the EIR does not evaluate the large body of research and field evidence showing that healthy soil and healthy plants resist infestation by insects and that pesticide use weakens

Comment Letter 14811-cont.

14811-26 cont. plants and makes them more susceptible to pests. ***This research should form the basis for the Department to re-envision its outdated pest management approach in a manner that truly protects human health and the environment, which the current approach does not.***

14811-27 6. This program states that its primary objective is pest prevention, but its only prevention activities are exclusion at the border and by internal quarantine. The program does not implement pest prevention practices based on current scientific literature or field evidence as

14811-28 mentioned above. If the Department were serious about prevention as a primary objective, then the program would center around a long-term program facilitating conversion of California's farmers to healthy growing practices that build resilience in our agricultural system. Sustainable pest prevention builds plant health by building soil health, supporting pollinators and beneficial insects, and avoiding pesticides that weaken plant and soil health.

14811-29 7. A major objective of the program is pest eradication despite the evidence that eradication is rarely if ever possible, and that eradication programs end up being unacknowledged, perpetual chemical control programs, as demonstrated by the decades of the Department's own ongoing fruit fly "eradication" programs.

14811-30 For all of the above reasons, I ask the Secretary of Agriculture and the Department not to pursue the program outlined in the draft but instead to redirect their effort toward developing an approach to pest management that is in step with the values of the public, including consumers who are voting with their patronage for *more* organic produce, not less.

14811-31 California should lead the way toward agricultural policies that protect: (1) our state agriculture by strengthening soil health, plant health, pollinator and beneficial insect health;
14811-32 (2) the health of California's citizens, wildlife, and ecosystem; (3) our farmers' health and
14811-33 economic interests. The Department should devote its resources to developing a pest management approach that does not entail the use of toxic pesticides, and that benefits from the research that organic and sustainable farmers and others have done, to prioritize

14811-34 sustainable, ecologically sensitive pest management that creates a resilient, robust, healthy, and economically viable agricultural system for all of California's citizens and those outside the state who benefit from our agricultural production.

14811-35 My comments also endorse and incorporate the comments submitted by Earthjustice and ATA Law Group on behalf of California Environmental Health Initiative and Moms Advocating Sustainability, and others, and I ask that you address those comments in your response to my letter as well.

I am also including a letter from the Bolinas PUblic Utilities District regarding the PEIR which I agree with and support.

Sincerely,

Eleanor Lyman
Box 291, 49 Wharf Rd.
Bolinas, California 94924

Letter 14811: Eleanor Lyman (October 31, 2014)

Response to Comment 14811-1

CDFA recognizes that aerial spraying is a topic of great public concern; the Proposed Program only includes a small number of aerial spraying scenarios in production agriculture or large commercial nursery settings, and not in residential or urban areas. The HHRA evaluated the potential for residents to be present during such activities, because farms or ranches may be located in these settings. The analysis concluded that human health impacts would be below the established level of concern, and accordingly would be less than significant.

In addition, CDFA has updated the PEIR's Chapter 9, Glossary and Acronyms, text to include a revised "residential" and "urban" area definition as follows.

> A noncommercial area containing multiple or single family dwellings. Does not apply to a residence found in a commercial (e.g., farm) setting.

The Proposed Program does not include, nor did the PEIR analyze, any scenarios besides those identified above. Therefore, if in the future CDFA wished to conduct aerial spraying in a manner inconsistent with the scenarios described and evaluated in the PEIR (such as in a residential setting), it would conduct further evaluation under CEQA of these activities prior to their implementation.

Response to Comment 14811-2

The PEIR would in no way abridge CDFA's existing public outreach and notice process. CDFA would continue its existing program of public notification, which is described in the Draft PEIR, Chapter 2, *Proposed Program Description,* pages 2-4 and 2-5; and in Mitigation Measure HAZ-CHEM-1a (Section 6.5, *Hazards and Hazardous Materials,* page 6.5-19). In addition to the existing means of public notification, the PEIR would require further public notification as part of the tiered CEQA documentation which would be prepared on a project-by-project basis. This would include a 30- to 45-day public review period for comments and responses in cases where tiered NDs, MNDs, and EIRs are prepared. The commenter is correct that in instances where an activity is proposed for which the impacts have been fully addressed in the PEIR, CDFA would not be required under CEQA to prepare a document for public review. CDFA disagrees that the analysis in the PEIR is "superficial."

CDFA will always comply with CEQA's public notification and review requirements. On the whole, the PEIR provides for enhanced public notice and engagement, and will help CDFA act with transparency, and in compliance with the law. Please also see Master Response 1, Scope of the Statewide Program.

Response to Comment 14811-3

CDFA recognizes the importance of organic farming, and is committed to protecting and fostering organic agriculture. CDFA's Organic Program is responsible for enforcement of the federal Organic Foods Production Act of 2003, and the California Organic Products Act of 2003. These statutes protect consumers, producers, handlers, processors, and retailers by

establishing standards under which fresh agricultural products and foods may be labeled and/or sold as "organic."

As described in Response to Comment 14440-1 and Chapter 7, *Alternatives Analysis,* CDFA's experts have found that use of non-USDA organic pesticides may be necessary in certain instances to eradicate or control certain pests, including GWSS, ACP, exotic fruit flies, and JB. The PEIR's alternatives analysis found the currently available USDA organic pesticides, as well as alternative physical and biological methods, to be ineffective against these pests. Given the potential environmental and economic damage these pests could inflict (see Appendix F, *Pest Profiles*) if not promptly and effectively responded to, CDFA has determined that overall, its proposed management activities would be protective of organic agriculture. Note that Proposed Program activities would not result in decertification of organic farms.

CDFA acknowledges and cares about the impacts that these management activities may have on organic farms. To this end, CDFA will continue to work with organic growers to minimize the impacts of its activities and regulations on organic farms, and only require treatment of organic crops with non-USDA organic pesticides as a last resort to eradicate or control the spread of damaging agricultural pests.

Please see Master Response 3, Impacts on Organic Farming, for further discussion of organic farming in the context of the Proposed Program.

Response to Comment 14811-4

CDFA does not consider the Proposed Program to be "pesticide-centered." The Proposed Program includes a broad range of management strategies, including physical, biological, and chemical management approaches. CDFA would use an IPM approach in determining whether and how to carry out its pest management activities, including consideration of issues such as economic and environmental consequences. The PEIR considered a broad range of alternatives to the Proposed Program (see Master Response 12, Alternatives Analysis), including a No Pesticide Alternative. The analysis concluded that there are certain pests that cannot be effectively managed without chemical management techniques.

The potential impacts related to pesticide use under the Proposed Program were analyzed quantitatively in the ERA and HHRA, provided in Appendices A and B, respectively.[2] Conservative assumptions were used throughout to ensure that risk was not understated. Throughout the development of the risk assessment, regular consultation and review of risk assessment methods, assumptions, and results were conducted in coordination with OEHHA and CDPR staff to help ensure that they supported the risk assessment methodology and conclusions.

The risk assessment concluded that, if chemicals are used as described in the Proposed Program, they would not pose a human health risk exceeding a level of concern to workers or others who may be exposed to these chemicals. Although impacts on ecological receptors

[2] Certain chemicals that were determined to not have the potential to pose significant risk to humans or ecological receptors, as well as certain chemicals that commonly are used in household or other settings (such as bleach), were not subjected to a quantitative analysis.

were determined to be possible, mitigation measures were identified to reduce such impacts. For a more complete description of the risk assessment, its conclusions, and the CEQA analysis that builds off of the risk assessment, please refer to Section 6.0.6, *Environmental Risk*; Section 6.2, *Air Quality*; Section 6.3, *Biological Resources*; Section 6.5, *Hazards and Hazardous Materials*; Appendix A, *Ecological Risk Assessment;* and Appendix B, *Human Health Risk Assessment*.

In addition, please refer to the following master responses for a summary of the PEIR's conclusions related to:

- Human health: Master Response 5, Human Health; and Master Response 6, Comments Regarding Multiple Chemical Sensitivity
- Ecological receptors: Master Response 7, Biological Resources
- Pollinators: Master Response 8, Pollinators

Response to Comment 14811-5

The scope of analysis and level of detail in the PEIR are appropriate for a programmatic analysis, given the broad nature of the Proposed Program. The analysis is actually quite detailed and not "vague and general" as the commenter suggests. For example, a highly detailed risk assessment and impact evaluation were performed in a manner consistent with standard industry practice using U.S. EPA and/or State of California methodology. Specific scenarios that could be conducted under the Proposed Program were selected and analyzed. Because these scenarios may take place in various locations in the state, no site-specific (e.g., Central Valley only) analyses were done. Instead, conservative assumptions on exposure routes, exposed receptors, pesticide environmental fate, etc., were made to reasonably represent a "worst-case scenario" that would be representative of most scenarios.

Additional site-specific analysis would be conducted to confirm the results of the PEIR analysis prior to implementing activities, and further analysis would be conducted as necessary where significant impacts not considered in the PEIR are determined to be possible. Please see Master Response 1, Scope of the Statewide Program, for a discussion of the Proposed Program's tiering strategy.

Response to Comment 14811-6

Although it is true that the Statewide Program is ongoing, CDFA would always conduct a site-specific environmental analysis of Proposed Program activities. This would include CDFA's public notification protocols. In addition, the Tiering Strategy provides for CDFA to conduct additional in-depth environmental analysis and public review where necessary to comply with CEQA. CDFA would always comply with CEQA, consider environmental and public health impacts, address these impacts, and notify the public as required by CEQA. Please see Master Response 1, Scope of the Statewide Program, for further discussion of the Proposed Program's Tiering Strategy.

Response to Comment 14811-7

See Response to Comment 14811-1, which discusses aerial spraying in the context of the Proposed Program. CDFA has updated the PEIR's Chapter 9, Glossary and Acronyms, text to include a revised "residential" area definition as follows:

> Residential: A noncommercial area containing multiple or single family dwellings. Does not apply to a residence found in a commercial (e.g., farm) setting.

That said, since farms or ranches may be located in production agriculture, bulk citrus, or large production nursery settings where aerial spraying may occur, the Human Health Risk Assessment (HHRA) evaluated the potential for residents (the "downwind bystander") to be present during such spraying activities. The analysis concluded that human health impacts would be below the established level of concern, and accordingly would be less than significant.

Response to Comment 14811-8

The PEIR evaluated specific scenarios and the areas in which they could occur. Proposed Program activities would not take place in recreational areas that would host hikers and campers. Notwithstanding, the analysis of the resident and the Post-Application Resident (PAR) in the residential treatment scenarios analyzed would conservatively represent a hiker or camper. Because the resident and the PAR were not found to be at risk, then the camper or hiker would likewise not be at risk.

For a discussion of the Proposed Program's potential impacts to sensitive animal and plant communities, please refer to PEIR Section 6.3, *Biological Resources.*

Response to Comment 14811-9

CDFA is committed to using the safest and most efficacious management tool that is effective in responding to a pest infestation. The aerial spraying scenarios under consideration for the Proposed Program were evaluated in the HHRA, and determined to not have the potential to result in adverse human health impacts.

Response to Comment 14811-10

Please see Response to Comment 14811-5, above; and Response to Comments 14811-11 through 14811-19, below.

Response to Comment 14811-11

For any given scenario in the HHRA, the decision to assess a receptor was based on whether that receptor could reasonably be assumed to have exposure to the pesticides and inert ingredients used in that particular scenario. In the case of the DWB, an infant between the ages of 0 and <2 years was deemed to have a discountable level of exposure, because an infant spends most of his/her time indoors under supervision of an adult. Furthermore, the infant is believed to spend only a few hours, if any, outdoors in areas affected by drift. The life stage of the child (ages 2 to <16 years) is based on U.S. EPA (2005q), and this child was

quantitatively considered. For the purposes of this HHRA, a child becomes an adult (physically mature) at age 16. An adult receptor has the potential to be exposed for 24 years, based on the recommended exposure duration for an adult resident in DTSC (2011a); this receptor was also quantitatively considered.

Response to Comment 14811-12

The potential risk to a child Post-Application-Resident (PAR) between the ages of 2 and <16 yearswas assessed for dermal contact with residues from Proposed Program-applied pesticide active and inert ingredients on plant surfaces and soil; incidental ingestion of residues on vegetation from hand-to-mouth activity; and ingestion of treated produce and soil. The assessments of these exposure pathways were determined to result in the highest potential for risk to the child, and are expected to be health-protective of all other related child exposures.

For any given scenario in the HHRA, the decision to assess a receptor was based on whether that receptor could be reasonably assumed to have exposure to the Proposed Program-applied pesticide active and inert ingredients used in that particular scenario. An infant between the ages of 0 and <2 years was deemed to have de minimis exposure. An infant spends most of his/her time indoors and away from areas affected by CDFA treatments. When outdoors, an infant is typically under adult supervision; is less mobile than children over the age of 2 years; and therefore is less likely to spend a significant duration of time in areas targeted for CDFA treatments. CDFA treatments on residential properties have the potential to target tree canopies, soil immediately around the trunk of a tree, and garden foliage; but not lawns. CDFA always notifies the residents prior to applying pesticides on the property.

Response to Comment 14811-13

The HHRA uses the U.S. EPA standard procedure of comparing scenario- and receptor-specific MOE estimates to a 100-fold safety factor (U.S. EPA, 2007). MOEs greater than 100 are generally considered not to be of concern. This approach provides confidence that sensitive receptors (e.g., the elderly, sick people, or pregnant women) are accounted for.

Inherent in the MOE approach used in this risk assessment is the incorporation of safety/ uncertainty factors. Two safety factors were used: one for interspecies variability (10×) and another for intraspecies variability (10×). These two safety factors together result in a value of 10 × 10 = 100 for the MOE. Interspecies safety/uncertainty factors are intended to account for uncertainty in extrapolating animal data to humans; they are intended to account for variation in susceptibility (i.e., differences in sensitivity) among members of the human population (e.g., differences based on sex, race, age, and health conditions).

For cancer risk assessments, the procedures used to extrapolate cancer potency factors from epidemiological or animal carcinogenicity data are generally health-protective in that they determine an upper confidence bound on the risk experienced by an exposed population. These procedures are intended to include the majority of variability in the general human population, including more sensitive individuals, within the confidence bounds of the estimate.

In certain cases, data are available allowing further refinement in the characterization of risk for more susceptible sub-populations. For example, age-dependent adjustment factors (ADAFs) were incorporated into the cancer risk assessment to account for differences in cancer susceptibility based on age of exposure (U.S. EPA, 2005q). These adjustments, in addition to the default conservative approach to deriving cancer potency factors, further increase the health-protection for sensitive sub-populations.

Additional safety/uncertainty factors were included throughout the assessment, where appropriate. These factors are intended to account for 1) uncertainty in extrapolating from data obtained in a study with less-than-lifetime exposure (e.g., extrapolating sub-chronic to chronic exposure); 2) uncertainty in extrapolating from the Lowest Observable Adverse Effect Level (LOAEL) rather than a NOAEL; or 3) uncertainty associated with extrapolation when toxicity data are limited or incomplete.

Please see Master Response 6, Comments Regarding Multiple Chemical Sensitivity, for further discussion about MCS.

Response to Comment 14811-14

Although endocrine disruptors are generally considered to have the potential to cause adverse effects, considerable uncertainty exists regarding the relationship between endocrine disruptor exposure and adverse health outcomes. In many cases, only screening level data are available to indicate the potential for a chemical to interact with the endocrine system in a way that may produce an adverse effect (U.S. EPA, 2011v). In general, these and other forms of endocrine disruptor data are not sufficient for conducting a risk assessment. As a result, endocrine disruption was not explicitly assessed in the HHRA. However, if suitable endpoints were available for an adverse effect that may result from endocrine disruption (e.g., developmental toxicity or carcinogenicity), those endpoints were considered in the risk analysis. In this way, the HHRA implicitly accounted for various endocrine-disrupting effects.

Response to Comment 14811-15

The PEIR addresses management approaches to Proposed Program-related activities at or near schools in the Impact Analysis of Section 6.5, *Hazards and Hazardous Materials*. Impact HAZ-CHEM-2, on page 6.5-19, states:

> "Although generally unlikely and to be avoided when possible, under the Proposed Program, pesticides may need to be applied at or near existing or proposed school sites. If an infestation of a potentially economically damaging pest was detected on vegetation in a school playground, for example, and physical eradication methods or biological methods were determined to be infeasible or ineffective, then that infestation may be eradicated using chemical methods. As required under the California Education Code, if such a situation were to occur, only EPA-registered pesticide products would be used; school facilities would be notified in advance of the application; records of pesticide applications would be kept and made available to the public, and warning signs would be displayed at pesticide application areas. CDFA also would attempt to conduct the activity when children are not present and with adequate reentry time before they return. None of the pesticide products

> proposed to be used under the Proposed Program meet the criteria specified in Section 17610, and thus they are permitted for use at school sites. Existing laws and regulations would apply to the handling of any pesticides on school property, to provide safe handling and reporting of use. CDFA will work with schools to ensure that pesticide applications occur at a time when children are least likely to present. Therefore, the impact would be less than significant."

The HHRA risk assessment of the child PAR is protective of a school child. The child PAR is assumed to have the potential for exposure to Proposed Program-applied pesticide active and inert ingredients, after treatment of his/her property, through dermal contact with residues on plant surfaces and soil, incidental ingestion of residues on vegetation from hand-to-mouth activity, and ingestion of treated produce and soil.

Response to Comment 14811-16

With one exception, we are unaware of any pesticide active ingredients that may be used under the Proposed Program, and whose environmental degradates are considered more toxic than the parent compound. The one exception is acephate, and its degradate methamidophos. Our analysis did consider methamidophos and, consistent with U.S. EPA methodology, conservatively assumed a 25 percent conversion rate of acephate to methamidophos upon release into the environment. This value is highly conservative and health-protective.

Response to Comment 14811-17

Proposed Program treatments would not occur in proximity to drinking water resources. Furthermore, regulatory requirements of the NPDES permit and Ag Waivers program (discussed further in the ERA and PEIR Volume 1, Section 6.7, *Water Quality,* of the PEIR) ensure that appropriate measures would be taken to ensure that the pesticide ingredients from the Proposed Program do not significantly impact surface water.

Based on the most recent 5 years of Ground Water Protection List (GWPL) data in the CDPR groundwater database (CDPR, 2014a), no Proposed Program pesticide was detected in groundwater above its respective water quality objective.

In addition, site-specific analysis, including an examination of potential water quality impacts, will occur as part of the Proposed Program's Tiering Strategy.

Response to Comment 14811-18

This statement is completely unfounded. CDFA conducts its activities in compliance with the federal Clean Water Act and its NPDES Spray Applications Permit issued by the SWRCB, and would continue to do so under the Proposed Program. Similarly, through compliance agreements, CDFA would require that all regulated entities (e.g. growers) comply with Clean Water Act requirements.

Response to Comment 14811-19

The PEIR includes a detailed evaluation of impacts to pollinators, including significance determinations related to special-status pollinators; and appropriate mitigation, including for potential use of neonicotinoids under the Proposed Program. Please see Master Response 8, Pollinators, for a discussion of PEIR's analysis and conclusions related to pollinators.

Response to Comment 14811-20

The PEIR is a program-level document, and is not intended to serve as a project-level EIR. The scope of analysis and level of detail in the PEIR are appropriate for a programmatic analysis, given the broad nature of the Proposed Program. That said, the analysis is quite detailed and may address individual activities that do not have any new or more significant impacts than were considered and disclosed in the PEIR. CDFA would document such determinations through its Tiering Strategy checklist and accompanying CEQA documentation, as needed.

Response to Comment 14811-21

Please see Master Response 3, Impacts on Organic Farming, for a discussion of potential impacts to organic farmers.

Response to Comment 14811-22

The PEIR uses the criteria from CEQA Guidelines Appendix G, which identify significant impacts as those which cause agricultural land to convert to non-agricultural uses. Please also see Master Response 3, Impacts on Organic Farming, and Master Response 13, General Impacts to the Environment.

Response to Comment 14811-23

The PEIR includes a detailed evaluation of the potential for use of pesticides under the Proposed Program to result in significant impacts on human health and environmental resources, and includes a number of feasible and effective mitigation measures to ensure that impacts would not be significant. The PEIR analysis is based on substantial evidence and the best available science. The commenter has provided no evidence to support its allegation that the conclusions of the PEIR are not credible.

Response to Comment 14811-24

Please see Master Response 9, Water Quality, for a discussion of potential impacts to water quality.

Response to Comment 14811-25

The risk assessment did in fact evaluate several pesticides and inert ingredients commonly used in organic farming, including but not limited to: Bt, Spinosad, Spirotetramat, alpha and beta pinenes, limonene, copper, eugenol, cumene, hydrolyzed corn gluten, mineral oil, neem

oil, and pyrethrins. Other types of MPs, including physical, cultural, and biological controls, were also considered in the PEIR. It is unclear which "less- and non-toxic pest management alternatives" were dismissed from the PEIR that the commenter would have liked to see included as part of the Proposed Program. CDFA considers a full range of management approaches when determining the most appropriate management response.

Response to Comment 14811-26

CDFA agrees that on-farm practices leading to healthy soil and healthy plants may result in increased resistance to pests. CDFA encourages farmers to engage in such practices to reduce their risk of pest infestations, and reduce the need to implement the Proposed Program's pest management responses. The Proposed Program is intended to operate in tandem with such practices as part of a holistic approach to pest prevention and management.

Response to Comment 14811-27

As described in the PEIR's Section 2.2, *Program Goals and Objectives*, the Proposed Program has multiple objectives that include pest prevention but also many others. Although certain pest prevention activities are not detailed in the PEIR because they are not part of the Proposed Program, CDFA's pest prevention activities agency-wide are not limited to exclusion at the border and internal quarantines, as the commenter suggests. Through a Memorandum of Understanding with CACs, CDFA performs specific actions to maintain a pest introduction deterrent for the entire state. These actions include regulating the movement of target pests from an infested area to a protected area, and cooperating with the federal government and other states. To deter the introduction of pests from an infested area, CDFA will:

- Regulate surface vehicles entering protected areas from areas of past contamination at points that will provide statewide protection, and at appropriate times to be effective;
- Monitor air and maritime traffic entering California, including inspecting all cargo shipments, and spot checking travelers; and
- Maintaining terminal inspection at U.S. Post Offices, common carriers, and hay and grain terminals.

Cooperation efforts for pest prevention involve promoting uniform pest exclusion regulations, and strengthening and encouraging valid origin certification.

Response to Comment 14811-28

Please see Master Response 14, Ecological-Agriculture Approach.

Response to Comment 14811-29

It is true that eradication is a major goal of the Proposed Program. However, the Proposed Program takes an adaptive management approach to addressing plant pests. In cases when

eradication is deemed infeasible, CDFA will take other approaches (e.g., suppression) in response to a pest infestation.

Response to Comment 14811-30

The Secretary of CDFA has considered public comment and alternatives, and finds this approach to be feasible and most likely to meet the CDFA's goals, objectives, and legislative mandate.

Response to Comment 14811-31

CDFA agrees and does lead the way toward agricultural policies that protect California agriculture.

Response to Comment 14811-32

The PEIR's impact analysis demonstrates that the Proposed Program would be protective of humans, wildlife, and the environment in general.

Response to Comment 14811-33

The Statewide Program helps protect the agricultural industry from the economic damages of pest infestations, while minimizing economic burdens on farmers.

Response to Comment 14811-34

Please see Master Response 2, Integrated Pest Management Approach, for discussion about the IPM approach; and Master Response 14, Ecological-Agriculture Approach.

Response to Comment 14811-35

The attached letters have been responded to elsewhere in this PEIR.

Comment Letter 14821

From: Pulverman, Joshua@DOT
To: CDFA Pest Prevention EIR@CDFA
Cc: Scott.Morgan@opr.ca.gov
Subject: Caltrans Comments re: Statewide Pest Prevention Draft PEIR
Date: Friday, October 31, 2014 3:05:12 PM
Attachments: Statewide Pest Prevention and Management_PEIR_10312014.pdf

Good afternoon,

Thank you for the opportunity to review and comment on the Draft Program Environmental Impact Report (PEIR) for the Statewide Pest Prevention and Management Program (SCH# 2011062057).

Attached are our comments for your review and consideration. The original signed letter has been mailed to your office.

If you should have any questions or require additional information, please do not hesitate to contact me.

Thank you,

Joshua Pulverman

Statewide LD-IGR Coordinator
Assoc. Trans Planner, Office of Sustainable Community Planning
Caltrans Div. of Transportation Planning
1120 N Street, MS-32
Sacramento, CA, 95814
Phone: (916) 653-0808

Plans are nothing; planning is everything
Dwight D. Eisenhower

Comment Letter 14821-Cont.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION PLANNING
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PHONE (916) 653-1067
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TTY 711
www.dot.ca.gov/hq/tpp/

Serious Drought.
Help save water!

October 31, 2014

Ms. Laura Petro
Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814

SCH # 2011062057
PEIR

Subject: Statewide Pest Prevention and Management Program Draft Program Environmental Impact Report (PEIR)

Dear Ms. Petro:

Thank you for the opportunity to review and provide comments on the Statewide Pest Prevention and Management Program Draft Program Environmental Impact Report (PEIR) SCH# 2011062057. Through this program, the California Department of Food & Agriculture (CDFA) plans to implement a CEQA Tiering Strategy, a checklist tool and guide for project-level CEQA compliance and integration of new pest programs and management techniques.

14821-1 Caltrans previously commented on the Notice of Preparation (NOP) for the Statewide Plant Pest Prevention and Management Program. We would like to acknowledge and thank CDFA for incorporating prior comments regarding identification of chemical compounds and their concentrations.

The Department's Local Development-Intergovernmental Review (LD-IGR) Program is your partner in stewardship of the public interest, our part of which are the present and future mobility needs of California. We offer the following comments at this time:

14821-2
- The document has no documentation of Best Management Practices (BMP's) when applying pesticides. There is no reference to identifying potential impacts (not assessing the site and covering drain inlets, locating drainages, etc). Buffer zones from water bodies are discussed, however, by not addressing drainage channels, swales and drain inlets; you can still have pesticides impacting water bodies through these elements.

14821-3
- Within the Volume 1, Main Body document in the table of contents, the title of 2.11 should to be changed from "Progr5m" to "Program".

In addition to the comments above, we would like to reiterate comments from our July 18, 2011 letter regarding the NOP that appear to not have been addressed in the PEIR.

14821-4
- Please examine the potential for freight movement and uncovered loads that contribute to the spread of invasive species. The greatest concern from control of noxious weeds is the

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Comment Letter 14821-Cont.

14821-4 cont'd

spreading of seeds by hay transport along the highways.

14821-5

- Please address how prevention and management techniques would be incorporated into or impact existing practices regarding both construction and maintenance of public transportation facilities.

For questions regarding this comment letter please contact Joshua Pulverman, Local Development-Intergovernmental Review (LD-IGR) Statewide Coordinator, Office of Sustainable Community Planning at (916) 653-0808, or at josh_pulverman@dot.ca.gov.

Sincerely,

TERRI PENCOVIC
LD-IGR Statewide Program Manager
Office of Sustainable Community Planning

cc: Scott Morgan, State Clearinghouse

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Letter 14821: Terri Pencovic, California Department of Transportation (Caltrans), Office of Sustainable Community Planning (October 31, 2014)

Response to Comment 14821-1

CDFA appreciates Caltrans' provision of comments on the NOP, and being an active voice in the CEQA process.

Response to Comment 14821-2

Pesticide use is governed by an extensive regulatory process, and by label requirements designed to ensure that they do not result in adverse effects. In addition to these requirements, the PEIR includes a suite of MPs, as described in Volume 1, Section 2.11, *Program Management Practices*, page 2-26. CDFA is also required to adhere to the BMPs contained in its NPDES permit, included in the PEIR Volume 3, Appendix E*, NPDES Permit*, beginning on page E-28. The PEIR concludes that with these measures in place, pesticides would not reach water bodies or would be well below the threshold for significant impacts. Please refer to Master Response 9, Water Quality, for further discussion of potential impacts to water quality and runoff.

Response to Comment 14821-3

PEIR Volume 1, Main Body Table of Contents, Section 2.11, *Program Management Practices*, the text has been changed as follows:

~~Progr5m~~Program

Response to Comment 14821-4

CDFA's first line of defense against the spread of seeds from noxious weeds from freight movement and uncovered loads along highways is through its state border protection stations (BPS). At these stations, vehicles are inspected for commodities infested with invasive species. Sixteen of these facilities are located on the major highways entering the state. At these stations, vehicles and commodities are checked to ensure they are pest free and meet all regulatory requirements.

Response to Comment 14821-5

Caltrans would be the lead agency for pest management activities in areas under its jurisdiction, such as Caltrans rights-of-way. The PEIR is specific to CDFA's Proposed Program, and would not apply to activities conducted with Caltrans as a lead agency. However, the PEIR could be leveraged as a CEQA compliance document for pest management activities under Caltrans' jurisdiction. For a description of how this may be accomplished, please refer to Appendix C, *CEQA Tiering Strategy*.

Comment Letter 16552

From:	Sandy Ross
To:	CDFA Pest Prevention EIR@CDFA
Subject:	Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report
Date:	Friday, October 31, 2014 1:58:50 PM
Attachments:	DPEIR CDFA LBAM Ed fnl .pdf

response to DPEIR by Edward S. Ross, Ph.D. - **Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report**

Laura Petro,

Senior Environmental Scientist California

Department of Food and Agriculture

1220 N Street, Suite 221

Sacramento CA 95814

PEIR.info@cdfa.ca.gov

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Petro:

I am dismayed that younger generations of entomologists are so eager to spray poison over this once grand, verdant State. Even when I was @ UC Berkeley my colleague Dr. Evert Schlinger had problems with spray jockies contaminating the fields he was using natural pest control in. And we still believe Dr. Van Den Bosch was killed by pro-pesticide people.

I have many concerns about the CEQA deficient Draft Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report (DPEIR). Therefore I incorporate and endorse comments submitted by EARTHJUSTICE and ATA on behalf of California Environmental Health Initiative, MOMS Advocating Sustainability, and others, and ask that you address those comments in your response to my letter as well.

The Department should set aside this totally inadequate, flawed document,

Comment Letter 16552-Cont.

abandon toxic spray applications, and eliminate eradication as a (non-achievable) goal.

I ask the Department to develop a program that centers on pest prevention, not on chemicals for pest management; one that promotes farming methods that prevent pest infestations by building healthy soil and avoiding the use of pesticides that weaken plant and soil health; and that produce nutritious healthy food uncontaminated by toxic residues, thereby protecting the health of all Californians and of the environment, including bees and other sensitive species.

I refer you to nearby UC Davis which has specialists in entomology and agriculture. My colleagues Dr. James R. Carey and Dr. Frank Zalom have the type of experience CDFA needs; they are producing thoughtful research which should be used by planners when considering actions on insect pests. Your PEIR is inadequate without referencing and responding to their research and publications.

Eradication of an insect species is essentially a false goal, used by CDFA to get state and federal money – declare success – and then another "invasion" the following year, to get money again, again, and again. Once a species has reached enough population to be noticed/trapped, it is essentially impossible to eradicate it (sample literature: Myers et al (1998)); any observant entomologist knows this. DPEIR is inadequate as it does not fully address this. Suppression and/or control are possible, can be accomplished with (true) Integrated Pest Management, and should be the goal of the program – but not with the inaccurate lists in DPEIR at 2-16/17. Furthermore there is no exit strategy for projects which mean the DPEIR effectively authorizes treatments for pests indefinitely – making it obvious document is a means to getting ongoing funds and job security.

I am particularly disturbed by dismissal of Environmental Illness and Multiple Chemical Sensitivities. My wife was sprayed by pesticides nearly have a century ago. I have watched her struggle with every aspect of living, always researching for a way to reduce ongoing symptoms, There were days – weeks – even years when she could only take care of the basics – having lost ability to participate in her own health professional career. She learned how to substitute non-toxic products and avoiding food sprayed by pesticides. We are told by knowledgeable doctors that if she is in an area that gets sprayed, it will lead to a horrid death. How will you prevent this? You do not have a NO Spray list, and no chance for the public to know about and comment on a spray plan. The DPEIR needs to fully address EI/MCS, keeping in mind that people with this condiiton can be entitled to protection by Americans With Disabiliry Act.

Wholesale extermination of insects is very unwise. We really do not know their full place in the web of life. Can you imagine the stench of rotting flesh if it were not for the actions of dermestid beetles? Spiders keep down populations of insects. Until the total acreage to be sprayed is calculated – including how many times – and a full inventory of its populations – the impact of Proposed Programs cannot be evaluated.

Comment Letter 16552-Cont.

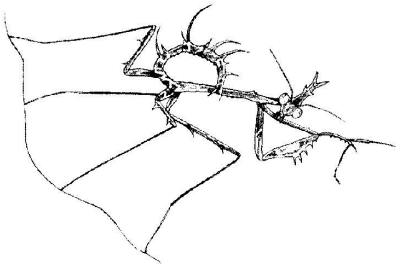
I recommend this entire document be set aside, and a new approach developed which focuses on realities of what can be done, rather that perpetuating a funding funnel that does not produce what it claims.

With great concern and sincerity,

Edward S. Ross, Ph.D., Emeritus Chairman & Curator, Dept. of Entomology, California Academy of Sciences (75 years); formerly on teaching staff University of California, Berkeley; author many research papers and articles, most recent book: Insects and Plants, A Living Theater, Mariposa Press, Gainesville, Fl, The Florida Biodiversity Foundation

Sent from my wired desktop computer.

Comment Letter 16552-Cont.



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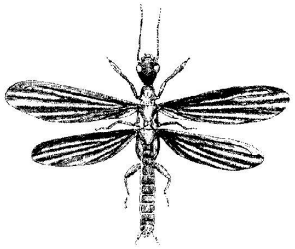

Laura Petro,
Senior Environmental Scientist California
Department of Food and Agriculture
1220 N Street, Suite 221
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Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

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16552-1 The Department should set aside this totally inadequate, flawed document, abandon toxic spray applications, and eliminate eradication as a (non-achievable) goal.

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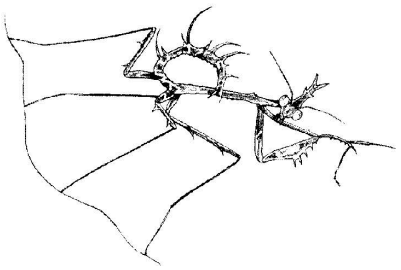
PHONE: (415) 383-5343 FAX: (415) 381-9214
PROFESSIONAL POSITION: CURATOR EMERITUS OF ENTOMOLOGY,
CALIFORNIA ACADEMY OF SCIENCES, SAN FRANCISCO

Comment Letter 16552-Cont.



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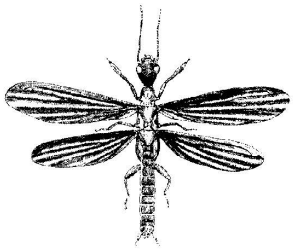

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16552-5 can be accomplished with (true) Integrated Pest Management, and should be the goal of the program – but not with the inaccurate lists in DPEIR at 2-16/17. Furthermore there is no exit strategy

16552-6 for projects which mean the DPEIR effectively authorizes treatments for pests indefinitely – making it obvious document is a means to getting ongoing funds and job security.

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16552-9 Spiders keep down populations of insects. Until the total acreage to be sprayed is calculated – including how many times – and a full inventory of its populations – the impact of Proposed Programs cannot be evaluated.

16552-10 I recommend this entire document be set aside, and a new approach developed which focuses on realities of what can be done, rather that perpetuating a funding funnel that does not produce what it claims.

With great concern and sincerity,

Edward S. Ross, Ph.D., Emeritus Chairman & Curator, Dept. of Entomology, California Academy of Sciences (75 years); formerly on teaching staff University of California, Berkeley; author many research papers and articles, most recent book: Insects and Plants, A Living Theater, Mariposa Press, Gainesville, Fl, The Florida Biodiversity Foundation

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CALIFORNIA ACADEMY OF SCIENCES, SAN FRANCISCO

Letter 16552: Edward S. Ross (October 31, 2014)

Response to Comment 16552-1

With respect to the comment that the Draft PEIR is a "totally inadequate" and "flawed" document, CDFA disagrees. The Draft PEIR was developed to comply fully with the letter and underlying intent and purposes of CEQA. In accordance with CEQA, the Draft PEIR evaluated a reasonable range of feasible alternatives (see Master Response 12, Alternatives Analysis); in addition, other alternatives were considered but rejected for further analysis due to infeasibility or failure to meet most of the goals and objectives of the Proposed Program.

The PEIR is a program-level EIR. In accordance with CEQA Guidelines (see Section 15168), the Statewide Program EIR:

- Provides a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action;
- Ensures consideration of cumulative impacts that might be slighted in a case-by-case analysis;
- Avoids duplicative reconsideration of basic policy considerations;
- Allows CDFA to consider broad policy alternatives and program-wide mitigation measures at an early time, when the agency has greater flexibility to deal with basic problems or cumulative impacts; and
- Allows reduction in paperwork.

The PEIR is not intended to provide exhaustive coverage of all future activities potentially undertaken by CDFA in its Statewide Program. Instead, using the Tiering Strategy described in the PEIR (see also Master Response 1, Scope of the Statewide Program), subsequent activities in the Proposed Program will be examined in light of the PEIR to determine whether an additional environmental document needs to be prepared. This programmatic approach is entirely consistent with CEQA (see CEQA Guidelines Section 15168[c]).

With respect to the comment that CDFA "abandon toxic spray applications," the PEIR fully considered the potential impacts of the pesticide use, and determined that when conducted in compliance with Proposed Program requirements and PEIR mitigation measures, human health and biological resources would be protected. In addition, the following alternatives to the Proposed Program were considered in the PEIR:

- No Pesticide Alternative;
- No Pesticides, Synthetic Lures, or Synthetic Attractants Alternative;
- Reduced Pesticide Use Intensity Alternative;
- Pesticide Phase-Out and Replacement Alternative; and
- USDA Organic Pesticide Alternative.

These alternatives were not selected for the reasons stated in the PEIR and in Master Response 12, Alternatives Analysis.

With respect to the comment that CDFA "eliminate eradication as a (non-achievable) goal," see Response to Comment 16552-4, below.

Response to Comment 16552-2

The Proposed Program would encompass a range of pest prevention, management, and regulatory activities, to be carried out or overseen by CDFA to address specific plant pests. The Proposed Program is not centered on chemical pesticides, but rather recommends the application of such pesticides in cases where non-chemical approaches will not achieve the desired goal of pest management. Please see Master Response 2, Integrated Pest Management Approach, for a further discussion of the Proposed Program's IPM approach.

CDFA also encourages farmers to use on-farm practices that minimize the potential for pest infestations; such on-farm practices are not within CDFA's jurisdiction to mandate. See Master Response 14, Ecological-Agricultural Approach, for further discussion of this topic.

With respect to the comment that the Proposed Program would adversely affect healthy soil, please see Master Response 4, Impacts on Agriculture. For potential impacts to human health, please see Master Response 5, Human Health. Master Response 7, Biological Resources, and Master Response 8, Pollinators, address potential impacts to ecological receptors and pollinators, respectively.

Response to Comment 16552-3

CDFA reviewed many of the recent articles published by Dr. James R. Carey and Dr. Frank Zalom while developing the Proposed Program and conducting the PEIR analysis, and will continue to consider their research when contemplating actions on insect pests.

Response to Comment 16552-4

CDFA is mandated by the legislature to "eradicate" pests if necessary; see CFAC Section 5321, and Section 5322. "Eradication" is also recognized as a real and valid goal internationally. CDFA follows guidelines published by the IPPC, including International Standards for Phytosanitary Measures; follows guidelines published by NAPPO, including NAPPO Regional Standards for Phytosanitary Measures; and participates as a member state in the National Plant Board.

Response to Comment 16552-5

CDFA agrees that suppression and/or control is possible. These approaches are part of the Proposed Program. The commenter does not provide an explanation as to why he views the lists in the Draft PEIR as inaccurate, so CDFA is unable to respond to this comment.

Response to Comment 16552-6

The "exit strategy" of CDFA treatments is the successful eradication or containment of a pest infestation.

Response to Comment 16552-7

Potential application treatments in the Proposed Program have been subjected to an intensive HHRA (see Appendix A). This assessment is based on up-to-date and rigorous scientific analysis, and concludes that the Proposed Program's palette of application scenarios is safe for humans. Prior to any treatment, CDFA does and would contact all affected homeowners, and consider all inquiries and special requests. CDFA does and would hold public meetings, visit homes, distribute educational door hangers, and provide local experts to educate the public—such as the County Public Health Director; state partners such as OEHHA and CDPR; and industry stakeholders. Please see Master Response 6, Comments Regarding Multiple Chemical Sensitivity, with respect to environmental illness and multiple chemical sensitivities. CDFA is unaware of any legal requirement for a "no spray" list.

Response to Comment 16552-8

The purpose of the Proposed Program is not the "wholesale extermination of insects." Rather, the purpose of the Program is to protect California from damage caused by the introduction or spread of harmful plant pests. Goals of the Proposed Program include: (1) providing rapid response resources to address pest infestations as they occur; and (2) using an IPM approach in conducting activities. Please see Master Response 8, Pollinators, for further discussion of potential impacts to ecological receptors.

Response to Comment 16552-9

The PEIR is a programmatic document. Impacts associated with individual projects under the Proposed Program will be addressed via the Tiering Strategy, and in full compliance with CEQA.

Response to Comment 16552-10

The Proposed Program uses an IPM approach that is based on the most up-to-date scientific information available for effectively addressing plant pest infestations. Please see Master Response 2 for further discussion of the proposed IPM approach.

Comment Letter 16555

From:	tfuss@volkerlaw.com
To:	CDFA Pest Prevention EIR@CDFA
Subject:	Comments of NCRA on CDFA"s Draft PEIR for SCH # 2011062057, Statewide Plant Pest Prevention and Management Program
Date:	Friday, October 31, 2014 4:46:21 PM
Attachments:	Comments of NCRA on CDFA Draft PEIR for SCH 2011062057.pdf

Dear Ms. Petro,

Attached please find North Coast Rivers Alliance's comment letter pertaining to CDFA's August 2014 Draft Programmatic Environmental Impact Report ("DPEIR") for the Statewide Plant Pest Prevention and Management Program, State Clearinghouse number 2011062057. The paper original comment letter follows by U.S. Mail.

Should you encounter any difficulty accessing the attached PDF file, please contact our firm.

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Comment Letter 16555-cont.

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10.557.01

October 31, 2014

VIA EMAIL AND U.S. MAIL
email: PEIR.info@cdfa.ca.gov

Laura Petro, Senior Environmental Scientist (Supervisory) Statewide
California Department of Food and Agriculture
Program Draft PEIR Comments
1220 N Street, Suite 221
Sacramento, CA 95814

Re: Comments of NCRA on CDFA's Draft PEIR for SCH # 2011062057, Statewide Plant Pest Prevention and Management Program

Dear Ms. Petro:

On behalf of North Coast Rivers Alliance ("NCRA"), we submit the following comments on CDFA's August 2014 Draft Programmatic Environmental Impact Report ("DPEIR") for the Statewide Plant Pest Prevention and Management Program, State Clearinghouse number 2011062057.

I. SUMMARY

16555-1

The DPEIR is severely flawed. It conflicts with CDFA's prior statements regarding the light brown apple moth ("LBAM") program, contains vague and ill-defined provisions that fail to inform the public of the nature and extent of the impacts of contemplated program activities, improperly claims that it can serve as a project-level analysis for future activities under the Proposed Program, and misrepresents the extent of the potential harms from the USDA Organic Pesticide Alternative. The deeply flawed DPEIR must be substantially revised in order to satisfy CEQA's informational requirements.

II. THE DPEIR CONFLICTS WITH CDFA'S PRIOR POSITIONS REGARDING THE SCOPE OF THE LIGHT BROWN APPLE MOTH PROGRAM.

16555-2

In Chapter 4, the DPEIR contains multiple misstatements regarding CFDA's Light Brown Apple Moth ("LBAM") Eradication Program EIR and LBAM Eradication Program. DPEIR 4.2.6. First, the DPEIR claims that under the LBAM Program, "LBAM was anticipated to be eradicated from California" by 2015. DPEIR 4-10. Yet in its March 22, 2010 Findings, adopted by CDFA when it Certified the LBAM EIR ("2010 CEQA Findings"), CDFA admitted that

Comment Letter 16555-cont.

16555-2 cont.

eradicating LBAM was *infeasible*. 2010 CEQA Findings, p. 8, 13. This admission came on the heels of a United States Department of Agriculture ("USDA") determination that it would be infeasible to eradicate LBAM from California. CDFA maintained the position that eradication of LBAM was infeasible throughout the ensuing litigation. Thus, the DPEIR's characterization of the LBAM Eradication Program directly contradicts CDFA's previous admission of the fatal flaws in that program as adopted and as CDFA's lawyers represented that program to the trial and appellate courts in the matter *NCRA, et al., v. Kawamura, et al.*, Sacramento Superior Court Civ. No. 34-2010-80000518 and Third DCA Civ. No. C072067.

Second, the DPEIR claims that "CEQA compliance for the LBAM Eradication Program will expire in 2015." DPEIR 4-10. Again, this claim directly contradicts CDFA's 2010 CEQA Findings and litigation position. According to CDFA's Opposition Brief, submitted to the trial court in the matter *NCRA, et al., v. Kawamura, et al.*, the LBAM Eradication Program "could be implemented through the year 2017 within the scope of the PEIR's seven-year environmental analysis." Respondents' March 29, 2012 Opposition to Petitioners' Memorandum in Support of Petition for Peremptory Writ of Mandate ("2012 Opposition"), p. 20; *see also* Respondents' July 15, 2013 Opposition Brief ("Opposition on Appeal"), p. 12 ("the LBAM Program can be implemented through 2017 under the scope of the PEIR's impact analyses"); Notice of Determination, Findings, p. 11 ("risk assessments do not 'expire' in 2015"), 45 ("can be implemented through 2017"). Contrary to its lawyers' claims through years of litigation, CDFA now admits that 2015 is the appropriate end-date for its ill-conceived LBAM Program.

Third, the DPEIR misstates the alternatives evaluated and analyzed in the 2010 LBAM PEIR. It ignores CDFA's decision to dismiss the male moth attractant alternative – the only alternative using permethrin – as a feasible alternative in the Final LBAM PEIR due to its risk to human health. 2010 CEQA Findings, 33. Indeed, CDFA removed the permethrin-containing alternative due to an *unacceptable cancer risk to children*. *Id*; *see also* Final LBAM PEIR, p. 2-1. Yet the DPEIR reveals – contrary to CDFA's representations to the courts and to the public – that the LBAM Program uses permethrin-based pesticides. DPEIR 5-42. Further, the DPEIR's list of mitigation measures from the 2010 LBAM PEIR includes *nine* mitigation measures that CDFA did *not* adopt when it approved the 2010 LBAM program,[1] including measures addressing the use of the permethrin-laden male moth attractant alternative. DPEIR 4-10 (AG-10, HH-7a, HH-7b, HH-8a, HH-8b, HH-8c, WR-4). Given that CDFA removed permethrin from the LBAM Program due to its *unacceptable cancer risks to children*, the DPEIR's inclusion of this pesticide as part of the LBAM Program is shocking and betrays a fundamental evasion of CEQA. This unlawful return to the use of this dangerous poison must be repudiated.

[1] (Measures Ag-10, ECO-34, HH-7a, HH-7b, HH-8a, HH-8b, HH-8c, TR-17c, and WR-4)

Comment Letter 16555-cont.

16555-2 cont.

If CDFA *is* using permethrin-based pesticides as part of the LBAM Program, in direct contradiction to its 2010 CEQA Findings, then CDFA is violating its CEQA duty to conform its conduct to the safeguards adopted in its 2010 CEQA Findings. "Mitigating conditions are not mere expressions of hope." *Lincoln Place Tenants Association v. City of Los Angeles* ("*Lincoln Place I*") (2005) 130 Cal.App.4th 1491, 1508. Once incorporated, mitigation measures cannot be defeated by ignoring them or by "attempting to render them meaningless by moving ahead with the project in spite of them." *Lincoln Place Tenants Association v. City of Los Angeles* ("*Lincoln Place II*") (2007) 155 Cal.App.4th 425, 450. A public agency "may not authorize destruction or cancellation of the mitigation – whether or not the approval is ministerial – without reviewing the continuing need for the mitigation, stating a reason for its actions, and supporting it with substantial evidence." *Katzeff v. California Department of Forestry & Fire Protection* (2010) 181 Cal.App.4th 601, 614. If a mitigation measure later becomes "impracticable or unworkable," the "governing body must state a legitimate reason for deleting an earlier adopted mitigation measure, and must support that statement of reason with substantial evidence." *Lincoln Place I*, *supra*, 130 Cal.App.4th at 1509. CDFA has violated each of these CEQA requirements.

Last, CDFA's 2010 CEQA Findings explicitly precluded the use of aerial spraying as a component of the LBAM program. DPEIR 4.2.6 (4-10 - 4-11); Findings, p. 25, 33. In its 2012 Opposition, CDFA stated that "[i]f CDFA were to change its position and propose to use aerial spraying of pheromones, it would have to begin the CEQA process again, and re-analyze this strategy." 2012 Opposition, p. 46; *see also* CDFA's Respondents' Brief on Appeal in Third DCA Civil No. C072067, p. 38-39 ("If CDFA was to change its position and propose to use aerial spraying of pheromones, it would have to begin the CEQA process again, and re-analyze this strategy"). If CDFA has quietly made a decision to allow the LBAM Eradication Program to expire, as it should, then CDFA must make this decision explicit so this ill-conceived program is put to rest *publicly* and with *finality*.

If, on the other hand, CDFA unwisely intends to keep the LBAM Eradication Program alive despite overwhelming evidence – and its own admission – that it is infeasible, CDFA cannot lawfully do so based on the deficient CEQA review presented in the DPEIR. The DPEIR lacks the analysis necessary for CDFA to continue the LBAM Eradication Program as part of CDFA's Plant Pest Prevention and Management Program. While the DPEIR purports to continue CDFA's activities to *control* – rather than *eradicate* – LBAM (DPEIR 4-11), it provides insufficient information regarding application rates, timing, locations or any other useful data to allow for meaningful CEQA analysis of CDFA's new "control" strategy. *See*, *e.g.* DPEIR 3-28. This violates CEQA Guidelines sections 15124, 15126.2, 15126.4 and 15126.6(d).

Comment Letter 16555-cont.

III. THE DPEIR CONTAINS VAGUE AND ILL-DEFINED PROVISIONS THAT FAIL TO INFORM THE PUBLIC OF THE NATURE AND EXTENT OF THE IMPACTS OF CONTEMPLATED PROGRAM ACTIVITIES AND CANNOT SERVE AS PROJECT-LEVEL ANALYSIS.

16555-3

The DPEIR purports to examine the environmental impacts of implementing pest detection, quarantine, eradication, and management activities for every conceivable plant pest, in any location in California (and outside it). Yet the DPEIR fails to inform the public – and the decisionmakers – as to the Proposed Program's component activities, or their impacts. The DPEIR thus violates CDFA's CEQA duty to provide an accurate project description. CEQA Guidelines § 15124(a) (EIR must depict the "precise location and boundaries of the proposed project"); CEQA Guidelines § 15124(b) (EIR must contain a "clearly written statement of objectives"). These fundamental flaws are discussed below.

The DPEIR Fails to Explain the Proposed Program Alternative's Use of Aerial Spraying.

16555-4

NCRA's members include residents of rural as well as urban communities, neither of whom can determine whether aerial spraying, as the Proposed Program contemplates, would be allowed over or near their homes. The DPEIR claims that program activities would not include aerial spraying in residential areas or urban areas. *See*, *e.g.* DPEIR ES-2, DPEIR 2-23. CDFA's action-checklist, in Appendix B, indicates that aerial spraying is prohibited in urban/residential areas. DPEIR Appendix B-17. Yet, the DPEIR does not *define* residential area or urban/residential area. This omission violates CDFA's CEQA duty to identify the "precise location and boundaries of the proposed project." CEQA Guidelines § 15124(a).

16555-5

The DPEIR's failure to define these critical terms, or alternatively to provide maps designating treatment areas, leaves the public in the dark, in violation of CEQA. This fatal flaw pervades the DPEIR. For example, for the purposes of *existing* Japanese beetle detection surveys, CDFA indicates that it has traps "in *urban* and *rural* residential areas (*300 homes* or more per square mile)." DPEIR 3-26 (emphasis added). Again, the terms "urban" and "rural" are undefined except for the confusing reference to "300 homes." By contrast, in the 2010 LBAM PEIR, CDFA announced that it would not use aerial spraying in urbanized areas – and it described them as those areas with a population density of more than *100 persons* per square mile, using the 2000 U.S. Census. *See e.g.* Feb 2010 FPEIR, 3-26. Although broad definitions such as these – 300 homes or 100 persons per square mile – are not by themselves sufficient – because of the unrectified uncertainty as to the geographic scale of the spacial units over which density would be averaged – they are at least a *step* in the required direction. The DPEIR, however, fails to indicate what population density, if any, it will use to determine whether and where aerial spraying could occur, let alone how that density will be calculated on the ground. CDFA must provide clear and consistent definitions of "residential" and "urban" for the purposes of this program, and explain how it will calculate and apply those definitions.

Comment Letter 16555-cont.

16555-5 cont.

Consequently, the DPEIR fails to disclose to the public *where* aerial spraying would occur. Nor does it say *when*, or *how often*. "[U]nder the Proposed Program," we are told that aerial spraying "may occur *infrequently* in agricultural and nursery . . . settings." DPEIR 6.5-12. But how often is "infrequently?" And what are "agricultural and nursery" settings? Like the other critical terms, these terms are never defined. Consequently, the reader is left to guess as to what the DPEIR means. For example, it appears that CDFA includes "[f]orests used for recreation and commercial production, including forest nurseries" in its definition of an agricultural use setting. *Id*. Yet it also states that "responsibility for the control of forest pest outbreaks falls under the jurisdiction of CAL FIRE on State and privately owned lands and the U.S. Forest Service, U.S. Bureau of Land Management, National Park Service, or other federal entities on federal lands. Therefore, forestry resources and related pest management activities in forestlands are not included in the Proposed Program." DPEIR 6.1-1. Thus, it is not clear whether a privately owned forestland, used for commercial production, would be entirely outside the Proposed Program (DPEIR 6.1-1) or subject to aerial spraying under the Proposed Program (DPEIR 6.5-12). And while the DPEIR states that aerial spraying may also occur "in large, nonagricultural, industrial, or commercial land use settings, such as airports or equipment storage yards" (DPEIR 6.5-12), the DPEIR fails to define these areas or show them on a map, again violating CEQA Guidelines section 15124(a).

16555-6

The DPEIR also avoids a clear discussion of what would trigger aerial spraying under the Proposed Program. The Proposed Program contemplates aerial spraying "for quarantine projects as a treatment option by commercial growers in agricultural or nursery settings, per federal treatment protocols." DPEIR 3-8. It anticipates aerial application of malathion – with a protein bait – "in a non-residential agricultural setting" as a quarantine activity under the Proposed Program. DPEIR 4-5. It mentions aerial application of pesticides "related to Pierce's disease prevention and management." DPEIR 4-10. But none of these statements explain *how* CDFA would determine whether aerial spraying would be an appropriate treatment for a particular geographic area or targeted species. Nor does the DPEIR discuss what specific treatments that aerial spraying in these contexts would entail – a further CEQA violation. CEQA Guidelines § 15124(c) (an EIR shall describe "the project's technical . . . and environmental characteristics"). Absent more, there is insufficient information to assess the impacts of aerial spraying as part of the Proposed Program, yet another CEQA violation. CEQA Guidelines § 15126, 15126.2 ("An EIR shall identify and focus on the significant environmental effects of the proposed project.") Contrary to CEQA Guidelines section 15126.2(a), the project's "[d]irect and indirect significant effects . . . on the environment," including "both the short-term and long-term effects," are not "clearly identified and described."

16555-7

As the DPEIR acknowledges, aerial spraying involves drift. Variations in topography, elevation, wind-speed, and even equipment calibration can lead to drift, despite pilot efforts to stay within a plotted course. While mitigation measures exist to reduce drift, these measures cannot eliminate drift from aerial applications. The Proposed Program's ill-defined aerial-spraying component cannot be adequately mitigated by CDFA's broad management platitudes.

16555-7 cont. DPEIR 2-28. CDFA's failure to examine and address the specific features and consequences of this significant impact renders the DPEIR incomplete. CEQA Guidelines § 15126.2(d).

The DPEIR Fails to Examine Health Risks to Infants, Female Workers, and Others at Risk of Exposure to Pesticides Under the Proposed Program.

16555-8 The DPEIR purports to examine the human health risks of the Proposed Program but lacks critical analysis of this issue. DPEIR Appendix A contains the Draft Human Health Risk Assessment ("DHHRA") prepared for the DPEIR. This woefully incomplete document indicates that CDFA made a variety of improper assumptions regarding human health and pesticide exposure. First and foremost, in analyzing the risk of cancer from carcinogen exposure during the program, *CDFA assumed that children 0-2 would have de minimis exposure*. Appendix A, DHHRA p. 63. CDFA does not provide any rational justification for this assumption. It stands the precautionary principle on its head. Infants are clearly the *most* vulnerable age class of the human population and therefore should receive the *greatest* protection, rather than being completely *ignored* as they are in the DPEIR. Given the exceptional breadth of the Proposed Program's potential pesticide application scenarios, the unfounded assumption that infants would have only *de minimis* exposure completely undermines the DPEIR's conclusions regarding the potential harms of the Program Alternative.

16555-9 Second, the DHHRA fails to assess gender-based differences in human health impacts. Instead, it ignores gender completely. By ignoring gender, CDFA has failed to adequately assess the risks of the Proposed Program on female workers in agricultural and nursery settings. For example, CDFA has adopted an "acceptable" risk-threshold of one in one million when assessing cancer risks but has not explained whether it has studied exposures that impact men and women differently. If CDFA used epidemiological data that examined exposure rates of male agricultural workers, for example, to determine cancer risks, then it could overlook ways that the same chemicals could impact females differently. For instance, if one out of every 10,000,000 men succumbs to cancer due to a particular pesticide, the study would reflect rates that do not cross the significance threshold, *even if* females exposed to the same pesticide have a one in 100,000 risk of cancer. Indeed, on March 19, 2014, the United States Environmental Protection Agency ("U.S. EPA") proposed revisions to its Fungicide, and Rodenticide Act ("FIFRA") regulations as they address worker protection, and they specifically address exposure to children through *exposure to women of childbearing age*. 40 C.F.R. 170; *Pesticides; Agricultural Worker Protection Standard Revisions*, *available at* http://yosemite.epa.gov/opei/rulegate.nsf/byRIN/2070-AJ22#2 (last accessed Oct. 29, 2014). Gender matters. For example, the lethal dose or lethal concentration "for acephate is 1.4 g/kg in male rats, and 1.0 g/kg in female rats." National Pesticide Information Center, *Acephate Technical Fact Sheet*, *available at* http://npic.orst.edu/factsheets/acephatech.pdf (last accessed October 30, 2014). CDFA may not ignore established scientific knowledge.

Comment Letter 16555-cont.

16555-9 cont.

The substantial differences in exposure levels and sensitivities between men and women are well documented. But CDFA ignores this scientific fact. When calculating the risks of pesticide exposure for workers, CDFA's Draft Human Health Risk Assessment ("DHHRA") uniformly assumes a weight of 80 kg. DPEIR Appendix A, DHHRA, pp. 45-60 (multiple references to "body weight, assumed to be 80 kg" for worker, bystander, and resident scenarios). Yet, the CDC's Behavioral Risk Factor Surveillance System Survey's data shows that, for 2011, over 57% of women in California weighed under 70 kg, and 68% weighed under 80 kg. *CDC Behavioral Risk Factor Surveillance System, California*, *available at* http://www.cdc.gov/brfss/ (last accessed Oct. 29, 2014). Furthermore, the EPA's SOP, relied upon by the DPEIR, states in its Recommended Estimates for Body Weight that male adults have a mean weight of 86 kg while female adults have a mean weight of 69 kg. SOP 2-1. Likewise, body surface area is listed at a mean of 2.07 m^2 for males and 1.77 m^2 for females. The DHHRA's and DPEIR's failure to address the considerable differences in the gender-specific impacts of pesticide exposure is inexcusable in light of the substantial literature documenting them,[2] and must be corrected.

16555-10

Third, the DPEIR inappropriately utilizes the U.S. EPA's *Standard Operating Procedures for Residential Pesticide Exposure Assessments* ("SOP") (U.S. EPA, 2012) "to estimate dermal exposure to residues on treated vegetation." DPEIR 6.0-12 (downwind bystander); DPEIR Appendix A, DHHRA, pp. 46 (post-application loader), 48 (post-application

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[2] *See*, *e.g.*, Robert R.M. Verchick, *In a Greener Voice: Feminist Theory and Environmental Justice*, 19 Harv. Women's L.J. 23, 64 (1996) (stating that women may be more susceptible to dangerous chemicals that accumulate in fatty tissue); Staci Jeanne Krupp, *Environmental Hazards: Assessing the Risk to Women*, 12 Fordham Envtl. L.J. 111 (2000); *see also* J.A. Hoppin, *Pesticides and Atopic and Nonatopic Asthma among Farm Women in the Agricultural Health Study*, Am J Respir Crit Care Med. Jan 1, 2008; 177(1): 11–18 (in women who grew up on a farm, "use of pesticides, particularly insecticides, was positively associated with atopic asthma," specifically mentioning acephate); Castornia, *Comparison of Current-Use Pesticide and Other Toxicant Urinary Metabolite Levels among Pregnant Women in the CHAMACOS Cohort and NHANES*, 118 Environmental Health Perspectives 6, 856-863 (2010) (looking at negative health impacts from "additional [pesticide] exposure for pregnant women in agricultural communities"); *Atrazine Chemical Summary U.S. EPA, Toxicity and Exposure Assessment for Children's Health*, *available at* http://www.epa.gov/teach/chem_summ/Atrazine_summary.pdf (last accessed Oct. 29, 2014) (atrazine shown to have adverse impact on women's reproductive health); Dougherty, W.J., *The effect of carbaryl on reproduction in the monkey*, Toxicology Applications in Pharmacology 19:365 (1971); Rauh, *Impact of Prenatal Chlorpyrifos Exposure on Neurodevelopment in the First 3 Years of Life Among Inner-City Children*, 118 Pediatrics 6, e1845–e1859 (Dec 2006); Valcin, *Chronic Bronchitis among Non-smoking Farm Women In the Agricultural Health Study*, 49 J. Occup. Environ. Med. 5, 574–583 (2007 May) (five pesticides, including dichlorvos and methyl bromide, were associated with chronic bronchitis among non-smoking farm women).

16555-10 cont.

worker), 53 (post-application resident), 55 (incidental ingestion of vegetation residues). However, the EPA document clearly states that it is only "intended to address all major possible means by which individuals in the general public could be exposed to pesticides in a *residential environment* (e.g., home, schools, parks, athletic fields or other publicly accessible locations)." SOP Preamble (emphasis added); see also SOP Introduction (SOPs "provide methods for assessment of pesticide exposures unrelated to employment or dietary intake of food or water"). The DPEIR must address and account for the substantial discrepancy between the U.S. EPA's *residential* pesticide exposure procedures and the *commercial* and *industrial* applications that the DPEIR contemplates.

The SOP is inappropriate even for measuring residential exposure because the chemicals in question have been applied to *non*-residential uses and under scenarios that are not similar to those considered in the DPEIR. While the SOP does mention that it explores "post-application exposures resulting from . . . professional or commercial applications in areas that can be frequented by the general population," the DPEIR never explains how it has adapted (or even if, indeed, it has done so) the scenarios detailed in the SOP to those likely to be encountered under the DPEIR. SOP Introduction. For example, the lawn and turf scenarios explored by the EPA involve

> treated turf in many settings, including residential lawns, playgrounds, parks, recreation areas, schools, and golf courses. Another potential source of exposure addressed by this section, where professional applications could potentially lead to exposure by the general population, if applicable to the pesticide and its label under consideration, is treated sod purchased at retail locations.

SOP 3-1. The DPEIR must make clear how these scenarios can be reasonably adapted to the circumstances under consideration, and if no such reasonable adaptation is feasible the DPEIR must devise an adequate methodology for assessing the human health impacts of this project.

16555-11

Nor does the DPEIR's DHHRA discuss this limitation when explaining general model limitations. DPEIR Appendix A, DHHRA, p. 145 (discussing only the selection of a Lawn/Turf SOP for estimating ingestion). CDFA may not simply *guess* at what human health impacts might result from exposure to the harmful chemicals discussed in the DPEIR; CEQA requires more. "Argument, speculation, [and] unsubstantiated opinion or narrative . . . does not constitute substantial evidence." CEQA Guidelines §15384(a). Rather, the DPEIR must be based on "facts, reasonable assumptions predicated upon facts, and *expert opinion supported by facts*." *Id.* at (b) (emphasis added). And, where experts disagree, "the EIR should summarize the main points of disagreement among the experts." CEQA Guidelines § 15151. "[A]n agency must use its best efforts to find out and disclose all that it reasonably can." CEQA Guidelines § 15144. Simply noting that "more discussion is planned for this subject" is insufficient, especially because the only contemplated discussion concerns selection of methods for estimating residential exposure, again dodging the impact of industrial or commercial application. DPEIR

16555-11 cont.

Appendix A, DHHRA Attachment 1-24, 1-42 (list of drawbacks does not include DHHRA's use of residential standards in *commercial* or *industrial* agricultural scenarios), 1-65 (SOP "does not allow for highly exposed individuals to be considered"). Staff from California's Office of Environmental Health Hazard Assessment even pointed out this discrepancy, to no avail.[3] CDFA must analyze human health impacts in a manner relevant *to the populations at risk* from exposure and *the manner in which exposure is likely to occur*. Its failure to do so violates CEQA Guidelines sections 15126.2(a) ("[t]he discussion should include *relevant specifics* of the area . . . and . . . health and safety problems caused by the [project's] physical changes" to the environment) and 15126.6(d) ("[t]he EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project").

The DPEIR Ignores the Proposed Program's Methyl Bromide Impacts on the Ozone Layer and Fails to Discuss Appropriate Alternatives to its Use.

16555-12

The Proposed Program relies upon methyl bromide for *all* proposed fumigation activities. *E.g.* DPEIR 3-13, 3-21. Methyl bromide is a substance known to deplete the ozone layer under the Montreal Protocol. Its use has been phased-out, world-wide, *due to its significant harms*, and its production is highly regulated. While the Montreal Protocol and the U.S. EPA assume that pre-shipment and quarantine fumigation may require methyl bromide uses, this assumption does not lessen the significant impact of using methyl bromide. Indeed, the International Plant Protection Convention ("IPPC") has adopted a formal policy that alternatives to methyl bromide should be identified and used whenever they are technically and economically feasible. Yet the DPEIR failed to even mention that methyl bromide depletes the ozone layer – a clearly significant impact – let alone calculate the potential ozone-depletion caused by the Proposed Program, and identify less harmful alternatives as recommended by the IPPC. This omission violates CDFA's CEQA duty to disclose and discuss the significant environmental impacts of the project. CEQA Guidelines § 15126.2(a).

16555-13

CDFA also overlooked several post-harvest treatment options – chemical and non-chemical – that, unlike methyl bromide, do *not* deplete ozone. The Proposed Program fumigates post-harvest crops with methyl bromide to treat for the Asian citrus psyllid (DPEIR 3-13) and exotic fruit flies (DPEIR 3-21). The U.S. EPA identifies several alternative treatments for fruit flies, including: "[c]old treatment," "[f]orced moist air or vapour warm air with controlled atmosphere treatment, e.g. 1% oxygen, 15% CO2," "[h]igh temperature forced air treatment, "[h]ot or warm water treatment," or "[v]apour heat treatment." *Methyl Bromide Alternatives for Applicators, Commodity Owners, Shippers, and Their Agents*, U.S. Environmental Protection

[3] The Office of Environmental Heath Hazard Assessment suggested that the agency use its own soil concentration, transfer factor, and surface area data to compare results with the SOP and recommended that CDFA utilize the resources of the Department of Toxic Substances Control to assess soil-to-skin exposures. DPEIR Appendix A, DHHRA Attachment 1-248.

Comment Letter 16555-cont.

16555-13 cont.

Agency, Office of Air and Radiation, Stratospheric Protection Division, June 2010, p. 19, Table 2-3. Cold treatment, vapour heat treatment or high temperature forced air are acceptable treatments for many crops, including avocado, tomatoes, peppers, citrus and grapes. *Id.*, pp. 17-19, Table 2-2. In addition, other chemical treatments have been approved for many post-harvest applications. *See* www.epa.gov/ozone/mbr/alts.html#*. CDFA must address the impacts of methyl bromide *and* safer alternatives to its use, as CEQA requires agencies to identify and evaluate alternatives that avoid or reduce the project's significant effects so long as they – as do these much safer treatment options – "feasibly attain most of the [project's] basic objectives." CEQA Guidelines § 15126.6(a).

The DPEIR Downplays the Proposed Program's Significant Water Quality Impacts.

16555-14

The DPEIR downplays the project's significant impacts on water quality. For the purposes assessing the water-quality impacts of the Proposed Program, the DPEIR sorts chemicals into five classifications: (1) Generally Safe; (2) No Numerical Threshold; (3) Existing Threshold But Not Studied; (4) Ecological Risk Assessment Below Threshold; and (5) Ecological Risk Assessment Above Threshold. DPEIR 6.7-13. Of these classifications, the fifth designation comprises those chemicals which pose the greatest risk to water quality – those that are generally known to be harmful, have numerical thresholds established to reflect the levels at which such harm will accrue, and in fact exceed that threshold as a result of the Project. DPEIR 6.7-21 to 6.7-23 ("conservatively modeled concentrations that may exceed numerical water quality thresholds"). The DPEIR identifies three classes of chemicals that fall into this category. DPEIR 6.7-22 to 6.7-23. Yet the DPEIR undertakes no additional study of the impacts of these chemicals as a result of this finding, thus sweeping the likelihood that these chemicals pose a significant risk to water quality under the rug. *Id.*

16555-15

For example, the DPEIR identifies pyrethroids as part of this highest-impact group. DPEIR 6.7-15. CDFA's modeling shows that pyrethroids are a problem because they would cause some water bodies to exceed total maximum daily loads ("TMDLs"). DPEIR 6.7- 23. But the DPEIR downplays this significant impact, and instead states that "simulated conditions were conservative; modeled concentrations resulting from direct discharge into surface water would be likely to be higher than actual applications." *Id.* But the purpose of modeling is to identify potentially significant impacts and mitigate them, as CEQA requires. CEQA Guidelines section 15126.4 mandates that "[a]n EIR *shall* describe feasible measures which could minimize significant adverse impacts . . . ." (Emphasis added.) CDFA's unsupported and arbitrary decision to ignore its own modeling data when it shows a significant impact undermines the CEQA process. The DPEIR's determination of significance should be based on information in the record and on scientific and factual data, not on off-the-cuff speculation as to how "conservative" a given simulation may have been. CEQA Guidelines §15384. If there are "degradation mechanisms [that] would occur in both soil and water that were not accounted in the model," then CDFA should modify the model to incorporate such mechanisms rather than dismiss its results altogether when they reveal inconvenient significant impacts. DPEIR 6.7-23.

Comment Letter 16555-cont.

16555-16 The remainder of the DPEIR's rationale for ignoring TMDL impacts for pyrethroids consists of a litany of conditional terms and what appear to be guesses. While "most [applications] typically would occur in nurseries, greenhouses, and/or shadehouses," the DPEIR does not attempt to quantify what constitutes "most," nor does it examine where other applications might occur or what measures might be taken in these other locations. DPEIR 6.7-23. Even less reassuring is the statement that "potential runoff would *most likely* encounter a buffer of some distance or dilution in a storm drainage system before entering surface water used by aquatic life or humans." *Id.* (emphasis added). Pesticide contamination of California's storm drains is an ongoing problem. *See, e.g.,* http://www.cdpr.ca.gov/docs/emon/surfwtr/swposters/study249.pdf.

16555-17 CDFA's reliance upon storm drains to dilute runoff is improper, irresponsible, and unsupported. The Clean Water Act was enacted in 1972 to put an end once and for all to the long- discredited notion – which surprisingly pervades the DPEIR's discussion of the project's water quality impacts – that "the solution to pollution is dilution." Manifestly, it is not. Further, the DPEIR's conclusion that pyrethroids are "unlikely to be transported from soil into waterbodies" makes no attempt to document and quantify the probability it discusses. DPEIR 6.7-23; *see also* 6.7-22 (similar conclusion regarding chlorpyrifos). These statements are mere speculation, and absent more are insufficient to support CDFA's dismissal of these potentially significant impacts. CEQA Guidelines §15384(a) ("speculation . . . does not constitute substantial evidence").

16555-18 Finally, the DPEIR relies upon undeveloped and ill-defined management practices instead of concrete mitigation measures to downplay potentially-significant water quality impacts. For example, it dismisses the impacts of pyrethroids entering waterbodies through aerial drift on the grounds that "[i]mplementation of Proposed Program [management practices] would minimize the potential for aerial drift." DPEIR 6.7-23. This is faulty CEQA methodology: if there are potentially significant impacts from aerial drift and management practices would mitigate those impacts, these management practices must be listed and evaluated as required mitigation measures. See CEQA Guidelines §§ 15002, 15004 (agency must not limit choice of mitigation measures by pre-selecting or failing to evaluate), 15126.4 (each potential mitigation measure "should be discussed and the basis for selecting a particular measure should be identified"), 15370 (mitigation is broadly defined to encompass a broad array of measures). Instead of enumerating these management practices, however, CDFA merely states that it "shall include a requirement in compliance agreements that growers are to implement relevant Proposed Program [management practices], or shall show proof that participation in the Ag Waivers Program or another program to protect water quality contains *measures which are equivalent* to or more protective than the Proposed Program [management practices]." DPEIR 6.7-32 (emphasis added).

16555-18 cont.

These management practices are not adequately identified to inform public participation, in violation of CEQA Guidelines section 15126.4(a)(1). Nor has CDFA assured their enforcement. CEQA mandates that "[m]itigation measures must be *fully enforceable* through permit conditions, agreements, or other *legally-binding* instruments." CEQA Guidelines § 15126.4(a)(2) (emphasis added). As a direct consequence of these omissions, CDFA has precluded informed public comment assessing whether the proposed management practices – let alone, their unidentified "equivalent measures" – can successfully mitigate the impacts of carbaryl, chlorpyrifos and pyrethroids on water quality.

The DPEIR Inappropriately Downplays the Proposed Program's Impacts to Organic Farms.

16555-19

The DPEIR acknowledges that, under the Proposed Program, CDFA can mandate that organic farmers and nurseries use conventional pesticides. DPEIR 6.1-28. CDFA examines this impact only as it relates to agricultural conversions. DPEIR 6.1-28 to 6.1-30. By adopting this narrow focus, CDFA ignores the potentially significant impacts of converting organic farms to non-organic farms, including the increased use of more damaging pesticides. *Id.* Instead, CDFA assumes – without any supporting data and analysis – that such a conversion would have no impact. *Id.* But the impact of such a wholesale regulatory change – both on the environment and human health and safety, and on the sizable contribution that organic farms make to our nation's supply of safe and nutritious food – would be far reaching and potentially devastating. Ignoring these foreseeable impacts violates CEQA. CEQA Guidelines § 15358(a)(2) ("indirect or secondary effects which are caused by the project and are later in time . . . but are still reasonably foreseeable" must be addressed).

IV. THE DPEIR MISREPRESENTS THE EXTENT OF THE POTENTIAL HARMS FROM THE USDA ORGANIC PESTICIDE ALTERNATIVE.

16555-20

The DPEIR claims that "the effectiveness of eradication and control for ACP/Huanlongbing disease, GWSS/Pierce's disease, exotic fruit flies, and Japanese beetles would decrease greatly" under the USDA Organic Pesticide Alternative. DPEIR 7-16. Yet the DPEIR fails to explain which conventional pesticides are necessary for these programs, or whether non-conventional alternatives have been developed. DPEIR 7-16, 7-17. In order to adequately inform the public and decision makers about the viability of an organic pesticide alternative, CDFA must detail what conventional pesticides would be used for the specific eradication and control activities cited, what specific harms such pesticides would cause, what specific organic alternatives exist for each eradication and control activity, and what specific benefits and harms (if any) would result from the use of such organic alternatives. CDFA's failure to do so violates its duty under CEQA Guidelines section 15126.6(d) to "include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project."

Comment Letter 16555-cont.

16555-21

CDFA ignores the impacts of continued use of toxic sprays on pollinators such as honey bees, whose recent sharp decline in population poses a grave threat both to the natural world and to fully one-third of cultivated agricultural products. Huanlongbing disease, or citrus greening, is often treated with sprays of toxic pesticides which have had only limited success, and *have been responsible for large-scale bee die-offs*. *See, e.g.*, Hall, *Asian citrus psyllid, Diaphorina citri, vector of citrus huanglongbing disease*, 146 Entomologia Experimentalis et Applicata 207-223 (2012), *available at* http://www.tsusinvasives.org/dotAsset/a2ffe642-21b4-4898-b38c-c464bec47aaf.pdf (last accessed October 30, 2014) ("Intensive chemical control of ACP is the primary management strategy currently advocated for HLB, but this strategy is costly, unsustainable, and generally ineffective"). As of 2012, "[t]he current recommendation for organic growers is to spray a low rate of horticultural spray oil on trees at 14-day intervals," while additional organic alternatives are being explored. Warnert, *Research news: Asian citrus psyllid and huanglongbing disease threaten California citrus*, California Agriculture 66(4):127-130. DOI: 10.3733/ca.v066n04p127, (October-December 2012), available at http://californiaagriculture.ucanr.org/landingpage.cfm?articleid=ca.v066n04p127 (last accessed Oct. 30, 2014).

16555-22

As part of its analysis of the USDA Organic Pesticide Alternative, CDFA must examine the actual effectiveness of spray treatments, and the availability of alternatives such as (1) organic methods for controlling the Asian citrus psyllid, the tiny insect which spreads citrus greening disease, without the use of toxic chemicals; (2) naturally resistant germplasm to breed organic citrus varieties that are resistant to the disease; and (3) methods for ensuring natural predator health while preventing Asian citrus psyllid spread. CDFA's failure to do so violates its CEQA duty under Guidelines section 15126.6(d) to "include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

16555-23

The DPEIR ignores other benefits of organic alternatives as compared to continued reliance on toxic sprays. For example, Pierce's disease, fruit flies, and Japanese beetles all have viable organic alternative pesticide treatments. Pierce's disease can be – and is – managed organically in California by removing "vegetation likely to host Pierce's disease, including Himalaya black berry, California mugwort and other plants known to host the bacterium *Xylella fastidiosa*." McGourty, *Managing Pests Organically*, Wines & Vines (September 2008) *available* at http://www.winesandvines.com/template.cfm?section=features&content=58066 (last accessed Oct. 30, 2014). Problems with fruit flies and Japanese beetles can be managed by harvesting fruit regularly throughout the ripening period and by using mesh nets to keep the insects out. *See, e.g.*, Durham, *Disease and Insect Control Programs for Homegrown Fruit in Kentucky Including Organic Alternatives*, University of Kentucky College of Agriculture (2013), *available at* http://www2.ca.uky.edu/agc/pubs/id/id21/id21.pdf (last accessed Oct. 30, 2014). In many cases, such alternatives have not been adequately explored or implemented not as a result of a lack of scientific or experimental support, but rather as a result of *entrenched practices and interests*. CDFA has a duty under CEQA to challenge those misguided and obsolete practices, and to examine these reasonable alternatives to those practices thoroughly, and must do so *now*. CEQA Guidelines § 15126.6(a), (c), (d).

Comment Letter 16555-cont.

16555-24 The DPEIR claims the potential increase in conventional pesticide use outside the program in response to a forecasted increase in these plant pests might outweigh this alternative's benefits. DPEIR 7-17. This is pure, unfounded speculation. The DPEIR provides no rational basis for such an assumption, and supplies no information about what kinds of "increases in on-farm conventional pesticide use" CDFA thinks might pose this threat. *Id.* CDFA's untethered assumptions and unbridled speculation are *exactly* what CEQA forbids. CEQA Guidelines § 15384(a) ("speculation . . . does not constitute substantial evidence"). CDFA must provide specific information on anticipated increases in conventional pesticide use in order to adequately inform the public and decisionmakers about an alternative that, on its face, is intended to *reduce* the use of conventional pesticides.

16555-25 Absent any rational basis aside from groundless speculation about increased use of conventional pesticides and unsupported and conclusory claims about the ineffectiveness of organic alternatives for addressing diseases, fruit flies, and beetles, the CDFA's list of *purported* but speculative negative effects of the USDA Organic Pesticide alternative cannot be found to outweigh its *documented* benefits. These benefits include the avoidance of "all potential human health effects," "all potential impacts on biological resources associated with [] pesticide use," less exposure to toxic air chemicals, and "reduced potential for adverse effects on water quality." DPEIR 7-16 - 7-19. CDFA has a statutory duty to "not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects . . . ." Pub. Res. Code § 21002. For these reasons, CDFA should not approve the Proposed Program, but instead, it must select this environmentally- superior USDA Organic Pesticide alternative.

V. CONCLUSION

16555-26 For these reasons, the DPEIR is inadequate. CDFA must revise its DPEIR to correct its flaws. Unless and until it does so, it may not approve the Proposed Program. After correcting its deficient DPEIR – and based thereon, giving more careful consideration to the environmentally-superior USDA Organic Pesticide alternative – CDFA must recirculate its DPEIR.

Sincerely,

Stephan C. Volker
Attorney for North Coast Rivers Alliance

SCV:taf

Letter 16555: Stephan C. Volker, North Coast Rivers Alliance (October 31, 2014)

Response to Comment 16555-1

CDFA disagrees with these assertions.

First, this PEIR is entirely separate from the LBAM program and PEIR, and the comments regarding the LBAM PEIR are erroneous and irrelevant.

Second, as has been discussed in response to this comment letter and others, the description of the Proposed Program is not "vague and ill-defined." The PEIR discloses and informs the public regarding the nature and extent of its proposed activities and potential environmental impacts with as much detail and specificity as is possible, given the fact that the location and nature of future pest introductions and infestations, and related management activities, is unknown.

Third, at no point has CDFA ever maintained that the PEIR is a project-level EIR. Rather, it is a programmatic EIR as provided for under Section 15168 of the CEQA Guidelines. CDFA would comply with CEQA Guidelines Sections 15152 and 15168 in determining whether a proposed activity falls within the scope of the PEIR, and whether a tiered environmental document is required.

Fourth, regarding the comment on the USDA Organic Pesticide Alternative considered in the PEIR's alternatives analysis, please see Master Response 12, Alternatives Analysis. As described in Master Response 12, Alternatives Analysis, and in PEIR Volume 1, Chapter 7, *Alternatives Analysis*, there are four priority pests for which eradication and control would not be expected to be achievable under the USDA Organic Pesticide Alternative: the ACP, JB, exotic fruit flies, and GWSS. These pests have been shown to respond poorly (or their potential response is speculative) to physical, biological, and USDA organic chemical management approaches. This is the basis for the conclusion in the PEIR that the USDA Organic Pesticide Alternative could result in increased populations of these pests, and consequently potential resource degradation associated with more widespread invasions of the pests into natural and agricultural areas. The PEIR's alternatives analysis also reasoned that such a situation could result in greater use of conventional pesticides to combat these pests by individual growers outside of CDFA's authority. Such increased use of non-USDA organic pesticides could have impacts similar to those potential impacts associated with the Proposed Program, but without the benefit of a coordinated program for management of such activities, including PEIR mitigation and other protective measures.

CDFA has found that the PEIR's analysis and conclusions are supported by substantial evidence and consistent with the most current science. The PEIR is not flawed, it fully satisfies CEQA's information requirements, and it does not require substantial revision.

Response to Comment 16555-2

These comments on the LBAM program and its CEQA compliance documentation are irrelevant to the Proposed Program and its PEIR. As indicated in PEIR Volume 1, Table 5-15, the LBAM Eradication and Containment Program is not included in the Proposed Program, and the PEIR does not replace the LBAM PEIR. Activities to address LBAM described in the

LBAM PEIR will continue to be carried out using the LBAM PEIR as the basis for CEQA compliance. Legal challenges against the LBAM PEIR were rejected by the Sacramento County Superior Court. According to the LBAM decision, the Superior Court did not agree that there were legal deficiencies with the LBAM PEIR. Accordingly, two conclusions can be reached: (1) the commenter's alleged deficiencies regarding the LBAM PEIR have no merit; and (2) there is no legal basis to assert that the Proposed Program's PEIR is deficient in any way as a result of any similarities it bears to the LBAM PEIR.

Note that the Proposed Program does include some activities related to LBAM; namely, activities carried out in response to quarantines established for LBAM. These activities were not evaluated in the LBAM PEIR, but are instead addressed by the PEIR.

Response to Comment 16555-3

Contrary to the commenter's statements, the PEIR does not purport to examine potential impacts of treatment activities for every plant pest in or outside of California. Instead, the PEIR evaluates potential impacts of the Proposed Program as described in PEIR Volume 1, Chapter 2, *Proposed Program Description,* and Chapter 3, *Proposed Program Activities*. These chapters provide a clear and accurate project description, at an appropriate level of detail for a program-level, first-tier CEQA document. PEIR Volume 1, Chapter 2, *Proposed Program Description*, contains a clear description of the Proposed Program's objectives.

Response to Comment 16555-4

The PEIR clearly identifies the circumstances under which aerial spraying may occur, and fully evaluates the potential impacts of these activities. The Proposed Program's scenarios address aerial spraying in production agriculture or large commercial nursery settings. The specific scenarios (as referenced in the risk assessments) include (pest project type and application setting shown in parentheses): PDCP-03 (interior quarantine, bulk citrus); PDCP-09 (interior quarantine, bulk citrus); PDCP-16 (interior quarantine, bulk citrus); PDCP-25 (interior quarantine, large production nurseries); FF-04 (interior quarantine, production agriculture); FF-08 (interior quarantine, production agriculture); PDCP-56 (interior quarantine, large production nurseries); and PDCP-62 (interior quarantine, large production nurseries). "PDCP" refers to Pierce's Disease Control Program, and "FF" refers to fruit flies. Aerial spraying would therefore only be permitted under the Proposed Program as an interior quarantine compliance option for GWSS or fruit flies in bulk citrus, large production nurseries, or production agriculture settings.

CDFA has updated the PEIR's Chapter 9, Glossary and Acronyms, text to include a revised "residential" area definition as follows:

> Residential: A <u>noncommercial area containing multiple or single family dwellings. Does not apply to a residence found in a commercial (e.g., farm) setting.</u>

In addition, the definition of an "urban/residential area" has been modified to match the definition above of a "residential area." That said, since farms or ranches may be located in production agriculture, bulk citrus, or large production nursery settings where aerial spraying may occur, the Human Health Risk Assessment (HHRA) evaluated the potential for residents (the "downwind bystander") to be present during such spraying activities. The

analysis concluded that human health impacts would be below the established level of concern, and accordingly would be less than significant. The Proposed Program does not include, nor did the PEIR analyze, any scenarios besides those identified above. Therefore, if in the future CDFA wished to conduct aerial spraying in a manner inconsistent with the scenarios described and evaluated in the PEIR (such as in a residential setting), it would need to conduct further evaluation under CEQA of these activities prior to their implementation.

Note that the HHRA evaluated the potential for residents (the child and adult DWB) to be present during such activities, to address the fact that farms or ranches may be located in agricultural or nursery settings. The analysis concluded that human health impacts would be below the established level of concern, and accordingly would be less than significant.

Response to Comment 16555-5

The commenter is referred to Response to Comment 16555-4, which clearly describes the settings in which aerial applications may occur, and defines residential and urban areas.

With respect to "when" the aerial application scenarios may be implemented, these are options that could be implemented during the period that a quarantine has been established for the subject pests (fruit fly and GWSS). The time when such quarantines would be established cannot be known at this time, because it would be based on the locations of future pest infestation and establishment. In addition, the specific determination of "when" would be decided by a grower, because the growers ultimately decide which treatments they elect to use, and when.

Regarding "where" the scenarios may be implemented, this would also be related to the locations of designated quarantines.

For the question of "how often," the scenarios themselves describe how often they may be implemented, as this was a necessary parameter for the risk assessments. In any given location, Scenarios PDCP-03, PDCP-09, and PDCP-16 could be implemented once per year; Scenarios PDCP-25, PDCP-56, and PDCP-62 could be implemented up to two times per year; and Scenarios FF-04 and FF-08 could be implemented up to eight times per year.

Further details, such as a map, are unknowable at this time because they would depend on the locations of future quarantines. The Proposed Program description fully meets the requirements of CEQA Guidelines Section 15124, at an appropriate level of detail for a programmatic document, disclosing the information that is known at this time.

Pest management on privately owned forest land that is used for commercial production is outside the scope of this PEIR. As stated in PEIR Volume 1, Section 6.1, *Agricultural Resources and Economics,* page 6.1-1, the California Department of Forestry and Fire Protection is responsible for the control of forest pest outbreaks on state and privately owned forest lands.

Note that the text the commenter references on PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials,* page 6.5-12, is not specific to the Proposed Program. It is a general description of the settings in which aerial applications of pesticides may occur either in the

Proposed Program or outside of it. It was not intended to define the settings in which aerial spraying may conducted under the Proposed Program.

Response to Comment 16555-6

The time when aerial treatments would occur would be an individual decision of the grower. When CDFA establishes quarantines for GWSS or fruit flies, it would provide all growers subject to the quarantine with a list of allowable treatment approaches, including aerial treatments, other methods of pesticide application, and physical and biological techniques (fruit stripping, sterile insect release, etc.).

In regard to the assertion that the Draft PEIR does not "discuss what specific treatments that aerial spraying in these contexts would entail," the PEIR includes the following information regarding every chemical use scenario: setting, application method, chemical(s) to be used, application rate, area of application, number of applications per year, and interval between treatments. The risk assessment identifies the human and ecological receptors who could be exposed to a treatment, and the manner in which they could be exposed (inhalation, dermal exposure, etc.). The Proposed Program also includes a set of MPs that would be implemented during chemical applications. As can be seen, there is no shortage of detail regarding these activities; this information is more than sufficient for the public to understand the activities, and also provides the necessary information to support a meaningful environmental analysis.

The PEIR's analysis clearly identifies and describes the direct and indirect effects, and short-term and long-term effects, of Proposed Program activities. For example, the PEIR considers the acute and chronic health effects on special-status species from direct exposure to a chemical treatment; these would be direct effects, both short-term (acute) and long-term (chronic). The PEIR also considers indirect effects, such as the potential for special-status flowering plants to be adversely affected from a reduction in pollinator populations as a result of Proposed Program activities.

Response to Comment 16555-7

Offsite drift of Proposed Program-applied pesticide active and inert ingredients has the potential to occur, and was assessed in the HHRA and ERA. The extent to which drift occurs was quantified in the following manner, as described in the HHRA, in the Pesticide Off-Target Drift portion of Appendix B, Section 2.3.1, *Estimating Pesticide Environmental Concentrations*:

> "Off-target drift, also referred to as "offsite drift," of the chemicals that may be used under the Proposed Program was estimated using the computer program AgDRIFT Version 2.1.1 (AgDRIFT). AgDRIFT predicts offsite deposition of chemicals applied by aerial, orchard airblast, and ground spraying methods, as well as the potential of buffer zones to protect sensitive aquatic and terrestrial habitats from undesired exposures (U.S. EPA, 2010p). It was developed by the U.S. EPA's Office of Pesticide Programs, the U.S. Department of Agriculture Agricultural Research Service (ARS), the U.S. Department of Agriculture Forest Service, and the Spray Drift Task Force (SDTF)."

Offsite drift was assessed for an adult and child resident living adjacent to a treatment site. These receptors were termed the adult and child DWB. In accordance with U.S. EPA's Overview of Issues Related to the Standard Operating Procedures for Residential Exposure Assessment (Residential SOP) (U.S. EPA, 1999f), the DWB was assumed to be 25 feet from the application site, and was evaluated using exposure values for a "Flagger," given in U.S. EPA's Occupational Pesticide Handler Unit Exposure Surrogate Reference Table (U.S. EPA, 2013b). U.S. EPA defines flaggers as "individuals that guide aerial applicators during the release of a pesticide product onto its target." Because pesticide concentration decreases with distance from site of application, the DWB is considered protective of receptors at a distance of 25 feet or more from the site of application. Please refer to the *Pesticide Off-Target Drift* portion of Appendix B, Section 2.3.1, and the *Downwind-Bystander* portion of Appendix B, Section 2.3.2, for more details on the assessment of offsite drift. Because no peer-reviewed or regulatory agency tools or guidance exist to reasonably evaluate volatilization drift, this potential phenomenon was not considered.

Response to Comment 16555-8

For any given scenario in the HHRA, the decision to assess a receptor was based on whether that receptor could be reasonably assumed to have exposure to the Proposed Program-applied pesticide active and inert ingredients used in that particular scenario. An infant between the ages of 0 and <2 years was deemed to have de minimis exposure. This is because an infant spends most of his/her time indoors and away from areas affected by CDFA treatments. When outdoors, the infant is typically under adult supervision; is less mobile than children over the age of 2 years; and therefore is less likely to spend a significant duration of time in areas targeted for CDFA treatments. CDFA treatments on residential properties have the potential to target tree canopies, soil immediately around the trunk of a tree, and garden foliage, but not lawns. CDFA always notifies the residents prior to applying pesticides on the property.

Response to Comment 16555-9

Inherent in the MOE approach used in this risk assessment is the incorporation of safety/uncertainty factors. Two safety factors were used: one for interspecies variability (10×) and another for intraspecies variability (10×). These two safety factors together result in a value of $10 \times 10 = 100$ for the MOE. Interspecies safety/uncertainty factors are intended to account for uncertainty in extrapolating animal data to humans; they are intended to account for variation in susceptibility (i.e., differences in sensitivity) among members of the human population (e.g., differences based on sex, race, age, and health conditions).

For cancer risk assessments, the procedures used to extrapolate cancer potency factors from epidemiological or animal carcinogenicity data are generally health-protective in that they determine an upper confidence bound on the risk experienced by an exposed population. These procedures are intended to include the majority of variability in the general human population, including more sensitive individuals, within the confidence bounds of the estimate.

In certain cases, data are available allowing further refinement in the characterization of risk for more susceptible sub-populations. For example, ADAFs were incorporated into the cancer risk assessment to account for differences in cancer susceptibility based on age of

exposure (U.S. EPA, 2005q). These adjustments, in addition to the default conservative approach to deriving cancer potency factors, further increase the health-protection for sensitive sub-populations.

Additional safety/uncertainty factors were included throughout the assessment, where appropriate. These factors are intended to account for 1) uncertainty in extrapolating from data obtained in a study with less-than-lifetime exposure (e.g., extrapolating sub-chronic to chronic exposure); 2) uncertainty in extrapolating from the LOAEL rather than a NOAEL; or 3) uncertainty associated with extrapolation when toxicity data are limited or incomplete.

Consistent with U.S. EPA, OEHHA, and CDPR recommendations, the body weight used to assess adult exposure was 80 kilograms. This value represents the mean body weight for all adults (male and female, all age groups) and is the recommended adult body weight in the U.S. EPA Exposure Factors Handbook (U.S. EPA, 2011).

Response to Comment 16555-10

U.S. EPA's Standard Operating Procedures for Residential Pesticide Exposure Assessments (Residential Pesticide SOP) (U.S. EPA, 2012b) provides general methods and equations for estimating the amount of pesticide residue available on vegetation surfaces (i.e., dislodgeable foliar residue [DFR]), and how much of that residue could potentially transfer to the surface of an individual's skin. The DFR was estimated using the application rate, fraction of pesticide retained on foliage after application, daily residue dissipation fraction, and the number of days past the application that exposure occurs. To estimate the transfer of residue from the vegetation surface to an individual's skin, a transfer coefficient was applied to the DFR. The Residential Pesticide SOP provides exposure factors applicable to residential scenarios, which were used to assess Proposed Program applications in residential settings. For proposed treatments in nursery and production agriculture settings, exposure factors applicable to occupational settings were used instead of the factors provided in the Residential Pesticide SOP. For example, the transfer coefficient used in the adult PAR gardens assessment was provided by the Residential Pesticide SOP, and had a value of 8,400 square centimeters per hour (cm^2/hour), based on activities such as cabbage weeding and tomato tying (U.S. EPA, 2012b). The transfer coefficient used in the Post-Application-Loader assessment was provided by U.S. EPA's Science Advisory Council for Exposure Policy 3, and had a value of 100 cm^2/hour, based on an individual performing "orchard maintenance" (U.S. EPA, 2013c). All of the equations and exposure factors used for each receptor can be found in the Exposure Assessment section of the HHRA, and in the Methods section of the Dashboard, which can be downloaded from CDFA's website.

U.S. EPA's Residential Pesticide SOP (U.S. EPA, 2012b) was not used in the assessment of the adult or child DWB.

Section 4.1.2 Model Limitations in the HHRA discusses the limitations of U.S. EPA's Residential Pesticide SOP (U.S. EPA, 2012b), noting that U.S. EPA's Residential Pesticide SOP is more reliable for estimating instantaneous or acute exposure than continuous exposure. The user is limited to the application settings, exposure pathways, and activity patterns provided in the Residential Pesticide SOP, so a surrogate had to be chosen if the requested application and exposure options were not available. For example, the U.S. EPA Lawns/Turf Standard Operating Procedure (Lawns/Turf SOP) was used as a surrogate for estimating

incidental ingestion of residues on plant surfaces from hand-to-mouth activity. Conservative surrogates, such as the U.S. EPA Lawns/Turf SOP, provided more confidence that the resulting exposure was an over-estimate compared to actual exposure.

Proposed Program scenarios encompass specific relationships between many factors, including receptor, setting, application parameters, exposure routes, and exposure factors. Exact matches to these specific scenarios and relationships are rarely available in supported literature. In cases where exact matches were not available, conservative surrogates were selected from available literature to increase the probability of over-estimating exposure in comparison to actual exposure.

Response to Comment 16555-11

The citations in the comment that refer to PEIR Appendix A, Attachment 1-24 ("more discussion is planned for this subject"), 1-42, 1-64, and 1-248, are referencing internal working papers, created for discussion purposes only during the development process of the HHRA; they have no bearing on the final version of the HHRA. PEIR Appendix A, Attachment 1 is titled *Joint OEHHA, CDPR, and CDFA Meeting Details*, and contains materials from the 13 meetings held between OEHHA, CDPR, and CDFA over the course of a year. Attachment 1 does not include all discussions and conclusions applicable to the final HHRA, but merely reflects details related to those 13 meetings. These materials are provided to allow transparency into the HHRA development process, and should remain distinct from the final HHRA.

Response to Comment 16555-12

The commenter is correct in noting that methyl bromide is proposed for all fumigation activities; however, the commenter fails to mention that fumigation is only one of several options listed on PEIR Volume 1, pages 3-13 and 3-21, that may be considered in response to an internal quarantine. The only scenarios that were analyzed for methyl bromide in the PEIR were options for compliance with quarantines for fruit flies or ACP. ACP is a Federal Action Pest, and the federal government agency (USDA) decided which treatments are approved for eradication/quarantine compliance. For ACP, the methyl bromide treatment is the only approved federal quarantine option available that allows the product to be viable for use. In the case of the Fruit Fly Federal Action Pest, other treatments are approved for eradication/quarantine purposes; however, there are no USDA-approved facilities in California to use the other approved treatment methods at this time (see lists of facilities at USDA, 2014a; USDA, 2014b; and USDA, 2014c).

In addition, CDFA has worked with the federal government to use a mobile treatment container option; however, these containers are owned by shipping companies and used by many international shippers. Due to funding and availability, California would be unable to reserve these containers if and when a quarantine is enacted. If and when any other options become available for California, CDFA would consider their use. As new treatment approaches become available in California that are deemed technically and economically feasible as well as protective of human health, CDFA would consider adding these approaches to the Proposed Program through future tiered CEQA evaluation.

Text has been added to the PEIR in three locations to address methyl bromide as an ozone-depleting substance (ODS): (1) Appendix O, Section O.2, *Air Quality Regulatory Setting*, discusses regulatory aspects of methyl bromide and the ozone layer; (2) PEIR Volume 1, Section 6.2.2, *Air Quality, Environmental Setting*, on page 6.2-5 adds a discussion of methyl bromide as an ODS; and (3) Impact AQ-1 has been expanded to discuss how the use of methyl bromide will not conflict with any applicable air quality plans and policies.

The following text has been added to Appendix O, *Regulatory Setting*, Section O.2:

Ozone-Depleting Substances (ODS) Regulation

Under Title VI of the Clean Air Act, U.S. EPA is responsible for programs that protect the stratospheric ozone layer; this covers the production of ozone-depleting substances (ODS), the recycling and handling of ODS, the evaluation of substitutes, and efforts to educate the public. U.S. EPA's Stratospheric Protection Division runs regulatory and voluntary programs that protect the Earth's stratospheric ozone layer. These programs protect the ozone layer, and include requirements under the Montreal Protocol on Substances that Deplete the Ozone Layer and the Clean Air Act. This includes programs to phase out the production and import of ODS in the United States, and guides the transition to non-ozone-depleting substitutes. The Significant New Alternatives Policy program reviews substitutes for ODS. In Section 612(c) of the Clean Air Act, U.S. EPA is authorized to identify and publish lists of acceptable and unacceptable substitutes for class I or class II ODSs.

Methyl bromide is a class I ODS; it falls under allowable exemptions to the phase out for quarantine applications that are treatments to prevent the introduction, establishment, and/or spread of quarantine pests (including diseases), or to ensure their official control, where: (1) official control is that performed by, or authorized by, a national (including state, tribal, or local) plant, animal, or environmental protection or health authority; (2) quarantine pests are pests of potential importance to the areas endangered thereby and not yet present there, or present but not widely distributed and being officially controlled. This definition excludes treatments of commodities not entering or leaving the United States or any state (or political subdivision thereof) (40 CFR Part 82).

The following text has been added to PEIR Volume 1, Section 6.2.2 on page 6.2-5:

Ozone Depleting Substances

The ozone (O_3) layer in the stratosphere protects life on earth from exposure to dangerous levels of ultraviolet light. It does so by filtering out harmful ultraviolet radiation from the sun. When CFCs [chlorofluorocarbons] and other ozone-degrading chemicals are emitted, they mix with the atmosphere and eventually rise to the stratosphere. There, the chlorine and the bromine they contain catalyze the destruction of ozone. This destruction is occurring at a more rapid rate than ozone can be created through natural processes. The degradation of the ozone layer leads to higher levels of ultraviolet radiation reaching Earth's surface. This in turn can lead to a greater incidence of skin cancer, cataracts, and impaired immune systems, and is expected also to reduce crop yields, diminish the productivity of the oceans,

and possibly to contribute to the decline of amphibious populations that is occurring around the world (U.S. EPA, 2014).

The chemicals most responsible for the destruction of the ozone layer are chlorofluorocarbons, carbon tetrachloride, methyl bromide, methyl chloroform, and halons. U.S. production of ozone-depleting gases has declined significantly since 1988, and has now reached levels (measured by their ozone depletion potential) comparable to those of 30 years ago. Because of the international agreements to decrease production and ultimately to phase out production of CFCs and halons, total equivalent chlorine (total chlorine and bromine, with adjustments to account for bromine's higher ozone depletion potential) in the troposphere peaked between 1992 and 1994 and has since decreased. Total chlorine abundance in the stratosphere is at or near peak; stratospheric bromine is likely still increasing. Increasing ozone losses are predicted for the remainder of the decade, with gradual recovery by the mid-21st century (U.S. EPA, 2014).

The Montreal Protocol and its Amendments and Adjustments have successfully controlled the global production and consumption of ODS over the last two decades, and the atmospheric abundances of nearly all major ODS that were initially controlled are declining. As a result of the Montreal Protocol, ozone is expected to recover from the effect of ODS as their abundances decline in the coming decades. Tropospheric methyl bromide abundances continued to decline during 2005-2008, as expected due to reduction in industrial production, consumption, and emission. About half of the remaining methyl bromide consumption was for uses not controlled by the Montreal Protocol (quarantine and pre-shipment applications). An evaluation of the impact of phase out of quarantine and pre-shipment emissions found that this would only accelerate the return of equivalent effective stratospheric chlorine (EESC) to 1980 levels by 1.5 years relative to a case of maintaining emissions at 2004-2008 average levels (WMO, 2011).

The following text has been added to Impact AQ-1:

The emission inventory for the Statewide Program indicates that the baseline level of Proposed Program activities in individual air basins could increase in the future, while staying below the applicable incremental mass emission thresholds, which are designed by air districts to ensure that local air quality implementation plans are met and that ambient air quality standards are achieved and maintained. Proposed Program activities would also follow ODS regulations implemented by U.S. EPA to control the use of methyl bromide and limit its use to quarantine applications where no suitable alternatives considering human health and economic feasibility exist. Therefore, the Proposed Program would not conflict with or obstruct implementation of applicable air quality plans and policies. The impact would be less than significant.

Response to Comment 16555-13

The commenter is correct in noting that methyl bromide is proposed for all fumigation activities; however, the commenter fails to mention that fumigation is only one of several options that may be considered in response to an internal quarantine, and are listed on PEIR Volume 1, pages 3-13 and 3-21. These listed options include several other chemical

treatments. At this time, CDFA has not identified other suitable approaches for all situations covering all pests and commodities that may currently consider using methyl bromide as a fumigant. As new treatment approaches are deemed technically and economically feasible as well as protective of human health, CDFA would consider adding these approaches to the Proposed Program as part of an IPM approach through future tiered CEQA evaluation.

The commenter is referred to Response to Comment 16555-12. There are no federally approved facilities in California to perform the Post Harvest treatment options as listed in the Import Export Manuals on the USDA APHIS website.

Response to Comment 16555-14

CDFA agrees that the three chemicals in the fifth designation would be of most concern. However, the commenter incorrectly states that further analysis of this chemical category was not performed. In fact, Impact WQ-CHEM-5 on PEIR Volume 1, Section 6.7, *Water Quality,* page 6.7-32, provides a detailed analysis for this chemical category, and requires implementation of Mitigation Measure WQ-CHEM-5 to reduce this impact to a less-than-significant level. Impact WQ-CHEM-5 requires implementation of several of the Proposed Program's MPs (MP-SPRAY-1 through MP-SPRAY-7; MP-AERIAL-1; and MP-GROUND-1 through MP-GROUND-4) that could not be considered quantitatively in the ERA. CDFA has concluded that with implementation of these MPs, and considering the fate and transport properties of the chemicals, exceedances of water quality standards would not occur.

Response to Comment 16555-15

CDFA did not ignore its own modeling data as suggested by the commenter. Instead, CDFA determined potential water quality impacts using the model results, but also with consideration of model limitations, including fate and transport properties of the chemicals that could not be calculated by the model, and the effectiveness of the PEIR's MPs. The ERA's and HHRA's models are routinely used by the U.S. EPA. However, these models have limitations, as disclosed in the PEIR's Appendix A, Section 3.3.1, *Surface Water Concentrations of Pesticide Active and Inert Ingredients and Adjuvants*; Appendix A, Section 6, *Uncertainties*; and Appendix B, Section 4.1.2, *Model Limitations*. There were several MPs that could not be modeled due to the limits of the ecological and risk assessment models. Therefore, these MPs were described and considered qualitatively in the impact analysis in compliance with CEQA Guidelines Section 15142, which states that an EIR will ensure the consideration of qualitative as well as quantitative factors. Although the commenter suggests that CDFA should modify these routinely used models, the commenter does not suggest alternative models that CDFA could have used. The mitigation measures and MPs proposed in the PEIR are enforceable and would avoid significant impacts to water bodies from pesticide runoff or drift. In addition, CDFA's NPDES permit, which addresses pesticide applications undertaken directly by CDFA or its contractors, contains additional measures to minimize potential impacts related to the application of carbaryl and chloropyrifos. CDFA has maintained compliance with its NPDES permit. Furthermore, individual growers must also comply with the Clean Water Act for pesticide applications that can reach surface water bodies. Therefore, CDFA's significance determination for Impact WQ-CHEM-5 is based on justified quantitative and qualitative analyses.

Response to Comment 16555-16

The analysis of pyrethroids did not intentionally use conditional terms, nor does it contain guesses. The PEIR states that most applications of pyrethroids would occur in nurseries, greenhouses, and/or shadehouses. The other areas where pyrethroids may be used include bulk citrus locations and residential settings; however, this is the case in only a few application scenarios compared to the vast majority of pyrethroid application scenarios that would take place in nurseries, greenhouses, and/or shadehouses. This information is based on the specific application scenarios listed in PEIR Volume 1, Chapter 3, *Proposed Program Activities,* and available in the Dashboard database. The ERA's PE5 model assumed that pesticide application would occur immediately adjacent to a farm pond. Proposed Program MPs would prohibit applications immediately adjacent to a farm pond or other surface water. MP-SPRAY-1 requires a site-specific survey to be conducted, and specifically requires notation of surface water and storm drains. MP-SPRAY-4 requires delay of applications if rain is predicted. Finally, MP-SPRAY-5 requires protection of surface areas (including storm drains) with buffer zones. All of these are required by CDFA, CDFA contractors, and individual growers, as specified in Impact WQ-CHEM-5. CDFA acknowledges the study referenced by the commenter, and has implemented appropriate MPs to minimize the impact to storm drains and surface water bodies. It should be noted that pyrethroids were most commonly detected in sediment rather than in the water contained in water bodies or storm drains.

Response to Comment 16555-17

The U.S. EPA model PE5 was used to analyze transport of pesticides to surface waters. As described above, this model conservatively assumes that receiving surface waters are *directly* adjacent to the site of application, and that transport occurs to surface waters unhindered through the soil, runoff, and erosion. These assumptions result in conservatively high estimates of surface water concentrations, because no dilution or adsorption to surfaces occurs between the site of application and the water body. In real-world conditions, factors such as dilution would reduce the concentrations compared to PE5's modeling results. This is not speculation, and constitutes a reasonable basis on which to conduct the impact analysis.

With respect to pyrethroids: pyrethroids are compounds exhibiting low water solubility, high octanol-water partition coefficients, a high affinity for soil and sediment particulate matter. Pyrethroids have low mobility in soil, and are sorbed strongly to the sediments of natural water systems. Once again, these chemical properties are not speculation, they are fact; and constitute a reasonable basis on which to conduct the impact analysis and contextualize the modeling results.

Response to Comment 16555-18

The PEIR's mitigation measures and MPs are compliant with CEQA; they are sufficiently defined to allow for the PEIR to make a determination regarding their effectiveness; they are fully enforceable through compliance agreements, contracts, or another legally binding instrument; and compliance would be documented by CDFA using the Tiering Strategy Checklist. The commenter has provided no evidence whatsoever to support the assertion that these measures would not be effective or enforceable.

Response to Comment 16555-19

The PEIR appropriately used the significance criteria from CEQA Guidelines Appendix G in making its determinations regarding potential impacts to agriculture, and organic farms in particular, and has concluded that impacts would not be significant. The PEIR fully considered the (non-existent) potential for organic farms to lose their certification as a result of Proposed Program activities. Although it may be necessary for CDFA to mandate the use of conventional pesticides in some quarantine areas, the Proposed Program includes multiple treatment options for eradication, suppression, and control projects to minimize disruption to organic production, including USDA organic pesticides where they have been deemed to be efficacious. See Master Response 3, Impacts on Organic Farming, for further discussion of how the PEIR considered potential effects on organic farms.

Response to Comment 16555-20

As shown in PEIR Volume 1, Chapter 3, *Proposed Program Activities,* Tables 3-1 through 3-3, CDFA specifies all chemical use scenarios under the Proposed Program, and the details of each scenario. Both conventional and USDA organic pesticides are included in these tables. The tables present specific, binding use scenarios, for each conventional and USDA organic chemical, that were developed and evaluated in the HHRA and the ERA. Furthermore, the PEIR, based on the results of the HHRA and ERA, concluded that the risk to humans would be below a level of concern, and that any potential effects on biological resources would be mitigated through Mitigation Measure BIO-CHEM-2.

PEIR Volume 1, Chapter 7, *Alternatives Analysis*, on pages 7-4 through 7-10, describes the USDA Organic Pesticide Alternative's physical, biological, and chemical management approaches, and analyzes their efficacy against pests targeted in the Proposed Program. As stated on page 7-4, this alternative's chemical management approaches would only include the use of natural pesticide products or synthetic pesticide products that are specifically allowed under Title 7, Part 205.601 (Synthetic Substances Allowed for Use in Organic Crop Production) of the Code of Federal Regulations (CFR). Proposed Program pest management activities, under the USDA Organic Pesticide Alternative, would continue to use horticultural oil, sticky traps, synthetic pheromones and bait stations, sulfur, pyrethrum, kaolin clay, *Bacillus thuringiensis*, insecticidal soaps, PyGanic, and spinosad, among others, as allowed by USDA organic regulations. The commenter is also referred to the Dashboard database, which provides additional information, including specific details of each chemical application scenario, pesticide product formulations, physical and toxicological properties of the chemicals' active ingredient fate characteristics, and environmental effects. In conclusion, all chemical use activities/scenarios are fully described in the PEIR; these binding scenarios were evaluated in the HHRA and ERA; the range of management activities that could be conducted under the USDA Organic Pesticide Alternative; and the probable environmental impacts, are fully described in detail in PEIR Volume 1, Chapter 7. Therefore, the PEIR provides sufficient information about the Proposed Program's alternatives to allow its evaluation in sufficient detail, in compliance with CEQA Guidelines Section 15126.6.

Response to Comment 16555-21

The commenter notes the decline of honey bees and the potential effects on cultivated agricultural products. The commenter recommends low rates of horticultural spray oils as an option for organic growers.

The decline of honey bee populations is described in PEIR Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*. This appendix notes that the published, peer-reviewed literature attributes these declines to interactions among multiple stressors, including:

- Pests (e.g., varroa mite), pathogens (e.g., the bacterial disease American foulbrood), and viruses;
- Poor nutrition (e.g., loss of foraging habitat, increased reliance on supplemental diets);
- Pesticide (e.g., insecticides, fungicides) exposure;
- Bee MPs (e.g., long migratory routes to support pollination services);
- Lack of genetic diversity;
- Habitat loss; and
- Drought.

The interactions between these stressors are complex, and many of the stressors reduce resilience and health, making the bees more susceptible to pests, pathogens, and disease (Pettis et al., 2012; USDA; 2010; and Vanbergen and Insect Pollinators Initiative, 2013).

As noted in Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*, the magnitude and duration of the applications for the Proposed Program would be limited, compared to the overall use of these pesticides throughout agricultural and residential areas of California. In addition, the CDFA would implement a number of avoidance and minimization measures as part of the Proposed Program, including:

- Specific pollinator protection measures (Included in Attachment 1 of Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*);
- Pesticide label restrictions to reduce potential for drift and protect pollinators;
- Additional MPs, described in PEIR Volume 1, Chapter 2, *Proposed Program Description*; and
- Measures identified based on coordination with USFWS and CDFW.

Response to Comment 16555-22

All treatment scenarios included in the Proposed Program have been determined to be efficacious in certain circumstances; CDFA evaluates their efficacy on a project-by-project basis using an IPM approach when determining which treatments to use. CDFA is confused as to what additional evaluation of their efficacy is necessary; this does not appear to be a CEQA requirement. With respect to commenter's request for a "discussion of alternatives,"

CDFA refers him to the detailed description included in the USDA Organic Pesticide Alternative of the various types of treatments that may be available and efficacious. The PEIR is therefore in full compliance with CEQA Guidelines Section 15126.6. See also Master Response 12, Alternatives Analysis.

Response to Comment 16555-23

CDFA refers the commenter to PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*; and Master Response 2, Integrated Pest Management Approach, which both provide details about CDFA's IPM approach and corresponding use of physical, biological, and chemical management techniques. The PEIR does not ignore other benefits of organic alternatives and, in fact, analyzed the USDA Organic Pesticide Alternative's ability to control the same pests the commenter mentions (GWSS, fruit flies, and JB). Furthermore, as detailed in PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach,* and Master Response 2, Integrated Pest Management Approach, CDFA considers numerous factors and recommends, based on scientific input, implementation of a variety of physical, biological, and/or chemical management techniques for specific target pest management. The use of pesticides is not CDFA's or the Proposed Program's goal. Based on experience and knowledge of the available methods, and after consideration of potential risks to human health and the environment, the least damaging and most economical method or combination of methods to be used is selected.

Both the Wines & Vines and University of Kentucky articles that the commenter referenced discuss the importance of cultural controls or other management techniques that are outside of CDFA's jurisdiction to control. Although CDFA encourages the use of cultural controls by farmers to enhance the success of IPM approaches, it is outside of CDFA's jurisdiction to control farmers' individual pest management cultural choices, such as integrated canopy management and vine balance, planting cover crops, or enhancing the habitat of beneficial insects. Furthermore, the University of Kentucky article that the commenter references states:

> *"Organic production is not a passive means of pest control but a production system in which a variety of cultural practices, organic pesticide controls, and beneficial insects are used. Considerable care must be taken in determining the planting location, layout, pest control, and cultural practices. The correct cultural practices are extremely important to follow when growing fruit using organic techniques."*

Thus, the individual farmer's choices are extremely important in determining the efficacy of organic pest management techniques, but outside of CDFA's discretion. In addition, the University of Kentucky article states that "*many of these [organically approved] insecticides and practices are not necessarily as effective as other recommended control measures, and research data to support the use of some of these are lacking*." CDFA agrees with this statement and formed similar conclusions, as detailed in PEIR Volume 1, Chapter 7, *Alternatives Analysis*, which reviewed the efficacy of the USDA Organic Pesticide Alternative in detail on pages 7-4 through 7-10. Furthermore, the PEIR's Tiering Strategy would allow for other pest management techniques, including new organically approved techniques or chemicals, to be incorporated into the Proposed Program as they are developed or more information on the effectiveness of organic techniques becomes available.

Response to Comment 16555-24

The commenter is referred to Response to Comment 16555-1. To the extent that the USDA Organic Pesticide Alternative may result in the inability of CDFA to adequately control pests, including the ACP, exotic fruit fly, GWSS, and JB, as detailed on PEIR Volume 1, pages 7-5 through 7-10, because there are no known organic alternative treatments (physical, biological, or chemical) that would be more than moderately effective, CDFA does not expect that this alternative would effectively control these pests. As a result of the ineffectiveness of the USDA Organic Pesticide Alternative, farmers may decide to use conventional treatment methods. CDFA does not have jurisdiction over personal choices that farmers make to use conventional pesticides; therefore, there is a reasonable possibility that farmers may select conventional pesticides. Although the extent to which this would occur would be very difficult to predict, the possibility exists that the USDA Organic Pesticide Alternative would result in more pesticide use overall, as discussed in PEIR Volume 1, Section 7.7, *Environmentally Superior Alternative*, on page 7-21. CDFA has determined that it is not speculative to conclude that if CDFA chooses not to use conventional pesticides to effectively control the pest species that cannot be adequately controlled via organic treatments, individual growers may choose to use the conventional pesticides themselves, if it was a wise economic decision to ensure sales of their products.

Response to Comment 16555-25

The commenter is referred to previous responses above, and to Master Response 12, Alternatives Analysis, which both discuss the alternative selection process and factors considered in determining the efficacy of the USDA Organic Pesticide Alternative. Without the use of cultural controls by individual farmers, which is outside of CDFA's jurisdiction, the efficacy of the USDA Organic Pesticide Alternative would be low. Therefore, considering all environmental aspects, the Proposed Program is considered to be environmentally superior to the other alternatives considered in the PEIR. It would strike an appropriate balance between protecting natural and agricultural resources from the adverse impacts of pest invasions, while providing for impact avoidance and minimization through a coordinated program for management of Proposed Program activities, including PEIR mitigation and other protective measures.

Response to Comment 16555-26

For all the reasons described in the responses above, the PEIR is not inadequate or flawed, does not require further revision or recirculation, and fully complies with CEQA in serving as the basis for the Secretary of CDFA to determine whether to approve or deny the Proposed Program.

Comment Letter 16556

From:	Elizabeth Forsyth
To:	CDFA Pest Prevention EIR@CDFA
Cc:	California Environmental Health Initiative (nan@cal-ehi.org); debbie@momsadvocatingsustainability.org; Jason R. Flanders (jrf@atalawgroup.com); jevans@biologicaldiversity.org
Subject:	Comments on CDFA"s Draft PEIR
Date:	Friday, October 31, 2014 2:59:34 PM
Attachments:	1. Comments of Warren Porter.pdf 1. Comments of James Frazier.pdf 1. Comments of CEHI et al.pdf

Dear Ms. Petro,

Please find attached the comments of California Environmental Health Initiative et al., professor Warren Porter, and professor James Frazier on CDFA's Draft PEIR for the Statewide Plant Pest Prevention and Management Program. These comments were also sent today by mail along with the documents referenced in these letters.

Thank you for the opportunity to comment,

Elizabeth

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Comment Letter 16556 - cont.

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NORTHWEST ROCKY MOUNTAIN WASHINGTON, D.C. INTERNATIONAL

EARTHJUSTICE

ATA AQUA TERRA AERIS LAW GROUP

October 31, 2014

Laura Petro, Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento CA 95814

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Petro:

Thank you for the opportunity to comment on the Draft Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report (DPEIR). We write on behalf of: California Environmental Health Initiative, Moms Advocating Sustainability, Center for Biological Diversity, Beyond Pesticides, Butte Environmental Council, Californians for Alternatives to Toxics, Californians for Pesticide Reform, California State Grange, Center for Environmental Health, Central California Environmental Justice Network, Citizens Committee to Complete the Refuge, the City of Berkeley, City of Richmond Mayor Gayle McLaughlin, Clean Water Action, Environmental Action Committee of West Marin, Environmental Justice Coalition for Water, Environmental Working Group, Friends of the Earth, Organic Consumers Association, Pesticide Action Network North America, Pesticide Free Zone, Raptors are the Solution, Safe Alternatives for Our Forest Environment, San Francisco Baykeeper, SAVE THE FROGS!, Slow Food California, and Topanga Creek Watershed Committee.

16556-1

The DPEIR represents a tremendous opportunity for the California Department of Food and Agriculture (CDFA) to chart a course toward sustainable, ecologically and scientifically sound pest management policy. As currently drafted, however, the proposed plant pest prevention program (Proposed Program) is woefully misguided, and the DPEIR is grossly inadequate under the California Environmental Quality Act (CEQA). We recommend that CDFA dramatically revise the Proposed Program to focus on pest prevention through an ecological-agriculture pest management approach. We also urge CDFA to re-draft the DPEIR to comply with CEQA. This includes revising the

Comment Letter 16556 - cont.

16556-1 cont.

DPEIR to provide much greater detail on how the Program's activities will be carried out and what the Proposed Program's impacts will be. It must also be revised to clarify that the DPEIR is only first-tier programmatic document, and that the first step for all subsequent site-specific activities conducted under the Proposed Program will include an initial study that evaluates the site-specific impacts of the particular activity, along with an opportunity for public notice and comment.

I. The Proposed Program Should be Redesigned to Focus on Pest Prevention Through an Ecological-Agriculture Approach.

A. The Program's focus on eradication as a goal and pesticide application as its main management strategy results in unnecessary significant impacts.

16556-2

The DPEIR offers an opportunity for CDFA to move away from the agency's status-quo pest management approaches that depend heavily on chemical treatments—to which a broad cross-section of the general public objects because of their negative health and environmental consequences—and to begin rebuilding public trust by moving toward a sustainable approach that protects human health and the environment.

16556-3

The risks that pesticides pose to human health and the environment are well documented (see, e.g., President's Cancer panel 2010, Environmental Working Group 2005, World Health Organization 2012, Roberts et al. 2012, Leu 2014). The skyrocketing demand for organic food—16.5% per year from 2000 to 2010 (Growing Demand for Organic Food 2010) —demonstrates that the public takes those risks seriously and is increasingly heeding recommendations such as that of the American Academy of Pediatrics to limit exposure to pesticides as much as possible, especially for children (Roberts et al. 2012). In light of these facts and the significant cost of the DPEIR ($4.5 million so far), it is both prudent and cost-effective for CDFA to use the occasion of a PEIR to develop a modern, minimally toxic approach to pest management based on the best current science rather than attempt to codify the same pest management model that the agency has been using, with few updates other than substituting of chemicals, at least since the controversial malathion aerial spraying for the medfly three decades ago.

16556-4

Unfortunately, as the DPEIR repeatedly states, what it evaluates is not a new, sustainable approach but CDFA's current "ongoing program of pest prevention and management activities" (DPEIR at 6.0-1) as well as future projects that would be carried out following the same types of protocols. This current ongoing program is not

16556-4 cont.

sustainable. It poses risks to human health and the environment, including grave risks to bees, other pollinators, and organic farms. It quarantined approximately 40% of the state's area in 2010 (Western Farm Press 2010), placing costly burdens on farmers, some of whom must comply with multiple regulations for several different quarantine pests. The DPEIR evaluates 79 different chemicals and leaves open the option for more chemicals to be added to the Proposed Program. With the rate of arrival of new pests likely to increase as a result of global climate disruption (Ogburn 2013) and the evidence of increasing contamination of human and water bodies as well as soil, the multiple costs of this approach—human health, environmental, personnel, and financial—are rapidly becoming unmanageable. Moreover, there is substantial and growing evidence that the current, chemical-based approach is not working, with repeated and spreading fruit fly infestations and the failure of intensive chemical treatments to control a recently detected and serious pest, the Asian citrus psyllid (both are discussed further below).

16556-5

The DPEIR asserts that "CDFA's first objective in invasive pest management is prevention"(DPEIR at 2-14) and that the Proposed Program's "detection survey efforts are focused on known high-priority pests or pests that are likely to occur in California based on the presence of suitable climate, *habitat requirements*, and entry pathways" (DPEIR at 2-11, emphasis added). However, the only pest prevention activity described in the DPEIR is exclusion, which consists primarily of efforts to stop identified priority pests at the border and prevent their entry to the state or, once pests have entered the state, to prevent their movement by establishment of quarantines. Nothing in the DPEIR's Program Description targets prevention activities at the abovementioned pest "habitat requirements" that make pests "likely to occur." If prevention (which inherently satisfies all of the other Program objectives of reducing the risk from pests) is the agency's first objective, then the DPEIR must analyze a robustly defined alternative that focuses on prevention and that could eliminate or greatly reduce the need for and environmental costs of eradication and control programs.

B. CDFA should consider a sustainable eco-agricultural pest prevention alternative.

16556-6

The ideal candidate approach to prevent pest infestations and control pests to manageable levels, which accomplishes these goals by addressing pest habitat requirements, is what is variously called an eco-agricultural or ecological pest management approach, or a biological farming or conservation agriculture approach.

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16556-6 cont.

We briefly outline here an eco-agriculture alternative to the Proposed Program that incorporates many proven, successful organic practices and takes advantage of research from the domains of botany and entomology. This alternative is environmentally superior to the Proposed Program and would reduce or avoid many of the Proposed Program's significant impacts, including those that the DPEIR deems unmitigatable (air quality and climate change). It would also substantially accomplish not only the Program's first objective of preventing pest infestations, but most of the other key Program objectives: preventing damage by introduced pests; minimizing the impacts of pest management approaches on human health and urban and natural environments; promoting the production of a safe, healthy, secure food supply; implementing a program broad enough to apply to a wide range of pest groups, and being consistent with existing CDFA permits (e.g., NPDES and SWRCB) (DPEIR at 2-2). An eco-agricultural approach would also prevent economic and environmental damage to both organic and conventional farms and thus prevent conversion of farmland to non-agricultural uses, which is the DPEIR's criterion for evaluating impacts on agricultural resources. An eco-agricultural approach offers a potential non-toxic approach for addressing pests such as Asian citrus psyllid (ACP) and the associated Huanglongbing (HLB) disease. As Quarles (2013) reports, "even intensive insecticide programs for ACP are generally ineffective for preventing the introduction and spread of HLB, especially in new plantings," and the "extensive pesticide applications" being used for ACP "are causing psyllid resistance, and probably damage to bees and beneficial insects." ACP clearly demands a different approach from the status quo.

The eco-agricultural approach to pest prevention and management outlined here is a much more fleshed-out, realistic, and robust alternative than the overly simplified CEQA alternatives analyzed in the DPEIR's alternatives analysis. This alternative must be considered as the holistic and comprehensive framework of practices that it is and cannot simply be dismissed as "speculative" in its effectiveness. It must also be considered in the context of our comments regarding the Program's unrealistic emphasis on eradication of pests (which is notably not listed explicitly in the DPEIR as one of the Program objectives) and the lack of scientific basis for attempting eradication in most cases.

Substantial research on the resistance of healthy plants to pest infestation points toward an effective long-term pest prevention and management strategy that CDFA could employ to significantly reduce the environmental impacts associated with the agency's current pest management approach. The research of Phelan (2009) Beanland et al. (2003), and Chaboussou (2004) among others describes the principles of the eco-

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agricultural approach and provides evidence of its efficacy for pest prevention and management.

Phelan's work on the role of soil conditions in plant health and susceptibility to pests and disease in biological farming systems shows that plants that have high levels of complete carbohydrates and proteins, which herbivorous insects cannot digest, resist insect infestation and damage. In a series of controlled studies, Phelan et al. (1995, 1996) demonstrated reduced susceptibility to European corn borer of maize planted in organically managed soil. In those experiments, corn borer egg laying was more than 18 times greater on plants grown in conventionally farmed soil than among plants grown in soil from organic farms. Plants grown in organic soil exhibit the features of internal chemistry described above—high levels of complete carbohydrates, proteins, and other factors, which plants grown in conventional soil do not as further described below. These experiments both demonstrate the relationship between plant nutritional state and resistance to pests and provide evidence of the effectiveness of organic agriculture methods, particularly for soil amendment, in preventing pest infestation and increasing plants' resistance so that pest levels can be kept below a threshold (Phelan at al. 1995, 1996, 2009).

16556-6 cont.

Similarly, research showing "major differences in the appetite of the Colorado potato beetle" for potatoes grown at different sites demonstrates that "certain traditional growing methods, such as the systematic application of manure and compost, encourage resistance to the Colorado potato beetle and even to disease, through the biochemical state that they create in the plant." Comparable studies of leafhoppers demonstrate the principle that a plant's "nutritional state determines resistance" (Chaboussou 2004). Chaboussou observes that "[a] plant will only be attacked when its biochemical state corresponds to the nutritional needs of the parasite in question" and that the "indirect effects which link plant physiology with resistance, through the nutritional role of the living soil, clearly demonstrate the risks posed by the myriad herbicides, insecticides, fungicides, and nematicides" due to "their effects on the soil's microorganisms."

Plants grown in conventionally farmed soil treated with synthetic fertilizers exhibit elevated levels of amino acids and other elements that make them metabolically more vulnerable to pest infestation and damage; the solubility of these substances and their mobility within plants makes the plants "more available to sucking insects feeding on phloem or xylem tissue" and "reduces the effectiveness of some plant defensive compounds, such as proteinase inhibitors." In addition, these substances "act as feeding and oviposition stimulants for many herbivorous insects" (Phelan 2009). Thus, plants

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grown in soil that does not promote healthy plant chemistry are not only vulnerable to insect infestation and damage but actually invite pest damage by stimulating pest insects to lay eggs and feed on those plants' tissues. Plants grown in organically farmed (amended with a focus on carbon input) are much more robust to insect damage.

Research demonstrates that pesticides and synthetic fertilizers cause the nutrient deficiencies and imbalances that make plants vulnerable to pest damage. "When proteins are being synthesized, the plant is resistant, and when proteins are being broken down, the plant is at risk" (Paull 2007, citing Chaboussou's work). Chaboussou (2004) finds, for example, that organophosphate pesticides (which include the Proposed Program chemicals chlorpyrifos, diazinon, and malathion), inhibit plant protein synthesis, increasing plants' susceptibility to sucking insects such as mites, aphids, and psyllids as well as to fungal and other diseases. This research demonstrates that supporting plants' optimum nutritional state and thus pest resistance requires both avoiding pesticide use and employing nutrient management practices that enhance soil biological processes. This research also demonstrates that herbivorous insects cannot digest the complete proteins and other elements present in healthy plants.

16556-6 cont.

A study of cotton plants treated with insecticides demonstrates that pesticides produce changes in plant chemistry that may make plants susceptible to resurgences of the target pest or emergence of secondary pests. Abdullah et al. (2006) found increased free amino acids, reduced sugars, and other changes in the chemistry of plants treated with insecticides. These conditions foster pest outbreaks and can cause pest control programs to fail (a phenomenon known as hormoligosis) (Phelan 2009).

It is also well documented and accepted that pesticides disrupt beneficial predators of insect pests. Thus, reducing pesticide use not only results in plants more robust to insect infestation but avoids impacts on beneficial non-target species that aid in controlling pests.

Other benefits of eco-agricultural approaches that begin with soil fertility as the basis for increasing pest prevention are "a greater potential to increase soil organic matter and carbon sequestration" and to reduce the emissions of nitrous oxide (N_2O), which has a "global warming potential 300 times that of carbon dioxide" (Phelan 2009, citing IPPC 2001). An estimated 60 percent of global N_2O emissions is attributable to farming (Chu et al. 2007, cited in Phelan 2009). The organic soil management practices of eco-agriculture reduce N_2O emissions (Phelan 2009). Thus, the eco-agricultural approach to pest prevention would reduce the Proposed Program's significant unmitigatable contribution to climate change.

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Phelan (2009) concludes:

> I am not suggesting that an agricultural design based on natural systems will be free of pests and disease, and without environmental problems. Even natural systems are subject to biotic stress. However, it is clear that the problem-solving approach of the past century of agricultural research has unintentionally created a managed ecosystem that is highly susceptible to invasive plants, insects, and disease, and that lacks the resistance to fluctuating abiotic conditions and resilience in subsequent response that is characteristic of most natural ecosystems. We will not be able to continue in the same manner; within a paradigm of individual problem solving, we will fall farther behind as we enter an era where new and greater challenges will arise, changing weather patterns will create more frequent stress and crop failures, and some of the real costs, previously ignored, will have to be paid. Unless we are willing to provide massive governmental support or accept environmental damage as a necessary trade-off, we must prepare for the future by changing the paradigm from one of problem solving to one of ecosystem management.

16556-6 cont.

The Asian citrus psyllid, mentioned above, is just one example of how we are unable to meet new and greater pest management challenges using the existing paradigm of intensive chemical management with the intent to eradicate.

This is only a brief overview of the general principles of an ecological pest management approach that would address root causes of pest outbreaks and thereby significantly enhance CDFA's ability to achieve its DPEIR program goal of pest prevention. It would address habitat susceptibility to pests and put tools into the hands of growers to prevent pest outbreaks and reduce or eliminate the need for the kinds of emergency/rapid response chemical interventions on which CDFA currently relies.

An eco-agricultural approach to pest prevention would also reduce or avoid numerous environmental impacts of the Proposed Program, including:

- The significant unmitigatable air quality impacts associated with Proposed Program vehicle usage. This approach could largely be implemented by growers themselves, eliminating the need for agency vehicles to apply pest treatments.

- The significant unmitigatable air quality impacts associated with the Proposed

Program by reducing N_2O emissions from agriculture through organic soil management practices; volatile organic compound (VOC) emissions would also be reduced.

- The significant water quality impacts that the DPEIR risk analysis fails to disclose because few or no chemical treatments would likely be needed.

- The significant impacts on pollinators and other sensitive species from pesticide exposures that the DPEIR fails to disclose.

16556-6 cont.

- The significant health risks that the DPEIR risk analysis understates by its iterative modeling to reduce results below levels of concern without associated mitigation.

- The potentially significant impacts on organic farming from pesticide treatments under the Proposed Program as outlined in Section V.G.

One can anticipate an agency response arguing that eco-agricultural pest management will not satisfy trading partners and international phytosanitary agreements. However, trade agreements allow for a broad range of pest thresholds and methods of demonstrating that an area is pest free. Moreover, as noted above, where pests such as the Asian citrus psyllid are unable to be controlled by aggressive pesticide treatments, CDFA must begin to use measures that are alternative to chemical treatments. It is easy to predict that the general public would respond far more positively to CDFA representatives imposing mandatory compost applications in backyards to prevent and control pests than to the imposition of mandatory spraying of toxic pesticides.

II. The DPEIR's CEQA Tiering Strategy Improperly Limits Subsequent Environmental Review.

16556-7

Under CEQA, the DPEIR, as a program-level EIR, is only the first step in the CDFA's analysis, and subsequent site-specific environmental review is required for particular program activities. The DPEIR's "Tiering Strategy," however, appears to curtail almost all future environmental review. Accordingly, the Tiering Strategy must be revised to clarify that future environmental review, along with public notice and opportunity to comment, will be routinely required before CDFA may carry out pest management activities or changes to the Proposed Program.

16556-7 cont.

A program EIR is designed to "(1) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action, (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis, (3) Avoid duplicative reconsideration of basic policy considerations, (4) Allow the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, [and] (5) Allow reduction in paperwork." 14 Cal. Code Regs. § 15168(b). "[A] *program* EIR is distinct from a *project* EIR, which is prepared for a specific project and must examine in detail site-specific considerations." *Center for Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal.App.4th 1156, 1184 (quoting *In re Bay-Delta Etc.* (2008) 43 Cal.4th 1143, 1169) (holding that subsequent "specific project" that was part of a program EIR required a tiered project EIR).

"For a subsequent project that is consistent with the program or plan analyzed in a first tier EIR, CEQA requires a lead agency to prepare an initial study to determine if the later project may cause significant environmental effects not examined in the first tier EIR. If the later project will cause such effects, the lead agency must prepare another EIR." *Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* (2000) 82 Cal.App.4th 511, 528; *see also* 14 Cal. Code Regs. § 15168(c)(1). In other words, a program EIR is only the first step in environmental review, and an agency must prepare subsequent site-specific environmental impact reports for activities carried out under the program. *Id.*

16556-8

The Statewide Plant Pest Prevention DPEIR is a particularly broad program EIR, covering all geographic areas in the state of California and all varieties of plant pest prevention and management activities overseen by CDFA.[1] The DPEIR evaluates the environmental effects of future specific pest management activities either in vague terms or not at all. For example, the DPEIR declined to review specific species impacts because "the geographic area under consideration is large and varied," (DPEIR at 6-16); did not quantify the cumulative exposure to multiple pesticide application scenarios for sensitive receptors because "the number of possible combinations would be so large as to be prohibitive to calculate," (DPEIR at 6.2-17); and did not review site-specific water or other impacts because "[t]he exact locations of Proposed Program activities would be

[1] The EIR itself is almost 500 pages and contains thousands of pages of attachments. This is tension with CEQA's requirement that draft EIRs "should normally be less than 150 pages and for proposals of unusual scope or complexity should normally be less than 300 pages." 14 Cal. Code Regs § 15141.

16556-8 cont.

determined in the future in response to specific pest infestations," (DPEIR at 6.7-9). Thus, it is clear that subsequent detailed, site-specific environmental review is required for any and all future pest management activities conducted under the statewide program. 14 Cal. Code Regs. § 15168(c)(1).

16556-9

The DPEIR's "Tiering Strategy," however, reveals that CDFA intends to avoid almost all subsequent environmental review.[2] The Tiering Strategy first asks whether the activity at issue was described and evaluated in the DPEIR and provides a basic checklist that contains all of the vague and expansive categories of activities covered by the DPEIR (e.g., "inspection, trapping, ground-based spray applications," etc.) along with questions to guide whether the activity was previously described (e.g., for "trapping," "was the type of trap, its method of use, and if applicable, the chemicals it contains, described in Chapter 3 of the DPEIR?") (DPEIR at B-12). If, according to the checklist and the subjective judgment of the reviewer, the activity was described in the DPEIR, future CDFA review is limited to checking off on a checklist the applicable management practices required by the DPEIR.

At no point is CDFA required by its Tiering Strategy to routinely evaluate site-specific impacts of the particular activity, including on specific species in the area, on particular water bodies, and on particular sensitive communities. The completion of the checklist would not be subject to public notice of any kind; therefore, the public would have no way to know that a new activity had been added to the Program or to review or challenge the agency's rationale for making that decision without performing further environmental analysis. The DPEIR's "Public Notification" protocol as outlined in

[2] CDFA General Counsel Michele Dias also verbalized this goal to the California Invasive Species Advisory Committee as follows on March 3, 2011: "The intent of the DPEIR is that we do such a thorough analysis that we don't need additional environmental review when a particular pest is detected." In a meeting held on May 20, 2011 with Ms. Dias at the office of then-State Assembly Member William Monning, Ms. Dias responded to a question about how public input after certification of the Pest DPEIR would affect a pest treatment program carried out under the DPEIR. She stated that the intent of a public meeting prior to a pest treatment application carried out under the DPEIR after it is certified would be to "inform the public. We could change our program but we are not required to change our program at that time." In other words, Ms. Dias explained that the purpose of CDFA's future public notice meetings are simply to inform the public of the agency's course of action and that the agency does not intend to provide future opportunities for public comment and participation in decisions regarding future activities conducted under the Proposed Program.

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16556-9 cont.

Section 2.4.2 (DPEIR at 2-4) simply describes a series of steps to notify the public and local agencies that a pest project will take place, by means of letters, announcements in media, and meetings at which information is presented. This process is consistent with the goals described by Ms. Dias in footnote 1. The purpose is simply to inform the public about what the agency has already decided to do. There is no obligation for CDFA to listen to what the public says or to change any aspect of a project in response to public concerns.

16556-10

This truncated and non-public review is particularly troubling with respect to chemical management activities. Here, the checklist and associated "questions" allow for no further review of chemical spraying if "the activity compl[ies] with Mitigation Measure HAZ-CHEM-3b." However, no "Mitigation Measure HAZ-CHEM-3b" is described in either the Tiering Strategy or the DPEIR. The closest mitigation measures in name are HAZ-CHEM-1b and HAZ-CHEM-3. Mitigation Measure HAZ-CHEM-1b requires CDFA to train its staff regarding safe pesticide handling and application, and Mitigation Measure HAZ-CHEM-3 requires program staff to conduct chemical applications "in a manner consistent with the Proposed Program's authorized chemical application scenarios" (DPEIR at B-33). Neither of these Mitigation Measures requires CDFA to evaluate and inform the public of the site-specific impacts that chemical spraying will have.

16556-11

Even more problematic, the Tiering Strategy attempts to insulate from public scrutiny future activities that were never disclosed in the DPEIR. Future activities subjectively deemed "substantially similar" to activities in the DPEIR may be approved with only a CEQA addendum, which "does not need to be circulated for public review" DPEIR B-8, B-37. This may even include pesticides not evaluated in the DPEIR (*See* DPEIR at 3-11, emphasis added: "This section provides pest-specific narrative descriptions of activities proposed for inclusion in the Proposed Program. Management activities are described as they have been defined at the time of this Draft PEIR. In the future, management activities for specific pests may change (e.g., *different chemical products may be approved for use*).")[3] A CEQA addendum is proper when there are minor

[3] This assertion that different chemical products may be approved in the future contradicts the following statement by CFDA's Laura Petro from the minutes of a Joint OEHHA/DPR Risk Assessment Status meeting on January 24, 2013: "CDFA (Laura) indicated that CDFA will not approve pesticides not evaluated in the PEIR to be used for quarantine or eradication treatments in the future" (DPEIR Appendix A HHRA at Attachment 1-50). The discrepancy between what the DPEIR tiering strategy says about approval of different chemical products and this statement by CDFA to representatives

16556-11 cont.

technical changes to a project. 14 Cal. Code Regs. § 15164. But a CEQA addendum should not be used here to authorize future management activities that were never reviewed in the DPEIR, without opportunity for public review and input.

16556-12

CDFA should amend its Tiering Strategy to comply with CEQA. In particular, the Tiering Strategy should clarify that the DPEIR is merely a first-tier general document, and that the first step for all subsequent site-specific activities conducted under the Proposed Program will include an initial study that evaluates the site-specific impacts of the particular activity, along with an opportunity for public notice and comment. *See In re Bay-Delta Programmatic Envtl. Impact Report Coordinated Proceedings*, 43 Cal.4th 1143, 1173 (2008) (noting that when a DPEIR is broad and fails to discuss site-specific effects, "*later* project-level EIR's may not simply tier from the PEIS/R analysis and will require an independent determination and disclosure of significant environmental impacts"). The Tiering Strategy should also clarify that CDFA must file a notice of determination for any subsequent program activity that it finds requires no further environmental review. *See Comm. For Green Foothills v. Santa Clara Cnty. Bd. of Supervisors* (2010) 48 Cal. 4th 32, 56 ("such a notice would seem to be required under the general rule that an agency file an NOD "[w]henever [it] approves or determines to carry out a project that is subject to" CEQA. (§§ 21108, subd. (a), 21152, subd. (a).)").

16556-13

Future disclosure and public review of individual pest management activities is particularly important because the DPEIR currently does not inform individual communities how they will be impacted by CDFA's activities. As a result, these communities have no idea they might one day be affected and would learn, too late, that their chance to comment on the potential for a pesticide treatment program within their jurisdiction had come and gone years earlier when the DPEIR was certified. These communities must be provided with opportunities for public review and input regarding future individual activities affecting their local area.

16556-14

To the extent that the DPEIR is attempting to adequately evaluate, once-and-for-all at the project level, all of the specific program activities described in the document, and to prevent further public notice of subsequent activities and site-specific environmental review, it is grossly inadequate under CEQA and should be set aside. It

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of OEHHA and DPR raises questions about whether OEHHA and DPR might have drawn conclusions or made recommendations related to protection of health based on CDFA's assurance that no other pesticides would be approved, and, if so, whether the agencies' conclusions or recommendations would have been different had the agencies known that approval of other pesticides would in fact be provided for in the DPEIR.

16556-14 cont.

would be impossible, even with extensive revision, to provide the meaningful, site-specific review required by CEQA for all pesticide activities in all geographic areas of California, in one document.

III. The Project Description Is Impermissibly Vague.

16556-15

The primary goal of CEQA is to "[e]nsure that the long-term protection of the environment shall be the guiding criterion in public decisions." Pub. Res. Code § 21001(d). To this end, CEQA requires that an EIR include an accurate project description, and that the nature and objective of a project be fully disclosed and fairly evaluated in the EIR. *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 646, 655 (quoting *County of Inyo v. City of L.A.* (1977) 71 Cal.App.3d 185, 199, 197-98). An EIR should contain "a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences." 14 Cal. Code Regs. § 15151. Information should be organized and written in a way that is "meaningful and useful to decision-makers and to the public." Pub. Res. Code § 21003(b). In addition, an EIR should be written in a way that readers are not forced "to sift through obscure minutiae or appendices" to find important components of the analysis. *San Joaquin Raptor Rescue Center,* 149 Cal.App.4th 645, 659. An EIR cannot rely on information that is not either included in the document or described and referenced. *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412.

Here, crucial details of the Proposed Program are missing, inconsistent, or unclear, including: the existing environmental conditions of specific locations where treatments will take place, the timing and intensities of those treatments, the criteria for decisions about how a project's activities would change (for example, a change in objective from eradication to control of an insect and what changes in treatment methods would be associated with a change in objective), whether and when treatments would take place at schools or near other sensitive receptors such as the chronically ill, and many others as described below.

A. The DPEIR lacks clarity on where aerial spraying will take place.

16556-16

Among the most controversial CDFA pest management practices in the eyes of the general public is aerial spraying. The DPEIR allows for aerial spraying of "agricultural" areas (DPEIR at 3-8) but does define this term. The DPEIR also repeats in several places that aerial spraying will not take place in "residential" (DPEIR at ES-2, fn 1) or "urban" (DPEIR at 2-28) areas, but no definition is given of those two terms other

16556-16 cont.

than the following explanation, from the glossary, of the use of the term "residential"; this explanation does not clarify what specific locations would be considered "residential" or "urban":

> Residential – The term residential is used in two contexts – one for treatments conducted in response to regulations (i.e., quarantines), and another for non-regulatory treatments (i.e., eradication and control programs). In regulatory situations, the term refers to treatments occurring in rural or rural residential locations outside of nurseries and areas of agricultural production. For non-regulatory situations, the term refers to both urban and rural residential areas.

The U.S. Census Bureau density criterion for "urban" areas is at least 1,000 people per square mile.[4] Many inhabited areas of the state have fewer than 1,000 people per square mile; aerial spraying of these areas would therefore entail spraying human populations. Moreover, the use of the terms "residential" and "agricultural" in the definition above and elsewhere in the DPEIR is misleading because there are residences on and around many farms and ranches. The DPEIR must precisely define where aerial spraying could and could not take place and how human populations will accordingly be impacted.

B. The criteria for determining project initiation, project goals, project status changes, and project termination are undefined.

16556-17

The DPEIR's description of the Proposed Program fails to inform the public and decision makers of CDFA's strategy for determining and modifying the goals of pest projects or for determining the duration of or terminating projects.

1. The pest rating process is insufficiently described.

16556-18

The DPEIR states that CDFA will determine whether, when, and where to conduct Proposed Program activities after evaluating potential infestations through its Pest Rating Process, but fails to provide sufficient detail to inform the public how determinations under the Pest Rating Process are made (DPEIR at 2-4). First, CDFA considers the "Consequence of Introduction" of a pest by evaluating host range, suitability to the California environment, and potential economic and environmental impacts of the pest's establishment. However, substantial disagreement could occur regarding how to evaluate each pest under these factors because they are inherently

[4] http://www.census.gov/geo/reference/pdfs/GARM/Ch12GARM.pdf

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fact-dependent and will need to be made on a case-by-case basis. The DPEIR admits that the Pest Rating Process will consider "environmental impacts of the pest's establishment"; this again must be subject to CEQA review with full public participation. The DPEIR continues, stating that the Pest Rating Process

> considers feasibility of eradication or control, available resources and technology to achieve program goals related to the pest, and other pest-specific factors that may affect the outcome of pest management activities. Based on this analysis, CDFA determines if, and what type of a pest management response should be pursued (DPEIR at 2-13).

16556-18 cont. Unfortunately, the DPEIR fails to provide sufficient information to determine how these evaluations will be made. Importantly, eradication constitutes a main Program objective in this DPEIR, and, as discussed further below, the environmental impacts of a Program activity will vary greatly depending on whether eradication is a feasible goal; yet the DPEIR itself defers analysis of the "feasibility of eradication" to an undefined, future, Pest Rating Process. Because eradication constitutes a main project objective of the Proposed Program, a determination of whether and when eradication may be feasible greatly influences which alternatives must be reviewed in this DPEIR.

The DPEIR goes on to state that pests will be given an "A, B, C, D, Q, or Z rating" based on the known distribution of the pest in the state, and that "Management responses . . . may be carried out for pests receiving an A, B, or Q rating," but not a C, D, or Z rating. The DPEIR fails to explain what these ratings mean and how they are established, and provides no guidance on how CDFA may determine whether a pest management response should be pursued. The use of these ratings should be clarified, and the public must be apprised of the potential environmental impacts of these future decision-making processes through further CEQA review.

2. The criteria for determining pest management responses are undefined.

16556-19 The DPEIR gives a list of general criteria for pest management responses, for example "whether the pest generally is distributed throughout the state or represents a new potential infestation," "the potential environmental and economic consequences of not taking action," the "potential feasibility and efficacy of available management responses," and the "feasibility of eradication or suppression/control" (DPEIR at 2-14). However, no information is given regarding the scientific basis for such determinations. For example, what required trapping density, history, and data would justify the

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16556-19 cont.

~~d~~etermination that a pest is a "new potential infestation?" On what basis are "the potential environmental and economic consequences of not taking action" assessed? How is the "feasibility of eradication or suppression/control" or the "potential feasibility and efficacy of available management responses" evaluated? These determinations are especially important in light of the fact that the DPEIR asserts that the Proposed Program's environmental impacts may increase where multiple management activities occur simultaneously (DPEIR at 2-16 to 2-17).

The DPEIR offers only a single general paragraph (DPEIR at 2-16) to describe how decisions might be made regarding whether eradication is feasible. That paragraph says the agency "may convene" a Scientific Advisory Panel or Technical Working Group but gives no information about how the decision would be made whether or not to convene such a group, how participants in such a group would be chosen, and whether the public or affected communities would be invited to participate. The paragraph lists only generic types of information that might be considered by such a group: existing "work plans," trapping densities and data, and "all scientific information necessary to make a determination." This vague description is not only insufficient to function as environmental review of specific projects, but it does not give sufficient *program*-level information about the basis on which the agency would make these policy decisions. For example, no criteria are specified for determining whether eradication is feasible although ample scientific literature exists on this topic to support the development of such criteria (see e.g., Myers et al. 2000, Myers et al. 1998). As noted previously, the determination of whether eradication is feasible has profound effects on selected management responses, and on the analysis of which alternatives in the DPEIR may meet the Proposed Program's stated objectives.

16556-20

With regard to eradication as an objective, the scientific literature reflects the difficulty if not impossibility of truly eradicating insect species, for example, "[i]t is easiest to meet the necessary eradication conditions for isolated, small populations of species with low reproductive rate and no dormant life stages. Not surprisingly, the most notable successes to date have therefore involved the eradication of vertebrates (especially mammals) from isolated islands" (Clout and Veitch 2002). Insect pests of plants typically have high reproductive rates and dormant life stages and therefore do not meet this criterion. Myers et al. (1998) report that

> There are similarities between the so-called eradication programs directed at the exotic species medfly and gypsy moth in western North America. . . .In both cases, insects are often caught subsequently in areas in which eradication was considered to have been successful. Based on

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> the results of annual pheromone trapping for gypsy moths in British Columbia, moths have been caught subsequently in five of eight 'eradicated' areas. These observations indicate that it is very difficult to eradicate a species once it has reached sufficiently high densities to be trapped.

This is but one of a number of examples in the Myers article of eradication programs that have been deemed successes, but then more of the supposedly eradicated species have subsequently been found. Myers et al. (1998) point out that reintroductions of eradicated species are "inevitable." "There is no such thing as a 'one-time' eradication effort, and reintroductions can have serious implications to the assessment of the costs and benefits of continued eradication programs." These authors conclude that "the word eradication is value-laden. It implies that the technology, finances, and willingness to accept side effects are sufficient to eliminate a species from a geographic area. An alternative—area-wide management—fits more comfortably into a sustainable paradigm for pest control," reducing both pesticide use and environmental impacts.

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The DPEIR does not explain its determination to pursue eradication in light of the extreme difficulty of achieving this goal, nor does the DPEIR even acknowledge the factual evidence of this difficulty. The vagueness of the DPEIR's description of the Proposed Program's decision-making process regarding undertaking eradication combined with the aggressive and costly nature of the activities involved in eradication[5] are important reasons that decisions regarding undertaking future eradication programs must be subject to public scrutiny and subsequent environmental review. The DPEIR's stated need for "rapid response" in eradication programs must not override the basic principles of CEQA, which are intended to make clear to the public and decision makers the environmental impacts of an action before that action is taken.

Although the DPEIR acknowledges that the "window of opportunity for successful eradication is brief" (DPEIR at 2-16), no information is provided about the timing or criteria for evaluating whether or when that brief window had closed and a pest has become sufficiently established so the eradication is no longer possible, or what the fate of an eradication project would be at that point. Nor does the DPEIR define the criteria based on which the agency would declare a pest successfully and permanently

[5] Suckling et al. 2014 assert that the cost of fruit fly eradication programs in the U.S. *averages* $12 million though "a few programmes have exceeded $100 million"; it is not noted whether that is an annual or per-project cost. Multiple fruit fly eradication projects take place in the U.S. each year.

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eradicated and what would happen to the project in that case. In view of the history of many CDFA eradication projects, which repeat over and over again year after year (see CDFA. 2012. Eradication Projects 1982-2012), the DPEIR should also address the question of when repeated discrete eradication programs, particularly within the same geographic area, would trigger the agency to re-evaluate the definition of eradication being used or the validity of continuing to "eradicate" the pest rather than shift to a control strategy.

A recently published journal article published (Suckling et al. 2014) argues the opposite viewpoint to that presented above, that eradication is generally successful. However, no supporting factual data are presented, and it appears that the basis for this conclusion is primarily a tabulation of declarations of successful eradication by eradicating agencies although the sources and criteria for declaring eradication are not specifically stated, only generally characterized. This study does not cite or address research published that analyzed CDFA's fruit fly program data and showed that the repeated eradications of fruit flies from areas of California over the past 30 years are not true eradications but suppression of an established population (Papadopoulos et al., 2013, discussed in more detail below). However, Sucking et al. do acknowledge "The problem of recurrent detections in areas where successful eradication has been conducted (e.g. Rota Island, Texas, California, Florida, South Australia, Mexico, Belize, Chile and Japan) remains critical." It is also worth noting that the lead author of this new study claiming broad success of eradication programs was the lead advisor for CDFA's controversial light brown apple moth eradication program (discussed below as a case example of why the Proposed Program's effort to limit public review is misguided), and that the new study was published in the Society of Chemical Industry journal. The Society of Chemical Industry describes itself as "where science meets business on impartial ground," and its mission is: "to further the application of chemistry and related sciences for the public benefit, through our events and publications" (http://www.soci.org/About-Us/About-SCI). These definitions suggest questions about the agenda potentially driving the publication of the articles that appear in the journal.

16556-20 cont.

3. The basis for and timing of changes in project objectives are unexplained.

Although the evaluation of alternative treatments in the DPEIR appears to merge eradication and control, less-toxic strategies are traditionally considered sufficient for control as CDFA has articulated elsewhere, for example: "The goal of the Light Brown Apple Moth (LBAM) Eradication Program is the elimination of breeding populations of

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the moth from California. This is fundamentally different than controlling the pest" (LBAM DPEIR at H-1).

The DPEIR only vaguely acknowledges that treatment methods might change when a pest project goal changes from eradication to control but does not inform readers about the timing or criteria for these changes. The DPEIR addresses this topic as follows (DPEIR at 2-16 – 17):

> During the course of an eradication program, methodologies and strategies may be reviewed and updated to include a suppression program. A suppression program allows for maintenance of a population density below a critical threshold in some areas while initiating eradication in other areas where eradication remains feasible. A suppression program may have all the components of eradication, but may also include other combinations of IPM [integrated pest management] strategies…

The above paragraph gives no indication of the triggers that would lead the agency to review and modify a control (suppression) program and blurs the distinction between eradication and control. It does not address how the project goal—eradication or control—affects the choice of treatment methods. Because the two goals are quite different (eradication means eliminating every single specimen of a pest while control means suppressing pest numbers below a defined threshold), pest management programs, including current CDFA programs, typically assert that non- and less-toxic strategies are appropriate for control but are not sufficient for eradication although there is seldom specific evidence offered for the latter claim.

16556-21 cont.

For example, from the LBAM DPEIR's explanation of why integrated pest management was not considered as an alternative in that pest program: "Integrated Pest Management (IPM) is an approach to controlling pests. IPM evaluates the merits of pest management options and then implements a system of complementary management actions within a defined area. IPM, as a control strategy, was not evaluated further in the process to determine which tools would be used in the LBAM Program because it does not meet the objective of eradication" (LBAM DPEIR at S-5). Similarly, CDFA's justifies rejecting biological controls (milky spore, parasites and predators), mechanical controls, and cultural control for the Japanese beetle because those are deemed not appropriate to achieve eradication (CDFA Integrated Pest Management Analysis of Alternative Treatment Methods to Eradicate Japanese Beetle 2014). For example: "milky spore was not an option for eradication" because "complete elimination of Japanese beetle had never been achieved"' "Parasites and predators are

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16556-21 cont.

not in general considered an effective stand alone eradication method…"; and trapping "is not recommended as a general eradication measure. . . ." These examples clearly distinguish pest treatment strategies as appropriate for eradication or control and are typical of the agency's evaluations of treatments based on program or project objective. The DPEIR offers no evidence or rationale for not taking the project objective into account when choosing treatment options.

4. The criteria for determining the duration of pest management projects are undefined.

16556-22

In addition to the above examples of lack of clarity regarding how pest project strategy decisions will be made and why eradication is considered a primary objective, the DPEIR is unclear regarding the duration of pest projects. In particular, no exit strategy is defined for projects. This means that the DPEIR effectively authorizes treatments for pests indefinitely. Even though the DPEIR does not inform the public about how long individual pest projects and treatments might continue, the Human Health Risk Assessment for the DPEIR makes assumptions about the potential length of exposure to project pesticides for some of the various "receptors" that were modeled, including: "In a residential setting, the [downwind bystander] DWB was assumed to have the potential to be exposed for a duration of 3 years, which, based on CDFA's expert opinion, is the maximum consecutive years Proposed Program treatments would ever be expected to occur at a single residence. For a DWB living next to a production agriculture field or a nursery, the exposure duration was assumed to be 24 years for an adult (DTSC, 2011a) and 14 years for a child (US EPA, 2005q)" (Appendix A HHRA at 52). These assumptions, which do not reference any factual information about where or how long past or current CDFA programs have continued, offer a wide and inexact range of potentially long-term exposures. The DPEIR must disclose the expected lifetimes of current and future pest management projects based on factual evidence, the criteria for determining those lifetimes, and the potential cumulative impacts of indefinite programs.

16556-23

Because the DPEIR does not disclose the specific process or site-specific data on which determinations would be made regarding the goals and trajectory of future pest projects, including when and how it would be decided that a project should change from eradication to control or conclude, the DPEIR fails to provide a discrete, finite, and stable project description capable of meaningful environmental review. In addition, owing to the wide range and combination of Proposed Program activities that could occur, all of these determinations must be subject to subsequent site-specific environmental review, including public notice and comment.

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C. The pest management practices are undefined and the choice of practices is not supported by evidence.

16556-24 The pest management practices (MPs) described in the DPEIR (DPEIR at 2-26 – 31) are generic, providing only a few general guidelines for addressing specific local site conditions, such as noting water bodies, storm drains, wind and other weather conditions and "using buffer zones where applicable to protect sensitive areas." These MPs are not adequate to inform the residents of any particular community about the specific conditions that CDFA will (or must) take into account when treating for pests in that area, such as the presence of sensitive or endangered species, sites such as schools,[6] hospitals, and nursing homes where sensitive individuals such as the elderly or those with asthma or other illnesses might reside or gather. Nor are these guidelines adequate to enable a full evaluation of potential localized environmental impacts, as the DPEIR fails to include any technical or detailed prescriptions based on evidence that such MPs could actually reduce or avoid significant environmental impacts.

16556-25 There are numerous other examples of missing or ambiguous information regarding pest management practices in the Program Description, including: "in the future other types of traps and lures may be used" (DPEIR at 3-4). "In 2013, no activities were conducted to manage the polyphagus shothole borer; however, CDFA anticipates conducting a management program against this pest in the future" (this is the entire text of the description of the program for this insect) (DPEIR at 3-32). ". . . in the future, the biological control agents *Dolichogenedea tasmanica*, a larval parasite from Australia, and *Trichogramma platneri*, a native egg parasite, may be considered for release under the Proposed Program to manage LBAM" (DPEIR at 3-28). And, for host plant removal for palm weevil and sudden oak death: "This type of host removal is rarely used and would not be a reasonably foreseeable action under the Proposed Program. Therefore, the impacts of such actions are not evaluated in this Draft DPEIR" (DPEIR at 3-33 - 34).

D. The Proposed Program inaccurately describes itself as an integrated pest management program.

16556-26 Another area where information about pest management strategies is missing and incomplete is the DPEIR's vague description of what eradication projects entail: "a

[6] The DPEIR discloses that schools would be treated under the Proposed Program: "Although generally to be avoided when possible, Proposed Program activities may need to occur at or near existing or proposed school sites" (DPEIR at 6.5-16).

combination of complementary IPM approaches . . . . such approaches include sterile insect releases, host plant/flower/fruit removal, mass trapping, and chemical applications" (DPEIR at 2-16). This brief list of activities is an entirely incomplete and inaccurate description of what IPM entails, and this and other references to the Proposed Program as an IPM program (DPEIR at 2-17) are misleading. The Proposed Program's pest management approach is not consistent with the primary goal of IPM: long-term prevention of pest problems by creating environments that are inhospitable to pests.[7] In IPM, chemicals are applied in a selective, targeted way only as a last resort.[8] In contrast, the Proposed Program, although it includes some biological controls that could be part of a comprehensive IPM approach, relies primarily on chemicals for eradication and control of pests and mostly omits the first-choice, non-toxic pest control approaches that are central to IPM: physical, mechanical, and cultural methods.

Nothing in the Proposed Program other than efforts to exclude pests from entering the state in the first place is aimed at long-term prevention of pest outbreaks or of eliminating the need for repeating aggressive interventions with chemicals or other ecosystem-disrupting treatments. A key element of many comprehensive IPM programs is that chemical treatments, in addition to being a last resort, should only be used in the context of a long-term plan to ensure that repeated use of chemicals will not be needed (City of Albany 2008). This criterion should be a centerpiece of any state pest management strategy, to safeguard human and environmental health and to prevent expenditure of taxpayer dollars on costly ongoing chemical treatments.

16556-26 cont.

According to the University of California IPM website, "cultural controls are practices that reduce pest establishment, reproduction, dispersal, and survival."[9] Cultural controls include practices to make the landscape robust to repel insect infestations, such as timing of , and harvest to avoid the target pest's most active and populous stages; interplanting of different species or planting of trap crops and hedgerows that draw pests away from the target crop, and other ways of avoiding single-species (monocrop) plantings to which pests are attracted and can easily do extensive damage; targeted support of soil health including microbial life to ensure plant health and reduce soil conditions vulnerable to pests taking up residence, etc. These non-toxic practices have been demonstrated to reduce pest infestations and damage (see e.g, Leu 2014).The DPEIR includes no cultural controls of any kind.

[7] See http://www.ipm.ucdavis.edu/GENERAL/whatisipm.html
[8] See, e.g., http://www.beyondpesticides.org/infoservices/pcos/What%20is%20IPM.pdf
[9] http://www.ipm.ucdavis.edu/GENERAL/whatisipm.html

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Mechanical and physical IPM controls "kill a pest directly or make the environment unsuitable for it."[10] Physical controls include barriers to keep insects away from plants and other manual strategies such as removal of plant debris timed according to a pest's life cycle to eliminate overwintering habitat for insects. The DPEIR Program Description includes only two sentences on physical control and only a single example of an actual physical control strategy: stripping fruit from host trees. The DPEIR also identifies visual observation and trapping as physical controls to be used in the Proposed Program; however, these are not considered physical controls in IPM but rather part of the information gathering and monitoring on which decisions about whether to intervene to control a pest would be based.[11] A true IPM program would include a detailed list of other non-toxic physical controls appropriate to the types of pests targeted, for example those listed above.

The Proposed Program does include two examples of the traditional IPM element of biological control: using natural pest enemies and releasing insects sterilized by radiation, to reduce a target pest population by ensuring that mating is unsuccessful. However, a full-fledged IPM program would give priority to non-toxic cultural, physical, and mechanical methods and would not resort to biological control unless these less disruptive practices failed. The definition of what constitutes failure and when intervention to manage a pest is needed is another important element of any true, comprehensive IPM strategy. The Proposed Program focuses heavily on taking rapid action to eradicate pests, over-emphasizing chemical use and under-emphasizing the use of non-toxic controls.

16556-26 cont.

Among the DPEIR list of CDFA pest projects, 8 use chemical treatments for eradication, quarantine, or both purposes, and 28 appear to entail primarily or exclusively exterior quarantines and trapping only; i.e., the latter are essentially monitoring projects designed to exclude pests. That leaves 16 projects carrying out

[10] http://www.ipm.ucdavis.edu/GENERAL/whatisipm.html

[11] Trapping can be used as a least-toxic control method in IPM if a high density of traps is used to reduce pest populations and those traps do not contain pesticides but rather work by a passive mechanism, for example sticky traps that kill by holding a pest until it starves or dies from dehydration. However, the Proposed Program's trapping component is described (DPEIR at 2-11 – 2-13) as explicitly only for the purpose of detecting and delimiting pest populations, not for reducing them. Further, the male attractant pest control method described in the DPEIR, which is a type of trap, uses a sticky substance combined with highly hazardous pesticides (e.g., naled), which is contrary to IPM's goal of reducing pesticide use.

management activities other than exclusion and survey trapping. If 8 projects that are actively treating for pests in the state are using chemical treatments, then over 50% of CDFA's active pest management projects rely on chemical management. This does not include the 3 ongoing chemical management projects for specific insects that are designated in Table 5-15 as being excluded in the Proposed Program as well as the undefined number of "all other CDFA eradication programs," that are also designated in that table as excluded from the Proposed Program.

16556-26 cont.

This high percentage of chemical management projects casts doubt on CDFA's claim that the agency uses integrated pest management, which aims to reduce pesticide use, and that they use the least-toxic methods.

The DPEIR's characterization of the Proposed Program as IPM even though Program activities are not consistent with IPM principles and practices constitutes one more example of the DPEIR's lack of analysis sufficient to enable the public to understand whether, where, or when IPM strategies would be used.

E. The DPEIR's descriptions of specific pest control measures and their justifications are impermissibly vague.

Even for pest programs that are currently ongoing and for which the DPEIR describes specific protocols and treatments (for example the density of traps per area, the size of the area considered to be infested around a trapped specimen, the treatment options, etc.), there is no explanation of the scientific basis for numerical determinations such as trap densities, infested or delimitation areas, etc.; no description of the criteria for declaring eradication or determining that eradication is no longer feasible; and no site-specific evaluation of the impacts of the treatments.

16556-27

For the specific pest management activities that are being or would be carried out for particular pests, the DPEIR gives generic descriptions, for example, of types of traps (DPEIR at 3-3), biological control agents currently in use or potentially to be used along with vague indications of where these agents have been released or are established ("in southern California," "in the Central Valley") and the open-ended note that "Other BCAs may be used in the future" (DPEIR at 3-4).Various methods of spraying pesticides are also listed (DPEIR at 3-8 – 3-9), followed by a list of specific pest management projects that are currently under way or anticipated. For the projects that currently entail chemical applications, the chemicals and application methods that may be used are given without any indication of which are used, when, where, or why. For example, for the Asian citrus psyllid, the DPEIR says "[e]radication options would

include" two options for soil application, one for foliar spray, and one herbicide for spot treatment. For "quarantine compliance" for the same insect, the DPEIR says that "One of the following combinations of chemicals would be applied [sic] the soil of host plants…" and "One of the following chemicals would be applied to the leaves of host plants…" (DPEIR 3-12 – 13), but no information is given to indicate which chemical combinations would be chosen under what circumstances, in what locations, or why. The possible chemical treatments for the other 7 pests listed in the DPEIR for which chemicals are used are similarly non-specific, leaving the public with no idea what pesticides would be used under what circumstances.

16556-27 cont.

Further, the Ecological Risk Assessment asserts, without explanation, that "[p]esticide applications for eradication or control of invasive pests within the [Pest Detection/Emergency Program] PD/EP would only occur in residential settings" while "[t]rapping either for the eradication or control of pests, or for detection, may occur both in residential areas and production agriculture" (Appendix A ERA at 55). No explanation is given for the use of pesticides only in residential settings (where exposures would presumably have the greatest human health impacts) but not in agricultural settings, and it is not clear whether or how this assertion might be consistent with treatment protocols described elsewhere in the document. For example, where delimitation of a new detection and subsequent treatment for the Asian citrus psyllid project is described (DPEIR at 3-11 – 12), it is not clear whether or when this would be carried out under the PD/EP program or whether treatments would differ in agricultural citrus groves and in residential yards. The implication that PD/EP treatments might create an increased risk of pesticide exposure in residential areas must be clarified in the DPEIR so that the public knows whether it is in fact true that pesticide use for PD/EP eradication or control activities takes place only in residential areas and not in other areas, and the differential human health impacts that potentially result from such a differential application of pesticide treatments must be accounted for in the Human Health Risk Assessment.

In addition to its failure to adequately describe the specific activities that would be carried out and chemicals that would be used for each pest project covered by the Proposed Program, the DPEIR fails to disclose to the public what evidence was used to choose the particular treatments that are described and based on what evidence other treatments were rejected. The following assertion, from the explanation of why a number of least- and non-toxic alternatives proposed during the DPEIR scoping were rejected by the agency, appears to express the overarching assumption guiding the selection of some treatment methods and the rejection of others: "CDFA already uses all feasible and effective management approaches, and expects to use newly developed

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management approaches in the future to the extent they are also feasible and effective" (DPEIR at 7-12). Unfortunately, the DPEIR does not disclose to the public any factual basis on which the agency has determined that its approaches are not only feasible and effective but are the only feasible and effective strategies available. Nor does the DPEIR disclose any factual basis on which the agency has dismissed a long list of least- and non-toxic pest management approaches that it either considered in the DPEIR Alternatives Analysis or rejected outright without consideration. The DPEIR simply asserts that these alternatives would not achieve the Proposed Program objectives or their effectiveness is "speculative." To satisfy the requirements of CEQA, the DPEIR must provide the public with a transparent and valid explanation for rejecting alternatives that have fewer environmental impacts than the Proposed Program. The lack of this information is particularly troubling given the extent to which the agency's pest projects rely on toxic chemicals, which are not the least environmentally intrusive alternative.

F. The DPEIR improperly segments and piecemeals portions of its program from this environmental review.

The DPEIR states that its purpose is:

> to provide an up-to-date, transparent, and comprehensive evaluation of CDFA's activities. The PEIR will serve as an overarching CEQA framework for efficient and proactive implementation of Statewide Program activities.

(DPEIR at ES-1.) The DPEIR further states that "[t]his Draft PEIR is intended to meet CEQA requirements for CDFA's reasonably foreseeable plant pest prevention, management, and regulatory activities" (DPEIR at 2-1). However, the DPEIR fails to include and analyze the whole of this statewide Program and is unclear what prior environmental documents are relied upon in this EIR.

16556-28

Even though the DPEIR expressly states that its scope is CDFA's entire Statewide Program activities, the DPEIR excludes some ongoing plant pest projects with no explanation (see DPEIR at Table 5-15, listing programs "[n]ot included in the Proposed Program but carried out by CDFA under previous CEQA and [National Environmental Policy Act] NEPA authorizations and other approvals"). Arbitrarily, other pest activities for which prior CEQA coverage does exist—the Japanese beetle, gypsy moth, fruit flies, glassy-winged sharpshooter (Pierce's disease)—are part of the Proposed Program. The pest treatment projects that are listed as not included in the Proposed Program are: the

beet curly top virus control project (which entails, among other activities, aerial spraying of the pesticide malathion, a mutagen and reproductive effector), the red imported fire ant interior exclusion program (which uses pesticides "including bifenthrin and chlorpyrifos"; bifenthrin is implicated in bee decline and chlorpyrifos is a mutagen and reproductive effector); and "All other CDFA Eradication, Containment, and Interior Exclusion Programs," (which are listed as using an unspecified "variety of application methods" and "many different application methods"). In addition, Table 5-15 also confusingly states that the Light Brown Apple Moth Eradication and Containment Program is not included in the Proposed Program, but the Light Brown Apple Moth Exclusion program is part of the Proposed Program. [12]

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[12] The DPEIR explains elsewhere that CEQA compliance for the LBAM Eradication Program expires in 2015 and that the 2010 LBAM PEIR evaluated LBAM eradication and containment activities but not quarantine activities for LBAM which are evaluated in the DPEIR. It is unclear whether the LBAM eradication program will continue after the authorization for eradication activities expires in 2015, whether the LBAM "containment" (control) program described in the 2010 LBAM PEIR will continue after 2015, or how cumulative effects of the entirety of the LBAM program are evaluated in the DEIR. Although the names of the LBAM programs listed in Table 5-15 and the description of the relationship between the LBAM PEIR and DPEIR on pages 4-10-11 seem to imply that the LBAM eradication program will not continue after the prior CEQA authorization expires, the DPEIR's description of the LBAM project (DPEIR at 3-28) describes activities that take place "if eradication is determined not to be feasible," which implies that eradication activities will in fact continue. As noted earlier, a project's objective is critical for determining the nature and duration of the treatments carried out in that project. A legal challenge to the 2010 LBAM PEIR included as one of its claims that the switch from eradication to control as the objective of the LBAM program at the time the LBAM PEIR was certified fundamentally changed the nature of the environmental impacts that had to be evaluated because the eradication program risk and impact analysis assumed a limited program life of 7 years until LBAM was eradicated whereas a control program was considered to be indefinite, and the environmental impacts of an indefinite control program were not studied in the 2010 LBAM PEIR. The DPEIR analysis of the LBAM project and its role in the Proposed Statewide Program must make clear what LBAM activities have and have not been evaluated, what activities will be ongoing for LBAM in the future, and what portions of the 2010 LBAM PEIR will be considered to remain in force or to be recirculated in the DPEIR.

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The DPEIR fails to provide any explanation of how these programs are not a part of CDFA's Statewide Program activities that are described in the DPEIR at ES-2 and 2-1. Indeed, exclusion of these programs thwarts the DPEIR's objective to "[c]oordinate CEQA compliance for the multiple, interrelated pest prevention and management programs under the Statewide Program" (DPEIR at ES-2). More importantly, however, the environmental impacts of all of the above pest activities that are not included in the Proposed Program seem likely to be significant given that these activities include, as noted above, aerial spraying of malathion and applications of the other chemicals listed. Excluding these program activities from the DPEIR fails to inform the public and decision makers of the overall risk and impact of CDFA's "Statewide Program" activities. Of further concern are (1) whether the environmental review conducted for these other programs leads to any results that are inconsistent with the facts, methodologies, or conclusions presented in the DPEIR, and (2) whether the present DPEIR may in the future be tiered from as a program EIR for any future changes or authorizations of the excluded program activities. Without a complete evaluation of all of CDFA's Statewide Program activities, the DPEIR fails to describe the whole of the project, and fails to inform the public and decision makers of the overall environmental impacts of CDFA's plant pest projects.

The DPEIR references prior environmental documents for several plant pests – Japanese beetle, exotic fruit flies, gypsy moth, Pierce's disease (glassy-winged sharpshooter, and light brown apple moth—and purports to explain which portions of those prior documents would be remain in force and what portions of those documents would be replaced by/ considered to be recirculated in the DPEIR. The DPEIR incorporates these prior CEQA documents by reference (DPEIR at 4-1), but it is unclear exactly which portions of those prior documents remain in force, are considered supplemented by the DPEIR, or no longer remain in force. For example, for the Japanese beetle, the DPEIR lists the three treatments for the beetle that were evaluated in the 1974 EIR, identifies treatments that are no longer used, and lists types of treatments for the beetle that are evaluated in the DPEIR. But it isn't clear where the DPEIR relies on the analysis of the 1974 EIR when evaluating the direct, indirect, and cumulative impacts of Proposed Program activities (DPEIR at 4-2). In addition, the DPEIR references prior CEQA and/or NEPA "authorizations and other approvals" for plant pest projects not included in the DPEIR but does not disclose what those authorizations and approvals are and how these documents influence the DPEIR's conclusions.

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The DPEIR should also consider its emergency response program as part of the whole of the project being considered through this DPEIR. The DPEIR states that:

> The Draft PEIR 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" (PRC Section 21060.3). When CDFA determines that a newly identified pest population requires an emergency response, CDFA authorizes an emergency project. In accordance with CEQA Guidelines Section 15269, emergency projects authorized by CDFA are exempt from CEQA. However, use of the Draft PEIR should lessen the likelihood that emergency exemptions would be invoked and would facilitate fast responses to new pest infestations, reducing impacts of these pests.

(DPEIR at 1-6.) There is no dispute that CDFA's emergency response program constitutes a significant portion of CDFA's Statewide Program, the project evaluated by this EIR. CEQA requires consideration of the environmental impacts that would result from an approval, not separate consideration of each underlying approval. While the DPEIR puts forth that emergency projects are exempt from CEQA, such an exemption should only be considered, when appropriate, on a case-by-case basis: no such CEQA exemption is available for an entire program. Here, CDFA's emergency program is so fundamentally intertwined with the additional program management activities that it must be included within the whole of the project. For instance, CDFA initiates its program activities through its "Pest Detection/Emergency Projects Branch." The DPEIR states:

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> Pest Detection/Emergency Projects (PD/EP) Branch. The PD/EP Branch initiates and operates programs designed to detect, suppress, and/or eradicate priority pests, before the pests become established in California. Within the branch, PD implements statewide detection programs through trapping and survey, and EP provides first response resources for eradication or suppression of the detected pest introductions.

Whether CDFA provides a first response of eradication or suppression will have direct implications for the program's environmental impacts. How are emergency determinations made, and how are resulting management activities chosen? How and when could emergency management activities diverge from other program management activities? The relationship among pest detection, emergency response,

and the whole of the remaining program is simply too interdependent to excise from review in this EIR.

Indeed, the DPEIR itself makes the assertion that the Proposed Program would lessen the need for emergency response, but fails to provide any information or analysis to support this claim (DPEIR at 1-6). Similarly, the DPEIR states that "Under the No Program Alternative, . . . [r]apid response/eradication activities would continue to be conducted, often on an emergency basis" (ES-13). Clearly, this interdependence between the Proposed Program and CDFA's emergency projects must be fleshed out.

16556-32 cont.

Later, in its evaluation of BIO-CHEM-1 through BIO-CHEM-5, the DPEIR lumps together pesticides used for pest detection and emergency response into a single category. Moreover, the DPEIR goes on to assign mitigation measures to these impacts. How were impacts from emergency responses evaluated here, and how will the proposed mitigation measures be required for emergency projects?

The DPEIR should evaluate impacts, feasible mitigation measures, and alternatives for its emergency program throughout the EIR, as part of the whole of CDFA's statewide program.

G. The DPEIR fails to list all future approvals required, and all responsible and trustee agencies.

The DPEIR fails to clearly identify future approvals required as part of the Proposed Program. CEQA requires an EIR's project description to include:

> (A) A list of the agencies that are expected to use the EIR in their decision making, and
> (B) A list of permits and other approvals required to implement the project.

16556-30

(CEQA Guidelines, § 15124(d)(1)). Nowhere is this information clearly provided in the DPEIR. Although some project descriptions allude to the need for a subsequent approval (e.g., "[s]tore contaminated absorbent material and materials that cannot be decontaminated in a leak-proof container and dispose the container at a Class I landfill," DPEIR at 2-31), the DPEIR fails to comprehensively identify each local, regional, state, and federal agency whose subsequent approval would be required, and what specific activities would require such approval. This information must be provided as part of the Proposed Program description.

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16556-30 cont.

Without a complete list of future approvals required, it is difficult if not impossible for the public and public agencies to determine which agencies should have been consulted and provided a copy of this DPEIR for review and comment during the statutory period. According to the State Clearinghouse, reviewing agencies for the DPEIR include:

> Resources Agency; Department of Conservation; Department of Fish and Wildlife, Headquarters; Cal Fire; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, Division of Transportation Planning; Air Resources Board; State Water Resources Control Board, Division of Water Quality; Department of Toxic Substances Control; Native American Heritage Commission.[13]

Conspicuously absent from this list are the Department of Pesticide Regulation (DPR), the Department of Public Health, the Office of Environmental Health Hazard Assessment (OEHHA), and the California Environmental Protection Agency. The DPEIR admits that, in implementing the Proposed Program, CDFA would have to comply with several programs administered by CDPR and OEHHA, yet neither is listed as a responsible agency with any subsequent approval authority over any portion of the Proposed Program. In addition, other statements in the DPEIR indicate that Proposed Program activities may occur on public lands, suggesting that the State Lands Commission and University of California System, also should have been consulted with, and provided a copy of the DPEIR for the statutory review and comment period.

16556-31

In addition, the DPEIR repeatedly refers to future involvement by the United States Department of Agriculture, suggesting that this Proposed Program should be the subject of environmental review pursuant to the National Environmental Policy Act prior to approving or implementing the Proposed Program. For example, the DPEIR states that: "[e]arly detection occurs through a collaborative effort between USDA, CDFA, county agricultural commissioners, industry and producers" (DPEIR at 2-12); "CDFA bases its management response on the following criteria: . . . The potential severity of the pest infestation (i.e., fecundity, pathways, availability of hosts, availability of vectors) as determined by the USDA's New Pest Advisory Group . . ." (DPEIR 2-14); "USDA may convene a Technical Working Group to consider each situation before deciding on a response plan," DPEIR at 2-16; "population thresholds are pest-specific and are set based on input from USDA," (DPEIR at 2-17); "introducing

[13] http://www.ceqanet.ca.gov/DocDescription.asp?DocPK=684218

16556-31 cont.

biological control agents by engaging other required State and federal agencies (e.g., NEPA environmental review through USDA," (DPEIR at 2-21); "LBAM are detected using pheromone-baited sticky traps, following a trapping plan cooperatively implemented by CDFA and the U.S. Department of Agriculture (USDA)" (DPEIR at 4-10). The DPEIR should completely describe the USDA's role in approving and funding each aspect of the Proposed Program.

H. The apple month program is a case example illustrating the need for specific description of the Proposed Program activities and subsequent environmental review for all projects.

CDFA's light brown apple moth (LBAM) program, which began in 2008 and continues today, illustrates why the identified ambiguities in the description of the Proposed Program must be clarified.

16556-32

The DPEIR's premise that CDFA must respond rapidly to eradicate when a "new" or "dangerous" pest is identified is based on the dual assumption that the agency can reliably determine whether a pest is new or dangerous and whether eradication is possible. In fact, the evidence of CDFA's past pest eradication projects demonstrates the unreliability of the agency's determinations about whether a pest is new or has already spread beyond the small delimited area in which eradication might be feasible and the grave impacts on human and environmental health as well as the huge financial costs of their erroneous judgments. Along with the decades of emergency "eradications" of fruit flies described below and in listed in the references included with this letter (CDFA. 2012. Eradication Projects 1982-2012, Papadopoulos et al. 2013), the LBAM program is an example of CDFA's rush to eradicate a pest that it deemed new and dangerous and found in a range so limited that eradication would be feasible. In fact, LBAM has proven not to be a damaging pest and to have already been widespread in several areas of the state, beyond what was feasible to consider for eradication, when the insect first became a priority at the agency.

16556-33

The result of CDFA's incorrect determinations about LBAM was a decision to aerially spray large populated areas of Monterey and Santa Cruz counties, after which hundreds of people reported illnesses and at least one infant nearly died.[14] In addition, the agency planned to expand the spraying to the San Francisco Bay Area and repeat it monthly for 7 years, a plan that was stopped by public outcry and legal challenges; the

[14] http://www.sfgate.com/health/article/Aerial-pesticide-spraying-put-people-at-risk-3185991.php

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16556-33 cont. legal challenge that stopped LBAM spray in the Bay Area would no longer be possible if the DPEIR as currently written were to be certified.

Several aspects of the apple moth eradication program demonstrate that CDFA abused its discretion – as two judges ruled in lawsuits to stop the spray program (Helping our Peninsula's Environment v. CDFA 2008; County of Santa Cruz v. CDFA 2007)) – and that the agency's historic poor judgment does not warrant the vast latitude to make similar future judgments that CDFA seeks in the DPEIR.

16556-34 First, it is now clear that LBAM does not merit its "Class A" or high-risk designation, which is what justifies the kind of rapid or emergency eradication response that the DPEIR is designed to authorize. CDFA has not produced a single documented instance of damage to crops or wildland plants by LBAM in the 7 years since the LBAM emergency was declared. The LBAM program DPEIR, which was certified in 2010, admits that "no crop damages have been experienced to date" (LBAM DPEIR 3-21, B 3-5), and none have been documented since then. What assurance does the public have that CDFA's judgment regarding the risk posed by a pest would be any more sound in the next instance than it was for LBAM?

16556-35 Second, findings of LBAM over a large area in 2007-08 – portions of Monterey and Santa Cruz counties, locations around the San Francisco Bay Area — already indicated that eradication was impossible despite the agency's murky attribution to a technical working group the opinion that eradication was feasible.

Third, CDFA's trapping program for LBAM was grossly inadequate to support a determination that LBAM was a new introduction. The agency had not trapped at all for the pest in most of the state including some of the areas where it was subsequently found in large numbers, so it had no reasonable basis on which to conclude that LBAM was a new introduction. A 2009 National Academy of Sciences (NAS) report (National Research Council) on the justification for the apple moth's designation as a priority pest concluded, "the survey and trapping regimen used in California before 2007 was

16556-36 probably inadequate to determine the presence or absence of LBAM."

As the months passed, LBAM was detected in traps in more and more areas. CDFA claimed this was evidence that LBAM populations were spreading across hundreds of square miles essentially before their very eyes. But in fact, as the NAS report notes, the assertion of "a progressively increasing population is misleading in that the limitations of the census methods are not discussed. The increase in mean moths per trap per month may partly reflect the increasing number of traps and the

16556-36 cont.

increasing geographic area of their placement, inasmuch as both can increase the probability of inclusion of localized high-density populations. Data derived from repeated trapping at the same locations with constant trapping efforts are more informative."

In short, CDFA's trapping densities and protocols were insufficient to draw any conclusions about how long LBAM had been in the state or how far it had spread. The NAS report also critiqued the model used to project LBAM's potential spread as "not well documented with regard to assumptions and justifications" and found that " [t]he interpretation of the model output as the probability of establishment is technically incorrect." The NAS concluded on the basis of these and other flaws that *[t[he biological data presented ….to support the invasive nature of LBAM, its history in* California, and its potential geographic distribution in the United States are problematic and in some cases not based on sound, rigorous science." The NAS report also criticized the "inconsistent and sometimes incomprehensible analytic techniques" used to justify LBAM's classification. These included projections of large-scale economic damage from LBAM that were skewed by using the highest-value crops grown in California even though LBAM is not known to be a pest of those crops and other defects.

16556-37

Despite the lack of data on whether LBAM's range and numbers made it even a candidate for an eradication effort, the lack of data about damage attributable to LBAM, and the long list of unsubstantiated analyses of the risk LBAM posed that were later documented by NAS, CDFA rushed to declare an emergency and spray populated areas with an untested pesticide, within months of an apple moth being found in a retired entomologist's personal backyard trap, which was the only reason the moth came to CDFA's attention.

16556-38

Based on this flawed sequence of events in one of the most recent pest "emergencies" that CDFA declared, the groups on whose behalf these comments are submitted are understandably skeptical and apprehensive about the DPEIR's vague descriptions of how the Proposed Program would make the types of decisions that went so awry in the LBAM story as well as the extensive license that DPEIR gives CDFA to take actions similar to those taken for LBAM. If the DPEIR had been certified before LBAM was found, CDFA would have been free to spray – and would still be spraying today – 7 million residents of the San Francisco Bay Area, monthly, with a pesticide whose health effects had never been evaluated, for a pest that has done no damage to agriculture. Even though the DPEIR asserts that no future aerial spraying will take place in "residential" or "urban" areas, a program of spraying from trucks or backpacks

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16556-38 cont. in cities and on private property would still be possible — and is routinely pursued now for other pests.

16556-39 And even though LBAM has still to date done no documented damage to crops since its identification in 2007, the quarantines and treatments for the moth continue because the agency has no exit strategy or criteria for reducing the scope or intensity of the program. So the program continues to burden farmers and homeowners with costly quarantine regulations and to create health and environmental risks through the use of unnecessary chemicals. The Pest DPEIR Proposed Program threatens to replicate the LBAM program trajectory on an exponentially larger scale, with multiple pests and multiple chemicals in multiple places, potentially continuing indefinitely with no public re-evaluation of program goal or treatment approaches.

16556-40 The LBAM example demonstrates that the sweeping scope of the DPEIR is unacceptable. The LBAM example shows how CDFA's program activities can have significant environmental and health impacts, and it calls into question the DPEIR's conclusions that most impacts of the Statewide Program would be insignificant. Moreover, not only do the agency's pest treatments pose a risk to public and environmental health, but the DPEIR gives CDFA far too much latitude to undertake pest treatments without the checks and balances of a publicly noticed CEQA process that would not just "inform" affected communities but give them an opportunity to vet the agency's proposed activities and take action to stop those treatments if the evidence does not justify them. This type of scrutiny is what is necessary to keep the environmental and public health impacts of future program activities in check, and exactly the kind of public scrutiny the DPEIR appears designed to enable CDFA to avoid.

16556-41 CDFA should learn from the mistakes of the LBAM program. The agency should disclose in the DPEIR with much more clarity than it has done what future activities are permitted and when, and should clearly provide for subsequent public review.

I. The DPEIR must disclose whether pesticide treatments will occur near sensitive populations.

16556-42 Although the risk assessment and impact summary for the DPEIR air quality analysis states that Program activities would take place at schools, the DPEIR itself does not explain whether Program treatments would be carried out at schools, what types of treatments would or would not be allowable at schools including whether the California Department of Pesticide Regulation (DPR) *List of Pesticide Products Prohibited*

16556-42 cont.

from Use in Schools and Child Care Facilities would be used in choosing pesticides that might be applied at school sites, or what mitigation measures would be applied to protect children from pesticide exposure if treatments were carried out at schools. There is no discussion of whether the Proposed Program would respect individual school districts' bans on pesticide use, required buffer zones, or other relevant regulations. The DPEIR must explicitly disclose whether Program activities, including pesticide applications, will take place at schools, under what conditions, and with what mitigations.

16556-43

Similarly, the DPEIR does not address how hospitals, nursing homes, and other facilities where ill and vulnerable populations are found would be handled in the Proposed Program. This information must be disclosed. For example, the Hazards and Hazardous Materials Risk assessment section noted that databases are available that identify the locations of schools and elder care facilities (DPEIR at 6.5-5) but does not say what the agency will do with this information in regard to, for example, avoiding treatment, adjusting treatment protocols, or other measures. The DPEIR should clearly discuss what impacts the Proposed Program will have on vulnerable populations and how these impacts may be avoided or mitigated.

IV. The DPEIR Fails to Adequately Define the Program's Baseline.

16556-44

In order to determine whether a project's impacts will be significant, CEQA requires the lead agency to compare the impact of a proposed project to the "physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published." These conditions serve as the project's "baseline." 14 Cal. Code Regs. § 15125; *see also* 14 Cal. Code Regs. § 15126.2(a). The description of the project's baseline must ensure that the public has "an understanding of the significant effects of the proposed project and its alternatives," 14 Cal. Code Regs § 15125(a). Accurately determining the baseline environmental conditions is crucial to accurately evaluating a project's impact.

The DPEIR's description of the environmental baseline of the Proposed Program is far too vague to provide the public with an understanding of what impacts the Proposed Program will have. Where possible, more detailed information on statewide environmental conditions and existing program activities must be provided in a revised DPEIR. In particular, and as described below, current CDFA activities, and existing groundwater and surface water conditions should be described on a statewide level in more detail.

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16556-45 We recognize that some detailed site-specific information is simply not possible for a programmatic EIR of this scale, and that the DPEIR is only able to provide incomplete data when characterizing the existing environmental qualities of the entire state of California. Such information, however, is critical for determining what incremental environmental change a proposed project may have and whether it may be significant. The DPEIR should clarify that this ground-level information, therefore, must be included in subsequent project-level CEQA review for each future management activity proposed pursuant to this Proposed Program.

A. The DPEIR must disclose the CDFA activities considered as part of the baseline.

16556-46 The DPEIR notes that "[m]any of the activities that would be conducted under the Proposed Program are already ongoing. Therefore, the impacts analysis presented in this Draft PEIR considers these ongoing activities to be a part of the baseline environmental conditions" (DPEIR at 6.0-1). But nowhere in the DPEIR does it list exactly which of the "many" activities the DPEIR considers part of the baseline, and which of the Proposed Program activities are considered as in addition to the baseline activities. Similarly, the DPEIR states that "although noise-generating pest management activities are ongoing, they may occur in locations which have not been previously subjected to these activities; therefore the baseline level of noise-generating pest management activities is zero in these locations" (DPEIR at 6.0-2). But nowhere does the DPEIR state where "noise-generating pest management activities are ongoing" and where they are not. Instead, the DPEIR concludes without evidence that it is "anticipated to be rare that noise generated under the Proposed Program would combine with other noise sources to create substantial noise effects. The contribution of the Proposed Program to the cumulative noise impact would not be considerable, and the cumulative impact would be less than significant" (DPEIR at 6.6-13).

16556-47 In particular, the DPEIR does not disclose how much pesticide CDFA actually uses annually in its plant pest management programs. Although the database associated with the DPEIR gives CDFA pesticide application rates, and total usage in the state for Proposed Program chemicals is given in Tables 5-5 through 5-13, the DPEIR does not anywhere state actual usage specifically by CDFA or by growers complying with required CDFA quarantine or other pest management protocols in current or prior years. This information must be disclosed for the public to understand the past and current contribution of CDFA pesticide use. These data should ideally broken down to show chemical usage for each pest project. Without transparent information on CDFA's current chemical use, it is impossible to determine what contribution the Proposed

16556-47 cont. Program might in its current ongoing state be making to cumulative impacts or to have a sense of the potential magnitude of growth in that chemical use as the other foreseeable pest projects described in the DPEIR might be implemented.

B. The DPEIR fails to adequately describe groundwater conditions.

The DPEIR fails to meaningfully describe the existing groundwater quantity or quality of areas that will be adversely affected by the Proposed Program, providing only gross, aggregated, and generalized data that fail to describe the existing environmental conditions for purposes of any project-level impact assessment. For example, the DPEIR fails to state:

16556-48
- Specifically which groundwater basins or aquifers are contaminated?
- Which are contaminated by pesticides or pesticide toxicity?
- What are the activities and factors that led to this contamination?
- How can these activities and factors be extrapolated to groundwater basins that have not been tested?
- What have been the drinking water or agricultural water supply consequences for areas with pesticide-contaminated groundwater?
- What are projections for future groundwater demands?
- What remediation efforts have been attempted, at what cost, and to what success?

16556-49 Regarding groundwater quantity and supply, the DPEIR does report, for some regions, what percentage of regional drinking water consumption comes from groundwater. However, the DPEIR fails to include this statistic for each region and fails to disclose specifically which aquifers within each region are relied on most heavily or are most depleted (DPEIR at 6.7-1 to 6.7-4).

16556-50 Regarding groundwater quality, the DPEIR states that:

> Between 2009 and 2010, CDPR and the California Department of Public Health (CDPH) sampled 22,999 wells, of which pesticides were detected in 5,160 wells (Cal/EPA 2011). CDPR collected and tested surface water in six agricultural regions throughout California between June 2006 and July 2007. Of the 95 water samples, 82 percent had detections of at least one active ingredient and 65 percent had detections of more than one active ingredient (Starner et al. 2011) (DPEIR at 6.7-6).

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16556-50 cont.

The DPEIR fails to disclose that the DPR data cited only monitored for 6 of the 98 pesticides on the Groundwater Protection List, relying on data from other agencies to characterize 37 of the listed pesticides, and providing no data for 55 listed pesticides.[15] The DPR program also failed to include soil monitoring, and failed to monitor for pesticide degradates. Although DPR's 2013 groundwater monitoring report expanded its scope slightly, still only 18.9% of pesticides, 10.9% of wells, and 30.2% of counties, were sampled.[16] No sampling for aggregate pesticide toxicity is ever reported. DPR's groundwater data do not describe existing conditions sufficiently to enable determination of the Proposed Program's impacts.

16556-51

The DPEIR goes on to cite additional data showing existing groundwater contamination but, again, fails to provide sufficient information to enable a determination of the effects of the Proposed Program compared to existing environmental conditions:

> With respect to groundwater, the following chemicals that may be used under the Proposed Program were monitored in groundwater and reported in one or more databases (USGS 2011, CEDEN 2010, SWRCB 2000, CDPR 2009a; CDPR 2009b; CDPR 2010b; CDPR 2011b; CDPR 2012a; CDPR 2012b; CDPR 2012d): carbaryl, chlorpyrifos, DDVP, diazinon, imidacloprid, malathion, methyl bromide, naphthalene, permethrin, 1,2,4 trimethylbenzene, and xylene. Only methyl bromide and the inert ingredients 1,2,4-trimethylbenzene, naphthalene, and xylenes exceeded their respective EPA acute or chronic Human Health HHBP (EPA 2009a), MCL (EPA 2011a), or the most stringent regulatory level available for California groundwater (DPEIR at 6.7-7).

A complete assessment of these data is required: how great and frequent were the exceedances that were found? Where did they occur? What consequences or remediation efforts followed? Were any samples close to, but not above, the most stringent regulatory level available?

16556-52

Regarding these data, the DPEIR goes on to state:

[15] See, http://www.cleanwateraction.org/files/publications/ca/Pesticides_and_Groundwater.pdf

[16] See, http://www.cdpr.ca.gov/docs/emon/grndwtr/wellinv/wirmain.htm

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16556-52 cont.

> Ingredients present in Proposed Program pesticide formulations include 1,2,4-trimethylbenzene, naphthalene, and xylenes, typically at concentrations less than 5 percent. These chemicals are more typically constituents of gasoline and diesel fuel. California has remediated numerous leaking underground storage tanks that have affected groundwater (Cal/EPA 2011). Accordingly, these three chemicals in groundwater are most likely traceable to leaking underground storage tanks (DPEIR at 6.7-7).

The DPEIR simply provides no evidence to support this speculation. While the DPEIR fails to state exactly where such exceedances occurred, and whether any pesticide applications of the detected chemicals had occurred within the vicinity of the test site, the majority of the data the DPEIR references here come from DPR, which expressly states that, to conserve agency resources, water bodies most likely to suffer from pesticide contamination will be prioritized for testing.

16556-53

In sum, while the DPEIR does report that pesticide contamination of groundwater has been and is a problem throughout California, the DPEIR fails to provide relevant information necessary – such as specifically where pesticide-contaminated groundwater exists or is likely to exist, how such contamination came to be, and what environmental and public health impacts have resulted – to enable evaluation of the potentially significant impacts of the Proposed Program on actual groundwater supplies

C. The DPEIR fails to adequately describe surface water conditions.

16556-54

The DPEIR's description of existing surface water quality monitoring presents an alarming picture, yet, again, fails to provide sufficient information to actually understand the affected environment sufficiently:

> In monitoring conducted between 2001 and 2010, more than 50 percent of collection sites showed some degree of toxicity (in fresh water and fresh water sediment samples), and more than 45 percent of the sites showed some degree of toxicity (in marine sediment samples).
> . . .
>
> Correlation analyses and toxicity identification evaluations suggest that toxicity to invertebrate test species was caused most often by pesticides (e.g., diazinon and chlorpyrifos) (DPEIR at 6.7-6 to 6.7-7).

While these data clearly show that pesticide contamination of surface waters is a critical problem, without a more particularized review of which surface waters are and are not contaminated, no meaningful evaluation of the Proposed Program's impacts is possible.

> The DPEIR continues:
>
> Among the chemicals that may be used under the Proposed Program, acephate, acetamiprid, bifenthrin, carbaryl, chlorpyrifos, cyfluthrin, diazinon, fenpropathrin, glyphosate, imidacloprid, malathion, methamidophos, naled, naphthalene, permethrin, pyrethrins, thiamethoxam, and xylene surface water concentrations are monitored and reported in one or more databases (DPEIR at 6.7-7).

Accordingly, the DPEIR provides no description of the existing environmental conditions regarding all other pesticides proposed for use in the program.

16556-54 cont.

> For the majority of the listed ingredients, surface water concentrations are below detection limits in California surface water. Only acephate, chlorpyrifos, and diazinon exceeded their respective U.S. Environmental Protection Agency (EPA) acute or chronic Human Health Benchmark for Pesticides (HHBP) (EPA 2012a), Maximum Contaminant Level (MCL) (EPA 2009x), or the most stringent regulatory level available for California surface water. The highest detected concentration of acephate was found at 13.5 parts per billion (ppb). Chlorpyrifos was found at a high of 3.96 ppb, and diazinon was found at a high of 61.9 ppb (DPEIR at 6.7-7).

First, the DPEIR is unclear which "listed ingredients" it refers to; pesticides and their ingredients are placed on many different lists. Second, what pesticides were detected, but below the most stringent regulatory level? Were any pesticides detected that were near the most stringent regulatory level? Third, for pesticides detected above regulatory limits: what were the magnitude and frequency of exceedances? Lastly, for all sampling described in this paragraph, which water bodies were tested?

Finally, the DPEIR states that, "[i]n addition to the previously described Surface Water Protection Program (SWPP), CDPR operates a Groundwater Protection Program (GWPP)." (6.7-6.) However, the CDPR Surface Water Protection Program is nowhere "previously described" in the DPEIR. This program constitutes a major regulatory effort

16556-54 cont.

to curtail surface water contamination from pesticides, and a discussion of its strengths and limitations, as well as the Proposed Program's ability to comply with it, is required.

Again, while the DPEIR does report that pesticide contamination of surface water has been and is a problem throughout California, the DPEIR fails to provide relevant information necessary to evaluate the potentially significant impacts of the Proposed Program on actual surface water bodies, such as specifically where pesticide-contaminated surface waters exist, how these specific waterways came to be contaminated, which pesticides have caused contamination and to what degree, and what environmental and public health impacts have resulted.

D. The DPEIR fails to adequately describe hydrologic site conditions where applications would occur.

16556-55

Because future pesticide treatments under the Proposed Program could occur anywhere within the State of California, at any time, the DPEIR could not and did not adequately describe the existing environmental conditions of all sites that would be subject to pesticide treatments. However, the DPEIR does not deny that these site conditions matter a great deal for determining the fate and transport of chemicals off site to an impacted water body. Instead, the DPEIR simply assumes, with no supporting evidence or analysis, that the undescribed site conditions will all help to mitigate the Proposed Program's impacts:

> [t]he assessment assumed that chemicals would go directly from a treated field or other area into the waterbody; real-life conditions would be likely to include varying soils conditions (affecting adsorption), heterogeneous terrain (as in the case ~~of~~ row crops), dilution from irrigation, buffer zones from waterbodies, and other measures intended to reduce potential for discharges. A local waterway or drainage also potentially would have a greater existing volume of water and flow-through than the modeling assumes, and this also would result in a greater dilution of any chemical concentrations in runoff (DPEIR at 6.7-11).

Here, the DPEIR simply admits that it does not take into account "real-life conditions." Without evaluating site-specific conditions, it is not possible to determine the impacts of an activity under the Proposed Program.

What soil types most and least promote groundwater infiltration, and where do these occur? What soil types most erode and contribute to direct and stormwater

16556-55 cont.

discharges of pesticide-contaminated sediment, and where do these soils occur? Where might treatments occur over impervious surfaces? What pathways of contamination exist on each site, and in what proximity to target pests? What is the assimilative capacity for each receiving water location?

The DPEIR must be corrected to provide the public with a meaningful picture of what activities are included in the baseline, and what Proposed Program activities will result in significant impacts above the environmental baseline.

E. The DPEIR fails to adequately describe baseline air quality conditions.

16556-56

The DPEIR seemingly randomly and without justification selected 2008 through 2010 as the years from which the baseline for criteria pollutants would be developed. There is no explanation or justification, other than a conclusion that doing otherwise was "determined not to provide more representative data." Furthermore, even for those years, some information was missing, and a single year's data are used as the basis for the baseline, despite CDFA's own admission that "the location and intensity of Statewide Program activities is inherently highly variable from year to year . . ." (DPEIR at 6.2-16). Despite this admitted variability, the DPEIR assumes "that the Proposed Program would have the same activity level as the baseline" (Id). The DPEIR fails to provide any information or analysis to support this baseline choice, and its own evidence suggests that some years with higher baseline criteria pollutant loading would occur.

V. The DPEIR Fails to Adequately Analyze the Significant Environmental Impacts of the Proposed Program.

16556-57

CEQA requires that an EIR describe the proposed project's significant environmental effects; each such effect must be revealed and fully analyzed in the EIR. Pub. Res. Code § 21100(b), 21002.1; CEQA Guidelines § 15126.2(a). Significant effect on the environment refers to substantial, or potentially substantial, adverse changes in physical conditions. Pub. Res. Code § 21060.5; *see also* Pub. Res. Code § 21100(d). An EIR must provide an "analytically complete and coherent explanation" of its conclusions. *See Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 439-40. "The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project." *Id.* at 442. Moreover, an EIR that purports to rely upon a future analysis or that does not properly incorporate or reference a separately performed analysis does not adequately inform

16556-57 cont.

the public. *Id.* at 440-41, 443; *see also* CEQA Guidelines, § 15151 (providing that an EIR should contain "a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences").

As discussed below, the DPEIR fails to adequately disclose and analyze the significant environmental effects of the Proposed Program, including impacts on sensitive species.

A. The DPEIR significantly underestimates the area of the state expected to be under quarantine.

16556-58

The DPEIR estimates the area of the state expected to be under quarantine for one or more pests will be 100,000 acres (DPEIR at 3-35). This number appears likely to be significantly underestimated based on past history. In 2010, the Western Farm Press reported that 384 million acres (600,000 square miles) of California was under quarantine for eight pests. To date in 2014, nearly 30 million acres (47,000 square miles) are under quarantine for only one pest, the Asian citrus psyllid. Thus, in comparison to past and current quarantine area in the state, the projected total of 100,000 square miles in future years is a gross underestimate. The DPEIR should base its estimate of future quarantine area on a factual analysis of quarantine area in past years corresponding to the numbers of pests and pest programs represented.

B. The DPEIR does not justify its conclusions about impacts of program treatments on sensitive species.

16556-59

As is the case throughout the DPEIR, the biological resources section does not and cannot analyze all needed relevant information to adequately inform the public and decision makers of the Proposed Program's significant impacts on critical plant and wildlife species. Instead, substantial analysis and formulation of necessary mitigation measures is deferred to a future time when, under the DPEIR's tiering strategy, no public review and comment will occur, and with no guiding performance standards or criteria. Adverse impacts on numerous species are identified in the DPEIR, and assurances that these impacts will be avoided are simply unsupported by detailed information and analysis.

For example, the DPEIR's impact analysis relies heavily on its Ecological Risk Assessment, which states:

16556-59 cont.

> The presence of special-status species or sensitive habitat may require that treatment regimens be altered so that take of the species, or adverse modification of sensitive habitat, would not occur. Treatment plans are designed so that "take" of special-status species would not occur. This may mean that a section of riparian area only would be treated partially (*e.g.* no insecticides sprayed on trees above a certain height level so that no drift occurs into the associated water body) or no treatment would occur at all (Appendix A ERA at 494).

This improperly defers both the analysis of the impact and the development of mitigation measures to a future process that is entirely outside of public CEQA review. What special-status species or sensitive habitat is being impacted? What treatment modifications would be necessary? How would such modifications affect the Program goals?

16556-60

The DPEIR includes a threshold of significance stating that Program activities would have a significant adverse impact on biological resources if the activity would "Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan"; but the DPEIR goes on to conclude that such impacts would be less than significant because the Program "would be required to comply" with such plans and policies" (DPEIR at 6.3-7). Of course, the DPEIR does not and cannot actually evaluate whether its proposed activities *would* comply with all applicable state, regional, and local plans and policies, nor does the DPEIR even list which specific plans and policies may be implicated. All such future analysis is inherently place-specific and must be the subject of future environmental review. The information provided in the DPEIR gives the public no way to determine whether the Program, as proposed, would implicate and comply with any particular plan or policy adopted to protect sensitive species.

16556-61

The DPEIR provides inadequate information or analysis to support its conclusions that both physical and chemical traps and lures could have no significant impact on sensitive species (DPEIR at 6.3-9, 6.3-15). The DPEIR states that traps and lures usually have special design and color to focus on target species and therefore would not harm other species, yet the Ecological Risk Assessment and DPEIR also rely on surrogate species for their evaluations, contradicting the DPEIR's conclusion that species of similar taxonomic, geographic, and dietary varieties would not behave similarly. The only evidence offered to support the conclusion that non-target species would not be harmed by trapping is the absence of information: "to date CDFA has not been made aware of any special-status invertebrates caught in its traps" (DPEIR at 63-

16556-61 cont.

9). In addition, the DPEIR concludes that "[t]rapping also would not be anticipated to reduce insect populations to a level that would have negative impacts on special status insectivores or pollinator-dependent, special-status plant species," but provides no information or analysis to support this bare conclusion.

The DPEIR states that "sweep net surveys may result in the capture and mortality of non-target invertebrates, including special-status invertebrates in limited instances," but goes on to conclude that this would not have a substantial effect on special-status species or natural communities (DPEIR at 6.3-9). Does this activity have any potential to take any threatened, endangered, or special-status species? Does the DPEIR consider the taking of a listed species to be a less-than-significant impact?

16556-62

The DPEIR's conclusion that removal of host fruits and flowers would not impact sensitive or special-status species is also unsupported. First, the DPEIR notes that "CDFA or growers often do not remove host fruit or flowers in part because of concerns regarding reduced food availability for native insects," establishing CDFA's belief that this activity may in fact adversely impact native insects (DPEIR 6.3-9). But the DPEIR presents no binding commitment that such removal will not occur. The DPEIR goes on to state that host removal would not occur in sensitive natural communities, but provides no indication of where this would apply or how it would be monitored or ensured. The DPEIR argues that host removal would mimic typical ongoing fruit harvest activities, despite the fact that harvest may be seasonal while the CDFA program could occur at any time and with far greater impacts on host fruits and flowers than many harvest practices. Lastly, the DPEIR states that the limited area of agency activity would only constitute a small portion of foraging area for any insect but provides no information to support this conclusion, even where some Program management areas may include tens of thousands of acres.

16556-63

Mitigation Measure BIO-CHEM-2 impermissibly defers disclosure and evaluation of impacts to be mitigated, fails to include performance standards or guidelines that ensure impacts will be mitigated to less-than-significant levels, and fails to include binding commitments. First, Mitigation Measure (MM) BIO-CHEM-2 states that CDFA will "identify any suitable habitat for special-status wildlife species identified as having potential to (1) occur in the region and (2) be affected by the treatment scenario in question" (DPEIR at 6.3-13). This is precisely the sort of determination and evaluation that must occur through CEQA review for the benefit of responsible agencies and the public. As stated, MM BIO-CHEM-2 provides CDFA unfettered discretion to determine whether or when it applies, cutting the public entirely out of the process. Second, MM BIO-CHEM-2 states that if such habitat is

16556-63 cont.

found, "CDFA may obtain technical assistance from USFWS, CDFW, and NMFS to develop treatment plans that will avoid or minimize substantial adverse effects on special-status species." In this situation, technical assistance from relevant wildlife agencies should not be permissive, as MM BIO-CHEM-2 proposes, but compulsory and include specific standards as CEQA requires. Mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000). CDFA proposes unenforceable mitigation measures that they "may obtain technical assistance" requiring CDFA to coordinate with the wildlife agencies and "may include modifications" (DPEIR at 6.3-13). These vague and non-binding measures provide no requirements for the adoption of mitigation measures upon which CDFA would rely to reduce the Proposed Program's potentially significant impacts. "[R]eliance on tentative plans for future mitigation after completion of the CEQA process significantly undermines CEQA's goals of full disclosure and informed decisionmaking." 184 Cal.App.4th 70, 92. The DPEIR fails to provide any specified standards as required by CEQA, leaving the adoption of these mitigation measures in doubt.

The DPEIR fails to provide meaningful performance standards or criteria for MM BIO-CHEM-2, stating only that "[t]reatment plan measures may include modifications in the timing, locations, and/or methods for chemical treatments on a case-by-case basis, including establishment of site-specific buffers." MM BIO-CHEM-2 states that no "take" authorization will be required but fails to explain why. MM BIO-CHEM-2 also states that a treatment plan will be "provided to those implementing the treatments" but does not explain how or whether the treatment plan would be binding on such parties, or how or whether it would be monitored. CEQA requires CDFA to "provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures." Pub. Res. Code § 21081.6(b).

16556-64

The DPEIR's evaluation of impacts on insectivores through impacts on non-target insects is inadequate. First, why were the limited number of "Scenarios with Potentially Elevated Risk for Non-Target Insects" chosen (DPEIR at 6.3-13 - 14)? Second, the DPEIR rests its conclusion on the assertion that activities "would be implemented in existing residential, agricultural, or nursery settings that would not provide high-quality habitat and frequently would be disturbed by human activity," without any actual evaluation of any particular treatment area to determine whether, for example, a

16556-64 cont. particular agricultural or residential setting, because of its unique management practices, actually does provide high-quality habitat for special-status insectivores.

16556-65 The DPEIR fails to adequately disclose and analyze the Proposed Program's impacts and environmental setting. The DPEIR assumes that many biological resources will not be impacted because pesticide spraying would "generally" occur in areas away from native habitat and would not affect "high quality habitat" (DPEIR at 6.3-1, 6.3-14). The DPEIR fails to disclose and analyze the impacts of pesticide spraying when it would not "generally" occur away from native habitat. The DPEIR fails to adequately analyze the admitted impacts to native habitat because it improperly assumes that no spraying will occur there. The DPEIR's failure to provide an adequate discussion of the location of spraying in relation to sensitive biological resources (DPEIR at 6.3-4) runs afoul of CEQA.

16556-66 The DPEIR fails to adequately disclose and analyze the Proposed Program and its impacts because it disregards the impacts of pesticide drift, especially on biological resources. CEQA requires that an EIR analyze the whole of the Project including associated project components and impacts, and impacts that are further distant in the future. *See* CEQA Guidelines, §§ 15126 (impact from all phases of the project), 15358(a) (direct and indirect impacts). A National Research Council report summarized the literature on spray drift and bracketed the spray drift component of a pesticide application conducted under "normal" (not defined, but presumably within label restrictions, 3-10 mph) wind conditions as typically 40-60% of the applied mass (National Research Council 1993). In an environmental monitoring study of pesticide drift, the California Department of Pesticide Regulation assumed primary spray drift losses of 10-60% (CA DPR 2010). Much of this loss of material is in the form of "driftable fines," fine aerosol particles under 200 microns in size that are not deposited on the ground near the application. An evaluation of the information provided by a spray nozzle manufacturer's technical literature indicates that a nozzle commonly used for insecticide and fungicide applications produces 34% of the spray volume with a diameter less than 200 microns at 3 bars of pressure, indicating that 34% of the total spray applied is comprised of driftable fines under those conditions (TeeJet 2014).

16556-67 Long-range transport of pesticides used in the Central Valley of California has been shown to result in contamination of sensitive habitats in the Sierra Nevada mountains (Zabik 1993, Aston 1997, McConnell 1998, LeNoir 1999), and the presence of pesticide residues in the bodies of amphibians in these areas has been well-documented (Fellers 2004, Sparling 2009, Sparling 2001, Datta 1998). The data show a strong association between the disappearance of four frog species from historic sites in

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California, and agricultural land use upwind, (Davidson 2002), or historic upwind pesticide use (Davidson 2004), indicating that windborne agricultural chemicals may be contributing to species population declines.

More recent work on the California yellow-legged frog provides additional perspective on the potential impacts of driftable fine aerosols in sensitive habitats (Davidson 2007).

> The mountain yellow-legged frog (Rana muscosa) is native to the Sierra Nevada of California and Nevada and to the Transverse Ranges of southern California (Stebbins 2003). In the Sierra Nevada, R. muscosa was once abundant in the extensive fishless habitats present at mid to high elevations (Grinnell and Storer 1924, Mullally and Cunningham 1956). Its unique life history, including a two-to-four-year larval stage and an adult stage that overwinters underwater (Bradford 1983, Matthews and Pope 1999, Vredenburg et al. 2005), restricts successful breeding to permanent water bodies (Knapp and Matthews 2000). During the past century, R. muscosa has disappeared from most of its historic range (Jennings and Hayes 1994, Drost and Fellers 1996). As a result of the severity of these declines, the southern California populations are now listed as ''endangered'' under the U.S. Endangered Species Act and the listing of the Sierra Nevada populations was recently determined to be ''warranted'' (Federal Register 2003).

16556-67 cont.

The authors assessed the impacts of both pesticides and the introduction of non-native fish on the frog population declines and found that, while the probability of *R. muscosa* presence was significantly reduced by both fish and pesticides, the landscape-scale effect of pesticides was much stronger than that of fish.

16556-68

The DPEIR fails to adequately disclose and analyze the Proposed Program's potentially significant impacts on sensitive species. The DPEIR admits that significant impacts would likely occur from the Proposed Program, "[f]or the purposes of CEQA, either acute or chronic ecological risks exceeding the level of concern, or both, may be significant impacts" (DPEIR at 6.3-6). The Ecological Risk Assessment contained in Appendix A recognizes that the application of pesticides from the Proposed Program would exceed the level of concerns for numerous species. For example, levels of concerns were exceeded for Sacramento splittail, arroyo chub, desert pupfish, riparian brush rabbit, tricolored blackbird, western yellow-billed cuckoo, purple martin, yellow rail, certain amphibians, aquatic invertebrates such as fairy shrimp, pollinators,

16556-68 cont. terrestrial insects, and other species. The assertion in the body of the DPEIR that the impacts would be less than significant contradicts the data provided in the Ecological Risk Assessment. The DPEIR's failure to disclose and analyze these impacts is contrary to CEQA.

1. The program must comply with the Endangered Species Act

The Proposed Program is subject to the Endangered Species Act ("ESA"), and must fully comply with the Act's provisions. The ESA was enacted to provide a conservation program for endangered and threatened species and the ecosystems upon which those species depend. 16 U.S.C. § 1531(b). The DPEIR recognizes that the Proposed Program has the potential to adversely impact federally endangered or threatened species and their habitat (DPEIR at 6.3-11).

16556-69 Section 9 of the ESA makes it illegal for any person (which includes a governmental entity like CDFA) to "take" an endangered species listed under the ESA. 16 U.S.C. § 1538(a)(1)(B). "Take" has been defined to mean to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in such conduct. 16 U.S.C. § 1532(19). Further, the U.S. Fish and Wildlife Services ("USFWS"), one of the agencies charged with administering the ESA, has defined "harm" to include "significant habitat modification or degradation which actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding or sheltering." 50 C.F.R. § 222.102. CDFA may shield itself from section 9 liability by establishing a Habitat Conservation Plan with USFWS and National Marine Fisheries Service. 16 U.S.C. § 1539(a)(1)(B).

16556-70 To limit CDFA's section 9 ESA liability, CDFA should adopt pest management tactics and programs that limit or eliminate pesticide application and their associated harms to listed species and their habitats. However, CDFA's mitigation measure to reduce impacts to sensitive species and listed habitat is a voluntary program that provides no assurances that the impacts will be reduced. As noted in these comments CDFA proposes unenforceable mitigation measures that they "may obtain technical assistance" requiring CDFA to coordinate with the wildlife agencies and "may include modifications" (DPEIR at 6.3-13). These vague and non-binding mitigation measures provide no requirements to ensure that CDFA actually engages in coordination to obtain technical assistance from the wildlife agencies or adoption of actual mitigation actions to reduce the Proposed Program's potentially significant impacts to sensitive species.

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16556-71

CDFA may also take advantage of ESA section 7 consultation. The Proposed Program involves Federal agency funding, permits, or authorizations in connection to the Statewide Program, such as a Plant Protection and Quarantine Permit from the United States Department of Agriculture's ("USDA") Animal and Plant Health Inspection Service, and surveys performed with and by USDA, and federal funding (DPEIR at 2-12, 2-13, 2-20). The consultation process is designed to prevent jeopardy to listed species or destruction or adverse modification of critical habitat. Section 7(a)(2) requires that "[e]ach Federal agency shall, in consultation with and with the assistance of the [USFWS], insure that any action authorized, funded or carried out by such agency [] is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined by [USFWS] …to be critical." 16 U.S.C. § 1536(a)(2). Federal agencies are required to consult with the USFWS to determine whether their actions will jeopardize a listed species' survival or adversely modify designated critical habitat. If jeopardy to species or destruction or adverse modification will result, the consultation process will identify ways to modify the action in a way that would avoid those results. 50 C.F.R. § 402.14. The reliance of CDFA on federal permits, programs, and funding triggers the ESA section 7 consultation process that should occur prior to approval of the Proposed Program.

2. The DPEIR's analysis of impacts on pollinators is inadequate.

16556-72

The DPEIR's evaluation of impacts on pollinators is grossly inadequate. First, the DPEIR admits that its Ecological Risk Assessment determined that the limited scenarios it reviewed "could result in risk that would exceed the level of concern for pollinators" (DPEIR at 6.3-14). Among the list of chemicals in the Proposed Program are several that are lethal to bees, including neonicotinoid pesticides that scientists believe are implicated in colony collapse disorder (Xerces Society 2014, Hopwood et al. 2012). With regard to the risks to pollinators, the DPEIR's significance evaluation states:

> However, CDFA would implement various avoidance and minimization measures as part of the Proposed Program (including the MPs discussed in Chapter 2, Proposed Program Description, and the pollinator measures included in Attachment 1 of Appendix J). These measures would minimize the potential adverse effects on pollinators. Therefore, the risk to pollinators from the Proposed Program would be minimal and would not substantially affect the local or regional populations of pollinators available for special-status flowering plant species.

No actual analysis of how the MPs would reduce or avoid this impact is provided. In addition, the "pollinator measures" included in Appendix J, attachment 1, are nowhere evaluated in the DPEIR, and "a report buried in an appendix, is not a substitute for a good faith reasoned analysis." *Vineyard Area Citizens v. City of Rancho Cordova* (2007) 40 Cal.4th 412. To the extent that the MPs and "pollinator measures" are intended as mitigation measures, the DPEIR must include them as such.

A review of Appendix J, attachment 1, raises further questions. Are each of the listed activities a mandatory part of the Proposed Program in perpetuity? The proposed actions begin with a simple recitation of the same Program activities provided for in the main DPEIR, not ones specifically designed to avoid impacts on pollinators. Further the identified mitigation techniques, are not well defined or explained. For example:

- Implement site specific buffers as necessary to protect pollinators from possible drift
- Check properties for evidence of bee hives to ensure protection of pollinators.
- Choose appropriate sprayer and nozzles using site specific parameters to avoid unintended impacts to pollinators (DPEIR at J-13).

16556-72 cont.

When are site-specific buffers necessary, and what buffer is required? What measures will applicators take "to ensure protection of pollinators" if bee hives are detected? What measures will be implemented to protect wild bee colonies and other native pollinators? What variations in spray nozzles are possible within labeling requirements, and how can CDFA ensure that proper spray nozzle calibration will occur? Later the document states CDFA will "educate treatment personnel on how to handle bee encounters," but does not disclose what harms may occur if encounters are not properly handled, nor what measures treatment personnel should take or avoid. The document also states that CDFA will "cover non-target flowering plants and water sources (i.e., bird baths) during treatment to avoid drift or drip from adjacent or overhanging treated plants when necessary," but provides no guidance on when this would be necessary or how this would be accomplished. Among the actions that the DPEIR lists as currently being taken to protect bees in areas where CDFA carries out emergency pest treatment projects (DPEIR at J-16) are: notification of treatment personnel regarding any beehives known to be in the treatment area (identified from the local Agricultural Commissioner's list of registered beekeepers), addition to the post-treatment notice of a comment that would indicate that a property had not been treated because of pollinator activity, and provision of alternate treatment schedules to unregistered beekeepers who are newly identified. As noted above, it is not clear whether these activities are required or advisory or how they are enforced, nor is it clear how omitting the treatment of an

16556-72 cont.

individual property or properties would protect bees, which are known to forage up to at least 6 miles from their colony (Beekman and Ratnieks 2000) and therefore would still come in contact with pesticides applied to neighboring properties.

Moreover, focusing these measures on domestic beehives and registered beekeepers will not protect wild bee colonies, which are likely the healthiest and most essential bee colonies to preserve as the evidence suggests that they alone can provide partial or complete pollination services for crops (Kremen and Ostfeld 2005) and that interactions between wild and domestic bees increase pollination efficiency (Greenleaf and Kremen 2006). In addition, wild colonies can serve as a genetic reserve for bee breeders, and the genetic diversity that can be introduced from wild colonies may protect against colony collapse and other vulnerabilities of domestic colonies (Sheppard 2012). The existence of wild colonies surviving despite the presence of the Varroa destructor mite (Seeley 2006) suggests the importance of wild bees as a genetic resource. Therefore, it is essential that CDFA's Proposed Program include robust mitigation measures to protect wild bees from impacts of Program pesticides.

CDFA also states it will coordinate with Cal-Trans, Land Management, and Conservation "to provide access to native forage for bees," but provides no information on where and how this would occur, and to what effect (DPEIR at J-18). The document also says that CDFA will "Partner with bee experts and sister agencies to develop more regionally located cleaning areas. CDFA currently only has the Needles staging area as an option for Apiary Shippers" (DPEIR at J-19). What impacts on pollinators will this avoid, and what is required to make more regionally located cleaning stations feasible?

Appendix J, attachment 1 then provides substantial evidence of significant program impacts to bee hives at border stations, noting that heat, noise, and other stressors can be detrimental. Appendix J, attachment 1 states that inspection workers will provide water to drivers to help calm bees, but whether this will be mandatory at all stations, and is feasible for all drivers, in all situations, is unclear. Further, it is unclear what effect these activities at the border would have on both wild and kept bee populations within Proposed Program treatment areas. The document states CDFA will "[i]dentify gaps and trends in border station hold times for bee shipments and work on process improvement to streamline inspections" (DPEIR Appendix at J-17), but this evaluation should occur now, during the environmental review process, before the Proposed Program is approved. Digital imaging is also referenced, but again, it is unclear whether this is always feasible and available. Lastly, the document references providing vendor referrals to shippers who do not pass inspection, to use a pay service to have their loads cleaned, but the document does not explain what impacts this would

avoid, nor why it would be infeasible for CDFA to avoid such impacts in the same manner as the private vendors.

16556-72 cont.

In sum, Appendix J, attachment 1 provides substantial evidence that the Proposed Program may result in significant impacts on pollinators, lists activities related to bees that do not have direct relationship to impacts on bees or other pollinators that would be caused by Proposed Program activities, and fails to meaningfully consider the benefits and feasibility of mitigation measures to avoid this impact.

16556-73

The comments of professor James L. Frazier provide additional expert analysis of the deficiencies in the DEPIR's analysis of risks to pollinators, conclusions about the significance of impacts on pollinators, and adequacy of the mitigation measures and voluntary activities of the agency related to pollinators and are incorporated herein by reference.

3. The DPEIR's analysis of impacts on wetlands is insufficient.

16556-74

The DPEIR asserts that chemical treatments on sensitive natural communities or wetlands would have no impacts, because "Proposed Program activities would not occur within wetlands and other aquatic or sensitive natural communities" (DPEIR at 6.3-15). The DPEIR provides no information on how this determination was reached. Determining whether an area constitutes a "wetland" can include a complex evaluation of hydrology, flora, and fauna, and can often be the subject of intense debate. The process is similarly complex for determining whether an area constitutes a "sensitive natural community," even applying the California Department of Fish and Wildlife (CDFW) list provided in Appendix I. Yet, here, the DPEIR flatly asserts that all wetlands and sensitive communities will be avoided. Without on-the-ground evaluation of where any treatment activity is proposed to occur, such a conclusion simply cannot be supported, and this determination must be subject to future, fact-specific, environmental review. And in fact, avoidance of all discharges to wetlands is virtually impossible, as wetlands commonly collect significant portions of upstream urban and agricultural runoff.

16556-75

Moreover, many if not most remaining wetlands provide habitat for endangered species. Similarly, the majority of California surface waters have been designated as habitat for endangered salmonids, and receive urban and agricultural runoff. It is simply infeasible for CDFA to ensure that none of its pesticide discharges reach surface waters that provide critical habitat for listed salmonids.

C. The DPEIR's Ecological Risk Assessment fails to analyze the impacts of the Proposed Program.

16556-76 The DPEIR's Ecological Risk Assessment (ERA) is deficient in numerous ways in addition to those that have already been mentioned in other sections of this letter. The ERA at the outset states significant elements of environmental risk that are not evaluated, acknowledging for example that its models "in many cases are not capable of modeling all of the complex fate and transport processes that can occur once the chemicals are released into the environment" (Appendix A ERA at 58-59) and that

16556-77 "toxicity data were not always available for all taxonomic groups. This was most common for amphibians and reptiles. Bird or fish toxicity data were used when no data were available for terrestrial-phase amphibians and reptiles or aquatic-phase amphibians, respectively. It was not known when this approach might lead to an over or underestimation of risk" (Appendix A ERA at 14).

16556-78 Other deficiencies in the ERA that result in grossly incomplete disclosure to the public of the Proposed Program's ecological risks include:

- Failure to analyze the environmental impacts of numerous Proposed Program activities "due to the inability to quantify risk"
- Failure to analyze numerous exposure pathways due to lack of available data
- Failure to analyze the full range of pesticides used in the Proposed Program, including their "inert" ingredients
- Unsubstantiated and illogical assumptions about exposure duration

1. The ERA fails to analyze the impacts of numerous Proposed Program activities.

16556-79 The ERA states:

> "Several Proposed Program activities have not been evaluated in this ERA, due to the inability to quantify risk and/or the absence of a clear pathway by which species could be exposed. These activities include:
> - Activities not involving the use of chemicals
> - Fumigations within chambers.
> - Lures used in trapping programs, because exposure to wildlife could not be quantified. Specifically, trapping agents within traps were not analyzed because the likelihood that wildlife would consume the traps or

16556-79 cont.

chemicals within the traps was considered extremely remote" (Appendix A ERA at 1-2).

16556-80

Fumigation within chambers uses the potent toxin and ozone-depleting chemical methyl bromide, whose use is being phased out in accord with the Clean Air Act and an international treaty. Fumigation under the Proposed Program is identified in the HHRA as an activity that is likely to exceed levels of concern for human health. Questions are raised regarding its characterization in the risk assessment, as noted in the minutes of the DPR/OEHHA/CDFA Risk Assessment meetings included as Attachment 1 to the HHRA:

> "OEHHA question: Don't you think that methyl bromide will go into the soil?
> Joe: we believe that it is likely to volatilize.
> Mike: pointed out that treated commodity is boxed leaves that have been picked and are not associated with soil anymore. Methyl bromide treatment occurs in two locations in CA: San Diego and LA"

(Appendix A HHRA at Attachment 1-5).

Despite the uncertainty of the risk assessors' "belief" that methyl bromide will not go into soil and the absence of evidence that it could affect ecological receptors, "fumigation within chambers" using this deadly chemical is not analyzed in the ERA, leaving the public with no idea about its potential ecological risks.

2. The ERA fails to analyze numerous exposure pathways for ecological receptors.

There are multiple examples of exposure pathways that the ERA deems complete but does not analyze because of lack of data, or unsubstantiated conclusions that risks were minimal or that exposure would not occur (emphases added):

16556-81

- "Based on the application scenarios for fruit flies, the residential and agricultural applications would consist only of foliar applications and Figure ECO 9 shows the [conceptual site model] CSM for these application scenarios. Based on the CSM, complete exposure pathways exist for inhalation or dermal contact with vapors, droplets or mist. However, *since adequate toxicity data is not available for many of the species for these exposure pathways, this pathway was only quantitatively evaluated in the ERA for terrestrial insects via dermal contact exposure* (Appendix A ERA at 41).

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16556-81 cont.

- For Asian citrus psyllid treatments: "*The only pathway carried forward is direct dermal contact exposure to terrestrial insects from the foliar spray due to inadequate data for the other potentially complete exposure pathways* from vapors, droplets or mist. Exposure pathways for birds and mammals are complete for dermal contact and ingestion of vegetation and soil (including uptake from the soil following drench application), however *due to inadequate toxicity data for vegetation and soil contact, the only exposure pathway quantitatively evaluated in this ERA is the ingestion pathway*" (Appendix A ERA at 45).

16556-82

- "The exposure pathway for fish and aquatic invertebrates is complete via surface water following movement through or over soil beneath treated plants and from the possibility of drift to adjacent surface water, *but adequate toxicity data for ingestion of contaminated food items or ingestion of water does not exist, so only effects from exposure from immersion in surface water containing pesticide residues has been analyzed*" (Appendix A ERA at 46).

16556-83

- For the Pierce's Disease Control Program (PDCP): "Residential and nursery applications (Figure Eco-14 and Eco-15) would consist of foliar spray applications, soil drench applications, or inserting pesticide containing tablets beneath the soil surface. No combination treatments would occur in the PDCP. Complete exposure pathways exist for inhalation by ecological receptors from foliar spray applications only. *No exposure could occur to terrestrial insects via direct dermal contact exposure from the soil treatments*" (Appendix A ERA at 46). No explanation is given regarding why terrestrial insects would not contact chemicals released by tablets inserted in soil.

16556-84

- For the apple moth program: "Trapping activities (Figure Eco-20) would consist of placement of traps containing lures or applying lures to exterior surfaces such as tree trunks. Exposure pathways were potentially complete for ingestion by various ecological receptors, but *because the potential was diminishingly small, no quantitative analysis was performed*" (Appendix A ERA at 55). No evidence is given to support the conclusion that the potential is "diminishingly small."

3. The ERA makes unsubstantiated and illogical assumptions about exposure duration.

16556-85 In the subsection "*Chronic* Exposure in Terrestrial Species" the ERA states that (emphases added):

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16556-85 cont.

> "No published guidance indicates the exposure period to be used when calculating the time-weighted average for chronic exposure in terrestrial species. Since no precedent is available for a standard time period, the following approach is based on the avian nesting periods, agreed upon during the interagency coordination meetings with CDFA, OEHHA and DPR staff. Birds were selected to develop the chronic exposure period in terrestrial vertebrates because *they are more mobile than other taxonomic groups and might be tied to a specific area only during their nesting period.* Although other taxonomic groups might be present in a specific area for longer, *choosing the shorter duration of the bird nesting season provides a conservative approach.* This is due to the fact that chemical concentrations decrease over time, and as a results [sic], using a shorter time period results in a relatively higher time-weighted average"

(Appendix A ERA at 60). No explanation is offered for choosing the limited time duration of nesting season only to perform a chronic exposure evaluation, which by definition should address long-term exposure. The issue in chronic exposure is not the concentration of the chemical to which a receptor is exposed but the long-term duration of exposure. Short-term exposures are appropriate for acute, not chronic exposure assessments. Using a short-duration exposure to evaluate a chronic exposure effect is not only illogical but almost certainly results in understatement of the chronic exposure risks.

4. The DPEIR fails to adequately analyze the full range of Program pesticides and inert ingredients.

16556-86

The DPEIR fails to adequately analyze the full range of pesticides and their inert ingredients. The DPEIR admits that it "provides analysis for the subset of these pesticides evaluated in the Proposed Program's Human Health and Ecological Risk Assessment" but does not conduct an analysis on the "[n]umerous registered pesticides [that] exist for use against the pests of concern under the Proposed Program" (DPEIR at 2-21 to 2-22). The DPEIR also fails to adequately disclose and analyze the impacts of inert ingredients in the pesticides that are used. Many of the potentially hazardous additives allowed for use as pesticide additives are environmental contaminants and toxins that are known neurotoxins and carcinogens (NCAP 2006). The DPEIR claims to have analyzed the inert ingredients (DPEIR at 6.3-6), but fails to adequately disclose those chemicals to the public. The DPEIR also "did not model risks to plants because the main purpose of the program (to protect agricultural crops) would require the use of chemicals that do not adversely affect plants" (DPEIR at 6.3-5). However, the DPEIR admits to the use of the herbicide glyphosate on stumps (DPEIR at 3-12), and generally

16556-87

16556-88

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16556-89 in the Proposed Program (DPEIR at 6.7-7). The EIR's failure to conduct a good faith effort and analysis and disclosure is contrary to CEQA. The DPEIR fails to properly disclose and analyze impacts because of its failure to properly describe the scope of the Proposed Program, and when, where, how and what pesticide applications would be sprayed.

5. The ERA contains numerous other deficiencies similar to those identified for the HHRA.

16556-90 Finally, the ERA exhibits several deficiencies parallel to those of the Human Health Risk Assessment, detailed in section V.F. This includes the assumption that chemicals deemed "substantially similar" have comparable modes of action and impacts, a claim that is not supported, e.g., "Where possible, surrogate chemicals have been identified for inert ingredients lacking adequate information, based on similarity in chemical structure and physical properties (Appendix A ERA at 3). See the comments of professor Warren Porter, expert review of the Human Health Risk Assessment for comment on this assumption.

D. The DPEIR's water quality analysis is inadequate.

1. The DPEIR fails to adequately analyze impacts on surface waters.

16556-91 As discussed above, the DPEIR fails to describe each water body that will be impacted by Program activities. In addition, the DPEIR fails to meaningfully characterize and evaluate all Program activities that will impact these undescribed water bodies. Waters will be impacted by both direct and indirect discharges under the Proposed Program, but the DPEIR fails to appropriately distinguish between the two, and fails to provide an adequate description of the indirect pesticide loading through runoff, erosion, track off, and other movement from pesticides off site and into waters. The DPEIR does admit that, "[b]ecause of the diffuse nature of non-point sources, they are difficult to regulate and are the leading cause of water quality issues in the U.S. (EPA 2011c)." (DPEIR at 6.7-5.) Yet, the DPEIR concludes that virtually none of its pesticide applications would reach, much less adversely affect, surface waters. The key measure the DPEIR should provide is the cumulative pesticide toxicity resulting in storm drains and waterbodies following program impacts. Not only is existing pesticide toxicity widespread, but existing DPR studies clearly demonstrate that CDFA pesticides have adversely impacted surface waters.[17]

[17] http://www.cdpr.ca.gov/docs/emon/epests/rifa/

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16556-91 cont.

The California State Water Resources Control Board has plainly stated that the analysis that this DPEIR attempts to undertake is simply impossible: "Given the nature of [CDFA's] General Permit and the broad range of beneficial uses to be protected across the state, data analysis of specific water bodies is infeasible" in any single statewide environmental review document. (NPDES at 12.) Therefore, the DPEIR could not and does not provide sufficient environmental information and analysis to determine the significance of any project-level activity.

a. The program activities are inconsistent with CDFA's NPDES spray permit.

16556-92

The DPEIR repeatedly relies on CDFA's NPDES permit requirements to reduce or avoid significant water quality impacts (e.g., DPEIR at 2-26, 6.7-22), yet the Program proposes management practices that conflict with NPDES permit requirements. Further, the DPEIR misapplies key Clean Water Act standards. And, as stated above, the NPDES permit itself did not undertake a review of potential impacts on all California waters.

MP-Spray-1 attempts to mirror the best management practice requirements from the NPDES Spray Permit but deviates at a critical juncture. The NPDES Spray Permit requires CDFA to "*Choose* integrated pest management methods designed to minimize the scale and number of pesticide applications: Integrating multiple measures such as quarantines, sterile release, host removal, bait stations or mass trapping." (NPDES at D-20, emphasis added.) In contrast, MP-Spray-1 requires CDFA to "*Consider* integrated pest management methods designed to minimize the scale and number of pesticide applications." (DPEIR 2-26, emphasis added.)

MP-Spray-4 is also inconsistent with the NPDES spray permit in several respects. MP-Spray-4 requires CDFA to "Delay or do not apply foliar sprays if wind speeds are over 10 miles per hour," or when there is a 40% chance of rain within 24 hours (DPEIR at 2-27), while the NPDES spray permit requires the following of CDFA:

i. Do not make spray applications if wind speeds are less than 3 miles per hour or over 10 miles per hour (limited to 5 miles per hour for CTV program).
ii. Avoid spraying during stable (inversion) conditions (early morning and early evening) when there is little or no vertical

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mixing of the air. These conditions generate concentrated drift clouds and increase the chance of drift fallout.

iii. Check weather service prior to application and **DO NOT** make application if rain (50% chance or higher) is forecast 48 hours prior to an intended application.

iv. Monitor wind direction and do not spray when there are sensitive crops/areas immediately downwind.

v. Keep records of air temperature, wind speed, and wind direction for aerial applications.

(NPDES at D-31, emphasis original.) MP-Spray-4 creates numerous conflicts with these provisions. First, the DPEIR allows CDFA to "delay or do not apply" spray under unsafe wind conditions while the NPDES permit requires that spray not be applied under such circumstances; the addition of "delay" creates an ambiguity allowing for inconsistency with the NPDES permit. Second, the DPEIR places a wind restriction at greater than 10 miles per hour but fails to include any of the additional wind restrictions required by the NPDES permit. Third, the DPEIR allows for spraying within 48 hours of a 50% chance of rain, which is expressly prohibited by the NPDES permit. These inconsistencies are repeated in MP-GROUND-1, MP-GROUND-2, and MP-GROUND-4.

16556-92 cont.

MP-GROUND-1 and MP-GROUND-2 also require applicators to "[m]aintain a 30-foot buffer around water bodies per NPDES permit" (DPEIR at 2-28, 2-29), while CDFA's "Pesticide Application Plan" ("PAP"), enforceable as part of its NPDES spray permit, requires that "[s]taff will maintain a minimum distance of 30 meters from surface water" (PAP at 15). Moreover, it is highly questionable whether even a 30-meter buffer could sufficiently protect water quality and species habitat. For example, in 2006, the National Oceanic and Atmospheric Administration (NOAA) Fisheries required a ¼-mile buffer for spray around the Salinas River and its tributaries, including agricultural drains and canals (PAP at 8).

MP-GROUND-3 includes training requirements for personnel but fails to include any training regarding applications in areas with potential impacts on sensitive species (DPEIR at 2-29). The NPDES spray permit, in contrast, requires "Annual safety & endangered species training for all personnel mixing or applying pesticides" (NPDES at D-30). What does such training consist of, and why was the endangered species training excluded from the safety training required by the DPEIR?

The NPDES permit requires that:

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> If the Discharger identifies alternative control measures to the selected pesticide application project that could reduce potential water quality impacts and that are also feasible, practicable, and cost-effective, the Discharger shall implement the identified alternative measures.

(NPDES at D-29.) In contrast, the DPEIR states that:

> Selection of Management Approaches: Based on experience and knowledge of the available methods, and after consideration of potential risks to human health and the environment, the least damaging and most economical method or combination of methods to be used is selected.

16556-92 cont.

(DPEIR at 2-17.) While the NPDES permit requires alternatives to be implemented if "cost-effective," the DPEIR only requires the "most economical method or combination of methods." A measure may be cost-effective even if it is not the most economical measure possible.

For each of these reasons, the Proposed Program would violate CDFA's NPDES spray permit, is not as protective as CDFA's NPDES spray permit, and all DPEIR impact analysis premised on NPDES spray permit consistency must be revised.

b. CDFA has failed to comply with its NPDES Permit.

16556-93

CDFA currently adheres to a PAP that appears to have been improperly submitted to and processed by the State Water Board.[18] While the State Water Board's website shows that CDFA's original PAP was subject to public review and comment prior to receiving State Water Board approval, the "Revised Pesticide Application Plan" posted on the State Water Board's website shows no public review or comment period occurring.[19] Any major revisions to the PAP require subsequent public review and comment. Unfortunately, the Revised PAP is undated and fails to indicate what revisions it contains.

[18] See, http://www.swrcb.ca.gov/water_issues/programs/npdes/pesticides/docs/sprayapplication/2011-0004-dwq/cdfa_rev.pdf

[19] See, http://www.swrcb.ca.gov/water_issues/programs/npdes/pesticides/spray_application.shtml

Moreover, while the DPEIR relies heavily on compliance with the NPDES permit to reduce or avoid significant environmental impacts, the NPDES permit's PAP itself simply continues to kick the can down the road, with no meaningful environmental review. For example, describing CDFA's Moth Control Program, the PAP states that:

> In the event that treatment is triggered in close proximity to a body of water, where application may result in a direct discharge of pesticides to the body of water, CDFA will identify and describe the waters, application and treatment areas, and any representative monitoring location. In addition, CDFA will describe any site specific BMP's for the environmental setting. As soon as the information becomes available it will be posted on the CDFA web page and provided electronically to the [State Water Board].

(PAP at 26). A review of the CDFA website, and request for documents to the State Water Board, however, failed to find the promised environmental analysis. This level of deferral cannot satisfy CEQA's purpose and mandate to provide the public and decision makers with sufficient information to inform good environmental planning and policy. What BMP analysis did CDFA implement for potential impacts on water bodies under its Moth Control Program, as described in the PAP? What evidence exists that this information was posted for public consideration?

16556-93 cont.

A review of CDFA's Annual Reports submitted to the State Water Board also calls into question the extent to which the NPDES permit can and does actually protect water quality, and the ability of CDFA to effectively self-police compliance with the NPDES permit requirements. For instance, the NPDES permit calls on CDFA to develop its own monitoring program, which it submitted as part of its PAP, stating:

> Due to the quantity of acres treated and the nature of aerial applications, the CDFA will monitor water bodies during aerial applications. Water bodies will be monitored when aerial applications are performed within a quarter (¼) mile of a water body. Representative sample sites will be chosen according to the number of water bodies encountered during the season.

(PAP at 50). Unfortunately, the CDFA 2013 Annual Report states that no sampling occurred anywhere in the State and provides scant information regarding spray activities to determine whether or not water quality was impacted, such as whether any surface waters or shallow ground water tables were within a quarter mile of any spray,

or the GPS coordinates or street address of any application. For example, the report includes a 38,950-acre aerial spray in "Westside Fresno, Kings, Kern Co.," where no monitoring was conducted, and with no further information about the spray or precise location, other than noting its date, April 19, a prime point in the spring season to find flowing streams (2013 Annual Report at 3). The Annual Report includes thousands of additional acres of treatments throughout the state, but gives insufficient information to determine the proximity of any waterways, no discussion of any best management practices put in place to reduce or avoid impacts to waters, and no water quality monitoring at all. CDFA's 2011 Annual Report also indicated no sampling occurred.

16556-93 cont.

CDFA's 2012 Annual Report indicated that one sampling project occurred, but the Annual Report failed to include any actual monitoring data. CDFA indicated to the State Water Board that it believed no monitoring to be required because CDFA did not believe any discharge had occurred. However, this point should be proven by monitoring, and requests for this data from CDFA have gone unanswered. Moreover, this approach directly contradicts CDFA's own PAP which repeatedly states that "[i]n the event that treatment is triggered in close proximity to a body of water, where application may result in a direct discharge of pesticides to the body of water, CDFA will identify and describe the waters, application and treatment areas, and any representative monitoring location." A review of CDFA's annual reports shows it has not complied with this repeated provision in its own PAP. The NPDES permit itself includes numerous additional monitoring provisions that anticipate and require some level of actual monitoring by CDFA pursuant to the NPDES permit; yet CDFA to date has failed to provide any such monitoring data to the State Water Board or the public. Without adequate monitoring data, CDFA has not shown and cannot show that it has complied with its NPDES permit, nor that it has not caused or contributed to any water quality standard exceedances.

c. CDFA does not propose to ensure that private applicators will comply with an NPDES permit.

16556-94

The DPEIR acknowledges that:

CDFA's Statewide General NPDES Pesticide Permit addresses pesticide applications undertaken directly by CDFA or its contractors, but does not extend to growers complying with CDFA's quarantine requirements. Individual growers must obtain their own NPDES Permits for pesticide applications that can reach surface waterbodies.

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16556-94 cont.

(DPEIR at 2-25). Presently, therefore, CDFA can provide no assurance that individual growers will protect water quality when complying with a CDFA order. The DPEIR does require that individual growers contract to comply with all "relevant" DPEIR requirements but fails to disclose which are relevant in what circumstances. And, as discussed, above, the DPEIR itself includes standards that are less stringent than those of the NPDES spray permit. The DPEIR should therefore be revised to include requirements that no grower may apply pesticides in an attempt to comply with any CDFA order unless and until the grower has provided CDFA with proof that it has obtained NPDES permit coverage.

d. The DPEIR erroneously assumes CDFA's discharges receive a dilution credit.

It is well-established law that a permitted discharger may receive a mixing zone of dilution to determine compliance with receiving water objectives if and only if that discharger has conducted a mixing zone study, submitted to a Regional Board or the State Board for approval and expressly incorporated into the individual discharger's permit. (See, e.g., *Waterkeepers N. Cal. v. AG Indus. Mfg.*, 2005 U.S. Dist. LEXIS 43006 ["A dilution credit is a limited regulatory exception that must be preceded by a site specific mixing zone study"]; Water Quality Standards; Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California, 65 Fed. Reg. 31682 (May 18, 2000), 31701 ["All waters . . . are subject to the criteria promulgated today. Such criteria will need to be attained at the end of the discharge pipe, unless the State authorizes a mixing zone."])

16556-95

The DPEIR entirely ignores Clean Water Act requirements for obtaining dilution credits, and, with no supporting evidence whatsoever, effectively and illegally grants CDFA dilution credits across the board. (See, DPEIR at 6.7-11, 6.7-12, 6.7-18, 6.7-19, 6.7-20, 6.7-21, 6.7-22, 6.7-23, 6.7-27). For each instance in which the DPEIR wishes to apply dilution credit to its determination of whether water quality impacts will be significant, the DPEIR must perform – with the approval of the State or Regional Water Board – a mixing zone study considering the impacted waterbody and the specific types and quantities of the proposed pollutant discharge(s). Short of that, the DPEIR fails to analyze whether any pesticide dilution in any waterbody in any amount could protect beneficial uses.

In addition, if an application activity covers a significant portion of any watershed, no dilution will occur because waters contaminated with pesticide discharges will simply meet with more waters contaminated with pesticide discharges.

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e. The DPEIR's ecological risk assessment model fails to actually analyze the Proposed Program.

The Ecological Risk Assessment fails to actually model potential pesticide discharges to waters caused by the Proposed Program. In fact, it is unclear exactly what the Risk Assessment does model:

> The Human Health and Ecological Risk Assessment (Appendix A) modeled concentrations of pesticides in waterbodies that could result from implementation of various pesticide use scenarios for the Proposed Program. This modeling took into account some, but not all, fate and transport mechanisms, and absent regulatory requirements such as the MPs identified in Chapter 2, Proposed Program Description (DPEIR at 6.7-11).

16556-96

How could any reliable model not include the mechanisms for fate and transport of these chemicals? What fate and transport assumptions did the model actually use? Which were not used? Where were impervious surfaces evaluated? Impervious surfaces frequently exist in nurseries and have been shown to create pathways of pollution. What treatment methods were used assuming no compliance with any regulatory requirements, and no implementation of any Program MPs?

In addition, the DPEIR and its model failed to meaningfully consider impacts on drinking water supplies. The DPEIR risk assessment simply states that drinking water supplies will be avoided, with no supporting information, analysis, or binding program commitments:

> Although the treatments which may be conducted under the Proposed Program may contribute to surface water concentrations of these ingredients, treatments are limited to areas where potentially impacted surface waters are not used as drinking water resources (Appendix A HHRA at 38).

16556-97

In fact, many above ground streams, springs, and groundwater sources do supply drinking water to residents and farms in rural counties. As noted, above, however, these are not individually identified in the DPEIR's baseline description. Moreover, the DPEIR provides no mechanism for evaluating whether a proposed treatment would

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16556-97 cont. potentially impact such drinking water source, nor feasible mitigation or avoidance measures.

f. The DPEIR fails to analyze or provide any further information regarding how or whether Management Practices will minimize pesticide discharges to waters.

16556-98 As discussed above, the DPEIR's Risk Assessment model failed to analyze to what extent each MP would actually reduce pesticide contamination of waterways (See DPEIR at 6.7-32). In addition, the DPEIR fails to provide any narrative, technical discussion of precisely how each MP accomplishes this goal. The failure to provide this analysis undermines the DPEIR's conclusions that the MPs will minimize pesticide impacts to waters to less-than-significant levels. For example, while the DPEIR notes that erosion and sedimentation are major pathways contributing pollutant loads to surface waters, a review of the DPEIR's MPs shows that none are designed to reduce erosion or sedimentation from any particular site.

16556-99 The Ecological Risk Assessment (ERA) suggests that CDFA relies upon its NPDES permit "when it is not feasible to avoid discharge to surface water despite the implementation of BMPs," but the DPEIR provides no further discussion of when or why BMPs would be infeasible to avoid pesticide discharges to waters (DPEIR at Appendix A ERA at 495).

16556-100 Lastly, the DPEIR is internally contradictory. On one hand, it concedes that the NPDES permit may allow for pesticide discharges to waters, but argues that "direct discharge to waterbodies would be unlikely to occur after implementation of the MPs" (DPEIR at 6.7-22). Unfortunately, this simply cannot be the case, as, discussed above, the MPs themselves repeatedly water down the protections of the NPDES permit.

g. The DPEIR shows that numerous pesticides will have significant impacts on waters

(i) Pesticides with numeric standards will exceed those standards.

16556-101 Impact WQ-CHEM-5 "focuses on those chemicals for which applicable numerical water quality standards exist, and the modeled surface water concentrations from the Ecological Risk Assessment exceeded those standards." (DPEIR at 6.7-32.) Hence, according to the DPEIR's own model, water quality impacts would be significant.

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16556-101 cont.

However, with no analysis of specific site conditions, or the extent to which any or all MPs may reduce pesticide discharge loads to waterways, the DPEIR simply disregards its own model and concludes that: "Implementation of MP-SPRAY 1 through 7, MP-AERIAL-1, and MPGROUND 1 through 5 would minimize the likelihood of these chemicals reaching surface water through runoff or drift."

It is worth noting that this approach contradicts the DPEIR's stated strategy to use conservative assumptions in its modeling to prove *no possible* significant impact:

> Focusing on such "worst-case" scenarios builds in a margin of error so that any conclusions reached are anticipated to overstate the actual impacts; in other words, *if applications are shown to* ***not*** *have significant impacts under these conditions*, significant impacts under real-world conditions would be exceptionally unlikely. In using such conservative assumptions, the analysis adds an additional measure of protection.

(DPEIR at 6.7-11, emphasis added). But this is not the route the DPEIR takes for Impact WQ-CHEM-5, which the model does predict will have significant impacts on water quality. The DPEIR should not be free to disregard its model whenever and howsoever it chooses.

16556-102

In reaching its conclusion, the DPEIR also relies on the improper assumption that, where a numeric limit for a specific pesticide has been established for specific water bodies but not established for other waters, then discharges of that pesticide to waters where no numeric limit is set, even if above other analogous regulatory limits, will have no significant impact:

> With the exception of cyfluthrin and permethrin, all of the standards that were modeled to be exceeded are specific to standards which apply to a particular waterbody and would not apply elsewhere (DPEIR at 6.7-22).

The PDEIR fails to support this conclusion with any analysis or facts. Which waterbody-specific standards did the DPEIR consider? How and why were the numeric limits established for those waters? How do the established numeric standards compare to each other? And, how are all other waters that may be impacted by these chemicals similar in relevant respects to the conditions that led to the creation of the numeric standards referenced? In other words, the DPEIR should not assume that, simply

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because no numeric standard has yet been established for a specific waterbody, that discharges above analogous regulatory limits would not impair uses in that waterbody.

> The DPEIR further states that;
>
> CDFA's NPDES Permit for Biological and Residual Pesticide Discharges addresses carbaryl and cyfluthrin. The permit stipulates that a PAP must be prepared in accordance with the permit requirements and thresholds. Adherence to this permit and an approved PAP would avoid discharge of these pesticides into surface waterbodies, or would require monitoring if discharge is unavoidable (DPEIR at 6.7-22).

16556-102 cont.

As discussed above, the Proposed Program fails to follow the NPDES requirements, the PAP was improperly revised and submitted, the PAP itself is ineffective to mitigate discharges to waters, CDFA has failed to follow its own PAP, no monitoring data are available, and, even if monitoring were to occur "if discharge is unavoidable," monitoring would take place *after* all significant impacts have occurred. None of these things can be relied on to *avoid* significant impacts to waters. Moreover, the DPEIR's argument that the program will not cause any exceedance of regulatory thresholds because the program will comply with all regulatory thresholds is simply circular. Lastly, as discussed above, the MPs proposed are less stringent than CDFA's NPDES requirements.

For chlorpyrifos and pyrethroids, the DPEIR model predicts significant impacts on impaired waters (PDEIR at 6.7-22, 6.7-23). However, the DPEIR downplays the significance of these impacts by granting CDFA a dilution credit for chlorpyrifos and pyrethroid discharges, but with no actual analysis of dilution rates. First, as mentioned above, dilution credits may only be granted after site-specific review, approved by the Water Board. Second, no assimilative capacity remains in an impaired waterbody, so no dilution credit ~~sh~~ould be applied. Third, the argument that treatment sites are not close enough to waterbodies for impairment to is pure conjecture unsupported by any fact (see, e.g., DPEIR at 6.7-22, MPs "encourage avoidance of waterbodies," "would not likely be used in close proximity to surface water," and DPEIR at 6.3-15, "[p]roposed Program activities would not occur within wetlands"). Moreover, if stormwater runoff from such sites discharges to a municipal storm sewer, which discharges to a waterbody, the proximity of the site itself to the waterbody is irrelevant. Without any mixing zone study and approved dilution credit, the applicable regulatory standard for the DPEIR to consider is the concentration of discharge as it is discharged or leaves any site.

16556-103

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16556-103 cont.

Further, regarding pyrethroids, the DPEIR states that "it is unlikely that these pyrethroids would reach waterbodies in any substantial concentrations," but does not state exactly what concentrations would reach waterbodies (PDEIR at 6.7-23). Again, where a waterbody is impaired by this pollutant, no assimilative capacity remains, and any discharge, however minimal, could exceed regulatory standards and further impair beneficial uses. The DPEIR fails to meaningfully analyze this impact.

(ii) Pesticides with no numeric standards may still impair beneficial uses and/or cause nuisance.

16556-104

It is also unclear whether the DPEIR modeled pesticide discharges to waters from pesticides with no numeric water quality standard (DPEIR at 6-7.30). Were these pesticides modeled, and if so, what were the resulting discharge concentrations? If discharge concentrations were not modeled, the DPEIR fails to provide sufficient information to analyze the impacts these discharges would have on waters. At a minimum, the DPEIR should compare modeled discharge concentrations to EPA's Human Health and Aquatic Life Benchmarks for pesticides,[20] as these triggers are employed both by EPA and DPR for determining the significance of impacts to aquatic life, and contain thresholds for most all of the chemical being proposed for use by CDFA.

16556-105

The DPEIR attempts to dismiss these chemicals that have no numeric threshold without providing sufficient analysis or supporting information, stating:

> Based on available research, these chemicals generally break down quickly in the environment and do not last in the environment long enough for harmful concentrations to build up.
>
> These chemicals would not be used in sufficient frequency and/or quantities to cause concern to regulatory agencies . . .

(DPEIR at 6.7-16).

If these chemicals "generally" break down quickly, under what conditions would this not be the case? If they do not last in the environment long enough for harmful

[20] http://www.epa.gov/oppefed1/ecorisk_ders/aquatic_life_benchmark.htm; http://www.epa.gov/espp/litstatus/effects/appendix_f_rq_method_and_locs.pdf

16556-105 cont.

concentrations to build up, how long do they last, how long is long enough to be harmful, what buildup of concentrations would be harmful, and in what quantity will these chemicals reach waters? What impacts are caused by their degradates? What frequency and/or quantities would cause concern to regulatory agencies? And on what "available research" are these conclusions based?

The DPEIR admits the importance of these site-specific environmental conditions, and admits that they were not modeled (DPEIR at 6.7-22). The PDEIR's piecemealed approach to environmental impact analysis is incomplete, difficult to discern, and fails to support clear, informed environmental decision making.

16556-106

It also appears that the only narrative standards considered by the impact analysis are whether the discharges would result in "visible oil sheens or impairments of taste and odor," which of course only constitute two of numerous narrative standards designed to protect dozens of beneficial uses. Will CDFA actually monitor waters for changes in taste? And, even where no pesticide-specific numeric standard is established, the DPEIR should still evaluate cumulative pesticide toxicity. The DPEIR simply fails to provide meaningful analysis of pesticides with no established numeric water quality standard.

16556-107

The DPEIR also asserts that, if, in the future, any such pesticides do receive a numeric water quality standard, discharges would be modeled for consistency with such standards (DPEIR at 6.7-31). However, without having those modeled data available now, the DPEIR concludes that implementation of the proposed program would render any impacts less-than-significant. (DPEIR at 6.7-30, 6.7-31.) Because the DPEIR cannot now know at what regulatory level discharges of such pesticides may be permitted, and because the DPEIR has failed to present the quantities in which these pesticides may be discharged under the Proposed Program, the DPEIR has failed to analyze whether current pesticide discharges may exceed future regulatory levels.

16556-108

The DPEIR fails to model copper discharges to support its impact analysis, despite the fact that copper is listed as a Clean Water Act section 303(d) contaminant in numerous California water bodies, with many more documented as impaired by pesticide toxicity.[21] The DPEIR bases this omission on the notion that copper's adherence to soils makes any transport to water extremely unlikely (DPEIR 6.7-31). This reasoning is flawed in several ways. First, discharges of sediment from application sites would carry copper to waters, but the DPEIR fails to provide any information regarding

[21] http://www.swrcb.ca.gov/water_issues/programs/swamp/reports.shtml#spot

16556-108 cont.

soil or erosion conditions at application sites, nor are any of the DPEIR's MPs designed to prevent erosion or sedimentation. Second, the Ecological Risk Assessment model does predict some level of pesticide discharge to waters, and where a waterbody is listed as impaired by copper, any further copper loading would be significant.

(iii) The DPEIR fails to consider impacts from Proposition 65 listed chemicals.

16556-109

The DPEIR admits that DDVP and Carbaryl are chemicals that will be used in the Program and are listed under California Proposition 65 as carcinogens and/or reproductive toxicants (DPEIR at Table 5-7). This information is presented only in the form of a table indicating the proposed pounds of each chemical to be used in each California county, but fails to clarify over what time frame the tables apply. These chemicals appear on the Groundwater Protection List described in Section 13145 of the Food and Ag. Code (1996), and therefore are not exempt from regulation under Prop. 65's discharge prohibition, and can be presumed to probably pass into a source of drinking water if applied where they get deposited or where they could pass into drinking water sources. Moreover, the DPEIR omits any actual discussion of the impacts of these chemicals as Proposition 65 listed toxicants, and fails to disclose or consider Proposition 65's absolute bar to any discharge of a listed chemical into a drinking water source:

> No person in the course of doing business shall knowingly discharge or release a chemical known to the state to cause cancer or reproductive toxicity into water or onto or into land where such chemical passes or probably will pass into any source of drinking water, notwithstanding any other provision or authorization of law except as provided in Section 25249.9.-(California Health & Safety Code § 25249.5).

The California Supreme Court has concluded that "'release' include[es] presumably 'leaching' of toxic chemicals . . ." (*People v. Superior Court* (American Standard, Inc.) (1996) 14 Cal.4th 294, 308). A regulated discharge or release of a Prop. 65-listed chemical can occur through emissions into the air, via aircraft application. The DPEIR should evaluate when and where any release of a Proposition 65 contaminant into any drinking water supply could occur under the Proposed Program and what steps will be taken to prevent any such discharges or exposures by applicators, growers, workers, sensitive receptors or the public generally.

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16556-109 cont.

In addition, individuals and businesses must provide a clear and reasonable warning before knowingly and intentionally exposing anyone to a listed chemical. To avoid liability and prove that a discharge poses no significant risk, the law places the burden on the person causing the exposure to show that the exposure, assuming lifetime exposure at the level in question, will have no observable effect assuming exposure at one thousand (1,000) times the level in question (Health & Safety Code § 25249.10 (c)). The DPEIR has failed to perform this evaluation.

While these requirements may not apply to CDFA itself as a state agency, they may extend to growers complying with CDFA's quarantine requirements. Moreover, even where CDFA *is* exempted from the requirements of Prop 65, the DPEIR should still clearly describe the environmental and human health hazards of the chemicals proposed to be used in the program, assess where drinking water sources are in the vicinity of any pesticide treatment that would use these chemicals, and evaluate exposure risk, and ways to limit discharges and exposures to foster informed environmental decision-making.

(iv) No chemicals are "generally regarded as safe" for discharges to waters.

16556-110

The DPEIR omits any meaningful evaluation of impacts from numerous mineral, oils, products considered safe in foods or cosmetics, and "[o]ther naturally occurring chemicals" that "were determined to be generally environmentally safe and would not pose a water quality concern" (DPEIR 6.7-15 to 6.7-16). No such regulatory standard exists for water quality impacts, and the DPEIR's classification of whole categories of chemicals as having no potential to impair water quality is misleading and fails to adequately assess the environmental impacts of discharging such chemicals to water bodies. Generally regarded as safe is a food classification by FDA, with no applicability to the natural environment. For example, copper has relatively low toxicity to humans, but is highly toxic to aquatic organisms.

First, it should be noted that CDFA is expressly prohibited from discharging such constituents to waters pursuant to its NPDES Permit, which states that:

> This General Permit covers the point source discharge of biological and residual pesticides resulting from spray applications using the following: acetamiprid, aminopyralid, Bacillus thuringiensis kurstaki (Btk), carbaryl, chlorsulfuron, clopyralid, cyfluthrin, dinotefuran, glyphosate, imazapyr, imidacloprid, malathion, naled, nuclear polyhedrosis virus (NPV),

> pheromone, pyrethrins, Spinosad A and D, triclopyr butoxyethyl ester (BEE) and triclopyr triethylamine salt (TEA) (NPDES at 4).
> . . .
> The discharge of biological and residual pesticides at a location or in a manner different from that described in this General Permit is prohibited (NPDES at 12).

Nevertheless, the DPEIR fails to model what concentrations of the chemicals it has categorized as "generally regarded as safe" would reach water bodies. Nor does the DPEIR provide any historic monitoring of effects and concentrations of these chemicals. For minerals, "e.g., quartz, calcium silicate, kaolin-clay," the DPEIR simply asserts that they "would not pose a concern because they generally would settle to the bottom or would wash out of aquatic environments and would not be considered toxic to aquatic life" (DPEIR at 6.7-16). First, the use of "e.g." indicates that the list that follows is not exhaustive; therefore, the DPEIR fails to disclose all of the minerals that will actually be used. Second, the fact that minerals will settle to the bottom is irrelevant because impacts on benthic habitat could still occur, as could sediment contamination. Third, the assertion that minerals could "wash out of the aquatic environments" is irrelevant if such minerals first wash through and thereby impact the aquatic environments.

16556-110 cont.

The DPEIR dismisses oils in this category, "e.g., geraniol, mineral oil, vegetable oil," as "ones that typically are used in products designated as safe for human contact or consumption." Again, it is unclear which oils "e.g." refers to. It is well documented that consumer product safety regulations provide no protection for the aquatic environment (see, e.g., *National Cotton Council of America v. USEPA*, 553 F.3d 927 (6th Cir. 2009); protecting waters is the province of the CWA and NPDES permits such as the one that prohibits the discharge of the chemicals in question. The DPEIR further states that "[t]hese oils also typically degrade rapidly in the environment" but fails to disclose which oils, or under what conditions such oils do not "typically" degrade rapidly. Lastly, the DPEIR fails to provide any concentration modeling of discharges, which is necessary for determining the harmfulness of effects on waters.[22]

The DPEIR states that "[t]he remaining chemicals are naturally occurring and typically are found in agricultural or other processes, [. . . and] tend not to cause harm if used for anthropogenic purposes" (DPEIR at 6.7-16). However, the discharge of a pollutant to a waterbody is not a "use[] for anthropogenic purposes," and the DPEIR presents no information evaluating the effects of these chemicals on aquatic resources.

[22] See, http://articles.petoskeynews.com/2013-06-14/oil-spill_39981841

16556-110 cont.

~~U~~se of the term "naturally occurring" is simply a red herring; caustic chemicals such as cyanide and mercury also occur naturally.

In sum, the DPEIR must disclose each pollutant that it lumps into the category "generally regarded as safe," model discharge concentrations, and evaluate the resulting impacts on water quality.

h. The DPEIR fails to analyze sediment toxicity.

16556-111

The DPEIR reports that:

> In monitoring conducted between 2001 and 2010, more than 50 percent of collection sites showed some degree of toxicity (in fresh water and fresh water sediment samples), and more than 45 percent of the sites showed some degree of toxicity (in marine sediment samples). Statewide toxicity trends were evaluated between 2008 and 2011. The incidence of toxicity remained relatively stable over those 4 years, with a substantial amount of toxicity seen in approximately 22 percent of the sediment samples. Approximately 7 percent of the samples were identified as highly toxic (DPEIR at 6.7-6).

However, the DPEIR's impact analyses consider only changes in water quality within the water column; sediment q~~u~~ality impacts are ignored. For example, when discharge loads are compared to regulatory limits, no sediment quality standards are included, such as the State Water Board's Water Quality Control Plan for Enclosed Bays and Estuaries – Part I Sediment Quality (State Board Resolution 2011-17).[23] Moreover, the DPEIR repeatedly argues that impacts will be lessened because pesticides would adhere to sediment or soils or break down in the water column, but it then fails to consider what resulting changes in sediment quality would occur.

2. The DPEIR fails to meaningfully analyze cumulative impacts to waterbodies.

16556-112

The DPEIR states that:

[23] See, http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2011/rs2011_0017.pdf

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> Proposed Program activities in locations where relevant pesticides could reach an impaired waterbody would be required to implement Proposed Program MPs so that discharges to these waterbodies would not occur or would be minimized (DPEIR at 6.7-33).

16556-112 cont.

This reliance on Program MPs is flawed in several ways. First, as discussed above, the DPEIR fails to evaluate the efficacy of its MPs in reducing discharges to waters. Second, the DPEIR states that, with MP implementation, "discharges to these waterbodies would not occur *or would be minimized*" (DPEIR at 6.7-33, emphasis added). Minimized to what level? Earlier, the DPEIR states that impaired waterbodies "have no additional assimilative capacity," and that, "[t]herefore*, any additional contribution* by the Proposed Program to an impairment would be a considerable contribution to a cumulatively significant impact" (DPEIR at 6.7-33, emphasis added). The DPEIR clearly states that complete avoidance is not necessarily feasible in all circumstances and where complete avoidance is not possible, minimization of discharge would be the goal. However, as the DPEIR admits, even minimal discharge of pesticides to a waterbody listed as impaired by pesticides or pesticide toxicity constitutes a cumulatively considerable impact. Thus, the DPEIR MPs would not protect these waterbodies.

Finally, Mitigation Measure WQ-CUM-1 does nothing. It requires that, prior to any treatment, CDFA will identify whether the treatment area:

> contains or is in proximity to any waterbodies impaired for relevant pesticides, pesticides in general, or toxicity. For those treatments where impaired waterbodies are present, CDFA shall implement relevant Proposed Program MPs (DPEIR at 6.7-34).

16556-113

First, the mitigation fails to define what constitutes "proximity to any waterbodies," or what "relevant" MPs would be. More importantly, however, the MPs are already part of the Proposed Program and thus should be assumed to be implemented regardless of whether or not a listed impaired waterbody is nearby. What MPs would be "relevant" here, and would those MPs not be implemented for treatments that do not take place near an impaired waterbody?

3. The DPEIR fails to adequately analyze impacts on groundwater

16556-114

According to the United States Geological Survey (USGS):

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> The effects of past and present land-use practices may take decades to become apparent in groundwater. When weighing management decisions for protection of groundwater quality, it is important to consider the time lag between application of pesticides and fertilizers to the land and arrival of the chemicals at a well. This time lag generally decreases with increasing aquifer permeability and with decreasing depth to water. In response to reductions in chemical applications to the land, the quality of shallow groundwater will improve before the quality of deep groundwater, which could take decades.[24]

The DPEIR does not address the factors outlined by the USGS or include any careful consideration of whether or when a pesticide or its degradates could infiltrate to a groundwater supply. The DPEIR presents no information regarding the varying permeability and infiltration rates of soils and sub-soil strata in any area where spray applications will occur. Nor does the DPEIR evaluate, or provide mechanisms to evaluate, whether high groundwater tables may be present in an application area. Nor does the DPEIR describe where currently contaminated groundwater supplies exist.

16556-114 cont.

The DPEIR fails to mention the existence of DPR's Groundwater Protection Regulations,[25] and in particular the "Groundwater Protection Areas" (GWPAs) designated in those regulations. A GWPA is defined as:

> a one-square mile section of land that is sensitive to the movement of pesticides. GWPAs can be established if any of the following are true:
>
> - previous detections of pesticides in that section
> - contains coarse soils and depth to ground water < 70 feet
> - contains runoff-prone soils/hardpans and depth to ground water < 70 feet
>
> Pesticide use is restricted in GWPAs; regulations and management practices differ depending on whether the GWPA is a leaching or runoff area.[26]

The DPEIR's impact analysis fails to consider whether any GWPAs could be affected by the Proposed Program, what the impacts of the Program would be, and

[24] See, http://water.usgs.gov/edu/pesticidesgw.html
[25] See, http://www.cdpr.ca.gov/docs/emon/grndwtr/regs/pesticide_use.htm
[26] See, http://www.cdpr.ca.gov/docs/emon/grndwtr/gwpa_locations.htm

whether any Program features would lessen or worsen groundwater impacts in a GWPA.

16556-114 cont.

Lastly, as mentioned above, the DPEIR discloses that groundwater monitoring data exists showing that "methyl bromide and the inert ingredients 1,2,4-trimethylbenzene, naphthalene, and xylenes exceeded their respective EPA acute or chronic Human Health HHBP (EPA 2009a), MCL (EPA 2011a), or the most stringent regulatory level available for California groundwater" (DPEIR at 6.7-7). The DPEIR then dismisses, without supporting evidence or analysis, 1,2,4- trimethylbenzene, naphthalene, and xylene contamination as caused by leaking underground fuel storage tanks. But the DPEIR provides no further analysis of methyl bromide contamination: where did this contamination occur, at what levels, with what human exposure, and when and where will methyl bromide be used by CDFA? How did the groundwater contamination by methyl bromide occur in the first place, and how could it occur again?

E. The DPEIR's air quality analysis is inadequate.

16556-115

The DPEIR fails to adequately describe each air district that will be impacted and meaningfully characterize and evaluate the impacts of the Program activities in the various undescribed air districts. Instead, the DPEIR's "assessment discusses air quality on a regional air basin level" (DPEIR at 6.2-5). This overly broad approach to fails to account for the very real impacts that "occur at different locations and with different intensities" at a local level within unspecified air districts. (Id.) The DPEIR attempts to reconcile and justify its approach by stating that the "location and intensity of Statewide Program activities is inherently highly variable from year to year, based on the locations of pest infestations and quarantines." (Appendix G – Air Quality and Greenhouse Gas Technical Report at G-2). However, this admission about the variability of Program activities is the very reason a more detailed analysis needs to be provided.

16556-116

The air quality analysis acknowledges that sensitive receptors "could be exposed to airborne pesticide ingredients during pesticide application" (6.2-24) and that the risk assessment found that, for several baseline scenarios, "inhalation exposures could exceed the level of concern," but that alternative application scenarios were developed to reduce the exposure to below the level of concern. (See Section V.F for a discussion of this iterative method of altering the application scenarios until exposures were below levels of concern as deficient under CEQA).

16556-117

Emissions were calculated based on emissions factors for the equipment (off-road, aircraft, on-road) and the source activity (application of the pesticide). The DPEIR

16556-117 cont.

for the most part utilized established emissions factors developed by California Air Resources Board for aircraft and vehicles typically used in agricultural settings. However, the DPEIR failed to account for emissions from other stationary equipment which is used in agricultural settings when applying pesticides, e.g. pumps, portable diesel and gasoline powered internal combustion engines. Also, with regard to aerial application, while conservatively assuming aircraft emissions factors would not change over time, the DPEIR utilized older studies from the California Air Resources Board (CARB) in 1990 and the Bay Area Air Quality Management District (BAAQMD) in 1999 for pounds per gallon of fuel and fuel per acre. More current and regionally specific studies for land sprayed fuel consumption would be better sources, e.g., studies from where aerial application more commonly occurs, like in the Sacramento and San Joaquin Valleys. Additionally, the DPEIR did not account for emissions generated from the daily trips of the different types of vehicles.

16556-118

Ozone precursor emissions (i.e., reactive organic gases [ROG] and nitrous oxides [NOX]) should be discussed separately from carbon monoxide (CO) in environmental impact analyses. CO should be evaluated based on the concentrations generated and receptors exposed to those concentrations. Ground-level ozone is a pollutant of regional, e.g. air district, concern. Ozone is formed each day when emissions of ozone precursors, ROGs and NOx, react in the presence of sunlight (Sacramento Metropolitan Air Quality Management District CEQA Guide, December 2009, rev. 2014at 4-3). However, the DPEIR groups CO and ozone precursors together under its Criteria Air Pollutant Emission Inventory methodology, thereby conflating these separate impacts.

16556-119

The DPEIR only evaluates the impacts of Toxic Air Contaminants (TACs) on sensitive receptors. But TACs, some of which cause cancer, affect non sensitive receptors as well. Impacts from TACs on local populations were not included in the DPEIR. In addition, the DPEIR fails to quantify the exposures to fossil-fueled application equipment emissions containing diesel PM or TACs. And, in turn, the DPEIR failed to account for measures that could be used to reduce exposure of sensitive receptors to diesel PM, such as diesel particulate filters, use of equipment during times when receptors are not present, staging areas established away from possible receptors, use of on-road engines instead of off-road engines. The impact of diesel and gasoline emissions, the exposure to criteria pollutants and to TACs, must be accounted for as part of the Proposed Program activities in the DPEIR.

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F. The DPEIR Human Health Risk Assessment fails to adequately analyze the Proposed Program's impact on human health.

16556-120

The DPEIR risk assessment is insufficient to inform the public about the hazards of the Proposed Program. The DPEIR itself appears to acknowledge this in the section entitled "Use of the Risk Assessment to Determine Environmental Impacts in the Draft DPEIR" (6.0-18), which states: "The quantitative assessment of risk in Appendix A [the Human Health Risk Assessment and Ecological Risk Assessment] evaluates the potential risk to human and ecological receptors, but is not equivalent to an environmental impact analysis under CEQA."

16556-121

The DPEIR's Human Health Risk Assessment (HHRA) contains numerous omissions and assumptions that render it inadequate under CEQA because it fails to inform the public and decision makers of the true hazards of the Proposed Program. Key deficiencies in the HHRA include:

- The use of an iterative method of running exposure scenarios with altered parameters until model results showed that exposures were below a level of concern, which, as discussed in Section VII, is not a substitute for enforceable, monitorable mitigation measures to protect public health from exposures.
- Definitions of modeled receptors that omit critical age and population groups and that do not address unique aspects of children's exposure risks
- Failure to analyze valid exposure pathways of concern such as exposures of the general public to Program pesticide residues on purchased food
- Undocumented assumptions about exposure durations
- Omission of several plant pest programs from both the DPEIR and HHRA, so the pesticide exposures from those programs are not accounted for, and there is no way to know whether their inclusion might result in exceedance of exposure thresholds of concern
- Failure to address the exceedance of a level of concern for methyl bromide exposure
- Reliance on the assumption that degradation of chemicals always reduces risk when in fact breakdown products of some chemicals can be as toxic as, and more persistent than, the parent chemical

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16556-121 cont.

- Failure to even attempt to model exposure to multiple chemicals from multiple CDFA treatment programs

In addition, as detailed in the expert letter of Professor Warren Porter, which is incorporated herein by reference, the HHRA relies on a number of flawed assumptions that are contradicted by scientific evidence.

1. The HHRA improperly modified risk scenarios to ensure results below a threshold of concern without specifying mitigation measures.

16556-122

The HHRA admits that an iterative method was used to modify scenario parameters until exposures dropped below a level of concern. As discussed in Section VII, this approach does not pass muster under CEQA because it does not disclose to the public the risks of the activity in question or allow evaluation of proper, enforceable, monitored mitigation measures to ensure public health is protected. Minutes of the January 24, 2013 CDFA, OEHHA, and DPR Risk Assessment Status Meeting indicate that the agency and the risk assessment consultants were apprised of OEHHA's concern about this approach: "OEHHA (Reggie) expressed concern regarding use of an iterative approach, and that it was not standard practice." Moreover, a subsequent comment by DPR makes clear that this approach is appropriately used to develop regulations, i.e., binding requirements: "DPR staff indicated that it is a commonly used approach when developing regulations, since it helps identify what types of protective measures are necessary (for instance, whether a buffer is needed)" (Appendix A HHRA Attachment 1 at 51). Adjusting parameters in the risk assessment scenarios to bring the risk level below a threshold concern is not the same as proposing valid required mitigations. Thus, this approach to modeling masks the true risks of the program without providing any assurance that risks will, in reality, be what the models assume. Moreover, in a discussion of the risks from the pesticide Tombstone in the August 22, 2013 Risk Status meeting minutes, in regard to a recommendation that higher protection [personal protective equipment] PPE may reduce the risk as reflected by preliminary analysis, the CDFA representative admits this may not be possible because "CDFA is not a regulatory agency and can't enforce more than what is required by law. CDFA may suggest [best management practices] BMPs for nursery workers but the better approach would be to refine the conservative estimates at the field level" (Appendix A HHRA Attachment 1 at 219). This comment acknowledges that suggested or assumed behaviors to reduce risk are not enforceable and underscores the need for enforceable mitigation measures.

2. Definitions of modeled receptors omit critical age and population groups and fail to address unique aspects of children's exposure risks.

In defining the receptors for the risk analysis, the HRRA excludes many categories of individuals who realistically would be exposed to Program pesticides without any basis for these exclusions. For example, the description of the "downwind bystander" receptor states:

> "Due to the fact that the DWB would most likely be a resident, three life-stages were considered in the analysis. The first life-stage, the infant, was considered to be between the ages of 0 to <2 years old and was assumed to have no exposure to drift from pesticide active or inert ingredients applied under the Proposed Program. This no exposure assumption for the infant is made under the assumption that infants cannot access treated areas. The second life-stage, the child, was considered to be between the ages of 2 to <16 years old (US EPA 2005q), and the final life-stage, the adult, was considered to be age 16 to 40 years old (DTSC 2011a)"

16556-123 (Appendix A HHRA at 52).

There are two unrealistic assumptions in this description. First, there is no basis given for assuming that infants would not be exposed to pesticide drift. This assumption is contrary to fact; numerous accounts of drift (e.g., English 2000, http://www.crpe-ej.org/crpe/index.php/about-us/who-we-are/advisory-board/115-teresa-de-anda) report impacts on residences where children live. And, second, there is no reason to assume that all adults exposed to pesticide drift would be between the ages of 16 and 40. Excluding infants, pubescent children, and older adults from the DWB model eliminates the three life stages that are most vulnerable to adverse effects of pesticide exposure: babies whose greater susceptibility results from immature detoxification capabilities, rapidly growing organs, and greater exposure, pound for pound, to toxins than adults; pubescent children who are especially vulnerable to hormonal effects; and older adults who are more likely to have compromised immune and detoxification capabilities as well as to be more prone than other age groups to chronic illness.

A number of other sensitive receptors are also omitted from the risk analysis. None of the definitions of receptors includes pregnant women, fetal exposures, or

16556-123 cont.

individuals with asthma or other chronic illness. The DPEIR also fails to analyze the impact of the Proposed Program on individuals with multiple chemical sensitivity (MCS). The reason given is that "Conclusive evidence does not exist to substantiate MCS as a physical disorder with physical cause(s)" (DPEIR at 6.5-13). No explanation is offered to justify this conclusion. Current research regarding genetic differences in detoxification pathways and abilities among individuals (see, e.g., McKeown-Eyssen et al. 2004; Cherry et al. 2011; Palmer 2004) suggests that there are genetic factors, including the presence of single nucleotide polymorphisms (SNPs), in complex illnesses such as chemical sensitivity. The fact that science has not fully uncovered the mechanism by which MCS symptoms are produced does not justify the DPEIR's failure to analyze the impact of the Proposed Program on individuals with MCS. Arguably, we also do not know the precise mechanism by which cancers are produced as a result of chemical exposure, but the DPEIR nonetheless evaluates carcinogenicity. (It is perhaps worth noting that cigarette companies offered a similar justification for decades – that we cannot identify the particular pollutant particle that initiates the chain of events leading to cancer). In addition, research by the California Department of Health (Kreutzer et al. 1999) revealed that 6.3% of more than 4,000 California residents surveyed reported "doctor-diagnosed 'environmental illness' or 'multiple chemical sensitivity,'" 16% of California residents reported allergy or unusual sensitivity to everyday chemicals, and 12% reported sensitivity to more than 1 chemical. These figures indicate that even 15 years ago, a significant percentage of the state's population identified as having MCS. The number of individuals potentially with this diagnosis and potentially affected by the Proposed Program makes a clear case for the need to evaluate Program impacts on this class of receptors.

16556-124

16556-125

In evaluating children's exposure to contaminated soil, the HHRA looks only at ingestion of soil (pica) (Appendix A HHRA at 41-42 and 56) even though pica is not common behavior compared to the much more common phenomenon of contaminated dirt being brought into homes on the shoes of residents. Children crawl in this transported soil, naturally bringing their hands to their mouths, inhaling it as dust, and having dermal contact, which results in multiple exposure pathways for sensitive receptors. In sum, "treated areas" are not just areas that children play in because treated soil is brought inside the home (Bradman et al., 2007; Beamer et al, 2008). The HHRA fails to account for this exposure. Similarly, the expert review of the HHRA by professor Warren Porter notes that the omission from the analysis of children consuming leaves from plants in areas that have been treated is an unrealistic assumption.

The omissions listed above demonstrate that the DPEIR has failed to fully analyze and disclose the Program's human health risks and raise the question of

16556-125 cont.

whether the risk results are underestimated. Would inclusion of these categories of sensitive receptors and their realistic behaviors have caused risk results to exceed levels of concern such that they could not be "adjusted" by iterative modeling to be brought below the threshold?

3. The risk assessment results do not accurately evaluate risk because of other invalid assumptions

Other invalid assumptions in the risk assessment include:

16556-126

- The method by which treatment areas in nurseries are estimated. The treatment area for fruit fly control in nurseries is calculated using only the surface area of the nursery pots treated, not the actual acreage covered (Appendix A HHRA at 66-67, 101) (even though the Ecological Risk assessment assumes that 10% of the chemical diazinon applied to nursery plants will "move across or through soil" (Appendix A HHRA at 92)). Estimating the treatment area as only the surface of the soil in the pots of the plants that are sprayed artificially reduces the risk to the applicator.

16556-127

- The assumption that degradation of chemicals results in lower risk (Appendix A HHRA at 91) when in fact breakdown products of some pesticides can be as toxic as the parent chemical and persist longer in the environment (Leu 2014).

16556-128

- As noted in Section 6, the DPEIR does not assess synergistic effects of pesticides: "some pesticides are recognized to have the potential to act synergistically (greater than additive) when a common mechanism of toxicity exists.… EPA's cumulative exposure and risk assessment of common mechanism pesticides is more comprehensive in the exposure and chemicals included than were feasible to conduct for the Proposed Program because exposures to these pesticides could occur from sources other than the Proposed Program, a large number of possible combinations of exposures would be possible, and predicting which combinations would be most likely would be difficult" (DPEIR at 6.0-14—15). There are two problems with this approach. First, the fact that the DPEIR does not analyze the synergistic effects of "common-mechanism" means that the DPEIR fails to disclose this risk of the Proposed Program. Second, the DPEIR does not even consider synergism that is known to occur between chemicals with very different mechanisms of toxicity.

  If it is not possible to determine and inform the public about the true risk of the synergistic exposure resulting from the Program's pesticide use, this suggests that

16556-128 cont.

the health risks risk of the Proposed Program are insufficiently understandable and that that the agency should therefore not be pursuing a program using chemicals whose true risks to human health cannot be analyzed. Wherever such risk occurs but its scope cannot be conclusively described, the DPEIR should appropriately warn the public by determining the impact to be significant and unavoidable as proposed. This undescribed potential risk to human health adds to the case for an ecological-agriculture approach to pest management, which would not pose such unquantifiable pesticide exposure risks.

16556-129

- Other omissions from the risk assessment that could result in the level of risk being underestimated include failure to analyze exposure for individuals who purchase nursery plants (e.g., Appendix A HHRA at 71, 102) that have been treated or food that has been fumigated with methyl bromide (Appendix A, HHRA Attachment 1 at 45) and, as noted earlier, omission from the DPEIR altogether of three ongoing categories of plant pest treatments: aerial malathion spraying in the beet curly top virus program, use of chlorpyrifos and bifenthrin in the red fire ant program, and "a variety of pesticides and many different application methods" in "all other CDFA eradication, containment, and interior exclusion programs" (DPEIR at 5-42 – 45).

G. The DPEIR's conclusion that the proposed program will not disrupt organic farming is unsupported.

16556-130

The DPEIR acknowledges that pesticide drift "can reach a home garden or a neighboring farm's crops, causing unintended pesticide residues and/or plant damage that could jeopardize organic certification for USDA Organic-certified growers, or more likely, affect their ability to market their product as organic" (DPEIR at 6.1-29). But the DPEIR determined that this impact would be "speculative" and that "even if such a conversion were to take place, this would not result in a conversion of farmland to non-agricultural use, but instead a conversion of organic farming to conventional farming" *Id.*

16556-131

The DPEIR's analysis of the impact on organic farms is improperly narrow, thus obscuring significant potential impacts. As an initial matter, the DPEIR is incorrect to suggest that pesticide drift has never before impacted organic farms, even with mandated buffer zones (see e.g., Environment News Service 2008, Marcotty 2011; Clark 2013; Karnowski 2014 documenting the loss of organic certification of an asparagus plot valued at $74,000, due to drift and despite a buffer zone; English 2000; also Penn 2014 and Alley 2014, which do not state explicitly whether organic vineyards were

16556-131 cont. specifically affected but demonstrate the impact of a recent drift incident on a large area in Lodi CA where there are roughly 200 vineyards, some organic).

16556-132 Moreover, the DPEIR improperly narrows its review of significant impacts on organic farms by analyzing only whether these organic farms would be converted to non-agricultural use. This analysis ignores the many significant environmental impacts on organic farms from pesticide drift, including disrupting the fine-tuned ecological balance of insects, pollinators, and soil microbes, cultivated by these farms.

16556-133 The analysis also ignores the potential economic impact on organic farmers of losing organic certification or being unable to sell specific harvests for the premium prices that organic produce commands. This is even though such an economic impact could result in the farmer going out of business and the farmland being converted to non-farming uses, which is the sole significance criterion the DPEIR does recognize. Finally, organic farms may also sustain economic losses caused by the Proposed Program's quarantines. For example, testimony to the California Senate Committee on Food and Agriculture regarding the apple moth program (2010) described the experiences of an organic strawberry farmer subject to repeated shutdowns of many weeks' duration while CDFA analyzed insect samples taken from his property. During that time, he was unable to ship his crop but had to pay workers to pick and destroy it resulting in an estimated loss of $40,000 even though each of the insects turned out not to be LBAM. An avocado farmer from southern California who spoke at the same hearing described the burdensome economic impacts of multiple quarantines affecting her farm. Farmers in general and especially small farms depend on the revenues from each season and cannot necessarily sustain even short-term economic losses. The DPEIR should quantify and analyze the potential environmental impacts of the economic effects of the Proposed Program on organic growers.

16556-134 The DPEIR's analysis of organic farms is also inconsistent with how it treats impacts on conventional farms. The DPEIR makes the unsubstantiated statement that "Left unchecked, many [invasive] pests could cause certain crops to no longer be economically viable, an in a worst-case scenario, result in conversion of farmland to non-agricultural uses" (DPEIR at 6.1-27). No evidence is given of this having happened in the past. Moreover, this logic does not consider that conventional farmers could simply switch to different crops unaffected by a particular pest as the DPEIR assumes with regard to pesticide impacts on organic farmers. That is, the analysis asserts that organic farmers in a pest quarantine zone can switch to growing crops not affected by a target pest. The DPEIR asserts should make a comparable assumption that conventional farmers affected by pests could simply switch to crops that are not hosts to the pest in

16556-134 cont.

question rather than exaggerating the economic and environmental impact for conventional farmers (while underestimating it for organic farmers). The DPEIR agricultural resources analysis should consider conventional and organic farmers equally with regard to economic impacts that could lead to environmental impacts, as CEQA requires.

H. The DPEIR's conclusion that the Proposed Program will benefit farmers in the long term is unsupported.

16556-135

The DPEIR concludes that even though the program could be very costly to farmers in short term, it will benefit them in long term because pests will be controlled or eradicated (DPEIR at 6.1-27 - 28). However, no consideration is given to the potential that farmers, whether organic or conventional, might not be able to sustain the allegedly temporary economic losses caused by the Proposed Program's quarantines and/or treatments and might give up their farms as a result of these economic impacts. The DPEIR should consider this potential impact as well as the negative impacts of the Proposed Program on all farmers, including the adverse impacts on the health of farmers and their families and the negative environmental consequences of Program chemicals on factors essential for farmers to successfully grow healthy crops – e.g., the health of soil, beneficial insects, pollinators, etc.

VI. The DPEIR Fails to Adequately Evaluate Cumulative Impacts.

CEQA requires that the lead agency analyze cumulative impacts. Cal. Pub. Res. Code § 21083(b)(2); 14 Cal. Code Regs. § 15064(h)(1). A cumulative impact is an impact created as a result of the project when evaluated together with other past, present, and reasonably foreseeable future projects causing related impacts. 14 Cal. Code Regs. §§ 15355, 15064. In performing a cumulative impacts analysis, the EIR must assess the significance of the incremental addition of a project to the combined individual effects of one or more separate projects. 14 Cal. Code Regs. § 15355. The analysis should provide sufficient data to ensure that the cumulative effects are identified and disclosed, and should make a good faith reasonable effort at disclosing all cumulative impacts. *See Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692, 729; *Whitman v. Board of Supervisors* (1979) 88 Cal. App. 3d 397.

16556-136

The DPEIR's analysis of the cumulative impacts of other pesticide programs is deficient. The DPEIR describes CDFA's and other agencies' pesticide programs only in extremely vague terms, without explaining why more specific data were not utilized. For instance, it lists "past, existing, and future pesticide use" as including "USDA

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16556-136 cont.

Control Programs for Other Pests," which "conducts or funds activities, use[s] a variety of pesticides, [and] use[s] many different application methods" (DPEIR at 5-43); *see generally* Table 5-15. But it fails to give even the most basic data on what types of pesticides are used by these programs, how much, in what areas, and whether/how these programs when combined with the Proposed Program will result in cumulative impacts. It is puzzling that the DPEIR does not include information on specific pesticides used by others when this information is in many cases not difficult to obtain. For example the USFWS website lists the pesticides for which the forest service has done risk assessments (http://www.fs.fed.us/foresthealth/pesticide/risk.shtml), and the risk assessments list the application methods. Chemicals used by USFWS that are also used in the Proposed Program are: BTK, dinotefuran, DDVP, imidacloprid, lambda cyhalothrin, malathion, and glyphosate.

16556-137

The DPEIR's conclusions regarding significant cumulative impacts are likewise deficient. For example, the DPEIR acknowledges that "multiple sources of [toxic air contaminants] may exist in a local area that collectively could potentially result in a cumulatively significant impact." But it concludes without supporting evidence that the Proposed Program would not contribute to cumulatively considerable toxic air contaminants (DPEIR at 6.2-26). Likewise, the DPEIR acknowledges that

> [a]lthough exposure to other hazards also would occur, including to pesticides used for purposes other than the Proposed Program . . . this exposure and related health risk could not be quantitatively evaluated in a meaningful manner because too many assumptions would be necessary regarding the frequency, quantity of material used, type of pesticide used, an application mechanisms that would occur in any of the many unique settings within California (DPEIR at 6.5-22; *see also* DPEIR at 6.0-18 (explaining why the quantitative assessment of risk did not evaluate the potential cumulative effects of multiple different types of exposure events).

Yet the DPEIR concludes that the Program's "estimated risk of adverse health effects would be below established thresholds, and cumulative exposure to multiple pesticides with common mechanism of actions would be below levels of concern." *Id.* A vague acknowledgement that other programs may involve pesticide use, coupled with the conclusion that these programs would not be cumulatively significant when combined with the Proposed Program, fails to provide meaningful information for the public to evaluate the cumulative impacts of the Program and does not meet the most fundamental requirement of CEQA, that an EIR describe precisely the environment

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16556-137 cont. where a proposed project will be implemented and the difference in that environment that will be attributable to the proposed project and its impacts.

16556-138 Lastly, as discussed above, the DPEIR's lack of specificity regarding the duration of any treatment activity, the combination of management approaches taken, and the location(s) of any targeted pests, renders any meaningful cumulative impacts analysis impossible for an EIR of this scope.

VII. Proposed Mitigation Measures are Impermissibly Speculative, Vague, Unenforceable, Improperly Deferred, or Improperly Included as Project Components.

CEQA requires an agency issuing an EIR to identify mitigation measures that, if implemented, would reduce the impacts of the project below the "significance" threshold. Cal. Pub. Res. Code § 21081. For each significant effect, an agency must either identify measures that the project will include which will mitigate the effect, identify measures that another agency has jurisdiction to adopt, or find that the necessary mitigation measures are infeasible. Cal. Pub. Res. Code § 21081. In the latter case, the agency must issue a statement of overriding considerations describing why the project should go forward even without the infeasible mitigation measures. *Sacramento Old City Assn. v. City Council* (Ct. App. 1991) 280 Cal. Rptr. 478, 492 (citing Cal. Pub. Res. Code § 21081(a)). Mitigation measures must be "fully enforceable through permit conditions, agreements or other measures." Cal. Pub. Res. Code § 21081.6(b); 14 Cal. Code Regs. § 15126.4(a)(2); *Sierra Club v. Cnty. of Fresno* (2014) 226 Cal. App. 4th 704, 750, review filed (July 8, 2014) (finding that mitigation measures that were vague as to how they would be enforced were invalid). Agencies must support their finding that mitigation measures are adequate with substantial evidence.

Mitigation measures may not be included as a project component. *Lotus v. Dep't of Transp.* (2014) 223 Cal.App.4th 645. Rather, the project must "separately identify and analyze the significance of the impacts [of the project] before proposing mitigation measures." *Id.* at 658. Failure to treat mitigation measures separate from project components "precludes both identification of potential environmental consequences arising from the project and also thoughtful analysis of the sufficiency of measures to mitigate those consequences." *Ibid.*

16556-139 Many of the mitigation measures proposed in the DPEIR are impermissibly speculative, vague, and unenforceable. For instance, the DPEIR suggests several management practices that would be "recommended" for growers using non-USDA

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approved pesticide products in the vicinity of an organic growing operation, to minimize the potential for pesticide drift, including "enforce[ing] runoff and drift prevention" (DPEIR 6.1-30—6.1-31). But the DPEIR does not explain how growers will "enforce runoff and drift prevention," how this management measure will mitigate the risk of drift, and how the mitigation measure will be monitored and enforced. Similarly, to avoid water quality impacts in quarantine areas, the mitigation measure requires that "growers are to implement relevant Proposed Program [management practices]" but fails to explain which management practices are "relevant" how they will mitigate the risk, and how these measures will be enforced (*See* DPEIR at 6.7-32).

Other mitigation measures are improperly deferred. While proper tiering of environmental review allows an agency to defer analysis of certain details of later phases of long-term linked or complex projects until those phases are up for approval, CEQA's demand for meaningful information 'is not satisfied by simply stating information will be provided in the future.' *Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 723. "Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable significant environmental effects of the project and does not justify deferring such analysis to a later tier EIR or negative declaration." 14 Cal. Code Regs. § 15152(b). Here, for example, the DPEIR attempts to mitigate impacts to special-status species by saying that "CDFA may obtain technical assistance from USFWS, CDFW, and NMFS to develop treatment plans that will avoid or minimize substantial adverse effects on special status-species" (DPEIR at 6.3-13). But such future undefined mitigation is improperly deferred where, like here, the agency could reasonably identify the scenarios requiring mitigation. *See California Clean Energy Comm. v. City of Woodland* (2014) 225 Cal. App. 4th 173, 200 (holding that when the agency had studied and attempted to mitigate certain effects from the project as a whole, it could not excuse inadequate mitigation by putting off corrective action to a future date). These speculative "treatment plans" must be clearly defined and provided for public review and comment as part of the DPEIR. Similarly, Mitigation Measures HAZ-GEN-4a through HAZ-GEN-4c defer site evaluation for potentially hazardous conditions until just before a management activity could occur, and provide no evaluation of types of mitigation measures that could be implemented (DPEIR at 6.5-17). These must be amended to provide the requisite detail. Similarly, the Human Health Risk Assessment notes that "exposure monitoring data suggests potential exists for chronic and sub-chronic risks" to fumigation workers applying methyl bromide but that "Mitigation, if any, that may be required to reduce chronic and sub-chronic exposure of methyl bromide below the [level of concern] LOC for these receptors is being further assessed by CDPR" (Appendix A HHRA at 73). This mitigation must be defined.

16556-139 cont.

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Finally, many mitigation measures appear to have been improperly included as a component of the Proposed Program. For example, the Human Health Risk Assessment indicates that when calculating the risk of the Proposed Program to human health, the Risk assessment made "one or more reasonable changes to the application technique or method" or changed the "assumptions on receptor exposure," resulting in "the estimated risk being reduced below [a level of concern]." (Appendix A HHRA at 64). The Risk Assessment clarified that while these changes are referred to in the Risk Assessment as "mitigation" measures, "[t]he term 'mitigation' in this [Risk Assessment] is not necessarily synonymous with the term as it is used in CEQA."

16556-140 Indeed, the "adjustments" made by the Risk Assessment to mask the level of risk posed by the Proposed Program are not included as mitigation measures in the DPEIR. *Compare, e.g.,* Human Health Risk Assessment, Appendix A at 125 (discussing "mitigation options which can reduce risk below the [level of concern]" for "Pierce's Disease Control Program Scenarios," including "limit the number of acres treated by an individual applicator") *with* DPEIR at 6.5-20—6.5-21 (proposing that mitigation for human health risks include compliance with "authorized chemical application scenarios" but failing to define what application scenarios are "authorized" and failing to explain whether this would require limiting the acreage treated for Pierce's Disease) *and* DPEIR at 6.5-22 (stating that the Risk Assessment "concluded that implementation of the allowed chemical management activities would not result in risk exceeding the level of concern for human health"). To the extent that the Human Health Risk Assessment has employed what it terms "mitigation" to bring the impacts of components of this Proposed Program under significance thresholds for human health and other risks, the DPEIR must be revised to disclose these risks as significant impacts and properly propose and analyze enforceable mitigation measures under CEQA. *Lotus,* 223 Cal.App.4th 645.

16556-141 Mitigation measures contained in the DPEIR that are improperly included within the project description, or which do not include specific details on what the measures are, how the measures will effectively mitigate the environmental impacts of the Proposed Program, and how the measures will be monitored and enforced, are invalid under CEQA. The DPEIR must be revised and recirculated to include adequate mitigation.

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VIII. The DPEIR's Alternatives Analysis is Flawed.

16556-142

The DPEIR must "consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation." 14 Cal. Code Regs. § 15126.6. Rather than presenting a reasonable range of alternatives, the DPEIR (1) overly simplifies the goal of the Proposed Program as "eradication," thereby eliminating viable pest management program alternatives; (2) presents an overly simplified and misleading alternatives analysis; and (3) fails to present and analyze a superior integrated pest management approach.

The combined effect of defining the DPEIR alternatives in an overly simplistic manner and prioritizing eradication as the Program goal is that continuation of the agency's status quo pest management program is artificially made to appear the only feasible solution and thus the preferred alternative even though it is not environmentally superior. The long-term effect of certifying a DPEIR that contains this alternatives analysis is that it would effectively give the agency a permanent justification for continuing to use the most hazardous chemicals and to eschew less-toxic approaches. And because the DPEIR contains no explanation of the basis for downgrading a project from eradication to control or phasing it out altogether, the result would be an indefinite cycle of chemical pest control.

16556-143

We have suggested that the Proposed Program be redesigned entirely to focus on an ecological-agricultural approach. If the Proposed Program is not redesigned, at a minimum the DPEIR should be revised and recirculated with (1) a program goal that allows for other pest management alternatives to be considered; (2) presentation and analysis of meaningful program alternatives that accurately reflect the practices each alternative comprises; and (3) analysis of a truly sustainable and ecologically sensitive pest management alternative.

A. By defining eradication as the Proposed Program's primary goal, the DPEIR prevents meaningful review of superior pest management strategies

16556-144

Although the Proposed Program is a conglomeration of activities that include border exclusion and trapping activities, ongoing pest eradication and control projects, and future projects with as-yet undefined goals, and the DPEIR's analysis in many areas blurs the distinction between eradication and control, the DPEIR nonetheless emphasizes its intent to cover "rapid response" projects to eradicate "newly discovered" pests before they have an opportunity to spread. By emphasizing that the

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goal of the Proposed Program is eradication—an activity that is rarely successful—the DPEIR skews the choice of control methods to the most hazardous options and thus prevents meaningful review of superior strategies.

As noted earlier, eradication of insect and other pests is rarely successful (Clout and Veitch 2002); almost no proven insect eradications are reported in the scientific literature. Moreover, eradication has not been achieved by CDFA's ongoing plant pest programs despite the agency's claims of repeated eradications in discrete locations. In reality, the agency repeatedly "eradicates" the same pests over and over each year. Of the nearly 400 emergency eradication projects that CDFA has conducted since 1982, many have repeated multiple times for the same 9 insects. (See CDFA. 2012. Eradication Projects 1982-2012.). After each project, CDFA claims eradication; this claim is usually based on a scientifically suspect criterion of trapping no additional specimens of the pest during a very small number of life cycles (typically a matter of days or a few weeks. Because this definition is not realistic or based on sound biological principles, the agency frequently detects the same pest again in the same geographic area, starting the treatment cycle over without acknowledging that the first "eradication" did not work (Papadapoulos et al. 2013; Myers et al. 1998).

16556-144 cont.

This unscientific definition of eradication based on a small number of life cycles assumes 100% saturation and efficiency of CDFA's traps, which is implausible at best. As a recent paper by University of California, Davis entomologists (Papadopoulos et al. 2013) shows, this approach, which is a linchpin of the Proposed Program, has manifestly failed for fruit flies, a pest species that CDFA has targeted for more than 30 years. Papadopoulos et al.'s detailed study (2013) of CDFA's own fruit fly data proves that repeated appearances each year of 5-9 species of fruit flies in or very near the original locations where they were originally detected years ago as well as in locations that have gradually radiated out from that origin point over decades clearly form the pattern of an established and spreading pest population. This is in contrast to CDFA's claim that each reappearance of these insects is a new reintroduction from outside the state. The Papadopoulos et al. study's time-lapse GIS mapping of CDFA's own fruit fly data makes the expanding establishment of these pests visually clear. Thus, the alleged repeated emergency eradications of fruit flies in California are nothing more than an ongoing program of chemical control. A similar pattern applies for other insect species, for example Japanese beetle populations that have reappeared in almost the exact same location in the Sacramento area after treatments using the carcinogen Carbaryl.

CDFA's pest management program is not eradicating anything. It might, as Papadopoulos et al. point out, be slowing the spread and achieving some measure of

16556-144 cont.

control over an established group of pests. Nonetheless, CDFA continues to insist on eradication as the goal of "rapid response" activities to be carried out under the Proposed Program.

16556-145

The result of this emphasis on eradication is that the choice of control methods is often skewed to the most hazardous pesticides, which the agency claims are necessary to eradicate pest populations. This undermines the agency's claim that it uses integrated pest management (IPM) and the least-toxic methods. It also, unfortunately, leads the agency to choose the CEQA alternative that has the most adverse effect on human health and the environment because of its dependence on chemical treatments. Appendix L, Table L-1 lists the 79 chemicals evaluated for the Proposed Program, some of which have been in use for decades and many of which have significant health and environmental effects including cancer, birth defects, miscarriages, reproductive system damage, and extreme toxicity to bees and other pollinators, fish and other aquatic life, birds, and mammals.

Setting eradication as a primary goal of the Proposed Program distorts the choice of the preferred alternative because the agency simply dismisses any less-toxic alternative pest control methods as insufficiently powerful to eradicate species.

B. The DPEIR's alternatives are overly simplified.

16556-146

The three CEQA alternatives considered (in addition to the no program alternative) are: use of no pesticides, organic pesticides only, and no eradication. All three are artificially simplified; they ignore that, in a true IPM or sustainable pest management program, any or all of these strategies would be part of a comprehensive approach that included site- and pest-specific physical and cultural strategies to reduce vulnerability to pest outbreaks and a hierarchy of control measure options to use if pest damage reached an unacceptable threshold. Simply banning pesticides or limiting pesticide use to organic only with no other changes in landscape or crop management is a flawed and even absurd conception of what is entailed in a comprehensive integrated or sustainable pest management program. These do not constitute a reasonable range of alternatives for a program as broad as this. This conceptualization of the alternatives reflects fundamental limitations in the agency's perception of IPM. It also reveals a key premise underlying the Proposed Program – that we must eradicate and only the harshest chemicals are sufficient for that purpose in most cases. Many organic and sustainable growers practice sound, comprehensive pest management that is not predicated on eradication and that does not necessitate the use of pesticides at all or of

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16556-146 cont. pesticides other than those approved for organic agriculture. These types of programs and practices should be evaluated as alternatives.

C. An "eco-agricultural" pest management approach would be an environmentally superior alternative and would avoid many of the impacts of the Proposed Program.

16556-147 In conclusion, as described above in Section I, CDFA should redesign the Proposed Program as an eco-agricultural pest management program. In the event that CDFA does not redesign the proposed program, our proposed eco-agricultural approach should be proposed in a meaningful, not simplified, form and evaluated as a viable alternative to the Proposed Program.

16556-148 A revised and recirculated DPEIR should also consider other alternatives which meet the Proposed Program's objective of pest "prevention." Although the DPEIR asserts that "CDFA's first objective in invasive pest management is prevention" (PDEIR at 2-14), the only prevention activity described in the DPEIR is exclusion, which, as noted earlier, consists primarily of effort to stop identified priority pests at the border and prevent their entry to the state or, once pests have entered the state, to prevent their movement by establishment of quarantines. If prevention is the agency's first objective, i.e., the objective that inherently satisfies all other objectives, then the DPEIR should analyze a robustly defined alternative that focuses on prevention and that would potentially eliminate the need for and environmental costs of eradication and control programs.

IX. Conclusion.

16556-149 For the forgoing reasons, CDFA should use this opportunity to chart a new course toward a more sustainable pest management approach. The DPEIR must be dramatically revised and recirculated. The revised, recirculated version should focus not only on pest prevention with a meaningful analysis of fully developed CEQA alternatives for sustainable pest management but also: 1) adequately disclose the full health and environmental impacts of Program activities; 2) include adequate mitigation measures; and 3) make clear that it is a first-tier document and that site-specific environmental analysis will be carried out for both current and future Program activities, with adequate public review and notice.

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Sincerely,

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October 30, 2014

Laura Petro, Senior Environmental Scientist
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1220 N Street, Suite 221
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Re: Comments on the Pollinator Analysis in the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Petro:

I have been asked by the California Environmental Health Initiative and MOMS Advocating Sustainability to review the pollinator analysis sections in the California Department of Food and Agriculture (CDFA) Statewide Plant Pest Prevention and Management Draft Programmatic Environmental Impact Report (DPEIR). I am currently Professor Emeritus at The Pennsylvania State University and throughout my 43-year career have been an active researcher and administrator in both land grant universities and as a senior scientist with DuPont Agricultural Products. I have published numerous articles on pesticide impacts on bees and on insect chemical senses and behavior. In addition I have served on several international and national committees dealing with pesticide risk assessment and pollinator health, and served as science advisor to the National Honey Bee Advisory Board since its inception. Please consult the enclosed abbreviated CV for additional details.

The DPEIR proposed plan has been reviewed with respect to potential impacts on pollinators and pollination-dependent cropping and special plant communities for its adequacy of exposure and risks, proposed mitigation methods, and adequacy of reducing significant impacts to a non-significant level. This reviewer finds the plan severely limited on several points as indicated below.

CDFA Plan Goals for DPEIR

16556-150

While the CDFA task of preventing insect-induced losses to agriculture is an enormous one for which they have a rich and outstanding history of success, it seems ironic that the stated program goals do not contain any mention of protection or conservation of honey bees and native bees so critical to the sustainability of both agricultural production and the health of native plant communities. The closest goal to this is the last one on the list: "Develop a checklist evaluation tool to assess the potential environmental impacts of proposed activities that can be understood and reviewed by the public. "

The currently documented bee crisis and the declining native pollinators and

1

16556-150 cont.

associated plant communities would seem to dictate that a major goal of the agency be created to address this critical aspect. Documented declines in pollinators and the associated plant communities in the UK and Holland provide a grim foretelling if this is not given a higher priority in sustaining our agricultural/ ecosystem health across the US. (Biesmeijer et al., 2006). A world view in agricultural systems indicates the importance of native bee species to agricultural productivity and the interactions of crops, their surrounding plant communities, and land use patterns (Garibaldi et al., 2014).

Adequacy of Assessing Pollinator Exposure to Pesticides

16556-151

DPEIR Appendix J and Attachment 1 indicate that pollinators may have significant exposure to pesticides if applied during crop blooming, through pesticide drift, and on blooming groundcover, all of which are true, but by not including the unique known hazards of systemic pesticides like the neonicotinoids, the report is focused on only short-term exposure and not the true season-long exposure resulting from current neonicotinoid use. The large amounts of pesticides used to treat GMO seeds and the toxic dust produced during planting are well documented exposure routes of bee poisoning (Tapparo et al., 2012; Girolami et al., 2013). Further, the drift of these chemicals onto field borders renders all members of the associated plant communities likely sources of further systemic neonicotinoid exposure whenever each species blooms, thus contributing to a season-long exposure of contaminated pollen and nectar. The long-lasting soil residual for neonicotinoids can be up to six years in some soil types, and routinely can provide enough soil residual that a following year's crop, even if untreated, can contain significant neonicotinoids (Sunflower Bayer Study). The extremely high levels of neonicotinoids registered for use on ornamental woody species, relative to agricultural use rates, and their documented 6-year residual, provides another serious exposure route in residential/urban environments not considered here (http://www.domyownpestcontrol.com/msds/original_12-Month-Tree-Shrub-Insect-Control-II.pdf). Thus the DPEIR risk analysis and proposed mitigation plans should account for the higher levels of use and residues in woody ornamentals in agricultural, urban, nursery, public and recreational lands as well as water levels.

16556-152

A recent study of surface waters in California agricultural areas indicated that 89% of sampled water sites from 3 agricultural areas contained imidacloprid and 19% were above U.S. Environmental Protection Agency (EPA) invertebrate aquatic benchmark limits (Starner and Goh, 2012), which suggests that surface water contamination is a significant route of exposure for all bees. No mention is made of these exceptionally long-lasting consequences of systemic pesticides to bees, yet a recent study has shown that an average of 6 different pesticides are in each pollen sample bees collect, and nearly 60% of samples contained at least one systemic pesticide (Mullin et al., 2010). It would thus seem that the special environmentally pervasive and long-lasting impacts of systemic neonicotinoids should be accounted for in the DPEIR exposure assessments for honey bees and other native bees especially.

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16556-153 Native species of bees are not well studied for pesticide sensitivities, but a recent paper indicates that, in eastern apple production, commonly used pesticides have a range of a 1,000-fold difference in toxicity between honey bees and the Japanese Hornfaced bee *Osmia cornifrons* without any predictability as to which species is more sensitive to a given pesticide (Biddinger et al., 2013). A meta analysis of 150 studies further revealed the inadequacy of using the honey bee as a surrogate for native bees (Arena and Sgolastra, 2014). This raises serious doubts about the adequacy of using the honey bee as a surrogate for native bee species or as a more sensitive species than the 18 species of concern as has been done in Table J-3.

Adequacy of Mitigation Measures in Proposed Plan

16556-154 The DPEIR plan indicates several new collaborative efforts among CFDA, State Apiary, and a newly developed Pollinator Working Group. These are laudable efforts and the increased cooperation and educational efforts can contribute significant improvements to pollinator protection and conservation in the future. Similar advances at border inspection stations to provide water for cooling bees in transport and in reducing the inspection time with digital technology and on-call expertise have been a positive factor for large-scale migratory beekeepers. While these educational efforts need expansion, their main payoff would be if they were implemented as binding mitigations rather than voluntary practices and added details were made available for scrutiny and understanding.

16556-155 The DPEIR lists in section 7.1 alternatives considered to those proposed in the plan, but after indicating that lower-risk pesticides are one alternative, the following discussion only uses reduced amounts of current pesticides with no mention of whether reduced-risk alternatives are available or have really been considered. Misuse of pesticides is currently widespread and has major impacts on beekeepers, yet no mention of this or plans to address or improve it are contained in the current draft.

16556-156 The plan correctly states that the average foraging distance for a honey bee colony is 3.5 miles, but fails to adequately include the magnitude of this in any mitigation plans listed. A foraging distance of 3.5 miles encompasses nearly 27,000 acres of potential blooms to be visited by a single colony in a single day; increase nutritional stress on the colony, and this increases to over 77,000 acres (Seeley, 1995). This indicates that the average exposure area for a single colony is 27,000 acres, which may often include a treated crop, nursery, or residential/urban area as indicated in the plan. It may also regularly include recreational areas, public lands such as forests, or protected lands; thus, it is not realistic to exclude these from consideration of potential exposure to bees from agricultural or residential use of pesticides as the current draft does. Likewise, the buffer areas designated around the above pesticide-use areas need to include some consideration of these known foraging areas for honey bees. How this can be practically achieved is an open question, but for meaningful reduction of exposure to pesticides and the

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sustainability of honey bees for pollination, this must be incorporated into the plan for effective mitigation of pesticide impacts. To ignore these aspects means that any statements of risk analyses or mitigation impacts having been reduced to non-significant levels is without any factual basis. This same foraging space issue also brings potential impacts on plant communities well beyond the site of pesticide usage in agricultural or urban sites, since pollinators share overlapping areas and can spread contaminated pollen by visiting the same flowers. Thus the voluntary agency practice of knowing where individual hives are located and not spraying adjacent to them (Appendix J, p. J-16) is not a significant hazard reduction. Likewise requiring beekeepers to move their hives prior to intended spray is possible for small-scale beekeepers but certainly not for large beekeepers who often have multiple sites miles apart while they are engaged in other, e.g., pollination, efforts.

16556-156 cont.

Almond pollination is the largest single pollination event in the world, and as the DPEIR indicates, 1.2 million bee colonies, representing nearly half of all bees in the US, are required. Thus, what happens to bees in California almond pollination impacts the entire US food system's pollination, since many of these bees are then used throughout the US following almond pollination. To this reviewer, this demands a special consideration of almond pollination mitigation measures and impacts assessments, none of which are contained in this draft. This past almond pollination season in 2014 resulted in the loss of over 80,000 bee colonies, with untotaled impacts throughout the season for colonies weakened during almond exposure, that never reached pollination potential throughout the season, (http://www.twobeekeepers.com/wp-content/uploads/2014/04/2014-04_Pesticies_Kill_Bees_Polinating_Almonds.pdf: http://www.washingtonexaminer.com/17-billion-honey-bees-injured-killed-threatening-apple-berry-veggie-crops/article/2546800?custom_click=rss: http://pollinatorstewardship.org/?p=2192.

This was the result of tank mixing an insect growth regulator (IGR) pesticide with a fungicide and applying during bloom. Tank mixing of multiple chemicals without knowing their interactions on non-target species and inadequate label language without proper regulatory involvement are contributing to multiple bee kills throughout the US on an annual basis. The plan indicates that site-specific measures will be developed, but it seems that almond pollination is so central to bee health for the US, that this plan should be significantly well developed and with documented impact measures for the 2015 almond pollination season.

Measurements of Reduction in Impacts from Significant to Non-Significant

16556-157

There are no specific measures given in any scenario of the draft plan that would document the reduction of impacts to non-significant levels for honey bees or for native pollinators with the current level of detail. Also, there is no indication of whether such measures are voluntary, required, or if the results are to be monitored. While statements are made about site-specific plans, none are actually given either as a model of the approaches to be used or of the actual plan(s) to be

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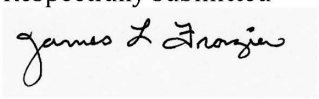
16556-157 cont.

implemented. The current plan is thus not able to be assessed for adequacy of impact mitigation, even though it claims success will be achieved throughout the plan. This reviewer recognizes that quantitative methods to document pollinator community changes are not currently in place for routine monitoring, but quantitative measures of pest insect populations and current specific research studies with bees offer many possibilities (Garibaldi et al., 2014; Saunders et al., 2013; Scheper et al. 2013; Korpela et al. 2013; Winfree et al., 2011). In addition, there are many options to be borrowed from the USGS National Water Quality Assessment Program, including the Watershed Regressions for Pesticides (WARP) Models for Predicting Stream Concentration of Multiple Pesticides (water.usgs.gov/nawqa). None of these current studies or the currently used methods of the USGS dealing with mixtures of pesticides in the aquatic portion of the landscape are referenced in the draft plan, but should be incorporated for terrestrial and aquatic exposure assessments as well as the proposed mitigation plans.

16556-158

The EU is well ahead of the US in recognizing pesticide/pollinator environmental impacts broadly and providing policy level changes to address these in a more sustainable manner (EFSA 2013). This can serve as a valuable model for the further refinements needed to the current DPEIR proposed plan.

Respectfully submitted



James L. Frazier
Professor Emeritus

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Porter Exhibit 2

My comments are primarily focused on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impacts Report (Pest PEIR), Volume 2-Appendix A, Human Health and Ecological Risk Assessment (HHRA), SCH #20110657, prepared by Horizon Water and Environment, LLC for the CDFA. Page numbers refer to the HHRA unless otherwise indicated.

My first several comments address some of the overarching assumptions on which the risk assessment relies.

16556-159 My first comment relates to the statements on page 4, "Pesticide Illness Surveillance Program". The authors state, "If health effects appear to derive from exposure to any component of a pesticide product, including inert ingredients, impurities, and breakdown products, the surveillance program attributes those health effects that pesticide product. Similarly, reporting includes but is not limited to toxic effects similar to those seen in tests." Unfortunately, later in the report it is noted that only pathologies are considered to be problematic, e.g., on page 26: "If endpoints such as blood parameter measurements, body weight, organ weight, or measured enzyme levels were not associated with pathology, these endpoints were considered not of concern." The document also states, on page 146, that "endocrine disruption was not explicitly assessed in this HHRA." This means that subtle effects of pesticide exposure, such as learning disabilities (Levin et al., 2002), attention deficit disorders (Shelton et al., 2014), alterations of immune (Olson et al. 1987) and endocrine function (Cavieres et al., 2002), and potential epigenetic effects, which have been documented (Skinner et al. 2010), are not considered to be "health effects".

16556-160 Further in that same paragraph from page 4 cited above, the authors use an example, "…a product designed to disrupt nerve function may, at excessive levels, cause neurologic symptoms in humans." This reasoning, referencing "excessive levels," reflects the 16th-century paradigm under which the EPA is still officially functioning, a linear dose response assumption (see the reference to Paracelsus at http://www.epa.gov/pesticides/factsheets/riskassess.htm#step%2020), which has been repeatedly refuted by modern science, especially in the realm of endocrine research (Vandenberg et al., 2012) documenting how the lower the dose, the greater the effect that can occur down into the parts per trillion. These are referred to as "inverse dose responses" and have been documented in neurological (Levin et al. 2002), immune (Olsen et al. 1987), and endocrine effects (Cavieres et al., 2002) of pesticides. The reasons and mechanisms for this are explained in Vandenberg et al., 2012.

16556-161 Page 6, section 2.2 on hazard identification, "Inactive and Inert Ingredients Assessed" states: "Pesticide manufacturers are not required to report other chemicals or their concentrations if they are determined to be a trade secret or are in small quantities, as allowed under pesticide labeling regulations. Since that information about these other chemicals was available, it was included in the HHRA; a total of 79 pesticide products (including adjuvants or other formulations used in conjunction with pesticides), containing 91 different active or inert ingredients were assessed." However, several papers document added toxicity when "other" ingredients are present in a pesticide mixture, e.g., Bolognesi et al., 1997, where they report that the genotoxic activity of Roundup is significantly greater than the active ingredient glyphosate by itself. Genotoxicity is

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Comment Letter 16556 - cont.

16556-161 cont. not evaluated as part of the registration process of a pesticide. How can our federal or state government allow undisclosed agents contributing to a toxic product to be sprayed on the landscape and contaminate air, food, water and/or soil? No pesticide mixture should be allowed for use unless its composition is fully declared.

At this point it is also important to notice that the HHRA states: "Some of chemicals were determined to be 'not of concern' for the following reasons: The chemical showed no endpoints of concern from an oral, inhalation, and or dermal routes of exposure in toxicity tests where dose levels near or above testing limits were employed in experimental animal studies. If endpoints such as a blood parameter measurements, body weight, organ weight, or measured enzyme levels were not associated with pathology, these endpoints were considered not a concern" (page 6). Based on these criteria, genotoxic or epigenetic effects would not have been included as of concern, since there would typically not be obvious pathologies that would be observed over the short experimental durations typically involved in registering pesticides, see e.g., the recently republished Seralini et al. study (2014).

16556-162 The other reason given for excluding from the PEIR risk assessment chemicals determined to be "not of concern" was that, "The only *available* toxicity data show that the chemical was not known to be harmful to humans and had a history of safe use" (page 6, emphasis added). There are two problems in this statement. The first is the word "available", since frequently there are no available toxicity data as mentioned throughout this document (see for example: "The quality and depth of information available on inert ingredients in pesticide products was highly variable; in some instances, full disclosure of ingredients was given, others offered partial disclosure, and some offered none. In instances where inert ingredients were not disclosed and no information was available to estimate risk, the extent of risk, if any, remains unknown" (page 144)). When there are no data, the chemical is assumed to be safe, a fatal logical flaw. The second problem is that there are no tests of impacts of pesticides on learning abilities (Levin et al., 2002) or immune (Olson et al., 1987) or endocrine functionality (Jaeger et al., 1999), all of which are associated with exposure to pesticides, and there are no studies of altered immune function caused by pesticide exposure, that are now known to be associated with a variety of diseases, such as obesity, type II diabetes and atherosclerosis (Dietert and Dietert, 2007). By the measures defined in the PEIR HHRA, none of these fundamental biochemical or biological processes would qualify as indicating adverse effects. Furthermore any such tests that would be conducted as part of standard pesticide registration process would be conducted only with the active ingredient, not with the mixture. The HHRA repeatedly uses the word "pathological" to define the limited range of potential health effects that that it assesses.

16556-163 On page 7 under "Step Two: Toxicity Dose-Responses Assessment", the HHRA states (paragraph 2): "Often adequate human scientific studies are not available for a specific chemical and its health effects to derive a toxicity value based on a dose-response model. In these situations a hierarchy of alternative scientific studies is used to derive an appropriate toxicity value. For instance, often scientific studies are available for various animal species that exhibit similar effects as humans would on exposure. In other cases a specific chemical may not be available, but a related chemical that is expected to behave in a similar manner does have adequate studies available. In such instances, a toxicity value is derived using these data while applying safety and uncertainty factors to account for extrapolation of the studies and to reflect population variation."

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Comment Letter 16556 - cont.

16556-163 cont.

This toxicity dose response assessment process is seriously flawed. New epigenetic data and biochemical pathways research are both suggesting that each different chemical has a unique biochemical signature in terms of biomarkers and pathway alterations it induces. These pathway alterations can be precursors to chronic long-term disease (Skinner et al, 2010). None of this would show up under the evaluation procedures described in this PEIR.

In the last paragraph on page 7 of the Step 2 process, the authors state, "the toxicity values used in an HHRA are intended to protect identifiable sensitive individuals from harm. However, the toxicity values may not necessarily be protective for hypersensitive individuals who do not exhibit a dose-response reaction with chemical exposure. In a typical HHRA, the chances of an adverse health effects are assumed to escalate with increasing exposure to a specific chemical. The health effects of an individual who may have an allergy to a specific chemical do not follow a dose-response mechanism, rather the person gets the same effect regardless of the amount of chemicals to which he/she is exposed."

16556-164

There are two things of note here. The first is that it is admitted that *there is no safe dose for individuals with an allergy to a specific chemical*. There are many such individuals in our society today and the number of them is growing (http://www.webmd.com/allergies/multiple-chemical-sensitivity). The PEIR specifically excludes individuals with multiple chemical sensitivity (MCS) from its assessment: "the Human health Risk Assessment that was prepared for this Draft PEIR does not include a quantitative analysis of MCS" (page 6.5-14). The second thing to note is that the chances of an adverse health effect are assumed to escalate with increasing exposure to a specific chemical, i.e., a linear dose response with increasing concentration. As mentioned above, the open scientific peer-reviewed literature for neurological, endocrine and immune effects has demonstrated that *there can be greater effects at lower doses than higher doses*, especially in very low concentration ranges where physiological responses typically occur to biological molecules like estrogen, such as the parts per trillion to parts per billion ranges. These concentrations are typically not part of the standard registration process for pesticides. Thus, large effects of low doses can be completely missed during registration processes. Moreover, the registration process typically concerns only the active ingredient and not the mixture, which is sold to consumers and found in air, food and/or water.

16556-165

The last paragraph on page 7, "Step Three: Exposure Assessment", states: "The next step in determining human exposure after the concentrations in the environment were identified was to estimate how much the human body takes up. Exposure was determined by combining the concentration in the environment with specific exposure factors. Exposure factors took into account the amount that would be taken into the body, the amount of time exposure would occur, and the frequency of exposure." This method of assessment does not take into account the amount that may be stored because it is fat-soluble or the molecules that are broken down into other molecules that may be more toxic than the parent compound. Such substances are not part of the exposure evaluation process. The assessment process does not take into account the possibility of epigenetic effects that can be transgenerational up to four generations beyond the individual (Skinner et al., 2010; partial Skinner lab references for 2014).

On page 8 under the same heading of exposure assessment the authors state, "An exposure pathway would have to be complete for it to be relevant to the HHRA. For instance, ingestion of

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16556-166 tree leaves at a nursery would not be likely to occur because most people do not eat leaves." This is an excellent example of excluding the most sensitive individuals like babies and small children by simply assuming that they will not consume objects that everyone knows they do consume, such as dirt, leaves, and anything else they can get their hands on and put in their mouth.

16556-167 The authors go on to admit "Thus, ingestion of tree leaves would not be considered a complete exposure pathway, and this was not evaluated." They further state, "In some instances, the exposure pathway may be complete, but based on low concentrations or a minimal amount of exposure compared to a dominant pathway of exposure, it may not have been fully quantified and was dismissed as discountable." Again, the authors dismiss low concentrations as irrelevant by relying on a 16th-century assumption of linear dose response which is not supported by modern scientific understanding of inverse dose responses for neurological, endocrine and immune functions.

16556-168 The risk assessment contains many more unfounded or unrealistic assumptions about receptors, for example, omission of babies in the drift exposure analysis (page 52) and of adults over 40 from the category of "post-application resident," (page 53) and undocumented assumptions about exposure durations (page 52 – potential exposure of downwind bystander for 3 years in "CDFA's expert opinion"). All of these assumptions bear on the validity of the risk assessment results.

16556-169 Step 4: Risk Characterization. The authors state, "For this analysis, it was performed by combining the exposure and dose-response assessments to determine the likelihood that the use of the chemicals can cause harm to the relevant sensitive receptors". In this section, all of the risk assessment is based on an assumption of linear dose effects. This ignores the statements above that for individuals allergic to chemicals there is no safe dose. This would imply that all individuals with allergies to chemicals would be especially at risk from the Proposed Program. This also ignores the fact that fetuses, pre-pubertal children and the elderly, who all have reduced liver-based defense mechanisms that under active sexually mature conditions degrade sex hormones and a variety of xenoestrogens and pesticides (Wright and Welbourn, 2002), are effectively ignored in risk assessments.

Pesticide impacts on neurological function have been demonstrated. For example, the organophosphates chlorpyrifos and malathion, both of which are included on the list of 79 chemicals reviewed in the PEIR (Appendix L, Table L-1), have been demonstrated to appear as metabolites in the urine of children consuming conventionally produced fruits and vegetables (Lu et al., 2006), and observations by Levin and colleagues (2002) using chlorpyrifos for learning experiments in female rats or Rodriguez and colleagues (2005) using atrazine, reveal inverse dose responses for neurotransmitters in the prefrontal cortex of the brain. These types of effects are ignored in this risk assessment. As noted earlier, this risk assessment includes no epigenetic effects or the multigenerational effects that they might engender.

16556-170 On page 10, the authors state, "EPA has identified five groups of pesticides that each has a common mechanism of toxicity: organophosphates, N-methyl carbamates, triazines, chloroacetanilides and pyrethrins/pyrethroids." When data are not available, data from another related chemical are used as a surrogate, as pointed out on page 7. However, using surrogates is not a valid methodology. For example, chlorpyrifos and malathion are both organophosphates, but are very different in their persistence and excretion from the body (Lu et al., 2006). Thus the

16556-170 cont. paradigm of assuming similarity of structure and similarity of function is not a responsible or reliable method of extrapolation.

16556-171 Unfortunately, as the authors state, "… a large number of possible combinations of exposures would be possible, and predicting which combinations would be most likely would be impossible." This statement is evidence that true integrated pest management, which uses chemicals sparingly, rarely, and as a last resort, would be a much safer pathway for CDFA to follow, rather than relying on pesticides. Emerging data clearly show that greater and greater challenges and more and more of them in more and more complex situations are the reality with regard to chemical exposure. The massive lack of data and unfounded assumptions regarding risk are not acceptable for an intelligent society. The repeated failure to exterminate populations of insects when relying on ever more toxic substances to try to control them is clearly indefensible, especially in the context of the health of our children and our fetuses, i.e., our future as a nation. I could spend many more days evaluating and commenting on other parts of this report, but in my view, it needs a fundamental reworking.

Most sincerely,



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Letter 16556: California Environmental Health Initiative et al., Warren Porter, James Frazier, Earthjustice (October 31, 2014)

Response to Comment 16556-1

CDFA disagrees with the commenters' assertion that the Draft PEIR is misguided and inadequate under CEQA. The PEIR complies fully with the letter and underlying spirit of CEQA, and does not require redrafting.

Regarding the suggestion that the PEIR be revised to "provide much greater detail on how the Program's activities will be carried out and what the Proposed Program's impacts will be," the Proposed Program is described in a great level of detail in the PEIR, in particular considering that this is a first-tier programmatic document, and the impact analysis is accordingly detailed as well. CDFA refers the commenters to PEIR Volume 1, Chapter 2, *Proposed Program Description* and Chapter 3, *Proposed Program Activities,* which describe and encompass the range of specific, on-the-ground activities that may occur under the Proposed Program. Proposed Program management activities have been separated into three categories: physical, biological, and chemical. Tables 3-1, 3-2, and 3-3 at the end of PEIR Volume 1, Chapter 3, *Proposed Program Activities*, show more detailed information on proposed activities.

The commenters are also referred to PEIR Volume 1, Chapters 5 through 8, which contain the PEIR's impact analysis. The potential impacts of the Proposed Program are disclosed in each topical section of the PEIR to the extent practicable for each management activity, given the programmatic nature of the analysis. Prior to implementing a management activity, CDFA will always conduct additional project-level environmental analysis.

The fact that the PEIR is a program-level EIR and a first-tier programmatic document is clearly pointed out in the title of the PEIR (i.e., Program EIR), and in the following sections of PEIR Volume 1, Executive Summary, page ES-1, paragraph 2; Chapter 1, *Introduction,* page 1-1, paragraph 1; and Section 1.5.1. The PEIR is not intended to provide exhaustive site-specific coverage of all future activities potentially undertaken under the Proposed Program. Instead, using the tiering strategy described in the PEIR (see also Master Response 1, Scope of the Statewide Program), subsequent activities in the Proposed Program will be examined in light of the PEIR to determine whether an additional environmental document needs to be prepared. This programmatic approach is entirely consistent with CEQA (see CEQA Guidelines Section 15168[c]).

With regard to the commenters' request that CDFA revise the Proposed Program to "focus on pest prevention through an ecological-agriculture pest management approach," please see CDFA's consideration of the ecological-agricultural approach in Master Response 14, Ecological-Agricultural Approach.

Response to Comment 16556-2

The Proposed Program does not depend heavily on chemical treatments; rather, it relies on a variety of physical, biological, and chemical management approaches. For selection and implementation of its Proposed Program target pest control activities, CDFA would continue its practice of using an IPM approach, as is currently done for its Statewide

Program. As disclosed in the PEIR, the Proposed Program would not result in any significant impacts to the environment that would be alleviated by an alternative approach. Please see Master Response 2, Integrated Pest Management Approach, for a more detailed discussion of the Proposed Program's IPM approach.

Response to Comment 16556-3

Numerous alternatives were considered during the early CEQA planning process (see Master Response 12, Alternatives Analysis). Taking all environmental aspects into account, the Proposed Program is considered to be environmentally superior to the alternatives analyzed in the PEIR. It would strike an appropriate balance between protecting natural and agricultural resources from the adverse impacts of pest invasions and providing for impact avoidance and minimization through a coordinated program for management of Proposed Program activities, including PEIR mitigation and other protective measures. Potential impacts of the Proposed Program to human health were concluded based on a detailed HHRA, to be less than significant; please see Master Response 5, Human Health.

Response to Comment 16556-4

The Proposed Program is based on cutting-edge science, and relies on proven methods for pest management. The purpose of establishing quarantines is to protect agricultural lands outside of the quarantined areas. When setting up a quarantine, CDFA considers the economic effects of *not* establishing a quarantine. Setting up a quarantine is designed to alleviate the costly burden on farmers, because it establishes an orderly marketplace for both the quarantine growers and the non-quarantine growers.

As disclosed in the Draft PEIR, the Proposed Program would not result in any significant impacts to humans, water bodies, pollinators, or organic farming; please see the various master responses that address these topics.

Response to Comment 16556-5

Measures to address pest habitat requirements, such as non-native host species removal and on-farm practices, are outside the jurisdiction of CDFA; these types of activities are either within the jurisdiction of the relevant land management agency (e.g., California Department of Parks and Recreation), or are the responsibility of individual growers. For this reason, such activities are not a part of the Proposed Program.

Response to Comment 16556-6

Please see Master Response 14, Ecological-Agricultural Approach, for a discussion of CDFA's consideration of an ecological agricultural pest management alternative. As that master response describes, the Proposed Program already incorporates those management approaches that are feasible and efficacious, and CDFA encourages growers to do the same for those practices outside of CDFA's authority. The ability of an ecological agricultural pest management alternative to meet Program objectives is unknown, nor is the alternative sufficiently defined to allow for a meaningful evaluation of its potential to reduce the impacts of the Proposed Program. The alternative therefore does not meet CEQA's requirements for consideration in the PEIR's alternatives analysis.

Also, note that CDFA does not consider the PEIR's alternatives to be "overly simplified"; please refer to Master Response 12, Alternatives Analysis, which addresses the PEIR's alternatives analysis and how it was conducted at an appropriate level of detail in compliance with CEQA.

See also Master Response 4, Impacts on Agriculture, which discusses the Proposed Program's potential effects on soil resources; and Master Response 8, Pollinators, which provides an overview of the PEIR's consideration of the Proposed Program's potential effects on non-target insects—in particular, pollinators.

Finally, CDFA disagrees with the commenters' assertion that the PEIR fails to disclose or mitigate any potentially significant impacts on water quality, pollinators and other sensitive species, humans, and organic agriculture. These impacts, and mitigation measures for impacts found to be potentially significant, have been fully considered and are presented in PEIR Volume 1, Section 6.7, *Water Quality*; Section 6.3, *Biological Resources*; Section 6.5, *Hazards and Hazardous Materials*; and Section 6.1, *Agricultural Resources and Economics*, respectively. In addition, CDFA refers the commenters to the master responses that address these topics. The comment that air quality impacts of the Proposed Program would be reduced by an eco-agricultural approach is speculative; CDFA is unaware of any evidence that suggests this to be true. As will be discussed further below, the HHRA used an iterative approach to determine how specific chemical use scenarios could be conducted without causing adverse effects on human health; these scenarios would be mandatory, so that human health would be protected, as required by Mitigation Measure HAZ-CHEM-3.

Response to Comment 16556-7

It is unclear why the commenters allege that the Tiering Strategy is designed to curtail future public review. CDFA will fully comply with CEQA, and prepare tiered project-level CEQA documentation as necessary as it implements the Proposed Program. The Tiering Strategy provides guidance for this process, as authorized by the CEQA statute and Guidelines, but in no way abridges or eliminates CDFA's future CEQA obligations.

Response to Comment 16556-8

CDFA agrees that once the Proposed Program is approved, future site-specific evaluation will be necessary to determine whether additional CEQA compliance is needed, and what form such CEQA compliance will take (e.g., CEQA addendum or ND). CDFA will complete all required CEQA compliance steps prior to implementing any site-specific activities.

Response to Comment 16556-9

The Tiering Strategy is in no way intended to avoid or limit future tiered project-level CEQA evaluation and associated public review and input. The Tiering Strategy checklist is intended as tool for CDFA to evaluate the extent to which a particular Proposed Program activity was evaluated in the PEIR and what, if any, additional CEQA compliance is needed prior to its implementation. As described in CEQA Guidelines Section 15168(c)(2), if CDFA finds, pursuant to CEQA Guidelines Section 15162, that no new effects could occur or no new mitigation measures would be required, CDFA can approve the activity as being within the scope of the Proposed Program and covered by the PEIR, and no new environmental

document would be required. The Tiering Strategy is intended for CDFA to use in making this determination. It is within CDFA's discretion to make such judgments, and indeed CEQA requires lead agencies to use checklist tools like the Tiering Strategy to support this decision-making process (per CEQA Guidelines Section 15168[c][4]).

The commenters are entirely incorrect that the Tiering Strategy does not require CDFA to routinely evaluate site-specific impacts of a particular activity; this site-specific evaluation is the very purpose of the Tiering Strategy, which provides for consideration of issues such as the presence of special-status species, local water bodies, and sensitive natural communities. As CDFA implements the Proposed Program, it will be obligated to comply with CEQA's public notice requirements. If an activity would have no new or more significant impacts than were evaluated in the PEIR, then either no additional CEQA documentation or a CEQA Addendum is required, neither of which involve a public review process. This is clearly laid out in CEQA and the CEQA Guidelines, and it is unclear why the commenters believe that CDFA would need to go above and beyond CEQA's requirements in this regard. In addition, the public notice protocol described in PEIR Volume 1, Section 2.4.2, *Public Notification* would occur separately from (and in addition to) any CEQA-required public notifications; this protocol demonstrates CDFA's commitment to notifying and informing the public regarding its activities.

Response to Comment 16556-10

CDFA appreciates the commenters' input that the Tiering Strategy incorrectly references Mitigation Measure HAZ-CHEM-3b when it should have referenced Mitigation Measure HAZ-CHEM-3. The text of the Tiering Strategy has been changed accordingly, along with several other non-substantive errors in references to mitigation measures in the Tiering Strategy.

With respect to the final sentence in this comment, the chemical use scenarios evaluated in the PEIR have been determined to not have the potential to result in human health impacts above the established level of concern; therefore, these impacts to human health have been found to be less than significant in the PEIR. Other chemical use scenarios may also be determined to be below the level of concern and have less-than-significant impacts on human health if they comply with Mitigation Measure HAZ-CHEM-3. Therefore, activities conducted consistent with the Proposed Program scenarios and/or Mitigation Measure HAZ-CHEM-3 would require no further CEQA evaluation with respect to human health impacts, because their site-specific impacts would be less than significant. Regardless, CDFA would notify the public of these activities, following the protocol outlines in PEIR Volume 1, Section 2.4.2, *Public Notification*.

Response to Comment 16556-11

In the Tiering Strategy, CDFA identifies "substantially similar activities" as those which would have the same or reduced impacts compared to those considered in the PEIR. CEQA provides that if changes in a project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects, then these activities can be addressed through a CEQA Addendum (CEQA Guidelines Sections 15162[a] and 15164). A good example of this circumstance would be when a new pesticide product is registered for use which has the same or reduced concentrations of

active and inert ingredients as a pesticide product that was considered as part of the Proposed Program, and would be used in the same ways. In these cases, an environmental evaluation of the product would reach the same conclusion that was already reached in the PEIR.

Therefore, the commenters are exactly correct—that CDFA intends to comply with CEQA as it evaluates whether an activity is substantially similar to an activity evaluated in the PEIR. It is unclear why the commenters believe that CDFA must exceed CEQA's requirements.

Response to Comment 16556-12

The Tiering Strategy is a guidance document, which by definition cannot be out of compliance with CEQA, because it in no way changes CDFA's CEQA obligations. CDFA will always strive to fully comply with CEQA. It is clear throughout the PEIR that the PEIR is intended to be a first-tier CEQA document. CDFA will always prepare an initial study and files Notices of Determination when required. The commenter articulates no basis for the apparent belief that CDFA will not comply with these steps when required to do so.

Response to Comment 16556-13

Please see the prior responses and Master Response 1, Scope of the Statewide Program, for a discussion of future disclosure and public review that would occur prior to implementation of individual Proposed Program activities, including opportunities for public input and comment.

Response to Comment 16556-14

As described in PEIR Volume 1, Chapter 1, *Introduction,* page 1-4, the PEIR is intended to serve as a program-level EIR, pursuant to CEQA Guidelines Section 15168, or as a first-tier EIR prepared pursuant to CEQA Guidelines Section 15152. It is distinctly *not* a project-level EIR; CDFA agrees that it would be impossible to provide site-specific review of all future Proposed Program activities in all geographic areas of California in this document; future activities will be evaluated on a project-by-project basis through tiered CEQA analysis.

Response to Comment 16556-15

CDFA disagrees that the Proposed Program is insufficiently defined for the purposes of CEQA. According to the State CEQA Guidelines (CCR Section 15168[a]), a lead agency may prepare a program-level EIR to address a series of actions that can be characterized as one large project and are related—either geographically; as logical parts of a chain of contemplated events; through rules, regulations, or plans that govern the conduct of a continuing program; or as individual activities carried out under the same authorizing statutory or regulatory authority—and that have generally similar environmental effects that can be mitigated in similar ways. As noted above, this PEIR was prepared as a program EIR. As a program EIR, this document serves as a "first-tier" document that assesses and documents the broad environmental impacts of a program, with the understanding that a more detailed site-specific environmental review may be required to assess future projects implemented under the program. As individual projects with specific locations, intensities, and activities are planned, the CDFA would evaluate each project to determine the extent to

which the PEIR adequately addresses the potential impact of the project, and to what extent additional environmental analyses might be required for each specific future project (see PRC Sections 21093, 21094; and State CEQA Guidelines, CCR Sections 15152, 15168).

Because of the efficiencies allowed by tiering, the Legislature has declared that "*environmental impact reports shall be tiered whenever feasible*, as determined by the lead agency" (PRC, Section 21093, subdivision ([b] [emphasis added]). The use of tiering is intended to allow agencies to avoid repetition, wasted time, and unnecessary premature speculation by preparing a series of EIRs (or an EIR and later EIRs and/or NDs) on related projects. (PRC, Sections 21068.5, 21093, subdivision [a]; State CEQA Guidelines, CCR Section 15152.)

According to the Court of Appeal for the Third Appellate District, "'tiering is a process by which agencies can adopt programs, plans, policies, or ordinances with EIRs focusing on "the big picture," and can then use streamlined CEQA review for individual projects that are consistent with such…[first tier decisions] and are…consistent with local agencies' governing general plans and zoning." (*Koster v. County of San Joaquin* [1996] 47 Cal.App.4th 29, 36). PRC Section 21068.5 defines "tiering" as:

> *[T]he coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report.*

Notably, the California Supreme Court upheld a program EIR in *Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143 (*Bay-Delta*), and in doing so provided a useful explanation of the purposes and benefits of such EIRs. In that case, a consortium of federal and state agencies created a long-term comprehensive plan, known as the CALFED Bay-Delta Program (CALFED) to address pollution problems and other environmental issues associated with the Bay-Delta region. Because of the plan's comprehensive and long-term nature, the proponents of CALFED opted to proceed in stages, and to prepare a Program Environmental Impact Statement/Environmental Impact Report (PEIS/R) for the project. Among other things, project opponents claimed the PEIS/R lacked sufficient detail regarding the sources of water that would be used to implement the CALFED Program, because the PEIS/R merely listed potential sources of water, indicating that the ultimate source determination would be made later. The Court of Appeal agreed, holding that the PEIS/R needed to more specifically identify potential water sources, and needed to include additional analysis of the impacts of supplying water from each identified potential source. The California Supreme Court reversed, however, holding that the PEIS/R fully complied with CEQA in identifying potential sources of water and analyzing the associated environmental effects in general terms. As explained by the Court:

> *The purpose of tiering is to allow a lead agency to focus on decisions ripe for review. (Pub. Resources Code, Section 21093, subd. (a); [State CEQA Guidelines], CCR Section 15385, subd. (b).) An agency that chooses to tier may provide analysis of general matters in a broader EIR, then focus on narrower project-specific issues in*

> *later EIR's. ([State CEQA Guidelines], CCR Section 15152, subd. (a).) Future environmental documents may incorporate by reference general discussions from the broader EIR, but a separate EIR is required for later projects that may cause significant environmental effects inadequately addressed in the earlier report. (Id., Section 15152, subds. (a), (f).)*
>
> *Although later project-level EIR's may not simply tier from the PEIS/R analysis and will require an independent determination and disclosure of significant environmental impacts (see [State CEQA Guidelines], CCR Section 15152, subd. (f)), this stage of program development did not require a more detailed analysis of the Program's future water sources, nor did it appear practicable. By compelling CALFED at the first-tier stage to provide greater detail about potential sources of water for second-tier projects, the Court of Appeal's decision undermined the purpose of tiering and burdened the program EIR with detail that would be more feasibly given and more useful at the second-tier stage. Such details were properly deferred to the second-tier of the CALFED Program, when specific projects can be more fully described and are ready for detailed consideration.*
>
> (*Bay-Delta, supra*, 43 Cal.App.4th at pp. 57-59.)

The commenters seek a level of detail that is not possible to provide in this programmatic review or for the types of activities covered under the Proposed Program. Because the pest control activities described in the PEIR are conducted in response to pest infestations, which are highly variable and difficult to predict with respect to timing and location, the precise timing, intensities, and locations of the pest control activities contemplated under the Proposed Program cannot be specified at this time as the commenters request. The PEIR instead makes reasonable assumptions based on CDFA's past experience with, and the best available technical information about, the pests and pest control activities analyzed in the PEIR, so that the PEIR broadly covers reasonably foreseeable "worst-case" scenarios regarding timing, intensities, and locations of pest control activities in response to pest infestations. This approach is consistent with CEQA Guidelines Section 15151, which provides that the adequacy of an EIR is to be assessed in light of what is "reasonably feasible." Notably, CEQA Guidelines Section 15152, subdivision (b) also provides that "the level of detail contained in a first tier EIR need not be greater than that of the program, plan, policy, or ordinance being analyzed."

The range of options and variability of the factors that inform CDFA's decisions regarding timing, intensity, and location are described in the PEIR. As an example, PEIR Volume 1, Section 2.6.5, *Pest Management Response*, lists a number of criteria on which CDFA bases its pest management response. Some of these include: whether the pest generally is distributed throughout the state or represents a new potential infestation; the current and potential severity of the pest infestation; the potential environmental and the economic consequences of not taking action against the pest.

Response to Comment 16556-16

The PEIR clearly identifies the circumstances under which aerial spraying may occur, and fully evaluates the potential impacts of these activities. The Proposed Program's scenarios address aerial spraying in production agriculture or large commercial nursery settings. The

specific scenarios (as referenced in the risk assessments) include (pest project type and application setting shown in parentheses): PDCP-03 (interior quarantine, bulk citrus); PDCP-09 (interior quarantine, bulk citrus); PDCP-16 (interior quarantine, bulk citrus); PDCP-25 (interior quarantine, large production nurseries); FF-04 (interior quarantine, production agriculture); FF-08 (interior quarantine, production agriculture); PDCP-56 (interior quarantine, large production nurseries); and PDCP-62 (interior quarantine, large production nurseries). "PDCP" refers to Pierce's Disease Control Program, and "FF" refers to fruit flies. Aerial spraying would therefore only be permitted under the Proposed Program as an interior quarantine compliance option for GWSS or fruit flies in bulk citrus, large production nurseries, or production agriculture settings.

For further clarification, CDFA has updated the PEIR's Chapter 9, Glossary and Acronyms, text to include a revised "residential" area definition as follows:

> Residential: A noncommercial area containing multiple or single family dwellings. Does not apply to a residence found in a commercial (e.g., farm) setting.

In addition, the definition of an "urban/residential area" has been modified to match the definition above of a "residential area." That said, since farms or ranches may be located in production agriculture, bulk citrus, or large production nursery settings where aerial spraying may occur, the Human Health Risk Assessment (HHRA) evaluated the potential for residents (the "downwind bystander") to be present during such spraying activities. The analysis concluded that human health impacts would be below the established level of concern, and accordingly would be less than significant.

The Proposed Program does not include, nor did the PEIR analyze, any scenarios besides those identified above. Therefore, if in the future CDFA wished to conduct aerial spraying in a manner inconsistent with the scenarios described and evaluated in the PEIR (such as in a residential setting), it would need to conduct further evaluation under CEQA of these activities prior to their implementation.

Response to Comment 16556-17

Please see the following responses.

Response to Comment 16556-18

As stated in PEIR Volume 1, Section 2.4.1, *Pest Evaluation*, the entire Pest Rating process is detailed in CCR's Title 3, Section 3162. The Draft PEIR mistakenly cited Section 3172; however, the appropriate section is 3162. This text edit has been made to the Final PEIR. Additional text edits have been made to the Final PEIR section to clarify the pest rating process, as shown below. However, the commenters are referred to the CCR's Section 3162 for a detailed explanation of the Pest Rating process implemented by CDFA.

Organisms are evaluated through the use of the Pest Rating Proposal Form to determine if they are a pest. In accordance with CCR Section 3162, CDFA will evaluate the environmental impact of a pest on California using the criteria below:

1. The pest could have a significant environmental impact, such as lowering biodiversity, disrupting natural communities, or changing ecosystem processes;
2. The pest could directly affect threatened or endangered species;
3. The pest could impact threatened or endangered species by disrupting critical habitats;
4. The pest could trigger additional official or private treatment programs; or
5. The pest significantly impacts cultural practices, home/urban gardening, or ornamental plantings.

A score of Low, Medium, or High is then determined based on the pest's ability to cause a certain number of the five environmental criteria listed in the bullets above (ex., a High score means the pest has or will cause two or more of the above). CDFA would rely on consultations with the wildlife regulatory agencies (i.e., CDFW, NMFS, and/or USFWS), field visits and assessments, and/or review of the special-status species databases (e.g., California Natural Diversity Database [CNDDB]) to determine if a pest could trigger one of the "environmental" criteria.

The public would have the opportunity to comment on pest ratings, available on CDFA's website, during a 45-day comment period. In accordance with CCR Section 3162, CDFA shall respond to any posted comments within 30 working days, and shall make the final determination of the pest rating for the organism under consideration.

The Pest Ratings are defined in Section 3162 and summarized below:

- The "A" rating is for pests of the agricultural industry or environment that score high and are not known to occur, or are under official control in the state of California.

- The "B" rating is for pests of the agricultural industry or environment that score medium to high, and which are of limited distribution in the state of California.

- The "C" rating is for pests of the agricultural industry or environment that score medium to low, and are of common occurrence and generally distributed in California.

- The "D" rating is for an organism that scores low, and is known to be of little or no economic importance to the agricultural industry or environmental detriment; has an extremely low likelihood of invasiveness; is known to be a parasite or predator or pathogen of a pest; or is an otherwise beneficial organism.

- The "Q" rating is for pests of the agricultural industry or environment that score high and that are not known to occur; whose California distribution is unknown and that are otherwise suspected of being economically harmful to the agricultural industry or the environment; and that may not be completely identified, or for which there is inadequate available scientific information.

Response to Comment 16556-19

The commenters are referred to Master Response 2, Integrated Pest Management Approach, which discusses the main components of CDFA's IPM approach, and compares CDFA's IPM definition to the UC IPM definition; and to Response to Comment 12076-3, which discusses the feasibility of eradication, and details the decision-making process related to determining the pest management objective (e.g., eradication). As described in Response to Comment 12076-3, when a plant pest is detected in an area of the state where the pest is not known to occur, USDA may convene a Technical Working Group or CDFA may convene an Incident Command Session of CDFA staff and/or a Scientific Advisory Panel to consider each situation before deciding on a response plan.

The information requested by the commenters to provide more specific information or criteria used by CDFA's or USDA's scientific panels cannot be provided, because a determination to implement an eradication, containment, or control program for a specific pest under the Proposed Program would be dependent on pest- and site-specific considerations. However, PEIR Volume 1, Figure 3-2, outlines the general IPM approach process; and Response to Comment 12076-3 details the factors considered when determining the feasibility of eradication for a particular pest.

Response to Comment 16556-20

See Response to Comment 12076-3.

Response to Comment 16556-21

See Response to Comment 12076-3, which describes in great detail how CDFA selects its pest management objectives and related management strategies. Contrary to the commenters' assertions, CDFA does not require that only "more toxic" or "toxic" management strategies be used for eradication projects; CDFA refers the commenters to Master Response 2, Integrated Pest Management Approach, and PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*. In fact, CDFA selects the safest and most efficacious pest management methods. CDFA's IPM approach is used for *all* of its pest prevention, suppression, eradication, and control projects under the Proposed Program (see the second paragraph under PEIR Section 2.8, *Pest Prevention and Integrated Pest Management Approach*). As stated in bullet 3 under PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, CDFA will select pest management approaches for its pest management programs (whether they are eradication or control programs) that are the "least damaging and most economical method or combination of methods."

Also note that CDFA has not defined eradication to mean "eliminating every single specimen of a pest," as suggested by the commenters. Rather, CDFA uses the International Standards for Sanitary Measures definitions, which defines eradication as "Application of phytosanitary measures to eliminate a pest from an area" (IPCC, 2013).

Response to Comment 16556-22

As a general response to the question of duration, pest projects are conducted over the duration necessary to attain successful eradication or containment of a pest infestation. See Response to Comment 12076-3 for a discussion of how CDFA addresses situations when a given pest management objective (e.g., eradication) is determined to not be achievable.

More specifically, CDFA developed estimates for duration exposure based on the longest period over which treatments have ever occurred at a given location under the Statewide Program in the past. Typically, treatments are infrequent in any given location, and occur only as periodic events throughout the overall duration of treatment (e.g., between 1 and 4 times per year). CDFA performs such treatments in a given residential neighborhood over the course of 1 year, or 2 years if necessary. To be conservative, CDFA elected to use a "worst-case" maximum duration in a given residential neighborhood of 3 consecutive years during which these periodic treatments could occur. Therefore, for treatments occurring in residential settings, the receptors (i.e., adult and child PAR and adult and child DWB) were assumed to have the potential to be periodically exposed to Proposed Program-applied pesticide active and inert ingredients over a duration of 3 years.

Proposed Program activities in nurseries and production agriculture facilities may occur for longer than 3 years, because these facilities are under continuous monitoring to prevent the spread of invasive pests. For Proposed Program activities in a nursery or production agriculture setting, the exposure duration of a resident adjacent to the treated facility (i.e., adult and child DWB) was assumed to be 24 years for an adult, as recommended by DTSC (2011a), and 14 years for a child, in accordance with the child's age range given in U.S. EPA (2005q). This is considered a conservative value, as no Statewide Program quarantine has ever lasted 14 years or longer.

Response to Comment 16556-23

CDFA disagrees that the Draft PEIR fails to provide a discrete, finite, and stable project description. Volume 1, Chapter 2, *Proposed Program Description,* describes the Proposed Program's processes and activities at an appropriate level of detail, considering that the specific location and timing of future pest infestations and related management activities cannot be known at this time. The specific trajectory of future pest projects cannot be disclosed because they are dependent upon site-specific conditions. Response to Comment 12076-3 provides a discussion of the factors CDFA considers in selecting or changing a given pest management objective.

CDFA would conduct further more detailed environmental review, including public notice and comment in the manner required by CEQA, on a case-by-case basis when individual activities are being considered for implementation under the Proposed Program.

Response to Comment 16556-24

The MPs referenced by the commenters are commonly used protocols for pest management activities, and the commenters do not provide any specific examples or evidence to support their assertion that they would not be effective. CDFA recognizes that some details (e.g., buffer width) cannot be specified at this time because they would need to be determined

based on site-specific conditions, using the best professional judgment of appropriately trained personnel. The Tiering Strategy is designed to assist CDFA in identifying such specific details.

Response to Comment 16556-25

CDFA anticipates that new or modified pest MPs not evaluated in the PEIR may be considered in the future. Such practices, and their corresponding impacts to the physical environment, are not disclosed in the PEIR because their nature is speculative at this time. In the event that one or more of these practices are considered, CDFA would conduct addition CEQA evaluation prior to implementation.

Response to Comment 16556-26

As the URL citation provided in the comment states, "There are many definitions of integrated pest management…." According to the citation, the definition of IPM that UC IPM has always used is the following:

> *"Integrated pest management (IPM) is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment."*

The IPM approach in the Proposed Program is consistent with the above definition of IPM. Please see Master Response 2, Integrated Pest Management Approach, for a discussion of the IPM approach that is used in the Statewide Program, and its consistency with both the UC IPM definition and widely accepted IPM practices.

Response to Comment 16556-27

The PEIR is a programmatic CEQA document, and describes the Proposed Program's activities at an appropriate level of detail for such a document. In fact, the PEIR is quite detailed in describing the various management activities, and as described elsewhere throughout the PEIR, the decision-making process for determining the specific actions to be taken against a pest infestation, the management objective of those actions, etc. The level of detail provided matches the level of information known at this time (given that details regarding future pest infestations are uncertain), and is provided at a level of detail to allow for a meaningful programmatic impact analysis. The commenters request that details such as the scientific basis for determining trap density be included in the PEIR, but it is unclear how these details are relevant to the impact analysis. The commenters seem to believe that the fundamental purpose of the PEIR is to justify the basis for the Proposed Program; this is not CEQA's mandate. Rather, the purpose of the PEIR is to evaluate the potential environmental impacts of the Proposed Program, and consider mitigation measures and alternatives to address significant impacts.

The commenters also express concern that the Proposed Program does not include "a long list of least- and non-toxic pest management approaches." However, the commenters do not provide substantial evidence that any pest management approaches exist that would be feasible and effective in meeting Proposed Program objectives, and would have reduced impacts compared to those of the Proposed Program—with the exception of approaches that are already part of the Proposed Program (e.g., sterile insect releases), or outside of CDFA's jurisdiction and authority to implement (e.g., on-farm cultural controls). As a general rule, the commenters provide no evidence to contradict CDFA's determinations regarding topics that are "speculative"; for instance, regarding the efficacy of unproven pest management approaches. CDFA has no requirement under CEQA to provide further evidence to contradict unsubstantiated opinion.

Contrary to the commenters' assertion, the PEIR fully satisfies the requirements of CEQA, by providing the public with a detailed, comprehensive, transparent, and valid explanation for rejecting alternatives that do not meet CEQA's alternatives analysis requirements. Furthermore, the commenters are simply incorrect that the Proposed Program would not make use of the most effective and least environmentally damaging pest management approaches. CDFA refers the commenters to Master Response 12, Alternatives Analysis, and Master Response 14, Ecological-Agricultural Approach, which discuss CDFA's approach to selecting and analyzing alternatives in the PEIR, and the feasibility of an ecological-agricultural approach alternative. PEIR Volume 1, Chapter 7, *Alternatives Analysis*, and Master Response 12, Alternatives Analysis, do provide a factual basis for the selection of some alternatives for analysis in the PEIR and the exclusion of others. In addition, the commenters are referred to Master Response 2, Integrated Pest Management Approach, and the PEIR's Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, which clearly state that CDFA will select pest management approaches for its pest management programs that are the "least damaging and most economical method or combination of methods," after consideration of human and environmental effects.

Response to Comment 16556-28

CDFA has found no basis for the commenter's assertion that the PEIR fails to evaluate the whole of the Proposed Program or describe the PEIR's reliance on prior CEQA documentation. CDFA analyzed all of the Proposed Program activities described in PEIR Volume 1, Chapter 2, *Proposed Program Description,* and Chapter 3, *Proposed Program Activities*. In addition, PEIR Volume 1, Chapter 4, *Prior CEQA Coverage*, discloses specific information about each relevant prior CEQA document, and the aspects of each document upon which the PEIR builds. As noted in Chapter 4 *Prior CEQA Coverage*, for the activities that are part of the Proposed Program, the PEIR replaces all applicable prior CEQA documents—with the exception of the PDCP, for which the PEIR serves as a recirculated EIR, updating and expanding on the PDCP EIR, and the LBAM PEIR as detailed further below.

As the CEQA lead agency, CDFA defined the Proposed Program to be solely the activities detailed in PEIR Volume 1, Chapter 2, *Proposed Program Description,* and Chapter 3, *Proposed Program Activities*. Thus, some pest management projects/programs (listed in PEIR Volume 1, Chapter 5, *Cumulative Scenario*, Table 5-15, and referenced by the commenters) are not part of the Proposed Program, but were considered instead in the cumulative impact analysis. For example, the beet curly top virus (BCTV) control program is

appropriately listed in Table 5-15 for the cumulative impact analysis, because it is not part of the Proposed Program. CDFA has not improperly piecemealed or segmented the program in so doing. CDFA has never included the BCTV control program as part of the Proposed Program, and therefore by definition CDFA cannot be segmenting the evaluation by not including an analysis of BCTV.

In addition, the commenters are accurate in stating that, based on Table 5-15, the LBAM Eradication and Containment Program is not included in the Proposed Program, while the LBAM Exclusion Program is part of the Proposed Program. As indicated in the PEIR's Volume 1, Section 4.2.6, *Light Brown Apple Moth Eradication Program EIR*, the LBAM PEIR exclusively covered eradication, suppression, and containment activities, and that PEIR serves as the CEQA compliance document for such activities. The LBAM PEIR did not consider LBAM quarantines; instead, the Proposed Program includes LBAM quarantines, which are fully evaluated in the PEIR. The whole of LBAM control activities are appropriately considered in the cumulative impact analysis, given that LBAM eradication and containment is a separate project under CEQA from LBAM quarantines.

In response to the commenters' Footnote 12, and as stated above, the PEIR does not replace the LBAM PEIR. Activities to address LBAM described in the LBAM PEIR will continue to be carried out using the LBAM PEIR as the basis for CEQA compliance. As mentioned above, quarantines for LBAM were not included in the LBAM PEIR; they were instead included in the Proposed Program, and evaluated in the PEIR. Legal challenges against the LBAM PEIR were rejected by the Sacramento County Superior Court; the Superior Court did not agree that there were legal deficiencies with the LBAM PEIR. Accordingly, there is no legal basis to assert that the Proposed Program's PEIR is deficient in any way as a result of any similarities it bears to the LBAM PEIR.

Upon approval of the Proposed Program, the Proposed Program's PEIR, including its consolidated set of MPs and mitigation measures, would effectively replace various prior CEQA documents (further details are provided in Chapter 4, *Prior CEQA Coverage*). The JB, gypsy moth, and exotic fruit fly EIRs would be replaced by this PEIR. As described above, the Statewide PEIR only applies to LBAM quarantine activities, and does not replace the LBAM PEIR. The Proposed Program's PEIR is a recirculation of the PDCP EIR. As described in this PEIR's Chapter 4, *Prior CEQA Coverage*, apart from the PDCP activities re-evaluated in this Final PEIR, all other portions of the 2003 PDCP EIR were found by the court to have been adequately evaluated under CEQA. Thus, those adequate sections of the PDCP EIR, in combination with this PEIR, provide complete CEQA coverage for the PDCP program.

Response to Comment 16556-29

The commenters are incorrect; emergency actions are *not* part of the Proposed Program. The Proposed Program explicitly acknowledges this point. Instead, emergency actions have been properly considered in the PEIR in the cumulative impact analysis as other "past, present, or reasonably foreseeable future projects."

That said, the Proposed Program includes a number of activities which in the past have been conducted as emergency actions. To the extent that such activities are needed in the future and have been fully evaluated in the PEIR and/or through tiered CEQA documentation, there would be no need to invoke an emergency exemption, even if the

criteria for an emergency have been met. Rather, the activities could be implemented as part of the Proposed Program, using the MPs, mitigation measures, and other requirements identified in the PEIR. As such, the PEIR and its Tiering Strategy is expected to allow for certain activities, which may have been considered an emergency in the past, to be conducted as part of the Proposed Program; this would reduce the extent to which emergency exemptions would be invoked. This represents an improvement in environmental outcomes, because the activities would have the benefit of being conducted in compliance with a comprehensive and coordinated set of MPs, mitigation measures, and other PEIR requirements, and any additional requirements arising from tiered CEQA review, as applicable.

Also, note that the commenters are incorrect that the PEIR lumps together trapping used for pest detection and emergency response. By definition, this cannot be the case, because the Proposed Program does not include emergency actions (including actions involving trapping).

Response to Comment 16556-30

The commenters have chosen to cite only a portion of the referenced CEQA Guidelines in alleging that the PEIR is deficient. The full text of the referenced CEQA Guidelines is as follows (emphasis added):

> (1) This statement shall include, *to the extent that the information is known to the Lead Agency*,
>
> > (A) A list of the agencies that are expected to use the EIR in their decision making, and
> >
> > (B) A list of permits and other approvals required to implement the project.
> >
> > (C) A list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies. To the fullest extent possible, the lead agency should integrate CEQA review with these related environmental review and consultation requirements.

Given that this is a programmatic EIR for activities that could take place in various locations throughout the state, for which the specific locations cannot be accurately predicted, and could be subject to myriad local agency requirements, it would be impossible to list every possible local agency that may issue a permit or approval for Proposed Program activities. Instead, the PEIR makes a good faith effort to disclose the agencies that may issue permits, and approvals that may be needed for individual pest management activities, including the major types of entities that may use the PEIR in their decision making.

Regarding the agencies to whom notice of the Draft PEIR was provided, CDFA followed the requirements of CEQA Guidelines Sections 15085 through 15087. The list of agencies cited by the commenters is based on the notice of completion which was sent to the CEQA Clearinghouse; this was not the entire distribution list. For a complete distribution list, please refer to PEIR Volume 5, Attachment A, which included agencies such as CDPR and OEHHA.

Response to Comment 16556-31

The PEIR's focus is on describing the activities that would be conducted under the Proposed Program, and their potential environmental impacts. The role that USDA plays in the Proposed Program is not a primary focus; rather, the activities themselves are the important factor for performing the impat analysis. Therefore, the information requested by the commenters regarding USDA's involvement in the Proposed Program has not been discussed in detail in the PEIR. Also, note that USDA is responsible for conducting its own National Environmental Policy Act (NEPA) compliance, and it is outside of CDFA's jurisdiction and expertise to offer opinions or make determinations regarding the nature and timing of USDA's NEPA compliance requirements.

Response to Comment 16556-32

CDFA disagrees that it cannot accurately detect or rate pests, or develop and implement appropriate and achievable pest management objectives. For a discussion of the robust science-based process associated with these various factors, please refer to Response to Comments 16556-18 and 12076-3.

Response to Comment 16556-33

In 2010, the adequacy of the LBAM PEIR was upheld in court and remains in effect today. For more information on the LBAM PEIR, see explanation of litigation in PEIR Volume 1, Section 4.2.6.

Additionally, the commenters' statements regarding future aerial spraying are factually inaccurate. Should CDFA determine that an aerial spray program needs to be added to the Proposed Program, and that program would not conform to one of the aerial spraying scenarios evaluated in the PEIR (such scenarios would be limited to activities to control GWSS and fruit flies in production agricultural and large commercial nursery settings, and were determined to not pose risks to human health), additional tiered CEQA evaluation would be required. Such evaluations would include the related public notification and review process, and the public would have the ability to legally challenge the final document/determination.

Response to Comment 16556-34

The comment refers to emergency actions that were undertaken against LBAM. This comment is irrelevant to the present PEIR, because emergency actions are not included in the Proposed Program.

In addition, in referencing the two lawsuits against the LBAM program in 2007 and 2008, the commenters assert that these two superior court rulings somehow preclude the CDFA from using the PEIR and the Proposed Program in the manner proposed. This is not a correct understanding of either of these rulings. Those decisions involved the question of whether the CDFA complied with CEQA in implementing the LBAM program on an emergency basis in the Monterey/Santa Cruz region. Those rulings were specific to the activities undertaken by CDFA at that time in that location, and do not preclude the CDFA's ability to rely on the programmatic and tiering provisions in CEQA crafted by the

Legislature and the Natural Resources Agency expressly for the type of comprehensive program analyzed here.

Response to Comment 16556-35

Eradication is not the sole goal of the Proposed Program. CDFA uses an IPM approach that will rely on other methods for pest management (e.g., suppression) when eradication is infeasible. For further discussion of eradication and the fact that it is indeed a feasible objective in many cases, please refer to Response to Comment 12076-3.

Response to Comment 16556-36

This comment is an editorial statement about a program that has its own PEIR. Please see the LBAM PEIR for information on trapping for LBAM. Please see PEIR Volume 1, Sections 3.1.2, *Physical Management Activities, Trapping*, and 3.3, *Chemical Management Activities*, for a full discussion of the Proposed Program's trapping program.

Response to Comment 16556-37

The comment is irrelevant to this PEIR, because it pertains to an emergency action on the part of CDFA. Emergency actions are not covered under the Proposed Program and PEIR. CDFA does not use untested pesticides, and untested pesticides are not a component of the Proposed Program.

Response to Comment 16556-38

Much of this comment pertains to emergency actions, which are not a component of the Proposed Program. However, it is important to note that the LBAM program has its own PEIR, which would the vehicle by which CEQA compliance would be provided for the types of pest management activities that the commenters discuss. Both the LBAM PEIR and this PEIR included detailed risk assessments that fully evaluated health risks. Both documents concluded that, when the activities are conducted in compliance with the methods evaluated, no undue risk to human health would result.

Response to Comment 16556-39

Unfortunately, invasive pests are predicted to continue to invade California, in multiple locations and times, and likely in increasing numbers and frequencies due to global climate change. CDFA will therefore need to continue to carry out its mandates from CFAC. CDFA does not expect that this will result in an exponential increase in its activities, or indefinite pest control programs. CDFA has an "exit strategy" for individual pest control programs—which is the successful attainment of the program's pest management objectives—and in cases when attainment of the objectives is determined to no longer be possible, CDFA reevaluates its approaches as described in Response to Comment 16556-18. As new approaches are developed that were not fully evaluated in this PEIR, tiered CEQA evaluation would be conducted, along with its associated public process.

Response to Comment 16556-40

The comment makes mention of the LBAM program, which was covered under a separate PEIR, and which in fact was determined through detailed analysis (including a risk assessment) to not have significant environmental and health impacts. The commenters also imply that the Proposed Program would result in significant impacts to humans and the environment that were not disclosed in the PEIR; please refer to the various impact analysis sections and master responses that describe the impact analysis process and conclusions. CDFA has not found, nor have the commenters provided, substantial evidence that the Proposed Program would have significant impacts that were not disclosed in the Draft PEIR. Finally, the commenters also express concern about public involvement in future CDFA actions under the Proposed Program; CDFA refers the commenters to Master Response 1, Scope of the Statewide Program.

Response to Comment 16556-41

The PEIR clearly describes the Proposed Program's future activities in great detail, based on the information available at this time, and consistent with an appropriate level of detail for a programmatic analysis. It also clearly outlines how future activities will be considered, and how tiered CEQA analysis will be conducted using the Tiering Strategy. Please see Master Response 1, Scope of the Statewide Program, for a discussion of this Tiering Strategy and the opportunities for public involvement.

Response to Comment 16556-42

Although generally unlikely and to be avoided when possible, under the Proposed Program, pesticides may need to be applied at or near existing or proposed school sites. If an infestation of a potentially economically damaging pest was detected on vegetation in a school playground, for example, and physical eradication methods or biological methods were determined to be infeasible or ineffective, then that infestation may be eradicated using chemical methods. As required under the California Education Code, if such a situation were to occur, only U.S. EPA-registered pesticide products would be used; school facilities would be notified in advance of the application; records of pesticide applications would be kept and made available to the public, and warning signs would be displayed at pesticide application areas. CDFA also would attempt to conduct the activity when children are not present and with adequate reentry time before they return. None of the pesticide products proposed to be used under the Proposed Program meet the criteria specified in Section 17610, and therefore they are permitted for use at school sites. Existing laws and regulations would apply to the handling of any pesticides on school property, to provide safe handling and reporting of use. CDFA will work with schools to ensure that pesticide applications occur at a time when children are least likely to present.

Response to Comment 16556-43

The potential impact on physiologically sensitive populations was investigated in the HHRA prepared for this PEIR (Appendix B). The HHRA investigated the potential acute, sub-acute, and chronic exposure of several populations to application of the specific pesticides and related products listed in PEIR Volume 1, Chapter 3, *Proposed Program Activities*. Using widely accepted methodologies and conservative assumptions, the HHRA evaluated the

amount of exposure that could occur from application of a specific pesticide to remove a particular pest according to label requirements. CDFA has adopted MPs for application rates, and proper use of recommended personal protective equipment.

The HHRA's initial results indicated that in certain limited instances, some populations may have exposure above the level of concern when only product label application methods are implemented. This typically was for acute exposure of the mixer/loader/applicator and the post-application worker (PAW). The HHRA then evaluated alternative reduced exposure scenarios that included restrictions on the extent of an application area, application equipment type, and/or frequency of application. Under these alternative scenarios, no health impacts above the level of concern were identified for any of the specific populations investigated. The various scenarios evaluated in the HHRA that show risk below the level of concern would need to be implemented to prevent health risks from becoming significant. Because these scenarios may not be widely known to pesticide applicators and PAWs, the PEIR found that the possibility exists that pesticide applications could be conducted in ways that would result in risk exceeding the level of concern. Therefore, CDFA has developed Mitigation Measures HAZ-CHEM-1a, HAZ-CHEM-1b, and HAZ-CHEM-3, under which CDFA would be responsible for proper education and training, and require that only the allowable pesticide application scenarios be used, so that the impact would be reduced to less than significant.

Response to Comment 16556-44

CDFA disagrees with the commenters' assertion that the Draft PEIR's description of the environmental baseline of the Proposed Program is too "vague." CEQA Guidelines Section 15151 provides that the sufficiency of an EIR is assessed in light of what is reasonably feasible, and Section 15152 further allows that the level of detail in a first-tier EIR (such as this PEIR) need not be greater than that of the program being analyzed. Here, because the program activities contemplated under the Proposed Program potentially apply across nearly the entire state, more detailed information of the type requested by the commenters is not required or feasible. Notably, the commenters complain earlier in the letter that the PEIR is too long, citing the virtually obsolete provision of CEQA encouraging agencies not to prepare EIRs in excess of 150 pages; yet here they contradict themselves and complain that the document is not detailed enough. The level of detail in the environmental baseline used for analysis in the PEIR is appropriate to the scope and level of detail of the Proposed Program being analyzed. See below for a further discussion of water resources.

Response to Comment 16556-45

CDFA will consider relevant site-specific information when evaluating individual Proposed Program activities, and will conduct additional environmental analysis as necessary in accordance with CEQA. Please see PEIR Volume 1, Section 1.5.1, *Type of EIR,* which discusses this in detail.

Response to Comment 16556-46

With respect to general concerns expressed regarding the Proposed Program's baseline, please see Response to Comment 16556-44 above. Regarding noise baseline conditions,

establishing such baselines throughout the state is infeasible, nor was such information needed to meaningfully analyze the impact and reach a conclusion. See PEIR Volume 1, Section 6.6, *Noise*, and Appendix N, *Noise Technical Report*, for a detailed discussion of the methodology and conclusions used to evaluate the Proposed Program's noise impacts, in which clear and reasonable daytime and nighttime noise standards were selected and compared against the modeled noise levels that could be generated by the equipment that would be used for the different types of activities that may be conducted under the Proposed Program.

Response to Comment 16556-47

The commenters are correct in noting that the PEIR does not disclose actual use of pesticides by CDFA or by growers complying with Statewide Program quarantines in current or prior years. Such information is unknown, because current reporting requirements do not require growers to disclose the reason for conducting a pesticide application (i.e., whether it was in response to a Statewide Program quarantine). However, in assessing cumulative impacts of the Proposed Program in concert with other past, present, and reasonably foreseeable projects/programs with similar impacts, the analysis of cumulative impacts in the PEIR did not require such information. Moreover, such information (if available) would not have changed the results of the analysis. For further discussion, see Response to Comment 16556-136.

With respect to characterizing the magnitude of Proposed Program activities, please see PEIR Volume 1, Section 3.5, which discusses in specific terms the level of activity that may be conducted under the Proposed Program.

Response to Comment 16556-48

Please refer to Master Response 9, Water Quality, section *Groundwater*, for a discussion of the information used in presenting the setting for groundwater in the state. The existing setting for groundwater was adequately described in the PEIR, to the level appropriate for a statewide programmatic EIR, and appropriately detailed to support the impact analysis. As described in the PEIR, Volume 1, Section 6.7, *Water Quality*, page 6.7-7, few samples of Proposed Program chemicals have been detected above risk-based screening thresholds; specifically, methyl bromide and common constituents of gasoline and diesel fuel. The Proposed Program's use of methyl bromide would be contained entirely within fumigation chambers or sea vans, with no mechanism by which the pesticide could reach groundwater. Chemicals related to gasoline and diesel fuel are found in less than 5 percent of any given pesticide formulation, and the monitoring data suggest that the contamination is related to leaking underground storage tanks, and not to the use of pesticides. For these reasons, the Proposed Program was determined to not have the potential to cause or contribute to exceedances of water quality standards in groundwater.

Response to Comment 16556-49

On PEIR Volume 1, Section 6.7, *Water Quality,* pages 6.7-1 through 6.7-4, brief summaries were made of each hydrological region, with many of these containing brief descriptions of groundwater in the hydrological region. Complete descriptions are available in DWR (2009). Because the Proposed Program activities would not involve the use of groundwater

or otherwise affect groundwater or aquifer conditions, the information requested by the commenters is irrelevant, and has not been included in the PEIR.

Response to Comment 16556-50

CDFA did not solely rely on the groundwater data collected by CDPR and California Department of Public Health. On PEIR Volume 1, Section 6.7, *Water Quality,* page 6.7-7, the PEIR provides a summary of several other groundwater monitoring datasets that were analyzed. CDPR and SWRCB maintain comprehensive databases of pesticides in surface and groundwater (CDPR, 2014a; SWRCB, 2014b; SWRCB, 2014c). These surface and groundwater databases draw data from a variety of sources, including public, federal, state, and local agencies, private industry, and environmental groups. Examples of these sources include: United States Geological Survey (USGS, 2011), SWRCB (SWRCB 2014c), California Department of Public Health (CDPH), and CDPR (CDPR, 2009a; CDPR, 2010b; CDPR, 2011b; CDPR, 2012a; CDPR, 2012b; CDPR, 2012d). These databases were queried for detections of Proposed Program pesticide ingredients over the past 5 years (2009-2014) in order to assess the potential for exposure to these ingredients via the ingestion of drinking water from both groundwater and surface water sources. Although the PEIR provides a thorough characterization of the groundwater monitoring data that were readily available, CDFA recognizes that there may be limitations in these groundwater monitoring data, in terms of their geographic scope, the pesticides monitored, etc. However, CDFA finds these datasets are comprehensive enough to serve as the basis for meaningful conclusions, because the monitoring datasets generally focus on those pesticides that are most likely to result in substantial water quality problems.

CDFA provided a thorough characterization of the groundwater monitoring data that were readily available. Although the commenters critique some of the data included in the PEIR, they have not provided any comprehensive new groundwater monitoring datasets not considered in the PEIR.

Response to Comment 16556-51

The detected concentrations of chemicals in the monitoring data are available for review in the Dashboard database by selecting Chemical, choosing an individual chemical, and selecting the button labeled "Detected Concentration in Surface Water and Ground Water." See Response to Comment 16556-48 for a discussion of how this information was used to reach conclusions.

Response to Comment 16556-52

The Draft PEIR cites Cal/EPA (2011) as support for determining whether constituents of gasoline and diesel fuel come from leaking underground storage tanks. Because these constituents are present in very small quantities—less than 5 percent—in the few pesticide products that contain them, it is highly unlikely that they could cause any significant concentrations in groundwater. Rather than being "speculation," as the commenters suggest, this is a "reasonable assumption predicated upon fact," and an "expert opinion supported by fact," compliant with the definition of substantial evidence contained in CEQA Sections 21080(e)(1) and 21082.2(c), and CEQA Guidelines Sections 15064(f)(5) and 15384(b).

Response to Comment 16556-53

See previous responses, which describe the information presented in the PEIR regarding groundwater and how it was sufficient to allow a meaningful analysis of the Proposed Program's potential impacts on groundwater quality and quantity—which were determined to be less than significant and no impact, respectively.

Response to Comment 16556-54

Please see Master Response 9, Water Quality, which describes in detail the baseline information on water quality provided in the PEIR, and the methodology that was used to conduct the impact analysis. The existing setting for surface water was adequately described in the PEIR to the level appropriate for a statewide programmatic EIR, and appropriately detailed to support the impact analysis. It would be difficult to provide the detailed information for the entire state that the commenters assert is needed; but more importantly, it is not relevant to the impact analysis, and would not have changed its conclusions.

Based on comments received, CDFA has updated PEIR Volume 1, Section 6.7, *Water Quality*, on pages 6.7-7 through 6.7-8 to further clarify surface water and groundwater monitoring data considered as follows.

> *Other Surface Water Monitoring*
>
> The California Department of Pesticide Regulation (CDPR) and State Water Resources Control Board (SWRCB) maintain comprehensive databases of pesticides in surface and groundwater (CDPR, 2014a; SWRCB, 2014b; SWRCB, 2014c). These surface and groundwater databases draw data from a variety of sources, including public, federal, state, and local agencies, private industry, and environmental groups. Examples of these sources include: U.S. Geological Survey (USGS 2011), State Water Resources Control Board (SWRCB 2014c), California Department of Public Health (CDPH) and CDPR (CDPR 2009a; CDPR 2010; CDPR 2011b; CDPR 2012a; CDPR 2012b; CDPR 2012c). These databases were queried for detections of Proposed Program pesticide ingredients over the past 5 years (2009-2014) in order to assess the potential for exposure to these ingredients via the ingestion of drinking water from both groundwater and surface water sources. Reported ingredient concentrations were compared to corresponding risk-based screening thresholds to evaluate the likelihood of exposure above a level of concern. When available, risk based screening thresholds were selected based on the most health protective Water Quality Goal available from the SWRCB Compilation of Water Quality Goals (SWRCB, 2014a) or derived using the methods described by USEPA (2011w). Detection and water quality data may be reviewed in the Dashboard Database.
>
> ~~Various databases were queried for information on baseline conditions related to drinking water quality from chemicals that may be used under the Proposed Program. Specifically, the California Environmental Data Exchange Network (CEDEN 2010), State Water Resources Control Board (SWRCB 2000), and CDPR (CDPR 2009a; CDPR 2009b; CDPR 2010b; CDPR 2011b; CDPR 2012a; CDPR 2012b; CDPR 2012d) databases were searched for detections of relevant chemicals in California~~

~~drinking water, to assess the potential for exposure to these ingredients through ingestion of drinking water from groundwater and surface water sources.~~

Among the chemicals that may be used under the Proposed Program, acephate, acetamiprid, bifenthrin, carbaryl, chlorpyrifos, cyfluthrin, DDVP, diazinon, fenpropathrin, tau-fluvalinate, glyphosate, imidacloprid, lambda-cyhalothrin, malathion, methamidophos, methyl bromide, methyl chloride, naled, naphthalene, permethrin, pyrethrins, thiamethoxam, and xylene surface water concentrations are monitored and reported in one or more databases. For the majority of the listed ingredients, surface water concentrations are below detection limits in California surface water. Of these chemicals, five were detected above their risk-based screening threshold.

The chemicals detected above their risk-based screening threshold were acephate, chlorpyrifos, DDVP (dichlorvos), diazinon, and methamidophos. Note that the use of DDVP within the Proposed Program is limited to trap and splat application methods to trees and telephone poles. These methods involve highly targeted applications to very small areas. Thus, it is not likely that the Proposed Program's use of DDVP will result in substantial, if any, transport to water. However, there exists the potential for the other four chemicals to reach surface waters. The maximum detected chemical concentrations exceeding the established risk-based screening thresholds in surface waters for both CDPR (2014c) and SWRCB (2014b) data sources are 13.5 ppb for acephate, 2.4 ppb for chlorpyrifos, 0.169 for DDVP, 61.9 ppb for diazinon, and 1.3 ppb for methamidophos. The risk based screening threshold for these chemicals is 2.8 ppb for acephate, 2 ppb for chlorpyrifos, 0.1 ppb for DDVP, 1 ppb for diazinon and 0.35 ppb for methamidophos.

~~Only acephate, chlorpyrifos, and diazinon exceeded their respective U.S. Environmental Protection Agency (EPA) acute or chronic Human Health Benchmark for Pesticides (HHBP) (EPA 2012a), Maximum Contaminant Level (MCL) (EPA 2009a)x), or the most stringent regulatory level available for California surface water. The highest detected concentration of acephate was found at 13.5 parts per billion (ppb). Chlorpyrifos was found at a high of 3.96 ppb, and diazinon was found at a high of 61.9 ppb.~~

Other Groundwater Monitoring

With respect to groundwater, the following chemicals that may be used under the Proposed Program were monitored in groundwater and reported in one or more databases ~~(USGS 2011, CEDEN 2010, SWRCB 2000, CDPR 2009a; CDPR 2009b; CDPR 2010b; CDPR 2011b; CDPR 2012a; CDPR 2012b; CDPR 2012d):~~listed above under "Other Surface Water Monitoring." Of the Proposed Program chemicals, acephate, carbaryl, chlorantraniliprole, chlorpyrifos, cyhalothrin, DDVP, diazinon, dinotefuran, ethylene, glycol, glyphosate, imidacloprid, lambda-cyhalothrin, malathion, methyl bromide, naled, naphthalene, permethrin, thiamethoxam, 1,2,4-trimethylbenzene, and xylene groundwater concentrations were monitored and reported in one or more databases. Only methyl bromide and the inert ingredients 1,2,4-trimethylbenzene, naphthalene, and xylenes were detected in groundwater above their respective risk-based screening threshold. The maximum detected chemical concentrations exceeding the established risk based screening thresholds

> in groundwater for both CDPR (2014a) and SWRCB (2014c) data sources are 30,000,000 ppb for 1,2,4-trimethylbenzene, 490 ppb for methyl bromide, 6,000,000 ppb for naphthalene, and 71,000,000 ppb for xylenes. The risk based screening threshold for these chemicals is 140 ppb for 1,2,4-trimethylbenzene, 9.8 ppb for methyl bromide, 0.29 ppb for naphthalene, and 1,400 ppb for xylene.
>
> Methyl bromide is a fumigant that may be used under the Proposed Program in aboveground fumigation chambers and sea vans. This activity is unlike soil fumigation practices that inject methyl bromide directly into the subsurface soil to control soil-borne pathogens. Soil injection, under certain site-specific circumstances, may result in transport of methyl bromide from soil to groundwater, but will not occur in fumigation chambers and sea vans. Thus, this soil to groundwater transport phenomenon would be absent under the Proposed Program.

The Surface Water Protection Program (SWPP) is described in Appendix O, *Regulatory Setting,* on page O-71 of the PEIR. The Proposed Program would fully comply with any applicable SWPP requirements. Further discussion of the SWPP's strengths and limitations are irrelevant to the impact analysis, because the Proposed Program does not rely on compliance with the SWPP as the basis for its impact conclusions.

Response to Comment 16556-55

Please see Master Response 9, Water Quality, which describes the quantitative and qualitative analysis tools that were used to evaluate potential surface water quality impacts. These include consideration of model limitations and the related qualitative assessment that was used to address these limitations. Because the locations of future pest infestations are unknown, specific site conditions are also unknown. Existing site conditions and adjacent water bodies cannot be evaluated, because project boundaries have not yet been defined. This does not mean that an evaluation of potential impacts is impossible absent such site-specific information. The PEIR used a methodology to reach conclusions that would be applicable to a range of settings. Further environmental review would be conducted for individual activities on a case-by-case basis, using the Tiering Strategy and processes outlined in the PEIR to determine whether there could be impacts not considered in the PEIR. This case-by-case assessment would consider soil types, infiltration rates, local hydrology, and pathways of contamination to the extent they are relevant.

Response to Comment 16556-56

CEQA case law has determined that the concept of "baseline" in CEQA is flexible, especially where conditions are expected to change quickly. Statewide Program activities are highly variable; they are dependent on where and when pests are identified, and responses are necessary. As discussed in PEIR Volume 1, Section 6.2, *Air Quality*, on page 6.2-16:

> Baseline conditions were calculated by averaging readily available information from the period 2008 through 2010. Multiple years were chosen because activities under the Statewide Program vary from year to year. Therefore, the average of these 3 years was considered to better represent a typical year under baseline conditions, as opposed to selecting one single year. It is possible that these particular years may have involved an unusually high or low amount of Statewide Program activities in a

particular air basin. However, the location and intensity of Statewide Program activities is inherently highly variable from year to year, based on the locations of pest infestations and quarantines. For this reason, earlier years were considered for use in the analysis, but they were determined not to provide more representative data.

Where information was not readily available for 2008 and 2009, data from 2010 was used. Where information was not available for a given year, the average value between years that had activity was used since it was not always known if lack of information meant no activity or unavailable information.

The years 2008 through 2010 were chosen because they were the most recent years prior to the publication of the NOP (which sets the timing for the baseline) for which data were available. There was no evidence to suggest that the use of earlier years or more years would provide more information, or change the impact analysis in any way. The assumption that the Proposed Program would have the same activity levels as the baseline was used, because no evidence exists to suggest that an alternative assumption would be more appropriate.

The commenters have provided no evidence whatsoever to suggest that the impact analysis is deficient in any way due to the manner in which baseline information was selected. The commenters are criticizing a well-reasoned approach without providing any alternative which, if used, would have resulted in different conclusions in the PEIR.

Response to Comment 16556-57

The commenters cite the CEQA statute, CEQA Guidelines, and case law regarding the analysis of significant effects on the environment, and generally assert that the Draft PEIR's analysis is inadequate. The cited laws and cases speak for themselves, and the commenters' more specific allegations regarding the adequacy of the impacts analysis are responded to below. The CDFA maintains, however, that the analysis presented in the Draft PEIR was prepared in accordance with the law.

Response to Comment 16556-58

The anticipated future acreage of quarantine provided in the PEIR was intended to provide a general sense of the extent of quarantines in the state. In actuality, the entire state is under quarantine due to various exterior quarantines for many target pests, which prohibit movement of infested materials outside of the state. The acreage cited in the PEIR therefore does not serve as the basis for the impact analysis or its conclusions, nor do the commenters provide any examples where using an alternative acreage would have changed the PEIR's conclusions.

Response to Comment 16556-59

The PEIR's analysis is based on a detailed ERA, which selected surrogate species that appropriately represent all special-status species in the state. This information was used to make significance determinations and identify mitigation measures to avoid and minimize potential impacts, consistent with a programmatic approach. Because individual activities

are being considered for implementation, CDFA will carry out project-specific evaluations and develop specific measures to avoid impacts to special-status species. The mitigation measure involving technical consultation with the wildlife agencies is a required mitigation measure for project-level impacts to special-status species, and contains a clear performance standard that no more than a discountable level of "take" would be authorized. CDFA will be required to implement project-specific measures to reduce potential impacts to the level consistent with the significance determinations in the PEIR, and this performance standard. Specific measures may include modifying the application area, methods, and timing; all of which are feasible measures to achieve the performance standard. The PEIR appropriately notes that the specific measures would be identified in the future, based on site-specific conditions, because these site-specific conditions cannot be known at this time. These site-specific measures will provide further details to support the impact conclusions. Therefore, CDFA has not improperly deferred its impact analysis or mitigation measure development. In addition, should the project-specific evaluation conclude that there could be significant impacts not considered in the PEIR, CDFA would prepare tiered CEQA documentation, which would be subject to CEQA's public review process.

Response to Comment 16556-60

CDFA's Proposed Program, and the specific activities that would be implemented under that Program, are anticipated to comply with applicable conservation plans described in PEIR Volume 1, on page 6.3-7. This conclusion would be confirmed on a project-by-project basis once specific activities are defined, allowing comparison against applicable plans. Should it be determined that compliance would not be possible, tiered CEQA evaluation would be conducted so that CDFA can make that finding.

Response to Comment 16556-61

The PEIR's conclusions are valid in that they are based on substantial evidence; in other words, they represent reasonable assumptions and expert opinion based on facts—the facts being (1) traps are designed to avoid capturing non-target species; (2) trapping and sweep net surveys are not typically conducted in locations where special-status invertebrates are present; and (3) CDFA has not found, nor been provided with evidence to indicate, that their traps or sweep nets have captured special-status invertebrates in the past. The reasonable assumptions and expert opinion based on these facts are that (A) the likelihood of traps and sweep nets capturing special-status invertebrates is relatively small; and (B) even if it were to occur, this mortality of individuals cannot be meaningfully measured, detected, or evaluated; nor (C) would it be anticipated to occur with a frequency and magnitude sufficient to result in a population-level effect that would be considered substantial. The commenters have provided no substantial evidence to contradict these conclusions.

Response to Comment 16556-62

Under the Proposed Program, host removal could occur in residential settings as part of an eradication project, or in nursery or agricultural settings in response to a quarantine. None of these settings typically contain sensitive natural communities, and CDFA's technical assistance process with the wildlife agencies includes provisions that sensitive natural communities be avoided. In addition, residential, nursery, and farm settings do not typically

serve as habitat for special-status species. Moreover, the hosts that would be removed (ornamental or food crops) do not represent significant habitat components or food sources for special-status species, because these environments are routinely disturbed, and the hosts removed for processing and sale. CDFA disagrees that host removal is substantially different in nature, timing, and intensity from harvest activities, particularly in a manner that could lead to a conclusion that host removal would result in a significant impact. Although CDFA and growers are concerned with the potential for host removal to affect beneficial native insects, it does not automatically follow that there would be significant impacts on special-status invertebrates. Once again, CDFA's evaluation is based on substantial evidence, and the commenters have provided no evidence to suggest that the PEIR's conclusions are wrong.

Response to Comment 16556-63

Mitigation Measure BIO-CHEM-2 does not impermissibly defer disclosure and evaluation of impacts to be mitigated. It includes clear performance standards to ensure that impacts will be mitigated to less-than-significant levels; is binding upon CDFA; would be required of regulated entities (e.g., growers) through compliance agreements; and is developed at an appropriate level, considering the programmatic nature of the analysis. Under this mitigation measure, CDFA would conduct site-specific evaluation of its activities to determine whether special-status species or sensitive natural communities may be located in proximity to a given activity and potentially affected. CDFA would then develop site-specific measures to avoid such impacts. Implementation of the site-specific measures would be confirmed through the final sign-off on the Tiering Strategy Checklist. This mitigation has a clear performance standard—avoidance of take—and there can be little question that feasible measures exist (such as buffers to prevent exposure). Indeed, this mitigation is the approach that CDFA has long used in coordination with USFWS, CDFW, and NMFS, who concur that CDFA's activities are conducted in such a manner that take is avoided. In fact, when this mitigation was examined as part of the legal challenge to the PDCP EIR, the court stated (PEIR Appendix G, pages G-20 and G-21):

> Concerning the fate of fish and wildlife under the PDCP, appellants also criticize the built-in mitigation effort inherent in the consultation and communication protocols that have been set in place with other agencies, notably [C]DFG, USFWS and NMFS. The gist of appellants' complaint is that they do not trust that the interagency environmental coordination and consultation processes will lead to any appropriate or enforceable mitigation measures to protect fish and wildlife. [C]DFA has developed these protocols with the agencies directly responsible for protecting key aspects of our environment, to be triggered should conditions arise requiring mitigation efforts. We see no reason to question the good faith of [C}DFA's interagency commitments.

Response to Comment 16556-64

PEIR Volume 1, Section 6.3, *Biological Resources,* Tables 6.3-2, 6.3-3, and 6.3-4 present the only scenarios from the Proposed Program that were found to have elevated risk in the ERA (Appendix A of the Final PEIR); therefore, all other scenarios could be dismissed from potential for significant impacts. Project-level activities will be evaluated using the guidelines described in Appendix C, *CEQA Tiering Strategy*. Should high-quality habitat for

special-status insectivores be present and impacts potentially significant, even after implementation of the PEIR's MPs and mitigation measures, tiered CEQA analysis would be conducted to identify additional mitigation measures or find that the impact cannot be mitigated. In this manner, the Tiering Strategy and related project-level CEQA analysis will address the biological resources that could be affected—in this case, special-status insectivores—and implement appropriate measures to avoid or minimize potential impacts, consistent with the PEIR.

Response to Comment 16556-65

The evaluation of the Proposed Program's environmental setting and potential impacts is consistent with the avoidance and minimization measures included in the Proposed Program and the CEQA Tiering Strategy presented in Appendix C, *CEQA Tiering Strategy*. As described in Appendix C, *CEQA Tiering Strategy*, CDFA will implement additional CEQA analysis as necessary before initiating project-level activities, including an identification of habitat for special-status species. During this process, the CDFA will evaluate the potential impacts of the activity, and implement mitigation measures consistent with the PEIR if the activity would result in a potentially significant impact to biological resources.

Response to Comment 16556-66

Please refer to PEIR Volume 1, Section 2.11, *Program Management Practices,* for a description of MPs required for chemical spray activities, specifically those related to spray applications (MP-SPRAY-1 through MP-SPRAY-7 and MP-AERIAL-1) and designed to minimize drift. In areas where the ERA identified the potential for a specific activity to result in potentially significant impacts, such as impacts related to drift, Mitigation Measure BIO-CHEM-2 requires CDFA to prepare treatment plans that will avoid or minimize substantial adverse effects on special-status species and submit them to the USFWS, CDFW, and NMFS for review. This mitigation measure would be implemented for each activity, to ensure that the site assessment, treatment plan, and mitigation activities are appropriate for the proposed action.

Response to Comment 16556-67

The Draft PEIR includes MPs and mitigation measures that will reduce exposure of mountain yellow-legged frog (*Rana muscosa*) to Proposed Program activities. The mountain yellow legged frog is listed as endangered under the federal Endangered Species Act (ESA), and threatened under the California Endangered Species Act (CESA). Therefore, CDFA is required to consult with the USFWS and CDFW when project-level activities would potentially result in take of mountain yellow legged frog, or habitats used by the species. Impacts to this species will be avoided or minimized consistent with the measures proposed in the PEIR. The ERA includes analysis of impacts to amphibians through the use of surrogate species. Information on surrogate amphibians can be found in Section 2.6.1, page 80, of the ERA (Appendix A of the PEIR).

Response to Comment 16556-68

The ERA's conclusions did not take into account the implementation of applicable MPs and mitigation measures. These MPs and mitigation measures will ensure that the impacts

identified in the ERA would ultimately be less than significant. Please refer to the assessment of each potential impact listed in PEIR Volume 1, Section 6.3, *Biological Resources*; if the ERA predicted that a species has elevated risk, then this is represented in Tables 6.3-2, 6.3-3, and 6.3-4.

Response to Comment 16556-69

Under the Proposed Program, CDFA would always comply with applicable laws, including the state and federal ESA, and obtain take authorization when necessary. Mitigation Measure BIO-CHEM-2 has included a performance standard of no more than a discountable level of take, so that take authorization will generally not be needed. If take were to be anticipated, CDFA would need to evaluate the take to determine whether it would be significant under CEQA, and prepare tiered CEQA documentation as necessary.

Response to Comment 16556-70

See Response to Comments 16556-63 and 16556-69.

Response to Comment 16556-71

Thank you for your comments and suggestions. PEIR Appendix O, *Regulatory Setting,* describes the requirements for project-level Section 7 compliance.

Response to Comment 16556-72

Please refer to Master Response 8, Pollinators. Several important items are worth noting.

First, although Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources,* describes impacts on pollinators, it does not reach conclusions regarding the significance of impacts. These conclusions are made in the PEIR, Volume 1, in Section 6.3, *Biological Resources*. Taken together, the analysis in Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources,* and Section 6.3, *Biological Resources,* constitute substantial evidence that the Proposed Program would *not* have significant impacts on special-status pollinators with implementation of the identified mitigation measures, in contrast with the commenters' assertion to the contrary. The commenters do not provide a clear rationale for why they have reached their conclusion. It appears that the commenters are incorrectly interpreting the CEQA Appendix G thresholds as applying to any species, regardless of whether they are considered special-status; in contrast, the PEIR appropriately focuses its analysis on special-status species. Please refer to PEIR Volume 1, Section 6.3, *Biological Resources*, which makes significance determinations regarding the Proposed Program's potential impacts on special-status pollinators and pollinator-dependent special-status species. That impact analysis considered a variety of information sources, including the ERA and the aforementioned appendix.

Second, the measures listed in Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*, Attachment 1, are intended to address pollinators in general, and did not serve as the basis for the PEIR's conclusions related to special-status pollinators. Because impacts on non-special-status pollinators were

not found to be significant in the PEIR, and there is no significant impact to mitigate, these measures are not intended as CEQA mitigation measures. Rather, they are voluntary measures that CDFA will engage in out of the agency's commitment to the state's agricultural and natural resources, including supporting healthy populations of honeybee and other pollinators. To avoid confusion, they were not included in the main body of the PEIR. They are also not subject to the various requirements that normally apply to CEQA mitigation measures. Rather, Mitigation Measure BIO-CHEM-2 is the mitigation measure that addresses special-status pollinator and pollinator-dependent species; this mitigation measure fully meets CEQA's requirements for mitigation, and would ensure that impacts on special-status species are less than significant. Master Response 8, Pollinators, further discusses how the PEIR's MPs and mitigation measures will effectively ensure that impacts would be less than significant.

Regarding other questions related to the measures described in Attachment 1 of Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*, because these measures do not form the basis for the PEIR's conclusions, the requested details would not affect the PEIR analysis. Therefore, no further response is warranted.

Response to Comment 16556-73

The comments in the letter from James L. Frazier have been addressed in the response to that letter.

Response to Comment 16556-74

Because the settings in which Proposed Program activities would occur are generally disturbed, the potential for wetlands and other sensitive natural communities to be present is low. In addition, the Proposed Program does not involve ground disturbance that could affect these communities, and MPs to avoid issues such as pesticide drift or runoff. In addition, the PEIR includes provisions for site-specific evaluation, as described in Mitigation Measure BIO-CHEM-2 and PEIR Volume 1, Section 2.10.2, *Technical Assistance from the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife*, to identify any such resources on a project-specific basis and develop avoidance measures. Should impacts be unavoidable or mitigation measures other than those in the PEIR be necessary, CDFA would address this circumstance through a tiered CEQA evaluation. That said, CDFA disagrees that avoiding discharges to wetlands is impossible, because it is already routinely doing this as it implements the Statewide Program.

Response to Comment 16556-75

The PEIR includes MPs and mitigation measures that will reduce exposure of sensitive biological resources, including salmonids, to less-than-significant-levels. Actions covered by the PEIR would be required to comply with existing permits, including the NPDES, as well as the MPs listed in PEIR Volume 1, Chapter 2, Section 2.11, *Program Management Practices*. Effective August 15 2014, the U.S. EPA has reinstated no-spray buffer zones to prevent impacts to endangered or threatened Pacific salmon and steelhead in California, Oregon, and Washington State. These no-spray buffers affect applications of carbaryl, chlorpyrifos,

diazinon, malathion, and methomyl at distances of 20 yards for ground pesticide applications, and 100 yards for aerial pesticide applications. The commenters have provided no evidence to support their assertion that mitigation is infeasible.

Response to Comment 16556-76

The ERA focused on use of U.S. EPA-approved models as the basis for its analysis, and selection of models was developed in coordination with CDPR and OEHHA. The models used to estimate environmental concentrations were the same models U.S. EPA uses in their evaluations of pesticide fate and transport, and as such represent the "state of the science" in risk assessment. Note that no model can completely represent complex real-world conditions. As stated on page 59 of the ERA subsequent to the extracted quote ("in many cases are not capable of modeling all of the complex fate and transport processes that can occur once the chemicals are released into the environment"), the EECs derived from the U.S. EPA-approved models provide upper-bound estimates of likely environmental concentrations. As such, these models are considered conservative.

Response to Comment 16556-77

As stated on page 32 of the ERA, the method of using bird or fish toxicity data for reptiles and amphibians follows the U.S. EPA methods stated in U.S. EPA (2004j), as cited in the ERA. Regardless, the absence of such data does not result in the potential for significant impacts on species of concern under CEQA; under Mitigation Measure BIO-CHEM-1, CDFA will develop measures on a project-specific basis for these species, considering information from the ERA and other data sources, and in coordination with USFWS, CDFW, and NMFS as appropriate.

Response to Comment 16556-78

See the responses provided to the more detailed comments provided on these topics below.

Response to Comment 16556-79

Three categories of Statewide Program activities could not have risk quantified in the ERA. The first two are addressed in this response; the third is addressed in Response to Comment 16556-80.

The first category was activities that did not involve the use of chemicals, such as biological control methods. Such methods were addressed in the Biological Resources section of the PEIR.

The second category was trapping methods. Unlike foliar or soil treatments, where large areas can be uniformly treated or food items that could be consumed by wildlife could contain pesticide residues, the distribution of traps and lures is dispersed across a landscape, and the lures or trapping agents would not occur in food items. Traps and lures would present little, if any, attraction for wildlife as food resources, and would be placed out of reach of most wildlife except birds (who would not be attracted to the traps) and insects. Although inadvertent ingestion cannot be completely ruled out, the placement of the traps and lures (i.e., out of reach for most species) and the limited availability across the

landscape would render the potential for exposure extremely small. With respect to insects, manufacturers of traps and lures perform considerable research to lower the potential for trapping of non-target species, and traps usually have special designs and colors to focus on the target species. In addition, the majority of trapping activities would take place in urban and residential areas where special-status insects are not expected to occur. To date, CDFA has not been made aware of any special-status invertebrates caught in its traps. In locations where mortality of special-status insect species could occur, the potential for a substantial effect on the species population would be very low. See Response to Comment 16556-61 which describes the manner in which the conclusions regarding trapping were based on substantial evidence.

Response to Comment 16556-80

The third category of Statewide Program activities that could not have risk quantified in the ERA was treatments made in fumigation chambers. As an initial matter, the scientific literature indicates that methyl bromide will volatilize from soil and water, not concentrate in soil or water. The quote taken from the meeting notes was followed by concurrence from CDPR and OEHHA. Fumigation chambers are closed, with no potential for exposure to wildlife in the chamber, resulting in an incomplete exposure pathway; the only possible exposure pathway would be inhalation when the chamber is venting. Once the chamber is vented, the methyl bromide will dissipate into the atmosphere, limiting the exposure to wildlife. No empirical measurements or modeled estimates of concentrations of methyl bromide in air following venting of fumigation chambers were available in the literature. Furthermore, no inhalation toxicity data are available for wildlife species for methyl bromide, and no models exist to estimate exposure of wildlife to methyl bromide following its release via venting a fumigation chamber. However, it is considered exceptionally unlikely that sensitive species would be in close enough proximity to a fumigation chamber vent to be adversely affected, and CDFA considers it speculative to conclude that such a circumstance could occur with sufficient frequency that a substantial adverse impact on the species would result.

Response to Comment 16556-81

As discussed on page 37 of the ERA, and citing Suter (2007), inhalation and dermal toxicity values for wildlife are generally lacking, and inhalation and dermal exposures are generally assumed to be negligible in wildlife. The author of the cited reference is a well-renowned ecological risk assessor for the U.S. EPA.

Response to Comment 16556-82

Suter (2007, p. 325) states that "Dietary exposure may be important contributors to toxicity for bioaccumulative organic chemicals and metals, but are seldom tested. This is in part because of the difficulty of culturing or collecting contaminated food organisms or of realistically contaminating artificial diets. It also reflects a lack of general acceptance of the importance of aquatic dietary exposures." Due to the lack of toxicity data and the fact that dietary exposure in aquatic organisms is not generally accepted as important, dietary exposure was not included in the risk assessment for aquatic species.

Response to Comment 16556-83

The pesticide tablets are inserted below the soil surface. According to the label of CoreTect Tree and Shrub Tablets—the only tablets that may be used in the Proposed Program—the tablets are to be placed 2 to 5 inches below the soil surface, so the pesticide can be taken up by plant roots. Because the tablets are placed below the soil surface, the exposure pathway for dermal contact by terrestrial insects was considered incomplete.

Response to Comment 16556-84

See Response to Comment 16556-80.

Response to Comment 16556-85

Exposure concentrations were calculated to provide worst-case scenarios. As discussed on page 59 of the ERA, acute exposures were based on peak concentrations following applications. If multiple applications could occur, the peak concentration was based on a later application in the sequence, when residues from prior applications could still be present. As discussed on pages 60 and 61 of the ERA, chronic exposures for terrestrial vertebrates were based on breeding periods for birds. The exposure period was assumed to be at the shorter end of the potential spectrum to provide higher EECs. Over time, concentrations in the environment will diminish, and in some cases approach or reach zero. Chronic exposure concentrations were calculated using a time-weighted average. The longer the assumed exposure period, the greater the contribution of the low or near-zero values to the time-weighted average. Although it might appear counterintuitive, assuming a shorter exposure period when estimating the environmental concentrations will result in higher exposure estimates, because only the higher concentrations that occur before substantial degradation are included in the time-weighted average. Pesticide degradation rates were all based on published values and documented in the Dashboard database.

In other words, the manner by which the environmental concentrations were estimated produces higher rather than lower exposure estimates. The toxicity values used in the chronic assessment are all based on standard duration laboratory toxicity tests (e.g. 6 months for birds and 1 or 2 years for mammals). Risk is based on comparing the toxicity estimates (TRVs) to the exposure estimates (e.g., dietary exposure). The manner by which the environmental concentrations were estimated will not alter the literature toxicity values used to develop the TRVs based on standard laboratory test durations. By using environmental concentrations based on a shorter period, providing less time for a pesticide's environmental concentration to diminish will in fact overstate the chronic risk, not understate the potential for chronic effects.

For aquatic species, the chronic exposure periods were based on the period of chronic toxicity tests and the values available in the U.S. EPA's PE5 model. For aquatic invertebrates, the chronic exposure period was assumed to be 21 days, and the chronic exposure period for fish was assumed to be 60 days.

Response to Comment 16556-86

The point of the statements to which the commenters are referring is that a number of pesticide products are available for a given pest, and each product could potentially be used in a number of ways. It was not considered feasible to evaluate all possible products or scenarios in the PEIR. Instead, a specific set of products and related use scenarios were developed and analyzed in the PEIR. Other pesticides, and their inert ingredients, which were *not* evaluated in the PEIR would *not* be authorized for use under the Proposed Program—they are not part of the Proposed Program. Such chemicals could be considered for use in the future, and would be subject to tiered CEQA evaluation prior to being authorized for use.

Response to Comment 16556-87

As discussed on pages 23 and 24 of the ERA, all pesticide active ingredients that may be applied as foliar or soil treatments in the Proposed Program were analyzed in the ERA. Only those pesticides used in trapping programs or in fumigation chambers were not analyzed, for the reasons described in Response to Comments 16556-79 and 16556-80; however, these were evaluated in the HHRA. All inert ingredients that could be identified as part of the formulation of any pesticide were analyzed. The Occupational Safety and Health Administration requires all ingredients that are classified as health hazards to be listed on Safety Data Sheets (formerly known as Material Safety Data Sheets). See USDA (2012) for details. All ingredients found on Safety Data Sheets were analyzed, provided that appropriate toxicity data were present for use in the HHRA and ERA. All results for EECs and TRVs, and the risk quotients for each active or inert ingredient can be found in the Dashboard database.

Response to Comment 16556-88

Glyphosate applications are limited to spot treatment of stumps of citrus trees removed after infection with citrus greening disease (HLB). This use of glyphosate was fully evaluated for impacts in the HHRA and ERA. The ERA did not address impacts on plants, because this limited spot treatment would not lead to exposure to other nontarget plants, and there would therefore be no potential for significant impacts on special-status plants from the use of glyphosate.

Response to Comment 16556-89

The commenters' assertion that the EIR failed to conduct a good faith effort analysis and disclosure is unsupported. The Draft PEIR properly discloses and analyzes the full range of impacts; and properly describes the scope of the Proposed Program and when, where, how, and what pesticide applications would be sprayed. The responses provided elsewhere in response to this comment letter discuss these issues in detail.

Response to Comment 16556-90

For the ERA, the term "substantially similar" is used in reference to pesticide products. It is not uncommon for pesticide products to be given different registered trade names, while containing the same concentration of active ingredient and named inert ingredients. In

cases when different pesticide products, deemed substantially similar according to the above definition, were applied in the same manner at the same application rate, only a single analysis was presented. This was done to avoid duplication and unnecessarily adding to an already large document.

In the ERA, toxicity or environmental fate data from one active ingredient were never used for a different active ingredient. The only instances where toxicity or environmental fate data were used in place of those data of another chemical were cases where no data were available for a particular inert ingredient. The alternative to this approach would have been to not include the chemical in the analysis at all. Substitution was done only rarely, and the instances when it was done are documented in the Dashboard database.

Response to Comment 16556-91

Please see Master Response 9, Water Quality, which describes the quantitative and qualitative analysis tools that were used to evaluate potential surface water quality impacts. Because the locations of future pest infestations are unknown, specific site conditions are also unknown. Existing site conditions and adjacent water bodies cannot be evaluated, because project boundaries have not yet been defined. This does not mean that an evaluation of potential impacts is impossible absent such site-specific information. The PEIR used a methodology to reach conclusions that would be applicable in a range of settings. Further environmental review would be conducted for individual activities on a case-by-case basis, using the Tiering Strategy and processes outlined in the PEIR, to determine whether there could be impacts not considered in the PEIR.

Response to Comment 16556-92

The Program does not "rely" on CDFA's NPDES permit for its significance conclusions, but the permit is considered throughout the PEIR. The NPDES permit is limited in the scope of projects to which it applies; the NPDES permit covers CDFA activities and not other regulated entities (e.g., individual growers). The MPs described in PEIR Volume 1, Section 2.11, *Program Management Practices,* are more thorough and encompass all PEIR activities. In cases where NPDES applies, either the NPDES or PEIR MP requirements would be followed, whichever is more stringent.

Note that the commenters' reference to a ¼-mile buffer from the Salinas River was applicable to the Beet Curly Top Program described in CDFA's Draft PAP, which is an attachment to CDFA's NPDES Permit. The buffer was designed to protect critical habitat designated in the Salinas River for South-Central California Coastal Steelhead. However, as indicated in Table 5-15, the CDFA BCTV Eradication and Containment Program is not part of the Proposed Program, and this PAP BMP would not be applicable. Regardless, as described above, CDFA would implement the most stringent of the NPDES permit or PEIR MP requirements.

Endangered species training is addressed through Mitigation Measure BIO-CHEM-2, which would involve the identification of site-specific measures to avoid impacts.

In summary, the Proposed Program is not in conflict with CDFA's NPDES permit, nor does it rely upon it for its impact conclusions, and no revision to the PEIR is necessary in this regard.

Response to Comment 16556-93

CDFA is fully in compliance with its NPDES permit issued by the SWRCB; the basis upon which the commenters are asserting otherwise is unclear, considering that the SWRCB has never found CDFA to be out of compliance. The assertion that CDFA has failed to conduct required monitoring is also incorrect; CDFA conducts all required monitoring under its NPDES permit. The permit provides that if activities are conducted in a manner that prevents pesticides from reaching water bodies (following the guidance provided in the permit), then monitoring is not required. CDFA's standard practice is to avoid discharges to water bodies whenever possible.

It is also unclear how these erroneous allegations relate to the PEIR's impact analysis. The water quality impact analysis in the PEIR does not rely upon compliance with the NPDES permit as the basis for its significance conclusions, despite the commenters' suggestion to the contrary. The Proposed Program instead contains its own set of MPs that would be implemented. The commenters have provided no evidence to suggest that these MPs would not be effective.

Response to Comment 16556-94

CDFA does not have the authority to ensure that growers comply with the Clean Water Act, nor does CDFA need to assume for the purposes of its PEIR analysis that growers are not complying with the Clean Water Act. Regardless, CDFA would require that growers implement relevant MPs to ensure that water quality impacts would not be significant; and in cases where a grower does have an NPDES permit or is part of an Ag Waivers program, CDFA would require that they implement the more stringent requirement. Such provisions would be stipulated in compliance agreements with regulated entities (e.g. growers), which would enumerate relevant MPs.

Response to Comment 16556-95

The commenters are incorrect in their understanding of how CDFA considered dilution in its assessment of water quality impacts. CDFA did not ignore requirements of the Clean Water Act regarding point source pollution dischargers and dilution credits. Pesticides that could potentially reach water bodies as a result of the Proposed Program are primarily not from point sources, but are a result of area sources attributed to irrigated lands and runoff. There may be point sources associated with nurseries where the nursery has a drainage or collection system, but in these instances the individual nursery is required to obtain any necessary permits and comply with all applicable regulations related to its discharges to water bodies.

In any case, CDFA discusses dilution in the context of the limitations of the PE5 analysis. Specifically it is noted that PE5 is a steady-state model, which means the water bodies are modeled as having constant volume and no flow-through. This is a conservative assumption, because there are likely volume changes that occur from the water from irrigation and/or

precipitation events. In addition, many surface water bodies have both natural inlets and outlets that will change the concentrations of a chemical found in a given water body, depending on the amount and concentrations of these chemicals in the inflow and outflow. Dilution was just one of several model limitations that were analyzed in a qualitative manner to put the conservative quantitative concentrations into a more realistic context. This includes several of the MPs and mitigation measures that could not be properly considered in the analysis.

Response to Comment 16556-96

The ERA models used to estimate pesticide concentration in water are described in detail in PEIR Volume 1, Section 6.7, *Water Quality*; Section 3 of the ERA; and the Dashboard. Modeling was done with U.S. EPA and CDPR models and/or methodology. The models took into account all relevant fate and transport properties of the chemicals being considered, and assumed that pesticide applications were made according to the pesticide label, in accordance with applicable laws and regulations.

The farm pond was a component of the U.S. EPA PE5 model that was used for all scenarios considered. Model parameters selected were highly conservative, and likely resulted in an overestimate of pesticide concentrations in the farm pond. For example, the farm pond was immediately downstream of and adjacent to a sloped treated area, and resulting pesticide concentrations were not diluted by water flowing into or out of the pond. Additional details on the conservative nature of model inputs are presented in Section 3.3.1 of the ERA. Based on discussions with CDPR and U.S. EPA staff responsible for model development, maintenance, and use, appropriate PE5 model inputs were selected and used.

Applications made under the Proposed Program in residential, nursery, and production agriculture settings are made to foliage, vegetation, or soil, not to impervious surfaces such as concrete and asphalt. Applications to impervious surfaces under the Proposed Program would not be authorized. Because an impervious surface pathway does not exist for the transport of pesticides to surface water, it was not considered.

Please see the responses to Comment Letter 14808 for a more detailed discussion of these issues.

Response to Comment 16556-97

See Master Response 9, Water Quality, which describes in detail the evaluation of potential impacts to drinking water.

Response to Comment 16556-98

Please see Response to Comment 14808-24 regarding the effectiveness of the Proposed Program's MPs. Proposed Program activities do not include any substantial ground disturbances that would cause erosion. Therefore, MPs aimed at erosion reduction are not necessary. CDFA does not typically spray in locations susceptible to sedimentation. In addition, based on existing regulations and label requirements, the potential for Proposed Program activities to cause a substantial contribution to sedimentation is not significant.

Response to Comment 16556-99

This discussion of the NPDES permit is not relevant to the impact analysis. Please refer to the responses provided elsewhere, which describe how impacts to water quality have been evaluated in the PEIR.

Response to Comment 16556-100

The NPDES permit is only applicable to a subset of pesticides that may be used under the Proposed Program, and does not apply to activities conducted by growers. Several chemicals are not covered under CDFA's NPDES permit, and do not need measures as stringent as those chemicals that are listed in the NPDES permit. The MPs are used for all situations unless a more stringent measure is required by regulation or permit conditions. The document is not contradictory given that where required by permit or regulation, more stringent measures are followed, and all other situations are adequately addressed by the MPs. The end result is that with implementation of MPs, along with compliance with permits and regulations, it is unlikely that any substantial discharges to water bodies would occur.

Response to Comment 16556-101

Chemicals identified as above numerical threshold based on the results of the ERA were discussed in Impact WQ-CHEM-5. The analysis first took the modeled results, and then considered qualitative factors, given the model limitations—which likely overstated real-world surface water concentrations. Please see Master Response 9, Water Quality, which discusses the approach to the analysis in detail, and describes the basis for concluding that impacts would be less than significant, considering the model results and a variety of other factors. This analysis is based on substantial evidence, and the commenters have provided no evidence whatsoever to the contrary.

Response to Comment 16556-102

As stated in PEIR Volume 1, Section 6.7, *Water Quality* on page 6.7-13, in the case of TMDL standards, they would only apply to the impaired water body for which the standard was developed. Table 6.7-3 in the PEIR shows the specific numerical standards that were considered. The following chemicals referenced a TMDL for a specific water body: befenthrin, cyfluthrin, lambda-cyhalothrin, permethrin, and chlorpyrifos. The commenters are referred to the specific references for more information on the development of these specific TMDLs. In the case of chlorpyrifos, a lower standard than the TMDL was used in the analysis.

A TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that load among the various sources of that pollutant. Pollutant sources are characterized as either point sources that receive a wasteload allocation, or nonpoint sources that receive a load allocation. Point sources include all sources subject to regulation under the NPDES program (e.g., wastewater treatment facilities, some stormwater discharges, and concentrated animal feeding operations). Nonpoint sources include all remaining sources of the pollutant, as well as anthropogenic and natural background sources. Because the point and nonpoint sources

will be different for each water body, a TMDL designed for one water body is not appropriate for use in another water body.

For water bodies where no numeric standard has been developed, the impact analysis in Impact WQ-CHEM-2 applies.

See previous responses regarding CDFA's NPDES permit. The PEIR is not contradictory given that where required by permit or regulation, more stringent measures are followed, and all other situations are adequately addressed by the MPs. The end result is that with implementation of MPs, along with compliance with permits and regulations, it is unlikely that any substantial discharges to water bodies would occur.

Response to Comment 16556-103

See Response to Comment 16556-95 for a discussion of how the PEIR considered dilution. In addition, as described in Master Response 9, Water Quality, a number of factors besides dilution were considered in the PEIR's conclusions related to chemicals modeled to exceed water quality standards. With respect to chlorpyrifos and pyrethroids, the commenters are referred to PEIR Volume 1, Section 6.7, *Water Quality,* pages 6.7-22 and 6.7-23, which describe fate and transport process relative to these compounds;, and Impacts WQ-CHEM-5 and WQ-CUM-1, and their associated mitigation measures, which describe the rationale behind the PEIR's impact conclusions. The commenters have not provided any substantial evidence indicating that the analysis is inaccurate.

Response to Comment 16556-104

The ERA modeled concentrations in water from chemicals with no numeric water quality standard. The concentrations can be found in the Dashboard database by selecting "Programs," selecting a specific application scenario, selecting a Scenario Run Description, and then clicking either "Acute Eco EECs" or "Chronic ECO EECs." Both the HHRA and the ERA did a comprehensive analysis of exposure due to the EECs of chemicals, and combined this with the identified toxicity values to determine appropriate risk characterizations. This is a more comprehensive analysis than a comparison to U.S. EPA's Human Health and Aquatic Life Benchmarks for pesticides. The results of the risk characterizations were used to make determinations of impacts to aquatic life and human health.

Response to Comment 16556-105

The PEIR provided a lengthy qualitative evaluation for every chemical classified as having no numeric standard; this can be found in PEIR Volume 1, Section 6.7, *Water Quality,* pages 6.7-17 through 6.7-21. Further support of this assessment can be found in the Dashboard database by selecting "Chemical Details," selecting a specific chemical, and then selecting "Chemical Summary." The Chemical Summary information contains numerous citations in support of the conclusions contained in the PEIR. The Dashboard database also contains specific numerical values, when available, that are used in determining various fate and transport mechanisms, including degradation half lives in soil; hydrolysis; photodegradation; and several other key factors. Concentrations of a chemical in specific media can be found in the Dashboard database by selecting "Programs," selecting a specific

application scenario, selecting a Scenario Run Description, and then clicking either "Acute Eco EECs" or "Chronic ECO EECs."

The ERA considered all degradates; none are known to be more toxic than the primary chemical.

The ERA used conservative assumptions in selecting appropriate environmental conditions, because it was not feasible to know or model all potential site-specific environmental conditions that may occur. By selecting conservative assumptions, the results represent a worst-case analysis; this means that in most situations, the actual impacts will be lower than those indicated by modeling.

Response to Comment 16556-106

The comment is an unsupported assertion that provides no evidence to describe how the PEIR's evaluation is not accurate. On PEIR Volume 1, Section 6.7, *Water Quality,* page 6.7-12, narrative water quality standards were considered as follows:

> Proposed Program activities would be unlikely to affect narrative standards related to water coloration, taste, or odor. Some of the chemicals contain various oils that, if they reached water, may cause a visible film on the surface; however, this would be unlikely because of the MPs to be implemented as part of the Proposed Program that would minimize potential for discharge of pesticides or other substances to water,. All pesticide wastes would be controlled appropriately by following applicable regulations and appropriate waste disposal protocols. The narrative standards related to toxicity (acute and chronic) and bioaccumulation are addressed in the Ecological Risk Assessment and Human Health Risk Assessment (Appendices A and B, respectively) and are described in more detail in other sections of the methodology. All narrative standards besides these two have been dismissed from further analysis. Where numeric taste and odor standards exist, these were used to determine whether Proposed Program activities could cause potentially significant impacts.

CDFA considered the cumulative impact of the Proposed Program on water quality in Impact WQ-CUM-1.

Response to Comment 16556-107

The modeled concentrations for chemicals without water quality standards is available in the Dashboard database by selecting "Programs," selecting a specific application scenario, selecting a Scenario Run Description, and then clicking either "Acute Eco EECs" or "Chronic ECO EECs."

CDFA would implement Mitigation Measure WQ-CHEM-2 so that future water quality standards would not be exceeded. This mitigation measure would involve tracking water quality standards to determine whether, in the future, any of these chemicals have numerical standards established. If numerical standards have been established, CDFA would evaluate whether the concentrations modeled in the ERA exceed the adopted standard. In such cases, Impact WQ-CHEM-5 would apply, and Mitigation Measure

WQ-CHEM-5 would be implemented. With implementation of these mitigation measures, the impact would be less than significant. Should CDFA determine in the future that the PEIR mitigation would not be sufficient to reduce impacts to a level of less than significant, CDFA could address this through a tiered CEQA document.

Response to Comment 16556-108

The only copper-containing product is CoreTect Tree and Shrub Tablets, in which imidacloprid is the active ingredient. Copper is included as an "inert" ingredient in the formulation. CoreTect Tree and Shrub Tablets would only be applied by inserting the tablet beneath the soil surface, precluding surface runoff. As is the case with many cations, copper is likely to be tightly bound to the soil it contacts. Therefore, tablets inserted into the soil virtually eliminate the probability that this source of copper could reach water bodies.

Response to Comment 16556-109

The Proposed Program does include two chemicals (dichlorvos [DDVP] and carbaryl) listed as reproductive toxicants under California Proposition 65 Safe Drinking Water and Toxic Enforcement Act of 1986). The fact that these are Proposition 65 chemicals was not particularly relevant to the impact analysis, which considered the potential of *all* chemicals to cause adverse human health, ecological, water quality, and drinking water impacts, irrespective of their regulatory classification. The PEIR focused on physical impacts; a regulatory classification does not automatically suggest that a chemical would have a significant impact.

Regardless, the PEIR did not ignore the fact that these chemicals are indeed listed under Proposition 65. The classification of these chemicals as reproductive toxicants is shown in PEIR Volume 1 , Chapter 5, *Cumulative Scenario*, Table 5-7. Table 5-7 shows the total use of these chemicals in the state of California in 2011, which includes not just Proposed Program use, but all other uses. Supplementary information contained in the Dashboard database clearly outlines the human health impacts of these chemicals, and specifically acknowledges them as Proposition 65 chemicals. This information is found by selecting the appropriate chemical and then selecting chemical summary. For DDVP, this information states:

> Reproductive/Developmental Toxicity: A developmental toxicity study found decreased body weight gain and reductions in food consumption and efficiency in rats when given DDVP. The maternal NOAEL was derived based on these results and a developmental NOAEL of 21 mg/kg-day was established (U.S. EPA, 2006c).
>
> Proposition 65: Proposition 65 is administered by OEHHA to protect California citizens and the State's drinking water sources from exposure to chemicals that are known to cause cancer, birth defects or other reproductive harm (OEHHA, 2007c). DDVP is listed as a Proposition 65 chemical known to the state to cause cancer since January 1, 1989 (OEHHA, 2013).

For carbaryl, this information states:

> Reproductive/Developmental Toxicity: Carbaryl has been shown to have developmental and reproductive toxicity. For rats being daily administered

> 50 mg/kg-day for 90 days, testicular enzymes, sperm counts, sperm motility, sperm morphology and testicular morphology were observed. Additionally, a gerbil study also reported reproductive and developmental toxicity (CDPR, 2010a).
>
> Proposition 65: Proposition 65 is administered by OEHHA to protect California citizens and the State's drinking water sources from exposure to chemicals that are known to cause cancer, birth defects or other reproductive harm (OEHHA, 2007c). Carbaryl is listed as a Proposition 65 chemical known to cause cancer and adverse male developmental effects (OEHHA, 2013).

As described in PEIR Volume 1, Section 6.7, *Water Quality*, page 6.7-18, the Proposed Program may use DDVP and naled (a chemical that is rapidly broken down to DDVP) for use in chemical traps or bait stations. The chemicals are contained in the trap container, and are not directly applied to the ground or water. Therefore, it is very unlikely that the DDVP from Proposed Program activities would reach any drinking water sources.

As described in PEIR Volume 1, Section 6.7, *Water Quality*, page 6.7-23, carbaryl is covered under CDFA's NPDES Permit for Biological and Residual Pesticide discharges. This requires CDFA to prepare a PAP that reduces the amount of chemical that is discharged to surface water bodies. The pesticide label instructions and permit conditions, combined with Proposed Program MPs that require avoidance of water bodies, would ensure that carbaryl concentrations from Proposed Program activities to exceed regulatory thresholds. Carbaryl, which is a product of Sevin SL and Sevin XLR Plus, may be used as a foliar spray in response to interior quarantines at nurseries. In situations where they choose to use carbaryl in response to an interior quarantine, individual growers are responsible for ensuring that they have appropriate regulatory permits. In addition, compliance agreements between CDFA and the regulated entities (e.g. growers) enforce the requirement of the grower to follow relevant Proposed Program MPs.

As noted by the commenters, the California Health and Safety Code, Section 25249.5, prohibits the discharge or release of a Proposition 65-listed chemical into water, or where it will pass into any source of drinking water except as provided in Section 25249.9. Section 25249.9 states the following:

> 25249.9. Exemptions from Discharge Prohibition.
>
> (a) Section 25249.5 shall not apply to any discharge or release that takes places less than twenty months subsequent to the listing of the chemical in question on the list required to be published under subdivision (a) of Section 25249.8.
>
> (b) Section 25249.5 shall not apply to any discharge or release that meets both of the following criteria:
>
> (1) The discharge or release will not cause any significant amount of the discharged or released chemical to enter any source of drinking water.
>
> (2) The discharge or release is in conformity with all other laws and with every applicable regulation, permit, requirement, and order. In any action brought to enforce Section 25249.5, the burden of showing that a discharge or release meets the criteria of this subdivision shall be on the defendant.

The use of DDVP and carbaryl in the Proposed Program is consistent with Section 25249.9(b), in that the discharge or release will not cause any significant amount of the discharged or released chemical to enter any source of drinking water; and with NPDES coverage, the use is in conformity with all other laws, applicable regulation, permits, requirements, and orders.

Furthermore, CDFA and all growers are required to comply with all applicable laws and regulations, including Proposition 65 and its provisions of clear and reasonable warning. With implementation of Mitigation Measures HAZ-CHEM-1a and HAZ-CHEM-1b, CDFA provides notification and education to individuals who are located in an application area. Mitigation Measure HAZ-CHEM-3 requires that only authorized chemical application scenarios that result in acceptable human health risk would be used. Any deviations would necessitate an evaluation pursuant to the CEQA Tiering Strategy, and the scenario will not be used unless the evaluation concludes the alternative scenario will not exceed the level of concern, or a certified industrial hygienist concludes that the alternative scenario will not result in risk exceeding the level of concern. These mitigation measures, along with the short duration of treatment activities, make it unlikely that a lifetime exposure at 1,000 times the level in question would be reached.

In conclusion, the Draft PEIR clearly described the environmental and human health hazards of the chemicals proposed to be used in the Proposed Program; assessed the potential for drinking water sources to be in the vicinity of any pesticide treatment that would use these chemicals; and evaluated exposure risk, and ways to limit discharges and exposures.

Response to Comment 16556-110

Because the NPDES Permit would only apply to a subset of Proposed Program, its specific requirements were not used as the basis for the evaluation of potential adverse impacts evaluating surface water quality, impairment of aquatic organisms, and impairment of beneficial uses.

PEIR Volume 1, Section 6.7, *Water Quality,* Table 6.7-2, provides a detailed list of all chemicals categorized as "generally regarded as safe," and provides a more detailed list than the examples given in the narrative text. Further support of this assessment can be found in the Dashboard database by selecting "Chemical Details," then selecting a specific chemical, followed by selecting "Chemical Summary." The Chemical Summary information contains numerous citations in support of the conclusions contained in the PEIR. The commenters have provided no evidence that these chemicals are not safe; that they pose any potential for harm to aquatic organisms; or that physical impacts, such as smothering of habitat, could occur as a result of their use under the Proposed Program.

In any case, the concentrations of these chemicals in environmental media including water were modeled, and can be found in the Dashboard database by selecting "Programs," selecting a specific application scenario, selecting a Scenario Run Description, and then clicking either "Acute Eco EECs" or "Chronic ECO EECs." Impact WQ-CHEM-1 evaluated the potential for significant impacts on water quality from these chemicals.

In the PEIR's risk assessments, in cases where a pesticide or inert ingredient had an endpoint that exceeded the U.S. EPA definition of practically non-toxic, this chemical was not considered further. Human and ecological endpoints were considered independent of each other. For example, if a pesticide had a practically non-toxic human endpoint, this did not mean that it was eliminated from ecological risk consideration.

In conclusion, the Draft PEIR did disclose each pollutant that it identified as "generally regarded as safe," modeled discharge concentrations, and evaluated the resulting impacts on water quality.

Response to Comment 16556-111

As discussed in the ERA, sediment toxicity was directly assessed via the PE5 model. PE5 simulates chemical transport via runoff and erosion to water bodies where the chemical partitions into limnetic water column, sediment, and benthic sediment pore water compartments. In these compartments, the chemical undergoes various degradation processes such as hydrolysis, limnetic aerobic degradation, and benthic anaerobic degradation. Ultimately, PE5 estimates limnetic water column and benthic sediment pore water concentrations. Because benthic pore water concentration is the best predictor of sediment toxicity, benthic pore water concentration was used to evaluate aquatic exposure and estimate risk for benthic organisms.

Response to Comment 16556-112

The commenters have stated that the Draft PEIR did not analyze how the mitigation measures may actually mitigate the water pollution impacts and are non-specific, but the commenters have not provided any substantial evidence that the water quality mitigation measures and Statewide Program MPs would be ineffective. The MPs and mitigation measures ensure that all application activities address water quality impacts, are commonly used practices, and are similar to measures listed in CDFA's NPDES permit. MP-SPRAY-1, MP-SPRAY-4, and MP-SPRAY-5, which require a site survey that includes location of the storm drains, delay in application if rain is predicted, and protection of waterways (including storm drains) with buffer zones. In addition, in areas where CDFA or CDFA contractors are conducting the pesticide application, measures listed in CDFA's NPDES permit are designed to ensure that overspray and drift are prevented or minimized to a level that the quality of runoff would not be significantly impacted. Regulated entities (e.g. growers) conducting pesticide application in response to internal quarantines must implement applicable MPs as listed in their compliance agreements, and also may be required to have their own NPDES permits or participate in an Ag Waivers program. The Proposed Program MPs, the BMPs from CDFA's NPDES permit, and the label requirements are consistent with the measures described in the comment, and adequately ensure that water quality impacts to surface water would be less than significant. See Impact WQ-CUM-1 for a discussion of why this rationale resulted in the conclusion that Proposed Program activities would not result in a considerable contribution to cumulative water quality impacts.

Response to Comment 16556-113

The commenters are correct in that MPs are already part of the Proposed Program, and thus should be implemented. As stated in PEIR Volume 1, Section 6.7, *Water Quality*, on page 6.7-35:

> Proposed Program activities in locations where relevant pesticides could reach an impaired water body would be required to implement Proposed Program MPs so that discharges to these water bodies would not occur or would be minimized. To ensure that this occurs, CDFA would implement Mitigation Measure WQ-CUM-1, requiring CDFA to identify whether a treatment location or quarantine area contains or is in proximity to any water bodies impaired for relevant pesticides, pesticides in general, or toxicity, and to implement Proposed Program MPs during treatments. For quarantine areas where impaired water bodies are present, CDFA would implement Mitigation Measure WQ-CHEM-5 so that those parties required to comply with the quarantine would implement Proposed Program MPs appropriately.

The specific proximity to a water body that is relevant depends on the site-specific conditions, as well as the specific application scenario that will be used. The relevant MPs include MP-SPRAY-1 through MP-SPRAY-7, MP-GROUND-1 through MP-GROUND-4, and MP-AERIAL-1, which would be implemented to provide proper application based on site-specific conditions, setback buffering, minimization of aerial drift, and proper handling and storage.

Response to Comment 16556-114

Please see Response to Comment 16556-48, which describes how the PEIR considered potential impacts on groundwater, including methyl bromide and chemicals related to gasoline and diesel fuel. The commenters request a number of specifics regarding previous detections that were not relevant or necessary to support the impact analysis. For instance, because methyl bromide would have no way of contaminating groundwater under the Proposed Program, questions regarding the locations and levels of past contamination, related human exposure, how the contamination occurred, and how it could occur again, are entirely irrelevant.

Regarding CDPR's Groundwater Protection Program (GWPP), the commenters are referred to PEIR Volume 1, Section 6.7, *Water Quality*, page 6.7-6, which describes the GWPP. At this time, the Proposed Program is not proposing to use any pesticides that are on the GWPL part a. Based on this fact, and the analysis of groundwater that was conducted as described in Response to Comment 16556-48, consideration of the GWPP was not necessary to determine potential impacts.

Response to Comment 16556-115

Contrary to the assertion of the commenters, the Draft PEIR described each air district that could be impacted and meaningfully characterized and evaluated the impacts of Proposed Program activities in the various air districts. First, as described in the draft PEIR, California is divided geographically into air basins for the purpose of managing the air resources of the

state on a regional basis. An air basin generally has similar meteorological and geographic conditions throughout. As stated in the Appendix O, *Regulatory Setting,* on Page O-22, CARB has divided the state into fifteen air basins, which are managed by 35 air districts. These air basins may be under the jurisdiction of more than one district. Air districts have substantial authority regarding air quality control, in regulating stationary source emissions and developing local attainment plans. Appendix O, *Regulatory Setting,* presents several air district regulations that may be applicable to the Statewide Program.

Although the air districts are responsible for managing and enacting local air quality regulations, the air quality is assessed on the air basin level with further sub-divisions by county. The air districts in California typically reflect specific portions of an air basin that may be segmented by county, air basin, or other boundaries. Presentations of air quality data by CARB, including area designations under the California Ambient Air Quality Standards (CAAQS) are listed by air basin and subdivided by county, not air district.

The PEIR evaluated the existing air quality in California by air basin, with specific notes on county differences where applicable, in PEIR Volume 1, Section 6.2, *Air Quality,* in the Environmental Setting on pages 6.2-5 through 6.2-14. This included results of monitoring data for 1-hour ozone, 8-hour ozone, particulate matter of aerodynamic radius of 10 microns or less (PM_{10}), and particulate matter of aerodynamic radius of 2.5 microns or less ($PM_{2.5}$) which are all the criteria pollutants classified as non-attainment that are relevant to Proposed Program activities. It also described the National Ambient Air Quality Standards and CAAQS attainment designations for all areas in California. In addition, it presented the pesticide volatile organic compound (VOC) emissions during the ozone season. The PEIR acknowledged that the location and intensity of Statewide Program activities is inherently variable from year to year, but based on the locations of pest infestations and quarantines, total emissions by air basin were presented in PEIR Volume 1, Section 6.2, *Air Quality,* Table 6.2-8, to reflect existing and future conditions.

Response to Comment 16556-116

To ensure that inhalation of VOCs would not result in adverse human health impacts, the Proposed Program would require implementation of these alternative scenarios, rather than the related baseline scenario. See Response to Comment 16556-122 for a description of how this approach does not result in any deficiencies in the PEIR.

Response to Comment 16556-117

The commenters are incorrect in stating that the Draft PEIR failed to account for emissions from other stationary equipment used in application of pesticides. Appendix H, *Air Quality and Greenhouse Gas Technical Report,* describes and shows engine specifications shown for pumps (Table H-1). Portable diesel- and gasoline-powered internal combustion engines could be used as an option for some application scenarios, along with alternative pieces of equipment. In these instances, the application by alternative pieces of equipment—typically agriculture tractor, sprayer, or off-highway trucks—resulted in a higher emission factor than these small portable internal combustion engines. It is common for auxiliary equipment used in pesticide application to be able to plug into an agriculture tractor's engine for power, or to use an external portable engine. Thus, these emissions were accounted for by using the worst-case equipment emissions for a given application scenario.

There are limited emission factors available for aircraft emissions, and the values used are currently used by state air quality agencies. In addition, it was difficult to find emission factors in units that corresponded to the activity units needed. Other international sources of aircraft emissions were consulted, but often a complete inventory of all emission factors was not available, nor were the detailed flight take-off and landing information necessary to use these other sources. CARB currently uses the 1990 emission factors in its official statewide inventory. In addition, the Bay Area Air Quality Management District uses the 1999 data in its inventories to convert activity information to the same units as the emission factors. The commenters fail to provide any specific studies containing more recent emission factor values that may be more appropriate to use.

The commenters are incorrect in stating that emissions generated from the daily trips of the different types of vehicles were not accounted for. The vehicle miles traveled by CDFA or its contractors to conduct CDFA activities were provided, and emissions from these vehicles are shown in Appendix H, Table H-11.

Response to Comment 16556-118

The analysis of criteria pollutant emissions included evaluation of carbon monoxide (CO), PM_{10}, $PM_{2.5}$, sulfur oxides (SO_X), nitrogen oxides (NO_X), and reactive organic gases (ROG). The total mass emitted for all of these criteria pollutants was discussed in Impact AQ-1. This impact compared the mass emissions to the values presented in PEIR Volume 1, Section 6.2, *Air Quality,* Table 6.2-9, which shows the lowest annual emission thresholds from the air districts that was selected to represent all air basins. Several districts in California have established significance threshold for operational emissions for CEQA projects (SJVAPCD, 2012; BAAQMD, 2010; SMAQMD, 2009; and SCAQMD, 2011), and they do not all distinguish between the criteria pollutants as the commenters suggest. If the incremental increases in emissions for a project compared to the baseline are below these annual thresholds, the project's impacts would be less than significant. Due to the unknown amount of future activity, and the inability to enforce all mitigation on individual growers, Impact AQ-2 was determined to be significant and unavoidable. CDFA already implements all feasible mitigation, but lacks the authority to mandate emission reductions on the equipment used by individual growers and applicators in response to CDFA quarantines; this is the responsibility of other agencies, such as CARB.

Although mass emissions is typically the only analysis conducted for regional air pollutants such as the ozone precursors NO_X and ROG, the analysis further evaluated the local impacts of CO, PM_{10}, and $PM_{2.5}$ in Impact AQ-3. These pollutants may cause local high concentrations that could cause local exceedances of air quality standards. Because most of the activities that occur in any given location would be of short duration, and would use only one or two pieces of equipment at a time, it would be unlikely for a single activity to cause or contribute to an exceedance of an ambient air quality standard for CO, PM_{10}, or $PM_{2.5}$. Use of equipment for the Proposed Program is consistent with general agricultural and pest control practices occurring throughout the state—including local air district regulations in many air basins that control fugitive dust from agriculture activities. The infrequent and short duration of use for Proposed Program activities would not be substantially noticeable with respect to local hot-spot air emissions from the activity that is already occurring at a specific location.

Response to Comment 16556-119

A typical assessment of health impacts evaluates impacts to sensitive receptors using the most sensitive endpoint. Thus, it is assumed that protection of the most sensitive receptor means that non-sensitive receptors will be protected as well. The impacts of TAC analysis relied on the extensive evaluation of human health in Appendix B, *Human Health Risk Assessment*. Toxicity information on those pesticide active and inert ingredients demonstrating carcinogenicity and non-cancerous health effects was gathered from government sources, including the U.S. EPA, OEHHA, the Agency for Toxic Substances and Disease Registry, CDPR, the Hazardous Substances Data Bank, and Health Canada. The HHRA used the most sensitive effect levels available. Use of the most sensitive effect level along with conservative extrapolation and uncertainty factors are generally considered health-protective of a representative cross-section of the general population. As stated on page 27 of the HHRA, non-cancerous health effects (e.g. difficulty breathing, neurological effects) have been evaluated using NOAELs. A NOAEL is the highest exposure level at which there are no statistically or biologically significant increases in the frequency or severity of adverse effects between the exposed population and its control (U.S. EPA, 1993c). When multiple NO(A)ELs were available in the literature, the most sensitive effect level was selected. As stated on page 28 of the HHRA, cancer risk has been assessed by characterizing the relationship between a dose of a carcinogen and the increased likelihood of developing cancer. Therefore, the commenters are incorrect in assuming that the PEIR did not assess cancer risks to receptors, both sensitive and non-sensitive.

The commenters are incorrect in saying that the analysis failed to consider fossil-fueled application equipment emissions containing diesel particulate matter or TACs. PEIR Volume 1, page 6.2-25 states:

> Because of the short duration for operating diesel and gasoline equipment when conducting a specific Proposed Program activity, TAC emissions from this equipment would not be likely to contribute to substantial exposure of a sensitive receptor to TACs; the exposure generally would be indistinguishable from that generated by equipment typically operating in locations where Proposed Program activities would occur.

CEQA allows for qualitative assessments, and these are typically done for situations where TAC emissions generated are relatively low and similar. The commenters have failed to provide substantial evidence that the qualitative assessment is incorrect. Furthermore, on PEIR Volume 1, Section 6.2, *Air Quality,* pages 6.2-23 and 6.2-24, the analysis acknowledges that CDFA implements several measures that reduce exposure to fossil-fueled equipment, including the use of after-market control devices, use of fuel-efficient and alternative fuel, proper maintenance of equipment, and limiting idling time.

Response to Comment 16556-120

The commenters are correct that the Risk Assessments are not "equivalent to an environmental impact analysis under CEQA," which is exactly why CDFA has prepared the PEIR for the Proposed Program. The PEIR considers information from the risk assessments and other data sources to evaluate environmental impacts for the Proposed Program, as required by CEQA.

Response to Comment 16556-121

For information on the topic raised in the first bullet point, "the use of an iterative method of running exposure scenarios with altered parameters until model results showed that exposures were below a level of concern, which, as discussed in Section VII, is not a substitute for enforceable, monitorable mitigation measures to protect public health from exposures," please see Response to Comment 16556-122.

For information on the topic raised in the second bullet point, "definitions of modeled receptors that omit critical age and population groups," please see Response to Comment 16556-123.

For information on the topic raised in the third bullet point, "failure to analyze valid exposure pathways of concern such as exposures of the general public to Program pesticide residues on purchased food," please see Master Response 5, Human Health, subsection Pesticide Residue in Food, which describes why this exposure pathway is not a concern for the Proposed Program.

For information on the topic raised in the fourth bullet point, "undocumented assumptions about exposure durations," please see Response to Comment 16556-22.

The fifth bullet point cites "omission of several plant pest programs from both the Draft PEIR and HHRA, so the pesticide exposures from those programs are not accounted for, and there is no way to know whether their inclusion might result in exceedance of exposure thresholds of concern," as a deficiency in the HHRA. For a discussion of this topic, please see Response to Comment 16556-129.

With respect to the fifth bullet point, "failure to address the exceedance of a level of concern for methyl bromide exposure," CDFA has revised Mitigation Measure HAZ-CHEM-3 to be clearer about how it protects against effects from subchronic and chronic exposure to methyl bromide. Mitigation Measure HAZ-CHEM-3, beginning on PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials,* page 6.5-20, has been amended as follows (change occurs on page 6.5-21):

> ***Mitigation Measure HAZ-CHEM-3: Require Compliance with the Proposed Program's Authorized Chemical Application Scenarios.***
>
> CDFA shall require Proposed Program staff and contractors to conduct chemical applications in a manner consistent with the Proposed Program's authorized chemical application scenarios, resulting in acceptable human health risk as described in Chapter 2, Proposed Program Description and the HHRA (Appendix A). Deviations from the authorized chemical application scenarios may be allowed if:
>
> (1) An evaluation is conducted pursuant to the CEQA Tiering Strategy (Appendix B), which concludes that the alternative scenario will not exceed the level of concern for any receptor; or
>
> (2) A certified industrial hygienist concludes that the alternative scenario will not result in risk exceeding the level of concern for any

potential receptor, and the scenario is implemented by a licensed or certified applicator. This conclusion may be based on site-specific factors that minimize potential for exposure, absence of a particular receptor, use of additional or different PPE, or monitoring of the exposure, such as regular blood tests to ensure blood concentrations in the exposed individuals are below the risk threshold.

When methyl bromide is used, appropriate air sampling and analysis by a qualified professional will be done for the fumigation worker and fumigation downwind bystander to evaluate the effectiveness of BMPs related to subchronic and chronic exposure.

The results of the evaluation or hygienist's conclusions will be documented, along with any monitoring results.

CDFA will conduct training for its staff and contractors on these approaches. CDFA also will require adherence to these scenarios by including requirements in contractual agreements, such as compliance agreements (for quarantines), permits (e.g., for movement of certain materials outside quarantine areas), contracts (e.g., with CDFA contractors), or other similar means.

Regarding the sixth bullet point, which states that "reliance on the assumption that degradation of chemicals always reduces risk when in fact breakdown products of some chemicals can be as toxic as, and more persistent that, the parent chemical," see Response to Comment 16556-127.

The seventh bullet point cites "failure to even attempt to model exposure to multiple chemicals from multiple CDFA treatment programs" as another deficiency in the HHRA. As described in Impact HAZ-CUM-2 (PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials,* page 6.5-22), the HHRA found meaningful quantitative assessment of the health impacts of multiple chemicals from multiple CDFA treatment programs to be infeasible, given current methods. Such an assessment would require too many assumptions regarding the frequency, quantity of material used, type of pesticide used, and application mechanisms that would occur in any of the many unique settings in California. The PEIR did, however, consider this impact qualitatively.

Response to Comment 16556-122

The approach that was taken is consistent with standard risk assessment practice, under which an iterative process is used, starting with a baseline scenario and then progressing to the construction of a reduced exposure scenario. Reduced exposure scenarios were constructed through an iterative process designed to determine the type and/or degree of change from the baseline scenario detail (e.g., reduction in the number of workers, duration of work, and changes in type of personal protective equipment). These changes were made to the baseline scenario to identify how the activity could be conducted to result in risk below the level of concern. Reduced exposure scenarios do not negate the conclusion of risk for baseline scenarios, but provide a mechanism to address and change, as needed, characteristics of the baseline scenario to achieve an acceptable level of risk.

These reduced exposure scenarios have been adopted in Mitigation Measure HAZ-CHEM-3, under which the only authorized Proposed Program chemical management activities would be those modeled to have impacts below the level of concern, or which have been determined through other means to be below a level of concern (see text of the mitigation measure for further description). Scenarios with risk that potentially exceeds the level of concern would not be authorized for use under the Proposed Program. Therefore, the Proposed Program has included fully enforceable, monitorable mitigation measures to protect public health from exposures.

Response to Comment 16556-123

The HHRA uses the U.S. EPA standard procedure of comparing scenario- and receptor-specific MOE estimates to a 100-fold safety factor (U.S. EPA, 2007). MOEs greater than 100 are generally considered not to be of concern. This approach provides confidence that sensitive receptors (e.g., the elderly, sick people, or pregnant women) are accounted for.

For any given scenario in the HHRA, the decision to assess a receptor was based on whether that receptor could reasonably be assumed to have exposure to the pesticides and inert ingredients used in that particular scenario. In the case of the DWB, an infant between the ages of 0 and <2 years was deemed to have a discountable level of exposure, because an infant spends most of his/her time indoors under supervision of an adult. Furthermore, the infant is believed to spend only a few hours, if any, outdoors in areas affected by drift. The life stage of the child (ages 2 to <16 years) is based on U.S. EPA (2005q), and this child was quantitatively considered. For the purposes of this HHRA, a child becomes an adult (physically mature) at age 16. An adult receptor has the potential to be exposed for 24 years, based on the recommended exposure duration for an adult resident in DTSC (2011a); this receptor was also quantitatively considered.

Response to Comment 16556-124

Please see Master Response 6, Comments Regarding Multiple Chemical Sensitivity, for a discussion and review of emerging research and scientific understanding of MCS. As discussed in Master Response 6, Comments Regarding Multiple Chemical Sensitivity, the information needed to conduct a risk assessment for individuals is not available following current accepted practices and government agency guidelines regarding health risk assessments and risk management decision making. In the future, as new risk assessment and risk management practices are used by government agencies, they could be implemented by CDFA as part of future tiered CEQA compliance. In light of the fact that no appropriate risk assessment procedures are available to address and make a risk-based decision regarding individuals with MCS, CDFA's Proposed Program is consistent with pesticide policy recommendations for dealing with individuals with MCS.

Please see Master Response 6, Comments Regarding Multiple Chemical Sensitivity, for a discussion of the prevalence of MCS in the population.

Response to Comment 16556-125

For any given scenario in the HHRA, the decision to assess a receptor was based on whether that receptor could be reasonably assumed to have exposure to the Proposed Program-

applied pesticide active and inert ingredients used in that particular scenario. For example, a child could reasonably be assumed to have the potential to place vegetation or soil into his/her mouth, but a child would not reasonably be assumed to be present in an occupational environment such as a nursery or production agriculture facility. Therefore, a child in a residential setting (i.e., the child PAR) was assumed to have the potential for exposure to Proposed Program-applied pesticide active and inert ingredients through ingestion of treated vegetation and soil, but a child was not considered to be a realistic receptor for treatments in nursery and production agriculture settings.

For certain receptor exposure pathways, the potential for exposure to Proposed Program-applied pesticide active and inert ingredients may exist, but was not quantified due to the existence of a more conservative assessment of a related exposure pathway. For example, the potential risk to a child demonstrating pica behavior was assessed and quantified for ingesting treated soil in a residential setting. However, the potential risk to a child from incidental ingestion of treated soil through hand-to-mouth contact was not quantified, because the child in the pica scenario will result in a higher potential risk. Intentional ingestion of treated soil by a child demonstrating pica behavior did not indicate a potential for unacceptable risk; therefore, incidental ingestion from hand-to-mouth activity will not indicate a potential for unacceptable risk.

The potential risk to a child PAR between the ages of 2 and <16 years was assessed for dermal contact with residues from Proposed Program-applied pesticide active and inert ingredient on plant surfaces and soil; incidental ingestion of residues on vegetation from hand-to-mouth activity; and ingestion of treated produce and soil. The assessments of these exposure pathways were determined to result in the highest potential for risk to the child, and are expected to be health-protective of all other related child exposures.

Response to Comment 16556-126

Applicator exposure was estimated using the U.S. EPA Pesticide Handler's Exposure Database data, which require the total surface area treated by an individual applicator per day as an input to estimate exposure. In nursery pot treatment scenarios, the total surface area treated by an individual applicator is equal to the sum surface area of all pots treated. Using the total treatment area to estimate exposure would result in a severe overestimation of risk for the applicator, because the total treatment area may include the sum surface area treated for several applicators, and include areas which were not treated (e.g., the spaces between pots). The total treatment area, however, is a more appropriate measurement for estimating ecological risk, because it can be used to characterize the total amount of pesticide entering the environment.

Response to Comment 16556-127

With one exception, we are unaware of any pesticide active ingredients that may be used under the Proposed Program, and whose environmental degradates are considered more toxic than the parent compound. The one exception is acephate, and its degradate methamidophos. Our analysis did consider methamidophos and, consistent with U.S. EPA methodology, conservatively assumed a 25 percent conversion rate of acephate to methamidophos upon release into the environment. This value is highly conservative and health-protective.

Response to Comment 16556-128

CDFA acknowledges that synergism and other combination interactions exist (including negative combinations due to mechanism overload); however, there is a lack of studies evaluating combinations of chemicals to determine effect. The currently accepted approach for risk assessments is to use additivity. This is a known and accepted limitation of the risk assessment process. However, for purposes of making risk management decisions, and given the safety and uncertainty factors involved, this is acceptable for informing agencies on how to proceed with a policy decision regarding risk, given that some degree of uncertainty always exists.

Response to Comment 16556-129

Exposures that may occur through contact with treated nursery plants is conservatively covered by the PAW and the post-application loader (PAL) analysis. The PAW and PAL represent individuals who come into direct contact with and handle numerous treated plants shortly after application. Any exposure to the PAW or PAL likely far exceeds the level of exposure for downstream consumers. Therefore, PAW and PAL estimates are protective of downstream consumer exposure.

See also Master Response 5, Human Health, which discusses the issue of pesticide residues in consumer food products.

Treatments for BCTV and red imported fire ant are not part of the Proposed Program, and therefore have not been considered in the risk assessment. Only those activities specifically described in PEIR Volume 1, Chapter 2, *Proposed Program Description,* and Chapter 3, *Proposed Program Activities,* are considered as part of the Proposed Program. No other activities—whether conducted or overseen by CDFA or otherwise—would be authorized under the Proposed Program, and therefore they do not have the potential to result in impacts under the Proposed Program. Instead, such activities have been considered in the PEIR's cumulative impact analysis as other "past, present, and reasonably foreseeable projects," in compliance with CEQA requirements.

Response to Comment 16556-130

The commenters are misrepresenting the impact analysis with respect to organic farming. The PEIR uses the criteria from CEQA Guidelines Appendix G, which identify significant impacts as those that cause agricultural land to convert to non-agricultural uses. A change in the type of agriculture (e.g., a shift from conventional to organic, or vice versa) would not be a significant impact using these criteria. The impact analysis therefore focused on whether issues such as pesticide drift could cause agricultural land to go out of production. CDFA is not aware, nor have the commenters provided any evidence to suggest, that this has ever occurred, in particular as a result of Statewide Program activities. It is for that reason that CDFA considers the impact to be speculative.

Response to Comment 16556-131

CDFA does not dispute that pesticide drift may affect an organic farm, including potentially losing its organic certification. However, the focus of the PEIR was on whether there would

be a significant impact based on the criteria in Appendix G of the CEQA Guidelines. Loss of organic certification, or income, would not be sufficient to conclude that an impact would be significant. One would have to then show that this led to the conversion of the farm to non-agricultural use. CDFA is not aware of this ever happening as a result of Statewide Program activities, and the commenters provide no evidence to the contrary.

Response to Comment 16556-132

The PEIR's biological resources impact analysis fully considered impacts to insects and pollinators. See Master Response 7, Biological Resources, and Master Response 8, Pollinators. For a discussion of soil and soil microbes, please refer to Master Response 9, Human Health.

Response to Comment 16556-133

Please see Master Response 10, Air Quality, and Master Response 13, General Impacts to the Environment, for a response to concerns about CEQA's coverage of economic impacts, including to organic farmers.

Response to Comment 16556-134

There is little doubt that pest infestations have led to conversion of farmland to non-agricultural uses; this is far from an unsubstantiated assertion. Take, for example, the ACP infestations in Florida, which have crippled its citrus industry in that state. According to a recent New York Times article, "Some orange packers and small and midsize growers have sold their groves, razed them for development, or simply abandoned them" (New York Times, 2013). Between 1994 and 2000, the UC reported that Pierce's Disease transmitted by blue-green sharpshooters destroyed over 1,000 acres of grapevines in Northern California, causing $30 million in damages (PD/GWSS Board and CDFA 2009). In 1999, 300 acres of GWSS-infested grapevines in Temecula, California were destroyed (PD/GWSS Board and CDFA 2009). Other studies have estimated that California grape growers suffer an annual loss of $56.3 million in lost product from grapevine infections of Pierce's Disease (Tumber et al. 2012).

Response to Comment 16556-135

Please see Master Response 3, Impacts on Organic Farming; Master Response 4, Impacts on Agriculture; Master Response 5, Human Health; Master Response 7, Biological Resources; and Master Response 8, Pollinators, which fully address the concerns raised by the commenters.

Response to Comment 16556-136

The commenters appear to have overlooked the extensive amount of information that has been provided in the Draft PEIR regarding pesticide use in the state. Available data sources were used to conduct a comprehensive characterization of pesticide use in California. PEIR Volume 1, Tables 5-5 through 5-13 provide very detailed summaries of pesticide use in California, including:

- Total pounds of reported pesticide active ingredients used in California
- Reportable pesticide use in California by county for a full range of pesticide products, including:
    - organophosphate- and carbaryl-based chemicals
    - Proposition 65 reproductive toxic chemicals
    - cancer-causing chemicals
    - pyrethrins and pyrethroids
    - TACs
    - GWPL chemicals
    - USDA organic chemicals

These summaries break down pesticides into those that may be under the Proposed Program, and other pesticides. The text goes on to describe the history of pesticide use in the state, the various activities involving the use of pesticides, the entities who conduct these activities (including the "programs" to which the commenters refer), and recent trends in pesticide use.

This baseline information represents a solid base of substantial evidence, at an appropriate level of detail, upon which to conduct the cumulative impact analysis.

Response to Comment 16556-137

The commenters failed to acknowledge the support provided in PEIR Volume 1, Section 6.2, *Air Quality*, on page 6.2-26, on why the impact of TACs is not cumulatively considerable. As stated on page 6.2-26:

> The exposure of sensitive receptors to TACs as a result of Proposed Program activities would be less than significant at the individual level. Furthermore, the established individual project thresholds of significance for TACs are extremely conservative and protective of health impacts on sensitive receptors. Since impacts of TACs are largely localized, air districts feel that TAC emissions that would not have a significant health impact at the individual level would not be expected to result in a cumulatively considerable net increase in TAC.

Examples of air districts that have found that TAC emissions would not be cumulatively considerable if the individual project is not significant include BAAQMD (BAAQMD, 2010), SMAQMD (SMAQMD, 2009), and SJVAPCD (SJVAPCD, 2012).

In PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials*, the discussion of cumulative health effects is continued in Impact HAZ-CUM-2. Similar to the air quality analysis, Impact HAZ-CUM-2 concludes that although there is a cumulatively significant impact related to human exposure to health hazards, the Proposed Program's contribution to this impact would not be considerable with implementation of various PEIR mitigation measures. The discussion in Impact HAZ-CUM-2 goes on to present further evidence of multiple pesticide uses not causing a health hazard above the level of concern. This was done by referencing detailed analyses conducted by U.S. EPA (U.S. EPA, 2012b) that specifically looked at cumulative exposure of pesticides with the same mechanism of action. Pesticides with the same mechanism of action are the pesticides most likely to have a

potential cumulative impact. U.S. EPA concluded that by using recommended practices and following existing regulations, the combined use of the pesticides with the same mechanism of action does not exceed U.S. EPA's level of concern for human health. The U.S. EPA studies were used because—as discussed on PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials,* page 6.5-22—it was not feasible to quantitatively evaluate the cumulative health risk. This is because the lack of a standard methodology and the unavailability of necessary assumptions make a meaningful analysis impossible. These assumptions include but are not limited to detailed frequency, quantity of material, type of pesticide used, and application mechanism. Therefore, given the technical challenges of conducting a quantitative assessment of cumulative health impacts, the PEIR relied on a qualitative assessment, and included assessments done by U.S. EPA on the pesticides most likely to have the potential for a substantial cumulative impact.

Response to Comment 16556-138

CDFA disagrees that the cumulative impact analysis is not meaningful or appropriate for a programmatic EIR. The commenters erroneously claim that the PEIR's conclusions are not based on substantial evidence; they have not provided any evidence to support alternative conclusions to those reached in the PEIR.

Response to Comment 16556-139

The commenters are correct that, as a general matter, a lead agency must not defer the formulation of mitigation until after project approval. (State CEQA Guidelines, CCR Section 15126.4 subdivision [a][1][B].) The California State courts, however, have developed legal principles regarding the extent to which an agency can rely on a mitigation measure that defers some amount of environmental problem-solving until after project approval. In particular, deferral is permissible where the adopted mitigation measure commits the agency to a realistic performance standard or criterion that will ensure the mitigation of the significant effect, or lists alternative means of mitigating an impact that must be considered, analyzed, and possibly adopted in the future. (See ibid ["measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way"]; Endangered Habitats League v. County of Orange [2005] 131 Cal.App.4th 777, 793-794 [deferral is permissible where the agency commits itself to mitigation and either (1 adopts a performance standard and makes further approvals contingent on finding a way to meet the standard or (2) lists alternative means of mitigating the impact which must be considered, analyzed, and possibly adopted in the future]; Riverwatch v. County of San Diego [1999] 76 Cal.App.4th 1428, 1448–1450 [a deferred approach may be appropriate where it is not reasonably practical or feasible to provide a more complete analysis before approval and the EIR otherwise provides adequate information of the project's impacts]; Sacramento Old City Assn. v. City Council [1991] 229 Cal.App.3d 1011, 1029-1029 [SOCA]; Defend the Bay v. City of Irvine [2004] 119 Cal.App.4th 1261, 1275.)

The use of performance standards is particularly appropriate in connection with "program EIRs," such as the PEIR for the Proposed Program, for which later project-level environmental review will be conducted when new pest control activities or programs are proposed to be carried out. "[F]or kinds of impacts for which mitigation is known to be feasible, but where practical considerations prohibit devising such measures early in the

planning process (e.g., at the general plan amendment or rezone stage), the agency can commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of project approval. Where future action to carry a project forward is contingent on devising means to satisfy such criteria, the agency should be able to rely on its commitment as evidence that significant impacts will in fact be mitigated." (SOCA, supra, 229 Cal.App.3d at pp. 1028-1029; see also Rio Vista Farm Bureau Center v. County of Solano [1992] 5 Cal.App.4th 351.)

Consistent with the CEQA requirements set forth above, and the mitigation set forth in the Draft PEIR, the CDFA proposes to adopt performance standards to ensure the efficacy of the mitigation measures, policies, and programs. (Endangered Habitat League, supra, 131 Cal.App.4th at pp. 793-794.) Specific examples are provided below.

The PEIR's impact analysis was performed, and mitigation developed, at a level of detail consummate with the information available at this time regarding Proposed Program activities and the setting in which they would occur. Information that cannot be known at this time (e.g., the specific locations of future pest infestations) will be considered later through tiered environmental analysis, as needed. None of the analysis or mitigation is improperly "deferred," because there is no information that was hidden in an effort to avoid disclosure of the potential impacts of the Proposed Program.

The fact that certain mitigation measures do not include detailed site-specific information on how they will be implemented is attributable to the programmatic and necessarily broad nature of the Proposed Program. CEQA Guidelines Section 15152, which sets forth principles governing tiering, recognizes that providing site-specific information may not be feasible in a first-tier analysis, but can be deferred, in many instances, until such time as the lead agency prepares a future environmental document in connection with a project of a more limited geographical scale. CEQA Guidelines Section 15152 also acknowledges that "not all effects can be mitigated at each step of the process. There will be some effects for which mitigation will not be feasible at an early step of approving a particular development project." Second- or even third-tier CEQA review would then be required to develop the detailed mitigation.

The extent to which some of the proposed mitigation measures are general in nature is simply a reflection of the fact that the Proposed Program is a statewide program covering numerous areas of the state and several individual pest programs. The specificity of a Draft PEIR's discussion of mitigation measures should be proportionate to the specificity underlying the project. (Rio Vista Farm Bureau Center, supra, 5 Cal.App.4th at p. 376.) If the PEIR is certified, the CDFA would have successive opportunities in the future, in considering future pest control activities, to translate some of the broadly framed mitigation measures into more detailed, site-specific measures.

With respect to several of the mitigation measures identified by the commenters, for the biological resources mitigation, the impact analysis is very clear regarding the circumstances in which impacts could be potentially significant—the ERA conducted for the PEIR is the most lengthy portion of the entire document, and evaluates several hundred application scenarios and surrogate species that represent the full range of special-status species in California. Using this base of information, CDFA would conduct site-specific evaluation of its activities to determine whether special-status species or sensitive natural

communities may be in proximity to a given activity and potentially affected. CDFA would then develop site-specific measures to avoid such impacts. This mitigation has a clear performance standard—avoidance of take—and there can be little question that feasible measures exist (such as buffers to prevent exposure). Indeed, this approach is one that CDFA has used for many years in coordination with USFWS, CDFW, and NMFS, who concur that CDFA's activities are conducted in such a manner that take is avoided. In fact, when this mitigation was examined as part of the legal challenge to the PDCP EIR, the court stated (PEIR Appendix G, pages G-20 and G-21):

> Concerning the fate of fish and wildlife under the PDCP, appellants also criticize the built-in mitigation effort inherent in the consultation and communication protocols that have been set in place with other agencies, notably [C]DFG, USFWS and NMFS. The gist of appellants' complaint is that they do not trust that the interagency environmental coordination and consultation processes will lead to any appropriate or enforceable mitigation measures to protect fish and wildlife. [C]DFA has developed these protocols with the agencies directly responsible for protecting key aspects of our environment, to be triggered should conditions arise requiring mitigation efforts. We see no reason to question the good faith of [C]DFA's interagency commitments.

Similarly, Mitigation Measures HAZ-GEN-4a through HAZ-GEN-4c are not far-fetched; they are standard mitigation measures, and can be found in a multitude of CEQA documents; contain clear performance standards (avoidance of risk exceeding the level of concern identified in the HHRA); and are far from "speculative." The commenters claim the mitigation is unacceptable because it would not be implemented "until just before a management activity could occur"; yet by necessity, an evaluation of the potential for hazardous materials to be present at a given site cannot be conducted until the location of the site is known. This mitigation is not improperly deferred. It would take place at the appropriate juncture—at the time the location for a specific activity has been identified.

Regarding mitigation for potential impacts on post-transfer workers or other similar receptors from fumigations using methyl bromide, Mitigation Measure HAZ-CHEM-3 identifies clear, feasible and enforceable measures, such as conducting blood tests to monitor worker exposure, which would result in a worker being removed from a circumstance where the concentration in the blood would reach a level that could cause adverse health effects. In this manner, impacts would be detected before they become significant, thereby protecting human health. The text from the HHRA which the commenters quote is taken out of context; this discussion was presented to provide the reader with an understanding of the ongoing nature of the evaluation that CDPR and other agencies are conducting with respect to methyl bromide, and was not intended to reference CEQA mitigation. The PEIR's CEQA mitigation for this impact is provided in Mitigation Measure HAZ-CHEM-3.

Response to Comment 16556-140

See Response to Comment 16556-122.

Response to Comment 16556-141

The Proposed Program description, contained in PEIR Volume 1, Chapter 2, *Proposed Program Description,* and Chapter 3, *Proposed Program Activities*, does not include any mitigation measures.

Response to Comment 16556-142

As stated in PEIR Volume 1, Section 2.2, the goals of the Proposed Program include: (1) providing rapid response resources to address pest infestations as they occur; and (2) using an IPM approach in conducting activities (described further below). Although it is true that eradication is one of the methods for pest control in the Proposed Program, the Proposed Program also includes pest exclusion and suppression. Please see PEIR Volume 1, Section 2.7, *Pest Control*, for further details.

With respect to the range of alternatives considered in the PEIR, CDFA considered a reasonable range of alternatives; see Master Response 12, Alternatives Analysis, and Master Response 14, Ecological-Agricultural Approach. Master Response 12, Alternatives Analysis, discusses the reasons why CDFA has chosen to move forward with the Proposed Program as opposed to one of the alternatives. See Response to Comment 16556-146, which describes why the alternatives that were analyzed in the PEIR were not overly "simplistic."

Response to Comment 12076-3 discusses the decision-making process related to determining the pest management objective (e.g., eradication), and how objectives may change over time; there would be no "indefinite cycle of chemical pest control."

Response to Comment 16556-143

The Proposed Program's goals and objectives are not so narrow as to preclude consideration of otherwise viable alternatives. As described in Master Response 12, Alternatives Analysis, the Draft PEIR presented and analyzed meaningful alternatives that accurately reflect the practices that each alternative comprises. See Master Response 14, Ecological-Agricultural Approach, for a discussion of how CDFA has considered the ecological-agricultural approach.

Response to Comment 16556-144

Please see Response to Comment 12076-3, which discusses the goal of eradication, and its feasibility.

Response to Comment 16556-145

The Proposed Program relies on the treatment methods that are deemed most efficacious for eradicating or controlling plant pests. In some cases, chemical pesticides are necessary to achieve these objectives. To summarily exclude chemical pesticides from an IPM approach would be unwise, given the overarching goals and objectives of the Proposed Program. The chemicals evaluated for the Proposed Program have been subjected to a scientifically rigorous examination from both a human health and ecological perspective.

Response to Comment 16556-146

The alternatives analysis in the PEIR focused on major components of the Proposed Program that could be changed to avoid or reduce significant or potentially significant environmental impacts. This was not an oversimplification; each alternative would be very detailed, including all of the management approaches of the Proposed Program, with the exception of the changes identified. In this way, the public can most easily understand what aspects of the Proposed Program may have the most significant impacts, and what approaches could be used to address them.

The commenters are correct that in an IPM approach, all feasible pest management approaches would be considered, and entire categories of management approaches (e.g., use of pesticides) would not be eliminated. Given that the Proposed Program uses an IPM approach, it includes all feasible approaches. Therefore, by necessity, the alternatives had to contemplate removing certain types of management approaches to provide for meaningful alternatives that could reduce or avoid Proposed Program impacts. In other words, the approaches that the commenters suggest be evaluated as alternatives are already part of the Proposed Program, and therefore cannot be alternatives to the Proposed Program. In the IPM framework that the commenters are suggesting, there could not be any alternatives to the Proposed Program, which would not "fit the bill" for CEQA's requirements related to evaluation of alternatives.

Response to Comment 16556-147

Please see Master Response 14, Ecological-Agricultural Approach, for a discussion of ecological agriculture.

Response to Comment 16556-148

Please see Master Response 12, Alternatives Analysis, which describes the range of alternatives considered, including an alternative under which eradication would no longer be pursued, and there would be a focus instead on prevention, suppression, and control.

Response to Comment 16556-149

CDFA has determined that the Proposed Program does chart a new course toward a more sustainable pest management approach. CDFA disagrees that the Draft PEIR must be revised and recirculated. The PEIR focuses on both pest prevention and a scientifically sound analysis of adequately developed CEQA alternatives for sustainable pest management. In further response, the PEIR does:

- Adequately disclose potential health and environmental impacts of Proposed Program activities;
- Propose adequate mitigation measures; and
- Clearly state that it is a first-tier document, and that site-specific environmental analysis will be carried out for project-level activities using the tiering strategy.

In addition, public review and notice in accordance with CEQA is a component of the tiering strategy.

Response to Comment 16556-150

Please refer to the Master Response 8, Pollinators, and Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*, which discuss pollinators and describe how CDFA views the importance of healthy pollinator populations.

Response to Comment 16556-151

In the ERA, exposure to honey bees and other pollinators was evaluated based on label rates for the uses considered in the Proposed Program. This included evaluation of the use of neonicotinoid insecticides in nursery, residential, and agricultural settings. Applications for ornamental species were included in these analyses. Systemic residues available in pollen and nectar were estimated according to the recommended approach developed by the U.S. EPA, Canada's Pest Management Regulatory Agency, and California's Department of Pesticide Regulation (U.S. EPA, 2012g). This approach considers residues present from direct foliar spray applications and from systemic uptake from the soil.

Acute effects on honey bees and other pollinators were assessed using the maximum residues available following the maximum number of applications allowed under the Proposed Program. Such exposure would be greater than that which might be present in subsequent years. Therefore, any exposure in subsequent years was adequately addressed by this approach. Because no chronic toxicity data were available, only acute risk could be considered.

In addition, please refer to the MPs in PEIR Volume 1, Chapter 2, *Proposed Program Description*, designed to reduce potential for drift or other non-target effects, and Mitigation Measure BIO-CHEM-2, which provides for development of site-specific measures to avoid impacts.

Response to Comment 16556-152

Such items were accounted for; please refer to the ERA and its description of methodology for determining exposure pathways, including contact with or ingestion of surface water.

Response to Comment 16556-153

Please review the ERA for information on the use of the Blennosperma vernal pool andrenid bee as an appropriate surrogate for native bee species and other flying terrestrial insects.

Response to Comment 16556-154

CDFA thanks the commenters for the commendation on CDFA's efforts to contribute to pollinator protection improvements. These are voluntary measures that CDFA will engage in out of the agency's commitment to the state's agricultural and natural resources,

including supporting healthy populations of honeybee and other pollinators. As such, they were not included as CEQA mitigation measures and made binding in the PEIR.

Response to Comment 16556-155

When alternative and efficacious method of pest prevention and management become available, CDFA would consider adding it to the Proposed Program. CDFA is not aware of any instances when pesticides have been misused under the Statewide Program, nor have the commenters offered any evidence to support such an assertion. Regardless, the PEIR contains very specific requirements designed to avoid use of pesticide in a manner that could cause significant adverse impacts.

Response to Comment 16556-156

As specified in Master Response 8, Pollinators, no bee species are listed as special-status species; therefore, the pollinator protection measures listed in Attachment 1 of Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*, are voluntary and would not be required. Special-status pollinators are adversely affected by complex interactions among multiple stressors, including pests and pathogens, poor nutrition resulting from loss of foraging habitat, pesticide exposure, and overall habitat loss. Special-status flowering plants are also subject to multiple stressors, including land conversion, invasive species, climate change, and reductions in pollinator populations.

As described in PEIR Impacts BIO-CHEM-4, BIO-CUM-2, and BIO-CUM-3, although there are scenarios for which the ERA estimated risk could exceed the level of concern for special-status pollinators, CDFA would implement various avoidance and minimization measures as part of the Proposed Program (including the MPs discussed in PEIR Volume 1, Chapter 2, *Proposed Program Description*). With these measures, which would minimize potential adverse effects on pollinators, the Proposed Program would not be anticipated to have a measurable adverse effect on special-status species pollinators or pollinator-dependent special-status flowering plants. The commenters' statements that honeybee foraging areas were inaccurately considered would not affect the conclusions of the PEIR on special-status pollinators (because honeybees are not special-status species) or special-status flowering plants (because the Proposed Program's impact would be minimal, and would not substantially affect the local or regional populations of pollinators).

The exposure to honey bees and other pollinators directly considered in the PEIR is focused on the application scenarios and pesticides included in the Proposed Program. No tank mixes of an insect growth regulator pesticide with a fungicide (or tank mixes in general) are included in the Proposed Program. Therefore, no evaluation of tank mixes of multiple pesticide products or applications to almonds were considered.

Response to Comment 16556-157

The Proposed Program includes numerous MPs to ensure that impacts would not be significant; and Mitigation Measure BIO-CHEM-2 for impacts that could be potentially significant. Note that based on CEQA Guidelines Appendix G significance criteria, impacts to honey bees and non-special-status native bee species would not be significant.

Response to Comment 16556-158

Thank you for your comments.

Response to Comment 16556-159

Consistent with U.S. EPA risk assessment standards and practices, the most sensitive adverse endpoint available was selected for the risk analysis. Note that these endpoints were limited to adverse effects only. Adverse effects include any effect that causes a deviation from a healthy, normal, or efficient condition (i.e., pathological). Changes in enzyme levels, cellular activity, body weight, organ weight, or blood parameter measurements are not necessarily adverse; therefore, these endpoints were not used in the risk analysis unless they were indicative of pathology or progression toward an adverse effect. For example, red blood cell cholinesterase inhibition was selected as the endpoint used in risk analysis for chlorpyrifos, an organophosphate insecticide, because this effect has been established as indicative of progression toward neuropathic effects, and suitable NOAEL was available for risk evaluation. It is worth noting that epidemiological data, although informative, are usually insufficient for quantifying risk in a risk assessment. This insufficiency is typically due to the lack of endpoint data on which to do risk estimation. Epidemilogical data are generally correlative and do not establish a causal relationship between chemical dose and adverse effect. Epidemilogical studies, however, may be useful to support the case that a particular chemical or group of chemicals is capable of causing an adverse effect.

Although endocrine disruptors are generally considered to have the potential to cause adverse effects, considerable uncertainty exists regarding the relationship between endocrine disruptor exposure and adverse health outcomes. In many cases, only screening level data are available to indicate the potential for a chemical to interact with the endocrine system in a way that *may* produce an adverse effect (U.S. EPA, 2011v). In general, these and other forms of endocrine disruptor data are not sufficient for conducting a risk assessment. As a result, endocrine disruption was not explicitly assessed in the HHRA. However, if suitable endpoints were available for an adverse effect that may result from endocrine disruption (e.g., developmental toxicity or carcinogenicity), those endpoints were considered in the risk analysis. In this way, the HHRA implicitly accounted for various endocrine-disrupting effects.

Although epigenetic effects have the potential to cause adverse effects, considerable uncertainty exists regarding the relationship between exposure to chemicals that may elicit epigenetic effects, and adverse health outcomes. In general, epigenetic data are not sufficient for conducting risk assessment. As a result, epigenetic effects were not explicitly assessed in the HHRA. However, if suitable endpoints were available for adverse effects that may result from epigenetic factors were available (e.g., developmental toxicity, and carcinogenicity), those endpoints were considered in the risk analysis. In this way, the HHRA implicitly accounted for various epigenetic effects.

Response to Comment 16556-160

Neither this HHRA nor CDPR- or U.S. EPA-issued guidance documents assume or otherwise indicate that all dose/response relationships are linear. When Paracelsus' maxim "The dose

makes the poison" is invoked, it is used to communicate that the amount of a substance a person is exposed to often mediates the various toxic effects you might see at any given dose. For example, different dose type and method (chronic, acute, dermal, inhalation, etc.) may elicit different responses (rash, low enzyme function, weight gain or loss, etc.), and hence may result in nonlinear dose/response relationships. Modern endocrinological findings are consistent with this principle in that the dose is related to the effect observed.

Please see Response to Comment 16556-159 above for a more detailed discussion on potential health effects.

Response to Comment 16556-161

Please see Response to Comments 16556-159 and 16556-160 above.

When data were available for inert ingredients, the cumulative risk of both active and ingredients was assessed. This approach is more conservative than the traditional risk assessment approach of solely evaluating the active ingredient.

Typically, the U.S. EPA requires listing only the active ingredients on labels. However, there are certain exceptions where the U.S. EPA has identified certain inert or other ingredients that, if used in the pesticide formulation, must be listed on the product label. These ingredients were evaluated in both the HHRA and the ERA. All other ingredients (e.g., unlisted or trade secret ingredients) were either evaluated by the U.S. EPA to safe when used according to the label or there was no evidence indicating that the ingredients posed a hazard to humans or the environment.

Response to Comment 16556-162

Please see Response to Comment 16556-159 above.

Response to Comment 16556-163

Chemical activity such as toxicity and environmental fate are driven by chemical structure; this structure-activity relationship concept is widely accepted and used in environmental chemistry, toxicology, pharmacology and other related fields. Consistent with U.S. EPA risk assessment standards and practices, when chemical-specific data were not available, chemical surrogates were selected based on significant shared similarities in structure.

See also Response to Comments 16556-159 and 16556-160 above.

Response to Comment 16556-164

Please see Master Response 6, Comments Regarding Multiple Chemical Sensitivity, for a review of scientific literature on emerging MCS theories, prevalence of MCS in the population, and limitations of health risk assessment methodologies and risk management decision making used by government agencies with respect to emerging non-dose response mechanisms. In light of the fact that no appropriate risk assessment procedures are available to address and make a risk-based decision regarding individuals with MCS, the

Proposed Program is consistent with pesticide policy recommendations for dealing with individuals with MCS.

All ingredients are considered by U.S. EPA and CDPR during pesticide registration, and those available to CDFA were considered in the PEIR analysis.

Response to Comment 16556-165

Health effects that may result from uptake, metabolism, and storage of Proposed Program-applied pesticide active and inert ingredients in the body are accounted for in the studies conducted to develop toxicity endpoints. In the HHRA, the most sensitive toxicity endpoint was selected, and the toxicity value was used to compare to the estimated scenario and receptor specific exposure levels in each Proposed Program. For more information on the toxicity assessment, refer to the HHRA report (Appendix B, Section 2.2, *Toxicity Dose-Response Assessment*).

With one exception, we are unaware of any pesticide active or inert ingredients that may be used under the Proposed Program, and whose environmental degradates are considered more toxic than the parent compound. The one exception is acephate, and its degradate methamidophos. Our analysis did consider methamidophos and, consistent with U.S. EPA methodology, conservatively assumed a 25 percent conversion rate of acephate to methamidophos upon release into the environment. This value is highly conservative and health-protective.

Response to Comment 16556-166

For any given scenario in the HHRA, the decision to assess a receptor was based on whether that receptor could be reasonably assumed to have exposure to the Proposed Program-applied pesticide active and inert ingredients used in that particular scenario. For example, a child could reasonably be assumed to have the potential to place vegetation or soil into his/her mouth, but a child would not reasonably be assumed to be present in an occupational environment such as a nursery or production agriculture facility. Therefore, a child in a residential setting (i.e., the child PAR) was assumed to have the potential for exposure to Proposed Program-applied pesticide active and inert ingredients through ingestion of treated vegetation and soil, but a child was not considered to be a realistic receptor for treatments in nursery and production agriculture settings.

For certain receptor exposure pathways, the potential for exposure to Proposed Product-applied pesticide active and inert ingredients may exist, but was not quantified due to the existence of a more conservative assessment of a related exposure pathway. For example, the potential risk to a child demonstrating pica behavior was assessed and quantified for ingesting treated soil in a residential setting. However, the potential risk to a child from incidental ingestion of treated soil through hand-to-mouth contact was not quantified, because the child in the pica scenario will result in a higher potential risk. Intentional ingestion of treated soil by a child demonstrating pica behavior did not indicate a potential for unacceptable risk; therefore, incidental ingestion from hand-to-mouth activity will not indicate a potential for unacceptable risk.

Response to Comment 16556-167

See Response to Comments 16556-159 and 16556-160 above.

Inherent in the MOE approach used in this risk assessment is the incorporation of safety/ uncertainty factors. Two safety factors were used: one for interspecies variability (10×) and another for intraspecies variability (10×). These two safety factors together result in a value of 10 × 10 = 100 for the MOE. Interspecies safety/uncertainty factors are intended to account for uncertainty in extrapolating animal data to humans; they are intended to account for variation in susceptibility (i.e., differences in sensitivity) among members of the human population (e.g., differences based on sex, race, age, and health conditions).

For cancer risk assessments, the procedures used to extrapolate cancer potency factors from epidemiological or animal carcinogenicity data are generally health-protective in that they determine an upper confidence bound on the risk experienced by an exposed population. These procedures are intended to include the majority of variability in the general human population, including more sensitive individuals, within the confidence bounds of the estimate.

In certain cases, data are available allowing further refinement in the characterization of risk for more susceptible sub-populations. For example, ADAFs were incorporated into the cancer risk assessment to account for differences in cancer susceptibility based on age of exposure (U.S. EPA, 2005q). These adjustments, in addition to the default conservative approach to deriving cancer potency factors, further increase the health-protection for sensitive sub-populations.

Additional safety/uncertainty factors were included throughout the assessment, where appropriate. These factors are intended to account for 1) uncertainty in extrapolating from data obtained in a study with less-than-lifetime exposure (e.g., extrapolating sub-chronic to chronic exposure); 2) uncertainty in extrapolating from the LOAEL rather than a NOAEL; or 3) uncertainty associated with extrapolation when toxicity data are limited or incomplete.

Response to Comment 16556-168

For any given scenario in the HHRA, the decision to assess a receptor was based on whether that receptor could reasonably be assumed to have exposure to the pesticides and inert ingredients used in that particular scenario. In the case of the DWB, an infant between the ages of 0 and <2 years was deemed to have a discountable level of exposure, because an infant spends most of his/her time indoors under supervision of an adult. Furthermore, the infant is believed to spend only a few hours, if any, outdoors in areas affected by drift. The life stage of the child (ages 2 to <16 years) is based on U.S. EPA (2005q), and this child was quantitatively considered. For the purposes of this HHRA, a child becomes an adult (physically mature) at age 16. An adult receptor has the potential to be exposed for 24 years, based on the recommended exposure duration for an adult resident in DTSC (2011a); this receptor was also quantitatively considered.

Response to Comment 16556-169

Please see Response to Comments 16556-159 and 16556-160 above. Also, see Master Response 6, Comments Regarding Multiple Chemical Sensitivity, for further discussion about MCS.

Response to Comment 16556-170

Please see Response to Comment 16556-163.

Response to Comment 16556-171

CDFA uses an IPM approach for pest prevention and management. IPM is the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means, and with the least possible hazard to people, property, and the environment, while achieving adequate efficacy to meet the goal of the program. The IPM approach considers information on the life cycles of pests and their interaction with the environment, and all appropriate pest management options. Implementation often results in a combination of strategies, including mechanical control, biological control, cultural control, and the use of pesticides where indicated.

The Proposed Program's IPM activities are supported by: pest rating (evaluation of pest's environmental, agricultural, and biological significance); identification, detection and delimitation of new pest populations; pest management response, which may include rapid eradication and/or control of new and existing pest populations; and prevention of the movement of plant pests into and within California. The Proposed Program includes a set of options to achieve CDFA's goals and objectives, including physical, biological, and chemical management techniques.

Comment Letter 16574

From: Sandy Ross
To: CDFA Pest Prevention EIR@CDFA
Subject: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report
Date: Friday, October 31, 2014 2:42:39 PM
Attachments: DPEIR CDFA H&H fin A.pdf

Subject: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report from Dr. SAndra Ross, Health & Habitat,Inc.

Sent from my wired desktop computer.

Laura Petro, Senior Environmental Scientist California Department of Food and Agriculture
1220 N Street, Suite 221 Sacramento CA 95814
Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report
PEIR.info@cdfa.ca.govdermestid Dear Ms. Petro:
As President of Health & Habitat, Inc, we are writing to express some of our concerns about the CEQA deficient Draft Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report (DPEIR). My background is holistic health and entomology (past Field Associate, California Academy of Sciences, co-author just published Insects and Plants, Mariposa Press), so I am uniquely qualified to look at 2 main aspects of the document – whether it will work and whether it will harm humans.
Basically we see this DPEIR as crafted to avoid present and future public environmental review and public scrutiny - the opposite of what a public document that proposes spraying poisons over the State should be.
We also incorporate and endorse comments submitted by EARTHJUSTICE and ATA on behalf of California Environmental Health Initiative, MOMS Advocating Sustainability, and others, and ask that you address those comments in your
76 LEE ST • MILL VALLEY • CALIFORNIA • 94941-1050 • (415) 383-6130 • FAX 381-9214
EMAIL: HEALTHHAB@IGC.ORG A NON-PROFIT TAX EXEMPT CORPORATIONresponse to our letter as well.
The Department should set aside this totally inadequate, flawed document, abandon toxic spray applications, and eliminate eradication as a (non-achievable) goal. Instead it should work on pest prevention through sustainable, pesticide free farming that will discourage pests by producing healthy plants – which will also provide nutrient rich, toxic free food grown in uncontaminated soils.
This Statewide Plant Pest Prevention DPEIR purports to cover the whole State for all plant pests – an impossible task, as acknowledged by its own admissions, such as declining to review specific impacts because: "the geographic area under consideration is large and varied," (DPEIR at 6-16).
We see no attempt to have routine evaluations of program impacts, either on the target or people, animals, plants, etc.. There seems to be no obligation for CDFA to properly warn people of impending pesticide spraying, nor to listen to complaints, concerns, or suggestions. This is another inadequacy that needs correcting.

Comment Letter 16574-cont.

No provision has been made for a NO SPRAY list, where people could sign up to have their property not sprayed; several Mosquito Control districts offer one, including Marin/Sonoma Mosquito and Vector Control District. We believe it is the right of people with disabilities, especially from chemicals, to not be sprayed, and that CDFA is obligated to set up an appropriate database as part of the DPEIR process – otherwise it will be incomplete.

Considering that up to 1/3 of the people of California already have some degree of chemical sensitivity, in our opinion this DPEIR violates their rights under Americans With Disabilities Act.

Eradication of an insect species is essentially a fake goal, historically used by CDFA to get state and federal money – declare success – and then another "invasion" the following year, to get money again. Once a species has reached enough population to be noticed/trapped, its essentially impossible to eradicate it (sample literature: Myers et al (1998)). The DPEIR is deficient as it does not address this.

Suppression and/or control are possible, can be accomplished with (true) Integrated Pest Management, and should be the goal of the program – but not with the inaccurate lists in DPEIR at 2-16/17, which need correcting before the document could be certified..

No exit strategy is defined for projects. This means the DPEIR effectively authorizes treatments for pests (as defined by them) indefinitely; this needs to be corrected before the document could be certified. Furthermore the DPEIR dismisses a long list of least- and non-toxic pest management approaches by claiming they would not achieve the Proposed Program objectives. This is because the objectives are not realistic and have not been properly defended in the document. This does not satisfy CEQA and must be entirely re-done with realistic goals that will achieve the objective of reasonably protecting agriculture. However, farmers must be reasonable about what they try to grow. Crops should be chosen for compatibility to the climate, water available, and market for them – not mono cropping of exotic foods, especially ones that then get shipped to distant markets.

Human Health Risk Assessment is woefully inadequate and inconsistent in how long pesticide exposure could be (3-14-24 years, or forever) as there is no end to the program. This needs to be completely re structured to fit proof (if any available) that there is no damage to non-target species (such as but not limited to benevolent useful insect species such as bees, animals, soil organisms, humans, plants, etc).

The DPEIR must state if pesticides will be used near sensitive populations. For example – schools, where young children study and play outside. What types of treatments would be allowed at schools or day care centers? Would the California Department of Pesticide Regulation (DPR) *List of Pesticide Products Prohibited from Use in Schools and Child Care Facilities* or local pesticide bans be adhered to? It would need to be evaluated as last we saw it contained products which were toxic, especially to children.

The DPEIR is deficient as it does not consider differential effects of pesticides on fetuses or pregnant women. In fact any person with any condition - chronic or acute - becomes more susceptible to toxins such as CDFA plans to spray the State with. All these need to be evaluated before even considering spraying anything.

How about hospitals, nursing homes, senior centers, and other facilities where ill and vulnerable populations are found ? What about people legally disabled whose condition would be worsened by pesticide exposure? These populations have not been considered, and must be exempted from any chemical exposures from this program.

DPEIR must analyze Proposed Program's impact on receptors with Multiple Chemical Sensitivity (EI) aka Environmental Illness (MCS), and TILT (Toxicant- Induced Loss of Tolerance). DPEIR is woefully inadequate as it has not considered TILT, the neuro-pathophysiologic mechanism for EI/MCS. Nor has it considered the growing literature on epidemiological incidence and pre-disposing genomics that explain EI/MCS/TILT.

During my 40 years in the health field I have been very aware of the growing incidence and seriousness of conditions caused by chemicals, pesticides often being the worst, more often leading to permanent disability, and a life of experiencing miserable symptoms if they try to leave the homes in which they have learned to reduce chemicals.

CDFA's PEIR is woefully inadequate in this section, ignoring the many explanations for the phenomena. We incorporate each of the articles in the reference below and request that you respond to them, and analyze whether EI/MCS can still be ignored.

We hereby incorporate all the literature found at the web address below. In order to be complete,

Comment Letter 16574-cont.

preparers need to consider each one and how the information affects the planned program(s). Hard copy will be mailed before 5pm this afternoon (October 31st, 2014).
http://www.ncbi.nlm.nih.gov/pubmed/?term=toxicant-induced+loss+of+tolerance
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Multiple Chemical Sensitivity: Toxicological and Sensitivity Mechanisms
Martin L. Pall Professor Emeritus of Biochemistry and Basic Medical Sciences, Washington State University and Research Director, The Tenth Paradigm Research Group 638 NE 41st Ave. Portland, OR 97232-3312 USA 503-232-3883 martin_pall@wsu.edu.
To be sure you have a copy of the abstract we are today (October 31st) mailing a copy, and hereby incorporate it.
Sensitive special-status species and sensitive habitats have more attention than humans – but even they are not properly protected. Also wild bees must be protected, especially as domestic ones succumb to the toxic conditions man has already made; DPEIR is incomplete without a detailed analysis and reliable plan to protect them, including a program to check up and report that status.
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Comment Letter 16574-cont.

need a fresh approach. There are forward thinking entomologists just down the road from you at UC Davis. Drs. James Carey and Frank Zalom have information and experience that could greatly help this beleaguered program and document. We recommend you contact them for their latest information and publications – which we hereby incorporate.

With hope honesty and reality prevail,

Sandra Ross, President 10/31/14 – 2:20 pm

Comment Letter 16574-cont.



Laura Petro,
Senior Environmental Scientist California Department of Food and Agriculture

1220 N Street, Suite 221 Sacramento CA 95814

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

PEIR.info@cdfa.ca.govdermestid

Dear Ms. Petro:

As President of Health & Habitat, Inc, we are writing to express some of our concerns about the CEQA deficient Draft Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report (DPEIR). My background is holistic health and entomology (past Field Associate, California Academy of Sciences, co-author just published Insects and Plants, Mariposa Press), so I am uniquely qualified to look at 2 main aspects of the document – whether it will work and whether it will harm humans.

16574-1 Basically we see this DPEIR as crafted to avoid present and future public environmental review and public scrutiny - the opposite of what a public document that proposes spraying poisons over the State should be.

16574-2 We also incorporate and endorse comments submitted by EARTHJUSTICE and ATA on behalf of California Environmental Health Initiative, MOMS Advocating Sustainability, and others, and ask that you address those comments in your

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EMAIL: HEALTHHAB@IGC.ORG
A NON-PROFIT TAX EXEMPT CORPORATION

Comment Letter 16574-cont.

response to our letter as well.

16574-3 The Department should set aside this totally inadequate, flawed document, abandon toxic spray applications, and eliminate eradication as a (non-achievable) goal. Instead it should work on pest prevention through sustainable, pesticide free farming that will discourage pests by producing healthy plants – which will also provide nutrient rich, toxic free food grown in uncontaminated soils.

16574-4 This Statewide Plant Pest Prevention DPEIR purports to cover the whole State for all plant pests – an impossible task, as acknowledged by its own admissions, such as declining to review specific impacts because:
"the geographic area under consideration is large and varied," (DPEIR at 6-16).

16574-5 We see no attempt to have routine evaluations of program impacts, either on the target or people, animals, plants, etc.. There seems to be no obligation for CDFA to properly warn people of impending pesticide spraying, nor to listen to complaints, concerns, or suggestions. This is another inadequacy that needs correcting.

16574-6 No provision has been made for a NO SPRAY list, where people could sign up to have their property not sprayed; several Mosquito Control districts offer one, including Marin/Sonoma Mosquito and Vector Control District. We believe it is the right of people with disabilities, especially from chemicals, to not be sprayed, and that CDFA is obligated to set up an appropriate database as part of the DPEIR process – otherwise it will be incomplete.

Considering that up to 1/3 of the people of California already have some degree of chemical sensitivity, in our opinion this DPEIR violates their rights under Americans With Disabilities Act.

16574-7 Eradication of an insect species is essentially a fake goal, historically used by CDFA to get state and federal money – declare success – and then another "invasion" the following year, to get money again. Once a species has reached enough population to be noticed/trapped, its essentially impossible to eradicate it (sample literature: Myers et al (1998)). The DPEIR is deficient as it does not address this.

16574-8 Suppression and/or control are possible, can be accomplished with (true) Integrated Pest Management, and should be the goal of the program – but not with the inaccurate lists in DPEIR at 2-16/17, which need correcting before the document

could be certified..

16574-9 No exit strategy is defined for projects. This means the DPEIR effectively authorizes treatments for pests (as defined by them) indefinitely; this needs to be corrected before the document could be certified.

16574-10 Furthermore the DPEIR dismisses a long list of least- and non-toxic pest management approaches by claiming they would not achieve the Proposed Program objectives. This is because the objectives are not realistic and have not been properly defended in the document. This does not satisfy CEQA and must be entirely re-done with realistic goals that will achieve the objective of reasonably protecting agriculture. However, farmers must

16574-11 be reasonable about what they try to grow. Crops should be chosen for compatibility to the climate, water available, and market for them – not mono cropping of exotic foods, especially ones that then get shipped to distant markets.

16574-12 Human Health Risk Assessment is woefully inadequate and inconsistent in how long pesticide exposure could be (3-14-24 years, or forever) as there is no end to the program. This needs to be completely re structured to fit proof (if any

16574-13 available) that there is no damage to non-target species (such as but not limited to benevolent useful insect species such as bees, animals, soil organisms, humans, plants, etc).

16574-14 The DPEIR must state if pesticides will be used near sensitive populations. For example – schools, where young children study and play outside. What types of treatments would be allowed at schools or day care centers? Would the California Department of Pesticide Regulation (DPR) *List of Pesticide Products Prohibited from Use in Schools and Child Care Facilities* or local pesticide bans be adhered to? It would need to be evaluated as last we saw it contained products which were toxic, especially to children.

16574-15 The DPEIR is deficient as it does not consider differential effects of pesticides on fetuses or pregnant women. In fact any person with any condition - chronic or acute - becomes more susceptible to toxins such as CDFA plans to spray the State with. All these need to be evaluated before even considering spraying anything.

How about hospitals, nursing homes, senior centers, and other facilities where ill and vulnerable populations are found ? What about people legally disabled whose condition would be worsened by pesticide exposure? These populations have not been considered, and must be exempted from any chemical exposures from this program.

Comment Letter 16574-cont.

16574-16

DPEIR must analyze Proposed Program's impact on receptors with Multiple Chemical Sensitivity (EI) aka Environmental Illness (MCS), and TILT (Toxicant-Induced Loss of Tolerance). DPEIR is woefully inadequate as it has not considered TILT, the neuro-pathophysiologic mechanism for EI/MCS. Nor has it considered the growing literature on epidemiological incidence and pre-disposing genomics that explain EI/MCS/TILT.

During my 40 years in the health field I have been very aware of the growing incidence and seriousness of conditions caused by chemicals, pesticides often being the worst, more often leading to permanent disability, and a life of experiencing miserable symptoms if they try to leave the homes in which they have learned to reduce chemicals.

CDFA's PEIR is woefully inadequate in this section, ignoring the many explanations for the phenomena. We incorporate each of the articles in the reference below and request that you respond to them, and analyze whether EI/MCS can still be ignored.

We hereby incorporate all the literature found at the web address below. In order to be complete, preparers need to consider each one and how the information affects the planned program(s). Hard copy will be mailed before 5pm this afternoon (October 31st, 2014).
http://www.ncbi.nlm.nih.gov/pubmed/?term=toxicant-induced+loss+of+tolerance

16574-17

There is also growing literature on the connection between pesticides and Parkinson's Disease (Gatto, Cockburn, Bronstein, Manthripragada, & Ritz, 2009; Tanner et al., 2011), childhood cancer (particularly brain tumors) (Carozza, Li, Elgethun, & Whitworth, 2008), breast cancer (Gray, 2010), and a myriad of other once rare cancers. Prenatal atrazine exposure is associated with low birth weight and small head circumference in human neonates (Chevrier et al., 2011). Prenatal exposure to organophosphate pesticides is associated with cognitive deficits at ages 12 and 24 months (Engel et al, 2011) and at 7 years (Bouchard et al., 2011; Rauh et al., 2011). These need to be evaluated before the DPEIR is adequate.

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Comment Letter 16574-cont.

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16574-18 **Multiple Chemical Sensitivity: Toxicological and Sensitivity Mechanisms**
Martin L. Pall Professor Emeritus of Biochemistry and Basic Medical Sciences, Washington State University and Research Director, The Tenth Paradigm Research Group 638 NE 41st Ave. Portland, OR 97232-3312 USA
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Sandra Ross, President
10/31/14 – 2:20 pm

16574-31

Letter 16574: Sandra Ross, Health & Habitat (October 31, 2014)

Response to Comment 16574-1

CDFA refers the commenter to Master Response 18, Comment Period Duration and Notice, which describes the efforts CDFA made, above and beyond CEQA requirements, to provide the public with opportunities to review the Draft PEIR. Master Response 1, Scope of the Statewide Program, describes how future environmental evaluation and public review of Proposed Program activities would occur; CDFA in no way intends to restrict future public review under the Proposed Program, and will always comply with CEQA public notification requirements and its own public notification process.

CDFA also takes exception to the commenter characterizing the Proposed Program as "spraying poisons over the State." This is a serious misrepresentation of what the Proposed Program would entail, and its potential environmental impacts. Please refer to Master Response 1, Scope of the Statewide Program, which describes the scope of the Proposed Program, and PEIR Volume 1, Section 6.3, *Biological Resources,* and Section 6.5, *Hazards and Hazardous Materials*, which discuss the potential impacts that Proposed Program chemicals may have on ecological receptors and human health, respectively. The PEIR concludes that with implementation of mitigation measures, no adverse impacts to species or humans would occur.

Response to Comment 16574-2

Responses to the organizations/entities referenced by the commenter have been addressed in other sections of this PEIR.

Response to Comment 16574-3

The commenter provides no justification or evidence whatsoever that the document is inadequate or flawed. With respect to eradication as a goal, please refer to the discussion in Response to Comment 12076-3, which describes that eradication is a legislative mandate, and in many cases, is an achievable goal. Regarding the pest management approach suggested in the second sentence of the comment, this appears to be the "Ecological Pest Management Approach," which was also suggested in Comment Letter 16556, and is discussed in detail in Master Response 14, Ecological-Agricultural Approach. This master response discusses its feasibility, the ways in which such approaches are being used now, the mandates for UC to conduct further study of this approach, and the manner in which it may be further integrated into the Proposed Program in the future.

Response to Comment 16574-4

The commenter mistakenly states that the PEIR professes to cover all plant pests statewide, and misunderstands the content requirements of a program EIR. As described in PEIR Volume 1, Chapter 1, *Introduction* (page 1-4), the PEIR when certified will serve as a program-level EIR, pursuant to CEQA Guidelines Section 15168, or as a first-tier EIR prepared pursuant to CEQA Guidelines Section 15152. The PEIR will provide a foundation for subsequent, more detailed analyses associated with individual activities conducted under the Proposed Program. The PEIR provides CEQA coverage for the specific activities

described in PEIR Volume 1, Chapter 2, *Proposed Program Description,* and Chapter 3, *Proposed Program Activities*, and provides a CEQA Tiering Strategy (Appendix C) that can be used to determine appropriate CEQA compliance efforts for future pest management activities. Please see Master Response 1, Scope of the Statewide Program, for further discussion of this topic.

Response to Comment 16574-5

CDFA refers the commenter to Appendix C, *CEQA Tiering Strategy*, which provides a detailed evaluation of impacts for individual Proposed Program activities. Appendix C, *CEQA Tiering Strategy*, Section 4, *Maintenance of the PEIR,* also describes that—in an effort to ensure the PEIR continues to be a useful tool for implementation of the Proposed Program over time—CDFA anticipates conducting regular review of the environmental analysis in the PEIR in the context of changed regulations, environmental setting, and scientific understanding, as well as relevant changes to Proposed Program activities. Appendix C, *CEQA Tiering Strategy*, Section 4, *Maintenance of the PEIR,* provides examples of items that would be considered, and may require updates resulting from maintenance reviews.

Response to Comment 16574-6

There would never be an instance of CDFA-related pesticide application to a person's property without prior notification. Prior to treatment, CDFA does and will contact all impacted homeowners and consider all inquiries and special requests. CDFA does and will hold public meetings, visit homes, distribute educational door hangers, and provide local experts to educate public, such as County Public Health Officer, State partners such as OEHHA, CDPR, and industry stakeholders, as described in Mitigation Measure HAZ-CHEM-1a and PEIR Volume 1, Section 2.4.2, *Public Notification*. Master Response 1, Scope of the Statewide Program, provides further information about opportunities for future public notification and comments.

CDFA is not aware of any legal requirement for a "no spray" list of any state agency/ department.

Please refer to Master Response 6, Comments Regarding Multiple Chemical Sensitivity, for a discussion of individuals with chemical sensitivity. The Proposed Program in no way eliminates CDFA's obligation to comply with applicable provisions of the Americans with Disabilities Act, or any other applicable law or regulation.

Response to Comment 16574-7

CDFA disagrees that eradication is not ever achievable, or that the Draft PEIR is deficient in this regard; please refer to Response to Comment 12076-3, which discusses this topic. CDFA takes serious exception to the suggestion that CDFA uses "fake" goals to obtain funding; as an agency, we act in good faith, using the best available science to responsibly spend taxpayer money in an effort to protect the state from the economic and environmental damage caused by invasive pest species.

Response to Comment 16574-8

As provided in PEIR Volume 1, Section 2.2, *Program Goals and Objectives*, eradication is not a defined goal of the Proposed Program. In fact, the goals of the Proposed Program are to: (1) provid[e] rapid response resources in order to address pest infestations as they occur; and (2) us[e] an IPM approach in conducting activities. The commenter implies that CDFA's IPM approach for suppression is inaccurate, but does not suggest any alternative suppression or control activities. CDFA refers the commenter to Master Response 2, Integrated Pest Management Approach, which provides further information about CDFA's IPM Approach, and describes how it is consistent with other IPM definitions such as that developed by UC.

Response to Comment 16574-9

In a sense, the commenter is correct. The PEIR is designed to be evergreen, and will be updated to reflect current science and technology and changed environmental and regulatory conditions, as stated in Appendix C, *CEQA Tiering Strategy*, Section 4, *Maintenance of the PEIR*. "Exit strategy" implies that it is possible to know how the many variables will change going forward. For example, drought, artificial spread, funding, and other factors might impact effectiveness. Therefore, no exit strategy is feasible at the time of pest detection. However, CDFA has incorporated an ICS response to various emergency projects. An ICS response incorporates strategies for pest responses and feasibility of eradication. In the case of most eradication programs, the program will end as soon as the population has been deemed eradicated by detection trapping within a biological time frame specific to the pest and site; and as defined by International and National Standards for eradication. The timely removal of quarantine regulations is also part of an overall strategy to end a program.

As detailed in Response to Comment 12076-3 above, CDFA will evaluate each program over time using an adaptive management approach, and modify a program's objective if it is not meeting the goal of eradication. CDFA has determined that eradication is an achievable goal.

Response to Comment 16574-10

CEQA allows the lead agency to define its program goals and objectives, and considers the Proposed Program's objectives to be reasonable and feasible to accomplish. The commenter has not provided any evidence to support an assertion to the contrary. Management approaches that cannot meet the Proposed Program's objectives have not been included as part of the Proposed Program. The Proposed Program includes a number of efficacious least- and non-toxic pest management approaches, including physical and biological techniques and USDA organic-approved pesticides. Please refer to PEIR Volume 1, Chapter 7, *Alternatives Analysis*, for a detailed discussion of alternatives; and for those that have been dismissed, the reasons for their dismissal. The PEIR, and in particular its alternatives analysis, fully complies with CEQA requirements, and CDFA is confident that the Proposed Program can achieve its objectives.

Response to Comment 16574-11

It is not under CDFA's authority to determine which specific crops farmers grow; that is the right of the growers/farmers.

Response to Comment 16574-12

CDFA developed estimates for duration exposure based on the longest period over which treatments have ever occurred at a given location under the Statewide Program in the past. Typically, treatments are also infrequent in any given location, and occur only as periodic events throughout the overall duration of treatment (e.g., between 1 and 4 times per year). CDFA performs such treatments in a given residential neighborhood over the course of 1 year, or 2 years if necessary. To be conservative, CDFA elected to use a "worst-case" maximum duration in a given residential neighborhood of 3 consecutive years. Therefore, for treatments occurring in residential settings, the receptors (i.e., adult and child PAR and adult and child DWB) were assumed to have the potential to be periodically exposed to Proposed Program-applied pesticide active and inert ingredients over a duration of 3 years during which these periodic treatments could occur.

Proposed Program activities in nurseries and production agriculture facilities may occur for longer than 3 years, because these facilities are under continuous monitoring to prevent the spread of invasive pests. For Proposed Program activities in a nursery or production agriculture setting, the exposure duration of a resident adjacent to the treated facility (i.e., adult and child DWB) was assumed to be 24 years for an adult, as recommended by DTSC (2011a), and 14 years for a child, in accordance with the child's age range given in U.S. EPA (2005q). This is considered a conservative value, as no Statewide Program quarantine has ever lasted 14 years or longer.

Response to Comment 16574-13

The PEIR and risk assessments fully evaluated the Proposed Program's potential impacts on non-target species, including humans. The topic of duration of exposure for humans is discussed above in the previous response. With respect to duration of exposure for ecological receptors, the ERA discussed two exposure scenarios. The acute assessment evaluated potential short-term adverse effects from peak environmental concentrations, based on the application scenarios described for the Proposed Program. The chronic assessment considered longer-term exposures following the application scenarios in a calendar year. This time-frame was deemed appropriate because the carryover in impacts from year-to-year is limited; the potential for the same animals to be exposed in multiple years is limited; and the potential for any one program scenario to be employed in any one area combines to produce a low likelihood of any ecologically relevant exposure occurring over more than a calendar year.

For further discussion of the species mentioned in the comment, please see Master Response 8, Pollinators, which discusses bees; Master Response 7, Biological Resources, which discusses animals; Master Response 4, Impacts on Agriculture, which discusses soil and soil organisms; Master Response 5, Human Health, which discusses humans; and PEIR Volume 1, Section 6.3, *Biological Resources*, which discusses potential impacts on plants.

Response to Comment 16574-14

Please see Response to Comments 14811-15 and 16556-42 for detailed discussion of Proposed Program activities in relationship to schools.

Response to Comment 16574-15

The HHRA uses the U.S. EPA standard procedure of comparing scenario and receptor specific MOE estimates to a 100-fold safety factor (U.S. EPA, 2007). MOEs greater than 100 are generally considered not to be of concern. This approach provides confidence that sensitive receptors (e.g., the elderly, sick people, or pregnant women) are accounted for.

Response to Comment 16574-16

The PEIR did indeed consider MCS; please refer to PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials,* pages 6.5-13 through 6.5-14. The issue is further discussed in Master Response 6, Comments Regarding Multiple Chemical Sensitivity, which fully addresses this comment.

Response to Comment 16574-17

Please see Response to Comment 14530-4.

Response to Comment 16574-18

Reference noted and added to the administrative record.

Response to Comment 16574-19

The ERA and PEIR Volume 1, Section 6.3, *Biological Resources* evaluated potential effects on special-status species and habitats. No impacts were determined to be significant and unavoidable. All biological resource impacts were determined to be less than significant, or less than significant with mitigation. Therefore, special-status species and sensitive habitats would be properly protected.

Response to Comment 16574-20

CDFA recognizes the importance of pollinators and is committed to protecting and minimizing effects on pollinators. The commenter is referred to Master Response 8, Pollinators, and Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*, which provide detailed information regarding pollinators and the measures CDFA takes to support and improve pollinator populations. Note that CEQA's analysis of biological resources focuses on special-status species. Therefore, unless a special-status pollinator or a special-status plant or sensitive natural community dependent on a pollinator would be significantly affected by the Proposed Program, the Proposed Program would not result in significant impacts on these biological resources. Impacts BIO-PHYS-4, BIO-CHEM-3, BIO-CHEM-4, BIO-CHEM-6, BIO-CUM-2, and BIO-CUM-3 show that the Proposed Program would not result in significant impacts on special-status pollinators or special-status plant species.

Response to Comment 16574-21

The PEIR contains a number of MPs (defined in PEIR Volume 1, Section 2.11, *Program Management Practices*) to minimize potential transport of pesticides to surface waters or groundwater, and ultimately to drinking water. Additionally, the HHRA (Appendix B) modeled a variety of chemical use scenarios for the Proposed Program. PEIR Volume 1, Section 6.7, *Water Quality*, impact analysis considered the Proposed Program's MPs and results of the HHRA, and determined that the Proposed Program would not result in any significant water quality impacts that could not be mitigated. CDFA is in full compliance with its NPDES permit, and has never violated its permit. The permit establishes protective measures for all beneficial uses of water bodies, including drinking water uses. The commenter is also referred to Master Response 9, Water Quality, which discusses water quality in the context of the Proposed Program.

Response to Comment 16574-22

Please see response to Comment 16574-1.

Response to Comment 16574-23

The commenter is referred to Master Response 3, Impacts on Organic Farming, which discusses the PEIR's evaluation of the Proposed Program's potential effects on organic farms, including issues such as pesticide drift. Drift onto humans was fully considered in the HHRA, which concluded that when pesticide use is performed in accordance with the Proposed Program's pesticide use scenarios, that no potential exists for adverse human health impacts. The PEIR's evaluation was not "light-hearted." CDFA is very concerned about potential effects on organic farms. The Proposed Program would never cause organic farms to lose their certification.

Response to Comment 16574-24

As comprehensively described in the Draft PEIR and the various responses to comments, the potential effects of each Proposed Program chemical have been thoroughly studied and analyzed. Under the Proposed Program, CDFA would use chemicals carefully and safely, and does not anticipate any loss of livelihood due to human health effects.

Response to Comment 16574-25

CDFA agrees that the health of beneficial insects and organisms, including bees, is important. Master Response 8, Pollinators, and Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*, describe the Proposed Program's potential effects on pollinators, and the numerous measures that CDFA is implementing or plans to implement to benefit pollinator species. In addition, potential effects on non-target insects and other organisms were described in PEIR Volume 1, Section 6.3, *Biological Resources*.

Response to Comment 16574-26

The cumulative impact analysis was robust, and included potential for the activities of CDFA and others to combine to create significant cumulative impacts. As detailed in PEIR Volume 1, Chapter 5, *Cumulative Scenario*, the PEIR used a list approach for analysis of potential cumulative impacts. The list approach involved listing past, existing, and probable future projects or activities producing related impacts that may be cumulatively significant; including, if necessary, those projects outside the control of the lead agency. The list of projects and activities included in the cumulative analysis were determined using several factors, including the location and type of activity, and the characteristics of the activity related to resources with the potential to be affected by the Proposed Program.

The information that the commenter is requesting does not exist, because pesticide use reporting requirements for growers do not include a requirement that they identify what portion of that pesticide use was conducted due to the Statewide Program. In addition, this information was not necessary to reach conclusions related to cumulative impacts in the PEIR, nor has the commenter pointed out any cumulative impact discussions that were lacking due to the absence of this information, or provided another rationale why this information is needed. The PEIR's cumulative impact analysis was thorough and complies with CEQA.

Response to Comment 16574-27

The Proposed Program would not result in the poisoning of any special-status species or human being, and would certainly not result in death to either. CDFA would not approve a program that would have such a potential outcome. Furthermore, the commenter provides no evidence supporting the assertion that CDFA's measures are weak or unsupported, and does not provide any suggested mitigation measures that would be more effective or protective of human health or the environment than those that CDFA has proposed.

Response to Comment 16574-28

The commenter is referred to Master Response 12, Alternatives Analysis, which details the PEIR's approach to the alternatives analysis and how it complies with CEQA; and Response to Comment 12076-3 regarding eradication as an achievable goal. Note that recent studies have disputed the findings of Papadapoulos, and determined that genetic evidence and incursion outbreak sites strongly support the notion of multiple introductions rather than established populations (McInnis et al., 2014; Barr et al., 2014; and Gutierrez et al., 2014). Further information is included in Response to Comment 12076-3.

Response to Comment 16574-29

Once again, the commenter is referred to Master Response 12, Alternatives Analysis regarding the adequacy of the PEIR's alternatives analysis. The PEIR considered a reasonable range of alternatives that met CEQA requirements. CDFA is aware of the work of Dr. Carey and Dr. Zalom; CDFA consulted with the appropriate UC scientists and UC Extension agents with specific expertise in their areas early on in the process, and as appropriate and necessary.

Comment Letter 16575

From:	stoptheclockagain@hush.com
To:	CDFA Pest Prevention EIR@CDFA
Cc:	stoptheclockagain@hush.com
Subject:	Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report
Date:	Friday, October 31, 2014 1:22:51 PM
Attachments:	October 31.pdf

Please see enclosed attachment

Comment Letter 16575-Cont.

October 31, 2014

Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814
PEIR.info@cdfa.ca.gov

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Laura Petro,

I am writing to object to several elements of the Department of Food and Agriculture's draft plant pest prevention and management programmatic environmental impact report, including:

16575-1 The health risks to the population by far outweigh the benefits to chemical and agricultural corporations.

16575-2 This inadequate analysis is in direct conflict with the intent of the state's environmental law, which is designed to analyze impacts before they happen so that they can be prevented and to inform the public of what those impacts will be.

16575-3 The increased use of pesticides has been shown create more pests which are resistant to pesticides, otherwise there would be no need for repeated aerial spraying.

Pesticide Resistance
http://www.beyondpesticides.org/infoservices/pesticidesandyou/Winter10-11/resistance.pdf

16575-4 The report's extremely broad scope is unacceptable, and the program poses potentially serious site-specific risks to health and the environment that have not been analyzed or disclosed in the vague and cursory health and environmental impact analysis in the document. For example, in the document:

16575-5 Infants are assumed never to be exposed to pesticide drift.

16575-6 Young children are assumed not to play in gardens where there is residue from spraying carried out under the program.

16575-7 * The effects of the program's pesticides on pregnant women, the elderly, and those with chronic illness and multiple chemical sensitivity are not evaluated.

16575-8 * Endocrine-disrupting effects of program pesticide exposure are not evaluated.

Comment Letter 16575-Cont.

16575-9 * The plan states that pesticide spraying can take place at or near schools, yet no analysis is performed of the effect of this spraying on schoolchildren.

16575-10 * No location-specific analysis is presented of the impacts of program pesticides on surface, ground, or drinking water.

16575-11 How Dangerous Is Pesticide Drift?
http://www.scientificamerican.com/article/pesticide-drift/

If you live near a big farm or an otherwise frequently manicured landscape, "pesticide drift"—drifting spray and dust from pesticide applications—could be an issue for you and yours. Indeed, pesticide drift is an insidious threat to human health as well as to wildlife and ecosystems in and around agricultural and even residential areas where harsh chemicals are used to ward off pests. The biggest risk from pesticide drift is to those living, working or attending school near larger farms which employ elevated spraying equipment or crop duster planes to apply chemicals to crops and fields. Children are especially vulnerable to these airborne pesticides, given that their young bodies are still growing and developing.

"When pesticides are sprayed they can drift and settle on playgrounds, porches, laundry, toys, pools, furniture and more," reports the non-profit Pesticide Action Network (PAN). "Some of the most toxic pesticides in use in the U.S. today are also the most drift prone, and yet this common route of exposure remains largely invisible."

16575-12 *"Even the most careful, responsible pesticide sprayer cannot control what happens to pesticide droplets once they are released from his plane or tractor," the group adds. "And when conditions are right, these droplets can end up settling on someone's yard, on another farmer's crops, or on the skin of someone who happens to be at the wrong place at the wrong time." PAN cites research showing that upwards of 95 percent of applied pesticides miss their target, reaching nearby people and wildlife, waterways, soil and air instead. Besides this "spray drift," PAN also warns of so-called "volatilization drift"—whereby pesticides evaporate into the air from off of crops or out of the soil for up to several days following an application.*

16575-13 I ask the Department to set aside this document as written and turn its attention to developing a program that focuses on pest prevention and does not rely on chemicals for pest management but instead supports a transition to farming methods that prevent pest infestations by building healthy soil and avoiding the use of pesticides that weaken plant and soil health; and that produce nutritious healthy food uncontaminated by toxic residues, thereby protecting the health of all Californians and of the environment, including bees and other sensitive species.

Respectfully
Mrs. M.D. Oster
stoptheclockagain@hush.com

Letter 16575: M.D. Oster (October 31, 2014)

Response to Comment 16575-1

The HHRA (Appendix B) evaluated the scenarios that could be implemented under the Proposed Program and found no risks to human health above the established level of concern. Master Response 5, Human Health, discusses potential impacts to human health in detail.

Response to Comment 16575-2

The Draft PEIR was developed to comply fully with the letter and underlying spirit of CEQA. In addition, CDFA would always conduct a site-specific environmental analysis of Proposed Program activities. CDFA would always comply with CEQA, consider environmental impacts, address these impacts, and notify the public as required by CEQA. Please see Master Response 1, Scope of the Statewide Program, for further discussion of the Proposed Program's Tiering Strategy.

Response to Comment 16575-3

CDFA considers pest resistance when determining its management approaches. Master Response 2, Integrated Pest Management Approach, describes the IPM approach that CDFA uses when determining how to best manage pests. Master Response 11, Pesticide Resistance, thoroughly discusses the potential for pest resistance to develop as a result of Proposed Program activities.

Response to Comment 16575-4

The scope of analysis and level of detail in the PEIR are appropriate for a programmatic analysis, given the broad nature of the Proposed Program. The analysis is actually quite detailed and not "vague and cursory" as the commenter suggests; the PEIR considers all of the important human health and environmental impacts required by CEQA. In addition, further site-specific analysis would always be conducted, as described under Response to Comment 16575-2.

Response to Comment 16575-5

See Response to Comment 14811-11.

Response to Comment 16575-6

See Response to Comment 14811-12.

Response to Comment 16575-7

See Response to Comment 14811-13.

Response to Comment 16575-8

See Response to Comment 14811-14.

Response to Comment 16575-9

See Response to Comment 14811-15.

Response to Comment 16575-10

See Response to Comment 14811-17.

Response to Comment 16575-11

CDFA is aware of the risks posed by pesticide drift. The Proposed Program would be conducted in compliance with Program MPs, label requirements, and a number of other regulatory requirements to reduce the potential for drift. As described further in Response to Comment 16575-12, below, the HHRA evaluated the potential for various Proposed Program chemical use scenarios to result in drift, and the related risk to human health. The analysis concluded that risks would be below the established level of concern.

Response to Comment 16575-12

Offsite drift of Proposed Program-applied pesticide active and inert ingredients has the potential to occur and was assessed in the HHRA. The extent to which drift occurs was quantified in the HHRA in the following manner, as described in the *Pesticide Off-Target Drift* portion of Appendix B, Section 2.3.1: "'Off-target drift,' also referred to as 'offsite drift,' of the chemicals that may be used under the Proposed Program was estimated using the computer program AgDRIFT Version 2.1.1 (AgDRIFT). AgDRIFT predicts offsite deposition of chemicals applied by aerial, orchard airblast, and ground spraying methods, as well as the potential of buffer zones to protect sensitive aquatic and terrestrial habitats from undesired exposures (U.S. EPA, 2010p). It was developed by the U.S. EPA's Office of Pesticide Programs, the U.S. Department of Agriculture Agricultural Research Service (ARS), the U.S. Department of Agriculture Forest Service, and the Spray Drift Task Force (SDTF)."

Offsite drift was assessed for an adult and child resident living adjacent to a treatment site. These receptors were termed the adult and child DWB. In accordance with U.S. EPA's Residential SOP (U.S. EPA, 1999f), the DWB was assumed to be 25 feet from the application site and was evaluated using exposure values for a "Flagger," given in U.S. EPA's Occupational Pesticide Handler Unit Exposure Surrogate Reference Table(U.S. EPA, 2013b). U.S. EPA defines flaggers as "individuals that guide aerial applicators during the release of a pesticide product onto its target." Because pesticide concentration decreases with distance from site of application, the DWB is considered protective of receptors at a distance of 25 feet or more from the site of application. Please refer to the *Pesticide Off-Target Drift* portion of Appendix B, Section 2.3.1; and the *Downwind-Bystander* portion of Appendix B, Section 2.3.2, for more details on the assessment of offsite drift. Because no peer-reviewed or regulatory agency tools or guidance exist to reasonably evaluate volatilization drift, this potential phenomenon was not considered.

Response to Comment 16575-13

Prevention is a major goal of the Proposed Program. CDFA's first line of defense against pest prevention is controlled through state BPSs. At these stations, vehicles are inspected for commodities infested with invasive species. There are 16 of these facilities on the major highways entering the state. At these stations, vehicles, and commodities are checked to ensure they are pest--free and meet all regulatory requirements.

In addition, the Proposed Program does not rely exclusively on chemical management approaches. As discussed in PEIR Volume 1, Section 2.8, *Pest Prevention and Integrated Pest Management Approach*, and shown on Figure 2-3, the IPM would continue under the Proposed Program. The IPM process involves the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment, while achieving adequate efficacy to meet the goal of the program. The IPM approach considers information on pest life cycles and their interaction with the environment, and all appropriate pest management options. Implementation often results in a combination of strategies, including mechanical control, biological control, cultural control, and the use of pesticides where indicated.

Please see Master Response 2, Integrated Pest Management Approach, for more details about the IPM approach; and Master Response 4, Impacts on Agriculture, about the Proposed Program's potential impacts to soils and soil microbiology. Master Response 5, Human Health; Master Response 7, Biological Resources; and Master Response 8, Pollinators, address the manner in which the Proposed Program would be protective of human health, sensitive species, and bees, respectively.

Comment Letter 16584

From: Fox Andrea
To: CDFA Pest Prevention EIR@CDFA
Subject: Farm Bureau"s comment letter for the PEIR
Date: Friday, October 31, 2014 1:03:43 PM
Attachments: image001.png
Comment letter - CDFA PEIR - Final.pdf
Importance: High

Laura,

My comment letter is attached and I will be hand-delivering the hard copy this afternoon, prior to the 5:00 p.m. deadline.

Andrea

ANDREA FOX
LEGISLATIVE POLICY ANALYST - GOVERNMENTAL AFFAIRS
CA FARM BUREAU FEDERATION
916-446-4647 O.
916-718-5377 C.
AFOX@CFBF.COM



Comment Letter 16584-Cont.

CALIFORNIA FARM BUREAU FEDERATION
GOVERNMENTAL AFFAIRS DIVISION
1127-11TH STREET, SUITE 626, SACRAMENTO, CA 95814 · PHONE (916) 446-4647

October 31, 2014

California Department of Food and Agriculture
ATTN: Laura Petro, Senior Environmental Scientist (Supervisory)
Statewide Program Draft PEIR Comments
1220 N Street, Suite 221
Sacramento, CA 95814

RE: Comments for the Draft Program Environmental Impact Report (PEIR) Regarding the Statewide Pest Prevention and Management Program

The California Farm Bureau Federation (Farm Bureau) is a non-profit membership organization representing more than 29,000 farming and ranching members spanning a broad range of agricultural interests. Farm Bureau is in general support of the PEIR documents overarching goals and objectives to protect California's agriculture, the environment and our public and private landscapes from the damage caused by invasive plant pests, but there are a few minor items in the PEIR document that we recommend for modification to clarify and strengthen the document.

16584-1

Farm Bureau is also in support of the objectives of the Statewide Program as follows:

- Exclude invasive or harmful plant pests from California and prevent or limit the spread of newly discovered pests within the state;
- Protect California from damage caused by the introduction or spread of harmful plant pests;
- Minimize the impacts of pest management approaches on human health and urban and natural environments;
- Promote the production of a safe, healthy secure food supply;
- Support CDFA's goal of rapid response by streamlining project-level implementation activities, addressing new pests as they are detected , and integrating new pest management approaches as they are developed;
- Be consistent with existing CDFA permits, protocols and policies, including the National Pollutant Discharge Elimination System Permit issued to CDFA by the State Water Resources Control Board;
- Implement a program that is broad enough to apply to a wide range of pest management methods and pests groups in California;
- Coordinate CEQA compliance for the multiple, interrelated pest prevention and management programs under the Statewide Program; and
- Develop a checklist evaluation tool to assess the potential environmental impacts of proposed activities that can be understood and reviewed by the public.

Comment Letter 16584-Cont.

16584-2 Farm Bureau's concern is predominantly in protecting and promoting our farming and ranching members ability to produce a safe, healthy and secure food supply while respecting the health and safety of the public and the environment by adhering to the laws and protocols established by the California Department of Food and Agriculture (~~C~~DFA), California Department of Pesticide Regulation (CDPR), Office of Environmental Health Hazard Assessment (OEHHA), United States Department of Agriculture (USDA), and the California Natural Resources Agency (CNRA). The appropriate crop protection tools are essential for the protection of a strong agricultural sector. Without those tools the ability to produce the quality and quantity of crops that have made California the top agricultural producer in the country will be seriously impacted. The continuation of that status depends upon the knowledge and expertise of those at CDFA, CDPR, OEHHA, CNRA to address the ongoing pest management issues presented on a regular basis in California in a timely and appropriate manner.

Specifically, ES-11: Hazards and Hazardous Materials:

16584-3 Invasive pests cost California millions each year in crop loss, treatment and mitigation measures taken. The risk of allowing a new infestation to spread can result in severe crop loss and devastation of an entire industry as in the case of the Asian Citrus Psyllid and Huanglongbing disease in Florida. California should not take that risk by minimizing the effectiveness of appropriate pesticide use in treating and eradicating a pest infestation.

16584-4 *It is important to acknowledge in the document that pesticides are highly regulated, particularly in California and that all pesticides used are registered and must be applied by a Qualified Applicator holding a license issued by the CDPR.*

16584-5 All aspects concerning human health impacts, impacts to the environment and the health of workers must be thoroughly researched and studied both at the federal level and the state level. In addition, the label instructions are designed for specific pest application and with very specific amounts. California's regulatory agencies take pesticide use very seriously and that is reflected in the numero~~us~~ regulations already in place governing their use. Pesticides are an important
16584-6 tool in the fight against invasive and harmful pests and should not be discounted when a determination for an infestation treatment protocol is made.

2-26: Program Practices

MP-SPRAY-1: Conduct a Site Assessment

Bullet point 4: *"Consider integrated pest management methods designed to minimize the*
16584-7 *scale and number of pesticide applications. Consider multiple measures such as sterile release, host removal and bait stations."*

This determination should always be executed by the trained, educated and experienced professionals at CDFA, USDA and CDPR when determining the severity of the infestation and the necessity for a timely and effective response that would require the use of a pesticide. These important decisions should be left to those that have the experience, education and training necessary to make that determination as opposed to public opinion.

Comment Letter 16584-Cont.

One last recommendation is to make certain the language in this document is appropriate language for a legal document such as this.

16584-8 As an example I cite item **MP-HAZ 1: Implement a Spill Contingency Plan**

Bullet point 4: *Use common sense in determining the appropriate action in the event of an accidental crash of a spray rig, tanker, or aircraft.* Replace "common sense" with "established protocols."

16584-9 Farm Bureau is in support of a comprehensive program based upon integrated pest management principles and protocols that provide a science based response to eradicate or manage a pest infestation while minimizing environmental impacts from the control program. Invasive pests impact agriculture, the environment and our public and private landscapes. Early detection, rapid response and use of the appropriate tools are essential to addressing invasive pests. Farm Bureau supports CDFA's mission to prevent the spread of harmful pests that impact the agricultural community and is in general support of the PEIR as written with the suggested changes/additions that we feel provide needed clarification to strengthen the document, especially regarding the use of pesticides. Thank you for your consideration of our comments. If you have any questions you may reach me at 916-446-4647 or via email at afox@cfbf.com.

Sincerely,



Andrea Fox
Legislative Policy Analyst-Governmental Affairs
California Farm Bureau Federation

3 of 3

Letter 16584: Andrea Fox, California Farm Bureau Federation (October 31, 2014)

Response to Comment 16584-1

CDFA appreciates the California Farm Bureau Federation's (Farm Bureau's) support for the objectives of the Proposed Program.

Response to Comment 16584-2

CDFA shares the Farm Bureau's concerns related to protecting and promoting a safe, healthy, and secure food supply while respecting the health and safety of the public and environment, and has designed the Proposed Program to achieve these objectives.

Response to Comment 16584-3

CDFA recognizes the potentially severe economic impacts of pest invasions. Under the Proposed Program, CDFA would continue to implement an IPM approach that involves selecting the most effective treatment strategy to achieve management objectives, while at the same time protecting human health and the environment.

Response to Comment 16584-4

CDFA agrees with the Farm Bureau that all pesticide use in California is highly regulated. PEIR Volume 1, Section 2.9.3, *Chemical Management Activities*, discusses the role of CDPR and the fact that any pesticide used in the State must be registered by U.S. EPA and CDPR. Additionally, Appendix O*, Regulatory Setting*, further describes the extensive regulatory framework related to pesticide use in the State, including further detail on the pesticide registration process and the licensing requirements for pesticide applicators.

Response to Comment 16584-5

CDFA recognizes the extensive research conducted at the federal and state level as part of the pesticide registration process, and all pesticide use under the Proposed Program would be required to follow label requirements. The PEIR comprehensively evaluated a number of pesticide use scenarios with respect to potential impacts on human health (including workers) and the environment, and concluded that when implemented as described in the PEIR (including applicable mitigation measures), impacts on humans and biological resources would be less than significant.

Response to Comment 16584-6

The Proposed Program includes a wide range of pest management approaches, including the safe use of pesticides in accordance with applicable requirements. As described in Chapter 2, *Proposed Program Description,* of the Draft PEIR, CDFA has a detailed process for determining the appropriate management tools for a given pest or pest infestation.

Response to Comment 16584-7

CDFA always uses appropriately trained, educated, and experienced personnel in making its management decisions. Public input is important to CDFA and is considered as part of its science-based decision-making process.

Response to Comment 16584-8

The text of PEIR Volume 1, Chapter 2, *Proposed Program Description*, page 2-30 of the Draft PEIR, MP-HAZ 1: Implement a Spill Contingency Plan, has been changed as follows:

> ~~Use common sense~~ Follow established protocols in determining the appropriate action in the event of an accidental crash of a spray rig, tanker, or aircraft.

Response to Comment 16584-9

CDFA agrees with the Farm Bureau that science-based IPM principles and protocols are necessary for early detection, rapid response, and determining the appropriate tools to eradicate or manage a pest infestation while minimizing environmental impacts. CDFA appreciates the Farm Bureau's comments on the Draft PEIR.

Comment Letter 16585

From: glosglee
To: CDFA Pest Prevention EIR@CDFA
Subject: Fw: Attention: Laura Petro, SES
Date: Friday, October 31, 2014 5:13:52 PM
Attachments: 10-30-14 Draft PEIR Comments.docx

-----Forwarded Message-----
>From: glosglee <glosglee@peoplepc.com>
>Sent: Oct 30, 2014 5:03 PM
>To: Pesticide sprayingCDFA <PEIR.info@cdfa.ca.gov>
>Subject: Attention: Laura Petro, SES
>
>Dear Laura Petro,
>Please read the attached. Thank you for your time & efforts.
>
>Glo

Glo

Comment Letter 16585-Cont.

10-30-14

Attention: Laura Petro, Sr. Environmental Scientist (Supervisory)

CDFA, 1220 N St., Ste. 221

Sacramento, CA 95814

PEIR.info@cdfa.ca.gov

Glo Anderson

P.O. Box 743

Lower Lake, CA 95457

707-987-2888

Re: Draft PEIR Comments

Dear Laura Petro,

16585-1 There are seven (7) areas of controversy that I feel need more research. I don't think the 488 plus pages of PEIR should contain any reports stating that "the assessment did not quantify the cumulative exposure to multiple pesticide application scenarios…as no information was available…etc." on page 295. In Appendix J, I read that certain pesticides affect the elderly cognitive ability besides killing bees that we cannot afford to lose. On page 301, Impact AQ-2 is Significant and Unavoidable, dealing with air quality. And then there is the effect of pesticide drift on to Organic Farming areas. I admit I skimmed the economic impact area of this report as I was angry when the comment was made that if pesticide drift came on organic agricultural farmlands, the produce could then be sold as non organic at a lesser price but the organic certification would still be ok.

16585-2

16585-3

16585-4 How do a few out of the seven areas of controversy impact me? I'm a Senior Organic Female Farmer with Health Issues. I do not want pesticides drifting onto my Organic Farm or onto me. That's why I pay the extra price for organics & why I grow organically as I eat what I grow. I also sell organic produce at the local certified farmers' market & charge enough to break even. If our place was sprayed with pesticides, I would not eat or sell the produce and have it removed as I am allergic to most pesticides. I would also lose my peace of mind from working my garden and the small amount that I make that goes right back into the garden in buying organic seeds, etc. I also would lose my job of substitute teaching as these pesticides affect the elderly cognitive ability.

16585-5 We live in Lake County as most of the time the air is of excellent quality. I need this as I have lung issues as does my husband. More safe guards need to be in place to keep the air clean. In regards

16585-6 to water quality, the issues of pesticide run off needs to be mitigated so that there is no pesticide run

16585-7 off. There also needs to be a more controlled aerial spraying, i.e., advanced notification to all property owners in the area of when, where & what pesticides will be sprayed.

Please send this Draft PEIR back for re-evaluation and make the necessary changes. Thank you.

Sincerely,

Glo Anderson

Letter 16585: Glo Anderson (October 30, 2014)

Response to Comment 16585-1

Please refer to Impact HAZ-CUM-2 for a detailed discussion of cumulative exposure of sensitive individuals to multiple pesticide application scenarios and other types of hazards. This impact discussion presents the reasons why a quantitative assessment of such cumulative exposure is not possible, and considers the potential impacts from a qualitative standpoint. The referenced impact evaluation is sufficient in satisfying CEQA's requirements, and concludes that with implementation of applicable mitigation measures, the Proposed Program's contribution to such cumulative impacts would not be considerable.

Response to Comment 16585-2

Please see Response to Comment 16556-159, which discusses the issue of elderly cognitive ability, and Master Response 8, Pollinators, which addresses honey bees.

Response to Comment 16585-3

CDFA is not aware of any instances where Statewide Program activities have led to drift that caused an organic farm to have to market their produce as conventional. To ensure this, the PEIR includes measures to protect organic farms from pesticide drift. MP-SPRAY-5 requires implementation of drift-reduction techniques, such as using buffer zones where applicable to protect sensitive areas (including organic farms), and use of low-pressure application equipment if necessary. MP-SPRAY-4 similarly requires that chemicals are only applied under favorable weather conditions (e.g., by monitoring wind conditions and delaying foliar spray applications if wind speeds are over 10 miles per hour) to avoid the potential for pesticide drift. A number of other MPs and mitigation measures would function to reduce the potential for pesticide drift onto organic farms. Please see PEIR Volume 1, Chapter 2, *Proposed Program Description* (page 2-26) for a complete list of MPs. As a result, pesticide drift onto organic farms is not anticipated to be an issue of concern for the Proposed Program.

Response to Comment 16585-4

CDFA appreciates your concern. As described in Response to Comment 16585-3 above, pesticide drift is not anticipated to be a substantial issue for organic farms. In addition, the HHRA (Appendix B) quantitatively assessed the potential for health impacts on sensitive receptors (e.g., DWBs, PARs, etc.) who may be exposed to pesticides, for all pesticide application scenarios under the Proposed Program. The HHRA found the human health risk to be below the level of concern for the vast majority of scenarios; and where risk was estimated to exceed the level of concern, alternative scenarios and/or measures were developed to reduce the risk below the level of concern. Please see Appendix B, the *HHRA*, for additional information.

In terms of pest management approaches on organic farms, the Proposed Program includes organic options wherever possible. Non-USDA organic pesticides would only be applied on organic farms as absolutely necessary to eradicate or control infestations of damaging

agricultural pests that cannot be addressed using other techniques. As described in PEIR Volume 1, Chapter 2, *Proposed Program Description,* CDFA would consider the potential for environmental damage when responding to pest infestations, and would select the least damaging and most economical management approach. MP-SPRAY-1 would be implemented for all pesticide programs and would require that the least-persistent and lowest-toxicity pesticide that would efficaciously treat the target pest is selected. USDA organic treatment alternatives would be provided for quarantine compliance to entites growing, processing or shipping organic produce whenever possible.

Response to Comment 16585-5

A number of safeguards are currently in place to minimize criteria air pollutant emissions, as described in PEIR Volume 1, Section 6.2, *Air Quality* (page 6.2-23):

- CDFA requires its staff and contractors to use energy-efficient fossil-fueled equipment. This equipment uses the most fuel-efficient or alternative fuel equipment that is available to conduct the activity. CDFA also considers the use of after-market control devices to reduce emissions to the extent feasible.

- CDFA investigates the feasibility of and opportunities to electrify or use alternative fuel for automobiles and other equipment when making purchasing decisions.

- CDFA requires its staff and contractors to properly maintain and tune all its equipment in accordance with manufacturer's specifications.

- CDFA requires its staff and contractors to minimize idling times by shutting off equipment when not in use, or by reducing the maximum idling time to 3 minutes. Clear instructional signage is provided in all CDFA vehicles and equipment.

- CDFA encourages the use of local staff and/or contractors, to the extent feasible, to minimize the amount of vehicle miles traveled to conduct Proposed Program activities.

Impact AQ-2 was found to be Significant and Unavoidable because the Statewide Program requires the use of fossil-fueled equipment (which emit criteria air pollutants) to implement many of its activities; and new pest infestations or quarantines in a particular air basin could result in a substantial increase in pest management activities in that basin. The PEIR determined it to be reasonably foreseeable that such an increase in Proposed Program activities could lead to emissions for a particular criteria air pollutant(s) that would exceed the mass emissions threshold(s) in that basin.

That said, the HHRA considered potential impacts related to inhalation of TACs, and determined that when activities are conducted in compliance with Proposed Program requirements and PEIR mitigation measures, this impact would not be of substantial concern.

While CDFA is committed to reducing its air pollutant emissions, the PEIR analysis found no additional feasible measures available, beyond those described above, to further reduce

criteria air pollutant emissions should a mass emissions threshold be exceeded, but this should not adversely affect individuals with lung issues.

Response to Comment 16585-6

A number of safeguards would be included in the Proposed Program to protect water quality and prevent pesticide runoff. CDFA's NPDES permit includes requirements (e.g., buffer zones around water bodies) for pesticide spray applications to prevent water quality contamination. CDFA would be required by law to follow the protective measures and requirements in its NPDES permit. The Proposed Program also contains MPs (e.g., use appropriate application methods and rates; monitor weather prior to application; and delay foliar treatments if there is a 40 percent or higher chance of rain forecast to occur 24 hours before or after the planned application; etc.) to reduce the potential for pesticide runoff and impacts to water quality. Please see PEIR Volume 1, Section 2.1.1, *Program Management Practices* (page 2-26) for the complete list of proposed MPs. Please also see PEIR Volume 1, Section 6.7, *Water Quality,* for the analysis of potential water quality impacts that could occur under the Proposed Program.

Response to Comment 16585-7

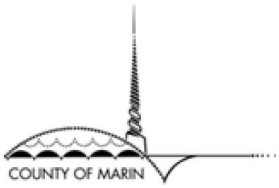
Advanced notification would be provided to property owners in treatment areas for all proposed pesticide treatments, as described in PEIR Volume 1, Section 2.4.2, *Public Notification* (page 2-4). Please see PEIR Volume 1, Section 2.4.2, *Public Notification,* for additional information on the public notification measures/protocols included in the Proposed Program.

With respect to aerial spraying, the PEIR would only authorize this activity in agricultural or nursery settings as a treatment option for commercial growers for quarantine compliance, per federal treatment protocols. The Proposed Program would not involve aerial spraying in residential areas.

Comment Letter 16606

From: Wahlberg, Mary
To: CDFA Pest Prevention EIR@CDFA
Cc: County Ag Commissioner, Marin; Parnay, Stefan
Subject: Marin County Ag Commissioner"s comments on PEIR for CDFA
Date: Friday, October 31, 2014 9:50:39 AM
Attachments: image013.png
image014.png
image015.png
image016.png
image017.png
image018.png
Marin County Comments - Draft PEIR for CDFA 10-31-14.pdf

Attached are the Marin County Agricultural Commissioner's comments on the Draft Program Environmental Impact Report (PEIR) for the CDFA's Statewide Plant Pest Prevention and Management Program.



. . . . . .

Mary Wahlberg
OFFICE ASSISTANT

County of Marin
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Novato, CA 94947
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Email Disclaimer: http://www.marincounty.org/main/disclaimers

Comment Letter 16606-cont.

COUNTY OF MARIN

DEPARTMENT OF
AGRICULTURE, WEIGHTS AND MEASURES
Promoting and protecting agriculture, environmental quality, and ensuring equity in the marketplace.

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October 31, 2014

PEIR CDFA Comments

Attention: Laura Petro, Senior Environmental Scientist (Supervisory)
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814
e-mail: PEIR.info@cdfa.ca.gov

Marin County is noted for sustainable agricultural practices and recognized as leader in organic farming regionally, statewide, and nationally. Greater than 45,000 acres are certified organic under the USDA National Organic Program (NOP). All fruit, nut, and vegetable producers in the County are registered organic with the California Department of Food and Agriculture / State Organic Program (CDFA/SOP) and Certified Organic by USDA NOP accredited agencies. In addition, our Dairies are committed to organic production with three quarters of our milk produced under organic standards. These local farms are supported by Marin County Board of Supervisors and recognized by the University of California as a model system of farm sustainability integrating economic, environmental, and social equity factors in production, marketing, and food distribution.

These local farms represent the highest quality products grown and shipped to our local and regional food shed. All produce grown are delivered to local Direct Farmers' Markets, restaurants, and retail grocery stores. Milk is processed under strict organic standards and distributed to regional markets.

The produce is only grown under certified organic standards. Produce is not sold to conventional markets or processing facilities. Because this condition exists, any disruption within the normal organic market pathways would force farmers to experience extreme economic hardships as there are few, if any, marketing alternatives for their agricultural products. Demand from buyers for organic products has generated a sole organic source mechanism leaving no alternative for organic growers to supply conventional products as there is no demand for diversion or conversion from organic to conventional commodities.

16606-1 The PEIR proclaims that organic farmers can simply channel existing produce into conventional market pathways -- very wrong assumption. The fallback position

16606-2 taken in the PEIR is organic growers would not lose their NOP certification but would lose the organic crop status for the crop that was treated with pesticides prohibited by NOP standards. The assumption is the organic farm is able to

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16606-2 cont.

shuttle their crops into a conventional market and food chain -- wrong assumption again. Simply declaring an alternative market for their produce does not make it available to small producers. This conversion concept is built upon the misunderstanding that small organic farms do not have access to large or conventional monoculture model production systems which allow product commingling, packaging, processing and distribution to a wider market beyond the production area. In these cases, once the product leaves the farm the identity is lost and the consumer unaware of the actual source or farm of production.

The fruit and vegetable production model in Marin County is built on small agricultural growing areas, multiple crops, diversified production, and intensively farmed by individuals or family operations. The farmer produces and ships direct to consumers, all retaining the farm identity as it is offered for sale or listed on the restaurant menu where it is served to the public. In many cases, the actual farmer, by name is announced to the consumer, including on restaurant menus, market banners, and in grocery stores. The Marin County model avoids the long transport and product commingling associated with conventionally produced fruit and vegetables in California. The key point is the necessity to recognize and understand the unique model of production and marketing of food in Marin County. The entire food system is organic, not a piece of a larger conventional model typical of other regions in California. Marin farms are constrained to maintain the use of solely organic pest control so not to jeopardize their unique organic marketing model. This model is closed to organic only.

16606-3

16606-4

The PEIR overlooks the local production model built upon direct marketing within an entire county and region and the economic impact that will ensue if organic crop status is lost due to PEIR mandated pest control actions. This is not a debate about conventional versus organic production but about the necessity to recognize the marketing practices which markedly differ between the two models of agriculture production and distribution.

16606-5

Because of this community supported system and farm to farm connectivity there is a great concern that detected invasive pests would generate a PEIR pest control response using only conventional pest control practice, shifting their organic production-marketing to a non-existing conventional food production/distribution model.

16606-6

16606-7

16606-8

The PEIR does not include or address consideration for local organic growers to address the pest management recommendations and find alternatives which address pest control consistent with established and recognized organic best management practices. The PEIR pest control model under these circumstances should resist using conventional practices using only NOP approved materials or other cultural and biological controls. The USDA NOP Strategic Plan (2010-12) should be consulted and referenced in the PEIR to guide and inform the community about the mission, vision, goals, and consultation process when pest control decisions are under consideration.

The USDA NOP Mission, Vision, and elected Goals include:

MISSION: The NOP facilitates trade and ensures integrity of organic agricultural products by consistently implementing organic standards and enforcing compliance with the regulations throughout the world.

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VISION: Organic Integrity from Farm to Table, Consumers Trust the Organic Label.

GOALS: Ensure consistent application of the NOP regulations by the Accredited Certification Agencies (ACA), State Organic Programs, and via International Agreements. Make appropriate and consistent decisions in all activities based on objective criteria and evidence.

16606-9 In all cases, the Marin County organic farm community should be consulted and organically approved alternatives or appropriate cultural or biological practices given an opportunity to be adopted and implemented as an alternative to conventional controls when PEIR pest control decisions are being considered.

Respectively submitted,

Stacy Carlsen
Agricultural Commissioner
Director of Weights and Measures

COUNTY OF MARIN DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES 1682 Novato Blvd · Suite 150-A · Novato, CA 94947

Letter 16606: Stacy Carlsen, County of Marin, Department of Agriculture, Weights and Measures (October 30, 2014)

Note: This comment letter was used as the foundation for Master Response 3, Impacts on Organic Farming; more detailed responses can be found in that master response.

Response to Comment 16606-1

CDFA recognizes that products treated with non-USDA organic-approved chemicals would not command the typical premium prices demanded for organic produce in the marketplace; and for certain growers without an established distribution system for non-organic produce, may not be able to be sold at all. Please see Master Response 3, Impacts on Organic Farming, for a further discussion of this issue.

Response to Comment 16606-2

The PEIR is correct in stating that organic farms would not lose their organic certification status if they apply pesticides under a CDFA quarantine. However, it is also acknowledged that organic farmers or shippers would temporarily lose the ability to label, market, and sell crops as USDA organic if those crops have had contact with a prohibited substance. CDFA recognizes that selling such crops into a conventional market and finding a distribution chain may prove difficult—and in some cases impracticable—for some organic farmers. This may result in financial hardships for organic farmers, particularly those operating relatively small farms. However, this is true now and not as a result of the Draft PEIR. Organic farmers assume that risk and therefore are able to command a higher price from consumers. Please see Response to Comment 16606-1 above, Response to Comment 16606-4 below, and Master Response 3, Impacts on Organic Farming, for further discussion.

Response to Comment 16606-3

CDFA is aware of the unique model of local food production and distribution in Marin County. In cases requiring the use of conventional pesticides in Marin County, the economic impacts to the local farming community may be adverse. Please see Master Response 3, Impacts on Organic Farming, for a further discussion on potential economic impacts to organic farming.

Response to Comment 16606-4

CDFA recognizes that treatment using non-USDA organic-approved pesticides may result in economic impacts to local organic farmers. Please see Master Response 3, Impacts on Organic Farming, and Master Response 12, Alternatives Analysis, for a discussion of concerns regarding potential economic impacts of the Proposed Program on organic farmers. It is important to note that strictly economic impacts are outside the purview of CEQA (and therefore, the PEIR). In accordance with Appendix G and Section 15131 of the CEQA Guidelines, the Draft PEIR focuses on the potential of the Proposed Program to result in physical impacts, such as the conversion of farmland to non-farmland uses.

Response to Comment 16606-5

It is possible that a detected invasive pest may require the use of conventional pest control treatments, and that this may result in impacts to local organic farmers in Marin County. However, it is important to note that greater economic impacts of not preventing, controlling, suppressing, or eradicating plant pests would occur statewide on the agricultural community, including organic farming in Marin County.

The commenter failed to present any data or evidence that the Proposed Program would result in an overall shift from organic-production marketing to a conventional food production/distribution-model. In fact, many treatment activities under the Proposed Program would not involve the application of chemical pesticides at all, and/or use of USDA organic pesticides. As discussed in much detail in the PEIR, the IPM techniques in the Proposed Program include many physical, biological, and chemical approaches that would not affect the production-marketing model found in Marin County.

Further, a USDA organic survey (USDA 2010) found that survey respondents indicated that they face various challenges, including regulatory, production, management, and marketing issues. Despite these challenges, more than 78 percent indicated that they plan to maintain or increase their organic production over the next five years. Thus, it is unlikely that organic farmers would allow their lands to become fallow or otherwise result in a conversion of farmland to non-agricultural use.

Response to Comment 16606-6

When selecting a treatment approach for a harmful plant pest, CDFA always takes into consideration potential impacts to organic farmers. At the same time, the mission of the Proposed Program is to protect California from damage caused by the introduction or spread of such pests. Such pests are harmful not only to conventional agriculture, but also to organic agriculture. Goals of the Proposed Program include: (1) providing rapid response resources to address pest infestations as they occur; and (2) using an IPM approach in conducting activities. The IPM approach would minimize the use of chemical pesticides under the Proposed Program because these pesticides would be used only when other, less-effective treatment methods are determined not to achieve the management objective.

Response to Comment 16606-7

The Proposed Program's IPM approach includes the consideration of all efficacious methods for achieving a pest management objective, including organic options.

Response to Comment 16606-8

Thank you for your comment. CDFA's State Organic Program (SOP) is aware of the USDA National Organic Program (NOP) Strategic Plan and the SOP is the appropriate division within CDFA to promote the Strategic Plan. For a discussion of the goals and objectives of the Statewide Program, please see PEIR Volume 1, Section 2.2. In addition, the USDA NOP Strategic Plan (2010-2012) focuses on improving USDA's administration of the NOP and is not directly relevant to the Proposed Program. Therefore, it is appropriate that the PEIR does not directly reference this document.

Response to Comment 16606-9

CDFA is committed to working closely with the Marin County CAC and organic farms in the County as it identifies and implements appropriate responses to pest infestations in the County.

Comment Letter 16630

From: Kelly Damewood
To: CDFA Pest Prevention EIR@CDFA
Subject: PEIR Public Comment
Date: Friday, October 31, 2014 10:15:33 AM
Attachments: PEIR Public Comment_CCOF_FINAL.pdf

Dear Ms. Petro,

Please accept this public comment on CDFA's draft PEIR. I am submitting on behalf of California Certified Organic Farmers (CCOF).

Submission Information:

California Certified Organic Farmers (CCOF)
2155 Delaware Avenue, Suite 150
Santa Cruz, CA 95060
831-423-2263, ext. 16

Best wishes,

Kelly Damewood
Policy Director
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Visit CCOF on Facebook and Twitter

Cost Share - A Refund of Organic Certification Fees! Receive a 75% refund on your certification costs up to $750. Apply today.

Comment Letter 16630-cont.

CCOF
Organic Certification Education & Outreach Political Advocacy Promotion

Attention: Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814

October 31, 2014

Dear Laura Petro:

Thank you for the opportunity to comment on the Draft Program Environmental Impact Report (PEIR) for the California Department of Food and Agriculture's (CDFA) Statewide Plant Pest Prevention and Management Program.

California Certified Organic Farmers (CCOF) is a nonprofit organization and an organic certification agency located in Santa Cruz, California. CCOF certifies and advocates on behalf of its 2,700 members throughout the United States, and it represents about 2,300 organic farmers and ranchers in California.

16630-1 CCOF originally supported the development of a draft PEIR for CDFA pest prevention and management activities because it could lay the groundwork for efficient, responsible Integrated Pest Management (IPM) programs and techniques. However, CCOF now has serious concerns that the draft PEIR lacks adequate consideration of organic agriculture and fails to properly assess the potential impacts on California's organic farmers.

Public Notification

16630-2 Under Section 2.4.2 titled Public Notification, CCOF requests that CDFA add a requirement to maintain a readily accessible, current map of certified organic operations because the map would help clarify the breadth of impact mandatory sprays would have on organic operations. CDFA could base this map upon its organic registration data and use the map as a reference when it considers mandatory sprays to manage an invasive species.

16630-3 Additionally, CDFA should develop specific procedures or guidelines to notify certified organic producers when prohibited materials must be applied.

Program Management Practices

16630-4 CCOF requests that the second bullet point under MP-SPRAY-1: Conduct a Site Assessment (p. 2-26) be amended to include "proximity to certified organic operations." This is an important consideration because pesticide drift can negatively impact farmers' ability to grow and sell organic crops.

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Comment Letter 16630-cont.

Current Pest Management Program

16630-5 CCOF shares CDFA's interest in stopping the spread of Asian citrus psyllid (ACP) and its associated disease, citrus greening. However, CCOF does not support application of neonicotinoid insecticides. Under Section 3.4.1 titled Asian Citrus Psyllid and Huanglongbing, CDFA recommends soil drenches or tablet insertion of the neonicotinoid pesticide imidacloprid as an eradication treatment for ACP. As CDFA acknowledges in Appendix J, Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources, neonicotinoid pesticides are highly toxic to honeybees and other pollinators. These pesticides persist in soil for months and could be taken up by crops long after application.

The National Pesticide Information Center's technical fact sheet on imidacloprid indicates that its half-life in agricultural soils can range from 40-124 days, with the longer breakdown period associated with soils recently amended with organic fertilizers. If imidacloprid is applied as an eradication treatment for ACP, then it could cause lingering pesticide residues in organically-farmed soil, which impacts the ability of organic farmers to grow and sell their crops into the premium organic market.

Environmental Setting and Impacts Analysis

16630-6 CCOF commends and thanks CDFA for its effort to characterize organic agriculture in California. As documented in the federal Census of Agriculture, organic farmgate sales in the state totaled over $1.3 billion in 2012. However, economic measures cannot encompass the full range of benefits and resources that organic agriculture contributes to California. Organic agriculture also improves soil quality, supports biodiversity (including beneficial insects that help control crop pests), supports pollinator health, and mitigates climate change.

Impacts Analysis

16630-7 CDFA should not implement a single significance criteria in the draft PEIR. Instead, a species- and situation specific evaluation of the significance criteria should be developed in species-specific EIRs. The Significance Criteria set forth under Section 6.1.3 narrowly defines

16630-8 significant impacts as the conversion of agricultural land to non-agricultural uses. Although based upon Appendix G of the CEQA Guidelines, conversion of agricultural land to non-agricultural use is not the only impact possible on agricultural resources and economics. This analysis should be augmented with an economic analysis of reduced access to markets and sales, which would occur when certified organic farmers are subjected to mandatory sprays.

Chemical Management Approaches

16630-9 CCOF encourages CDFA to recognize that research is ongoing to develop organic pest management options. The draft PEIR states that eradication or control of certain pests, such as the glassy-winged sharpshooter and Asian citrus psyllid, would not be possible with currently available organic options. A sweeping statement that no organic options are available now may be false or misleading for imminent and future eradication and control efforts.

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Comment Letter 16630-cont.

16630-9 cont. Moreover, a broad statement that no organic options are currently viable for certain pests could stifle organic research and control efforts. In many cases, when viable organic control options do not exist, viable conventional control options also do not exist. For example, researchers continue to develop both organic and conventional management techniques for Asian citrus psyllid. We hope that CDFA will be our partner in strongly encouraging rather than stifling the amount ~~of~~ research dollars and efforts put toward organic control methods by recognizing ongoing organic research and development.

16630-10 Additionally, the draft PEIR incorrectly characterizes how quarantines and pesticide drift would disrupt organic farming. The draft PEIR underestimates the impact of chemical use on organic farmers' ability to sell into the organic marketplace. Organic growers face significant economic losses when mandatory sprays are applied. While the national organic standards specify that an operation's certification status will not be affected if prohibited substances are applied due to a

16630-11 Federal or State emergency treatment program, a high degree of expense, care, and planning—including but not limited to developing organic systems plans, working with organic inspectors, paying fees, completing paperwork, implementing soil and natural resource conservation practices—goes into organic production. The draft PEIR should not underestimate the burden placed on organic growers if they must find new buyers or new marketplaces for treated crops or sell their crop at a lower price than it would ordinarily command.

16630-12 Finally, the draft PEIR assumes that the impact on organic growers would more likely be the conversion to non-organic production rather than to non-agricultural use. However, many organic growers would consider taking land out of production rather than convert to conventional production. And the draft PEIR does not cite any evidence or research that suggest organic land would be more likely converted to conventional production than converted to non-agricultural use. Although no evidence or research is cited, the finding of no impact for several portions of the draft PEIR rests on the assumption that land would simply be converted to conventional. Thus, CCOF requests CDFA research and explain this assumption further before including it in the draft PEIR because it has resulted in several findings of no impact where CCOF sees significant potential impact.

Cumulative Impacts

16630-13 The draft PEIR underestimates the likelihood of conversion to non-agricultural use as a result of pollinator loss. If pollinator services are reduced due to application of pesticides that disproportionately impact honeybees such as neonicotinoids, California could very well see removal of land from agricultural production.

USDA Organic Pesticide Alternatives

16630-14 CCOF appreciates the organic alternatives in the draft PEIR but again cautions the CDFA from assuming that no organic controls can or will exist. For example, researchers are actively researching organic management of pests such as ACP. CCOF encourages CDFA to reach out to extension agencies, organic researchers, and organic certifiers for updates on organic control options. For example, on page 7-9 under the heading ACP Biopesticides, the draft PEIR does not

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Comment Letter 16630-cont.

16630-14 cont. acknowledge a new product, Venerate (active ingredient *Burkholderia spp.* strain A396) from Marrone Bio-Innovations, that was registered for ACP in California in August 2014.

16630-15 Additionally, the USDA Organic Pesticide Alternative does not acknowledge the full scope of organic practices that can contribute to pest management. The current proposed USDA Organic Alternative only considers the use of USDA Organic approved inputs. However, an organic alternative should also include the broad array of practices such as soil building practices and natural resource management, which promotes healthier plants resistant to pesticides and biodiversity to foster natural predators.

16630-16 If CDFA does expand its UDSA Organic Pesticide Alternative to encompass the full range of organic pest management practices, then CDFA should also expand its climate change assessment of organic alternatives. Organic farming practices can increase organic soil carbon stocks and decrease greenhouse gas emissions. According to a 2014 white paper from the Rodale Institute, organic farming can sequester more than 100% of current annual CO_2 emissions. *See* Regenerative Organic Agriculture and Climate Change from the Rodale Institute, http://rodaleinstitute.org/regenerative-organic-agriculture-and-climate-change/.

Conclusion

16630-17 CCOF has supported a draft PEIR for CDFA pest prevention and management activities because it could lay the groundwork for efficient, responsible Integrated Pest Management (IPM) programs and techniques. However, CCOF encourages CDFA to give more robust consideration to organic agriculture in this draft PEIR.

CCOF thanks you for the opportunity to comment and is available for further information and clarifications.

Sincerely,

Kelly Damewood

Kelly Damewood
Policy Director, CCOF

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Letter 16630: Kelly Damewood, CCOF (October 31, 2014)

Response to Comment 16630-1

CDFA is committed to working with organic farmers and related organizations to develop and implement pest management approaches which promote and protect this important section of the agricultural sector in the state. Please see Master Response 3, Impacts on Organic Farming, for a description of CDFA's consideration of organic farming under the Proposed Program.

Response to Comment 16630-2

CDFA requests that CCOF provide such a map; we are not aware that data exists to create one.

Response to Comment 16630-3

CDFA does and will continue to notify all affected parties in the program area of proposed treatments and options. As shown on Figure 2-2 of PEIR Volume 1, the IPM approach in the Proposed Program involves public notification.

Response to Comment 16630-4

The Proposed Program's MPs addressing drift would include consideration of neighboring organic farms. Evidence was not presented by the commenter, nor found independently by CDFA during preparation of the PEIR, to suggest that adverse impacts to organic farms from pesticide drift resulting from Statewide Program activities has occurred in the past. Existing laws, regulations, policies, and practices, as well as the Proposed Program's MPs, include a number of measures to prevent such outcomes. As a result, such an effect is considered speculative. Please see Master Response 3, Impacts on Organic Farming, for a further discussion of potential impacts of the Proposed Program to organic farming.

Response to Comment 16630-5

Half-lives, including in soils, of the pesticides that may be used under the Proposed Program, were taken into consideration and evaluated for various species in the PEIR's Appendix A, *Ecological Risk Assessment*. As discussed in PEIR Volume 1, Section 6.3, *Biological Resources*, these soil concentrations were not determined to result in any significant impacts on special-status species or their habitats. The commenter may find modeled soil concentrations on the Proposed Program's Dashboard by proceeding through the following sequential steps: Select Programs, Select a specific application scenario, Select a Scenario Run Description, and then select either "Acute Eco EECs" or "Chronic ECO EECs."

In addition, CDFA recognizes that healthy pollinator populations are critical to protecting the environmental quality and agricultural resources of the state. CDFA engages in a number of activities to help protect and promote the health of pollinator populations and minimize the potential for CDFA's activities to contribute to their decline. For a detailed description of these activities, see Attachment 1 to Appendix K, *Potential Effects of Pesticide Use and Other Stressors on Pollinators and Associated Biological Resources*.

Response to Comment 16630-6

Thank you for providing useful information regarding the value of organic agriculture in California.

Response to Comment 16630-7

The PEIR is a programmatic EIR. Subsequent CEQA analyses for project-specific activities will occur using the Tiering Strategy described in Master Response 1, Scope of the Statewide Program.

Response to Comment 16630-8

Please see Master Response 3, Impacts on Organic Farming, and Master Response 13, General Impacts to the Environment, for a discussion of concerns regarding potential economic impacts of the Proposed Program on organic farmers.

Response to Comment 16630-9

If and when new organic options are developed and proven effective, CDFA will consider them for addition to the Proposed Program, including any necessary risk assessment and tiered CEQA documentation. The Proposed Program includes organic options against many pests, and will continue to encourage research of same. The Specialty Crop Block Grant Program (SCBGP) is an example of a research grant that could be used to undertake such research. In addition, various industry-funded biological control projects are managed by CDFA (i.e., PDCP-funded programs, and UC and California State University cooperative projects managed by CDFA for ACP biological control rearing and research facilities). Refer to Master Response 14, Ecological-Agricultural Approach, for further information.

Response to Comment 16630-10

Please see Response to Comment 16630-4.

Response to Comment 16630-11

Please see Master Response 3, Impacts on Organic Farming.

Response to Comment 16630-12

The commenter fails to provide data or evidence that organic growers will fallow their land or that the PEIR's conclusions are inaccurate. Please see Master Response 3, Impacts on Organic Farming, for a further discussion and organic farming data trends. Furthermore, respondents to a USDA organic survey (USDA, 2010) indicated that they face various challenges, including regulatory, production, management, and marketing issues. Despite these challenges, more than 78 percent indicated that they plan to maintain or increase their organic production over the next 5 years. Therefore, it is unlikely that organic farmers would allow their lands to become fallow or otherwise result in a conversion of farmland to non-agricultural use.

Response to Comment 16630-13

PEIR Volume 1, Section 6.1, *Agricultural Resources and Economics*, discusses the potential indirect and cumulative effects of the Proposed Program's pesticide use on agricultural lands. Specifically, this section of the PEIR addresses the Proposed Program's potential to impact beneficial insects and pollinators in such a way that agricultural production would be reduced and farmland would be converted to a non-agricultural use. As stated in Impacts AG-CHEM-3 and AG-CUM-1, evidence was not found during preparation of the PEIR (and the commenter failed to produce evidence) to suggest that the Statewide Program has, or the Proposed Program would, indirectly or cumulatively, result in conversion of agricultural lands to non-agricultural uses. Therefore, the Proposed Program would have no impact on reducing agricultural production and converting farmlands to a non-agricultural use. Please see Master Response 3, Impacts on Organic Farming, and Master Response 3, Impacts on Agriculture, for a further discussion of this issue.

Response to Comment 16630-14

CDFA does not assume that no organic controls will exist. Any new products must be tested, and approved and recommended, by the UC. If and when new organic options are developed and proven effective, CDFA would consider them for integration into the Proposed Program. A benefit of the PEIR is that it allows incorporation of new pest management strategies via compliance with the Tiering Strategy and preparation of appropriate tiered documents.

Response to Comment 16630-15

The USDA Organic Pesticide Alternative consists of a broad range of potential treatments for pest control or eradication, including the physical and biological management approaches that are part of the Proposed Program. The commenter makes reference to practices such as "soil building" and "natural resource management," which are cultural on-farm practices that are primarily the responsibility of growers to implement, rather than CDFA. See Master Response 14, Ecological-Agricultural Approach, which discusses an ecological agricultural pest management approach.

Response to Comment 16630-16

As described in Response to Comment 16630-12, such practices are not excluded from the USDA Organic Pesticide Alternative. The influence of agricultural practices on climate change, including organic and regenerative organic agriculture practices, is varied and complex in nature. Agriculture can act as a source of GHG emissions as well as a carbon sink or sequestration of carbon. The balance of emissions released compared to sequestration of carbon and GHGs depends on very specific conditions of the agriculture being conducted. For instance, methane generated from animals is a large source of GHG emissions. Nitrous oxide (N_2O) is emitted from the use of fertilizers. Other emissions are related to water use and energy use from agriculture equipment and pumps. Plants sequester carbon dioxide (CO_2) from the atmosphere into the plant. Although most of the carbon is incorporated into the final agriculture product, which may be eventually released, some of the sequestered carbon is permanently sequestered into the soil and is only released upon changes in land

use. Various factors influence the amount of carbon that is permanently sequestered in the soil.

At this time, the range of specific factors and magnitude of specific agricultural practices on carbon sequestration is not well understood, and therefore was not evaluated in the PEIR. Many GHG emission reduction and carbon sequestration opportunities could be realized in the agriculture sector. However, because of limited research, and the wide variety of farm sizes, animals, and crops produced, few "one-size-fits-all" emission reductions or carbon sequestration strategies exist for the agriculture sector. This was acknowledged by CARB both in the initial *Climate Change Scoping Plan: A Framework for Change* (CARB, 2011) and the *Proposed First Update to the Climate Change Scoping Plan: Building on the Framework Pursuant to AB 32, The California Global Warming Solutions Act of 2006* (CARB, 2014).

The initial Scoping Plan considered voluntary steps to reduce GHG emissions in this sector in place of regulatory measures, due primarily to costs and scientific uncertainty in measuring GHGs in many agricultural systems. The initial Scoping Plan also called for research on baseline N_2O emissions from the use of fertilizers to improve the GHG inventory. CARB, California Energy Commission (CEC), and CDFA have been coordinating and funding research to determine baseline N_2O emissions from a variety of soil types, crops, and farming techniques used throughout California. A number of other potential voluntary GHG-reduction activities were mentioned in the initial Scoping Plan, including improvement of agriculture water use efficiency, increasing the efficiency of or electrification of agricultural water pumps, using biomass-based fuels, and increasing carbon sequestration on agricultural lands. CDFA, in partnership with scientists at UC Davis, and with funding from the CEC, are evaluating the economic, beneficial environmental factors and costs of biofuel feedstock crops. Outcomes will focus on cropping systems for California with BMP recommendations; estimates of direct environmental costs such as water use, input levels, and effects; and potential off-farm environmental consequences. The CDFA is working with CARB to expand use of biomass-based transportation fuels as a regulatory pathway under the Low Carbon Fuel Standard (LCFS). CDFA is also supporting projects that address GHG mitigation through its SCBGP. Results of funded research projects provide knowledge and tools to help growers reduce GHG emissions and increase carbon sequestration.

Agricultural operations throughout the State are variable; a number of potential GHG sources exist at each operation, and a number of potential co-beneficial MPs can be used for each source. To address this complexity, CARB suggests that agriculture-sector mid-term and long-term 2050 GHG emission reduction planning targets be established. Soil MPs similar to those discussed in regard to regenerative organic agriculture is one MP mentioned by CARB. Historically, tilling (loosening and turning) of soil has been a fundamental agricultural practice to suppress weeds and loosen compacted clay soils. However, tillage releases large quantities of CO_2 and N_2O from the soil into the atmosphere. Several alternative methods, including changing tillage or cropping patterns, may reduce the release of GHGs. Some soil MPs, such as reduced tilling, can also result in reduced fuel consumption by farm equipment, providing additional permanent reductions in GHG emissions, including short-lived climate pollutants. CARB also acknowledges precision agriculture. Highly efficient management systems (precision agriculture) for both conventional and organic farming may provide climate benefits through reduced GHG emissions and increased carbon sequestration. To realize such systems, a host of

agricultural management practices might be required. In addition to potentially reducing GHG emissions, these strategies may also have co-benefits such as reductions in energy and fossil fuel use, and improvements in soil carbon content and water quality.

The updated scoping plan makes several recommendations to further develop actions for the agriculture sector related to climate change. This includes the following among other recommendations:

- Convene an interagency workgroup that includes CDFA, CARB, CEC, and other appropriate State and local agencies and agriculture stakeholders to:
    - Establish agriculture-sector GHG emissions reduction planning targets for the mid-term and 2050 time frames.
    - Expand existing calculators and tools, to develop a California-specific agricultural GHG tool for agriculture facility operators to use to estimate GHG emissions and sequestration potential from all on-farm sources. The tool would include a suite of agricultural GHG emission reduction and carbon sequestration practices and would allow users to run different scenarios to determine the best approach for achieving on-farm reductions.
- Conduct research that identifies and quantifies the GHG emission reduction benefits of highly efficient farming practices, and provide incentives for farmers and ranchers to employ those practices.
- CDFA will strengthen technical assistance programs and associated financial incentives to help agricultural operators develop carbon plans and implement GHG emission reduction practices.

These recommendations may result in future regulatory measures that will impact GHG emissions and sequestration from agriculture. Any future regulations and analysis practices will be considered as necessary in future tiered CEQA documents.

CDFA is actively involved in research of climate change and agriculture; this includes the following activities (CDFA, 2014b)

- In collaboration with the Air Resource Board and the CEC, the CDFA Fertilizer Research and Education Program (FREP) is funding research to understand N_2O levels from nitrogen fertilizers added to different field crops. The FREP-funded research is necessary because there is a lack of baseline N_2O emission data from nitrogen fertilizers applied to California's unique crop and soil systems. Initial study results indicate that N_2O emissions are lower than originally thought, highly episodic, complex given the microbial nitrification and denitrification biological cycles involved, and dependent on environmental factors such as water content and temperature. Field trials are being completed by scientists at the Plant Science Department and Center of Irrigation Technology at California State University, Fresno.

- Several research projects related to GHG reductions were funded under the 2010 SCBGP. Environmental Concerns and Conservation was identified as one of the research funding areas in the 2010 Notice of Funding Availability. More specifically, the research focus called for projects that address specialty crop agriculture's contribution to adaptation and/or mitigation of climate change. The results of the funded research projects are expected to have a direct impact on the current understanding of GHG from agriculture and potential offset strategies. For instance, a project titled, "Field Testing a Carbon Offset and GHG Emissions Model for California Winegrape Growers to Drive Climate Protection and Innovation," is expected to provide knowledge and tools to help California winegrape growers reduce GHG emissions and increase carbon sequestration. Other projects funded relating to GHG research focus on the benefits of coupling conservation tillage with cover cropping to reduce GHG emissions and water management in tomato crops, among others. This research is critical in addressing knowledge gaps in GHG emissions for California specialty crops. More information on this and other funded projects can be found at www.cdfa.ca.gov/grants.

- CDFA Secretary, Karen Ross, is a member of the Climate Action Team (CAT). CDFA staff is engaged in monthly meetings on coordinating statewide efforts to implement global warming emission reductions. CDFA scientists are actively involved in the team's most recent effort to create and update the CAT research catalog at the CEC, which documents past, ongoing, and planned climate change research studies supported by CDFA and other state agencies. The CAT is also responsible for reporting on the progress made toward meeting the statewide GHG targets that were established in the Executive Order, and further defined under the Global Warming Solutions Act of 2006 (Assembly Bill 32).

- CDFA's Division of Measurement Standards is responsible for evaluating fuel quality and standards in California. CDFA is an active member of the LCFS Advisory Panel. Under the LCFS, alternative fuels such as hydrogen, biodiesel, and electricity will be evaluated for reducing CO_2 GHG emissions from motor vehicles.

- Biofuels (fuels from plants) have been found to release less GHG compared to fossil fuels. CDFA, in partnership with scientists at UC Davis, and with funding from the CEC Public Interest Energy Research Program, have recently completed a 4-year study to evaluate the economic, beneficial environmental performance of six bioenergy crops. Field trials evaluated crop varieties, fertilization, irrigation and planting date trials. The project also examined the economic conditions under which bio-energy crops could be adopted in California by use of the Bioenergy Crop Adoption Model, a multi-region, multi-input and multi-output model.

Response to Comment 16630-17

CDFA appreciates the support from CCOF. Please see Master Response 3, Impacts on Organic Farming, for a discussion of how the PEIR and Proposed Program have given consideration to organic agriculture.

Comment Letter 16633

From: Chris Valadez
To: CDFA Pest Prevention EIR@CDFA
Subject: PEIR Statewide Pest Prevention and Mgt Program Comment Letter
Date: Friday, October 31, 2014 3:05:22 PM
Attachments: 10.31.14 CDFA PEIR-CFFA.pdf

ATTN: Ms. Laura Petro

Please see attached comment from the California Fresh Fruit Association.

Regards,

Christopher Valadez
Director, Environmental & Regulatory Affairs
California Fresh Fruit Association
978 W. Alluvial, Ste. 107 | Fresno, CA 93711
(559) 226-6330 (Phone)
(559) 222-8326 (Fax)
www.cafreshfruit.com

CALIFORNIA FRESH FRUIT ASSOCIATION
Fresh New Name. Same Great Fruit.

Comment Letter 16633-Cont.

CALIFORNIA FRESH FRUIT ASSOCIATION

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Fresno, California 93711-5700

October 31, 2014

California Department of Food and Agriculture
ATTN: Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
1220 N. Street, Suite 221
Sacramento, CA 95814

Re: Draft Program PEIR Regarding the Statewide Pest Prevention and Management Program

Dear Ms. Petro:

The California Fresh Fruit Association (Association) is a non-profit, public policy association representing fresh fruit growers, shippers and marketers throughout California. On behalf of our members, we write to support CDFA's development of a statewide plant pest prevention program.

Commodities grown, shipped, and marketed by our members comprise fresh grapes, blueberries, and deciduous tree fruits, which include: peaches, plums, apricots, nectarines, pears, apples, cherries, figs, kiwifruit, pomegranates and persimmons. Our Association regularly participates in the public comment process, in this case to offer support for the statewide program. We believe it will represent an efficient and thorough mechanism for analyzing potential impacts that could result from management decisions on the implementation of a plant pest prevention program while respecting the time-sensitive nature of combating invasive plant pests. In concert with enhanced efficiencies gained through the exercise of the new framework, we are encouraged by the new tiering strategy and its potential to guide CDFA in answering foundational questions respecting the applicability of the PEIR and CDFA's discretion under a pest prevention and management program.

16633-1

Moreover, by minimizing duplicate information that could be required by project level EIR, the comprehensive approach identified within the program-level EIR would appear to offer the added benefit of resulting in fiscal savings through process improvement. For the producers, employees, and communities that depend on a working agricultural economy, the efficiency gained through program level environmental impact analysis is advantageous due to the potential to minimize negative impacts associated or related to inefficient decision-making on program implementation.

16633-2

Thank you for the opportunity to comment in support of the PEIR regarding the Statewide Pest Prevention and Management Program.

Regards,

Christopher Valadez
Director, Environmental &
Regulatory Affairs

Letter 16633: Christopher Valadez, California Fresh Fruit Association (October 31, 2014)

Response to Comment 16633-1

CDFA appreciates the California Fresh Fruit Association's participation in the public review process and its expression of support of the PEIR.

Response to Comment 16633-2

CDFA agrees with the California Fresh Fruit Association that a program EIR increases efficiency and allows for more responsive and appropriate actions in controlling pests in a timely, cost-efficient fashion. Having a CEQA Tiering Strategy and checklist (Appendix C, *CEQA Tiering Strategy*) will assist CDFA in determining whether a given activity would be subject to CDFA's discretion under the Statewide Program; determining if the activities were considered in this Final PEIR; identifying applicable Final PEIR requirements; and determining tiering needs for activities partially considered or not considered in the Final PEIR.

Comment Letter 16634

From: Patty Clary
To: CDFA Pest Prevention EIR@CDFA
Subject: PEIR comment letter
Date: Friday, October 31, 2014 4:51:06 PM
Attachments: CDFA PEIR com 1014.doc

I submit the attached comments to the STATEWIDE PLANT PEST PREVENTION AND MANAGEMENT PROGRAM ENVIRONMENTAL IMPACT REPORT on behalf of the membership of Californians for Alternatives to Toxics.

Patty Clary, Executive Director
Californians for Alternatives to Toxics
P.O. Box 900, Eureka, CA 95502
707.445.5100 or 707.834.4833 cell http://www.alternatives2toxics.org

Comment Letter 16634-cont.

Californians for Alternatives to Toxics

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cats@alt2tox.org
www.alt2tox.org

ATTN: Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814

October 31, 2014

Regarding: STATEWIDE PLANT PEST PREVENTION AND MANAGEMENT PROGRAM ENVIRONMENTAL IMPACT REPORT

Ms Petro and California Department of Food and Agriculture,

I write this letter on behalf of the membership of Californians for Alternatives to Toxics (CATs) who retain an interest and concern with protecting the environment in California, particularly in regard to harm caused by pesticides and other toxic chemicals. CATs is a public interest, membership non-profit organization whose mission is to give the general public control over toxic chemicals in their environment. This mission arises from a broader underlying concern for our membership in relation to their dependence on the environment for their sustained health, education, cultural activities and livelihood.

Preserving Democratic Involvement of an Informed Citizenry

CATs supports a strong institutional concern for protecting the integrity and worthiness of the California Environmental Quality Act (CEQA) which was written to support the democratic rights of citizens to be informed in advance of and to participate in decision making for activities permitted or undertake by local, regional and state government in California. These activities may involve the use of pesticides and other toxic chemicals as is foundational to the current proposed Program.

Although the Governor and some members of the state Legislature have attempted to alter CEQA with the goal of making it less burdensome to business and government, those attempts have failed thus far due to strong public support of full and open government and decision-making in which members of the public are fully participant. Now CDFA has undertaken doing what the

Board of Directors: Steve Watts, President • Jene McCovey, Vice President • Janice Paul, Secretary/Treasurer

Comment Letter 16634-cont.

Legislature—bending to the will of voters--has failed to do. The PEIR describes a program that would be an enormous step backward in the goal of preserving democratic decision-making that is at the heart of CEQA. It would take Californians back to a darker time of helpless witnessing of bad decisions they were unable to influence and which lower their quality of life, health and prosperity.

16634-1

The proposed Program would bend and twist the original intent of CEQA to ease the burden of interaction with the public when decisions are made that effect the environment and, by extension, their property, businesses and health. Essentially, it's back to closed-door decision-making, a move that, if undertaken, will ultimately harm CDFA and its intent to deter harm caused by invasive plant pests.

CEQA was written to prevent Californians from waking up one morning to bulldozers tearing up the ground next door, or raining down pesticides on their car and yard, or any number of actions with significant environmental impact, without prior notification, means of complaint or ability to be involved in the decision-making process to ensure that the best decision, or at a minimum, the least harmful choice, would be made.

By simply providing notification of a decision already made and conducting public meetings where "An opportunity for the public to ask questions" "may" be provided, at 2.4.2, CDFA will further enhance a situation in which, in some parts of the state, affluence and education give residents greater political power and control over what happens in their environment whereas in other areas of the state, often where agriculture dominates, poverty and lack of political power put residents into a position of little control over their environment. In either case the Program, as currently described, will further fuel alienation of Californians from their government. It will be in opposition to California's attempts to address Environmental Justice in which poor neighborhoods bear the burden of environmental degradation.

16634-2

Advance Notification

Specifically, regarding public notification, at 2.4.2 pg 2-4, the PEIR describes notification that "may" include several steps. There is no guarantee that any of these steps will be taken. "May" does not give Californians a solid basis on which to judge how the Program will be implemented with even any advance knowledge. If we are to be forced to live under the Program, at a minimum these steps must be a requirement and must be fully described in the PEIR. As it stands now, people could very well wake up one morning with pesticides raining down on their property,

16634-3

Comment Letter 16634-cont.

16634-3 cont. family, livestock, buildings and equipment and not have known it was coming. Advance notification should be designed to reach as many in the community as possible, not placed on a statewide website that requires constant vigilance by local concerned residents.

Involvement in Plant Pest Eradication or Control Activities by Other State Agencies

16634-4 The PEIR provides a list of state and federal agencies involved in various pest control activities. If the Program is instituted as proposed, state agencies whether or not acting in partnership with CDFA and where the agencies have specific management obligations, will not be excused from complying with CEQA. CDFA cannot claim to be the lead agency where other state agencies are the authority unless there is a direct mandate from the state Legislature. Funding of another agency's project by CDFA will not excuse the CEQA obligations of that agency. The Program as proposed, with its self-provided exemption from CEQA, cannot be used to cover the activities of any other state agency. None of the aforementioned is described in the PEIR. The limitations of the Program in regards to involvement with other state agencies must be fully described in the PEIR.

Involvement in Plant Pest Eradication or Control Activities by USDA and Other Federal Agencies Must Comply With National Environmental Policy Act

The National Environmental Policy Act, though similar to CEQA, supports stronger provisions particularly regarding alternative proposals. When a federal agency is involved with the state in a program, as the draft PEIR readily admits is done with the U.S. Department of Agriculture (USDA), NEPA compliance is required.

An omission of the PEIR is naming the branches and staff members of USDA involved in forming the Program and drafting the PEIR. Nor does the PEIR indicate the extent of USDA funding for various aspects of the Program. These omissions lessen the transparency of the PEIR

16634-5 and skew the definition of "Lead Agency" for the Program.

Also of concern is the funding and collaboration with USDA noted throughout the PEIR which indicates the extensive involvement of USDA in CDFA Program areas and significant funding of those activities. The extent of this involvement indicates that a federal NEPA procedure is required for the proposed Program. The PEIR does not reveal if there is a federal or state law or a Memorandum of Understanding or other instrument in which CDFA is authorized to undertake NEPA review for USDA for the Program. It does not describe CDFA's position on whether a

Comment Letter 16634-cont.

16634-5 cont.

NEPA procedure is required for the Program and, if not, why it wouldn't. This shortcoming needs to be corrected in the PEIR so that the public is fully informed.

The PEIR repeatedly makes reference to USDA's funding and collaboration in Program activities without defining or analyzing these to the extent needed to comply with CEQA or NEPA. For example:

Pg 2-10 Pest Detection/Emergency Projects (PD/EP) Branch. "the PD/EP Branch houses the USDA–CDFA Preventative Release Program (focused on control and eradication of fruit fly infestations in southern California)."

How is USDA involved in this program, to what extent (% of budget) is USDA funding for the project, is there a MOU between CDFA and USDA regarding this collaboration or any other instrument of agreement or law governing this joint activity? Has a NEPA procedure been undertaken for this joint project?

At 2.6.1 Detection pg 2-12 "Early detection occurs through a collaborative effort between USDA, CDFA, county agricultural commissioners, industry and producers." The PEIR needs to define this collaboration in terms as described above.

At Pg 2-12, describing USDA's CAPS programs and funding via the CAPS and the Farm Bill several programs funded by directly by USDA or via the Farm Bill are described. What was the level of involvement by USDA both in funding and staff involvement in these projects? What is anticipated for USDA involvement or collaboration in these projects in future based on the history of these projects and what's known of future funding?

At 2.6.5 Pest Management Response pg 2-14 "CDFA bases its management response on the following criteria: The potential severity of the pest infestation (i.e., fecundity, pathways, availability of hosts, availability of vectors) as determined by the USDA's New Pest Advisory Group and the CDFA's Primary State Scientists."

Again, to what extent is USDA involved as described above? The PEIR is incomplete without full disclosure of federal agency involvement in decision-making in the state and a NEPA procedure to analyze the environmental effects of USDA's involvement.

At 2.7.2 Eradication pg 2-16, "When a plant pest is detected in an area of the state where the pest is not known to occur, CDFA may convene a Scientific Advisory Panel or USDA may convene a Technical Working Group to consider each situation before deciding on a

Comment Letter 16634-cont.

16634-5 cont.

response plan."

Again the PEIR displays the tip of the iceberg for USDA involvement. CDFA can claim to make the final decision, but USDA's involvement is so extensive and so much a part of the decision-making process that a NEPA procedure is required.

At 2.8 Pest Prevention and Integrated Pest Management Approach pg 2-17 "The population thresholds are pest-specific and are set based on input from USDA, the University of California, other State agencies, and others in the scientific and research community."

To what extent is USDA involved in setting population thresholds? Can CDFA set less strict population thresholds than does USDA? Has there been an example of CDFA setting less stringent thresholds? Can CDFA actually act independently of USDA on this and other decisions?

16634-6

At 2.9.2 Biological Management Activities pg 2-18 "Before use, BCAs new to the United States are approved by the USDA Animal and Plant Health Inspection Service (APHIS) through an environmental review process, where the safety and efficacy of each introduction is evaluated before release."

For BCAs released in California on non-federal land, CDFA must undertake CEQA. BCA can have a significant impact on the environment, thus CEQA compliance is required. Is the release of BCA governed by California law? Has it been subject to CEQA review?

16634-7

Has USDA prepared a NEPA document regarding the impact of its decisions for release of BAC under the currently proposed Program? This is not described in the PEIR.

16634-8

At 3.4.4 Brown Marmorated Stink Bug pg 3-14, "CDFA has been collaborating with the USDA Agricultural Research Service and University of California, Riverside to develop the use of BCAs."

While we certainly hope this stink bug can be controlled as it cannot be eradicated and its impact on food systems can be significant, as are many of the invasive species, the introduction of BACs can pose a significant impact and, in addition to NEPA compliance undertaken by USDA, CEQA procedures must be undertaken by CDFA. The extent and interaction of CDFA and USDA including funding of CDFA by USDA for exploring BACs is not disclosed. Funding may have a significant impact on decision-making and

Comment Letter 16634-cont.

environmental consequences.

At. 3.4.16 Medfly pg 3-22, In the Medfly program, sterile males are released in a preventative mode year-round, 7 days per week over the Los Angeles basin by private aircraft under contract to USDA."

16634-9

In this instance USDA is currently directly participating in a part of the Program. As we recall, NEPA may have been undertaken for USDA's involvement in this project but the PEIR fails to reveal the extent of USDA's involvement. In future decisions made by CDFA in which USDA actively participates, will there be NEPA procedures undertaken for each project? How will CDFA alert the public to the participation in any of its projects by a federal agency? CDFA cannot say it is the lead agency for a project in which a federal agency is involved. The PEIR must describe the extent of USDA involvement in Program activities and how the public will know the extent of USDA involvement in individual projects. This will not to be described in the checklist proposed for the Program so it begs the question of, when the public can be locked out of the decision-making of CDFA how will the public know the extent of federal involvement in decisions and execution of the Program?

At 4.2.6 Light Brown Apple Moth Eradication Program EIR pg 4-10. "LBAM are detected using pheromone-baited sticky traps, following a trapping plan cooperatively implemented by CDFA and the U.S. Department of Agriculture (USDA)."

Again USDA is directly involved a Program action with CDFA. Has USDA undertaken NEPA review of its involvement in the project? Has an MOU or other instrument been developed to support this collaboration?

CDFA also conducts projects with other federal agencies. How these joint projects will be managed regarding NEPA and CEQA compliance must be described in the PEIR.

Endangered Species Act Implications Under the Proposed Program

16634-10

How would impacts to listed species and the need for Section 7 consultation and corresponding need to do NEPA as a major federal action be undertaken under the Program? What would be the trigger and how would the public find a footing for participation when CDFA undertakes a project without adequate public involvement as it

16634-10 cont. may do so under the proposed Program? Federal enforcement of the ESA as it has a bearing on CDFA is not adequately described in the PEIR.

16634-11 We look forward to CDFA's response to the issues we have raised. At this point, it seems clear that, although a lot of money and paper have been devoted to the effort to radically alter the public's relationship to CDFA by making decisions for future projects without current imput from the public or even timely notification to the public, the effort has failed. The PEIR is not adequate. The Program is too comprehensive and too un-democratic to survive. Drop it and go forward.

Sincerely,

Patricia Clary
Executive Director

Letter 16634: Patricia Clary, Californians for Alternatives to Toxics (October 31, 2014)

Response to Comment 16634-1

CDFA disagrees that the PEIR has failed to comply with CEQA's goal of public involvement in the decision-making process. CDFA has exceeded CEQA's public outreach requirements during the PEIR preparation, and the Proposed Program and its Tiering Strategy include provisions for public involvement in compliance with CEQA. Refer to Master Response 1, Scope of the Statewide Program, which discusses these issues in more detail.

Response to Comment 16634-2

As detailed in Mitigation Measure HAZ-CHEM-1a, CDFA will conduct public information sessions in the local communities where Proposed Program chemical management activities are proposed to be conducted. The focus will be on educating residents whose properties are being treated, or who live in proximity to areas being treated on MPs for pesticide applications, including an emphasis on notification, signage, re-entry periods, potential adverse health effects, and how to seek proper help if an accident is suspected. As necessary, sessions will be conducted or translated into a language understood by the target audience. Public notifications will be performed before CDFA conducts any treatment activities.

CDFA does not provide special treatment to any particular demographic or economic groups. As discussed in PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials* (specifically the sections addressing sensitive receptors and highly affected and socioeconomically disadvantaged communities), CDFA is very concerned about issues such as environmental justice and farm workers, and considered farm workers and other sensitive receptors in its detailed HHRA and related PEIR analysis.

Response to Comment 16634-3

The commenter is referred to Master Response 1, Scope of the Statewide Program, which discusses how CDFA will conduct its public notification processes. At a minimum, CDFA will hold public meetings as described in Mitigation Measure HAZ-CHEM-1a and other methods of public notification as outlined in PEIR Volume 1, Section 2.4.2, *Public Notification*. This will be a continuation of CDFA's existing public outreach process. There would never be an instance where an individual resident would have their property treated with pesticides without prior notification.

Response to Comment 16634-4

As stated in PEIR Volume 1, Sections 2.13.1 and 2.13.2, this PEIR is specific to CDFA's CEQA compliance obligations related to the Proposed Program activities described in PEIR Volume 1, Chapter 2, *Proposed Program Description;* and Chapter 3, *Proposed Program Activities*. CDFA is not proposing to be lead agency for any other agencies. Also, the PEIR in no way exempts CDFA or any other agencies from CEQA; it is a programmatic CEQA document, and additional tiered documentation by CDFA or any other agencies tiering from the PEIR would be prepared to comply with CEQA as needed. In addition, for agencies

performing pest management activities that are unrelated to the PEIR, they too would be required to comply with CEQA. It is beyond CDFA's jurisdiction or area of expertise to make determinations regarding CEQA obligations for other agencies; those agencies would be required to make their own CEQA compliance decisions.

Response to Comment 16634-5

It is outside of CDFA's authority to oversee or require that a federal agency complies with NEPA. The responsibility to comply with NEPA belongs to federal agencies, such as USDA or any other federal agency performing an action that requires NEPA compliance. Federal agencies are required to consider the potential environmentally significant adverse impacts of their "major" actions. Each division of the USDA has specific regulations pertaining to its compliance with NEPA (e.g., APHIS regulations at 7 CFR Section 371.9(b)(3) and USDA NEPA regulations at 7 CFR Section 1b et seq.) Notably, the USDA's NEPA regulations provide that certain activities of the USDA are categorically excluded from the requirements to prepare Environmental Assessments (EAs) or Environmental Impact Assessments. These excluded activities include some types of funding decisions (7 CFR Section 1b.2.). Therefore, USDA must decide for itself whether its regulations require review of its collaborative activities with CDFA. CDFA is required to comply with CEQA, which it has done by preparing this PEIR, and comments or questions relating to any agency's requirement to comply with NEPA are not relevant to the analysis and conclusions reached under CEQA.

Additionally, further details regarding the extent of USDA funding or specific branches that may be involved with CDFA's activities were not described in the PEIR due to their lack of relevance to the PEIR's impact analysis.

Response to Comment 16634-6

CDFA agrees with the commenter that CEQA compliance is required for any proposed releases of BCAs. The PEIR and any necessary tiered CEQA documentation will serve as CEQA compliance for BCAs used under the Proposed Program.

Response to Comment 16634-7

USDA's policy is to make a finding of no significant impact under NEPA prior to approving a BCA for release, which it accomplishes by preparing an Environmental Assessment/Finding of No Significant Impact.

Response to Comment 16634-8

CDFA does not have an active Brown Marmorated Stink Bug management program at this time. Therefore, it was not analyzed in the PEIR.

Response to Comment 16634-9

For future decisions or actions made by CDFA and USDA, it is beyond CDFA's expertise or jurisdiction to determine USDA's specific NEPA compliance requirements. CDFA is a lead agency under CEQA, and never serves as a lead agency pursuant to NEPA. Federal agencies

are responsible for their own NEPA compliance. CDFA will follow the PEIR's Tiering Strategy in determining appropriate CEQA documentation for any future activities.

Response to Comment 16634-10

As described in PEIR Volume 1, Section 2.10.2, *Technical Assistance from the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife*, under the Proposed Program, CDFA would continue to coordinate with USFWS, NMFS, and CDFW to avoid "take" of threatened and endangered species and to minimize adverse environmental impacts on other special-status species and sensitive natural communities The specific coordination process with these agencies is detailed in PEIR Volume 1, Section 2.10.2, *Technical Assistance from the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service NMFS, and California Department of Fish and Wildlife CDFW*; and Mitigation Measure BIO-CHEM-2. This coordination is also included on the Tiering Strategy Checklist as a potential general requirement for all future tiering activities that will be implemented as identified in Tables 2-4 in the Tiering Strategy.

Any Section 7 consultation that a federal agency needs to conduct would be done separately. To CDFA's knowledge, there is no public involvement step for Section 7 consultation. However, CDFA respectfully disagrees with the commenter that the Proposed Project has not had adequate public involvement and that future activities would not have appropriate public involvement. CDFA directs the commenter to Master Response 1, Scope of the Statewide Program, and Master Response 18, Comment Period Duration and Notice, which provide more information about CDFA's existing public notification and involvement efforts for the PEIR, and CDFA's continued public outreach and involvement efforts through tiered CEQA evaluation and documentation.

Response to Comment 16634-11

See Master Response 1, Scope of the Statewide Program, and responses above regarding current and future opportunities for public input and notification. CDFA would not make decisions on future projects without the appropriate CEQA-required public input. The PEIR is adequate and fully complies with CEQA.

Comment Letter 16745

From:	Constance J. Barker
To:	CDFA Pest Prevention EIR@CDFA
Subject:	Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report
Date:	Friday, October 31, 2014 3:37:03 PM
Attachments:	CA_plant_pest-CJBarker Comments.docx

Attached please find my comments.

Thank You.

-Constance J. Barker

Constance J. Barker
President
Environmental Health Network of CA
Since 1988: Providing Support, Advocacy and
Information for the Chemically and Electrically
Injured and Hypersensitive

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We ALL are Stakeholders When It Comes To Breathing

If It's NOT Healthy It's NOT Green

Comment Letter 16745 - cont.

Laura Petro, Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento CA 95814
PEIR.info@cdfa.ca.gov

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Petro:

I am writing to raise the following objections as to the adequacy of the CDFA's draft plant pest prevention and management programmatic environmental impact report:

16745-1

- The program gives the agency vast and CEQA- inappropriate power to spray pesticides routinely and well into the future without public input. It allows the Department to carry out most program activities, and even approve certain changes and expansions of the pest program, without future public review or input. This is contrary to the original intentions and purpose of CEQA. As a result, California residents who in the future will be exposed to such pesticide or other treatments in their communities will have no recourse to affect or stop such treatments. People have a right to be heard on the important issue of toxic exposures to their homes and workplaces, especially when such exposures are being funded through their own tax dollars.

16745-2

- The report's extremely broad scope is dangerous. Serious site and program specific risks to health and the environment of future sprayings cannot be adequately addressed for all possible future cases. Among many other potential situations, the PEIR fails to adequately address potential adverse health consequences of things such as:

16745-3

  - Situations where infants and young children are exposed to pesticide drift, residue or spraying.
  - Situations where pregnant women, the elderly, and those with chronic illness and/or sensitivities to particular pesticide formulations, or formulation components, are exposed to spraying, residues, or drift.
  - Endocrine-disrupting effects of exposure to program pesticides.

Comment Letter 16745 - cont.

16745-3 cont.

- Epigenetic effects of exposure to program pesticides.

16745-4

- It is crucial that the report evaluate the effects of spraying and exposure on those with sensitivities to particular pesticide formulations or components. Sensitive human subpopulations are well known to exist as a matter of genetics, e.g. polymorphisms in paraoxonase, carboxylestarse B, ornithine carbamyl transferase and other detoxification pathways. New links to disease states caused and/or exacerbated by pesticide exposures in individuals exhibiting such polymorphisms are constantly emerging. A long term programmatic EIR such as this cannot possibly anticipate such developments, and effectively disenfranchises such affected populations from having the value of such new data and its relevance to the public

- Section 6.5-13, in particular, cites lack of current scientific consensus on the etiology of some hypersensitivity syndromes to justify failing to attempt evaluation of program effects on such populations. That large numbers of people have developed such syndromes following large pesticide spraying programs is not in doubt. That more will develop such syndromes, or have their symptoms worsened by future programs is also not in doubt. Lack of scientific consensus as to precisely what specific combination of physiological, limbic, dotoxification, neuro-sensitization, or other mechanisms cause this to be the case in no way changes the fact that it is. Nor does it relieve the CDFA of its responsibility to consider this important health consequence of its proposed programs.

16745-5 The intent of CEQA is to identify impacts before they happen so that public consideration of possible mitigations or other responses – including the option to act with precautionary intent by modifying proposed programs or developments- can go forward. This highly CEQA inadequate PEIR denies the public that opportunity, on these and many other counts. It is therefore highly deficient.

I also endorse the comments submitted by Earthjustice and ATA on behalf of California Environmental Health Initiative, MOMS Advocating Sustainability, and others, and ask that such comments also be addressed in your response.

Comment Letter 16745 - cont.

Sincerely,

Constance J. Barker

President
Environmental Health Network of California (EHN)

Letter 16745: Constance J. Barker, Environmental Health Network of California (October 31, 2014)

Response to Comment 16745-1

CDFA disagrees that the PEIR does not comply with or fails to fulfill the underlying goals of CEQA. The PEIR would provide CEQA coverage for activities consistent with the scenarios analyzed in the PEIR, but would not expand CDFA's existing authority. Likewise, the PEIR would not avoid or preclude future environmental review. As described in Appendix C, *CEQA Tiering Strategy,* CDFA would analyze the potential environmental impacts of all future Proposed Program activities through completion of the Tiering Strategy Checklist (see Appendix C, *CEQA Tiering Strategy*). The Tiering Strategy Checklist would require CDFA staff to determine if a proposed activity was considered in the PEIR, and/or whether its potential environmental impacts were fully captured by the PEIR. Any proposed activities whose impacts were not already analyzed in the PEIR would require preparation of tiered environmental document (e.g., ND or EIR), along with CEQA's related public review process.

In addition, CDFA would continue to notify and engage the public regarding its pest programs. See PEIR Volume 1, Section 2.4.2, *Public Notification* (page 2-4), and Mitigation Measure HAZ-CHEM-1a for a description of this process.

Response to Comment 16745-2

CDFA disagrees with this assertion. The report's scope is necessarily broad, as CDFA's plant pest prevention and management activities are conducted in various locations throughout the entire state, and vary in type and intensity. However, the report's broad scope is not inconsistent with CEQA, nor would it avoid site-specific analysis.

CEQA allows for program EIRs, which are inherently broader than project EIRs. According to CEQA Guidelines Section 15168(a), a program EIR may be prepared on a series of actions that can be characterized as one large project, and are related either as individual activities carried out under the same statutory or regulatory authority, and having generally similar environmental effects that can be mitigated in similar ways. Section 15168 (c)(4) states: "where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR."

Consistent with the CEQA Guidelines, the PEIR covers a range of related plant pest prevention and management activities carried out under the same authority that have generally similar environmental effects, and would include a written checklist for site-specific evaluation. The Tiering Strategy Checklist (see Appendix C, *CEQA Tiering Strategy*) would require CDFA staff to consider the potential environmental effects of all future pest programs. Any proposed activities with potential effects not fully analyzed in the PEIR would require preparation of a tiered environmental document. Please see Appendix C, *CEQA Tiering Strategy,* for additional information on tiering and future project-level analysis.

Response to Comment 16745-3

See Response to Comments 16656-123 and 16656-159.

Response to Comment 16745-4

See Master Response 6, Comments Regarding Multiple-Chemical Sensitivity.

Response to Comment 16745-5

CDFA disagrees. The scoping period for the Draft PEIR afforded the public the opportunity to raise concerns, identify potential impacts, and inform the environmental analysis in the draft document. Likewise, the public review period for the Draft PEIR afforded the public the opportunity to comment on the impact analysis in the PEIR and express any concerns on the activities in the Proposed Program., and exceeded the CEQA EIR public review requirements. In this respect, the PEIR has fulfilled the intent of CEQA. Future pest management activities under the Proposed Program would be consistent with the scenarios evaluated in the PEIR. Any proposed activities with impacts not considered in the PEIR would require preparation of a tiered environmental document (e.g., ND, EIR), which would require the same public participation process as a standard environmental document.

Comment Letter 16771

From:	O"Hara, Janet@Waterboards
To:	CDFA Pest Prevention EIR@CDFA
Cc:	Singhasemanon, Nan@CDPR; Geoff Brosseau; kmoran@tdcenvironmental.com; McClure, Daniel@Waterboards; Meertens, Peter@Waterboards; Tadesse, Dawit@Waterboards
Subject:	SF Bay Water Board Comments on Statewide Plant Pest Prevention and Management Program Draft EIR
Date:	Friday, October 31, 2014 10:35:40 AM
Attachments:	SFBay Water Board Comments - CDFA Invasive Species Control Program EIR 10-2014.pdf

Ms. Petro,
Thank you for the opportunity to comment on the PEIR. Our comments are attached.

Regards,
Jan O'Hara
Water Resource Control Engineer
San Francisco Bay Regional Water Quality Control Board
510.622.5681
johara@waterboards.ca.gov

Comment Letter 16771-Cont.

CALIFORNIA Water Boards

EDMUND G. BROWN JR. GOVERNOR

MATTHEW RODRIQUEZ SECRETARY FOR ENVIRONMENTAL PROTECTION

San Francisco Bay Regional Water Quality Control Board

October 31, 2014

ATTN: Laura Petro, Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814
Sent via email to: PEIR.info@cdfa.ca.gov

SUBJECT: Comments on Statewide Plant Pest Prevention and Management Program Draft EIR

Dear Ms. Petro:

Please accept these comments on the Statewide Plant Pest Prevention and Management Program Draft Environmental Impact Report (PEIR). We recognize the importance of the California Department of Food and Agriculture's (CDFA's) work in protecting the State's agriculture from invasive pests and plant pathogens, and we commend CDFA for establishing protocols to mitigate the environmental impacts of its pesticide control actions. The PEIR's water quality section documents that CDFA is aware of the pesticide-related water quality impairments occurring across the State. Our comments are intended to strengthen the proposed mitigation measures and protocols in order to avoid or minimize any additional pesticide-related water quality impacts, while still achieving CDFA's objectives to protect agricultural resources.

16771-1 The PEIR states that CDFA has established criteria to follow when it considers use of a chemical pesticide for any of its programs (pg. 2-22), including consultation with the California Office of Environmental Health Hazard Assessment for guidance. We request that CDFA expand the criteria to include consultation with the specific Regional Water Quality Control Board(s) for the location(s) where the pesticide will be used. Awareness of the types and timing of pesticide applications will benefit Water Board staff, particularly in our Watershed, Planning, and Total Maximum Daily Load (TMDL) programs. More importantly, Water Board staff can provide information CDFA needs to understand environmental fate and non-target effects, and can suggest appropriate mitigation measures.

16771-2 We believe this consultation is important because the assessment methods described in the PEIR do not fully evaluate the potential water quality effects of CDFA's pesticide applications. The comment letter submitted on behalf of the California Stormwater Quality Association (CASQA) describes weaknesses with the assessment methodology in depth and cites supporting documentation for their determination. We concur with CASQA's comments. The list below summarizes our concerns with the water quality assessment methodology presented in Section 6.7 of the PEIR:

16771-3
- The PEIR states that integrated pest management (IPM) protocols will be followed, which is an appropriate and positive action (pg. ES-4). IPM steps include identification of the pesticide with the least hazard to people and the environment when chemical controls are necessary. However, as explained further in our comments below, we are concerned that

DR. TERRY F. YOUNG, CHAIR | BRUCE H. WOLFE, EXECUTIVE OFFICER

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RECYCLED PAPER

Comment Letter 16771-Cont.

the potential aquatic impacts of the chemicals to be used may not be fully considered; this is an area for which the Water Board should be consulted.

16771-4
- The PEIR identifies three pesticide transport mechanisms, namely aerial drift, movement from plant foliage to water or soil, and movement through soil to water bodies. We are concerned that the PEIR does not recognize that the rapid transport from impervious surfaces (from direct application or via runoff) into storm drains and water bodies is commonly the primary transport mechanism in urban areas.

16771-5
- Pesticides bound to soil particles are readily transported to urban water bodies where they produce toxic habitat conditions for aquatic invertebrates, in direct contrast to PEIR statements that attachment to sediment is expected to diminish aquatic impacts.

16771-6
- We recommend that, when no water quality criteria have been established for a pesticide, CDFA compare estimated potential pesticide concentrations in surface waters to aquatic life and human health benchmarks developed by U.S. Environmental Protection Agency's Office of Pesticide Programs. If such benchmarks are unavailable, CDFA could develop its own benchmarks based on Section 7.1.1-7 and Table 7.1.1-1 of our Basin Plan (http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/basinplan/web/docs/bp_ch7+tables.pdf).

16771-7
- In the San Francisco Bay Region, all urban creeks are included in the TMDL for Diazinon and Pesticide-Related Toxicity in Urban Creeks. The statement on page 6.7-27 that "discharges to other non-listed water bodies would not be of concern" would essentially not apply in this Region.

16771-8
- Estimates of potential releases of pesticides to surface waters should consider degradates and inert ingredients because these chemicals can be equally or more toxic to aquatic organisms.

16771-9
- California's bays and estuaries continue to experience water quality problems due to copper. When CDFA is considering the use of copper-based pesticides, it should consider the extent to which such use could exacerbate these problems.

16771-10 The State and Regional Water Boards have worked cooperatively with the California Department of Pesticide Regulation over the past several years to improve the consideration of water quality impacts related to pesticide applications. Respecting the emergency nature of invasive pest issues, we would work cooperatively with CDFA in a similar manner. Please consider our request that CDFA include the Water Boards in its approval process for invasive species control.

We appreciate the opportunity to comment on the PEIR. If you have any questions I am available at 510.622.5681 or johara@waterboards.ca.gov.

Sincerely,

Janet B. O'Hara
Water Resource Control Engineer
Planning & TMDL Division

cc via email:
Nan Singhasemanon, California Department of Pesticide Regulation
Geoff Brosseau, Bay Area Stormwater Management Agencies Association
Kelly Moran, TDC Environmental

Letter 16771: Janet B. O'Hara, San Francisco Bay Regional Water Quality Control Board (October 31, 2014)

Response to Comment 16771-1

Rather than interacting with each individual Regional Water Quality Control Board, CDFA consults with the SWRCB regarding its pesticide applications. CDFA has obtained and complies with a NPDES Permit for Biological and Residual Pesticide Discharges issued by the SWRCB. The NPDES permit includes several advanced BMPs that are required to be implemented. In addition, the NPDES permit requires preparation of a PAP. The permit stipulates that a PAP must be prepared in accordance with the permit requirements and thresholds. Adherence to this permit and an approved PAP would avoid discharge of these pesticides into surface water bodies, or would require monitoring if discharge is unavoidable. Appendix O, *Regulatory Setting,* contains further details of the requirements of the NPDES permit, including preparation and approval of the PAP.

Regulatied entities (e.g., growers) conducting pesticide applications in response to CDFA quarantines are required to perform their own compliance with relevant water quality laws, regulations, and policies.

Response to Comment 16771-2

See Response to Comments 14808-1 through 14808-33 for detailed responses to the letter submitted on behalf of the California Stormwater Quality Association.

Response to Comment 16771-3

CDFA appreciates the commenter's recognition of the appropriate and positive aspects of CDFA using an IPM in its Statewide Program. See Responses to Comments 16771-5 through 16771-10 for specific responses to your concerns regarding consideration of potential aquatic impacts.

Response to Comment 16771-4

Applications made under the Proposed Program in residential, nursery, and production agriculture settings are made to foliage, vegetation, or soil—not to impervious surfaces such as concrete, asphalt, etc. Future applications to impervious surfaces are not anticipated. Because an impervious surface pathway does not exist for the transport of pesticides to surface water, it was not considered.

The farm pond was a component of the U.S. EPA PE5 model that was used for all scenarios considered. Model parameters selected were highly conservative and likely resulted in an overestimate of pesticide concentrations in the farm pond. For example, the farm pond was immediately downstream and adjacent to a sloped, treated area, and resulting pesticide concentrations were not diluted by water flowing into or out of the pond. Additional details on the conservative nature of model inputs are presented in Section 3.3.1 of the ERA.

Based on discussions with CDPR and U.S. EPA staff responsible for model development, maintenance, and use, appropriate PE5 model inputs were selected and used; and as stated earlier, likely resulted in an overestimate of pesticides in the farm pond.

Response to Comment 16771-5

Residues bound to sediments are less bioavailable to aquatic invertebrates than dissolved residues. The ERA considered dissolved residues in the water column or sediment pore water. These dissolved residues are more readily available to produce any potential adverse effects for aquatic invertebrates, as compared to bound residues. The exposure of benthic invertebrates to dissolved residues in the pore water that have reached an equilibrium with the residues bound to sediments was assessed in the risk assessment.

Response to Comment 16771-6

CDFA relied on its analysis conducted in the ERA (Appendix A of the PEIR) and HHRA (Appendix B of the PEIR) to evaluate impacts to aquatic organisms and humans when no water quality criteria have been established. These analyses used conservative and worst-case toxicological end-points to evaluate the potential impact to humans or aquatic organisms. Included in the development of the toxicological risk values are several safety factors to account for uncertainty. These were often based on U.S. EPA or other scientific studies.

With respect to aquatic organisms, the ERA's evaluation of potential adverse effects is at least as meaningful as the suggested method of comparing modeled concentrations to aquatic life benchmarks.

With respect to humans, the HHRA relied on an analysis of groundwater and surface water monitoring data (Appendix B, Section 2.3.1, *Estimating Pesticide Environmental Concentrations,* pages 37-38) to determine the potential for Proposed Program chemicals to be found in drinking water supplies. The only chemicals found in groundwater were methyl bromide and common constituents of gasoline and diesel fuel. The Proposed Program's use of methyl bromide would be limited to applications in a fumigation chamber or seavan, which are contained environments where the potential for the chemical to reach groundwater can be dismissed. The chemical constituents of fuel are found in less than 5 percent of any given pesticide formulation, and it is more likely the result of leaking storage tanks rather than pesticides. Although the treatments that may be conducted under the Proposed Program have some potential to contribute to surface water concentrations of these ingredients, treatments are limited to areas where potentially impacted surface waters are not used as drinking water resources. Furthermore, regulatory requirements such as CDFA's NPDES permit and other regulatory requirements (discussed further in Appendix A, *Ecological Risk Assessment,* and Section 6.7, *Water Quality*, of the PEIR) ensure that appropriate measures would be taken to ensure that the pesticide ingredients from the Proposed Program do not impact surface water. Based on the analysis of available monitoring data, it was concluded that drinking water is not a pathway of concern.

Response to Comment 16771-7

Comment noted.

Response to Comment 16771-8

All of the modeling parameters and assumptions, along with a complete list of pesticide active ingredients and inert ingredients analyzed, and all TRVs, as well as references used as a basis for selecting TRVs, were included in the Dashboard database, available for download from CDFA's website. This database also includes estimated water concentrations for all active and inert ingredients and degradates included in the risk assessments.

With one exception, we are unaware of any pesticide active ingredients used in the Statewide program whose degradates are considered more toxic than the parent compound. The one exception is acephate, and its degradate methamidophos. Our analysis did consider methamidophos; and consistent with U.S. EPA methodology, conservatively assumed a 25 percent conversion rate of acephate to methamidophos upon release into the environment. This value is highly conservative and health-protective.

Response to Comment 16771-9

The only copper-containing product is CoreTect Tree and Shrub Tablets, in which imidacloprid is the active ingredient. Copper is included as an "inert" ingredient in the formulation. CoreTect Tree and Shrub Tablets would only be applied by inserting the tablet beneath the soil surface, thereby dramatically reducing any opportunity for runoff to surface water. The amount of copper migrating to surface water following applications of CoreTect Tree and Shrub Tablets was modeled and included in the ERA.

Response to Comment 16771-10

CDFA appreciates the commenter's willingness to work cooperatively with CDFA.

Comment Letter 16783

From:	Day, Melanie@Wildlife
To:	CDFA Pest Prevention EIR@CDFA
Cc:	Petro, Laura@CDFA; Birss, Helen@Wildlife; Vouchilas, Cathie@Wildlife; Mathis, Ryan@Wildlife; Morey, Sandra@Wildlife; Babcock, Curt@Wildlife; Drongesen, Jeff@Wildlife; Weightman, Craig@Wildlife; Starr, Jim@Wildlife; Vance, Julie@Wildlife; Courtney, Betty@Wildlife; Sevrens, Gail@Wildlife; MacNair, Leslie@Wildlife; Ota, Becky@Wildlife
Subject:	Statewide Plant Pest Prevention and Management Draft PEIR - CDFW comments
Date:	Friday, October 31, 2014 8:31:11 AM
Attachments:	CDFA_Statewide Plant Pest Prevention PEIR_CDFWComments.pdf

Good morning,

Please find attached CDFW's comment letter for the Draft Statewide Plant Pest Prevention and Management Program Draft PEIR.

Thanks,

-Melanie

Melanie Day
Senior Environmental Scientist (Specialist)
California Department of Fish and Wildlife
melanie.day@wildlife.ca.gov
916-653-3864

Comment Letter 16783-cont.

State of California
Department of Fish and Wildlife

Memorandum

Date: October 30, 2014

To: Laura Petro
Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814

From: Helen Birss
Branch Chief
Habitat Conservation Planning Branch

Subject: Statewide Plant Pest Prevention and Management Program Draft Program Environmental Impact Report; SCH No. 2011062057

The California Department of Fish and Wildlife (CDFW) has reviewed the California Department of Food and Agriculture (CDFA) Draft Program Environmental Impact Report (PEIR) for the Statewide Plant Pest Prevention and Management Program (Statewide Program). The goal of the Statewide Program is to protect California's agriculture from damage caused by invasive plant pests. The PEIR evaluates impacts on the environment from Statewide Program activities, such as pest eradication and control through physical, biological, and chemical management techniques, including pesticide treatment (Project). Thank you for providing CDFW with the opportunity to address its area of statutory responsibility in the PEIR (Cal. Code Regs., tit. 14, §§ 15086 & 15088).

CDFW JURISDICTION

CEQA Role

CDFW is a Trustee Agency as defined in the Guidelines for the Implementation of the California Environmental Quality Act (Cal. Code Regs., tit. 14, § 15000 et seq.; hereafter CEQA Guidelines) with responsibility under CEQA for commenting on projects that could affect fish and wildlife resources (CEQA Guidelines, § 15386). CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). As a Trustee Agency, CDFW is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities, as those terms are used under CEQA (Fish & G. Code, § 1802).

Comment Letter 16783-cont.

CDFW anticipates that it may use the final PEIR and act as a Responsible Agency as part of possible future consideration and issuance of discretionary approvals, described below.

Discretionary Approvals

State Threatened, Endangered, and Candidate Species: CDFW has discretionary authority over activities that could result in the "take" of any species listed as candidate, threatened, or endangered pursuant to the California Endangered Species Act (CESA; Fish & G. Code, § 2050 et seq.). CDFW considers adverse impacts on CESA-listed species, for the purposes of CEQA, to be significant without mitigation. Take of any CESA-listed species is prohibited except as authorized by state law (Fish & G. Code, §§ 2080 & 2085). Consequently, if Project activities, result in take of CESA-listed species, CDFW recommends that the Project proponent seek appropriate authorization prior to Project implementation. This may include an incidental take permit (ITP) or a consistency determination in certain circumstances (Fish & G. Code, §§ 2080.1 & 2081 subd. (b)).

Rivers, Lakes, and Streams: An entity may not: substantially divert or obstruct the natural flow of; substantially change or use any material from the bed, channel, or bank of; or dispose of any debris, waste, or other material into, any river, stream, or lake unless certain conditions are met. For such activities, the entity must provide written notification to CDFW. Based on the written notification and site-specific conditions, CDFW will determine if the activity may substantially adversely affect an existing fish or wildlife resource and issue a Lake or Streambed Alteration (LSA) Agreement to the entity that includes reasonable measures necessary to protect the resource (Fish & G. Code, § 1600 et seq.).

Note that CDFW must comply with CEQA prior to issuance of an ITP or LSA Agreement for a project. As such, CDFW may consider the Lead Agency's CEQA documentation for the project. To minimize additional requirements by CDFW and/or under CEQA, the final PEIR or subsequent tiered environmental documents should fully disclose potential Project impacts on CESA-listed species and any river, lake, or stream, and provide adequate avoidance, minimization, mitigation, monitoring and reporting measures for issuance of an ITP or LSA agreement. 16783-1

COMMENTS AND RECOMMENDATIONS

Project Description

Section 3.4.36, page 3-32: CDFW recommends that CDFA describe and analyze activities associated with polyphagous shot-hole borer (*Euwallacea sp.*) control. The PEIR indicates that CDFA anticipates conducting a management program against this pest in the future. This would minimize the need for preparation of additional environmental documents and assure that Project activities are described in sufficient detail for CDFW to evaluate potentially significant Project impacts on biological resources. 16783-2

Environmental Setting

Section 2.10.2, page 2-26: This section states that prior to making a decision to treat a site, "CDFA would consult the California Natural Diversity Database (CNDDB) for special-status 16783-3

Comment Letter 16783-cont.

16783-3 cont. species previously reported inside or in close proximity to the treatment area boundaries, as well as check for the potential for presence of special-status species habitat and/or sensitive natural communities." CDFW recommends that CDFA provide additional information about how CDFA would determine if special status species have the potential to occur in an area affected by the Project, including criteria that would prompt an on-site field assessment by a qualified biologist. CNDDB is primarily a positive indicator database and absence of records does not necessarily indicate absence of special-status species and sensitive natural communities. There are several special-status insects not tracked by CNDDB. Often, several other references and databases must be reviewed to identify potential presence of sensitive biological resources. if CDFA requires assistance with identifying these references and databases please contact the CDFW staff named below. To ensure that Project impacts on biological resources would not be significant, it is imperative that the PEIR clearly articulate the procedure for identifying resources that may be impacted by the Project.

16783-4 *Appendix I*, entitled "Sensitive Natural Communities," is actually a list of all natural communities in California. Sensitive natural communities are a subset of this list. CDFW generally considers communities, alliances, and associations with a statewide rank of S1, S2, or S3 to be highly imperiled and CDFW recommends that CDFA evaluate them in the PEIR. Some rare natural communities with statewide ranks of S3 or S4 can be locally or regionally rare and CDFW recommends these also be evaluated at the project level. There may also be local and regionally rare natural communities that have not yet been sampled and described.

Impacts

16783-5 *Section 6.1.3, Page 6.1-29*: the PEIR states that there is no evidence of pesticide drift occurrence onto organic farms and that any impacts are speculative. CDFW recommends that CDFA consider use of temporary marker dyes in pesticide solutions. This modified management practice would facilitate the recognition of drift and potential impacts on biological (and possibly other) resources, leading to reduced speculation and/or allowing for mitigation and/or improvement of management practices.

16783-6 *Section 6.7.3, Table 6.8-3, Page 6.7-25*: This table presents water quality standards for copper derived from CDFW fresh water quality criteria. However, these standards are California Toxic Rule and Central Valley Regional Water Quality Control Board's Basin Plan standards, and were not set by CDFW. CDFW participated in developing the standards.

Mitigation Measures

16783-7 *Section 2.10.2, Page 2-25*: The PEIR states, "CDFA would continue to coordinate with USFWS, NMFS, and CDFW to avoid "take" of threatened and endangered species..." CDFW recommends that the PEIR describe the type of coordination with CDFW, particularly for special status species that are not listed under CESA, and which personnel at CDFW would participate in the consultation. Numerous special status species may be impacted by the Project. The PEIR should evaluate Project impacts on these species, or provide a mechanism for site-specific evaluation, generally prior to consultation with CDFW staff.

16783-8 *Section 6.3.3, Pages 6.3-12 and 13*: The PEIR states, "Implementation of the treatment plan measures would reduce the impacts on special status species by modifying the timing locations,

16783-8 cont. and methods for chemical treatments on a case-by-case basis, including establishment of site-specific buffers." CDFW recommends that the PEIR include specific chemical buffers to determine if special-status species avoidance is feasible for some sites and if specific chemical buffers need to be different based on application type. This would ensure that appropriate buffers would be applied to avoid potentially significant impacts on special status species and sensitive natural communities.

16783-9 The PEIR states, "CDFA shall identify any suitable habitat for special-status wildlife species identified as having potential to (1) occur in the region and (2) be affected by the treatment scenario in question." CDFW recommends that the PEIR stipulate that a qualified biologist, experienced with the geographic area and the special status species that occur in that Project activity area, be responsible for this task to assure that all sensitive species and habitats are identified and significant impacts are avoided.

16783-10 The PEIR indicates that avoidance of "take" of special status species would ensure that project impacts on such species would be less-than-significant under CEQA. However, "take" has specific and separate legal definitions under the California Fish and Game Code and federal Endangered Species Act (ESA). Avoidance of "take" of special status species does not necessarily constitute avoidance of significant impacts on endangered, rare, threatened species, and other special status species and sensitive habitats under CEQA (Cal. Code. Regs., tit. 14, § 15380 & Appendix G). CDFW recommends that the PEIR distinguish between "take" of species protected under CESA and ESA (see Fish & G. Code, § 86; 16 U.S.C. § 1532 (19)), and other special status species, and define "take" under each of these categories. Once the impacts of "take" are clarified, the PEIR should analyze if avoidance of "take" would ensure Project impacts are less-than-significant under CEQA, and if not, propose additional mitigation measures.

16783-11 *Section 2.10.2, Page 2-26*: The PEIR indicates that Project activities would not occur where they may result in "take" of special status species, and that this would likely lead to full establishment of the invasive pest. To achieve Project objectives on controlling pests, CDFW recommends that the PEIR anticipate potential "take" and other impacts on special-status species, and identify mitigation measures to reduce these impacts to less-than-significant under CEQA, where feasible. Mitigation measures could include; for example, conducting additional site-specific CEQA environmental review and seeking separate "take" authorization from CDFW or U.S. Fish and Wildlife Service for species protected under CESA and the ESA. CDFW may issue "take" authorization under the CESA if the "take" is fully mitigated and does not jeopardize the continued existence of the species.

16783-12 *Section 6.1.3, Page 6.3-15*: The PEIR states, "Proposed Program activities would not occur within wetlands and other aquatic or sensitive natural communities. Therefore, no impact would occur." Drift or runoff, or inadequate buffers, could result in Project impacts on these resources. CDFW recommends including mitigation measures to assure potentially significant impacts on these resources are avoided.

16783-13 *Section 6.1.3, Page 6.1-26*, and Appendix J: Declines in honeybees and native insect pollinators are a significant concern for both biodiversity and agricultural activities. Agricultural producers may establish and maintain "Native Habitat Buffers" to benefit their crops and biodiversity. Such buffers, located adjacent to active farmland, may provide important economic benefits including pollinator service, natural pest control, and improved soil and water quality.

Comment Letter 16783-cont.

16783-13 cont. CDFW encourages CDFA to include protection measures for such areas and to consider these services and values when planning Project activities to support a less-than-significant impact determination on insect pollinators and the ecosystems they support.

16783-14 *Section 4.1, Table 4-1, Page 4-12 and Appendix B*: CDFW recommends that the PEIR clarify which mitigation measures from prior Statewide Program-related CEQA environmental documents would be implemented for existing and future Project activities, and the difference between Management Practices and mitigation measures.

Tiering Strategy

16783-15 *Appendix B, Page B-4*: To evaluate whether impacts on biological resources were analyzed in the PEIR for subsequent Project activities, CDFW recommends that the PEIR include procedure and checklist to document the evaluation of biological resources that may be affected at each site to determine whether the impacts of the Project were covered in the program EIR. Such a procedure and checklist, which could be used as a model, was recently developed for infill projects and can be found in CEQA Guidelines section 15183.3 and Appendix N, which also includes the requirement for the Lead Agency to file a Notice of Determination for each subsequent Project activity.

The checklist should be accompanied by enough relevant information and reasonable inferences from this information to support each conclusion concerning biological resources. For subsequent Project activities that may affect sensitive biological resources, a site-specific analysis should be prepared, from which the supporting information would be derived. The checklist should cite the specific portions of the PEIR, including page and section references, containing the analysis of the subsequent Project activities' significant impacts and indicate whether it incorporates all applicable mitigation measures from the PEIR.

FUTURE COORDINATION

Questions regarding this letter or further coordination should be directed to Cathie Vouchilas, Environmental Program Manager, at (916) 651-1190 or Cathie.Vouchilas@wildlife.ca.gov.

Attachment

cc: State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044

ec: California Department of Fish and Wildlife

Sandra Morey, Deputy Director
Ecosystem Conservation Division
Sandra.Morey@wildlife.ca.gov

Comment Letter 16783-cont.

Cathie Vouchilas, Environmental Program Manager
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Letter 16783: Helen Birss, CDFW (October 30, 2014)

Response to Comment 16783-1

The Proposed Program does not involve any activities that would divert or obstruct the natural flow of any river, stream, or lake; change or use any material from the bed, channel, or bank of any river, stream, or lake; or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. Therefore, no Lake or Streambed Alteration Agreement would be required for the Proposed Program.

Regarding compliance with the CESA, please refer to PEIR Volume 1, Section 6.03, *Biological Resources*, which evaluates the Proposed Program's potential effects on special-status species; and PEIR Volume 1, Section 2.10.2, *Technical Assistance from the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife*, which describes the process CDFA implements to avoid take of CESA-listed species and ensure that no Incidental Take Permit is needed.

Response to Comment 16783-2

CDFA does not currently conduct any eradication or control activities against the polyphagous shot-hole borer, and has determined that any such future activities are not sufficiently defined at this time for the purposes of a CEQA evaluation. Prior to conducting such activities, CDFA would evaluate such activities through a tiered CEQA analysis, which would be streamlined as a result of the PEIR to allow for rapid response. For more details on the tiering process, please refer to Appendix C, *CEQA Tiering Strategy*.

Response to Comment 16783-3

CDFA's approach described in the PEIR to avoid adverse effects on special-status species is a continuation of its existing procedure of obtaining technical assistance from CDFW and the other wildlife agencies. Based on the long history of coordination between CDFA and CDFW, CDFA expects that CDFW is already very familiar with this procedure. Additionally, PEIR Volume 1, Section 2.10.2, *Technical Assistance from the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife,* clearly describes this procedure, which CDFA implements to ensure that significant impacts on sensitive biological resources and "take" of special-status species are avoided.

CDFA recognizes that the CNDDB is a positive sightings database and that other data sources must be consulted to determine the potential for presence of special-status species. CDFA consults other data sources such as the USFWS' Critical Habitat Portal for Threatened and Endangered Species and applicable GIS data sets (such as surface water locations) to identify potential habitat areas. Based on the results of this search, CDFA assumes that the species or communities may be present, and develops protective measures, which it then provides to CDFW for review. CDFA defers to CDFW's judgment and expertise in determining the circumstances under which a field assessment by CDFW biologists would be necessary to further define these protective measures. Based on past experience, the measures developed by CDFA have been sufficiently conservative that such a field

investigation has not been necessary. Similarly, if CDFW is aware of additional references or databases to consult, CDFA would appreciate CDFW providing such recommendations.

Response to Comment 16783-4

CDFA recognizes that the referenced appendix includes communities that may not be regarded as sensitive. As described on PEIR Volume 1, Section 6.3, *Biological Resources,* page 6.3-3, for the purposes of the PEIR, "Sensitive natural communities include those communities identified as sensitive by CDFW (i.e., those ranked as S1, S2, S3, G1, G2, and/or G3 on CDFW's list), natural communities that are specifically regulated under Section 1600 of the California Fish and Game Code, and wetlands and other special aquatic sites regulated under Section 404 of the Clean Water Act." CDFA always conducts a project-level analysis to determine whether a proposed activity may have adverse effects on a sensitive natural community, including any locally or regionally rare natural communities. CDFA defers to CDFW's expertise in identifying any local or regionally rare natural communities that have not yet been sampled or described.

Response to Comment 16783-5

The Statewide Program has never been reported to result in drift that caused an organic farmer to have to market their produce as conventionally grown. The PEIR's impact analysis also describes a number of reasons that such drift is unlikely under the Proposed Program. This is the rationale that led to the PEIR's conclusion that any such impacts are speculative; no basis of substantial evidence exists or has been provided during the public review process to suggest otherwise. Because there appears to be no debate over whether such impacts are occurring, CDFA has not found that marker dyes or other such measures are necessary to further evaluate the impact.

Response to Comment 16783-6

The commenter is correct in that the water quality standards for copper shown in PEIR Volume 1, Table 6.8-3 are from the California Toxic Rule. Table 6.8-3 has been updated to reflect this, as follows.

7440-50-8	Copper	5.7	ug/L	15~~3~~	Not modeled	ug/L	NA
		4.1	ug/L	15~~4~~			
		200	ug/L	5			
		300	ug/L	6			
		1000	ug/L	7			

15. California Toxics Rule (U.S. EPA).

16. ~~15.~~ Source unless specified is SWRCB 2013b.

17. ~~16.~~ Source is Dashboard database and Appendices A and B.

Response to Comment 16783-7

As described above, CDFA's approach described in the PEIR to avoid adverse effects on special-status species is a continuation of its existing procedure of obtaining technical assistance from CDFW and the other wildlife agencies, which CDFA expects that CDFW is

familiar with. PEIR Volume 1, Section 2.10.2, *Technical Assistance from the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife,* clearly describes this procedure, which involves a number of steps for a site-specific evaluation prior to engaging with CDFW. Please also see PEIR Volume 1, Section 6.3, *Biological Resources,* pages 6.3-1 and 6.3-2, which identify the species that CDFA considered "special-status" for the purposes of the PEIR analysis, including certain species not listed under CESA.

Response to Comment 16783-8

CDFA does not consider "one size fits all" buffers to be appropriate given the range of site-specific conditions. Instead, CDFA develops buffers on a project-by-project basis, which it then provides to CDFW for review, with a clear performance standard that buffer ensures that the activity does not result in "take" of any special-status species. The ERA (Appendix A) includes a preliminary evaluation of buffers that CDFA intends to use as a starting point.

Response to Comment 16783-9

Under the Proposed Program, CDFA would conduct a site-specific analysis and develop protective measures using the procedure described in PEIR Volume 1, Section 2.10.2, *Technical Assistance from the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife*; the results of this analysis and related measures would then be provided to CDFW for review. CDFA defers to CDFW, as the State agency possessing qualified biologists with experience in the geographic area and the special-status species that occur in the activity area, to review and provide input on CDFA's analysis and the measures that CDFA proposes to implement.

Response to Comment 16783-10

CDFA recognizes that the threshold for a significant impact to special-status species under CEQA is not the same as "take" as defined in the ESA or CESA. The CEQA Appendix G checklist references a "substantial adverse effect" on a special-status species as being significant. "Take" of an individual of that species is a more conservative threshold, as take of an individual may not rise to the level of being a "substantial adverse effect" on the entire species. In this way, by choosing a performance standard of no more than a discountable level of "take," CDFA is confident that the Proposed Program's impacts would not be substantial, and therefore would be less than significant under CEQA. For the PEIR, CDFA has applied this performance standard to all special-status species, not just listed species, so this conservative threshold will ensure that impacts are not significant to any species considered "special-status" for the purposes of CEQA. Therefore, no additional mitigation measures are needed.

Response to Comment 16783-11

Contrary to the statement made by the commenter, the PEIR does not conclude that CDFA's policy of avoiding "take" of special-status species has the potential to result in the full establishment of invasive pest species. To date, CDFA has been able to achieve the Statewide Program's management objectives, while at the same time avoiding take, and has no reason

to expect that this would change under the Proposed Program. That said, should a management activity in the future have the potential to result in take of special-status species, CDFA would evaluate this impact for significance through a tiered CEQA analysis, and would obtain CESA and/or ESA take authorization as necessary prior to conducting the activity.

Response to Comment 16783-12

Please refer to PEIR Volume 1, Section 2.10, *Existing Permits and Consultations*, and Section 2.11, *Program Management Practices*, which include measures to ensure that buffers and other measures are implemented such that drift or runoff would not result in potentially significant impacts on these resources. All such measures would be subject to CDFW review on a project-by-project basis.

Response to Comment 16783-13

CDFA appreciates these suggestions for protecting and improving the health of pollinator populations.

Response to Comment 16783-14

For those Proposed Program activities that have been the subject of prior CEQA documentation, the mitigation measures from the PEIR would replace any previous mitigation measures included in those prior CEQA documents upon approval of the Proposed Program. MPs are those listed in PEIR Volume 1, Section 2.11, *Program Management Practices,* of the Draft PEIR; these are standard operating procedures that CDFA would implement as part of its activities under the Proposed Program. In contrast, mitigation measures are the measures identified in the impact analysis portion of the PEIR to address impacts that would be significant after application of all applicable MPs.

Response to Comment 16783-15

CDFA appreciates CDFW's reference to the recently adopted CEQA Guidelines related to infill projects. Although CDFA's activities are very different from infill projects, these amendments to the CEQA Guidelines are of interest from the standpoint that they provide an approach for tiering from a previous programmatic CEQA analysis.

The CEQA Tiering Strategy (Appendix C) was developed specifically to address CDFA's Proposed Program, and is intended to serve as agency-specific guidance to support tiering off of the PEIR. This includes a specific procedure and checklist that CDFA would use to document its evaluation on all environmental resources to determine whether the impacts of the activity were covered in the PEIR. The evaluation will use sufficient relevant information and reasonable inferences from this information to support each conclusion concerning the impacts of the activity. For site-specific activities, a site-specific analysis would be conducted from which the supporting information would be derived. The Tiering Strategy includes references to specific locations in the PEIR where particular issues are evaluated; and the checklist includes a section where applicable MPs, mitigation measures, and other requirements can be identified. Therefore, the PEIR's CEQA Tiering Strategy contains much more detailed guidance than the generalized evaluation tools included in the

CEQA Guidelines for infill projects, and is intended to support CDFA in fully complying with CEQA as it conducts Proposed Program activities.

Comment Letter 16784

From: Michael Stevenson
To: CDFA Pest Prevention EIR@CDFA
Subject: Statewide Program Draft PEIR Comments of Cheriel Jensen
Date: Friday, October 31, 2014 4:36:44 PM

From: cherielj [mailto:cherielj@earthlink.net]
Sent: Friday, October 31, 2014 4:10 PM
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Subject: Statewide Program Draft PEIR Comments of Cheriel Jensen

Cheriel Jensen
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408 379-0463

October 31, 2014
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
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Sent via: lpetro@cdfa.ca.gov
ATTN: Laura Petro, Senior Environmental Scientist

Comments on the Draft PEIR, a Program to support massive urban pesticide applications whenever an "invasive" "pest" is found.

From the very first sentence this program is flawed. California Agricultural Code Section 403:

> 403. The department shall prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds.

16784-1 is being misread. The words "prevent the introduction" is clear. There is already total failure in this mandate. Our coastal mountains are covered with the very fire-friendly brooms, pampas grass, thistles, eucalyptus, palms, Italian grasses, and many other invaders. Our farmland are invaded with Genetic Engineered plants, blanketing herbicides and resulting Franken weeds. Our neighborhoods are invaded with plants representative from every continent, many of which are out-of-control including palm trees (which act like massive torches in fires), various grasses, Pittosporums, English and South African Ivy among other pests. There has been almost no effort to stop these introductions. Along with unbarred invaders come their pests.

16784-2 Also along with the massive importation of fruits and vegetables, very little inspected, comes pests. The language of the mandate says clearly "prevent the introduction," not poison the people or land trying to eradicate it once the Department of Food and Agriculture has utterly failed to prevent the introduction. There has been almost no inspection at our borders for insect pests. When I come back from Nevada, or points further east, the inspection station is always closed. Cars just come in uninspected. The border inspections are not effective for the thousands of trucks and containers bringing off-shore and cross border fruits and vegetables every day.

16784-3 The Light Brown Apple Moth, for example apparently has been in the area, being controlled by the native fauna for many years without causing the hyped, threatened destruction of agriculture. Only after the mass aerial spraying of Monterey and Santa Cruz Counties did it bloom, the aerial spraying apparently killing the predators of the pest rather than the pest. Yet politics makes it a "make work" project with the heavy hand of government destroying the ability of farmers from making a living.

16784-4 This attempted Draft PEIR purports to be an "overarching, up-to-date, transparent, and comprehensive evaluation of CDFA's activities." But every pest is different and behaves differently in every environment of California and behaves differently with each year's change in climate. None of these claims on what this document does holds water.

16784-5 Page ES-4 **Public meetings, staff.** We see the list of "deciders." Where is equivalent representation of the public interest including children's interest? Where are the public hearings scheduled in places

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where the public can actually attend?

16784-6 Environmental Health Perspectives, June 24, 2014 published the CHARGE Study showing even minor long distance organophosphates and pyrethroids exposures are directly linked to autism and autism spectrum disorder. In the last 10 years, since the urban fogging programs began in Santa Clara County, autism has become a significant threat to our children and our families. We already have known pesticides are a direct cause of liver and kidney failures, Parkinson's, probably also Alzheimer's. We are told we must take the "risk" of cancer because some official wants to use pesticide in our environment or on our food to save us from some pest. But our interest in our health and the health of our soil, land, air and water and pollinators is far greater than any "crop damaging" pest. Yet who is speaking for us? Where is there room at the table, at each of the so-called "emergencies," for our voice to be heard?

16784-7 Page ES-4 Under Activities conducted under the statewide Program there is not a single mention of inspecting or excluding imported food, fiber, plants, or seeds. This is the key mandate in California Agricultural Code Section 403, the Code excuse for this PEIR.

16784-8 Page ES-4
"combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means with the least possible hazard to people, property, and the environment."
How can such a wildly undescribed program even begin to be addressed in a PEIR. This statement outright admits there will be hazard to people, property, and the environment." It says "least possible." If it meant none, it would say none. Why should people be asked to take any health risk for economic or projected economic reasons of others?

16784-9 Page ES-5 The PEIR Draft says "It also updates and integrates the various physical, biological and chemical management techniques into a comprehensive program and provides a consolidated set of Management Practices (MPs) and mitigation measures using the most current technology and scientific information." How can this be so? Spray um and kill um is as old as the 1930's. As the years have gone by, we have seen one toxic pesticide after another after enormous environmental and human damage be taken off the market. "Chemical management" is neither "scientific" or acceptable today as traditional pesticides are know known to cause Parkinson's disease, Autism, various cancers, damaged kidneys, damaged liver, allergies, hormone production damage, hormone uptake damage, lower IQs, lethargy, diabetes, pancreas damage, and many other human and animal damages.
And traditional pesticides damage the organisms of the soil complex reducing fertility, the bees, and other pollinators, and the predators of the very target organisms making it counterproductive. Pesticides and herbicides drift and cause increased fire susceptibility, polluted water, polluted air and overall reduction in a productive environment. The traditional pesticides also pollute organic gardens, severely restricting our right to uncontaminated food and fiber and economically injuring organic farmers.

16784-10 It is strictly unscientific to broad-brush any approach to a pest as this PEIR does unless the only approach will become spray or fog with pesticide. If biological control is to be considered each pest has a different environmental niche. For each, pest predators will have to be found. And the timeline and approach will vary. No PEIR can predict for even one as yet unknown pest and the predators that will control it or other biological approaches that may be successful. For example take mad cow disease. The approach to this will be entirely different than the approach to a particular leaf-eating insect. A PEIR cannot address the full range of possible pests and approaches without being a whole library of mostly now restricted data.

"Risk Assessment"

16784-11 "These assessments were based on a review of the chemicals and equipment to be used in the Proposed Program, and followed a standard risk assessment process involving hazard identification, toxicology/dose-response, exposure assessment, and risk characterization."
Who is taking the risk and who is (theoretically) benefiting? Why should anyone with a business think they can force a risk onto an uninvolved person or persons? How is this constitutional? Why should the government be able to act in the businesses interest as opposed to the public interest?

16784-12 In the case of formulated products, the EPA allows pesticide formulations without disclosure of 96% of the content, as in Zenivex. So risk is simply unassessible when no one, those in harms way and even those who buy or apply a certain product can be told what is actually being sprayed, fogged, applied, or already in seeds.

16784-13 In the footnote, Page ES-6, the Draft PEIR states: "Certain chemicals that were determined to not have the potential to pose significant risk to humans or ecological receptors, as well as certain chemicals that are commonly used in households or other settings (such as bleach) were not subjected to quantifiable

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analysis." As it happens I am very allergic to chlorine bleach and must use a filter on my water. It is estimated that 15% or more of the population is chemically sensitized, many of these people allergic or sensitized to bleach and other so called "common household chemicals." Furthermore bleach can severely damage eyes, skin, architectural surfaces, and plant tissues. Why should I be subjected to any chemicals at all? Why should I even have to explain this? What right has this Department to destroy the safety of the air I must breathe?

Page 6.0.3 **Aesthetics.** The analysis that aesthetics would not be of issue is false. This summer, as Vector Control fogged Zenivex pesticide in the Santa Clara Valley 19 times on excuse of the West Nile potential, my eyes were watering all summer making vision very difficult. As a result I failed to see a crack in the sidewalk, took a bad fall, broke my nose and did additional major damage to my face, elbows, knees, chest, and toes. My access to aesthetic resources was severely impacted by this pesticide fogging. Thus the pesticide fogging created a severe environmental aesthetic impact for me. I was not the only person with watery eyes all summer. Contrary to the Draft, this PEIR attempt does not provide answers to this required section of CEQA for any planned use of pesticide. Those who cannot see due to watery eyes have lost access to the aesthetics of their environment. More importantly they have been temporarily blinded and thus at even greater personal risk.

16784-14

Cultural Resources such as historic buildings or all roofs of whatever age and car paint are also potentially impacted if the pesticide or other substance used contains or acts as solvents or other corrosive substances as they did in the Medfly aerial spraying. But we are not allowed to know if pesticides or herbicides contain such substances or even if the active ingredients or their age-conversion products are themselves corrosive. Thus Cultural Resources cannot be addressed. Contrary to the Draft, the PEIR attempt is unable to provide answers or mitigation to this required section of CEQA for any chemical use.

16784-15

Geology and Soils. Soils consist of the source rock types and the living components of the soil complex. Pesticides impact soils by killing the soil complex flora and fauna. The extent of damage to the particular soil complex by each chemical proposal should be addressed in any EIR for pesticide use, but the absurdity of this process is that we do not know the particular soils or their particular flora and fauna in this broad brush attempted Draft PEIR, or the actual particular chemicals. Little is known of the components of the life in the soils and almost nothing is known of the chemicals as most of the components of the chemicals are trade secrets. Thus the Draft PEIR cannot possibly be considered adequate to address this very critical environmental issue, impact on the quality of the soils, as to use of any unknown chemical formula in any particular environment. Contrary to the proposed Draft PEIR, this document is thus unable to provide answers and mitigation to this required section of CEQA for any chemical use.

16784-16

Land Use Planning. Contrary to the Draft PEIR, Land Use Planning for urban areas is not permitted to exclude, injure, or make life difficult or impossible for disabled people. Fifteen percent or more of the people in urban areas are chemically sensitized and already severely injured by exposure to solvents and pesticides. Thus the Draft PEIR, where it contemplates use of pesticides, does not account for this part of the population. Contrary to the Draft, the proposed PEIR is thus unable to provide expertise or answers for Land Use Planning for disabled people in the environment, for this required Land Use section of CEQA for any chemical use and is thus inadequate.

16784-17

Public Services. Demand for public services. Contrary to the Draft, the proposed PEIR fails to address those people sensitized and those people for whom pesticide will cause to become sensitized to pesticide and further injured. Inquiry of Dr. Sarah Cody, Santa Clara County Public Health Officer, to recommend a doctor competent in toxicology produced not a single doctor to her knowledge. Thus those people injured have no one to turn to for medical help in all of Santa Clara County. In other words, a potential widespread demand for public services is created by pesticide exposure, but there is no public expertise and no public services. The lack of expertise is similar elsewhere in California. Those sensitized people and pregnant women and their infants who need refuge somewhere under the threat of pesticide use have not a single option for safe refuge. They have not a single option for qualified medical treatment. No public services have been able to assist them all summers as the West Nile project exposes them over and over making them sicker and sicker. (The West Nile project, for lack of an EIR, is being challenged in court this year.) Contrary to the Draft, the proposed PEIR is thus unable to provide a program response or answers to this required public services section of CEQA for any chemical use and is thus inadequate.

16784-18

Recreation. Countywide chemical application as has already taken place in Santa Clara County during the medfly spraying in 1980-82 and the West Nile fogging the past 10 years and especially this summer (2014) has severely impacted the ability of the whole population to use the parks and open space. Many

16784-19

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16784-19 cont. people have shut up their houses and taken mostly inside refuge all summer. These are severe environmental and health impacts. Contrary to the Draft, the proposed PEIR is thus unable to provide a program response or answers to this required recreation section of CEQA and is thus inadequate for any chemical use.

16784-20 **Traffic and Transportation.** The proposed use of aircraft is not addressed the Traffic and Transportation part of this Draft PEIR. During the Medfly aerial spraying in 1980-82, pesticide dispensing aircraft crashed in the urban area of Santa Clara County at least once, possibly twice. For any use of aircraft for dispensing pesticide the PEIR must seriously address the potential for additional crashes upon the urban population, the potential loss of life, with the added hazard of massive pesticide spill on top of the potential for crash and fire. Contrary to the proposed Draft PEIR does not address transportation as part of a pesticide program or contemplate aircraft use in this required section of CEQA and is thus inadequate for any chemical use dispensed by air.

16784-21 **Risk Assessment:** Page 6.0-6 " The Draft PEIR states: Agencies such as the California Department of Pesticide Regulation (CDPR) and the California Office of Environmental Health Hazard Assessment (OEHHA) employ toxicologists and risk assessors to evaluate risks posed by hazardous substances and provide analysis of the health impacts of proposed regulations. The risk assessment prepared for the proposed Program quantifies the potential risk to human health and biological species from the use of chemicals under a variety of scenarios." Risks to what chemical mixes? No one can tell us what a pesticide contains as most of the ingredients are trade secrets. Risks to voluntarily exposed is a world of difference from risks to those unwilling or unknowing people exposed? Thus risk assessment is impossible. This section of the Draft PEIR is completely inadequate.

16784-22 **Twisted issue of Risk**

The Constitution of the United States, Fourth Amendment provides "The right of the people to be secure in their persons, homes, papers and effects, . . . shall not be violated. . . ." When the very air the people must breathe is poisoned they are not secure in their homes in violation of the Constitution of the United States.

The California Constitution says, "All people are by nature free and independent and have certain inalienable rights. Among these are enjoying and defending life, liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety, happiness, and privacy." Any deliberate toxic contamination of the air by the government is a flagrant violation of these Constitutional provisions. Even if the majority voted to allow such contamination, the individual right to obtaining safety, privacy, defending life and liberty, and protecting property (from contamination) trump any plan of agencies of government. Under this clear Article One, Section One of the California Constitution, the people cannot be forced to undertake ANY "risk" on behalf of the economic or other interests of other people or even the public in general. And if private parties were conducting the pesticiding of the environment they would be subject to California Penal Code Sections 369a-402c. Public officials are not excluded from these sections. (See these Sections at the end of this document.)

Thus without a description of whose risk we are discussing for whose benefit, the Draft PEIR is inadequate.

16784-23 Page 6.0-7 **Hazard Identification:** This section assumes that adverse health effects of a toxic substance can be generally set forth and quantified at any point in time by governmental employees. But to actually do this, there must be expertise to know everyone's conditions, allergies, sensitivities, state of their liver and kidneys, condition of pregnancy or not, cancer conditions or not, Parkinson's condition or not, condition of their pancreas, hormone status, mental conditions, and all other conditions. Where are these brilliant scientists who have these issues quantified for everyone so that they can pronounce if a killing substance is not hazardous to all members of the public?

If an economic interest chooses to take a risk themselves, or subject their employees to a risk that is one thing. It is entirely another issue to make assumptions for the public in general or the environment in general.

We have learned from long, sad experience that economic interests will contaminate the public domain, claiming low risk, unless stopped. Take the issue of lead in gasoline and paint and the widespread contamination of this brain damaging substance which at one time was risk assessed to be no problem. Take the issue of MTBE. Take the issue of DDT. Take the issue of Chlorpyrifos for a long time used for residential pest control with people thinking, because they were told, that it was "low risk." Then look at the documented tens of thousands injured by this governmental utter failure to accurately assess risk. Take the issue of the use of mercury known all along to be extremely hazardous and a major environmental contaminant but nevertheless STILL allowed in peoples mouths. The public is now

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16784-23 cont.

warned not to eat fish due to this widespread, brain damaging contaminant, it's continued use due directly to failure of governments to accurately, even now, to assess the risks.

Only a tiny fraction of the various effects of particular pesticide and solvent chemicals are ever studied. Only a tiny fraction of these studies are available to the general public as they are hidden in scientific journals only those with money to investigate can access, or they are the chemical formulators research to which the public will never have access. The real risks therefore cannot be honestly set forth or reported, and even that tiny fraction of effects studied are mostly not available to see. We have learned from very long tragic experience that "trust us" does not work. Further, the chemical formulations are not disclosed due to trade secrets. Thus even trying to know what it is the public would be exposed to is impossible. Even a sample sent to a lab for analysis cannot be reverse engineered due to trade secrets. So the very idea of "risk assessment' is a cruel hoax. The purpose of CEQA is to set forth the issues. The issues cannot be set forth without the information that is now hidden and not disclosed here or anywhere.

Toxicology/Dose Response. We now know that dose is not equal to response, that some chemicals are actually more hazardous in smaller quantities as they may fail to engage an immune response, but mimic hormones, attaching to hormone docking sites, but do not function as hormones. For example, a person can show normal thyroid circulating blood levels, but with exposure to low dose pesticides the actual hormones cannot find docking sites, and thus the effect of pesticides is to make people sluggish, cold and gain weight from the slower metabolic rate. Due to the public not having access to most of the pesticide studies, and due to the pesticide formulas not even being disclosed, these issues cannot be set forth. The Draft PEIR cannot tell us or lead us to this hidden and undisclosed information. This Draft attempted PEIR is thus hopelessly incomplete now and in the future.

Exposure Assessment. This subject is fraught with pitfalls. Exposure is complicated because no method of applying pesticide to large areas can predict concentrations in one place as opposed to another. It cannot tell concentrations taking into account the wind, temperatures, temperature variations, sun factors, capture by vegetation, and air inversions. Nor can it predict how long the pesticide will be retained in the environment of application. Drift from the central valley is now measured in the Sierra forests, showing capacity for drift. The community exposed at first will not be the only place exposed.

An assessment of exposure cannot take into account differences between people. Just as some people must drink much more water than others due to diabetes (and be subjected to much higher exposure to a toxin in water), so newborn babies will, for their size, take in many times more air and become very quickly more contaminated than larger people. Due to the detoxification pathways being undeveloped at first and slow to develop, babies are vastly more susceptible to toxic exposure. Even though Congress has determined that a "safety" factor of 10 be applied to toxic chemicals that may come into contact with infants, the EPA has brushed aside this safety factor in evaluating several known chemicals such as etofenprox

A person with more skin exposed or more skin to be exposed will be more exposed by skin absorption in addition to exposure by breathing and possibly by drinking contaminated water. Exposure to toxins in the summer air will be greater

The CHARGE Study, Environmental Health Perspectives, June 24, 2014 has documented increased risk for autism from specific pesticide exposure though pesticides were applied up to a mile away. This very complex, massive, on-ground study would have to be repeated for all known injuries from exposure, for any pesticide chosen to provide a true evaluation of risks. This Draft PEIR attempt is completely inadequate to address the subject of exposure or exposure to specific pesticides. All we know now is what has come from the CHARGE study which only addresses autism. We would need similar studies for various cancers, for liver damage, for kidney damage, for skin damage and loss such as is now happening to Vietnam Vets, but has only shown up over 40 years later, for weight gain, for thyroid damage, for brain damage and lowered IQs, for Parkinson's, for Alzheimer's, and the host of other conditions known to be caused by pesticide exposure. No such studies are called for or referenced in this document.

But this Draft PEIR assumes the public will be exposed even thought there is no adequate or remotely adequate EIR to support any toxic exposure to the public.

Risk Characterization. With the uncertainties described above any thought of characterization of risk is impossible. This Draft PEIR is inadequate to characterize risks of exposure to pesticides.

In summary the essential parts of this Draft PEIR are missing. The Document is inadequate. No EIR can cover this much territory. No EIR can address so much hidden but essential data. No project can be supported by this Draft PEIR.

Signed

Comment Letter 16784-cont.

Cheriel Jensen

Link to the CHARGE Study:

ENVIRONMENTAL HEALTH PERSPECTIVES

http://www.ehponline.org

Neurodevelopmental Disorders and Prenatal Residential Proximity to Agricultural Pesticides: The CHARGE Study

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PENAL CODE
SECTION 369a-402c

[370.] Section Three Hundred and Seventy. Anything which is injurious to health, or is indecent, or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property by an entire community or neighborhood, or by any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin, or any public park, square, street, or highway, is a public nuisance.

371. An act which affects an entire community or neighborhood, or any considerable number of persons, as specified in the last section, is not less a nuisance because the extent of the annoyance or damage inflicted upon individuals is unequal.

372. Every person who maintains or commits any public nuisance, the punishment for which is not otherwise prescribed, or who willfully omits to perform any legal duty relating to the removal of a public nuisance, is guilty of a misdemeanor.

373a. Every person who maintains, permits, or allows a public nuisance to exist upon his or her property or premises, and every person occupying or leasing the property or premises of another who

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maintains, permits or allows a public nuisance to exist thereon,
after reasonable notice in writing from a health officer or district
attorney or city attorney or prosecuting attorney to remove,
discontinue or abate the same has been served upon such person, is
guilty of a misdemeanor, and shall be punished accordingly; and the
existence of such nuisance for each and every day after the service
of such notice shall be deemed a separate and distinct offense, and
it is hereby made the duty of the district attorney, or the city
attorney of any city the charter of which imposes the duty upon the
city attorney to prosecute state misdemeanors, to prosecute all
persons guilty of violating this section by continuous prosecutions
until the nuisance is abated and removed.
374.2. (a) It is unlawful for any person to maliciously discharge,
dump, release, place, drop, pour, or otherwise deposit, or to
maliciously cause to be discharged, dumped, released, placed,
dropped, poured, or otherwise deposited, any substance capable of
causing substantial damage or harm to the operation of a public sewer
sanitary facility, or to deposit in commercial quantities any other
substance, into a manhole, cleanout, or other sanitary sewer
facility, not intended for use as a point of deposit for sewage,
which is connected to a public sanitary sewer system, without
possessing a written authorization therefor granted by the public
entity which is charged with the administration of the use of the
affected public sanitary sewer system or the affected portion of the
public sanitary sewer system.
As used in this section, "maliciously" means an intent to do a
wrongful act.
(b) For the purposes of this section "person" means an individual,
trust, firm, partnership, joint stock company, limited liability
company, or corporation, and "deposited in commercial quantities"
refers to any substance deposited or otherwise discharged in any
amount greater than for normal domestic sewer use.

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(c) Lack of specific knowledge that the facility into which the prohibited discharge or release occurred is connected to a public sanitary sewer system shall not constitute a defense to a violation charged under this section.

(d) Any person who violates this section shall be punished by imprisonment in the county jail for not more than one year, or by a fine of up to twenty-five thousand dollars ($25,000), or by both a fine and imprisonment. If the conviction is for a second or subsequent violation, the person shall be punished by imprisonment in the county jail for not more than one year, or imprisonment pursuant to subdivision (h) of Section 1170 for 16, 20, or 24 months, and by a fine of not less than five thousand dollars ($5,000) or more than twenty-five thousand dollars ($25,000).

374.3. (a) It is unlawful to dump or cause to be dumped waste matter in or upon a public or private highway or road, including any portion of the right-of-way thereof, or in or upon private property into or upon which the public is admitted by easement or license, or upon private property without the consent of the owner, or in or upon a public park or other public property other than property designated or set aside for that purpose by the governing board or body having charge of that property.

(b) It is unlawful to place, deposit, or dump, or cause to be placed, deposited, or dumped, rocks, concrete, asphalt, or dirt in or upon a private highway or road, including any portion of the right-of-way of the private highway or road, or private property, without the consent of the owner or a contractor under contract with the owner for the materials, or in or upon a public park or other public property, without the consent of the state or local agency having jurisdiction over the highway, road, or property.

(c) A person violating this section is guilty of an infraction. Each day that waste placed, deposited, or dumped in violation of subdivision (a) or (b) remains is a separate violation.

(d) This section does not restrict a private owner in the use of his or her own private property, unless the placing,

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depositing, or dumping of the waste matter on the property creates a public health and safety hazard, a public nuisance, or a fire hazard, as determined by a local health department, local fire department or district providing fire protection services, or the Department of Forestry and Fire Protection, in which case this section applies.

(e) A person convicted of a violation of this section shall be punished by a mandatory fine of not less than two hundred fifty dollars ($250) nor more than one thousand dollars ($1,000) upon a first conviction, by a mandatory fine of not less than five hundred dollars ($500) nor more than one thousand five hundred dollars ($1,500) upon a second conviction, and by a mandatory fine of not less than seven hundred fifty dollars ($750) nor more than three thousand dollars ($3,000) upon a third or subsequent conviction. If the court finds that the waste matter placed, deposited, or dumped was used tires, the fine prescribed in this subdivision shall be doubled.

(f) The court may require, in addition to any fine imposed upon a conviction, that, as a condition of probation and in addition to any other condition of probation, a person convicted under this section remove, or pay the cost of removing, any waste matter which the convicted person dumped or caused to be dumped upon public or private property.

(g) Except when the court requires the convicted person to remove waste matter which he or she is responsible for dumping as a condition of probation, the court may, in addition to the fine imposed upon a conviction, require as a condition of probation, in addition to any other condition of probation, that a person convicted of a violation of this section pick up waste matter at a time and place within the jurisdiction of the court for not less than 12 hours.

(h) (1) A person who places, deposits, or dumps, or causes to be placed, deposited, or dumped, waste matter in violation of

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this section in commercial quantities shall be guilty of a misdemeanor punishable by imprisonment in a county jail for not more than six months and by a fine. The fine is mandatory and shall amount to not less than one thousand dollars ($1,000) nor more than three thousand dollars ($3,000) upon a first conviction, not less than three thousand dollars ($3,000) nor more than six thousand dollars ($6,000) upon a second conviction, and not less than six thousand dollars ($6,000) nor more than ten thousand dollars ($10,000) upon a third or subsequent conviction.

(2) "Commercial quantities" means an amount of waste matter generated in the course of a trade, business, profession, or occupation, or an amount equal to or in excess of one cubic yard. This subdivision does not apply to the dumping of household waste at a person's residence.

(i) For purposes of this section, "person" means an individual, trust, firm, partnership, joint stock company, joint venture, or corporation.

(j) Except in unusual cases where the interests of justice would be best served by waiving or reducing a fine, the minimum fines provided by this section shall not be waived or reduced.

374.4. (a) It is unlawful to litter or cause to be littered in or upon public or private property. A person, firm, or corporation violating this section is guilty of an infraction.

(b) This section does not restrict a private owner in the use of his or her own property, unless the littering of waste matter on the property creates a public health and safety hazard, a public nuisance, or a fire hazard, as determined by a local health department, local fire department or district providing fire protection services, or the Department of Forestry and Fire Protection, in which case this section applies.

(c) As used in this section, "litter" means the discarding, dropping, or scattering of small quantities of waste matter ordinarily carried on or about the person, including, but not limited to, beverage containers and closures, packaging, wrappers, wastepaper, newspapers, and magazines, in a place other

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than a place
or container for the proper disposal thereof, and including waste
matter that escapes or is allowed to escape from a container,
receptacle, or package.
(d) A person, firm, or corporation convicted of a violation of
this section shall be punished by a mandatory fine of not less than
two hundred fifty dollars ($250) nor more than one thousand dollars
($1,000) upon a first conviction, by a mandatory fine of not less
than five hundred dollars ($500) nor more than one thousand five
hundred dollars ($1,500) upon a second conviction, and by a mandatory
fine of not less than seven hundred fifty dollars ($750) nor more
than three thousand dollars ($3,000) upon a third or subsequent
conviction.
(e) The court may, in addition to the fine imposed upon a
conviction, require as a condition of probation, in addition to any
other condition of probation, that any person convicted of a
violation of this section pick up litter at a time and place within
the jurisdiction of the court for not less than eight hours.
374.8. (a) In any prosecution under this section, proof of the elements of the offense shall not be dependent upon the requirements of Title 22 of the California Code of Regulations.
(b) Any person who knowingly causes any hazardous substance to be deposited into or upon any road, street, highway, alley, or railroad right-of-way, or upon the land of another, without the permission of the owner, or into the waters of this state is punishable by imprisonment in the county jail for not more than one year or by imprisonment pursuant to subdivision (h) of Section 1170 for a term of 16 months, two years, or three years, or by a fine of not less than fifty dollars ($50) nor more than ten thousand dollars ($10,000), or by both the fine and imprisonment, unless the deposit occurred as a result of an emergency that the person promptly reported to the appropriate regulatory authority.
(c) For purposes of this section, "hazardous substance" means either of the following:
(1) Any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the environment, including, but not limited to, hazardous waste and any material that the administering agency or a handler, as defined in Chapter 6.91 (commencing with Section 25410) of Division 20 of the Health and Safety

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Code, has a reasonable basis for believing would be injurious to the health and safety of persons or harmful to the environment.
(2) Any substance or chemical product for which one of the following applies:
(A) The manufacturer or producer is required to prepare a MSDS, as defined in Section 6374 of the Labor Code, for the substance or product pursuant to the Hazardous Substances Information Training Act (Chapter 2.5 (commencing with Section 6360) of Part 1 of Division 5 of the Labor Code) or pursuant to any applicable federal law or regulation.
(B) The substance is described as a radioactive material in Chapter 1 of Title 10 of the Code of Federal Regulations maintained and updated by the Nuclear Regulatory Commission.
(C) The substance is designated by the Secretary of Transportation in Chapter 27 (commencing with Section 1801) of the appendix to Title 49 of the United States Code and taxed as a radioactive substance or material.
(D) The materials listed in subdivision (b) of Section 6382 of the Labor Code.

374a. A person giving information leading to the arrest and conviction of a person for a violation of Section 374c, 374.2, 374.3, 374.4, or 374.7 is entitled to a reward for providing the information.
The amount of the reward for each arrest and conviction shall be 50 percent of the fine levied against and collected from the person who violated Section 374c, 374.2, 374.3, 374.4, or 374.7 and shall be paid by the court. If the reward is payable to two or more persons, it shall be divided equally. The amount of collected fine to be paid under this section shall be paid prior to any distribution of the fine that may be prescribed by any other section, including Section 1463.9, with respect to the same fine.

375. (a) It shall be unlawful to throw, drop, pour, deposit, release, discharge or expose, or to attempt to throw, drop, pour, deposit, release, discharge or expose in, upon or about any theater, restaurant, place of business, place of amusement or any place of public assemblage, any liquid, gaseous or solid substance or matter of any kind which is injurious to person or property, or is nauseous, sickening, irritating or offensive to any of the senses.
(b) It shall be unlawful to manufacture or prepare, or to possess any liquid, gaseous, or solid substance or matter of any kind which is injurious to person or property, or is nauseous, sickening, irritating or offensive, to any of the senses with intent to throw, drop, pour, deposit, release, discharge or expose the same in, upon or about any theater, restaurant, place of business, place

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of
amusement, or any other place of public assemblage.
(c) Any person violating any of the provisions hereof shall be
punished by imprisonment in the county jail for not less than three
months and not more than one year, or by a fine of not less than five
hundred dollars ($500) and not more than two thousand dollars
($2,000), or by both that fine and imprisonment.
(d) Any person who, in violating any of the provisions of
subdivision (a), willfully employs or uses any liquid, gaseous or
solid substance which may produce serious illness or permanent injury
through being vaporized or otherwise dispersed in the air or who, in
violating any of the provisions of subdivision (a), willfully
employs or uses any tear gas, mustard gas or any of the combinations
or compounds thereof, or willfully employs or uses acid or
explosives, shall be guilty of a felony and shall be punished by
imprisonment pursuant to subdivision (h) of Section 1170.
387. (a) Any corporation, limited liability company, or person who
is a manager with respect to a product, facility, equipment, process,
place of employment, or business practice, is guilty of a public
offense punishable by imprisonment in the county jail for a term not
exceeding one year, or by a fine not exceeding ten thousand dollars
($10,000), or by both that fine and imprisonment; or by imprisonment
pursuant to subdivision (h) of Section 1170 for 16 months, two, or
three years, or by a fine not exceeding twenty-five thousand dollars
($25,000); or by both that fine and imprisonment, but if the
defendant is a corporation or a limited liability company the fine
shall not exceed one million dollars ($1,000,000), if that
corporation, limited liability company, or person does all of the
following:
(1) Has actual knowledge of a serious concealed danger that is
subject to the regulatory authority of an appropriate agency and is
associated with that product or a component of that product or
business practice.
(2) Knowingly fails during the period ending 15 days after the
actual knowledge is acquired, or if there is imminent risk

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of great
bodily harm or death, immediately, to do both of the
following:
(A) Inform the Division of Occupational Safety and
Health in the
Department of Industrial Relations in writing, unless the
corporation, limited liability company, or manager has
actual
knowledge that the division has been so informed.
Where the concealed danger reported pursuant to this
paragraph is
subject to the regulatory authority of an agency other than
the
Division of Occupational Safety and Health in the
Department of
Industrial Relations, it shall be the responsibility of the
Division
of Occupational Safety and Health in the Department of
Industrial
Relations, within 24 hours of receipt of the information,
to
telephonically notify the appropriate government agency of
the
hazard, and promptly forward any written notification
received.
(B) Warn its affected employees in writing, unless the
corporation, limited liability company, or manager has
actual
knowledge that the employees have been so warned.
The requirement for disclosure is not applicable if the
hazard is
abated within the time prescribed for reporting, unless the
appropriate regulatory agency nonetheless requires
disclosure by
regulation.
Where the Division of Occupational Safety and Health in
the
Department of Industrial Relations was not notified, but
the
corporation, limited liability company, or manager
reasonably and in
good faith believed that they were complying with the
notification
requirements of this section by notifying another
government agency,
as listed in paragraph (8) of subdivision (d), no penalties
shall
apply.
(b) As used in this section:
(1) "Manager" means a person having both of the
following:
(A) Management authority in or as a business entity.
(B) Significant responsibility for any aspect of a
business that
includes actual authority for the safety of a product or
business
practice or for the conduct of research or testing in
connection with
a product or business practice.
(2) "Product" means an article of trade or commerce or

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other item
of merchandise that is a tangible or an intangible good, and includes
services.
(3) "Actual knowledge," used with respect to a serious concealed
danger, means has information that would convince a reasonable person
in the circumstances in which the manager is situated that the
serious concealed danger exists.
(4) "Serious concealed danger," used with respect to a product or
business practice, means that the normal or reasonably foreseeable
use of, or the exposure of an individual to, the product or business
practice creates a substantial probability of death, great bodily
harm, or serious exposure to an individual, and the danger is not
readily apparent to an individual who is likely to be exposed.
(5) "Great bodily harm" means a significant or substantial
physical injury.
(6) "Serious exposure" means any exposure to a hazardous
substance, when the exposure occurs as a result of an incident or
exposure over time and to a degree or in an amount sufficient to
create a substantial probability that death or great bodily harm in
the future would result from the exposure.
(7) "Warn its affected employees" means give sufficient
description of the serious concealed danger to all individuals
working for or in the business entity who are likely to be subject to
the serious concealed danger in the course of that work to make
those individuals aware of that danger.
(8) "Appropriate government agency" means an agency on the
following list that has regulatory authority with respect to the
product or business practice and serious concealed dangers of the
sort discovered:
(A) The Division of Occupational Safety and Health in the
Department of Industrial Relations.
(B) State Department of Health Services.
(C) Department of Agriculture.
(D) County departments of health.
(E) The United States Food and Drug Administration.
(F) The United States Environmental Protection Agency.
(G) The National Highway Traffic Safety Administration.
(H) The Federal Occupation Safety and Health Administration.

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(I) The Nuclear Regulatory Commission.
(J) The Consumer Product Safety Commission.
(K) The Federal Aviation Administration.
(L) The Federal Mine Safety and Health Review Commission.
(c) Notification received pursuant to this section shall not be used against any manager in any criminal case, except a prosecution for perjury or for giving a false statement.
(d) No person who is a manager of a limited liability company shall be personally liable for acts or omissions for which the limited liability company is liable under subdivision (a) solely by reason of being a manager of the limited liability company. A person who is a manager of a limited liability company may be held liable under subdivision (a) if that person is also a "manager" within the meaning of paragraph (1) of subdivision (b).

Letter 16784: Cheriel Jensen (October 31, 2014)

Response to Comment 16784-1

CDFA's exterior quarantine regulations and border inspection activities, described in PEIR Volume 1, Chapter 3, *Proposed Program Activities,* are intended to prevent the introduction of plant pests. CDFA is committed to prevention as an efficient and effective pest management approach, and dedicates significant resources toward these activities. Invasive weeds are not analyzed in this PEIR. Given the level of interstate and international trade that comes through California and the various modes by which pests may be introduced, CDFA acknowledges that it is not possible to prevent all pest introductions. For this reason, CDFA monitors ports and performs detection activities throughout the state so that it may respond rapidly and effectively to new pest introductions.

Response to Comment 16784-2

CDFA agrees with the importance of host inspections for targeted pests, and performs inspections at a variety of locations statewide as detailed in PEIR Volume 1, Section 3.1.1, *Inspection*. Therefore, while CDFA may not inspect personal vehicles at border locations on a daily basis, CDFA does inspect all commercial trucks.

Response to Comment 16784-3

To CDFA's knowledge, LBAM was first detected in California in 2007 in Alameda County. Based on its life history and effects on agricultural production in other countries, CDFA had reason to believe that LBAM could cause substantial damage to crops in California if it were to become established. In Australia, LBAM has been estimated to cause AU$21.1 million annually in lost production and control costs (Sutherst, 2000). Please see Appendix F, *Pest Profiles,* for additional information on the life history characteristics and potential environmental and economic damage of LBAM. Also note that the PEIR only includes quarantine compliance activities for LBAM. Other activities were analyzed in the 2010 LBAM PEIR.

Response to Comment 16784-4

It is in part because of the unique characteristics of each pest that this PEIR was developed, and a programmatic approach to CEQA compliance was determined to be appropriate. Although pest prevention and management activities for different pests have generally similar environmental effects, the potential environmental effects of pest management activities can vary based on a pest's specific life history characteristics. Under the PEIR and the Tiering Strategy Checklist (see Appendix C, *CEQA Tiering Strategy*), all proposed pest management activities (including for any new pest that may be introduced into California in the future) would be evaluated on a case-by-case basis. Through completion of the Tiering Strategy Checklist, CDFA staff would have to evaluate the environmental effects of each proposed activity (in light of factors such as the life history of the pest) and determine whether they were adequately described in the PEIR. Likewise, Proposed Program MPs would require similar site-specific analysis.

Response to Comment 16784-5

The Draft PEIR provides a list of state and local agency participants who would participate in the Proposed Program's public meetings. Organizations, as well as individuals from the public, would be welcome to attend public meetings. The public hearings would be held in local communities where any Proposed Program activities would occur. Additional information would be provided to remote participants via the CDFA Hotline or CDFA's website.

Response to Comment 16784-6

CDFA is aware of the CHARGE study. The text in PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials* (on page 6.5-6) has been amended as follows to include mention and summary of the results of the CHARGE study.

> However, epidemiological studies have suggested an adverse association between organophosphate exposure and neurodevelopment (Eskenazi et al. 2007). In addition, numerous studies suggest some association between pesticide exposure and childhood leukemia and other cancers (Infante-Rivard and Weichenthal 2007, Bassil et al. 2007). The CHARGE Study (Shelton et al. 2014) also identified an association between gestational exposure to several agricultural pesticides (e.g., organophosphates, chlorpyrifos) and autism spectrum disorders (ASD). The CHARGE Study found that proximity to organophosphates at some point during gestation was associated with a 60% increased risk for ASD (Shelton et al. 2014).

Although the CHARGE study presents interesting findings, it does not change the results of the HHRA (Appendix B) performed for the PEIR. No methods exist for assessing human health risk associated to gestational exposure to pesticides in a risk assessment. Please see PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials,* for additional information on potential human health impacts from exposure to pesticides under the Proposed Program.

Response to Comment 16784-7

The PEIR's Executive Summary provides only a brief summary of key activities under the Proposed Program. The commenter is referred to PEIR Volume 1, Chapter 2, *Proposed Program Description,* and Chapter 3, *Proposed Program Activities* for detailed information about the Proposed Program's activities, including inspection activities.

Response to Comment 16784-8

CDFA is mandated by CFAC to protect the state's agricultural and environmental resources, along with economic considerations. The PEIR fully evaluates the Proposed Program's potential environmental impacts, which—with the exception of possible future air quality and GHG impacts—would be less than significant. The Proposed Program is designed to address the economic and environmental interests of the entire state, not particular interest groups.

Response to Comment 16784-9

The commenter has failed to provide suggestions or describe how the Proposed Program could be improved, or any evidence to suggest that the PEIR's analysis is inaccurate. Please refer to the Draft PEIR and the various responses to comments, which fully address the issues raised in this comment.

Response to Comment 16784-10

The PEIR does include biological control activities and PEIR Volume 1, Chapter 2, *Proposed Program Description* (page 2-20) describes the careful and scientific process CDFA follows in developing BCAs. As described on page 2-20 of the PEIR, step 3 involves host specificity and risk evaluation studies for each new BCA, considering potential risks to non-target species after release of the BCA in the pest's invaded range. You are correct in your assertion that each pest has a different environmental niche, and the timeline will vary for different pests. The PEIR appropriately addresses impacts at a programmatic level, and looks to future tiered CEQA compliance to address project-specific environmental issues.

Response to Comment 16784-11

The relationship and relevance of this comment to the analysis conducted in the PEIR is unclear.

Response to Comment 16784-12

When data were available for inert ingredients, the cumulative risk of both active and inert ingredients was assessed. This approach is more conservative than the traditional risk assessment approach of solely evaluating the active ingredient.

Typically, the U.S. EPA requires listing only the active ingredients on labels. However, there are certain exceptions where the U.S. EPA has identified certain inert or other ingredients that, if used in the pesticide formulation, must be listed on the product label. These ingredients were evaluated in both the HHRA and the ERA. All other ingredients (e.g., unlisted or trade secret ingredients) were either evaluated by the U.S. EPA to be safe when used according to the label, or there was no evidence indicating that the ingredients posed a hazard to humans or the environment.

Response to Comment 16784-13

Please see Master Response 6, Comments Regarding Multiple Chemical Sensitivity, for discussion about hypersensitive individuals and MCS.

Response to Comment 16784-14

Please accept our sympathies for your accident. With respect to aesthetics, the CEQA Guidelines only address physical changes to aesthetic resources in the environment (e.g., scenic vistas). Aesthetics were dismissed from detailed analysis because it was determined that the Proposed Program would not affect any scenic vistas, create any new sources of light or glare, or otherwise affect aesthetic resources. Watering of the eyes would be a

human health impact. Potential human health impacts are discussed in PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials,* and analyzed quantitatively in Appendix B, *Human Health Risk Assessment.* See specifically the discussion of impacts on sensitive receptors, under Impact HAZ-CHEM-3.

Response to Comment 16784-15

Cultural resources were dismissed from detailed analysis because it was determined the Proposed Program had no potential to impact historical, archaeological, or paleontological resources, human remains, or any other cultural resource. CDFA did not receive evidence during the comment period or found evidence independently to suggest that Proposed Program chemicals are sufficiently corrosive to result in damage to any historic roofs or buildings.

Response to Comment 16784-16

Potential impacts of the Proposed Program on soils and soil-dwelling organisms are discussed in Master Response 3, Impacts on Agriculture. Please also see Master Response 1, Scope of the Proposed Program.

Response to Comment 16784-17

CDFA cannot discern how this comment relates in any way to CEQA's requirements to consider Land Use and Planning.

Response to Comment 16784-18

PEIR Volume 1, Section 6.5, *Hazards and Hazardous Materials,* discusses individuals with MCS on page 6.5-13. Please see Master Response 6, Comments Regarding Multiple Chemical Sensitivity, for a discussion of MCS and how the Proposed Program with its IPM approach and other measures address such individuals. Please see Master Response 5, Human Health, for a discussion of health effects on individuals, including children and pregnant women. Any suspected exposures to pesticides that do occur should be reported to a physician. California law requires physicians to report any known or suspected illness caused by a pesticide exposure. As described in the PEIR, the Pesticide Illness Surveillance Program is tasked with collecting and evaluating these reports before they are assigned to CACs to investigate the exposure circumstances.

Response to Comment 16784-19

The commenter fails to provide supporting evidence that the Statewide Program (or any other pest management program) is impacting the public's outdoor recreational activities. In addition, the commenter is referred to PEIR Volume 1, Section 6.0.5, *Sections Eliminated from Further Analysis*, for further information about why the PEIR does not further evaluate potential recreation impacts from the Proposed Program.

Response to Comment 16784-20

Although it is extremely unfortunate that previous aircraft crashes occurred, CDFA is not required to address effects of potential aircraft crashes, because a plane crash would be considered an emergency (disaster) situation, and exempt from CEQA (see CEQA Guidelines' Section 15269, Emergency Projects). In addition, any aircraft used under the Proposed Program would be required to comply with all applicable traffic-related regulations, including any established by the Federal Aviation Administration. Furthermore, the commenter is referred to PEIR Volume 1, Section 6.0.5, *Sections Eliminated from Further Analysis*, for further information about why the PEIR does not further evaluate potential transportation impacts from the Proposed Program.

Response to Comment 16784-21

Section 2.1.2, *Active and Inert Ingredients Assessed*, of Appendix B, *Human Health Risk Assessment*, discusses the pesticide product ingredients assessed in the HHRA. Appendix M, *List of Chemicals and Synonyms of Chemical Names*, lists the pesticides and pesticide ingredients proposed for use under the Proposed Program

Response to Comment 16784-22

There is no case law supporting the commenter's assertion that the referenced sections of the U.S. and California Constitutions have been interpreted to require that the government ensure all people are protected from any level of risk to human health or the environment. Both Constitutions delegate to the executive and legislative branches the authority to make laws governing the regulation of economic activities and to exercise their inherent police power to enact laws to protect human health and the environment. This authority is necessarily exercised in balanced fashion, to allow some level of economic activity that is determined to be adequately protective of human health and the environment, but not to ensure or require a zero level of all risks. The standard articulated by the commenter would not be feasible to achieve in reality, because nearly all human activities or interactions with the environment involve some level of risk, however minimal. CEQA grants agencies the discretion to set acceptable levels of risk in determining appropriate thresholds of significance, above which an action's impacts are required to be mitigated, if feasible. That discretion has been appropriately exercised here by the CDFA in the PEIR.

Response to Comment 16784-23

The commenter's opinions, which are not supported with substantial evidence, are noted.

Comment Letter 16785

From: Rachel Kubiak
To: CDFA Pest Prevention EIR@CDFA
Subject: Statewide Program Draft PEIR Comments
Date: Friday, October 31, 2014 10:25:48 AM
Attachments: CDFA EIR Final.pdf

Dear Ms. Petro,

Attached are the Western Plant Health Association's comments to the statewide program draft PEIR. Please contact me if you have any questions.

Sincerely,

Rachel Kubiak

Rachel Kubiak
Director of Environmental and Regulatory Affairs
Western Plant Health Association
4460 Duckhorn Dr Ste A
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(916) 574-9744 Office
(916) 215-4733 Cell

Comment Letter 16785-Cont.



October 31, 2014

Via Electronic Submission

ATTN: Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814
PEIR.info@cdfa.ca.gov

RE: Comments to CDFA Program Environmental Impact Report

Dear Ms. Petro:

On behalf of the Western Plant Health Association (WPHA), I am submitting these comments in regard to the California Department of Food and Agriculture's (CDFA) Program Environmental Impact Report (PEIR), which provides a list of crop protection measures that may be required to address invasive pest incidents in the future. WPHA appreciates the opportunity to provide comments on this plan. WPHA represents the interests of crop protection and fertilizer manufacturers, agricultural biotechnology providers, and agricultural retailers in California, Arizona, and Hawaii.

California's agricultural sector represents a farm gate of more than $43.5 billion, with over a quarter of that production being exported. Agriculture is also a key economic force for California with more than 800,000 jobs directly tied to farming operations. California's dynamic agricultural production is tied to its climate, which allows for a highly diversified crop system. California is unique in its ability to produce over 400 different crops. However, this climate can play welcome host to a seemingly overwhelming number of pests.

16785-1 California is a highly urbanized state and hosts millions of travelers from all over the world. These travelers can introduce pests that can ravage our agricultural production. Only the state, through CDFA, is capable of controlling these threats to agriculture through its control of points of entry and ability to quickly address invasive pests as they are found throughout California. CDFA's ability to address pests effectively is also important so that foreign markets are confident that commodities entering their countries do not pose a threat to their own agricultural sectors. Effectively addressing pests is paramount to protecting and expanding California's export market.

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To accomplish this, CDFA must rely on a range of tools, including crop protection products registered by the California Department of Pesticide Regulation (DPR).

16785-2 As provided in the PEIR, the U.S. Environmental Protection Agency (U.S. EPA) and DPR perform thorough analyses of the health and environmental impacts of pesticide products before they are registered. They consider the toxic properties of a chemical including acute, subchronic, and chronic evaluations. As an added measure of assurance, the human health risk assessment for this PEIR was developed in consultation with DPR and the Office of Health Hazard Assessment.

16785-3 Further, DPR performs additional data reviews that focus on California-specific potential impacts such as data on worker exposure, foliar residue, indoor exposure potential, hazards to bees, dust or drift hazards, and efficacy. Studies must be performed under California-like conditions so that specific impacts can be assessed prior to a product's registration. Under the proposed program, CDFA would require that any crop protection products used follow all applicable label restrictions and requirements developed by U.S. EPA and DPR as part of their registration process.

16785-4 The PEIR confirms that CDFA scientists and program staff will continue to perform necessary evaluations on a case-by-case basis under the Statewide Plant Pest Prevention and Management Program (Program) that may include cumulative impacts, regional considerations, and other potential issues. The PEIR serves to reduce duplicity, but does not eliminate the requirement for comprehensive reviews under the Program. It also retains a public notification element as an important and necessary component of the Program. The coordination between CDFA, DPR, and other regulatory authorities provides a level of safety in the use of crop protection products unmatched throughout the country.

16785-5 In order to assure that California's agricultural production is protected, and that our commodities meet international requirements, it is key that CDFA have available the needed tools to control pests. If needed, CDFA must have available crop protection tools that have been reviewed and scientifically verified as safe by U.S. EPA and DPR. WPHA supports CDFA's PEIR which demonstrates a scientifically sound process to determine what steps are needed to address invasive pests.

WPHA appreciates the opportunity to comment on this PEIR. If you have any questions, please feel free to contact me at (916) 574-9744. Thank you for your consideration of our comments.

Sincerely,

Rachel Kubiak

Rachel Kubiak
Director of Environmental and Regulatory Affairs

4460 Duckhorn Drive, Suite A, Sacramento, CA 95834 * Phone: 916.574.9744 * Fax: 916.574.9484 * **www.healthyplants.org**

Letter 16785: Rachel Kubiak, Western Plant Health Association (October 31, 2014)

Response to Comment 16785-1

Thank you for your comment. We agree that CDFA is the proper entity to prevent pest introductions and respond to pest infestations, and that protecting export markets is critical to California's agricultural economy. CDFA has found that the Proposed Program objectives described in PEIR Volume 1, Chapter 2, *Proposed Program Description,* are consistent with the goals described in this comment.

Response to Comment 16785-2

CDFA concurs with this statement. U.S. EPA and CDPR already conduct analyses of the human health and environmental impacts of all pesticide products before they are registered. All pesticides proposed for use under the Proposed Program have been registered with the U.S. EPA and have undergone such analyses. The HHRA and ERA for the PEIR go beyond U.S. EPA's and CDPR's analyses to consider the specific Proposed Program scenarios under which such registered pesticides could be used, and any potential human health risks or environmental impacts that could occur in those scenarios. The mitigation measures described in the PEIR are specifically targeted at Proposed Program activities.

Response to Comment 16785-3

CDFA would require that any crop protection products used under the Proposed Program follow all applicable label restrictions and requirements developed by U.S. EPA and CDPR during their registration process. Furthermore, the Proposed Program includes additional mitigation measures and requirements when implementing Proposed Program scenarios to ensure that risks to humans and the environment would be less than significant.

Response to Comment 16785-4

Thank you for your comment. This is a very important point regarding the PEIR: the PEIR does not eliminate the requirement for project-level analysis and assessments of cumulative impacts, regional considerations, and other potential issues. As described in Appendix C, *CEQA Tiering Strategy,* CDFA staff would assess the potential human health and environmental impacts of each new proposed pest management activity through completion of the Tiering Strategy Checklist, and any related tiered CEQA documentation.

Response to Comment 16785-5

CDFA appreciates your support for the PEIR and agrees that plant pest prevention and management is critical to California's agricultural industry.

Comment Letter 200006

STATE OF CALIFORNIA—NATURAL RESOURCES AGENCY Edmund G. Brown Jr., Governor

DEPARTMENT OF FORESTRY AND FIRE PROTECTION
P.O. Box 944246
SACRAMENTO, CA 94244-2460
(916) 653-7772
Website: www.fire.ca.gov

October 9, 2014 PIER.info@cdfa.ca.gov

Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814

Dear Ms. Petro,

The California Department of Forestry and Fire Protection (CAL FIRE) has reviewed the California Department of Food and Agriculture's Statewide Plant Pest Prevention and Management Program Draft Program Environmental Impact Report. CAL FIRE hereby submits the following comments:

200006-1 Section 2.3, Program Area, Second Paragraph: This section states that program activities will take place on agricultural lands, nurseries, and residential areas. No mention is made of forestlands, woodlands, grasslands, or other natural areas. CAL FIRE suggests that the Department of Food and Agriculture (DFA) should work in those areas to control exotic pests as well (for example, gypsy moth). DFA has regulatory and statutory authority to do such control, suppression and eradication work.

200006-2 Section 3.4, Current Pest Management Program: The list of exotic pests and the actions that may be taken to control them does not include gold spotted oak borer, emerald ash borer, thousand canker disease, pitch canker disease, and the various exotic bark beetles that have come to California (European Elm Bark Beetle, the Mediterranean Pine Bark Beetle and the Red Haired Pine Bark Beetle) or may in the future.

200006-3 Section 3.4.42, Sudden Oak Death: Sudden Oak Death is an active pathogen, which has just spread into Trinity County. This section should discuss what steps will be taken if Sudden Oak Death moves into a new area of the State or a new county.

If you have any questions regarding these comments, please contact Mr. Tom Smith, Forest Pest Management, (916) 599-6882, tom.smith@fire.ca.gov.

Sincerely,

CHRISTOPHER E. BROWDER
Deputy Chief, Environmental Protection

cc: Tom Smith
Chris Zimny
Helge Eng

"The Department of Forestry and Fire Protection serves and safeguards the people and protects the property and resources of California."

Letter 200006: Christopher Browder, California Department of Forestry and Fire Protection (October 9, 2014)

Response to Comment 200006-1

CDFA previously treated forest lands, woodlands, grasslands, or other natural areas. These treatments were conducted via aerial spraying. In the recent past, when seeking technical assistance from CDFW and USFWS, concerns about incidental take were raised, and it was suggested that aerial spraying may lead to incidental take. Given the issues related to endangered and protected species by our sister agencies with species expertise, a policy decision was made not to treat in those areas.

Other federal and state agencies have the authority to treat in these areas as well. The PEIR could be leveraged as a CEQA compliance document for such activities; for a description of how this may be accomplished, please refer to Appendix C, *CEQA Tiering Strategy*

Response to Comment 200006-2

Gold Spotted Oak Borer

Some debate exists in the scientific community over whether or not the gold spotted oak borer (GSOB) is a native species. Since CDFA only has the authority to control, suppress, or eradicate invasive species, the appropriateness of treating is in question. Invasive pest species are defined by the Food and Agriculture Code (FAC) 5260.5 as:

> Invasive pests means animals, plants, insects, and plant and animal diseases or groups of those animals, plants, insects, and plant and animal diseases, including seeds, eggs, spores, or other matter capable of propagation, where introduction into California would or would likely cause economic or environmental harm. "Invasive pests" does not include agricultural crops, livestock, or poultry generally recognized by the department [CDFA] or the United States Department of Agriculture as suitable to be grown or raised in the state.

Thus, unless it was determined that the GSOB would or would likely cause "economic or environmental harm" and it was listed as a targeted pest, CDFA would not have authority to perform or require management activities for GSOB. Firewood is a host/transporter of the GSOB, so even if it were determined to be an invasive pest in California, it may not be possible for CDFA to institute an effective treatment/control program. For these reasons, GSOB is not currently part of the Proposed Program, but CDFA may take action against this pest in the future, using the Tiering Strategy described in Appendix C, *CEQA Tiering Strategy*.

Emerald Ash Borer

The emerald ash borer (EAB) is not in California yet. However, because EAB is a federally regulated pest, CDFA currently conducts border inspections for this pest. CDFA could take action against this pest in the future, using the Tiering Strategy described in Appendix C, *CEQA Tiering Strategy*.

Thousand Canker Disease

Thousand canker disease is vectored by a beetle that is widespread in California. Because it has been determined that spread of the beetle cannot be controlled, neither can the disease. Therefore, CDFA has determined that effective control/treatment is infeasible, and has not included it in the Proposed Program. CDFA could take action against this pest in the future, using the Tiering Strategy described in Appendix C, *CEQA Tiering Strategy*.

Pitch Canker Disease

Pitch canker disease attacks pines and is not an agricultural pest. It is not a federal action pest, which means CDFA receives no funding for a program, and there is no effective or robust detection system in place. For these reasons, it has not been included as part of the Proposed Program.

Exotic bark beetles in general

No robust detection system is in place to detect these various beetles. If a beetle is detected, this indicates a population likely already exists to such an extent that control, suppression, or eradication would not be feasible. As an example, of the three species listed in the letter, the latter two were first detected in California by CDFA in 2004 and 2003, respectively, and subsequently shown to be well established in the state. The first listed species has been known from California for over 30 years. That said, CDFA may take action on these pests in the future, using the Tiering Strategy described in Appendix C, *CEQA Tiering Strategy*. In addition, other agencies such as Cal Fire have regulatory authority to take action on these pests, and could leverage the PEIR as a CEQA compliance document; for a description of how this may be accomplished, please refer to Appendix C, *CEQA Tiering Strategy*

Response to Comment 200006-3

PEIR Volume 1, Chapter 3, Section 3.4.42, *Sudden Oak Death* explains the actions that CDFA may undertake when Sudden Oak Death is present, including in Trinity County. Such actions would be subject to CDFA's IPM approach (PEIR Volume 1, Figure 2-3) and the related evaluation process that occurs as pests are detected in new areas. One of the purposes of the PEIR is to allow CDFA (and potentially other state agencies) to tier to the PEIR and rapidly respond as pests are detected in new areas. A detection of Sudden Oak Death in a new area would be analyzed using this IPM approach and the PEIR's CEQA Tiering Strategy (Appendix C).

Comment Letter 200011

From: Roberts, Carol
Sent: Wednesday, October 08, 2014 2:37 PM
To: CDFA Pest Prevention EIR@CDFA
Cc: Katie Zeeman; Jenny Marek; Cathy Johnson
Subject: Comments on the Draft PEIR for Statewide Plant Pest Prevention and Management Program

2015-EC-0093

200011-1

As a result of constraints on staff resources, the Carlsbad Fish and Wildlife Office of the U.S. Fish and Wildlife Service limited our review to the procedures associated with assessing potential impacts to special status species and measures intended to avoid and minimize potential adverse effects. Overall, we applaud the approach identified by the California Department of Food and Agriculture (CDFA) in the document, as in our experience site-specific coordination with the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW) and/or National Marine Fisheries Service (NMFS; together, "Wildlife Agencies") is the best way to ensure that the measures implemented are those with the greatest potential for achieving the goal of avoiding incidental take and broader adverse effects. That said, we have some specific comments on the document that would help to clarify some aspects of the process for dealing with special status species as provided below:

Section 2.10.2 Technical Assistance from the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife, p. 2-26: The language in this section provides the specific procedure to be follow by the California Department of Food and Agriculture in regards to special status species and includes the following language: "Under the Proposed Program, CDFA would continue to coordinate with USFWS, NMFS, and CDFW to avoid 'take' of threatened and endangered species and to minimize adverse environmental impacts on other special-status species and sensitive natural communities. Prior to making the decision to treat, CDFA would consult the California Natural Diversity Database (CNDDB) for special-status species previously reported inside or in close proximity to the treatment area boundaries, as well as check for the potential for presence of special-status species habitat and/or sensitive natural communities. CDFA would report the results to USFWS, NMFS, and/or CDFW. CDFA, in conjunction with the county agricultural commissioner, would provide USFWS, NMFS, and/or CDFW with maps showing the proposed treatment areas and identifying the treatment activity. CDFA would develop measures to avoid adverse environmental impacts on these resources and would notify USFWS, NMFS, and/or CDFW (depending on the potentially affected species) of pest control activities and the protective measures proposed for use. If any of these wildlife agencies responded to CDFA with a conclusion that the proposed activities would pose potential for 'take' of threatened or endangered species, or other special-status species, CDFA would coordinate further with these agencies regarding the appropriate measures to avoid impacts."

We support the use of this approach as the most likely to achieve the goal of avoiding take of listed species in the entire range of circumstances under which Proposed Program activities may occur. We have worked well with CDFA staff on these efforts in the past and look forward to continuing the effective working relationship we have established into the future to the benefit of species listed under the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 et seq.).

Comment Letter 200011-Cont.

200011-2 Section 2.11 Program Management Practices, MP-HAZ-1: Implement a Spill Contingency Plan, p. 2-30 and 2-31: We recommend that for any spill incident, staff or contractors should be directed to contact the California State Warning Center/Governor's Office Emergency Services (at 916-845-8911 or Warning.Center@oes.ca.gov), as the Warning Center provides rapid and efficient notification of local, regional and national authorities, including the USFWS. This is in addition to, rather than instead of, the contacts specified in the draft PEIR.

200011-3 Section 6.3.3 Impact Analysis (Biological Resources), Impact BIO-PHYS 4 and Impact BIO-PHYS-5, p. 6.3-9: Both of these topics discuss the possibility for capture and mortality of non-target invertebrates. Please note that either or both would constitute "take" as that term is defined under the Act if the non-target invertebrate that was captured or killed is a listed species. While the effect may not be on a population level, and therefore significant for purposes of environmental review, a permit would still be required from USFWS if take of individuals of listed invertebrates is likely to occur as a result of the Proposed Program activities.

200011-4 Section 6.3.3 Impact Analysis (Biological Resources), Impact BIO-CHEM-2, Mitigation Measure BIO-CHEM-2, p. 6.3-13: While this section reiterates the technical assistance approach provided in Section 2.10.2, the language provided here introduces some uncertainty into the approach: "CDFA shall identify any suitable habitat for special-status wildlife species identified as having potential to (1) occur in the region and (2) be affected by the treatment scenario in question. Suitable habitat may consist of aquatic or terrestrial foraging habitat. If such habitat exists, CDFA may obtain technical assistance from USFWS, CDFW, and NMFS to develop treatment plans that will avoid or minimize substantial adverse effects on special-status species." The discussion in Section 2 is more definitive as to the involvement of the Wildlife Agencies given the term "would" is used there whereas "may" is being used in this section. Under what circumstances may CDFA **not** obtain technical assistance from the Wildlife Agencies? If there are none, please revise the language to reflect the more definite approach provided in Section 2. If there are circumstances in which this may, in fact, occur, please identify those circumstances and what recourse the Wildlife Agencies would have should we not agree with the conclusions reached by CDFA.

200011-5 Section 6.3.3 Impact Analysis (Biological Resources), Impact BIO-CHEM-6, p. 6.3-15: This analysis determines that chemical traps could result in mortality of special status species, but the effect on populations would be very low. While that may be true, any mortalities of listed invertebrates that result from the Proposed Program would constitute take under the Act as indicated above, and a permit would still be required from USFWS if such take of individuals of listed invertebrates is likely to occur as a result of the Proposed Program activities.

We appreciate the opportunity to review and comment on the subject document. Please note that portions of California are covered by other USFWS offices, and they may have additional comments and concerns. We have copied staff of the Sacramento and Ventura Fish and Wildlife Offices for their information. Also the office jurisdiction map is included for your reference that covers most of California. Please let us know if you have questions regarding the area not covered in the attached.

-Carol

Comment Letter 200011-Cont.

+

Carol A Roberts, Division Chief
Environmental Contaminants/Federal Projects
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, CA 92008

(760) 431-9440, ext. 271/ fax (760) 431-5901
24-hr spill phone number is 760-607-9768
carol_a_roberts@fws.gov
"The significant problems we have cannot be solved with the same level of thinking with which we created them." -Albert Einstein

Letter 200011: Carol Roberts, U.S. Fish and Wildlife Service (October 8, 2014)

Response to Comment 200011-1

CDFA appreciates USFWS' support for the Proposed Program's approach to avoiding or minimizing adverse effects on special-status species.

Response to Comment 200011-2

CDFA appreciates this suggestion. The text of MP-HAZ-1 in PEIR Volume 1, Section 2.11, *Program Management Practices* (page 2-30) has been updated to include contact information for the California State Warning Center/Governor's Office of Emergency Services, as follows.

- Provide a pesticide label and/or material safety data sheet for any medical personnel.
- For any spill incident, contact the California State Warning Center/Governor's Office of Emergency Services at 916-845-8911 or warning.center@oes.ca.gov.
- Call the fire department and notify department personnel of the presence of pesticides for a spill involving fire, if a fire hazard exists. Eliminate all sources of ignition (electric motors, gasoline engines, or smoking) to prevent fire or explosion.

Response to Comment 200011-3

Under the Proposed Program, CDFA would always comply with applicable laws, including the ESA, and obtain take authorization when necessary. Although the capture and/or mortality of non-target, special-status invertebrates would be possible due to traps and sweep net surveys under the Proposed Program, as described in Impact BIO-PHYS-4 and BIO-PHYS-5, the environmental analysis concluded it would be unlikely, and would be discountable for the purposes of ESA compliance. As described in Impact BIO-PHYS-4, traps are designed to only lure and trap target species, and most of the trapping activities under the Proposed Program would occur in urban and residential areas where special-status insects are not expected to occur. To date, CDFA has not been made aware of any special-status invertebrates caught in its traps. Sweep net surveys would be similar to other crop monitoring and maintenance activities. As such, and based on CDFA's experience with the Statewide Program, CDFA has found that "take" of listed invertebrates due to trapping or sweep net surveys would be discountable.

Response to Comment 200011-4

CDFA would always reach out to the Wildlife Agencies to obtain technical assistance, except for instances when CDFA has determined that no potential exists for adverse impacts on special-status species, or where such impacts would be discountable. In addition, instances may occur where CDFA reaches out to the Wildlife Agencies but does not receive a response. In these cases, CDFA may choose to move forward with its activities based on the protective measures it has developed. As the CEQA lead agency for the Proposed Program,

CDFA has the discretion to independently determine whether its actions have potential to result in significant impacts on special-status species, and what measures are necessary to ensure that impacts under CEQA are not significant. That said, to date, CDFA has never conducted its activities in a manner with which the Wildlife Agencies disagreed, and anticipates continuing this positive relationship during implementation of the Proposed Program.

Response to Comment 200011-5

Under the Proposed Program, CDFA would always comply with applicable laws, including the ESA, and obtain take authorization when necessary. As with physical traps proposed for use under the Proposed Program, Impact BIO-CHEM-6 concluded that although use of chemical traps could result in the capture or mortality (i.e., "take") of non-target, special-status species, this would be unlikely and would be discountable for the purposes of ESA compliance. As described in Impact BIO-CHEM-6, traps and lures are designed to only lure and trap target species, and most trapping activities proposed under the Proposed Program would take place in urban and residential areas where special-status insects are not expected to occur. To date, CDFA has not been made aware of any special-status invertebrates caught in its traps. Therefore, and based on CDFA's experience with the Statewide Program, CDFA has determined that "take" of listed invertebrates due to trapping would be discountable.

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Chapter 4
LIST OF LETTERS ADDRESSED ENTIRELY BY MASTER RESPONSES

This chapter presents the list of letters entirely addressed by master responses. As described in Section 1.5, *Preparation of the Comments and Responses Document*, and Chapter 2, *Master Responses*, master responses were prepared in response to topics repeatedly raised in comment letters received on the Draft Program Environmental Impact Report (PEIR) (e.g., potential for impacts to organic agriculture). The letters listed here in Table 4-1 are those that did not contain specific comments on the Draft PEIR and are entirely addressed by the master responses presented in Chapter 2, *Master Responses*. The letters in Table 4-1 are organized by the last name of the person who submitted the letter. Table 4-1 also shows which master responses apply to each letter. See Chapter 2, *Master Responses,* for the text of the applicable master responses. For reference, master response numbers and titles are as follows.

- Master Response-1: Scope of the Statewide Program
- Master Response-2: Integrated Pest Management Approach
- Master Response-3: Impacts on Organic Farming
- Master Response-4: Impacts on Agriculture
- Master Response-5: Human Health
- Master Response-6: Comments Regarding Multiple Chemical Sensitivity (MCS)
- Master Response-7: Biological Resources
- Master Response-8: Pollinators
- Master Response-9: Water Quality
- Master Response-10: Air Quality
- Master Response-11: Pesticide Resistance
- Master Response-12: Alternatives Analysis
- Master Response-13: General Impacts To The Environment
- Master Response-14: Ecological-Agricultural Approach
- Master Response-15: Comments In Support Or Opposition To The Proposed Program
- Master Response-16: Comments Inquiring Whether Or How The Draft PEIR Evaluated Particular Issues
- Master Response-17: Accessibility Of The Dashboard

- Master Response-18: Comment Period Duration And Notice

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Anonymous		13496										✓					✓			
Anonymous		12260															✓			
Anonymous		14565	✓	✓	✓	✓	✓			✓	✓			✓	✓		✓			
Anonymous		12890															✓			
Anonymous		12419															✓			
Anonymous		2747															✓			
Anonymous		14113				✓	✓				✓						✓			
Anonymous		12976															✓			
Anonymous		12616															✓			
Anonymous		12160					✓													
Anonymous		12714															✓			
Anonymous		13996					✓										✓			
Anonymous		2709	✓		✓												✓			
Anonymous		13488					✓										✓			
Anonymous		12430															✓			
Anonymous		12491															✓			
Anonymous		12504		✓										✓			✓			
Anonymous		12520			✓												✓			
Anonymous		12352															✓			
Anonymous		12357															✓			
Anonymous		12445	✓				✓										✓			
Anonymous		12551			✓												✓			
Anonymous		12369								✓							✓			
Anonymous		14492															✓			
Anonymous		12564					✓				✓	✓			✓		✓			
Anonymous		14491			✓										✓		✓			
Anonymous		2721	✓		✓		✓			✓	✓	✓			✓		✓			
Anonymous		9433			✓															
Anonymous		332			✓		✓										✓			
Anonymous		142	✓				✓			✓					✓		✓			
Anonymous		150			✓		✓										✓			
Anonymous		10865	✓		✓		✓										✓	✓		
-	Camille	300018	✓				✓		✓						✓		✓			
-	Cynthia	36	✓		✓		✓								✓		✓			
-	Jen	13659													✓		✓			
-	Adam	24		✓	✓									✓			✓			
-	Troy	224	✓														✓			
-	Remy	222	✓		✓		✓			✓										

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
-	Jon	12949															✓			
-	Kate	14352					✓								✓		✓			
-	Nicole	12246															✓			
-	Amanda	14402															✓			
-	Emma	13601				✓	✓				✓						✓			
-	Robert	14395	✓			✓	✓				✓				✓		✓			
-	Troy	13649															✓			
-	Tyra	45			✓			✓									✓			
-	Ron	13657															✓			
-	Julie	12905	✓														✓			
-	Steve and Margaret	14452					✓	✓									✓			
-	Janine	14349					✓										✓			
-	Ronda	263			✓		✓										✓			
-	Damon	13504	✓														✓			
-	Mark	309															✓			
-	Amanda	13914	✓														✓			
-	Jesse	277															✓			
-	Coleen	351			✓												✓			
-	Paul	14416	✓				✓				✓				✓		✓			
-	Emma	12232															✓			
-	Jaxson	13900												✓						
-	Juana	12939															✓			
-	Nadene	12542					✓			✓							✓			
-	Nicole	12515								✓							✓			
-	Gilda	13467															✓			
-	Lisa	13972					✓								✓		✓			
-	Lawrence	12648															✓			
-	Remy	13973				✓	✓				✓	✓					✓			
-	Lorraine	12543															✓			
-	Sue	100011	✓				✓					✓			✓		✓	✓		
-	Mbird	12390					✓			✓	✓				✓		✓			
-	Robert and Monique	14787					✓			✓							✓			
-	Hazar	12750					✓										✓			
-	Samantha	12075			✓		✓										✓			
-	M.	12183					✓										✓			
-	Nancy	13796															✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
-	Tony	12359			✓		✓										✓			
-	Brenda	157					✓													
-	Accordiane	13782															✓			
A.	Armin	13697															✓			
A.	Indy	14465															✓			
Gyorke	Michelle A.	12561															✓			
Abajian	Jer L.	12972															✓			
Abbasi	David	333	✓				✓			✓					✓					
Abbitt	Tiila	13644	✓				✓								✓		✓			
Abed	Heather	13648					✓										✓			
AbuHamdeh	Teena	12872									✓				✓		✓			
Adams	Tisha	12554															✓			
Adelson	J. P.	12263															✓			
Adler	Pauline	303			✓		✓										✓			
Aguirre	Jennifer	16620			✓		✓										✓			
Ahl	Richard	13687	✓		✓		✓										✓			
Ahnger	Sally	13522		✓						✓				✓			✓			
Ahuna	Nancy	13666					✓							✓	✓		✓			
Ajello	Margarita	12602		✓			✓										✓			
Akaha	Janet	13818			✓		✓			✓	✓		✓							
Alden	Rosemary Taylor	13806					✓										✓			
Alex	Sheela	2	✓				✓								✓					
Alexander	Susan	12688			✓												✓			
Ali	Iona	12767									✓	✓			✓		✓			
Alioto	Judy	16816	✓														✓	✓		
Aliriza	Zalihe	13620	✓				✓								✓		✓			
Allen	Bridget	14013															✓			
Allen	Maureen	155	✓														✓			
Alley	Julie	12838	✓					✓									✓			
Allgeier	Roxanne	9415															✓			
Alperin	Mike	14404			✓	✓	✓										✓			
Amato	Gaetano	12761					✓								✓		✓			
Amavisca	Andrea	13474	✓		✓		✓			✓	✓	✓								
Ambuter	Cherwyn	10878	✓	✓	✓			✓						✓						
Ameli	Tammi	20	✓	✓	✓		✓			✓			✓		✓		✓			
Amiran	Eyal	12660			✓					✓							✓			
Ammendolia	Paul	13678	✓																	

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Amos	Judith	12629					✓				✓	✓					✓			
Amrit	Tina	13840															✓			
Anderson	Gordon	207	✓		✓		✓										✓			
Anderson	Jeremy	167	✓														✓			
Anderson	Marcella	172	✓														✓			
Anderson	Jeffry	11571		✓			✓	✓	✓	✓				✓						
Anderson	Sheryl	14128	✓		✓		✓										✓			
Anderson	Glo	13866	✓		✓		✓			✓					✓		✓			
Anderson	Glo	14437			✓		✓	✓		✓	✓	✓					✓			
Andrews	Sharon	14101															✓			
Anfinson	Stephanie and Mike	14514															✓			
Angarola	Ondine	13518	✓														✓			
Annette	Krammer	12786		✓	✓	✓	✓										✓			
Anthes	Roberta	12178	✓														✓			✓
Antonio	Joe	2664															✓			
Aoyagi	Carla	12578	✓	✓	✓												✓			
Arajo	Megan	12563		✓			✓										✓			
Araya	Sylvia	2753		✓	✓		✓			✓										
Araya	Sylvia	2753																		
Archer	Lisa	200003																	✓	✓
Ardon	Melissa	11591	✓		✓		✓													
Arellanes-Hansen	Lani	12105	✓				✓			✓					✓					
Arnold	Tina	12442		✓			✓										✓			
Aronson	Chris	12473															✓			
Art	Cindy	13922															✓			
Artinian	Garo	12747															✓			
Asbury	Luke	12332		✓													✓			
Aseltine	Bree	14002			✓							✓					✓			
Asher	Adrienne	12	✓	✓	✓					✓							✓			
Asher	Tina	12489		✓										✓			✓			
Ashley	Carol	13936															✓			
Ashodian	Kathleen	10904			✓		✓													
Astrin	D.	14516	✓	✓			✓										✓	✓		
Avila	Mary	16680	✓				✓										✓			
Ayers	Lauren	2743	✓	✓	✓		✓													
Ayers	Jeremy	9435	✓		✓		✓			✓										

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
B	David	235					✓			✓							✓			
B.	Tashina	2646	✓														✓			
B.	David	2701					✓			✓							✓			
B.	P.	16776			✓		✓										✓			
Babayan	Sandra Rausch	69				✓	✓			✓							✓			
Badi'e	Bahar	4	✓														✓			
Bagwell	Ken	14037	✓				✓		✓	✓							✓			
Bahna	Joseph	12429			✓												✓			
Baier	Dawn	13727	✓				✓			✓							✓			
Bakeman	Ariana	14367															✓			
Baker	Jody	144															✓			
Baker	Theresa	33			✓						✓				✓					
Bakker	Sara	88			✓		✓			✓					✓		✓			
Balanda	Brenda	12992	✓	✓	✓		✓										✓			
Balcom	Jan	12734	✓														✓			
Ballard	Jill	289	✓														✓			
Ballator	Nada	14578	✓		✓		✓				✓						✓			
Ballew	Caitlyn	12379		✓	✓		✓				✓						✓			
Bamnolker	Karen	14442				✓	✓		✓	✓	✓	✓		✓	✓		✓			
Banister	Kathelee	13489								✓					✓		✓			
Baradello	Lucas	13476					✓										✓			
Baranovsky	Vladimir	16641					✓										✓			
Barbarow	Jane	300023	✓														✓			
Barber	Heather	65					✓								✓		✓			
Barber	Eugene	12226															✓			
Barcenas	April	2733	✓		✓		✓										✓			
Bardoff	Carol	16660	✓				✓				✓				✓		✓			
Barer	Sergio M.	14354	✓		✓		✓										✓			
Barfield	Bonnie	2727			✓		✓			✓							✓			
Barker	Rebecca	12805	✓														✓			
Barnes-Matych	Teresa	14569					✓										✓			
Barnhart	Aaron	17	✓		✓						✓				✓		✓			
Baron	Michelle	12871					✓				✓				✓		✓			
Barragan	Rose	14104	✓														✓			
Barragan	Marguerite	358	✓		✓	✓				✓	✓				✓		✓			
Barsby	Gemma	16664			✓		✓						✓				✓			
Bartlett	Hugh	13621	✓				✓								✓		✓			
Barto	Todd	13472	✓														✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Barton	Edward	14794	✓														✓			
Basch	Karleen	12184					✓										✓			
Bashikian	Vaheh	12663															✓			
Bassett	Larry	14383															✓			
Basurto	Juan-Carlos	12710								✓					✓		✓			
Batchelor	Annette	14049	✓														✓			
Baugh	Pam	2754								✓					✓		✓			
Baughn	Kate	300018	✓							✓	✓		✓				✓			
Baum	Sebastian	14484					✓			✓							✓			
Bautista	Ron	12604															✓			
Baxi	Pooja	16605					✓						✓				✓			
Baxter	Sarah	16767															✓			
Be	Susy	13635															✓			
Beans	Ellen	13824	✓				✓			✓	✓						✓			
Bear	Carol	14477	✓				✓										✓			
Beard	Marlha Sanchez	14358	✓		✓		✓								✓		✓			
Beaulyn	Jan	14046	✓				✓			✓					✓		✓			
Bedell	Elpseth Lauren	12756															✓			
Bee	Maia	12970	✓				✓								✓		✓			
Beighley	Nancy	12646															✓			
Bell	Stuart	12344															✓			
Bell	Mark	16803			✓		✓			✓			✓				✓			
Bell	Jim	12668															✓			
Bell	Carol	101			✓		✓													
Bella	Stella	14347															✓			
Belski	Patricia	14741	✓		✓		✓		✓		✓						✓			
Benavides	Jami	14103			✓	✓	✓			✓	✓				✓		✓			
Bengtson	Denise	13733				✓				✓							✓			
Bennett	Rosemary	14552	✓														✓			
Benson	Joan	12815					✓										✓			
Bental	Sharon	13823			✓												✓			
Berezonsky	Denise	12381	✓	✓	✓		✓			✓					✓		✓			
Berg	Bette	13596	✓														✓			
Berklite	Andrea	14027															✓			
Berkofsky	Vicki Howard	13754															✓			
Bernard	David	13667	✓												✓		✓			
Berokoff	T.	16624	✓		✓		✓								✓		✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Bersin	Elisabeth	13049	✓								✓	✓					✓			
Bertsch	Barbara	12679								✓							✓			
Bettencourt	Renee	13611	✓		✓		✓								✓					
Bhattacharya	Subhrajit	177	✓		✓		✓			✓	✓			✓	✓					
Bidleman	John	12469	✓	✓			✓		✓		✓						✓			
Bielski	Jeff	331	✓		✓		✓								✓		✓			
Biggins	Rachel	2677			✓									✓			✓			
Bigler	Colleen	12885			✓												✓			
Birch	Victoria	14087	✓		✓		✓										✓			
Birch	Bettina	12133	✓		✓		✓								✓		✓			
Birch	Bettina	12189	✓				✓	✓									✓			
Biron	John	12120	✓			✓	✓			✓	✓	✓			✓		✓			
Bischoff	Susan	12898			✓												✓			
Black	Robert	11600			✓					✓							✓		✓	
Black	Carol	12794	✓	✓			✓			✓	✓			✓	✓		✓			
Black	Jennifer	12778		✓				✓						✓			✓			
Blackburn	Bill	13864				✓	✓			✓							✓			
Blacklidge-Carty	Lori	10874					✓			✓							✓			
Blackman	Radha	14043	✓														✓			
Blair	Steve	311	✓														✓			
Blair	Katrina	14826			✓		✓			✓				✓	✓		✓			
Blank	Todd	12195					✓										✓			
Blaylock	Bonnie	14427			✓	✓	✓			✓	✓				✓		✓			
Bledsoe	Richard	12870															✓			
Blevins	Pat	13855	✓				✓			✓							✓			
Blomfield	Helen	9410	✓														✓			
Blondin	Bruce	16587			✓		✓			✓	✓				✓		✓			
Blount	Jane	13551	✓														✓			
Blueskyes	Liberty	100		✓		✓	✓				✓	✓								
Blumenthal	Jeni	12978	✓														✓			
Bodger	Cynthia	12224															✓			
Bodine	Lisa	338					✓								✓		✓			
Boehm	Judy	14560	✓		✓		✓			✓					✓		✓			
Boerner	E. A.	16681			✓		✓			✓					✓		✓			
Bohac	Sean	12364	✓														✓			
Bolander	Shelly	343					✓							✓			✓			
Bolo	Tony	260					✓								✓		✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Bongiorno	Patti	2790	✓		✓												✓			
Bonnett	Andrea	12887															✓			
Boopor	Shelly	14793		✓	✓		✓							✓			✓			
Borck	Crystal	14014	✓				✓			✓				✓	✓		✓			
Borekci	Nancy	50	✓				✓			✓	✓	✓			✓		✓			
Borom	Lanna	12570															✓			
Borthwick	Hugh	13612	✓				✓			✓					✓		✓			
Bosch	Milton	12792	✓		✓		✓		✓	✓			✓							
Boschee	Bob and Lou	13928	✓				✓										✓			
Bove	Paul	14792															✓			
Bowen	Lynn	16821	✓		✓			✓												
Bower	Susan and Joseph	12801		✓						✓				✓			✓			
Bowman	Kay	203	✓		✓												✓			
Bradford	Deborah	259	✓		✓	✓	✓		✓	✓	✓	✓								
Bradley	Rachel	12630															✓			
Bradshaw	Lynn	2651	✓	✓							✓		✓	✓	✓		✓			
Bradshaw	Christine	12533															✓			
Bradshaw	Angela	12687			✓		✓			✓	✓	✓					✓			
Bramel	Beth	161															✓			
Brande	Kaili	14520	✓		✓		✓				✓	✓					✓			
Brandt	Irma	13656															✓			
Braveman	Cheryl	14534	✓		✓	✓					✓	✓					✓			
Brawley	Amanda	14100				✓	✓				✓						✓			
Brawner	Jennie	13940															✓			
Breccia	Cecile	13947															✓			
Breckenridge	Jennifer	12196	✓			✓	✓				✓	✓					✓			
Breig	Katherine	14053	✓				✓										✓	✓		
Breisky	Laura	13028	✓				✓										✓			
Brenneman	Beth	12990		✓										✓			✓			
Brenner	Rick	13807	✓														✓			
Breslin	Nancy	12394		✓			✓										✓			
Brinkman	Jessica	12210															✓			
Britain	Andelain	14359	✓			✓											✓			
Brittain	Stacy	13787					✓								✓		✓			
Brockman	Jane E.	12575					✓			✓							✓			
Brodeur	Ken	13521	✓														✓			
Brodkin	Andrea	13553	✓		✓		✓				✓	✓			✓					

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Brooks	William	16765	✓				✓										✓			
Brooks	Sarah	76			✓															
Brooks	William	13985	✓				✓								✓					
Brown	Soltero	12113	✓				✓								✓		✓			
Brown	Danielle	14429	✓			✓	✓			✓	✓	✓					✓			
Brown	David	12907	✓														✓			
Bruce	Lisa K.	13755															✓			
Brumme	Margo	13569															✓			
Brunato	Amanda	12628	✓														✓			
Brunner	Sharol	12094	✓		✓		✓		✓	✓	✓						✓			
Bryant	Natalie	14784	✓				✓										✓	✓		
Bryant	Ellen	13625			✓		✓			✓	✓						✓			
Bryce	Brad	12744		✓										✓			✓			
Buchalter	Jan	231	✓			✓	✓				✓	✓			✓					
Bucher	Jessica	12259															✓			
Buchicchio	Michele	13514			✓												✓			
Buffman	Lionel	75	✓			✓					✓			✓						
Bui	Tinnie	13582															✓			
Bungarz	Kathleen	12396		✓											✓		✓			
Burchard	Peter	12316															✓			
Burchell	Tamara	14803																		
Burch-Pesses	Jane	148	✓		✓		✓		✓	✓							✓			
Burke	Melody	16640															✓			
Burke	Brian	12211	✓				✓			✓					✓					
Burr	Bill	31	✓						✓		✓				✓		✓			
Burris	Lori	362			✓		✓										✓			
Burton	Sara	10884		✓	✓					✓							✓			
Burtt	Marcia	14799	✓				✓		✓								✓			
Buss	Autumn	13917					✓								✓					
Butler and Family	Kelli	13690	✓				✓								✓					
Butterfield	Mary	2657			✓					✓					✓		✓			
Butterfield	Lisa	16780	✓		✓		✓	✓		✓							✓			
C.	J.	12200					✓										✓			
Cabados	Rick and Katy Joy	12306															✓			
Cabanas	Barbara E.	14512	✓		✓		✓			✓							✓			
Cable	Kryssa	2742	✓		✓		✓													

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Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Caccia	Enrico	14107	✓			✓	✓										✓			
Cahn	Carol	12680			✓												✓			
Caldas	Vera	63	✓														✓			
Cali	Sharon	14081					✓										✓			
Callahan	Kate	13979	✓			✓	✓				✓									
Callis	Jude K.	12718					✓			✓							✓			
Calloway	David	300018	✓				✓								✓					✓
Camaraota	Richard	13813															✓			
Camin	Darin	12643					✓					✓					✓			
Camp	Nicole	41					✓								✓		✓			
Campagna	Monica	13759			✓	✓	✓				✓			✓	✓		✓			
Campbell	Timothy	12088					✓			✓	✓				✓					
Campbell	Andrew	16808	✓		✓		✓			✓							✓			
Campbell	Sharon	14554	✓	✓	✓												✓			
Campbell-Carney	Cindy	13470	✓		✓		✓			✓					✓		✓			
Cannell	Sarah	162	✓		✓		✓													
Cao	Chris	13041					✓				✓						✓			
Cappa	Karen	13889								✓				✓			✓			
Carlson	Terri	334	✓		✓		✓			✓							✓			
Carlton	Syn	100014	✓												✓		✓			
Carlton	Synthia	100007															✓			
Carlton	Krista	12393	✓	✓													✓			
Carlton	Lynette	326	✓		✓		✓													
Carmichael	Jason	2750		✓	✓		✓				✓									
Carney	Bonnie	12363															✓			
Carollo	Joni	11595					✓								✓		✓			
Carosella	John	2673			✓									✓			✓			
Carpenter	Sheldon	14451	✓			✓	✓	✓		✓	✓			✓	✓		✓			
Carpenter	Nancy	12857															✓			
Carr	Anne	14540		✓	✓			✓		✓		✓		✓			✓			
Carr	David	12797		✓	✓	✓	✓			✓							✓			
Carrillo	Noemi	2766	✓				✓										✓			
Carroll	Megan	14529	✓														✓			
Carter	Marian	12144	✓				✓			✓	✓			✓	✓		✓			
Casebeer	Dave	14127	✓		✓		✓		✓	✓							✓			
Casentini	Patricia	13794					✓										✓			
Cassel	Jim	9447															✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Castellino	Sandra	13773															✓			
Castleberry	Elen	12487															✓			
Castro	Tracee	14117					✓										✓			
Catan	Jerome	13837															✓			
Cate	Mike	13779															✓			
Catuara	Darlene	14371			✓		✓							✓			✓			
Cavanaugh	Stayce	136			✓		✓			✓										
Caya	Dayle	360			✓						✓				✓					
Cecio	Larry	13944															✓			
Chadwell	Pat	14413					✓										✓			
Chadwell-Gatz	Courtenay	2707			✓		✓			✓							✓			
Chadwick	Bobbi	16676															✓			
Chaffee	Amelia	16657	✓				✓								✓		✓			
Chalmers	Steve	200010	✓				✓	✓												
Champion	Susan	12391		✓	✓												✓			
Chapin	Susan	13800					✓										✓			
Chapin	Michael	12319															✓			
Chapman	Debra	12987			✓					✓							✓			
Chappell	Linda	13507	✓		✓												✓			
Chase	Bonnie	13894	✓		✓												✓			
Chase	Judith	14493	✓		✓								✓		✓		✓			
Chason	Hilary	12297			✓		✓								✓		✓			
Cheng	Brian	14558								✓				✓						
Cheng	Brian	14558																		
Cheng	Brian	14558								✓				✓						
Cherf	Donald	13567	✓			✓	✓				✓						✓			
Cherry	Carole	12274															✓			
Chevalier	Crystal	14377	✓		✓		✓			✓							✓			
Chianis	Mr. and Mrs. A.	14551		✓			✓		✓	✓							✓			
Childs	Peter and Sharron	2648			✓		✓										✓			
Childs	Nat	12459															✓			
Chin	Brandon	16685				✓	✓		✓	✓	✓							✓		
Chinn	Evangeline	13509			✓		✓			✓							✓			
Chism	Steve B.	13670				✓	✓					✓			✓		✓			
Chival	Jennie Ru	325	✓		✓												✓			
Chmelka	Jennifer	13935	✓				✓								✓					
Chong	Ean	12828															✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Chorney	Karen	14077	✓		✓		✓										✓			
Christensen	Kathyrn	13646					✓								✓		✓			
Christensen	Ryan S.	2682			✓		✓	✓		✓							✓			
Christian	Susan	14350			✓	✓	✓			✓							✓			
Christiansen	Popi	12577															✓			
Chung	Derek	26	✓		✓					✓							✓			
Claman	Elizabeth	12477					✓										✓			
Clark	Dolores	234			✓	✓	✓			✓				✓			✓			
Clark	Tarvin	12989		✓			✓										✓			
Clarke	Nicole	269	✓				✓										✓			
Clawson	Lori	12569															✓			
Cleland	Rebecca	14017	✓		✓												✓			
Clement	Fred	14026	✓														✓			
Clement	Steve	12929															✓			
Clement	Fred	2712															✓			
Clements	Belinda	66									✓						✓			
Clements	Tom	13849															✓			
Cleveland	Edie	14559			✓		✓	✓									✓			
Clothier	Joan	14524		✓	✓		✓			✓		✓		✓	✓		✓			
Clowes	Lauretta	14434	✓				✓	✓									✓	✓		
Clyde	Lauren	14546	✓	✓	✓				✓	✓	✓						✓			
Coan	Appolonia	12657															✓			
Cobbaert	Marcie	12421	✓	✓	✓		✓			✓	✓						✓			
Cobbledick	Bruce	14059	✓							✓							✓			
Cofresi	Shirley	42	✓		✓		✓		✓	✓	✓	✓			✓		✓			
Cohen	Marsh Sue	13830						✓									✓			
Cohen	Sue	14016	✓														✓			
Cohn	Nancy	2695	✓														✓			
Cole	Brian	13604				✓					✓						✓			
Cole	Wesley	14730			✓												✓			
Cole	Kay	13848													✓		✓			
Coleman	Jill	12340		✓													✓			
Coleman-Magana	Rena	12754															✓			
Collier	Nayeli	97	✓		✓		✓							✓						
Collins	Monica	13827															✓			
Collins	Rachael	2720					✓										✓			
Collins	Marie M.	13775															✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Collins	Havalah	13946					✓										✓			
Colodro	Vivian	46	✓		✓		✓										✓			
Colter	W.	168	✓				✓							✓			✓			
Colton	Pam	9464											✓				✓			
Comerate	Lynda	14561	✓	✓	✓												✓			
Conger	James	12360					✓			✓					✓		✓			
Conley	Donald	14353	✓														✓			
Connaisan	Sasha K.	2645			✓									✓			✓			
Connell	Karen	12876															✓			
Conviser	Richard	12485					✓			✓							✓			
Cook	Rachel	13711	✓														✓			
Cook	Georgena	12343															✓			
Cooper	Sandra	14459			✓									✓			✓			
Cooper	Allison	9416	✓	✓	✓		✓			✓							✓			
Cooper	Preston	37	✓		✓		✓			✓							✓			
Cooper	Helen	10895	✓				✓								✓		✓			
Coplan	Mark and Nelly	12466															✓			
Corban	Vernon	14495	✓				✓								✓		✓			
Cordero	Meleah	12271															✓			
Corngold	Cara	16638	✓														✓			
Corona	Llani	12348															✓			
Corral	Margarita	288			✓		✓								✓		✓			
Cortese	Geronima	12622															✓			
Cosgrave	James	9431	✓														✓			
Costa	Kaeleen	14110					✓							✓			✓			
Cottrell	Albert	200012	✓	✓													✓			
Cottrell	Albert	2692	✓											✓			✓			
Cousineau	Laura	13562	✓				✓			✓	✓	✓					✓			
Covault	Jonnel	57			✓	✓	✓		✓	✓	✓							✓		
Covey	Alan R.	13888															✓			
Craig	Les	12878			✓		✓				✓				✓		✓			
Crawford	Scott	13597															✓			
Crenshaw	Marilyn	9436	✓														✓			
Crispin	Kasey	12607		✓	✓		✓	✓									✓			
Cristiano	Julie	14062	✓		✓		✓		✓	✓							✓			
Cristiano	Jeanne	14133	✓		✓		✓		✓	✓							✓			
Cristiano	Lou	14392	✓		✓		✓			✓					✓		✓			
Crockett	Connie	16822	✓			✓									✓					

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Cromartie	Dale	12863															✓			
Cropp	Benjamin	178	✓		✓		✓			✓							✓			
Crosby	Jill	100006	✓		✓		✓		✓	✓			✓		✓					
Cross	Genevieve	12327	✓	✓	✓					✓	✓						✓			
Cross	Susan	12752					✓										✓			
Crosslin	Vanessa	19	✓	✓	✓		✓			✓					✓		✓			
Crosswaite	Lynn	12814		✓	✓		✓										✓			
Crotty	Toni	13016						✓				✓					✓			
Crouch	Eric	16578			✓		✓			✓				✓	✓		✓			
Crow	Paula	13923															✓			
Crumpton	Cathy, Tom and Will	282	✓		✓		✓			✓							✓			
Cruz	Stephanie	13911				✓		✓		✓					✓					
Cruz-Castino	Denise	9434		✓	✓									✓			✓			
Cumming	Janice	12405					✓				✓				✓		✓			
Cummings	John	12322															✓			
Cunningham	Margot	14396	✓		✓	✓	✓			✓					✓		✓			
Cupito	Caia	256	✓		✓		✓			✓							✓			
Curtis	Penelope	12836					✓		✓	✓							✓			
Czekala	Kate	12662		✓	✓	✓											✓			
Daher	Michelle	13542		✓									✓	✓			✓			
Dahlen	Laurel	14747	✓		✓					✓							✓			
Dahmen	Kim	16639	✓		✓		✓								✓		✓			
Dale-LeWinter	Marcia	13616	✓		✓	✓											✓			
Dallas	Dale	12614			✓						✓	✓					✓			
Dalmau	Louis	12586					✓										✓			
Daly	Alvaro Calonje	13696															✓			
Damery	Patricia	13685	✓		✓		✓			✓							✓			
D'Angora	Crystal	13886	✓														✓			
Darrough	Richard	13877								✓				✓			✓			
Dashe	Julia	12494		✓	✓		✓							✓			✓			
Davenport	Irma	13520	✓		✓												✓			
Davenport	Keith	13577					✓										✓			
David	Hilary	2779	✓	✓									✓		✓					
Davidson	Merrick	13771															✓			
Davidson	Lisa	13835	✓		✓					✓										
Davies	Sue	12467															✓			
Davies	Greg	13693	✓				✓								✓					

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Davis	Jacob	82															✓			
Davis	Susan	12669															✓			
Davis	Berna	16789			✓												✓			
Davis	Evelyn	14519					✓										✓			
Davis	Clark	13051					✓		✓	✓							✓			
Davis	Berna	9463	✓				✓										✓			
Davis	Beverly	14531		✓										✓			✓			
Davis	Marilyn	13680	✓														✓			
Davis	Kathleen	12925					✓				✓						✓			
Davis	Richard	16623	✓				✓								✓		✓			
Davis	Kat	12965															✓			
Davis-Stein	Jessica	12519					✓		✓	✓	✓						✓			
Dawley	Judy	38															✓			
Dawson	Carole	14461								✓							✓	✓		✓
Day	Wayne	336	✓				✓			✓				✓			✓			
Dayspring	Margaret	13718					✓										✓			
De Bonilla	Faith	14567	✓	✓	✓									✓			✓			
de Bruine	Jeroen	13586		✓										✓	✓		✓			
De Coro	Genevieve	12207			✓					✓							✓			
de la Cruz	Y.	14779	✓		✓	✓	✓										✓			
Deaton	Glenda	14549															✓			
Dejuan	Mario	252					✓										✓			
Del Campo	Robert	14003			✓												✓			
Delery	Richard M.	13844					✓										✓			
Denis	Marianne	2653	✓				✓								✓		✓			
Depaoli	Birgitta	14485					✓							✓	✓		✓			
Derheim	Ron	14566	✓														✓			
Desales-Tosco	Gilne	12452			✓		✓								✓		✓			
deSeve	Georges and Edi	13630															✓			
Devi	Carol	12804															✓			
Dhawan	Athena	2760	✓		✓												✓			
Dial	Lynette	13506					✓										✓			
Diamante	Nina	13999					✓										✓			
Diamond	Mitch	12817		✓						✓			✓				✓			
Diaz	Sandy	13764		✓										✓						
Dickson	Todd	13511	✓														✓			
Dickson	Ellyn	12513	✓			✓	✓			✓					✓		✓			

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Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Dickson	Ellyn	12512	✓			✓	✓			✓	✓	✓			✓		✓			
Dief	Jim and Joan	9468	✓		✓		✓		✓	✓										
DiMatteo	Richard	12926					✓								✓		✓			
Dincau	Barbara	12579															✓			
Dirschl	Beate	13570	✓				✓			✓	✓				✓		✓			
Dito	Wouter	12658		✓										✓			✓			
Divinski	Becky	13671			✓		✓										✓			
Dixon	Joan	12749	✓	✓	✓		✓			✓	✓			✓			✓			
Dobrzanski	Irene	12923															✓			
Dohermann	Kolleen	13540	✓	✓	✓					✓	✓	✓		✓			✓			
Dokoupil	George	9450															✓			
Dolan	Dawn	16617	✓		✓		✓						✓		✓		✓			
Donaldson	Janaia	12253	✓		✓		✓			✓	✓				✓		✓			
Donatone	Kari	14055			✓		✓								✓		✓			
Donna	Wilson	13842															✓			
Donnell	Elizabeth	14508	✓	✓	✓												✓			
Donovan	Carolyn	16654			✓		✓				✓						✓			
D'Orazio	Peter	2725		✓	✓		✓				✓									
Doty	Carolyn	12968	✓				✓										✓			
Downey	Denise	2781									✓						✓			
Doyka	Michelle	12917					✓										✓			
Dragovich	Peter	12180	✓							✓					✓		✓			
Drake	Marilyn	14071	✓		✓		✓					✓					✓			
Drake	Amanda	14372	✓				✓								✓		✓			
Drewes	Laura	13574		✓		✓								✓			✓			
Drod	Peter	242			✓												✓			
Drury	Michelle	14483	✓		✓	✓	✓										✓			
Dryg	Amba	13587			✓		✓					✓					✓			
Du Soleil	Isabelle	12613															✓			
Dua	Ankit	14817									✓				✓		✓			
Duclos	Vincent	12238															✓			
Dudley	Heidi	312															✓			
Due	Linnea	13804					✓				✓				✓		✓			
Duff	James	12653															✓			
Dugan	Bradley	12703	✓									✓					✓			
Dukes	Dawn	12456	✓				✓										✓			
Dulak	Marek	12258					✓		✓	✓							✓			
Dunivant	Terre	12530		✓										✓			✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Dunivant	Deborah	12702															✓			
Dunn	Linda	12097	✓	✓										✓	✓		✓			
Dupuy	Robert	2791	✓														✓			
Durrin	Katherine	2785	✓				✓			✓							✓			
Dustin	Julie	12505															✓			
Dutcher	Deborah	223	✓		✓		✓			✓	✓				✓		✓			
Dwan	Rebecca	12638															✓			
E.	Jeff	265	✓		✓		✓			✓							✓			
E.	Nino	14083															✓			
Eagle	Jane	12201	✓				✓										✓			
Eames	Sarah	13967	✓					✓									✓			
Eckelmeyer	Karin	12759	✓	✓	✓		✓								✓		✓			
Edmond	Tina	12956									✓						✓			
Edmondson	Bob and Mandy	14538	✓	✓	✓										✓		✓			
Edmondson	Shannon	296	✓		✓		✓			✓							✓			
Eilson	Olivia	2708	✓														✓			
Eisler	Laurie	12468					✓			✓					✓		✓			
Elias	Mia P.	14541	✓				✓	✓		✓	✓				✓		✓			
Elkan	Mark	13933	✓														✓			
Elliott	David	13565															✓			
Ellis	Miriam	13466	✓	✓	✓		✓							✓			✓			
Ellis	John	12351															✓			
Ellis	Jeannie	12501															✓			
Ellison	Mike	13948	✓	✓	✓	✓	✓		✓		✓						✓			
Ellison	Alison	308			✓												✓			
Ely	Caroline	176	✓				✓								✓		✓			
Emdy	Tom	12436															✓			
Emerson	Mark	14501			✓												✓			
Endres	Marie	13805	✓														✓			
Engel	Linda	14000	✓				✓								✓		✓			
Engel	Michelle	16778			✓					✓			✓				✓			
Engels	Lisa	10891	✓		✓															
Enix	T.J.	14539	✓	✓	✓												✓			
Epailly	G.	13756															✓			
Epis	Bryan	13937					✓										✓			
Epperson	Dalila	16614															✓			
Eral	Anita	12408															✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Erceg	Melanie	16665															✓			
Erdman	Guy	14060	✓		✓												✓	✓		
Erha	Ann	13833						✓						✓						
Erickson	Ann	12975			✓		✓			✓							✓			
Ertel	Grace	11565		✓	✓		✓													
Eschbach	Susan	12685			✓												✓			
Escoffon	Diane	13808	✓				✓										✓			
Espinoza	Priscilla	13870	✓				✓										✓			
Estes	Thomas	12395		✓						✓							✓			
Estetter	Laura	12596															✓			
Ethridge	Mary	13468	✓				✓										✓			
Eusey and Family	Paul	13701	✓				✓							✓	✓		✓			
Evans	Robin	12973			✓												✓			
Evans	Ava	12915					✓										✓			
Evans	Keith	12482							✓						✓		✓			
Ewing	Carley	100000	✓	✓			✓								✓		✓			
Fadden	Heather	12958		✓			✓		✓	✓							✓			
Fair	Wedi	13962					✓										✓			
Falabella	Lauri	107				✓	✓							✓	✓		✓	✓		
Fallender	Deborah	13712													✓		✓			
Fallon	Michael	12115	✓				✓										✓			
Fannon	Tonya	12843					✓			✓							✓			
Faraon	Abra	13030	✓				✓			✓							✓			
Farinas	Joyce	2686			✓		✓										✓			
Farinas	Joyce	14775	✓	✓			✓								✓		✓			
Farrow	Brian	12728															✓			
Faulk	Richard	12470							✓	✓	✓						✓			
Favreau	Linda	13920															✓			
Fazio	Sandra	2693	✓				✓										✓			
Fedan	Nicolas	2776		✓	✓															
Feissel	Sharon	13523	✓	✓			✓		✓	✓	✓	✓		✓			✓			
Fenenbock	Trish	13957															✓			
Fenster	Diane	12276	✓														✓			
Fenton	Kathleen	13982					✓								✓		✓			
Ferguson	Jill	13004															✓			
Fernandez	Lisa	13713	✓					✓												
Ferreaux	Monique	13803								✓					✓		✓			

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Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Ferrizz	Amber	12212	✓														✓			
Fey	Hannah E.	12458		✓			✓						✓				✓			
Field	Melinda	100009		✓													✓			
Finch	M.	13634												✓			✓			
Fine	Howard	12908		✓													✓			
Finkelstein	Fred	12620															✓			
Fischer	Steven	12486	✓														✓			
Fisher	Craig	14040			✓	✓	✓								✓		✓			
Fisher	Peggy Sue	13607	✓				✓										✓			
Fiske	Colin	13871	✓														✓			
Flannery	Marcia	12665															✓			
Flecker	Suzanne	14006															✓			
Fleischmann	W. Ellen	13647	✓		✓		✓			✓							✓			
Fletcher	Christine	12199					✓													
Fletcher	Carrie	12478	✓														✓			
Floeck	Michael	13032					✓										✓			
Flores	Geovany	13893				✓				✓							✓			
Flores	Sharon R.	12791	✓				✓										✓			
Flores	Andy	12655		✓	✓												✓			
Foadi	Mark	12927															✓			
Foppiano	Billy	14806	✓				✓										✓			
Forbes	Mary	13709															✓			
Forcada	Richard	12158	✓														✓			
Forkner	Larry	12597			✓	✓	✓	✓	✓	✓	✓	✓			✓		✓			
Forman	Michele	12961					✓										✓			
Forrest	Susan	13913				✓	✓	✓		✓							✓			
Forsyth	Karl	298	✓	✓			✓				✓	✓			✓		✓			
Forsythe	Tim	13572															✓			
Fortenberry	Nancy	2669															✓			
Forti	Maggie	81					✓										✓			
Foster	Melissa	14815				✓			✓						✓		✓	✓		
Foster	Susan	182	✓		✓		✓			✓										
Foster	John	13532			✓												✓			
Fox	Jed	12902		✓										✓			✓			
Fox	Suzane	275	✓		✓		✓										✓			
Frances	Claire	13020	✓		✓	✓											✓			
Frances	Esther	14548	✓		✓												✓			
Francis	Bard	100015							✓											

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Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Franco-Brooks	Eilene	80					✓						✓				✓			
Franks	Cynthia	12982	✓		✓												✓			
Fraser	Mary	2732		✓			✓										✓			
Freeman	Richard	13716	✓							✓							✓			
Freeman	Tanja	12125	✓	✓			✓										✓			
Freeman	Spencer	12731															✓			
Freeman	Rosie	14577	✓														✓			
Freeman	Thomas	12671															✓			
Freeman	Rivka	9414			✓		✓	✓												
Freitas	Alfred	226			✓		✓										✓			
Frick	Julia	16632	✓														✓			
Friedman	David	12572	✓	✓	✓									✓			✓			
Frisco	Christine	89	✓		✓		✓			✓							✓			
Fritton	Meghan	12279	✓				✓										✓			
Fritz	Karyn	13580					✓								✓		✓			
Frost	Seena	12521			✓												✓			
Fuhrman	Jed	13760			✓		✓	✓		✓	✓				✓		✓			
Fulmer	Callie	10896	✓	✓	✓									✓						
Furlong	Linnaea	12163	✓		✓		✓								✓		✓			
Futrell	Sherrill	12313															✓			
Gable	Wendy	279	✓		✓		✓	✓									✓			
Gabriel	Kristin	28	✓	✓										✓			✓			
Gainer	Virgina	12780	✓		✓		✓			✓							✓			
Gaines	David	12239	✓				✓								✓		✓			
Galitzine	Victoria	44		✓						✓					✓		✓			
Gallagher	Esther	12664	✓				✓										✓			
Gallagher	Kent and Mollie	14047	✓		✓		✓		✓	✓	✓				✓		✓			
Gallegos	Deborah	13641	✓														✓			
Gallivan	Cynthia	13669			✓		✓			✓							✓			
Galloway	Beverly	9418			✓												✓			
Gang	Pete	12234								✓							✓			
Garcia	Deborah	12294															✓			
Garcia	Maria G.	241	✓				✓		✓								✓			
Gardner	Christine	16797				✓	✓				✓				✓		✓			
Gardner	Elyse	14361	✓												✓		✓			
Gardner	Nicholas	13725	✓		✓		✓										✓			
Garetz	Rachel	10864	✓		✓												✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Garroway	David	11569															✓			
Garst	Andrea	14066	✓					✓									✓			
Garza	Robert	13789												✓			✓			
Garza	Valerie	14471			✓		✓							✓			✓			
Gaskill	David	12768					✓								✓		✓			
Gaulding	Robert	14496						✓						✓			✓			
Gaura	Robin	10881	✓		✓		✓								✓		✓			
Gawboy	Sarah	187												✓	✓		✓			
Gecas	Cynthia	14355	✓			✓	✓					✓			✓		✓			
Gehm	Priya	13672					✓				✓				✓		✓			
Geis	J. Pat	12954												✓						
Gentes	M.	12576															✓			
Gentry	Lenora	2771			✓		✓								✓					
Geraci	Suzanne	15															✓			
Ghaffari	Mehrnaz	12248		✓	✓	✓	✓							✓			✓			
Gho	Janice	16577			✓	✓				✓	✓				✓		✓			
Gianni	P. A.	13903															✓			
Gibson	Sascha	84					✓				✓				✓					
Gilbert	Camille	13575	✓		✓		✓			✓	✓						✓			
Gilbert	Joseph	13589		✓													✓			
Gilbert	Barbara	14462	✓							✓	✓		✓				✓	✓		
Gildred	Jennifer	14015	✓														✓			
Gill	Susan	13959															✓			
Gill	Meredith	13485	✓				✓		✓		✓	✓					✓			
Gillespie	Colin	16793	✓				✓										✓			
Gilmore	Phyllis	12719															✓			
Ginevra	Leandra	14490															✓			
Girdlestone	Lynne	14020					✓						✓				✓			
Gladstone	Shayna	14102	✓				✓								✓		✓			
Glans-Suzuki	Eri	108	✓		✓		✓										✓			
Glaser	Philip	12988	✓				✓				✓						✓			
Glikshtern	Anastasia	16779	✓	✓			✓			✓			✓	✓	✓		✓			
Godes	Robert E.	245		✓	✓		✓													
Godes	Susan	335	✓		✓		✓								✓		✓			
Godfrey	Denise	14038			✓		✓										✓			
Goeckel	Louise	16608			✓												✓			
Gold	Vicki	200	✓				✓		✓	✓	✓			✓	✓		✓			
Goldberg	Burton	13046															✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Goldberg	Burton	12233															✓			
Golden	Victoria	12407					✓	✓									✓			
Goldie	Celia	12798			✓		✓										✓			
Goldmacher	Sheila	13729						✓									✓			
Goldreyer	Jill	12266															✓			
Goll	Miranda	12333															✓			
Gomez	James	14428					✓								✓		✓			
Gonzales	Jocelyn	160															✓			
Gonzales	Shanthi	109	✓				✓										✓			
Gonzalez	Adrian	12492		✓			✓							✓			✓			
Gonzalez	Chris	316	✓								✓									
Gonzalez	Joshua	58	✓				✓			✓							✓			
Goodman	Patti	13534	✓														✓			
Goodwin	Meg	11575	✓	✓					✓					✓			✓			
Goossens	Clara	12966															✓			
Gordon	Carol	12897															✓			
Gordon	Barry	13991			✓															
Gordon	Kelvin	340					✓										✓			
Gordon	Rick	16562															✓			
Gordon	Rick	16562	✓		✓												✓			
Gordon	Rick	16562	✓		✓												✓			
Goudey	Martha	14783	✓	✓	✓		✓			✓	✓			✓	✓		✓			
Graff	Gail	13679	✓				✓								✓		✓			
Graham	Hillori	13479					✓										✓			
Graham	Hillori	13480					✓										✓			
Graham	Tom	13710	✓														✓			
Grajeda	Monique	14112					✓										✓			
Graubner	Gabriel	12157					✓								✓		✓			
Graves	Eileen	9419	✓		✓		✓			✓										
Graves	Chris	12953															✓			
Gray	Richard	12793	✓		✓	✓	✓		✓	✓	✓				✓		✓			
Green	Christine	14511					✓										✓			
Green	Adam	13998	✓							✓										
Greene	K.	12994	✓														✓			
Greenfield	Nancy	12112															✓			
Greenfield	Allen	12827	✓	✓										✓			✓			
Greenfield	Darshana Maya	13904			✓												✓			
Greenfield	Allen	12866	✓														✓			

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Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Greenleaf	Cecille O'Brien	12644			✓												✓			
Greenmountain	Michael	11567	✓				✓						✓				✓			
Greenwald	Ken	12706															✓			
Greer	Amy	16799	✓				✓										✓			
Greiner	John	12223	✓														✓			
Griffin	Susanne	16770					✓										✓			
Griggs	Elizabeth	12753								✓							✓			
Grigsby	Sherry	13524	✓														✓			
Grigsby	James	9413								✓					✓					
Grindstaff	Linda	12334					✓										✓			
Gritti	Jason	1	✓				✓										✓			
Grobecker	Shawn	2730					✓								✓		✓			
Grody	Mark	16591	✓				✓										✓			
Grody	Nicola D.	16621			✓		✓				✓				✓		✓			
Groisman	Mariana	13677	✓		✓		✓								✓		✓			
Grossman	Philip	291	✓		✓												✓			
Grossman	Mark	12100	✓		✓		✓			✓							✓			
Grossman	Penny	2684			✓												✓			
Grotts	Sher	13956															✓			
Grudin	Micha	13791					✓										✓			
Guerra	Cathlyn White	16801			✓										✓		✓			
Guerrero	Jesus	14130					✓										✓			
Guest	Lisa	13064															✓			
Guidice	Daylene	2780	✓	✓	✓												✓			
Guillermo	Janie	12424					✓										✓			
Guillot	Joanna	2665	✓		✓					✓				✓			✓			
Gummer	Karen	135	✓				✓										✓			
Gunter	Vicki	12080			✓	✓	✓		✓		✓		✓				✓			
Gusbeth	Bethany	294	✓		✓		✓										✓			
Guthrie	Suzanne	13815					✓													
Gutierrez	Andrew Paul	2643		✓																
Guzman	Holly	11566	✓				✓	✓												
H.	Lara	12484					✓										✓			
Haag	Robert	13622	✓														✓			
Haaheim	Lowanna	13993															✓			
Habash	Connie	13750					✓			✓	✓						✓			
Haber	Gina	14369															✓			
Hafner	Gloria	13834					✓										✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Hagerty	MC	12283	✓		✓	✓	✓			✓							✓			
Haig	Phyllis	13778															✓			
Hall	Susan	13758			✓		✓										✓			
Hall	Stacey	197	✓		✓		✓										✓			
Hallal	Thomas G.	12403		✓										✓			✓			
Halliburton	Lauen	12398			✓												✓			
Halote	Sura	11585			✓												✓			
Halper	Leah	13493					✓			✓					✓		✓			
Halperin	Roslyn	2800		✓	✓	✓			✓								✓			
Hamby	Greg	189					✓			✓										
Hamilton	Mark Reman	16810					✓										✓			
Hamilton	Suzanne	14502			✓												✓			
Hamlin	Marcella E.	14411	✓		✓	✓					✓						✓			
Hamm	Louise	77								✓				✓	✓		✓			
Hampson	Mike	12331		✓			✓		✓	✓	✓			✓			✓			
Hanmer	Chris	13906															✓			
Hanna	Helen N.	359	✓		✓		✓			✓							✓			
Hansen	Lisa	12727			✓					✓							✓			
Hansen	Charlotte	13825	✓				✓													
Hansen	Benjamin	100010		✓					✓					✓	✓		✓			
Hansen	Heidi	104			✓	✓	✓				✓	✓			✓					
Hansen	Jeff	13623	✓				✓			✓							✓			
Hanson	Darlene	2699					✓										✓			
Harada	Jane T.	12938															✓			
Harbert	Pam	230	✓							✓							✓			
Harman	Susan	13812								✓							✓			
Harrer	Julie	13858					✓										✓			
Harris	M.	13628					✓										✓			
Harris	Dennis P.	2734		✓	✓		✓										✓			
Harris	Zoe	12425															✓			
Hart	Shirley Joy	14004			✓												✓			
Hart	Dave	12842	✓							✓							✓			
Hartman	Miriam	12632	✓														✓			
Hartshorn	Linda	12300		✓			✓			✓	✓			✓			✓			
Haselhoff	Kim	13654	✓														✓			
Hashimoto	Richard	16819			✓															
Haskel	Kelly	2698	✓				✓			✓							✓			
Hass	Shelly	14090			✓												✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Hasselgren	Joan	11601					✓			✓	✓						✓			
Hasselman	Margaret	12387					✓			✓							✓			
Hatami	Tara	16809												✓			✓			
Hattemer	Pauline	229			✓	✓														
Hatvany	Ondina	13033	✓				✓										✓			
Hauptmann	Daniela	16811					✓								✓		✓			
Hawkins	Charles	12418		✓										✓			✓			
Hay	Zak F.	13494		✓													✓			
Hay	Jeff and Karen	357															✓			
Hayasaka	Kiyo	71					✓								✓		✓			
Hayes	Susan	14343															✓			
Hayes	Laura	2749	✓	✓	✓	✓	✓			✓	✓	✓		✓			✓			
Hayes	Laura	257					✓				✓	✓		✓	✓		✓			
Hayes	Laura	11561	✓	✓	✓	✓	✓			✓	✓	✓		✓			✓			
Hayward	Tracy	14346								✓					✓		✓			
Hazen	Rachael	13519	✓	✓	✓		✓	✓					✓				✓			
Healey	Shannon	12849		✓													✓			
Hechim	Maura	12599															✓			
Hein	Matthew	300018					✓													✓
Helenchild	Liz	12730					✓		✓	✓							✓			
Hellem	Peggy	32	✓	✓						✓				✓	✓		✓			
Helms	Richard and Sandra	14094	✓		✓					✓							✓			
Hembree	Rachel	262			✓		✓						✓	✓			✓			
Henderson	Sarah	12892															✓			
Henderson	Cydney	300021	✓														✓			
Henderson	Joann	14400	✓		✓		✓			✓					✓		✓			
Henney	Michelle	12882															✓			
Herman	Adrienne	12104	✓				✓				✓				✓		✓			
Hernandez	Carrie	14736	✓		✓	✓	✓										✓			
Hernandez	Cesar	12493															✓			
Hernandez	Dave	254	✓		✓		✓										✓			
Hess	Karen	14562	✓														✓			
Hester	John	12389	✓				✓										✓			
Hewitt	Robert S.	300017			✓		✓						✓	✓	✓		✓			
Hickman	Carmen	12896								✓							✓			
Hickox	Patrice	200009		✓	✓		✓		✓	✓							✓			
Hicks	Jill	2793		✓	✓												✓			

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Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Higgins	Martha	12451	✓														✓			
Hilbers	Greg	12840															✓			
Hilden	Nancy	12921															✓			
Hill	Vanessa	12869	✓	✓	✓		✓			✓	✓						✓			
Hill	Teresa	14012					✓							✓			✓			
Hillhouse	Jane	13720			✓												✓			
Hillstrom	Kristin	12129	✓				✓								✓		✓			
Hilquist	Lisa K.	13668				✓	✓			✓							✓			
Hilton	Bonnie	16592					✓								✓		✓			
Hinckle	David	2662															✓			
Hinrichsen	Dennis	100001	✓		✓	✓	✓										✓			
Hirsch	Rifka	12093				✓	✓				✓				✓		✓			
Ho	Jose	12272															✓			
Hobbs	Harry	13535	✓							✓					✓		✓			
Hodil	Christine	12161	✓				✓				✓						✓			
Hoffman	Kathryn	13585												✓			✓			
Hoffman	Margaret	300012			✓		✓						✓				✓			
Hoffman	Kaj	13027	✓				✓								✓		✓			
Hoffman	Diane	14384	✓														✓			
Hoffmann	Debra-Lou	10877	✓		✓												✓			
Hojat	Shideh	14023	✓			✓											✓			
Holl	Chris	192	✓		✓		✓		✓	✓										
Holland	Dawn	12995		✓			✓							✓						
Hollis	Linus	13867			✓		✓	✓												
Holmes	Anne	12511					✓				✓						✓			
Holodiloff	Martha	14088					✓				✓						✓			
Holt	John	12751															✓			
Holten-Casper	Jessica	154															✓			
Holtz	Benay	14389	✓		✓		✓					✓					✓			
Holub	Ana	9469	✓							✓										
Homsher	Teddi	356													✓		✓			
Homsher	Teddi	2713					✓								✓		✓			
Honea	Kimberly	14096	✓		✓	✓	✓				✓						✓			
Hope	Laurie	14044	✓					✓									✓			
Hope	Sharry	14804		✓	✓	✓	✓		✓					✓			✓			
Hopkins-Kurz	Elizabeth	14074															✓			
Hornsby	Erica	16642			✓		✓			✓	✓		✓				✓			
Hosley	James	14360	✓			✓					✓			✓	✓		✓			

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Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Houghton	Laurel	13734					✓		✓		✓						✓			
House	Gregory A.	13714			✓					✓										
Housh	Kurt	12245		✓	✓								✓	✓						
Houston	Anand	300			✓	✓								✓						
Howard	Kim	16611															✓			
Howard	Thomas	13683				✓	✓				✓	✓			✓		✓			
Howard	Scotiska	13980				✓											✓			
Howlett	Ronald	16802					✓							✓	✓		✓			
Hoyt	Marsha	2777		✓	✓		✓			✓										
Hsu	Jonathan	14814								✓							✓			
Huang	Judith	2694	✓														✓			
Huber	Ross	12946					✓			✓	✓						✓			
Huff	Albert and Gail	14545															✓			
Huffman	Charlene	12495								✓							✓			
Hughes	Sandra	14568					✓										✓			
Huizar	Elizabeth	131	✓				✓			✓				✓						
Hulme	Kenton	12320									✓				✓		✓			
Hung	Yuh-Juan	12591															✓			
Hunter	Jeff	13038															✓			
Huntsman	Carol	12206															✓			
Ingrao	Joseph A.	2683	✓		✓		✓			✓					✓		✓			
Inman	Mary	14786		✓			✓							✓			✓			
Irwin	Carol	12562															✓			
Iseri	Martin	12745															✓		✓	✓
Istvan	George	307	✓		✓												✓			
Iyer	Pranav	14818				✓									✓					
J.	Lindy	12499			✓												✓			
J.	M.	13576															✓			
Jackson	Devon	12845		✓			✓			✓				✓			✓			
Jaji	Ahmad	16603															✓			
James	Allison	12911			✓		✓			✓	✓	✓					✓			
Jani	Taylor	300018	✓							✓			✓							
Jaramillo	Anne	12957			✓		✓				✓						✓			
Jaress	JC	174															✓			
Jarrell	Gloria	12853		✓													✓			
Jarvis	Marsha	12544			✓												✓			
Jasmin	Richard	9422	✓														✓			
Jaspan	Beverly	13945															✓			

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Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Javier	Starlene	11599		✓	✓			✓												
Jayasekera	Nayana	233	✓		✓		✓			✓							✓			
Jefferson	Cat	13932	✓																	
Jenich	Uta	12349															✓			
Jensen	Kirsten	18	✓		✓		✓			✓					✓		✓			
Jensen	David	13527	✓														✓			
Jensen	Cindy	2644	✓				✓										✓			
Jensen	Frank	16622	✓				✓			✓							✓			
Jesson	Alison and Jaffe	13702					✓							✓	✓		✓			
Johancen	Morgan	300018	✓				✓								✓					
Johns	Michele	12103	✓				✓								✓		✓			
Johnson	L.	14744	✓		✓		✓			✓							✓			
Johnson	Milt	12156	✓				✓								✓					
Johnson	Susanne	91					✓		✓			✓		✓				✓		
Johnson	Susan	12785		✓							✓						✓			
Johnson	Paula	12249															✓			
Johnson	Kimberly	13047			✓												✓			
Johnson	Renee	14030	✓				✓										✓			
Johnson	Rebaca	13769															✓			
Johnson	Kristy	14086	✓														✓			
Johnsons	Norma	96					✓										✓			
Jones	Lauri Ann	13642	✓														✓			
Jones	C. J.	13591					✓										✓			
Jones	Carrie	12603															✓			
Jones	Troy	12174															✓			
Jones	Nina	14564	✓		✓												✓			
Jones-Hughes	Candice	16667	✓		✓		✓								✓		✓			
Jorjorian	Paul	12461	✓	✓	✓		✓			✓	✓						✓			
Josefsson	Lyra	13588															✓			
Josefsson	Lyra	12588															✓			
Jower	Casey	2702				✓	✓			✓							✓			
Jung	Jim	299				✓	✓										✓			
Jung	Jean	13776													✓		✓			
Jurena	Jim	330	✓		✓		✓			✓										
Justice	Melanie	2765		✓	✓		✓										✓			
K.	Geoff	13029					✓			✓					✓					
Kadyk	Amy	13786					✓			✓	✓	✓			✓		✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Kahan	Darci	12254	✓				✓				✓	✓					✓			
Kahn	Zareen	13700					✓			✓										
Kan	Terri	14010			✓		✓								✓		✓			
Kang	Tiffy	14812	✓	✓			✓						✓				✓	✓		
Kao	Rebecca	14819	✓				✓				✓				✓					
Kares	Laurie Thompson	14073	✓				✓								✓		✓			
Karian	Anthony A.	345	✓		✓		✓								✓		✓			
Karloff	Kristen	9428			✓									✓			✓			
Karsten	Christianne	281															✓			
Katz	Joanna	13797					✓			✓							✓			
Katz	Richard	13748	✓		✓															
Kau	Nicole	13482															✓			
Kaul	Theresa	12384			✓		✓								✓		✓			
Kawakami	Teddy	12559		✓	✓										✓		✓			
Kaye	Barbara	12935		✓										✓			✓			
Keehn	Mary	9409		✓	✓												✓			
Keeney	Nathan	2772	✓		✓		✓		✓	✓					✓					
Keizer	Lewis	13907					✓			✓							✓			
Kelleher	Liz	12592															✓			
Keller	Karen	13792					✓				✓	✓					✓			
Kelley	Roger	227	✓																✓	
Kelly	Paula	11574			✓					✓							✓			
Kelly	Amanda	2768	✓		✓		✓			✓										
Kelly	Dione	12977															✓			
Kelly	Lisa Ann, Chad, Geoffrey, George and Tristan	12126								✓							✓			
Keneipp	Shelley	14418					✓								✓		✓			
Keniston	Stanley	13856	✓		✓		✓										✓			
Kennedy	Patty	13529	✓														✓			
Kennedy	David	13703					✓								✓		✓			
Kennedy	Gaelle L.	13850															✓			
Kennedy	Carolyn	13490															✓			
Kenton	Basia	14523	✓				✓		✓	✓	✓						✓			
Kerr	Alison	2670			✓												✓			✓
Kerrebijn	Paula	13645	✓		✓		✓								✓		✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Kerridge	Kathy	10906		✓	✓	✓				✓										
Kerridge	Kathy	10903		✓	✓	✓				✓										
Kessler	Emily	14031					✓			✓							✓			
Kessler	Elsa	2661			✓		✓								✓		✓			
Kestelyn	Kathleen	3	✓		✓		✓				✓	✓			✓		✓			
Ketchen Jr.	Mark A.	181			✓		✓			✓										
Kidney	Cuyler	13908															✓			
Kiely	LaVive	12936			✓												✓			
Kiernan	Bette	2794	✓		✓															
Kiest	Kim	300018	✓	✓	✓					✓										✓
Kim	Angie	13892															✓			
Kim	Justin	16781			✓	✓	✓			✓			✓							
Kimball	Jim	13481															✓			
Kimberlin	Chris	13761															✓			
Kimberly	Marje	13593					✓							✓			✓			
Kimble	Isabel	300019	✓		✓												✓			
Kimble	Carol	346	✓	✓	✓		✓							✓			✓			
Kim-Hammerich	Lumiel	12443					✓										✓			
Kincaid	Andrea	12912			✓		✓	✓			✓			✓			✓			
King	James	12802		✓	✓		✓							✓	✓		✓			
King	Elena	11560	✓		✓		✓										✓			
Kinoshita	Judy	10869			✓												✓			
Kirkham	Connie	30					✓			✓							✓			
Kirsch	Isabel	13658					✓		✓	✓							✓			
Klabacha	Linda	2741					✓										✓			
Klein	Andrea	12275	✓														✓			
Klein	Leslie	14409					✓										✓			
Kleinsorge	Kimberly	12090					✓				✓							✓		
Kline	Terri	12446			✓												✓			
Kloeppel	Barbara	13693	✓				✓								✓					
Klotz	Pat	12675															✓			
Klyce	Jan	12584	✓				✓										✓			
Knapp	Nancy Louise	14424	✓				✓	✓							✓		✓			
Kneeland	Cheryl	12984															✓			
Knepp	Janis	12811															✓			
Knepp	Alexis	12335	✓				✓								✓		✓			
Knight	Patricia	13763								✓							✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Knight	Denise	12310															✓			
Knights	Julie	12231			✓		✓										✓			
Knoff	Laura	14479	✓		✓	✓	✓				✓	✓					✓			
Knott	Justin	13954	✓		✓					✓					✓		✓			
Knutson	Gary	14050	✓														✓	✓		
Kobara	Tomi	16590					✓								✓		✓			
Koczko	Becky	14089															✓			
Koepfli	Klaus	14489			✓					✓	✓				✓		✓			
Kok	Thelma	13708	✓														✓			
Koles	Gretchen	13031				✓	✓	✓			✓	✓					✓			
Konersman	Doug	21	✓		✓		✓			✓					✓		✓			
Koniakowsky	Lynn	14467	✓		✓		✓								✓		✓			
Korzen	Katie	14370				✓	✓								✓		✓			
Kostrikin	Xenia I.	13651															✓			
Kouvelis	Petra	12132	✓														✓			✓
Kowalick	Kathleen	13968				✓						✓			✓		✓			
Kraus-Smith	Wendy	12590					✓			✓					✓		✓			
Krejsa	Gary	13943					✓			✓	✓				✓		✓			
Krishna	Radha	13478	✓		✓		✓								✓		✓			
Krist	Kristina	13530	✓	✓			✓						✓				✓			
Krueger	Kurt	12273															✓			
Kubersky	Andrew	12169	✓				✓										✓			
Kuchars	Dan	13007			✓												✓			
Kueffner	Jamie	12483															✓			
Kuintzle	Gaylene	320			✓		✓										✓			
Kuintzle	Gaylene	13013	✓														✓			
Kumar	Abhilasha	16670					✓								✓					
Kunstenaar	Pat	13584					✓										✓			
Kurose	Jessica	92	✓		✓		✓								✓		✓			
L.	Delphine	12673															✓			
L. P.	Louisa	13598	✓				✓										✓			
la Fortune	Augustine	347					✓								✓		✓			
LaBerge	Jason	12378		✓	✓		✓								✓		✓			
Lackmann	Gerry	12813					✓										✓			
Laczkowski	Diana	14021			✓												✓			
Lady	Steph	300016	✓				✓			✓				✓			✓			
Laffen	Michele	12816															✓			
Lagrange	Susan	12901	✓														✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Laielen	Alezz	12209															✓			
Laksimi	Tabitha	16609	✓														✓			
Lal	Lauren	12177	✓														✓			
Lambert	Alan	13765	✓														✓			
Lamond and Family	Bill	16607	✓														✓			
Lancaster	Marcie	190					✓													
Landrau	Jacob	54	✓												✓		✓			
Lane	Andy D.	12652			✓												✓			
Lane	Andrew D.	12651			✓												✓			
Lane	Apryl	12510															✓			
Lang	Joyce	12471															✓			
Langlois	Cheri	14093	✓		✓	✓	✓				✓	✓					✓			
Lann-Clark	Erica	13655	✓				✓								✓					
Lanzl	Catherine	323	✓	✓			✓			✓				✓	✓		✓			
Lape	Scott	13707								✓										
Laraine	Susan	313			✓		✓								✓		✓			
Largent	Bill	12711					✓										✓			
Laris	Paul	12194					✓										✓			
Larkin	Timothy J.	13062					✓	✓			✓	✓					✓			
Larom	Lucy	12757															✓			
Larsen	Denise	12818	✓	✓	✓		✓			✓					✓		✓			
Larsen	Greg	12602		✓			✓										✓			
Lau	Joshua	14532															✓			
Lauderdale	Patricia	14097															✓			
Lauer	JoAnne	10872															✓			
Laughon	Charlotte	13052	✓		✓												✓			
Laupheimer	Lynn	14391				✓	✓				✓						✓			
Laurice	I	200008	✓														✓			
Lavine	Meryl	2737					✓										✓			
Lawrence	Rhonda	12998					✓			✓					✓		✓			
Lawrence	Kathleen	14574	✓	✓	✓					✓				✓			✓			
Lawson	Joseph	12432		✓										✓			✓			
Laxier	Jeff	2763	✓	✓	✓												✓			
Layne	Misti	13847					✓										✓			
Lea	Victoria	13469					✓		✓	✓				✓			✓			
Leavitt	Kasia	12281	✓				✓								✓		✓			
Lee	Ellen Moon	13501								✓					✓		✓			

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Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Lee	Alice	16558								✓					✓		✓	✓		
Lee Cheek	Aimee	13772															✓			
Leger	Cate	2706	✓														✓			✓
Leger	Cate	212	✓				✓										✓			✓
Legon	Jamie	12312		✓						✓				✓			✓			
Leibee	Monique	14405	✓				✓										✓			
Lemery	Maria	14556	✓		✓					✓							✓			
Lemire-Elmore	Domini	14032	✓				✓								✓		✓			
Lemley	Michelle	141	✓		✓		✓			✓							✓			
Lemlow	Kathryn	12979		✓	✓									✓			✓			
Lemoine	Flo	14740		✓										✓			✓			
Lemon	David	12692	✓		✓												✓			
Lent	Chad	12321	✓	✓			✓										✓			
Leon	Raul	158															✓			
Leonard	Dori	13009	✓												✓		✓			
Lerma	Clara	13865					✓			✓							✓			
Leslie	Liz	9462	✓				✓	✓					✓							
Leslie	Suellen	139					✓													
Letourneau	Pamela	2663			✓												✓			
Leung	Emily	14816	✓				✓			✓	✓			✓			✓			
Levi	Leila	12997															✓			
Levie	Cheryl	165	✓		✓		✓	✓		✓							✓			
Levine	Wil	12179	✓														✓			✓
Levy	Duncan	16627								✓	✓	✓	✓		✓		✓			
Lewin	Skye	13008															✓			
Lewin	Esta	13887	✓														✓			
Lewis	Garnet	12401	✓	✓	✓		✓			✓					✓		✓			
Lewis	Pamela	13784	✓				✓								✓					
Lewis	Adriana	12609															✓			
L'hoir	Alwyn	14430					✓			✓	✓		✓		✓		✓			
Li	Michelle	14443					✓			✓					✓		✓	✓		
Lichau	Suzanne	12541					✓								✓		✓			
Lichter	Russell	16636					✓			✓					✓		✓			
Lidicker	Naomi	12862					✓								✓		✓			
Lieb	Reddy	14464	✓				✓								✓		✓			
Lieberman	Michelle	11573	✓	✓	✓	✓	✓			✓	✓	✓		✓	✓		✓			
Lienert	Jon	12412			✓												✓			
Lightford	Arlene	13859															✓			

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Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Lily	Zandra	12645															✓			
Lindelow	C.	12422															✓			
Linder	Patty	13853	✓														✓			
Linderman	Karen	12514	✓				✓								✓		✓			
Lindman	Jodi	12875					✓										✓			
Lindquist	Bonnie	16756					✓								✓		✓			
Link	Stacy	49					✓										✓			
Lins	Suzan	12155					✓								✓		✓			
Lippert	Regina DeFalco	151			✓		✓						✓	✓	✓					
Little	Cathryn	255	✓				✓										✓			
Little	Keith	300014	✓		✓		✓								✓		✓			
Little	Debra	321					✓				✓			✓	✓		✓			
Little	Judith K.	12819		✓	✓		✓			✓				✓			✓			
Lively	Betty	196	✓		✓		✓										✓			
Livingston	Jeff	12361	✓				✓				✓						✓			
LoBue	Tracy	13516	✓	✓	✓		✓								✓		✓			
Loeb	George	13558	✓		✓												✓			
Loeb	Bobbi	13503		✓						✓				✓			✓			
Lofton	TrΘvelyan	12262															✓			
Logan	Pamela	12435			✓					✓							✓			
Logan	Marilyn	14091															✓			
Logan	Melissa	13060					✓	✓			✓	✓			✓		✓			
Lombardi	Naomi	14474					✓								✓		✓			
Long	Deveron	170	✓		✓		✓										✓			
Long	Christine	280					✓				✓	✓					✓			
Long	Anni	12667						✓		✓	✓	✓					✓			
Long-Shearer	Kimberly Sue	72															✓			
Lopreore	Noel	12906			✓												✓			
Louzada	Daniela	12244		✓	✓									✓			✓			
Love	Robin	220	✓				✓								✓		✓			
Lovio	Felicia	12742		✓			✓			✓			✓				✓			
Lowe	Patsy	13793	✓				✓		✓								✓			
Luck	Shula	132	✓		✓	✓	✓		✓	✓	✓	✓								
Lumley	Jessica	12894															✓			
Luna	Thomas	285	✓		✓		✓										✓			
Lyday	Dennis	14119					✓			✓					✓		✓			
Lydon	Francis Patrick	55	✓	✓			✓							✓						

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Lyerly	Linda	12560			✓	✓				✓							✓			
Lynch	Carol	14009					✓								✓		✓			
Lynch	Timothy	138	✓		✓		✓			✓										
Lynch	Christina	13874															✓			
Lynn	Tompkins	13768					✓								✓		✓			
Lyons	Jim	13048					✓										✓			
M.	Nancy	12434															✓			
M.	Doug	12893															✓			
M.	Nancy	12433															✓			
Ma	Catherine	14824									✓	✓			✓		✓			
MacAulay	Marlene	12462															✓			
Macdonald	Greg	14518	✓				✓										✓			
Macias	Roxanne	70	✓		✓	✓	✓			✓	✓						✓			
Mack	Laura	10905	✓		✓		✓													
MacKenzie	Mary	12089	✓		✓	✓	✓					✓					✓			
Mackenzie	Gail	13799															✓			
MacMillan	Lisa	14069			✓		✓				✓	✓		✓			✓			
MacRaith	Bonnie	14075					✓			✓	✓				✓		✓			
Macy	Nancy	12173	✓		✓					✓							✓			
Madlener	Tracy	98	✓				✓											✓		
Mae	Doni	13766	✓				✓							✓	✓					
Maffei	Daniela	14079	✓				✓										✓	✓		
Mager	Jad	14463	✓														✓			
Majon	Johanna	2795					✓			✓					✓		✓			
Maki	Christine D.	2671	✓								✓	✓					✓			
Malmuth	Gail	13045					✓										✓			
Malven	Laura	13650																		
Manderson	Janette Smith	14120					✓	✓									✓			
Mangles	Francis	12844	✓	✓					✓								✓			
Manoogian	Jone Small	14351	✓							✓					✓		✓			
Mansfield	Mary	13897			✓												✓			
Marashi	Mojdeh	12762															✓			
Marcano	Waleska	12356															✓			
Marco	Marilyn	12566		✓							✓						✓			
Marcus	Deborah	290	✓		✓		✓										✓			
Marderosian	Ara	12264															✓			
Mares	Carlos	12683															✓			
Margaret	Joan	12550															✓			

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Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Marie	Lisa	13571															✓			
Marker Family		13602					✓								✓		✓			
Marrington	Lindy	13820				✓														
Marsh	Ronica	14390															✓			
Martin	Virginia	14525															✓			
Martin	Halimah	13704					✓							✓	✓		✓			
Martin	Jena	267					✓										✓			
Martin	Peggy	12523															✓			
Martinez	Elaine	14381	✓				✓			✓					✓		✓			
Martinez	Silvia	10871	✓		✓		✓			✓							✓			
Martinez	Rudy	12964	✓				✓										✓			
Martinez	Rudy	13002															✓			
Martini	Rich	13525	✓		✓												✓			
Marvel	Dena	16804	✓														✓			
Masangkay	Roy	14753															✓			
Masciovecchio	Cathy	14510															✓			
Maskell	Troy	225															✓			
Mason	Jared	237			✓		✓										✓			
Massey	Jif John	12449															✓			
Masson	Carole	12305															✓			
Mastrocola	Kari	12611			✓		✓	✓		✓							✓			
Mathias	Eileen	12165	✓		✓		✓			✓					✓		✓			
Matson	Melissa	100003	✓		✓		✓					✓					✓			
Matsuura	Garret	11597	✓	✓	✓									✓			✓			
Matthews	Kristi	12549															✓			
Mattox	Todd	12330															✓			
Matty	Rose	12110															✓			
Maurizio	Brandi	2731		✓	✓		✓	✓												
May	Kortney	2761															✓			
Maya	Tabitha	12910								✓							✓			
McBride	Koly	12350															✓			
Mccabe	Laura	266			✓												✓			
McCall	Karolyn	16669															✓			
McCann	Cathy	85			✓		✓			✓										
McCann	G.	25	✓														✓			
McCarlie	Sara	14099					✓								✓		✓			
McCormack	Margaret	13050	✓														✓			
McCormick	Kathleen	14076	✓				✓										✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
McCowin	Candice	286	✓				✓										✓			
McCurdy	Kitt	12740	✓														✓			
McDermed	Paul	12354															✓			
McDonald	MaryAnn Walter	328	✓		✓		✓	✓	✓	✓							✓			
McEwen	Chris	12375															✓			
McFall	Larry	14394	✓		✓		✓	✓							✓		✓			
McGeorge	Carli	13462	✓		✓	✓											✓			
McGonigal	Diane	145	✓		✓		✓								✓					
McGowen	Linda	14735	✓		✓		✓								✓		✓			
Mcintyre	Sean	13970															✓			
McKee	R	274			✓		✓										✓			
McKenna	Kerry	12154	✓			✓	✓			✓							✓			
McKeowen	Gracie	2788			✓												✓			
McKnight	Jan	14506			✓						✓						✓			
McLaughlin	Susan	12583															✓			
McLean-Reid	Celeste	180	✓				✓								✓		✓			
McLean-Reid	Celeste	16805					✓										✓			
Mcmillan	Rita	12289		✓													✓			
McMurtrey	Anita	12766															✓			
McNamee	Sandy	14399					✓			✓				✓	✓		✓			
McNemar	Tim	12415															✓			
McNemar	Tim	12208															✓			
McNutt	Shawna	16648	✓				✓				✓						✓			
McQuain	Janis	300011	✓		✓												✓			
Mednis	Janique	14796		✓													✓			
Mehlmauer	Leonard	12715		✓	✓								✓	✓			✓			
Mehocich	Dennie	13689			✓	✓					✓	✓					✓			
Meier	Chuck	12723															✓			
Meier	Markus	13895	✓											✓			✓			
Meinhardt	Kathy	12527															✓			
Meisinger	Steve	14460			✓												✓			
Mellor	Mariana	12538					✓	✓				✓					✓			
Melnik	Tamara	13487		✓													✓			
Mendoza	Beatriz	13617	✓	✓			✓							✓			✓			
Menefee	David	126	✓				✓							✓			✓			
Menendez	Carolina	13753															✓			
Mercer	Angel	12302	✓				✓			✓	✓				✓		✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Mercer	Leslie	12695															✓			
Merchant	Whitney	2650		✓	✓	✓	✓			✓	✓			✓						
Meril	Cheryl	12151	✓		✓		✓										✓			
Merkins	Dorothy	14422					✓										✓			
Messenheimer	P.	12647		✓										✓			✓			
Messing	Joanna	134			✓					✓							✓			
Metz	Geri	14410				✓	✓										✓			
Meyer	Cheryl	13590			✓		✓	✓									✓			
Meyer	Dietrich	16662	✓				✓			✓					✓		✓			
Michaelides	Christo	14116															✓			
Michaels	R.	16671															✓			
Middleton	June P.	14435	✓				✓										✓			
Mihelich	Allison	13984	✓					✓									✓			
Mikals	Nicole	12594															✓			
Miles	Constance	14580		✓	✓									✓			✓			
Miles	Constance	14797					✓					✓					✓			
Miller	Alyssa	12704															✓			
Miller	Alyssa	12701															✓			
Milliken	Beth Novak	12779	✓		✓												✓			
Milner	Tara	27			✓															
Milos	Melissa	2714					✓										✓			
Min	Jeffrey	14813									✓			✓	✓		✓			
Minardi	Matthew	12277															✓			
Minor	Cliff	12950															✓			
Minus	Stephen	2797	✓														✓			
Mir	Ghazala	169				✓											✓			
Mitchell	Hannah	12461	✓	✓	✓		✓			✓	✓						✓			
Mitchell	Nanette	13826	✓				✓			✓	✓				✓					
Mittig	William	188															✓			
Mittig	William	13762															✓			
Miyazawa	Aye	14366					✓							✓			✓			
Mizelle	John	12833	✓														✓			
Mohle	Pamela	13691	✓														✓			
Moise	John	12712					✓										✓			
Mojica	Diane	12426															✓			
Molina	Lena	86				✓	✓				✓				✓					
Molina	Margret	12619					✓										✓			
Molko	Colleen	10898															✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Moll	Diana	300022			✓		✓		✓	✓							✓			
Moller	David and Alla	13040															✓			
Molnar	Chantal	14008	✓				✓								✓		✓			
Molyneux	Tracy	202	✓				✓										✓			
Monkewicz	Hope	12255															✓			
Montapert	Anthony	12721															✓			
Montero	Traci	14084	✓		✓												✓			
Montgomery	Laurie	221			✓		✓										✓			
Montgomery	James F.	14825	✓		✓		✓								✓					
Montondo	Paula	12589															✓			
Mood	Stephanie	14080	✓			✓	✓				✓	✓					✓			
Moody	Rachel	12288					✓				✓						✓			
Moon	Bob	13705															✓			
Moore	Rickie	12951															✓			
Moore	Mark	12807	✓		✓					✓	✓						✓			
Moore	Malcolm	12431															✓			
Moreau	Marie	12497									✓						✓			
Moreau	Marie	12498															✓			
Morehart	Christine	13698			✓	✓	✓			✓							✓			
Moreira	Veronica	272		✓			✓										✓			
Morelli	Wendy Lee	14781	✓		✓	✓	✓				✓	✓		✓			✓			
Morey	Kathy	175			✓												✓			
Morgan	Tammy	13036	✓	✓			✓				✓	✓		✓			✓			
Morgan	Nony	13615	✓																	
Morgan	Eric	12771															✓			
Morgan	Nony	12440															✓			
Morrison	Joel	12874															✓			
Morrison	Dianne	13809					✓													
Morrison	Helen C.	12676															✓			
Morrison	Joel	12873															✓			
Morse	Dolores	12850		✓	✓	✓	✓	✓			✓						✓			
Mosgofian	Jan	12681			✓												✓			
Moshe	Iris	12909															✓			
Mountjoy	Jan and Bob	14575	✓		✓		✓								✓		✓			
Mueller	Susan	12474	✓														✓			
Mugglestone	Lindsay	12808		✓			✓							✓	✓		✓			
Mull	Tracy	13599															✓			
Muniz	Karoline	2746		✓	✓		✓													

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Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Muniz	Karoline	2775		✓	✓		✓			✓										
Murphy	Sheldon	13986				✓				✓	✓						✓			
Murphy	Sheldon and Grace	16586			✓	✓				✓	✓						✓			
Murphy	Jana	12159	✓		✓		✓								✓		✓			
Murphy	Garth	13965	✓				✓								✓		✓			
Murphy	Maryanne	14798			✓	✓	✓				✓	✓					✓			
Murphy	Jeanne	13801												✓						
Murphy	Paige	12341		✓													✓			
Murray	Elizabeth	12265			✓	✓	✓			✓	✓				✓		✓			
Myers	Kim	12437															✓			
Myers	Shannon	11576	✓																	✓
Nace	Bob	14421															✓			
Nadeau	KarryAnn M.	238															✓			
Naifeh	Sam	12608															✓			
Nakai	Junko	13023	✓	✓			✓										✓			
Nance	Jennifer	232			✓		✓			✓	✓	✓					✓			
Nash	Crystal	12534					✓				✓						✓			
Nassar	Tina	2782	✓				✓										✓			
Nataraja	Baba	12937															✓			
Naujokat	Rolf and Marci	14412													✓		✓			
Nava	Carmen	12240															✓			
Navarrette	Frances	13783															✓			
Navayan	Brenda	13912	✓		✓															
Navid	Elli	2704	✓		✓		✓	✓									✓			
Navoone	Penelope	12411															✓			
Neber	Cynthia	16618			✓		✓			✓							✓			
Nee	Lora	13901	✓				✓							✓			✓			
Neel	Nancy	13770															✓			
Negri	Eric	12930			✓												✓			
Nelli	Caterina	13950	✓																	
Nelliet	G.	12202	✓				✓										✓			
Nelson	Joan E.	13594					✓			✓							✓			
Nelson	Paul	12546		✓	✓		✓										✓			
Nepomnyashchy	Victor	13861					✓				✓						✓			
Neria	Meredith	43	✓	✓	✓		✓							✓			✓		✓	
Nevans	Ann	13828	✓														✓			
Newman	Joy	14380					✓										✓			

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Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Newton	Susan	10873					✓										✓			
Neyland	Marykay	12959	✓														✓			
Nicholes	Linda	12914															✓			
Nicholson	Peggy	16635			✓		✓								✓		✓			
Nickel	Deirdre	29															✓			
Nicolaidis	Judith	14791	✓		✓		✓			✓					✓		✓			
Nicolosi	Janine	14344					✓								✓		✓			
Nielsen	Melody	12336			✓												✓			
Nishioka	Bonnie	12101	✓																	
Nix	Joe	13749	✓		✓															
Nixon	Pam	12974															✓			
Nobel	Tiffany	13941															✓			
Nocon	Reina Pauline	300018	✓												✓		✓			
Noel	Nancy	14001	✓				✓										✓			
Noell	Jesse	12358		✓										✓			✓			
Noguerol	Lea	300018													✓					
Nordendahl	Wendy	12812		✓	✓					✓				✓			✓			
Northcross	Mark	12517															✓			
Nossa	Delilah	2674			✓		✓	✓					✓				✓			
Novak	Michelle	147	✓		✓		✓			✓	✓						✓			
Nunes	Jamie	14533	✓		✓	✓	✓			✓	✓						✓			
Nunnally	Stephanie	12918															✓			
Nystrom	Hulda	14737	✓		✓												✓			✓
O Malley	Marilyn	12465					✓			✓	✓				✓		✓			
O. Seideman	Laura	14348													✓		✓			
Oberstein	Priscilla	12904															✓			
obrien	Jennifer	12587		✓						✓					✓		✓			
O'Brien	Kathleen	14486								✓					✓		✓			
Oda	John	12848															✓			
Off	Lotte	14734	✓		✓		✓								✓		✓			
Oh	Terry	16604					✓				✓				✓		✓			
Ohanian	Marcella	14363	✓				✓										✓			
O'Hara	Heather	12698					✓										✓			
Olafsdottir	Ruth I.	13067															✓			
Olafsdottir	Ruth I.	13034															✓			
Oldknow	Hannah	12626					✓										✓			
Olejko	Patty	13971															✓			

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Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Oliveira	Bernadette Larkin	2652	✓		✓		✓				✓						✓			
Olmstead	David and Lois	2770		✓	✓												✓			
O'Lone	Stephanie	12884			✓		✓			✓										
Olsen	Gloria	2656	✓		✓		✓													
Olson	Andrew	12834					✓										✓			
Olson	Michon	13978	✓		✓												✓			
O'Neil	Elisa	16597	✓														✓			
Onscott-Likins	Kristin	12535															✓			
Opalaom	Lynn	12353															✓			
Orgel	Shawn	215	✓		✓												✓			
Orias	Michelle	246															✓			
Ornelas	Maria	12091															✓			
Osmon	Vanda	14795	✓														✓			
O'Sullivan	Angela	268			✓		✓	✓									✓			
Owens	Matthew	16818	✓		✓		✓							✓	✓		✓			
P.	E.	13795				✓	✓				✓	✓			✓		✓			
Padborg	Kristian	12852															✓			
Paddock	Kathryn	22	✓														✓			
Padecki	Kathy	14383															✓			
Page	James	13857					✓								✓					
Paisley	Lorna	2655					✓								✓		✓			
Pallo	Cheyenne	12372	✓	✓	✓		✓			✓				✓						
Pan	Christina	16553				✓				✓					✓					
Panther	Gary	12229		✓		✓								✓						
Papanikolaou	Nikos	14078	✓		✓		✓										✓			
Paperno	Richard	13473	✓				✓				✓				✓		✓			
Park	Kirk McDonald	13528	✓		✓												✓			
Park	Ray	13541	✓		✓												✓			
Parker	Gary	14039															✓			
Parrish	Joan	12991			✓												✓			
Parry	Deena	13905	✓		✓		✓								✓		✓			
Parsay	Casey	16637								✓	✓				✓			✓		
Parsons	Ron	2778				✓					✓						✓			
Pasqua	John	12699															✓			
Pasternak	Arkadi	13638	✓				✓								✓		✓			
Patil	Nishigandha	14457					✓										✓			
Paton	Marjie	14365	✓		✓	✓	✓			✓	✓	✓					✓			

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Patty	Dee	14494			✓	✓											✓			
Pauley	Kim	12347															✓			
Pavlova	Sofia	159					✓		✓	✓							✓			
Paxton	Laramie	12168	✓			✓	✓			✓	✓	✓			✓		✓			
Paysinger	Belinda	13065	✓		✓	✓					✓	✓					✓			
Paysinger	Belinda	363					✓							✓						
Pearson	James	12806															✓			
Pearson	Celina	14480	✓							✓				✓	✓		✓			
Pedrini	Michelle M.	12913					✓				✓	✓					✓			
Pelican	Susan	12214					✓										✓			
Pena	Tara	16598	✓							✓			✓	✓			✓			
Pendergast	Jeanne	13879	✓				✓								✓		✓			
Peper	Erik	13605	✓				✓								✓					
Perez	Barbara	13495															✓			
Perini	Hayden	12496															✓			
Perkins	Karen	14339			✓		✓										✓			
Perlin	Judith	13885	✓														✓			
Perlman	Melinda	183															✓			
Perricelli	Claire	12420		✓										✓			✓			
Perro	Michelle	12111					✓													
Pertierra	Kimberly	14543	✓														✓			
Peters	Morgan	14570			✓						✓						✓			
Peters	Nick	13044	✓														✓			
Peters	Makiko	12860															✓			
Peters	Rodijah	16673					✓								✓		✓			
Peterson	Marilyn	12172															✓			
Peterson	Andrea	12677	✓		✓					✓							✓			
Peterson	Marilyn	12670						✓									✓			
Peterson	Betsy K.	14739															✓			
Pewsey	Andrea	12593															✓			
Pfau	Atlasphere	12960	✓				✓			✓					✓		✓			
Phibbs	Cheryl	12881			✓		✓			✓	✓						✓			
Philippbar	Arla	16796					✓	✓									✓			
Phillips	David	12796			✓		✓										✓			
Phillipson	Anthony	12150	✓		✓		✓		✓	✓							✓			
Piarulli	Josephine	120	✓		✓		✓			✓							✓			
Pickel	Mindy	14805			✓												✓			
Pierce	Nicole	13603			✓	✓	✓			✓	✓				✓		✓			

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Pierson	Kathleen	310	✓		✓		✓			✓				✓			✓			
Piette	Jennifer	12268	✓		✓												✓			
Pinerua	Marianna	13981			✓															
Pinkus	Robert	12795															✓			
Pinto	Erin	16655	✓				✓			✓	✓				✓		✓			
Piotrowski	Ken	14108	✓														✓			
Pirnat	Suzanne	13990															✓			
Pittard	Tom	12117				✓	✓			✓	✓				✓					
Pivo	Phyllis	12400					✓										✓			
Plamann	Jill and Steve	13699												✓	✓					
Plesset	Michael	13738															✓			
Poggensee	Marilyn	12481		✓					✓	✓				✓			✓			
Politzer	Maria B.	13039		✓													✓			
Polk	Melissa	12176	✓		✓		✓				✓				✓		✓			
Pollock	Kevin Zamzow	300018		✓			✓					✓								
Pollock	Pamela	13726	✓				✓		✓	✓							✓			
Pomeroy	Geoffrey	12204	✓		✓		✓	✓												
Pompan	Alyssa	300018	✓				✓			✓										
Poole	Patricia	12682															✓			
Poplawski	Terry	13829	✓														✓			
Porter	Karl	13665	✓																	
Porter	Gladys	12920		✓	✓									✓			✓			
Porter-Steele	Nancy	14458	✓														✓			
Postier	Steve	273			✓		✓			✓				✓						
Powell	Jennifer	12809															✓			
Powers	Lori and Tim	14423	✓				✓								✓		✓			
Preus	Catherin	11568		✓	✓									✓						
Price	Ashley	13056	✓		✓												✓			
Price	Elizabeth	12307	✓														✓			
Price	Mary	156					✓				✓	✓			✓					
Privateer	Ann	13463		✓										✓			✓			
Proctor	John	13896															✓			
Pryor	Jeanne	14417	✓				✓								✓		✓			
Psaris	Jett	62	✓				✓								✓					✓
Pucelli	Cristina	12128	✓				✓								✓		✓			
Pugh	Nancy	12713															✓			
Pulgar	Siury	12383			✓		✓				✓						✓			
Pyun	Alys	13810					✓							✓			✓			

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Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Q.	Suzanna	12441		✓			✓										✓			
Querciosimino	Paz	2716			✓		✓										✓			
Quillman	Dana	13819															✓			
Quon	Karen	13719					✓								✓					
Racanelli	Tom	12416															✓			
Radulovich	Jessica	13661	✓																	
Rae Bevis	Diana	16612	✓		✓	✓	✓			✓	✓				✓		✓			
Ragland	Todd	264					✓										✓			
Ragsdale	Heather	14731	✓		✓		✓								✓		✓			
Rahav	Cynthia	12684	✓														✓			
Rain	Roxanne	12955					✓			✓					✓		✓			
Rainville	Mark	14476	✓			✓	✓				✓				✓		✓			
Raley	Deborah	12847		✓			✓			✓							✓			
Ramani	Susmita	12124			✓															
Ramirez	Richard	13688	✓				✓										✓			
Ramirez	Jamie	13731					✓										✓			
Ramos	Alegre	13742					✓								✓		✓			
Ramos	Emily Ocano	14785	✓	✓	✓												✓			
Randle	Carol	2796	✓	✓			✓			✓										
Rand-Riley	Candy	13000													✓		✓			
Rankin	Billy	16674	✓														✓			
Raper	Dawn	14106			✓												✓			
Raphael	Miriam	13836															✓			
Rashall	Rosa	128	✓	✓	✓		✓							✓						
Rasmussen	Elizabeth	12627															✓			
Rawlings	Dorelle	13682	✓				✓			✓					✓		✓			
Rawolle	Ellen	14746	✓	✓	✓												✓			
Raysberg-Bellman	Zoya	200007	✓		✓		✓				✓						✓			
Real	Asia	13674				✓	✓				✓	✓			✓		✓			
Reardon	M.C.	34	✓	✓	✓						✓			✓	✓		✓			
Rebagliati	Jorge	12696			✓												✓			
Reece	Gerow	13458	✓				✓			✓	✓		✓				✓			
Reece	Gerow	12618				✓	✓			✓	✓						✓			
Reed	Jack	13637	✓		✓															
Reed	Robert	12999															✓			
Reed	Sarah	14082	✓		✓		✓										✓			
Reesh	Richard	14051	✓														✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Regan	Catherine	13512	✓			✓	✓			✓	✓	✓			✓		✓			
Rego	Mr. and Mrs. JJ	14111	✓				✓								✓		✓			
Rehnke	Eric	14056			✓		✓				✓						✓			
Reich	Andrea	12606								✓							✓			
Reid	Mike	2726		✓	✓		✓							✓						
Reilley	Suzanne	14028			✓		✓				✓				✓		✓			
Reilly	Marc	13924															✓			
Reis	Benedict	13608					✓										✓			
Renner	Cathleen	14387															✓			
Renoos	Toni	14105			✓		✓			✓							✓			
Renshaw	Sara	14513		✓										✓			✓			
Renton	Jamie	12318	✓	✓										✓			✓			
Reynolds	Patricia	53	✓	✓													✓			
Rheinheimer	Al	314	✓		✓	✓	✓				✓									
Rhodes	Valerie	12548															✓			
Rich	Patti	2756	✓		✓		✓													
Richardson	Diana	12175			✓												✓			
Richardson	Zack	13777	✓							✓							✓			
Richardson	Carol Sue	13910	✓			✓	✓				✓				✓					
Richardson	Matt	12109	✓														✓			
Richardson-Daniel	Anne	12116	✓		✓					✓							✓			
Ricker	Dawn	2729		✓	✓		✓										✓			
Rickner	Geoffrey	14500	✓		✓		✓				✓						✓			
Ricksecker	Juli	14789	✓				✓				✓				✓		✓			
Rider	Lee	12879	✓		✓												✓			
Ridgley	Kayt	13743	✓														✓			
Riker	Robin	14444			✓		✓			✓				✓			✓			
Riley	Dorothy	12962	✓														✓			
Riser	Jill	12983															✓			
Ritts	Cierna	13515			✓		✓	✓									✓			
Rivera	Cheryle	13483	✓														✓			
Rivers	Caroline	12367															✓			
Rixon	Glyn	16666			✓		✓			✓	✓						✓			
Robar	Mat	12247		✓			✓								✓		✓			
Robbins	Barbara	83															✓			
Roberts	Gail	12941								✓					✓		✓			
Roberts	Roxanne Marie	14431			✓												✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Roberts-Murell	Sharon	10893	✓				✓										✓			
Robertson	Debra	2786	✓		✓												✓			
Robertson	Rochelle	12826												✓			✓			
Robertson	John	40	✓		✓												✓			
Robins	Steven	16594	✓				✓								✓		✓			
Rodriguez	Julia	300018	✓									✓					✓			
Rodriguez	Jessica	14751	✓	✓	✓		✓	✓						✓			✓			
Rodriguez	Linda J.	47			✓		✓		✓	✓							✓			
Rodriguez	Anthony	137	✓				✓								✓		✓			
Rogan	Carol	13675					✓				✓						✓	✓		
Rogers	Lilith	13891	✓														✓			
Rogers	Elliott	14019															✓			
Rogers	Tonnie	13508	✓		✓		✓										✓			
Rojeski	Mary	13457	✓				✓										✓			
Roman	Damary	13021	✓														✓			
Romano	Sylvia	13475					✓										✓			
Romero	Kathryn	14745	✓														✓			
Roon	Brad	11603		✓													✓			
Roos	Sandy	12402		✓			✓										✓			
Roosli	Roger	14526															✓			
Rosa	Angela	14576	✓				✓										✓			
Rose	Sheryl	14033	✓				✓								✓		✓			
Rose	Marjorie	13627	✓				✓			✓				✓			✓			
Rose	L.	13484															✓			
Ross	Roy I.	13737															✓			
Ross	Janice	12123	✓				✓								✓		✓			
Rounds	Mary Lynn	14095					✓										✓			
Rovere	Gina	14773															✓			
Rowe	McKenna	12689	✓	✓			✓							✓			✓			
Rowland	Carol	14473	✓				✓				✓				✓		✓			
Rowlison	Suellen	12565		✓													✓			
Roy	Hildy Lyn	13610					✓										✓			
Rubin	Barbara	12633					✓										✓			
Rubinshteyn	Alexandra	14126	✓				✓			✓					✓		✓			
Ruby	Margaret	14466			✓												✓			
Runnels	Linda Sue	9438	✓				✓								✓					
Runnels	Terri Lene	11572	✓	✓	✓												✓			
Runstadler	Derek	12803															✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Russak	Rene	13592	✓				✓										✓			
Russell	Howard	12190	✓		✓		✓	✓						✓			✓			
Russell	Dan	14388															✓			
Russo	Deb	23	✓		✓		✓	✓									✓			
Rutberg	Jack	12553					✓				✓	✓			✓		✓			
Ruth	Virginia	12830			✓					✓							✓			
Ruth	Lucymarie	12831		✓													✓			
Ryan	Twyla	79					✓										✓			
Ryan	Victoria	300008	✓		✓												✓			
Ryan	H.W.	12928			✓					✓							✓			
S.	Dale	13653															✓			
S.	Conor	12971	✓														✓			
S.	Nic	9421												✓						
Sabol	Jae	12788					✓				✓						✓			
Sacks	Stephen	13802					✓													
Sacks	Denise	16595					✓							✓	✓		✓			
Saint	Sonia	13505	✓				✓								✓		✓			
Saint-Marie	Mary	100002	✓			✓	✓				✓		✓		✓		✓			
Saito	Don	12243															✓			
Salanga	Christine	13005					✓			✓					✓		✓			
Salans	Josh	12413		✓	✓	✓	✓										✓			
Salda±a	Antonio	2697	✓				✓										✓			
Salemi	Angela	9456															✓			
Salisbury	Paulette	12479		✓	✓												✓			
Salisbury	Fran	13557	✓				✓			✓							✓			
Sall	Gloria	12439															✓			
Salo	Lois	13838															✓			
Saloner	Amy	13942	✓			✓											✓			
Sample	Irene	13715	✓		✓		✓								✓		✓			
Sanchez	Gil	13533	✓														✓			
Sanchez	Tom	13664	✓				✓										✓			
Sanchez	Miriam	249					✓										✓			
Sanders	Nancy	13938															✓			
Sanders	Sandy	153	✓				✓				✓	✓								
Sandoval	Kathy	14563	✓														✓			
Sanfilippo	Valerie	271	✓				✓				✓						✓			
Sanford	Susan	13952															✓			
Sanford	Sheena	339				✓				✓							✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Sanford	Vida	16588					✓								✓		✓			
Sant	Debra	12694		✓	✓			✓			✓						✓			
Santiago	Parker	14034	✓														✓			
Santos	Shannon	11570	✓		✓					✓										
Sarnat	Marlene	12855			✓												✓			
Satchell	Emma	300018	✓														✓			✓
Saunders	Alexandra	13477							✓	✓							✓			
Savinelli	Nancey	13606			✓	✓											✓			
Sayre	Lynda	12846															✓			
Schaller	Ken	12922		✓	✓					✓							✓			
Scharf	David	12475															✓			
Schene	Deb	152															✓			
Schiffman	Lauren	12641		✓	✓		✓							✓	✓		✓			
Schimmel	Jennifer	12447					✓				✓				✓		✓			
Schindele	Paulette	12118	✓		✓	✓	✓			✓	✓				✓		✓			
Schlegel	Edelle	9425	✓														✓			
Schleifer	Robert	12784			✓		✓			✓	✓				✓		✓			
Schneider	Ingun	14542	✓	✓			✓							✓			✓			
Schneider	Florence	13061		✓			✓							✓			✓			
Schofield	Jackie	13502	✓		✓		✓	✓			✓						✓			
Scholar	Beverly	12337		✓	✓		✓								✓		✓			
Schoofs	Peer	191					✓								✓					
Schrader	Meg	12822			✓	✓				✓							✓			
Schuler	J.	185	✓			✓				✓	✓						✓			
Schumaker	Karl S.	12371	✓		✓		✓			✓							✓			
Schumann	Dorris	12693															✓			
Schumann	Curtis	12969	✓														✓			
Schumann	Ellen	14005	✓				✓										✓	✓		
Schwab	David	14425	✓				✓										✓			
Schwager	Richard	12943			✓		✓										✓			
Schwartz	Michael	13	✓		✓		✓			✓							✓			
Schwenker	Kenneth	13663															✓			
Sclar	Janet	14022												✓			✓			
Scott	Sherri	12221		✓	✓					✓				✓			✓			
Scott-Harmony	Dhijana	9429	✓		✓		✓													
Scott-Liftland	Jennifer	300013	✓														✓			
Scrivner	Lana	14515					✓										✓			
Seaton	Brock	2746		✓	✓		✓													

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Sebastian	Robin	2789		✓	✓		✓										✓			
Secrist	Van	12107					✓		✓	✓	✓						✓			
Secrist	Van	12106					✓		✓	✓	✓						✓			
Secrist	Van	12108					✓		✓	✓	✓						✓			
Segura	Susanna	13660															✓			
Seki	Dena	2675			✓												✓			
Senerchia	Maggie	12314		✓			✓				✓				✓		✓			
Seo	Donghee	16631					✓			✓	✓				✓		✓			
Sepulveda	Christine	317					✓								✓		✓			
Serbin	Dan	14790															✓			
Serenita	John	9466															✓			
Serrano	Frank	12851															✓			
Sevigny	Jon V.	16794			✓					✓							✓			
Sewell	Frostianne	13560	✓		✓		✓				✓						✓			
Seyedabadi	Layla	14072	✓				✓										✓			
Seymour	Cari	14057															✓			
Shaffer	Serena	14029			✓												✓			
Shafran	Sharon	14537	✓									✓					✓			
Shahan	Jim	12986															✓			
Shain	Joshua M.	2719			✓		✓								✓		✓			
Shang	Steven	16554				✓				✓					✓					
Shank	Mindi	12454	✓				✓			✓					✓		✓			
Shankar	Shruti	13988				✓	✓				✓									
Shannon	Martee	276	✓		✓	✓											✓			
Shaphir	Yaelle	12346															✓			
Shapiro	Kimberly Edwards	12373	✓														✓			
Sharma	Abhishek	16626	✓	✓			✓			✓	✓				✓		✓			
Sharma	Sandra	12585															✓			
Sharma	Sandra	12580	✓														✓			
Shaw	Nancy	14777	✓														✓			
Shay	Cameron	14472															✓			
Shearer	James	78													✓		✓			
Sheehan	Norene	13694															✓			
Sheil	Christine	14521	✓	✓						✓							✓			
Shepard	Margaret A.	163															✓			
Sheppard	Beverly	12427			✓												✓			
Sheridan	Leslie	315															✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Sherman	Laura	2715			✓		✓										✓			
Sherrick	Lynn Metelits, Harold J., and Jordan L.	13945															✓			
Shimokawa	Patti	13730	✓														✓			
Shirley	Rebecca	201	✓		✓		✓				✓				✓		✓			
Shiroma	Oriane	251			✓	✓	✓				✓	✓					✓			
Shodall	Laura	10887	✓		✓		✓				✓				✓					
Shoemaker	Charlotte	200005	✓	✓			✓		✓		✓				✓		✓			
Shore	Diana	13811					✓										✓			
Shorr-Perkins	Victoria	13732															✓			
Shottenhamer	Carol Lynne	13636					✓			✓				✓	✓		✓			
Shpak et al.	Mitzi	200002																	✓	✓
Shpak et al.	Mitzi	200001																	✓	✓
Shrawder	Elsie	14058			✓												✓			
Shuster	Marguerite	12476	✓		✓					✓	✓			✓			✓			
Siani	Hu	14378	✓														✓			
Sierra	Flower and Roger	9455															✓			
Sietsema	Dorathy	14374	✓		✓		✓										✓			
Sietsema	Leigh	12455															✓			
Sieveke	Stephanie	14036	✓		✓												✓			
Sigler	J.	13581		✓			✓			✓					✓		✓			
Signorelli	Lynn	14068	✓			✓	✓	✓			✓	✓					✓			
Silton	Leslie	13851															✓			
Silver	Jean E.	14054					✓				✓						✓			
Silver	Jean E.	13898															✓			
Silverman	Marc	13976	✓												✓		✓			
Simon	Barbara	16787			✓		✓	✓									✓			
Simon	Barbara	9467	✓		✓			✓												
Simons	Anita	13744	✓														✓			
Simpson	Suzanne	14420			✓					✓							✓			
Simpson	Nancy	12707						✓									✓			
Siren	Rebel	100008	✓	✓			✓							✓			✓			
Sivan	Ariana	14340	✓			✓	✓				✓						✓			
Skelly	Tobias Anne	12741			✓		✓					✓			✓		✓			
Skillman	Sunnie	253															✓			
Skinner	Mickey	12981						✓									✓			

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Sklove	Allan	13492					✓										✓			
Slagle	Marilyn	114			✓		✓			✓	✓	✓					✓			
Smith	Sally Ann	13977	✓			✓	✓							✓						
Smith	Teila	11563	✓		✓												✓			
Smith	Claudia	10902															✓			
Smith	Pip	2659			✓		✓										✓			
Smith	Sean and Leslie	12444	✓				✓								✓		✓			
Smith	Irene	12552															✓			
Smith	Claudia	9452															✓			
Smith	Aaron	13921	✓																	
Smith	Clark	14445					✓								✓		✓			
Smith	Holli	13684	✓		✓		✓				✓						✓			
Snipes	David	12612		✓													✓			
Snyder	April	12170	✓		✓	✓	✓								✓		✓			
Snyder	April	16580			✓		✓								✓		✓			
Sofranko	Michael	64			✓		✓										✓			
Sommers	Robert	171	✓														✓			
Sorensen	Mackenzie	13531		✓	✓					✓	✓						✓			
Sorenson	Danita	13767															✓			
Sorge	David	13826	✓				✓			✓	✓				✓					
Souter	Justin	14063	✓				✓							✓			✓			
Spaeth	Rachel	14544	✓		✓		✓				✓				✓		✓			
Spang	Veronica Anne	13022	✓	✓	✓				✓				✓	✓			✓			
Spangler	Blair	12837															✓			
Spannaus	Josephine	14	✓								✓	✓					✓			
Sparrow	Jack	14415	✓		✓		✓										✓			
Spencer	Adelaide	300003					✓			✓					✓		✓			
Spencer	Beth	12947									✓						✓			
Spero	David	12531			✓	✓											✓			
Spier	Katie	73			✓									✓			✓			
Spiering	Nicole	14379	✓			✓			✓		✓	✓			✓		✓			
Spindler	Mark	14752								✓							✓			
Spinoza	Joanna	12406		✓			✓			✓					✓		✓			
Spitz	Marcia	14403															✓			
Squires	Harry	13728	✓			✓	✓			✓							✓			
St. John	Gloria	12528															✓			
Stafford	Karen	13992															✓			

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Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Staich	Wayne	2666	✓		✓	✓	✓					✓					✓			
Stallard	Carolyn	12821	✓		✓					✓							✓			
Stalter	Julia	14118					✓										✓			
Stamper	Hilary	14456			✓		✓								✓		✓			
Stanick	Kim	12374	✓												✓		✓			
Stapes	Stacy	16772															✓			
Star	Carol	12547															✓			
Stark	Carol	13780	✓							✓							✓			
Stark	Dave	13746															✓			
Starr	Carrie	14802	✓				✓						✓							
Starr	Barb	2755					✓										✓			
Starry	Richard	12507		✓	✓	✓	✓										✓			
Stavely	James	13774	✓														✓			
Steed	Brenda	13722															✓			
Steed	Brenda	13068	✓														✓			
Steele	Karen	12362			✓												✓			
Stein	Herb	13798	✓				✓		✓	✓	✓						✓			
Steinberg	Meryl	13003															✓			
Steinfeld	Gabriel	14125	✓														✓			
Stempka	Lisa	12600			✓		✓	✓									✓			
Stenberg	Kate	13752	✓														✓			
Stephanoff	Lauren	12571															✓			
Stephens	Suzanne	9445	✓				✓		✓	✓										
Stephson	Robert	14470	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓
Stevens	Lauren	344	✓				✓								✓		✓			
Stewart	Pamela	16600															✓			
Stewart	Pamela	16599															✓			
STOA	Jon	12490															✓			
Stock-Hendel	Tom	12296															✓			
Stokes-Guinan	Katie	12311	✓	✓	✓		✓			✓					✓					
Stone	Sasha	14742	✓	✓			✓										✓			
Stone	Sasha	14527															✓			
Stone	Joan	13676	✓																	
Stone	Mary E.	12659			✓									✓			✓			
Stoney	Susan	287			✓						✓	✓					✓			
Storm	Bobby H.Q.	48	✓	✓			✓							✓	✓		✓			
Strauss	Terry	13526	✓	✓			✓				✓			✓			✓			
Straza	Lisa	12370															✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Strobel	Michael	250	✓		✓		✓								✓		✓			
Strong	Pamela	12924		✓	✓	✓											✓			
Strong	Nancy	146	✓				✓								✓					
Stroup	Guy R.	14517	✓		✓		✓										✓			
Stuck	Jennifer	12899			✓												✓			
Sturgeon-Day	Lee	16659															✓			
Sturm	Carol	16675												✓			✓			
Suarez	Delilah	12526															✓			
Suarez	Crystal	14375	✓		✓		✓			✓					✓		✓			
Suarez	Angela	13681	✓																	
Suellis	Shoshana	14553	✓	✓		✓	✓				✓	✓			✓		✓			
Sullivan	Angela	6															✓			
Sullivan	Jerry	16683			✓	✓	✓				✓				✓		✓			
Sullivan	Sandy	16682			✓	✓	✓				✓				✓		✓			
Sullivan	Jim and MaryEllen	16678	✓														✓			
Sullivan	Eileen	14397													✓		✓			
Sullivan	Teresa	12934					✓			✓							✓			
Sullivan	Julie	13969	✓																	
Sullivan	Carrie	13890	✓														✓			
Sun	Anthony	16576					✓			✓				✓	✓		✓			
Sun	Jane	14728	✓	✓			✓				✓	✓		✓			✓			
Supat	Shawna	12532															✓			
Susan A.	Bryant,	13966	✓														✓			
Sutherland	Sandra	228	✓				✓								✓		✓			
Swaim	John	95															✓			
Swanberg	Gabrielle	304															✓			
Swanson	Rebecca	12789															✓			
Swartz	Kenda	14468	✓		✓												✓			
Sylvester	Vic	106										✓					✓			
T	Effendi	355			✓		✓			✓							✓			
T.	Simone	16823	✓																	
Taggart	Tracie	12980					✓										✓			
Taglieri	Colette	93				✓	✓				✓	✓					✓			
Taglieri	Colette	67				✓					✓	✓					✓			
Taglieri	Colette	11					✓				✓	✓					✓			
Takeda	Helaina	13846					✓							✓	✓		✓			
Talli	Marles	13995	✓				✓													

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Tam	Mary Kay	278	✓		✓		✓										✓			
Tanner	Ian	12203	✓														✓			
Tanner	Ian	12839															✓			
Tanzman	Ron	13831					✓										✓			
Tarpey-Schwed	Mark	12601															✓			
Taylor	Margaret	14085				✓	✓			✓							✓			
Taylor	Betsy	2787					✓	✓									✓			
Tchir	Cheryl A.	16645	✓				✓			✓	✓				✓		✓			
Teige	Pamela	12078	✓		✓		✓			✓							✓			
Tenenbaum	Debbie	247	✓		✓		✓			✓							✓			
Terada	Rei	12660			✓					✓							✓			
Terrell	Craig	164	✓		✓		✓	✓												
Terry	Saj	12428															✓			
Thelen	Kimberley	13953	✓				✓										✓			
Thew	Janet and Mark	14407															✓			
Thibadeaux	Nicole	14048	✓														✓			
Thomas	Marinell	13460	✓				✓								✓		✓			
Thomas	Lisa	16661	✓			✓	✓				✓				✓		✓			
Thomas	Terre	16619	✓		✓		✓			✓	✓				✓		✓			
Thomas	Rebecca	12290	✓							✓							✓			
Thompson	Carolyn and Aaron	300025								✓				✓			✓			✓
Thompson	Robert	12382	✓	✓													✓			
Thompson	Ann	12397															✓			
Thompson-Bains	Cynthia	13925					✓										✓			
Thornhill	Margaret	13814			✓		✓		✓		✓	✓		✓			✓			
Tiernay	Trisha	68	✓			✓				✓							✓			
Tobe	Jerry	16650					✓						✓	✓	✓		✓			
Tobin	Wendy	16774					✓										✓			
Todd	Jeanmarie	14733	✓	✓	✓		✓				✓			✓	✓		✓			
Tolmie	Suzanne	14041			✓		✓							✓	✓		✓			
Tomasco	Sandra	130					✓			✓							✓			
Tomasco	Sandra	129	✓				✓			✓							✓			
Tonekaboni	Tatiana	13613	✓																	
Tonekaboni	Tatiana	13736	✓														✓			
Torro	Bueno	14398					✓								✓		✓			
Townsend	Tara	12637															✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Townsend-Martin	Gwen	14503															✓			
Toyohara	Karen	12963															✓			
Trail	DeAnna	12525					✓			✓					✓		✓			
Transgrud	Lorelei	103			✓		✓													
Trask	Walter	12705															✓			
Travis	Elle	270	✓		✓		✓								✓		✓			
Tree	Valora	14488			✓								✓				✓			
Tribbey	Kathryn	14432															✓			
Trimble	Ruth	13987			✓		✓		✓					✓			✓			
Trinh	Linh	2647			✓		✓										✓			
Triplat	Donny	12877	✓		✓			✓			✓						✓			
Trippsmith	Kym	9453	✓														✓			
Tritt	Sef	12508															✓			
Trombly	Trish	11593			✓		✓										✓			
Troxell	Roberta	12748	✓		✓		✓										✓			
Truscott	Pam	12171	✓														✓			
Tso	Dawn	14469					✓										✓			
Tung	Amy	12581															✓			
Turk	Stacie	12267					✓										✓			
Turner	Tracy	14732	✓														✓			
Turner	Jeff	14782			✓												✓			
Twocats-Romero	Mona	13043	✓		✓		✓										✓			
Udy	Claudia	14401	✓				✓							✓	✓		✓			
Ultreya	Nora	12368				✓	✓								✓		✓			
Upham	Carola	14522	✓		✓	✓	✓			✓	✓				✓		✓			
Uransky	Gayna	14801			✓												✓			
Uransky	Gayna	300006			✓												✓			
Usher	Sara	13662															✓			
Valenta	Deborah	2679	✓		✓		✓			✓							✓			
Valentine	Tami	14386															✓			
Valentino	Val	12284															✓			
van der Steen	Rozemarijn	12480					✓			✓	✓	✓					✓			
van der Steen	Rozemarijn	12096					✓			✓	✓	✓					✓			
van der Steen-Langerhorst	Gert and Annette	13724															✓			
Van Dieman	Duane	16782					✓	✓												

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
van Elteren	Hein	12636		✓			✓							✓			✓			
Van Esch	Cheryl B.	2700	✓		✓												✓			
Van Houten	Erik	12215					✓										✓			
van Mierlo	Diane	12776			✓		✓				✓						✓			
Van Seters	Tricia	10876															✓			
Van Sickle	Gary W.	200004															✓			
Van Sutphin	Adrienne	13066			✓		✓										✓			
Vance	Arquilla	12087					✓								✓		✓			
Vandergriff	Charles	74				✓	✓										✓			
VanderJagt	Kirsten	12257					✓										✓			
Vane	Deborah	10886	✓		✓		✓	✓			✓				✓		✓			
Vanzant	Linda	2680	✓																	
Vargo	Stephanie	219			✓	✓	✓								✓		✓			
Veloso-Pueblos	Tangee	13010		✓			✓							✓			✓			
Vendetti	Marc	12529															✓			
Vignola	Radha	2759		✓	✓							✓								
Vilain	Grace	13035	✓		✓		✓				✓				✓		✓			
von Drachenfels	Chris	149	✓				✓				✓	✓			✓		✓			
VonMuegge	Nancy	12889															✓			
Vossbrink	Sarah	13652					✓								✓		✓			
Vossbrink	Sarah	13510					✓								✓		✓			
Vullgraf	Leonie	16550					✓							✓	✓		✓			
Vullgraf	Leonie	16550			✓	✓	✓		✓	✓	✓	✓			✓					
Vurek	Lindsay	13872	✓				✓													
W.	K.	12948															✓			
WainDecker	Erika	14489			✓					✓	✓				✓		✓			
Wakeley	Linda	13989			✓		✓	✓						✓	✓					
Waldner	Samantha	195					✓										✓			
Walker	Meleya	2658				✓	✓				✓	✓	✓	✓	✓		✓			
Walker	Brian	12225															✓			
Walker	Roslyn	14507					✓				✓						✓			
Walsh	Mary	16652	✓				✓			✓	✓						✓			
Walsh	Mary	16652	✓		✓		✓			✓	✓						✓			
Walsh	Mary	16652															✓			
Walsh	Mary	16651	✓		✓		✓			✓	✓						✓			
Walsh	Mary	16651	✓		✓		✓			✓	✓						✓			
Walsh	Mary	16651															✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Waltuch	Debbie	10882			✓															
Wanaselja	Karl	186	✓		✓		✓								✓		✓			
Wang	Janice	12672					✓								✓		✓			
Ward	Vicki	14067			✓		✓			✓					✓		✓			
Ward	Katie	12880					✓	✓									✓			
Ward	Joe	204			✓		✓										✓			
Warkentin	Wanda	14579	✓				✓										✓			
Warren	Susan	14535	✓	✓			✓										✓			
Watson	Brett	13559	✓		✓		✓										✓			
Watson	Paula	2668									✓				✓		✓			
Watson	Joseph	337		✓	✓		✓			✓							✓			
Watson	Nancy	12996	✓							✓										
Watts	Valerie	12625			✓		✓			✓							✓			
Wead	Nadine	342	✓												✓		✓			
Webster-Clint	Cathy	13639			✓										✓		✓			
Wedekind	Jo Ann	12686									✓				✓		✓			
Weicher	Jeff	12293					✓								✓		✓			
Weiland	Patti	349					✓										✓			
Weiner	Brenda	13018	✓	✓			✓			✓	✓			✓	✓		✓			
Weis	Joe	12832															✓			
Weisenfeld	Jodi	13997	✓					✓		✓					✓		✓			
Weiss	Lizette	12985		✓						✓					✓		✓			
Weistar	Tom	14504					✓										✓			
Welker	Jill	13011	✓														✓			
Welling	Regina	12595															✓			
Welling	Mike	12656	✓	✓			✓				✓	✓		✓			✓			
Wells	Russell	12540															✓			
Werner	Susan	14426	✓														✓			
West	LeRoy	13024			✓												✓			
West	Susan Hitchcock	12940															✓			
Westfall	John	2710					✓								✓		✓			
Westley	Wendy	12582															✓			
Westman	Betty	14788	✓														✓			
Wetzel	Anitra	35	✓	✓	✓		✓	✓		✓			✓	✓			✓			
Wexler	Dora	14052	✓											✓			✓			
Whalen	Margey	12539			✓		✓			✓					✓		✓			
Wheat	Mark	13006	✓														✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Whipperman	Barbara	14098				✓				✓	✓	✓					✓			
White	Cat A.	2654	✓			✓				✓										
White	Edwina	14109												✓			✓			
White	Laurence	12286															✓			
White	M.	14436			✓	✓											✓			
White	Stuart	12167			✓		✓				✓						✓			
White	Susan	2642	✓		✓		✓			✓							✓	✓		
Whitefield	Kathleen	9454															✓			
Whitman	Linda	193	✓		✓	✓	✓													
Widenor	Mary H.	16646	✓		✓		✓			✓	✓				✓		✓			
Wiebe	Julie	16629	✓		✓		✓						✓		✓		✓			
Wiggins	Edward	14528		✓	✓									✓			✓			
Wildwind	Landry	194	✓				✓		✓	✓										
Wiley	Ken	179															✓			
Wilkinson	Dee Gee	12388		✓													✓			
Will	Beverly	12932	✓	✓	✓						✓	✓		✓			✓			
Willey	Denise	90	✓		✓	✓	✓				✓						✓			
Williams	Rachel	14131	✓		✓		✓										✓			
Williams	Patrick	12235	✓	✓			✓										✓			
Williams	Robin	12945			✓												✓			
Williams-Gboizo	Maxine	13949															✓			
Wilmot	Georgann	12886				✓	✓				✓	✓					✓			
Wilson	Anita	16817	✓				✓										✓			
Wilson	Jim	13057	✓				✓		✓		✓						✓			
Wilson	Abby	12241															✓			
Wilson	Celeste	12678	✓							✓							✓			
Wilson	Jennifer	198	✓				✓										✓			
Wilson	Rhonda	14509															✓			
Wilson	Elaine	364	✓				✓										✓			
Wilson	Carol	12355															✓			
Wilson	Roberta	14505					✓			✓							✓			
Wilson	Carolyn	12193	✓			✓	✓										✓			
Wilson	Karen	14061	✓		✓		✓		✓		✓		✓				✓	✓		
Wilson	Alice	16820	✓				✓													
Windsor-Cragg	Maureen Emily	133			✓		✓			✓							✓			
Wingfield	Christine	324					✓								✓		✓			
Winkler	Dawn	284	✓				✓										✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																	
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Winning	Roxie	12518			✓												✓			
Winship	Suki	14341			✓		✓			✓	✓						✓			
Winter	Cynthia R.	13471		✓			✓			✓				✓	✓		✓			
Wipf	Rebecca	13860																		
Wise	Pam	13841					✓	✓									✓			
Wise	Mliss	13994			✓															
Wishner	Nan	200000																	✓	✓
Withers	Erin	2667															✓			
Witsell	Peggy	12891															✓			
Wold	Sandra	341			✓		✓													
Woldt	Gerhard	14448			✓		✓							✓	✓		✓			
Woldt	Stefanie J.	14447			✓		✓							✓	✓		✓			
Wolf	Mark	13579									✓						✓			
Wolfe	Nancy Louise	13751			✓		✓			✓							✓			
Wolfgang	Sara	13001		✓						✓	✓	✓			✓		✓			
Wolfson	Noam	2740		✓	✓		✓		✓	✓	✓				✓		✓			
Wolters	Marilyn	16815	✓				✓										✓			
Wood	Kelly	16788	✓														✓			
Wood	Cheryl	5		✓	✓									✓			✓			
Wood	Pamela	12810		✓	✓				✓					✓			✓			
Wood	Cynthia	13550	✓		✓		✓								✓		✓			
Woodcock	Charlene	105	✓		✓	✓	✓			✓	✓				✓					
Wright	Jenny	297			✓		✓										✓			
Wright	Linda	16625			✓			✓									✓			
Wright	Sarah	13931															✓			
Wu	Yifei	16769	✓			✓	✓			✓	✓			✓	✓		✓			
Wulf	Bernadette	14750		✓		✓					✓	✓		✓			✓			
Wurst	Paul	12366	✓				✓	✓									✓			
Wyatt	Janet	14439	✓				✓										✓			
Wyseman	Sean	12198	✓	✓	✓		✓	✓						✓						
Yacko	Ruth	12162	✓														✓			
Yamate	Terri	13614			✓		✓			✓					✓		✓			
Yarbrough	Jim	13926															✓			
Yates	Miesha	14776			✓												✓			
Yates	Kevin	16791			✓												✓			
Yates	Kevin	14743	✓														✓			
Yearley	Janette	13735	✓														✓			
Yee	Carolyn	13974	✓														✓			

Table 4-1: List of Individuals Submitting Letters Addressed Entirely by Master Responses

Commenter Name			Applicable Master Responses																
Last	First/Middle	File Number	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Yi	Jaeheon	12309					✓								✓		✓			
Yocky	Billie	13832	✓														✓			
Yolles	Sandra	13595	✓				✓								✓		✓			
Yool	Monica Lee	14124															✓			
York	Emily	329	✓		✓															
You	Lucia	143	✓				✓							✓	✓		✓			
Young	Linda	9424	✓		✓					✓										
Young	Melissa	13042			✓												✓			
Youngdoff	Beth	9460	✓				✓										✓			
Yuill	Jack	12931			✓		✓										✓			
Zahrobsky	Suzanne	16622	✓				✓			✓							✓			
Zajdman	Laura	12503															✓			
Zaragosa	Alfonso	13063					✓		✓	✓	✓	✓			✓		✓			
Zaragoza	Yolanda D.	12717		✓	✓						✓	✓		✓			✓			
Zarlow	Willow	13817															✓			
Zarlow	Willow	13843															✓			
Zavala	Michael	12464	✓														✓			
Zbitnoff	Anna	12933															✓			
Zekley	Marina	16579			✓					✓			✓				✓			
Zenker	Elisabeth	13015	✓				✓			✓	✓	✓			✓		✓			
Zheng	Izzy	14820	✓				✓				✓				✓					
Zielski	David	244															✓			
Zielski	Linda	243			✓		✓										✓			
Ziering	Rosanne	16790				✓	✓				✓						✓			
Zimmerman	Heidi	12269					✓										✓			
Zito	Carol	14725	✓	✓	✓		✓							✓			✓			
Zuckerman	Naomi	13781	✓			✓											✓			

Chapter 5
FORM LETTERS

As described in Section 1.4, *Comments Received During the Public Review Period*, and Section 1.5, *Preparation of the Comments and Responses Document*, a large number of form letters (i.e., letters that were the same except for the name of the person signing the letter) were received on the Draft Program Environmental Impact Report. Approximately 14,300 form letters were received on the document during the review period. Of these, approximately 12,200 were of the type Form Letter 1, which was submitted primarily by the organization, Earthjustice, on behalf of other individuals. Another approximately 1,700 were of the type Form Letter 6, which was submitted by the organization, Care2, on behalf of individuals who had signed the letter. In addition to the form letters received within the confines of the public review period (August 25, 2014 through October 31, 2014), at least as many form letters were received following the close of the review period.

Rather than reproduce and write duplicate responses to this large number of form letters, one representative copy of each type of form letter (six types were identified) and one complete response to each type of form letter is presented below. Form letter "variants," where text was added or modified by various individuals, are summarized. A list of individuals who submitted each type of form letter is also presented. Copies of all form letters submitted during the review period are contained in Attachment D.

Note that many of the form letters had minor variations, in which the author changed some aspects of the text of the letter. These variations ranged from non-substantive differences (e.g., a different salutation) to discussion of substantive topics which may not have already been expressed in that particular form letter. CDFA has reviewed these variations and determined that all substantive issues raised have been addressed by responses provided elsewhere in this Final PEIR, in particular the Master Responses.

5.1 Form Letter 1

A representative copy of Form Letter 1 and responses to comments raised in Form Letter 1 are provided on the following pages. A list of individuals who submitted Form Letter 1 is provided at the end of the chapter.

Form Letter - FL 1

Form Letter #1

Put the following in the subject line of your email:
Comments on Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

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

Laura Petro, Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento CA 95814

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Petro:

I am writing to object to several elements of the Department of Food and Agriculture's draft plant pest prevention and management programmatic environmental impact report, including:

FL1-1
- ***The pest prevention and management program continues the Department's decades-old, pesticide-centered management practices.*** California should not continue to use a failed, toxic approach but should instead use the report as an opportunity to develop a truly modern, scientific, sustainable approach that will make California's food supply more resilient to pests and protect human, pollinator, and farmworker health as well as our water and the environment.

FL1-2
- ***I am extremely concerned that the program relies on nearly 80 chemicals*** linked to cancer, birth defects, miscarriages reproductive harm, deaths of bees and other pollinators, etc., with more chemicals potentially approved in the future behind closed doors.

FL1-3
- ***The program gives the agency too much power to spray pesticides, without public input***. The program allows the Department to carry out most program activities, and even approve certain changes and expansions of the pest program, without future public review or input. As a result, residents all over the state who today are unaware of how this proposed program might in the future result in pesticide or other treatments in their communities will have no recourse to affect or stop those future treatments.

FL1-4
- ***The report's extremely broad scope is unacceptable, and the program poses potentially serious site-specific risks to health and the environment that have not been analyzed or disclosed*** in the vague and cursory health and environmental impact analysis in the document. For example, in the document:
  - Infants are assumed never to be exposed to pesticide drift.

FL1-4

- Young children are assumed not to play in gardens where there is residue from spraying carried out under the program.
- The effects of the program's pesticides on pregnant women, the elderly, and those with chronic illness and multiple chemical sensitivity are not evaluated.
- Endocrine-disrupting effects of program pesticide exposure are not evaluated.
- The plan states that pesticide spraying can take place at or near schools, yet no analysis is performed of the effect of this spraying on schoolchildren.
- No location-specific analysis is presented of the impacts of program pesticides on surface, ground, or drinking water.

FL1-5

This inadequate analysis is in direct conflict with the intent of the state's environmental law, which is designed to analyze impacts before they happen so that they can be prevented and to inform the public of what those impacts will be.

FL1-6

I ask the Department to set aside this document as written and turn its attention to developing a program that focuses on pest prevention and does not rely on chemicals for pest management but instead supports a transition to farming methods that prevent pest infestations by building healthy soil and avoiding the use of pesticides that weaken plant and soil health; and that produce nutritious healthy food uncontaminated by toxic residues, thereby protecting the health of all Californians and of the environment, including bees and other sensitive species.

FL1-7

Finally, I also incorporate and endorse the comments submitted by Earthjustice and ATA Law Group on behalf of California Environmental Health Initiative, MOMS Advocating Sustainability, and others, and ask that you address those comments in your response to my letter as well.

Sincerely,
YOUR NAME AND ADDRESS

Response to Comment FL1-1

The Proposed Program represents a scientific and sustainable approach that will make California's food supply more resilient to pests and protect human, pollinator, and farmworker health as well as our water and environment. CDFA uses an IPM approach for pest prevention and management under the Statewide Program, which involves the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment. The IPM approach considers information on the life cycles of pests and their interaction with the environment, and all appropriate pest management options. Implementation often results in a combination of strategies, including mechanical control, biological control, cultural control, and the use of pesticides where indicated.

Regarding the various categories of impacts described in the comment, please see the following Master Responses with respect to the Proposed Program's effects on:

- Human health: Master Response 5, Human Health, and Master Response 6, Comments Regarding Multiple Chemical Sensitivity;
- Biological species: Master Response 7, Biological Resources;
- Pollinators: Master Response 8, Pollinators;
- Water quality: Master Response 9, Water Quality; and
- Air quality: Master Response 10, Air Quality.

The PEIR uses the best information available at the time of its preparation. The Proposed Program updates and integrates the various physical, biological, and chemical management activities into a comprehensive program, and provides a consolidated set of Management Practices (MPs) and mitigation measures, using the most current technology and scientific information. If CDFA approves the Proposed Program, these MPs and mitigation measures will replace those identified in prior CEQA documents and will serve as a comprehensive management framework for implementation of Proposed Program activities, which is anticipated to result in improved environmental outcomes.

Response to Comment FL1-2

The PEIR fully evaluated these various chemicals through a detailed Human Health and Ecological Risk Assessment. None of the Proposed Program chemicals, when used in the manner described in the PEIR, would have adverse human health impacts, and the PEIR contains measures to ensure that adverse effects on biological resources would be less than significant. Please see the aforementioned Master Responses for more discussion regarding potential impacts of the Proposed Program on human health, pollinators, and other species.

The decision to use other chemicals in the future would not occur "behind closed doors". Please see Master Response 1, Scope of the Statewide Program, for a discussion regarding how CDFA would evaluate such chemicals in the future, and how the public would be involved. For any chemical that could have significant impacts that were not considered in the PEIR on human health, biological resources, or other environmental resources, CDFA

would be required to prepare a tiered CEQA environmental document, which would include a public review and comment process.

Response to Comment FL1-3

Public notification is a necessary and important component of the Proposed Program. A protocol for public notification is established for *every* program response plan and is described in PEIR Volume 1, Section 2.4.2.

To facilitate the determination of whether activities and management approaches proposed as part of a future activity have been sufficiently described in the Proposed Program and adequately addressed in the PEIR, a CEQA Tiering Strategy and checklist have been developed and are provided in Appendix C of the PEIR. Using these tools, future Proposed Program activities would be assessed to determine the extent to which potentially significant environmental impacts of the activity have been adequately addressed in this PEIR. The Tiering Strategy Guidelines (see Appendix C, Section 2) and Checklist (Appendix C, Attachment 1) are intended to assist identification of which of the following compliance approaches is appropriate before implementing specific Proposed Program activities, and to provide documentation of and justification for the selected approach:

- No Additional Compliance Needed
- CEQA Addendum
- Negative Declaration (ND)
- Mitigated Negative Declaration (MND)
- Environmental Impact Report (EIR)

For activities that could have impacts not evaluated in the PEIR, an ND, MND or EIR would be required, all of which have public review requirements. Additional public notice for all pesticide applications would also be required outside of framework of CEQA as described previously, resulting in at least one, or potentially two opportunities for the public to be notified and provide input. Please see Master Response 1, Scope of the Statewide Program, for further discussion.

Response to Comment FL1-4

The report's scope was developed in compliance with CEQA's requirements for a program EIR. The PEIR fully evaluates the risks described in the comment in a very detailed and specific manner. For a full discussion of how the PEIR addressed these issues, please refer to the Master Responses listed in Response #1 as well as Response to Comment in Form Letter 2-4.

Response to Comment FL1-5

This PEIR is intended to meet CEQA requirements for CDFA's reasonably foreseeable plant pest prevention, management, and regulatory activities. The Proposed Program does not attempt to capture all potential future Statewide Program activities, only those that are reasonably foreseeable based on existing information regarding the status of specific pests

and management approaches. This approach is consistent with CEQA and the CEQA Guidelines.

As mentioned in Response #3, to facilitate the determination of whether activities and management approaches proposed as part of a future activity have been sufficiently described in the Proposed Program and adequately addressed in the PEIR, a CEQA Tiering Strategy and checklist have been developed and are provided in Appendix C of the PEIR. The Tiering Strategy will ensure that impacts of specific activities are evaluated before they happen, and CEQA requires that public review be performed for activities with any new or more significant impacts than to those described in the PEIR.

Response to Comment FL1-6

The Proposed Program does not rely exclusively on chemical management approaches. As discussed in the PEIR Volume 1, Chapter 2.8, *Pest Prevention and Integrated Pest Management Approach*, and shown in PEIR Volume 1, Figure 2-3, CDFA's IPM approach would continue under the Proposed Program, which considers a variety of management approaches, including mechanical control, biological control, cultural control, and the use of pesticides where indicated. Please see Master Response 2, Integrated Pest Management, for more details about the IPM approach, and Master Response 11, Pesticide Resistance, for a description of why CDFA is moving ahead with the Proposed Program as its preferred method of achieving its statutory mandates. In addition, further discussion of how CDFA has considered and integrated an "ecological-agricultural" approach into the Proposed Program, and how it would continue to do so in the future (including support for necessary research), please refer to Master Response 14, Ecological-Agricultural Approach.

See previous Master Responses for a discussion of how the PEIR considered the potential impacts cited in the comment.

Response to Comment FL1-7

Responses to comments from these other groups are provided elsewhere in this Final PEIR.

5.2 Form Letter 2

A representative copy of Form Letter 2 and responses to comments raised in Form Letter 2 are provided on the following pages. A list of individuals who submitted Form Letter 2 is provided at the end of the chapter.

Form Letter-FL 2

From:
Sent: Monday, October 20, 2014 4:22 PM
To: CDFA Pest Prevention EIR@CDFA
Subject: don't spray us

Dear CDFA:

FL 2-1 Recently I heard testimony by California citizens, including Kimberly and Foster Gamble and David Miller, in the *Look Up* documentary, regarding CDFA's dangerous aerial pesticide spraying of the Light Brown Apple Moth in the Santa Cruz and Monterey areas of California. **Their testimony speaks volumes regarding your agency's current proposed spraying and the pesticide spraying in the Fall of 2007. Please pay close attention to their testimony below. My hope is this testimony will encourage you to change your current course of action so that you will protect California and its citizens, instead of putting our environment and its citizenry at great risk.**

FL 2-2
- "The aerial spraying for the Light Brown Apple Moth was purposed as a 10-year program. It was a $1 billion dollar program to go on for 10 years. Over 7 million people would be affected throughout all these residential areas of California. It was based on the premise of a complete comprehensive spraying of an area was needed in order to contain this "so called pest".

FL 2-3
- "However places like the Pebble Beach Golf Course and a few other high-end neighborhoods were excluded from the spray. So even the basic premise, blanketing the area, except for a few spots, didn't make any sense. This notion that some people take the authority to spray a toxic spray that we are not even informed about, against our will for 10 years and we are suppose to just take it. Wait a minute; what is the thinking behind that? I want to interrupt that thinking. That's a dangerous level of entitlement."

FL 2-4
- "A real turning point in the public tide of opinion about this came when a young military couple in Monterey with a new baby were doused several times with spray and immediately their baby started having problems and then got worse and worse. They took the baby to the hospital with severe respiratory problems and the baby almost died. That story got published and was in the newspapers and so forth.

FL 2-5
- "We found out that some of the chemicals (we had to fight long and hard to even have revealed to us) were in fact endocrine disruptors. We were being sprayed covertly you know in terms of the ingredients at 1,000 feet over 7 million people."

FL 2-6
- "People started standing up and saying, no you cannot experiment on us without our permission. Without everybody's permission. We decided to file a lawsuit and get as many plaintives on board as people felt willing to put their name on it. We had eleven plaintives, including two Santa Cruz City Council members and the Mayor of Monterey, myself (David Miller) and seven other individuals. We filed a lawsuit against CDFA and USDA in federal court in San Jose to put a stop to the spray until an EIR was done."
- **"In 6 months we ended up stopping the entire program (a billion dollar spraying program). With a lot of volunteer efforts and a lot of expertise we stopped that program cold…. It's a template."**

FL 2-7 **The testimony above stands as proof that the proposed spraying over California with tons of toxic pesticides was not only totally unnecessary, but would have done much more harm to California's booming organic farming economy, to our bees, birds, bats and other wildlife, than it would have done any good. It would have also seriously threatened the public's health unnecessarily. I urge your agency to learn from this example and reconsider your**

Form Letter-FL 2 cont.

FL 2-7 cont.

current proposed dangerous use of pesticide aerial spraying in your pest management programs.

Sincerely,
Your Name

Response to Comment FL2-1

Please see the responses below.

Response to Comment FL2-2

Aerial spraying for LBAM is covered under a separate PEIR and is not a component of the Proposed Program.

Response to Comment FL2-3

The commenter is referring to emergency actions which were undertaken against LBAM. The Proposed Program specifically excludes emergency actions; in addition, it does not include any potential aerial spraying similar to the type described in this comment. As such, the concerns raised about the LBAM emergency spraying in 2007 do not bear similarities to, and are not relevant to, the Proposed Program. CDFA is aware that aerial spraying is an issue of grave concern to the public; in the instance when such spraying were determined to be absolutely necessary, CDFA would prepare a tiered environmental document, which would include a full public review and comment process. Please see Master Response 1, Scope of the Statewide Program, for further discussion.

Response to Comment FL2-4

All pesticide use that could occur under the Proposed Program has been evaluated in detail in the PEIR's Human Health Risk Assessment (Appendix B), which included an evaluation of risk to infants. Pesticide use conducted in accordance with Proposed Program requirements would not pose a health risk to children (or adults). For further discussion of how the PEIR considered potential impacts of the Proposed Program on human health, including infants, please see Master Responses 5, Human Health, and Master Response 6, Comments Regarding Multiple Chemical Sensitivity.

Response to Comment FL2-5

Once again, the activities described above would not be carried out under the Proposed Program. Master Response 5, Human Health, discusses the PEIR's consideration of endocrine disruption. Pesticide use conducted in accordance with Proposed Program requirements would not pose a health risk related to endocrine disruption.

Response to Comment FL2-6

The referenced lawsuits involved the question of whether the CDFA complied with CEQA in implementing the LBAM program on an emergency basis in the Monterey/Santa Cruz region. Those rulings were specific to the activities undertaken by CDFA at that time in that location. As described above, the Proposed Program does not include emergency actions, and therefore this circumstance is not applicable to any of the activities CDFA may conduct under the Proposed Program.

Response to Comment FL2-7

The Proposed Program does not include aerial spraying in the manner discussed in this comment letter. The Proposed Program only includes methods that have been proven to be effective in preventing, eradicating, and controlling pest infestations, which if left unchecked could cause massive ecological and economic damage to the State.

Under the Proposed Program, aerial spraying would be restricted to nurseries and production agriculture settings where few if any residents would be present. The PEIR has evaluated these activities, as well as all of the other activities that may be conducted under the Proposed Program, and determined that they would not cause significantly adverse effects to organic farming, bees and other wildlife, or human health. Please refer to Master Response 1, Scope of the Statewide Program, for further discussion of aerial spraying; Master Response 3, Impacts on Organic Farming, regarding the organic farming economy, Master Response 7, Biological Resources, and Master Response 8, Pollinators, regarding bees, birds, bats and other wildlife; and Master Responses 5, Human Health, and Master Response 6, Comments Regarding Multiple Chemical Sensitivity, regarding public health.

5.3 Form Letter 3

A representative copy of Form Letter 3 and responses to comments raised in Form Letter 3 are provided on the following pages. A list of individuals who submitted Form Letter 3 is provided at the end of the chapter.

Form Letter - FL 3

From:
To: CDFA Pest Prevention EIR@CDFA
Subject: Laura Petro, Senior Environmental Scientist
Date: Friday, October 24, 2014 12:23:42 PM

FL 3-1 I am sending this email in opposition to the PEIR program (Problematic Environmental Impact Report)! The problem here is the disturbing unilateral, if not authoritarian, approach to forcing biocides onto a highly regulated industry that is protected from using these harmful toxins.

FL 3-2 **This plan threatens the California booming organic farming industry by forcing farmers to spray organic fields as part of mandatory statewide programs.** It is unjustified for California to assert that organic farms can just "switch" to conventional farming if their fields are contaminated.

FL 3-3 **It is a farmers right to farm in an ethical and environmentally conscious way, along with a market that demands pesticide-free crops.** This provides food choices to consumers that need crops that are grown in this way because of allergies or medical requirements. Forcing an organic farmer to grow foods in a non-organic way is not right and should not be imposed by the state. Many of these biocides chelate our soils and create a hard pan that repels water, stressing the plants, requiring more water, depleting our water reserves. The treatment of our orange trees in the south not only kills the aphid-sized psyllid insect up to a year with neonicotinoids, but destroys beehives by disrupting bee digestion (effectively starving them to death). This is criminal.

FL 3-4 **I additionally demand public schools and public places to continue required notification to parents and neighborhoods affected when and if a pesticide is sprayed on public school grounds or public places where children and public are exposed.** We have the right to know this and should be able to decide whether we want our children, school staff, public to be exposed to these known health risks.

FL 3-5 **You are effectively killing organic by this action and degrading our food supply, further. You continue to march us, lockstep, down the chemical treadmill, a dead end for our health for generations. Who is really protecting public health and safety, here. We are trusting that you are looking out for your own, and your family's, health, while looking after ours.**

FL 3-6 This program is irresponsible and poses harm to the health of our children, specifically, and to Californians, generally.

FL 3-7 This program poses potentially irreversible damage to the environment creating an increase in the use of pesticides and water.

FL 3-8 This program cuts off the right to purchase foods grown in an organic, sustainable way.

FL 3-9 This program forces farmers against their freedom of choice to farm in a sustainable, organic way.

As Spike Lee entitled his film, "Do the Right Thing."

Form Letter - FL 3 cont.

Remember Prop 37!

Your Name
Address

Response to Comment FL3-1

The commenters are referred to Master Response 15, Comments in Support or Opposition to the Proposed Program, which addresses the manner in CEQA considers statements of opposition or support for a proposed project, and how CDFA is considering such statements in its decision-making process.

The Proposed Program is neither a "unilateral" nor "authoritarian" approach. Under the existing authority of California's Food and Agriculture Code Section 403, CDFA is responsible for preventing the introduction and spread of injurious plant pests in California. CDFA fulfills this mandate using an IPM approach which integrates a broad range of physical, biological and chemical management approaches. Non-organic pesticides would only be used in infrequent instances on organic farms when no other approaches are available that would achieve the management objective. CDFA is committed to working with organic farmers and supporting the organic farming industry. Please see Master Response 3, Impacts on Organic Farming, for further discussion.

Response to Comment FL3-2

See Response #1, and Master Response 3, Impacts on Organic Farming, which addresses this issue. The Proposed Program would not threaten California's organic farming industry. In fact, the economic impacts of *not* preventing, controlling, suppressing, or eradicating plant pests can be devastating to the agricultural community, including organic farming. Please note also that the existing Statewide Program under which organic farming is booming is not that different (with respect to potential organic farming impacts) than the Proposed Program.

Response to Comment FL3-3

See Response #1 regarding CDFA's mandate to protect agriculture under the Food and Agriculture Code, and Master Response 3, Impacts on Organic Farming, which further discusses the circumstances in which conventional pesticides could be used on organic farms under the Proposed Program, and the likely consequences to those farms.

The Proposed Program has been designed to be protective of natural resources, including soil and honeybees. Please see Master Responses 4, Impacts on Agriculture, and Master Response 8, Pollinators, for a discussion of how the PEIR considered potential effects on soil, and bees, respectively.

Response to Comment FL3-4

Public notification is a key component of the Proposed Program. Please see Master Response 1, Scope of the Statewide Program, and Response #3 to Form Letter #1.

Response to Comment FL3-5

As discussed above and in Master Response 3, Impacts on Organic Farming,, the Proposed Program would ultimately benefit organic farming through the prevention, control, and/or eradication of pests harmful to California's farmlands (including organic farmlands). In

addition, as disclosed in the PEIR and the Human Health Risk Assessment, the Proposed Program would be safe to human health; please see Master Responses 5 and 6 for a further discussion of potential impacts to human health and hypersensitive individuals, respectively. Master Response 11, Pesticide Resistance, discusses issues related to the "chemical treadmill."

Response to Comment FL3-6

The Proposed Program is based on cutting-edge science and is designed to be safe to all Californians. Please see the previously identified master responses related to human health.

Response to Comment FL3-7

The PEIR's impact analysis did not find any impacts that would be irreversible; most impacts would be short-term.

Response to Comment FL3-8

The Proposed Program in no way prevents consumers from purchasing foods grown in an organic manner. Please see Master Response 3, Impacts on Organic Farming, for a further discussion of this issue.

Response to Comment FL3-9

CDFA did not find evidence or data to support the assertion that its Proposed Program would force farmers to use unsustainable practices or shift to conventional agricultural approaches. See Master Response 3, Impacts on Organic Farming, for a discussion of this issue.

5.4 Form Letter 4

A representative copy of Form Letter 4 and responses to comments raised in Form Letter 4 are provided on the following pages. A list of individuals who submitted Form Letter 4 is provided at the end of the chapter.

Form Letter - FL 4

From:
To: CDFA Pest Prevention EIR@CDFA
Subject: I oppose PEST PIER
Date: Tuesday, October 28, 2014 9:45:48 AM

TO: Laura Petro, Senior Environmental Scientist
Statewide Program Draft PEIR Comments
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento, CA 95814

From: Your Name
Address

RE: PIER

Dear Laura Petro,

FL 4-1 The California Department of Food and Agriculture is asking for the right to spray toxic pesticides anywhere in California, at any time and into the indefinite future.

It is worrisome that

FL 4-2 The agency also wants the right to approve new pesticides and other expansions of the spray program with no public review or notice, and no future analysis of the health and environmental impacts in specific locations to be sprayed.

FL 4-3 The agency's draft environmental plan, described in the "Statewide Plant Pest Prevention & Management Programmatic Environmental Impact Report (Pest PEIR), fails to adequately assess the health and ecological impacts of 79 chemicals, including substances linked to cancer, birth defects, miscarriages, and reproductive system impacts.

FL 4-4 Among the pesticides the agency wants blanket approval to spray are several neonicotinoids, which scientists say are directly linked to the collapse of honeybee populations. These neonicotinoids have been appropriately banned in France and Germany but unfortunately have been sprayed throughout the USA.

The agency's analysis fails to answer many essential questions, such as the effects of pesticide exposure on:

FL 4-5
- infants, pregnant women, and other sensitive populations;
- children whose schools could be sprayed under the plan;
- rivers, streams, and drinking water wells.

FL 4-6 It also fails to take into account the devastating impact this rampant and reckless use of pesticides would have on California's organic farming community.

FL 4-7 I urge you to oppose PIER.

Sincerely,

Your Name

Response to Comment FL4-1

The PEIR for the Proposed Program would not allow CDFA to "spray toxic pesticides anywhere" into the "indefinite future." The PEIR would only provide CEQA coverage for future pest management activities that were:

1. Determined to be under the jurisdiction and discretion of CDFA, and

2. Adequately analyzed in the PEIR.

Activities under CDFA's jurisdiction include activities conducted or funded by CDFA, or activities conducted to meet requirements established by CDFA. If an activity is determined to be under CDFA's jurisdiction, then the PEIR's CEQA Tiering Strategy (Appendix C) provides specific steps for CDFA staff to determine if an activity was already adequately analyzed in the PEIR or if it warrants further CEQA analysis.

Please see Master Response 1, Scope of the Statewide Program, for a further discussion of this topic.

Response to Comment FL4-2

This comment is not based on an accurate understanding of the PEIR and tiering strategy. For future pest management activities which may have impacts that were not fully analyzed in the PEIR, public comment opportunities would be provided via the tiered environmental document preparation and approval process. Such tiered environmental documentation would consider the health and environmental impacts of new pesticides or site-specific activities. Please see Master Response 1, Scope of the Statewide Program, for a further discussion of this topic.

Response to Comment FL4-3

The chemicals potentially used in the Proposed Program have been subject to rigorous investigation and assessment in the PEIR, Human Health Risk Assessment, and Ecological Risk Assessment. The findings of these investigations and assessments have concluded that the proposed uses of chemical pesticides would be safe to human health and ecological health. Please see the following Master Responses for potential impacts to:

- Soil and Agriculture: Master Response 4, Impacts on Agriculture;
- Human health: Master Response 5, Human Health, and Master Response 6, Comments Regarding Multiple Chemical Sensivity;
- Ecological Receptors: Master Response 7, Biological Resources;
- Pollinators: Master Response 8, Pollinators;
- Water quality: Master Response 9, Water Quality; and
- Air quality: Master Response 10, Air Quality.

Response to Comment FL4-4

CDFA is not requesting "blanket approval" to spray any type of pesticide, including neonicotinoids. Please see Master Response 1, Scope of the Statewide Program, for a further discussion of the topic of "blanket permission."

With respect to potential impacts on honeybees, the Ecological Risk Assessment in Appendix B of the Final PEIR considered impacts on pollinators from direct exposure (presence during a pesticide application), and post-application exposure. For example, as stated in Appendix A's Section 3.4, Terrestrial Exposure Assessment (page 63), the pollinator (honey bee) risk assessment for foliar and soil pesticide applications considered oral exposure of honey bees to systemic pesticides (including neonicotonoids) that would be absorbed by the treated plant and potentially present in pollen and nectar following these pesticide applications. The pollinator risk assessment was based on U.S. EPA methodology that represents the best methodology currently available (Appendix A, Section 3.4.2, Honey Bee and Nontarget Insect Exposures, page 70). In addition, Appendix A's assessment includes methods to eliminate pollinator effects via removing flowers from plants that will be sprayed, and closing or moving bee hives. Other measures are outlined in CDFA's Appendix K, including buffers. Please see Master Responses 8, Pollinators, for a further discussion of this issue.

Response to Comment FL4-5

The Human Health Risk Assessment and the Ecological Risk Assessment (Appendices A and B, respectively in the Final PEIR) fully evaluated the potential effects of pesticide exposure on human and ecological health under the Proposed Program. This evaluation included potential effects to sensitive populations (including children), rivers, streams, and drinking water wells. Please see Master Response 5, Human Health; Master Response 6, Comments Regarding Multiple Chemical Sensitivity; and Master Response 9, Water Quality; which fully describe the manner in which the PEIR and risk assessments considered each of the topics identified above.

Response to Comment FL4-6

The Proposed Program does not advocate a "rampant and reckless use of pesticides." The PEIR has fully disclosed potential impacts of the Proposed Program on California's organic farming community. Please see Master Response 3, Impacts on Organic Farming, for a further discussion of this issue.

Response to Comment FL4-7

Comment noted. Please see Master Response 15, Comments in Support or Opposition to the Proposed Program.

5.5 Form Letter 5

CDFA received a variety of comment letters that closely resembled one another. Form Letter 5 is representative of these various letters, although some letters only contained a subset of the comments in Form Letter 5. A list of individuals who submitted Form Letter 5 and Form Letter 6 (a variation of Form Letter 5) is provided at the end of the chapter.

Form Letter #5

Laura Petro, Senior Environmental Scientist
California Department of Food and Agriculture
1220 N Street, Suite 221
Sacramento CA 95814

Re: Comments on the Statewide Plant Pest Prevention and Management Programmatic Environmental Impact Report

Dear Ms. Petro:

I am writing to object to several elements of the Department of Food and Agriculture's draft plant pest prevention and management programmatic environmental impact report (EIR), including:

FL 5-1 - *The draft report continues the same pesticide-centered management practices that have been in use for decades* rather than proposing an approach that genuinely protects human health and the environment. The program calls itself "least toxic" when in fact it is not, relying on nearly 80 chemicals linked to cancer, birth defects, miscarriages reproductive harm, deaths of bees and other pollinators as well as other species -- and with more chemicals potentially approved in the future.

FL 5-2

FL 5-3 - *The program's "tiering strategy" improperly allows the Department to, in most cases, carry out program activities, approve new chemicals, new treatment areas, new pests, and any other change to the program using only a checklist and a "CEQA addendum."* This addendum would require no public notice or review and no additional environmental analysis beyond the superficial discussions in this draft EIR. The result of this "tiering strategy" is that residents all over the state who are unaware of how this draft EIR might one day result in pesticide or other treatments in their communities will have no recourse to affect or stop those future treatments. This contradicts a basic purpose of the state's environmental laws: to inform the public ahead of time about activities that harm the environment and ensure that such harm is prevented.

FL 5-4 - *The EIR is overly broad in its scope.* The document covers the entire state and dozens of pesticides and unknown additional chemicals that might be added in the future, and most of the plant pests for which the Department now has projects as well as pests that are not yet identified. At the same time, much of the health and environmental impact analysis in the document is vague and general. The EIR states that many of the treatment activities it seeks to authorize are currently under way. These activities will continue without any further environmental review if this program is approved. In addition, as mentioned above, the "tiering strategy" allows the Department to approve future changes without any public scrutiny or additional in-depth environmental review. This combination of factors means that this program poses potentially serious site-specific risks to health and the environment that have not been and will likely never be analyzed or disclosed, and the Department can continue to add to those risks without any further

FL 5-4 cont.

analysis, and without the public even knowing. This contradicts a basic purpose of the state's environmental laws: to inform the public ahead of time about activities that have potential environmental and public health impacts and ensure that these impacts are addressed.

In addition, many specific aspects of the document are flawed, including:

1. The statement that aerial spraying will not take place in residential areas is meaningless because the EIR does not define what constitutes a residential area. Moreover, many rural and other areas of the state that might not appear to be residential are nonetheless inhabited. In addition, many areas with no human dwellings still host hikers, campers, and other travelers as well as sensitive animal and plant communities. Aerial spraying is not a "least-toxic" pest management tool and has no place in a program that claims to use least-toxic methods.

FL 5-5

2. The health and environmental impacts of the program are very superficially evaluated.
   Here are just a few examples:

FL 5-6

- Infants are assumed never to be exposed to pesticide drift.

FL 5-7

- Young children are assumed not to play in gardens where there is residue from spraying carried out under the program.

FL 5-8

- The effects of the program's pesticides on pregnant women, the elderly, and those with chronic illness and multiple chemical sensitivity are not evaluated.

FL 5-9

- Endocrine-disrupting effects of program pesticide exposure are not evaluated.

FL 5-10

- The EIR states that pesticide spraying can take place at or near schools, yet no analysis is performed of the effect of this spraying on schoolchildren.

FL 5-11

- The fact that pesticide breakdown products can persist longer and be more toxic than the original product is ignored.

FL 5-12

- No location-specific analysis is presented of the impacts of program pesticides on surface, ground, or drinking water

FL 5-13

- Portions of the program violate the federal Clean Water Act and state Water Board permits

FL 5-14

- The analysis of impacts on pollinators, especially domestic and wild honeybees, is woefully lacking, and the Department's activities to support pollinators, such as providing water at border stations for bee transporters, are not sufficient to mitigate the impact of the program's use of neonicotinoid and other pesticides that are lethal to bees.

FL 5-15

This analysis is insufficient even for a program-level EIR and unquestionably insufficient to serve as project-level analysis under the California Environmental Quality Act.

FL 5-16

3. The impacts of program pesticide applications and pesticide drift on organic farms are evaluated in an unrealistic way that does not acknowledge the real effects on organic farmers and organic food consumers. Under the program, these growers would bear the costs of growing organically without any assurance that they could sell their crops for the premium prices that organic food commands. The draft EIR artificially limits the analysis of agricultural impacts to the sole question of whether farmland would be taken out of production. This artificially narrow criterion both distorts the conclusions of the analysis and dismisses the serious impacts of the program on California's organic growers.

FL 5-17

4. The EIR appears to state that its proposed mitigation measures will prevent <u>any</u> impact from program pesticides on any environmental resource or on human health. This is not a credible conclusion and not supported by the evidence presented in the report. For example, the program allows spraying within 30 feet of a water body and acknowledges that there are many water bodies in the state that are already contaminated with pesticides. How can the EIR then assert that it will have no impact on water quality?

FL 5-18

5. The EIR does not analyze less-toxic forms of pest control, such as those used by organic and ecological agriculture practitioners. The EIR dismisses – without supporting evidence – less- and non-toxic pest management alternatives, on the grounds that they would not work to eradicate or control pests or that their effectiveness is speculative. At the same time, the EIR asserts that the Department already uses "all feasible and effective management approaches" (page 7-12), but offers no evidence to support that claim.

FL 5-19

In particular, the EIR does not evaluate the large body of research and field evidence showing that healthy soil and healthy plants resist infestation by insects and that pesticide use weakens plants and makes them more susceptible to pests. ***This research should form the basis for the Department to re-envision its outdated pest management approach in a manner that truly protects human health and the environment, which the current approach does not.***

FL 5-20

6. This program states that its primary objective is pest prevention, but its only prevention activities are exclusion at the border and by internal quarantine. The program does not implement pest prevention practices based on current scientific literature or field evidence as mentioned above. If the Department were serious about prevention as a primary objective, then the program would center around a long-term program facilitating conversion of California's farmers to healthy growing practices that build resilience in our agricultural system. Sustainable pest prevention builds plant health by building soil health, supporting pollinators and beneficial insects, and avoiding pesticides that weaken plant and soil health.

FL 5-21

7. A major objective of the program is pest eradication despite the evidence that eradication is rarely if ever possible, and that eradication programs end up being

FL 5-21 cont.

unacknowledged, perpetual chemical control programs, as demonstrated by the decades of the Department's own ongoing fruit fly "eradication" programs.

FL 5-22

For all of the above reasons, I ask the Secretary of Agriculture and the Department not to pursue the program outlined in the draft but instead to redirect their effort toward developing an approach to pest management that is in step with the values of the public, including consumers who are voting with their patronage for *more* organic produce, not less. California should lead the way toward agricultural policies that protect: (1) our state agriculture by strengthening soil health, plant health, pollinator and beneficial insect health; (2) the health of California's citizens, wildlife, and ecosystem; (3) our farmers' health and economic interests. The Department should devote its resources to developing a pest management approach that does not entail the use of toxic pesticides, and that benefits from the research that organic and sustainable farmers and others have done, to prioritize sustainable, ecologically sensitive pest management that creates a resilient, robust, healthy, and economically viable agricultural system for all of California's citizens and those outside the state who benefit from our agricultural production.

FL 5-23

My comments also endorse and incorporate the comments submitted by Earthjustice and ATA Law Group on behalf of California Environmental Health Initiative and Moms Advocating Sustainability, and others, and I ask that you address those comments in your response to my letter as well.

Sincerely,
YOUR NAME AND ADDRESS

Response to Comment FL5-1

This is the same comment as FL1-1. Please see the response to that comment. Please note that the Proposed Program relies on the safest and most efficacious treatments for addressing plant pests. For clarity, CDFA has replaced the term "least toxic" with "safest and most efficacious" throughout the PEIR.

Response to Comment FL5-2

This comment is nearly identical to Comment FL1-2. Please see the response to that comment.

Response to Comment FL5-3

The PEIR would in no way abridge CDFA's existing public outreach and notice process. CDFA would continue its existing program of public notification, which is described in the Draft PEIR, Chapter 2, *Proposed Program Description,* pages 2-4 and 2-5; and in Mitigation Measure HAZ-CHEM-1a (Section 6.5, *Hazards and Hazardous Materials,* page 6.5-19). In addition to the existing means of public notification, the PEIR would require further public notification as part of the tiered CEQA documentation which would be prepared on a project-by-project basis. This would include a 30- to 45-day public review period for comments and responses in cases where tiered NDs, MNDs, and EIRs are prepared. The commenter is correct that in instances where an activity is proposed for which the impacts have been fully addressed in the PEIR, CDFA would not be required under CEQA to prepare a document for public review. CDFA disagrees that the analysis in the PEIR is "superficial."

CDFA will always comply with CEQA's public notification and review requirements. On the whole, the PEIR provides for enhanced public notice and engagement, and will help CDFA act with transparency, and in compliance with the law. Please also see Master Response 1, Scope of the Statewide Program.

Response to Comment FL5-4

The scope of analysis and level of detail in the PEIR are appropriate for a programmatic analysis, given the broad nature of the Proposed Program. The analysis is actually quite detailed and not "vague and general" as the commenter suggests. For example, a highly detailed risk assessment and impact evaluation were performed in a manner consistent with standard industry practice using U.S. EPA and/or State of California methodology. Specific scenarios that could be conducted under the Proposed Program were selected and analyzed. Because these scenarios may take place in various locations in the state, no site-specific (e.g., Central Valley only) analyses were done. Instead, conservative assumptions on exposure routes, exposed receptors, pesticide environmental fate, etc., were made to reasonably represent a "worst-case scenario" that would be representative of most scenarios.

Additional site-specific analysis would be conducted to confirm the results of the PEIR analysis prior to implementing activities, and further analysis would be conducted as necessary where significant impacts not considered in the PEIR are determined to be

possible. Please see Master Response 1, Scope of the Statewide Program, for a discussion of the Proposed Program's tiering strategy.

Although it is true that the Statewide Program is ongoing, CDFA would always conduct a site-specific environmental analysis of Proposed Program activities. This would include CDFA's public notification protocols. In addition, the Tiering Strategy provides for CDFA to conduct additional in-depth environmental analysis and public review where necessary to comply with CEQA. CDFA would always comply with CEQA, consider environmental and public health impacts, address these impacts, and notify the public as required by CEQA. Please see Master Response 1, Scope of the Statewide Program, for further discussion of the Proposed Program's Tiering Strategy.

Response to Comment FL5-5

See Response to Comment 14811-1, which discusses aerial spraying in the context of the Proposed Program. CDFA has updated the PEIR's Chapter 9, Glossary and Acronyms, text to include a revised "residential" area definition as follows:

> Residential: A noncommercial area containing multiple or single family dwellings. Does not apply to a residence found in a commercial (e.g., farm) setting.

That said, since farms or ranches may be located in production agriculture, bulk citrus, or large production nursery settings where aerial spraying may occur, the Human Health Risk Assessment (HHRA) evaluated the potential for residents (the "downwind bystander") to be present during such spraying activities. The analysis concluded that human health impacts would be below the established level of concern, and accordingly would be less than significant.

The PEIR evaluated specific scenarios and the areas in which they could occur. Proposed Program activities would not take place in recreational areas that would host hikers and campers. Notwithstanding, the analysis of the resident and the Post-Application Resident (PAR) in the residential treatment scenarios analyzed would conservatively represent a hiker or camper. Because the resident and the PAR were not found to be at risk, then the camper or hiker would likewise not be at risk.

For a discussion of the Proposed Program's potential impacts to sensitive animal and plant communities, please refer to PEIR Section 6.3, *Biological Resources.*

CDFA is committed to using the safest and most efficacious management tool that is effective in responding to a pest infestation. The aerial spraying scenarios under consideration for the Proposed Program were evaluated in the HHRA, and determined to not have the potential to result in adverse human health impacts.

Response to Comment FL5-6

For any given scenario in the HHRA, the decision to assess a receptor was based on whether that receptor could reasonably be assumed to have exposure to the pesticides and inert ingredients used in that particular scenario. In the case of the DWB, an infant between the ages of 0 and <2 years was deemed to have a discountable level of exposure, because an

infant spends most of his/her time indoors under supervision of an adult. Furthermore, the infant is believed to spend only a few hours, if any, outdoors in areas affected by drift. The life stage of the child (ages 2 to <16 years) is based on U.S. EPA (2005q), and this child was quantitatively considered. For the purposes of this HHRA, a child becomes an adult (physically mature) at age 16. An adult receptor has the potential to be exposed for 24 years, based on the recommended exposure duration for an adult resident in DTSC (2011a); this receptor was also quantitatively considered.

Response to Comment FL5-7

The potential risk to a child Post-Application-Resident (PAR) between the ages of 2 and <16 years was assessed for dermal contact with residues from Proposed Program-applied pesticide active and inert ingredients on plant surfaces and soil; incidental ingestion of residues on vegetation from hand-to-mouth activity; and ingestion of treated produce and soil. The assessments of these exposure pathways were determined to result in the highest potential for risk to the child, and are expected to be health-protective of all other related child exposures.

For any given scenario in the HHRA, the decision to assess a receptor was based on whether that receptor could be reasonably assumed to have exposure to the Proposed Program-applied pesticide active and inert ingredients used in that particular scenario. An infant between the ages of 0 and <2 years was deemed to have de minimis exposure. An infant spends most of his/her time indoors and away from areas affected by CDFA treatments. When outdoors, an infant is typically under adult supervision; is less mobile than children over the age of 2 years; and therefore is less likely to spend a significant duration of time in areas targeted for CDFA treatments. CDFA treatments on residential properties have the potential to target tree canopies, soil immediately around the trunk of a tree, and garden foliage; but not lawns. CDFA always notifies the residents prior to applying pesticides on the property.

Response to Comment FL5-8

The HHRA uses the U.S. EPA standard procedure of comparing scenario- and receptor-specific MOE estimates to a 100-fold safety factor (U.S. EPA, 2007). MOEs greater than 100 are generally considered not to be of concern. This approach provides confidence that sensitive receptors (e.g., the elderly, sick people, or pregnant women) are accounted for.

Inherent in the MOE approach used in this risk assessment is the incorporation of safety/ uncertainty factors. Two safety factors were used: one for interspecies variability (10×) and another for intraspecies variability (10×). These two safety factors together result in a value of 10 × 10 = 100for the MOE. Interspecies safety/uncertainty factors are intended to account for uncertainty in extrapolating animal data to humans; ;they are intended to account for variation in susceptibility (i.e., differences in sensitivity) among members of the human population (e.g., differences based on sex, race, age, and health conditions).

For cancer risk assessments, the procedures used to extrapolate cancer potency factors from epidemiological or animal carcinogenicity data are generally health-protective in that they determine an upper confidence bound on the risk experienced by an exposed population. These procedures are intended to include the majority of variability in the

general human population, including more sensitive individuals, within the confidence bounds of the estimate.

In certain cases, data are available allowing further refinement in the characterization of risk for more susceptible sub-populations. For example, age-dependent adjustment factors (ADAFs) were incorporated into the cancer risk assessment to account for differences in cancer susceptibility based on age of exposure (U.S. EPA, 2005q). These adjustments, in addition to the default conservative approach to deriving cancer potency factors, further increase the health-protection for sensitive sub-populations.

Additional safety/uncertainty factors were included throughout the assessment, where appropriate. These factors are intended to account for 1) uncertainty in extrapolating from data obtained in a study with less-than-lifetime exposure (e.g., extrapolating sub-chronic to chronic exposure); 2) uncertainty in extrapolating from the Lowest Observable Adverse Effect Level (LOAEL) rather than a NOAEL; or 3) uncertainty associated with extrapolation when toxicity data are limited or incomplete.

Please see Master Response 6, Comments Regarding Multiple Chemical Sensitivity, for further discussion about MCS.

Response to Comment FL5-9

Although endocrine disruptors are generally considered to have the potential to cause adverse effects, considerable uncertainty exists regarding the relationship between endocrine disruptor exposure and adverse health outcomes. In many cases, only screening level data are available to indicate the potential for a chemical to interact with the endocrine system in a way that may produce an adverse effect (U.S. EPA, 2011v). In general, these and other forms of endocrine disruptor data are not sufficient for conducting a risk assessment. As a result, endocrine disruption was not explicitly assessed in the HHRA. However, if suitable endpoints were available for an adverse effect that may result from endocrine disruption (e.g., developmental toxicity or carcinogenicity), those endpoints were considered in the risk analysis. In this way, the HHRA implicitly accounted for various endocrine-disrupting effects.

Response to Comment FL5-10

The PEIR addresses management approaches to Proposed Program-related activities at or near schools in the Impact Analysis of Section 6.5, *Hazards and Hazardous Materials*. Impact HAZ-CHEM-2, on page 6.5-19, states:

> "Although generally unlikely and to be avoided when possible, under the Proposed Program, pesticides may need to be applied at or near existing or proposed school sites. If an infestation of a potentially economically damaging pest was detected on vegetation in a school playground, for example, and physical eradication methods or biological methods were determined to be infeasible or ineffective, then that infestation may be eradicated using chemical methods. As required under the California Education Code, if such a situation were to occur, only EPA-registered pesticide products would be used; school facilities would be notified in advance of the application; records of pesticide applications would be kept and made available

> to the public, and warning signs would be displayed at pesticide application areas. CDFA also would attempt to conduct the activity when children are not present and with adequate reentry time before they return. None of the pesticide products proposed to be used under the Proposed Program meet the criteria specified in Section 17610, and thus they are permitted for use at school sites. Existing laws and regulations would apply to the handling of any pesticides on school property, to provide safe handling and reporting of use. CDFA will work with schools to ensure that pesticide applications occur at a time when children are least likely to present. Therefore, the impact would be less than significant."

The HHRA risk assessment of the child PAR is protective of a school child. The child PAR is assumed to have the potential for exposure to Proposed Program-applied pesticide active and inert ingredients, after treatment of his/her property, through dermal contact with residues on plant surfaces and soil, incidental ingestion of residues on vegetation from hand-to-mouth activity, and ingestion of treated produce and soil.

Response to Comment FL5-11

With one exception, we are unaware of any pesticide active ingredients that may be used under the Proposed Program, and whose environmental degradates are considered more toxic than the parent compound. The one exception is acephate, and its degradate methamidophos. Our analysis did consider methamidophos and, consistent with U.S. EPA methodology, conservatively assumed a 25 percent conversion rate of acephate to methamidophos upon release into the environment. This value is highly conservative and health-protective.

Response to Comment FL5-12

Proposed Program treatments would not occur in proximity to drinking water resources. Furthermore, regulatory requirements of the NPDES permit and Ag Waivers program (discussed further in the ERA and PEIR Volume 1, Section 6.7, *Water Quality,* of the PEIR) ensure that appropriate measures would be taken to ensure that the pesticide ingredients from the Proposed Program do not significantly impact surface water.

Based on the most recent 5 years of Ground Water Protection List (GWPL) data in the CDPR groundwater database (CDPR, 2014a), no Proposed Program pesticide was detected in groundwater above its respective water quality objective.

In addition, site-specific analysis, including an examination of potential water quality impacts, will occur as part of the Proposed Program's Tiering Strategy.

Response to Comment FL5-13

This statement is completely unfounded. CDFA conducts its activities in compliance with the federal Clean Water Act and its NPDES Spray Applications Permit issued by the SWRCB, and would continue to do so under the Proposed Program. Similarly, through compliance agreements, CDFA would require that all regulated entities (e.g., growers) comply with Clean Water Act requirements.

Response to Comment FL5-14

The PEIR includes a detailed evaluation of impacts to pollinators, including significance determinations related to special-status pollinators; and appropriate mitigation, including for potential use of neonicotinoids under the Proposed Program. Please see Master Response 8, Pollinators, for a discussion of PEIR's analysis and conclusions related to pollinators.

Response to Comment FL5-15

The PEIR is a program-level document, and is not intended to serve as a project-level EIR. The scope of analysis and level of detail in the PEIR are appropriate for a programmatic analysis, given the broad nature of the Proposed Program. That said, the analysis is quite detailed and may address individual activities that do not have any new or more significant impacts than were considered and disclosed in the PEIR. CDFA would document such determinations through its Tiering Strategy checklist and accompanying CEQA documentation, as needed.

Response to Comment FL5-16

Please see Master Response 3, Impacts on Organic Farming, for a discussion of potential impacts to organic farmers.

The PEIR uses the criteria from CEQA Guidelines Appendix G, which identify significant impacts as those which cause agricultural land to convert to non-agricultural uses. Please also see Master Response 3, Impacts on Organic Farming, and Master Response 13, General Impacts to the Environment.

Response to Comment FL5-17

The PEIR includes a detailed evaluation of the potential for use of pesticides under the Proposed Program to result in significant impacts on human health and environmental resources, and includes a number of feasible and effective mitigation measures to ensure that impacts would not be significant. The PEIR analysis is based on substantial evidence and the best available science. The commenter has provided no evidence to support its allegation that the conclusions of the PEIR are not credible.

Please see Master Response 9, Water Quality, for a discussion of potential impacts to water quality.

Response to Comment FL5-18

The risk assessment did in fact evaluate several pesticides and inert ingredients commonly used in organic farming, including but not limited to: Bt, Spinosad, Spirotetramat, alpha and beta pinenes, limonene, copper, eugenol, cumene, hydrolyzed corn gluten, mineral oil, neem oil, and pyrethrins. Other types of MPs, including physical, cultural, and biological controls, were also considered in the PEIR. It is unclear which "less- and non-toxic pest management alternatives" were dismissed from the PEIR that the commenter would have liked to see

included as part of the Proposed Program. CDFA considers a full range of management approaches when determining the most appropriate management response.

Response to Comment FL5-19

CDFA agrees that on-farm practices leading to healthy soil and healthy plants may result in increased resistance to pests. CDFA encourages farmers to engage in such practices to reduce their risk of pest infestations, and reduce the need to implement the Proposed Program's pest management responses. The Proposed Program is intended to operate in tandem with such practices as part of a holistic approach to pest prevention and management.

Response to Comment FL5-20

As described in the PEIR's Section 2.2, *Program Goals and Objectives*, the Proposed Program has multiple objectives that include pest prevention but also many others. Although certain pest prevention activities are not detailed in the PEIR because they are not part of the Proposed Program, CDFA's pest prevention activities agency-wide are not limited to exclusion at the border and internal quarantines, as the commenter suggests. Through a Memorandum of Understanding with CACs, CDFA performs specific actions to maintain a pest introduction deterrent for the entire state. These actions include regulating the movement of target pests from an infested area to a protected area, and cooperating with the federal government and other states. To deter the introduction of pests from an infested area, CDFA will:

- Regulate surface vehicles entering protected areas from areas of past contamination at points that will provide statewide protection, and at appropriate times to be effective;
- Monitor air and maritime traffic entering California, including inspecting all cargo shipments, and spot checking travelers; and
- Maintaining terminal inspection at U.S. Post Offices, common carriers, and hay and grain terminals.

Cooperation efforts for pest prevention involve promoting uniform pest exclusion regulations, and strengthening and encouraging valid origin certification.

Please see Master Response 14, Ecological-Agriculture Approach, for further discussion pertinent to this comment.

Response to Comment FL5-21

It is true that eradication is a major goal of the Proposed Program. However, the Proposed Program takes an adaptive management approach to addressing plant pests. In cases when eradication is deemed infeasible, CDFA will take other approaches (e.g., suppression) in response to a pest infestation.

Response to Comment FL5-22

The Secretary of CDFA has considered public comment and alternatives, and finds this approach to be feasible and most likely to meet the CDFA's goals, objectives, and legislative mandate. CDFA does lead the way toward agricultural policies that protect California agriculture.

The PEIR's impact analysis demonstrates that the Proposed Program would be protective of humans, wildlife, and the environment in general. In addition, the Statewide Program helps protect the agricultural industry from the economic damages of pest infestations, while minimizing economic burdens on farmers.

Please see Master Response 2, Integrated Pest Management Approach, for discussion about the IPM approach; and Master Response 14, Ecological-Agriculture Approach.

Response to Comment FL5-23

Responses to comments from these other groups are provided elsewhere in this Final PEIR.

Table 5-1

List of Individuals Who Submitted Form Letter 1

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
A.	Julie	430
A.	Nathan	6549
A.	F.	3649
A.	M.	4746
A.	Brandee	11782
A.	C.	12040
Aagaard	Lisa	2862
Aaron	Emory	13287
Aaronsouth	Marianne	5232
Aazd	Minoush	10468
Abare	Jeff	10958
Abate	Andrew	3890
Abbott	Leanne	2538
Abbott	Lawrence	944
Abbott	Darlene	8609
Abbott	Gayle	10837
Abdizadeh	Amir	1881
Abdul-Aleem	Nasira	7091
a'Becket	Suzanne	2463
Abelleira-Danie	Elisa	7955
Abelson	Linda	13115
Abiad	Robert	1389
Abiko	Kenny	1036
Abler	Michael	1727
Abma	Lois	4784
Abra	Keren	1171
Abrahams	Darcy	7114
Abrahamsen	Mike	7716
Abrahamson	Stephanie	399
Abrams	Sally	1385
Abrams	Tami	6409
Abrams	Lauren	13126
Abrams	Annette	9975
Abramson	Mark	9631
Accusani	Paola	9741
Ackerman	John	7175
Ackerman	Michael	2829
Ackerman	Elizabeth	11046
Ackley	Brenda	13244
Acosta	Larry	1395
Acosta	Alberto	1848
Adair	Debra	772
Adam	Dawne	6782
Adame	Leonard	9784
Adame	Leonard	13164
Adams	Lynn	5069
Adams	Joan	3197
Adams	A.	1649
Adams	Tom	1337
Adams	Joyce	1154
Adams	Jeannie A.	3021
Adams	Lillie	3720
Adams	Mary	6639
Adams	Linda	5757
Adams	David	9252
Adams	Ariel	2823
Adams	Debora	9244
Adams	Marge	10860
Adams	Tim	9481
Adams	Mary	9948
Adams	Eileen	9936
Adamson	Frank	1052
Adamson	Jory	10818
Adan	Elizabeth	1159
Adatepe	Alparslan	10487
Adato	Leslie	14591
Adcock	Michael	10721
Addington	Denise	9392
Addley	Vicki	3438
Ade	Hillary	4321
Adeina	Dalia	6699
Adel	Nina	8075
Adelman	Karen	3304
Adelman	Anna	14153
Adelson	Julie	373
Adept	Kyre	14329
Aderhold	Steven	4389
Adler	Judith	4241

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Adler	Robert	1121
Adler	Lesia	6681
Adler	Dana	5408
Adler	Lynn	7143
Adler	Bob and Jane	6605
Advocate	Arnold	5321
Ady	Marie	14161
Adzentoivich	Nancy	13273
Aenlle	Willy	7340
Afi	Neda	9967
Afrashteh	Sherrian	9165
Afshar	Nazanin	7620
Agee	Philip	5550
Agee	Will	7626
Aggarwal	Madhusudan	14254
Aggeler	Brendan	3422
Aggers	Kathleen	3435
Aggson	Van	1523
Aguayo	Soledad	11612
Agueda	Karhi	13332
Aguiar	Andrew	1387
Aguilar	David	1849
Aguilar	Victor	4185
Aguilar	Uriel	3420
Aguilar	Lisa	11413
Aguilar	Marissa	13258
Aguilar	Rose	16747
Aguilar	Guillermo	11156
Aguilar-Colwell	Raven	6057
Aguilera	Janet	3156
Aguilera	Marco	3461
Aguilera	Astrid	9643
Aguirre	Rebecca	1593
Ahamre	Anna	3452
Ahlf	Karin	757
Ahlmann-Sunnyvale	Darlene	10934
Ahmadi	Carole	4653
Ah-Mau	Susan	11892
Aiken	Edwin	7374
Aiken	Sean	13141
Aird	Sarah	3355
Airey	Je	2505
Akinci	Ece	6050
Akka	David	1346
Aladeen	Donna	2343
Alaimo	Madalene	11428
Alan	Mark	8610
Alapai	Shawna	4118
Alarcon	Mahto	4182
Alarcon	Karen	4564
Albach	Fred	3250
Albert	Barbara	2390
Albert	Cheryl	10841
Albert-Bullis	Mira	595
Albiani	Adella	13454
Albin	Kelly	5599
Albrecht	Eloise	16706
Alcala	Irma	6131
Alcazar	Denise	3774
Aldana	Michelle	3372
Alden	Tom	1260
Alden	Rory	9374
Aldredge	Anna	4248
Aldridge	Thomas	6371
Aldridge	Sue	10062
Alenik	Arthur	3761
Alessi	D.	4187
Alet	Frances	2307
Alexander	Jane Alexander	5802
Alexander	Gerald	959
Alexander	Anne-Marie	5483
Alexander	Natalie	2350
Alexander	Susan	4355
Alexander	Jim	5040
Alexander	Rhetta	10636
Alexander	Jane	11773

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Alexander	Jon	12007
Alexander	Sue	13247
Alexander	Martin	13195
Alexander	Charles	12041
Alfaro	Elaine	1834
Alfino	Tony	2364
Alford	Gail	3771
Alfuwairis	Shaikha	7414
Algier	Martine	13450
Ali	Zee	16737
Allah	Halimah	9195
Allard	Gayle	4442
Allbright	Galloway	945
Alldis	Janis	8677
Allen	Denise	7357
Allen	Brion	4584
Allen	Craig	1512
Allen	Judy	7163
Allen	Bruce	7006
Allen	Candice	761
Allen	Lynne	4838
Allen	Dena	1919
Allen	Dennis	8765
Allen	James	3802
Allen	Bruce	7407
Allen	Jordan	7749
Allen	Ann	6723
Allen	Kay	6862
Allen	Terrie	638
Allen	Catherine	14305
Allen	Melissa	12036
Allen	Brenda	11450
Allen	Melodye	11492
Allen	Jim	10334
Alley	Julie	2553
Alley	Lynn	9701
Allgaier	Heidi	10687
Allison	Gail	10238
Allison	Jessica	11123
Allport	Carolyn	5355
Allsop	Roberta	13301
Almack	Charles	10834
Almazan	Gabriel	9111
Alonso	Mark	7922
Alonzo	Nancy	11712
Alorro	Audrey	2835
Alosi	Jeanette	13191
Alper	Laurie	8161
Alper	Marc	4836
Alper	Greg	1974
Alpern	Gloria	6737
Alreck-anthony	Peggy	8615
Alsibai	Elizabeth	7513
Alsina	Mario	7082
Altamirano	Andrew	11163
Altavilla	Carol	4728
Altevers	Cherie	8585
Althiser	Kenneth	8039
Altintop	Carrie	662
Altman	Adrienne	4994
Altman	Robert	6193
Altman	Leah	3158
Altman	Peter	3358
Altstatt	Jessica	9977
Alva	Raquel	5502
Alva	Susanjane	3846
Alvanos	Victoria	16559
Alvarado	Carina	8922
Alvarez	Jessica	5256
Alvarez	Oscar	825
Alvarez	Karina	10116
Alvarez	Rene	10449
Alvarez	Sandra	14685
Alvarez	Christina	10960
Alvarez-Oppus	Sonia	6980
Alvear	Matias	1641
Alwill	Erik	7081
Alyxander	Thomasin	786

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Ama	Suzanne	10188
Amador	Nicole	5377
Amalfitano	Gloriamarie	782
Amaral	Sindee	2810
Amato	Nicole	1067
Amato	Margaret T.	10554
Amaya	George	5702
Amaya	Eloisa	4583
Ambriz	Alicia	7869
Ambrosini	D.	11687
Ambrosio	Antoinette	4977
Amelang	Loren	10451
Amende	Christina	9100
Ames	Vivian	5216
Ames	Justin	5906
Amezquita	Dora	2411
Amezquita	Amelia	13437
Amick	Tom	4527
Amin	Daxay	6995
Amirkhas	Michele	2090
Amjadi	S.	2907
Ammirati	Gary	9471
Amparan	Della	5410
Amsden	Liz	8688
Amy	Call	2222
An	Rose	9402
Anagnostou	Sula	5868
Anania	Dale	2527
Anaya	Jessica	11843
Anaya	Maria Elena	13452
Ancker	Robert	11043
Anderholm	Jon	6899
Anderon	Claudia	1788
Anders	Tina	10674
Andersen	Paul	7527
Andersen	Evette	744
Andersen	Peggy	7889
Andersen	Leslie	11177
Andersen	Heine	11176
Anderson	Ray	8959
Anderson	Penelope	9276
Anderson	Laura	1218
Anderson	David	3220
Anderson	Stephen	7179
Anderson	Nancy	2456
Anderson	Julie	5213
Anderson	Kelly	9167
Anderson	Jeffry	2016
Anderson	Ld	2122
Anderson	Maurica	2890
Anderson	Jane	5977
Anderson	Katy	5625
Anderson	Judith S.	6815
Anderson	Janie	1255
Anderson	Gen	6175
Anderson	Jefree	7043
Anderson	Patricia and Donald	5903
Anderson	Clark	9065
Anderson	Dale	6337
Anderson	Kristin	3468
Anderson	Mary	13445
Anderson	Asia	10300
Anderson	Tina	11918
Anderson	Jenna	14296
Anderson	Jason	9518
Anderson	Aprilanne	10106
Anderson	Richard	9821
Anderson	Dan	11720
Anderson	Barbara J.	11287
Anderson	Deanna	11305
Anderson	Erik	11214
Andersson	Joan	2263
Andersson	Hedy	12004
Andis	Corlissa	7990
Andrade	Maria	2834
Andrade	Karina	1701
Andrade	Rodrigo	9542

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Andre	Jill	1447
Andre	Stacey	11118
Andres	Helen	11650
Andresen	Dennis	9625
Andrew	Kevin	6055
Andrews	Laquitta	1648
Andrews	Leslie	458
Andrews	Thomas	7543
Andrews	Bob	4207
Andrews	Jean	11615
Andrews	Julie	11888
Andrews	Avital	12018
Andrews	Melissa	12065
Andrianos	Elaine	4084
Angel	Alfonso	11448
Angel	Melissa	11320
Angell	J. L.	8294
Anglin	Diane	7799
Anguiano	Carla	5644
Angulo	Rosa	3526
Angus	Dana	6653
Anita	Patrice	8843
Ankele	Rosanne	9945
Ann	Tina	8853
Anne Middleton	Elizabeth	4706
Annecone	Lisa	8274
Annecone	John	8598
Anny	Anny	5152
Anooshahr	Ali	13240
Ansay	Serge	11036
Anthony	David	16723
Antoine	Rosa	6943
Anton	Sharon	5406
Antonetti	Joseph	6802
Aparicio	Natalie	11652
Apgar	Susan	10297
Apley	Laura	10796
Apple	Jacki	7664
Applebaum	Karen	7647
Arace	Marylucia	2574
Arachy	Chet	8363
Arago	Marybeth	3562
Arain	Sulaiman	11247
Araiza	Jeanette	14321
Aram	Susaan	10117
Araneo	Isa	501
Arayaes	Judith	2216
Arbelo	Albert	8752
Archer	Jennifer	6488
Archer	Chris	2980
Archer	Tracey	9742
Archie	Meira	4358
Archuleta	Jennifer	2844
Arconti	Ken	7236
Arcure	Anthony	10125
Arden	Kathy	3653
Ardinger	Barbara	8060
Ardon	Elmer	11817
Aregahegn	Zion	5042
Arellano	Elaine	2247
Arevalo	Evelyn	8221
Arevalos	Peggy	10778
Argall	C. Roy	5727
Arguello	Frances	11314
Arguetty	Danny	6794
Arias	Elvira	11733
Arleen	Zuniga	2830
Armand	Andree	10727
Armbruster	Brian	12008
Armer	Joan	4873
Armigo	Victoria	7751
Armistead	Amy	961
Armitage	Tami	5223
Armstrong	Lynn	1588
Armstrong	Malia	1620
Armstrong	Daniel	3160
Armstrong	Chips	8005
Armstrong	Yvonne	1827

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Armstrong	Marsha	1925
Armstrong	Noah	9911
Armstrong	Marla	10467
Arndt	Melanie	877
Arnold	J.	8671
Arnold	Maris	1210
Arnold	Melodee	5143
Arnold	Carlos	10613
Arntz	Diana	3457
Aron	Verity	4431
Aron	Elaine	2910
Aron	Evelyn	653
Aronoff	Miriam	5456
Aronson	Vera	6500
Aronson	Reevyn	4030
Aroyan	Janine	16693
Arredondo	Maria Luz	8724
Arreola	Erica	5908
Arreola	Diana	2983
Arreola	Blas	11532
Arreola	Tassa	9955
Arrivee	David	6614
Arsenault	Richard	7386
Arseneau	Ellis	2197
Arteaga	Jose	9973
Arthur	John	8539
Arthur	Molly	10427
Artist-Vilhauer	Karla	1738
Arumugham	Vinu	1850
Arvola	Andarin	5784
Aryafar	Maria	5110
Arzate	Jennifer	11367
Arzayus	Maria E.	3889
Ascher	Britt	8535
Asghedom	Nilen	6021
Ash	Kathy	9140
Ashcraft	Politti	8152
Ashcraft	James	6177
Asher	Kala	3501
Ashkar	Annmarie	11977
Ashland	Barbara	1818
Ashley	Victoria	112
Ashley	Cathy	9581
Ashlock	Susan	1328
Ashmall	Marilynn	9001
Ashman	Charles	4500
Asplund	Shari	11919
Aston	Diana	2492
Aswell	Lois	9511
Atcher	Sheila	4831
Atchison	Rachael	5827
Atchison	Matthew	3736
Atchley	Annelies	16583
Atkins	Ed	7451
Atkins	Ilene	3419
Atkins II	Chester E.	1567
Atlas	Debra	891
Attell	Barbara	11166
Atterholt	Judy	4302
Atwell	J.	9797
Atwill	Elisa	2376
Atwood	Julia	1365
Auberger	Jillian	9054
Aucoin-Unruhe	Adriana	10995
Audelo	Jocelyn	5960
Auelua	Tupefaavae	1731
Augur	Wayland	11921
August	Boyer C.	3668
Augustine	Elke	10589
Auliso	Julie	9032
Aulson	Christina	11661
Austin	Helen	7413
Austin	Kim	6870
Austin	Lynda	6508
Austin	Barbara	7754
Austin	Martha	9721
Autin	Cyrille	5889
Autrey	Jean	426

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Avakian	Jacquelynn	880
Avalon	Hilary	9823
Avedissian	Lucy	1013
Avegno	Jennifer	11319
Avery	Barbarajean	4615
Avery	G.P.	7999
Avocet	Lani	6167
Axten	Karla	635
Ayala	DonnaMarie	11494
Ayers	Anita	8663
Aylor	Melissa	3401
Aylward	David	5806
Aynagoz	Zeynep	3738
Ayres	Caroline	1417
Aziminia	Rachel	1287
B.	N.	7666
B.	B.	446
B.	C.	5332
B.	J. R.	3578
B.	Prashant	4347
B.	K.	10008
Babao	Donna	11502
Babb	Debbie	525
Babb	Mary Sue	4228
Babcock	William	3486
Babcock	Tim	6374
Babcock	Miles	7974
Babcock	Helen	2618
Babcock	Clay	9810
Babin	Victoria	6425
Babst	Christina	542
Baca	Marisa	5533
Baca	Phillip C'de	2345
Baccarat	Tanya	5775
Bacchus	Linda	1406
Bacci	Debra	10625
Bachar	Will	2588
Bachman	Jon	11553
Bacigalupi	Renald	10605
Backus	Rex	8226
Backus	Lee	3389
Baclija	Martin	9038
Bacon	Lois	6597
Baczuk	Pamela	14155
Badell	Kathleen	1524
Badella	Gloria	2151
Bader	Bonnie	3618
Badheka	Shauna	7233
Bae	Jungleen	7358
Baetz	Karen	10514
Bagby	Janet	8066
Baglietto	Amber	7299
Bahr	Richard	4576
Bahris	Angie	9864
Baier	Dawn	998
Baier	Carol	5002
Bailey	Larry	8873
Bailey	Richard	2886
Bailey	Shayna	5989
Bailey	Chuck	5875
Bailey	Norene	11329
Bailey	Jerry	13256
Bailey	Linda	9684
Bailey	Lori	13118
Bailey	Michelle	9630
Bailey	Larry	10355
Baillio	Chris	3282
Bainter	Anna	9600
Bair	Marjorie	9251
Bair	Marilyn	7528
Baird	Kathryn	10611
Baker	Mary	3376
Baker	Claire	8885
Baker	Derek	3665
Baker	Emily	543
Baker	Sandra	6992
Baker	Kelsey	3432
Baker	Elaine	1250

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
	Lawless	
Baker	Gail	7915
Baker	Arlene	8207
Baker	Tajuana	7552
Baker	Donna	7763
Baker	Mary	6628
Baker	Tanya	411
Baker	Lynn	4257
Baker	Patricia	4646
Baker	Nicholas	6189
Baker	Mikal	6263
Baker	Pat	14281
Baker-Stapleton	Jean	2093
Bakhturina	Evelina	3815
Bala	Phyllis	9807
Balam	Gregory	4165
Balassi	Nancy	1857
Balazs	Santiago	11939
Balch	Earl	2544
Baldarelli	Viviana	13085
Baldwin	Lauren	3200
Baldwin	Jay	5997
Baldwin	Natylie	205
Baldwin	Joy	8611
Baldwin	Mollie	3768
Baldwin	Leland	4151
Baldwin	Denise	9605
Balfour	James	5964
Ball	Pamela	8858
Ball	Dale	4908
Ball	J.	9537
Ballar	Alex	834
Ballard	Stacey	7468
Ballas	Nickola	6658
Ballator	Nada	9995
Ballen	Lee	7318
Ballent	Anika	9272
Ballinger	Barbara	3056
Ballinger	Michael	11766
Ballot	Michael	7342
Balog	Ranko	8704
Balthasar	Lawrence	820
Balzan	Darlene	5845
Bambusch	Kirk	715
Bancroft	Libi	9703
Banda	Tina	7921
Bander	Felicia	5404
Bando	Gloria	5142
Banerjee	Sati	1541
Banever	Carol	463
Banever	Robert	6624
Banfield	D.	1180
Banister	Stephen	1581
Banister	Drue	9710
Banks	Charles	10986
Banks	Michele	10522
Banks	Percival	10825
Bannerman	Margaret	700
Bannerman	Betsy	2475
Bannerman	Patricia	13390
Bannerman	Kathleen	10975
Banuelos	Absalon	11338
Baptiste	Carol	4733
Barajas	Stephanie	3272
Baraka	Kelly	9342
Barba	Ilonka	11095
Barbara	Helene	3847
Barbe	Lynn	11300
Barber	Melissa	16687
Barbour	Pat	9205
Barca	Erin	6230
Barcellona	Nancy	5858
Barcenas	April	8537
Barclay	Carrie	4232
Barclay	Martha	16561
Bard	Rebecca	5490
Barger	Denise	10592
barich	Mary	4749

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Barillas	Liz	8784
Baringer	Steve	2372
Barisonek	Marianne	5649
Barker	Susan R.	4795
Barker	Val	13283
Barker	Mary	14604
Barkow	Carolyn	9937
Barlow	Sandra	8824
Barlow	Gordon	1324
Barlow	Scott	704
Barmore	Matt	5145
Barnes	Michael	4910
Barnes	Sharon	604
Barnes	Patricia	6692
Barnes	Kate	5043
Barnes	Joanne	4312
Barnes	Casey	6403
Barnes	Michael	10839
Barnett	Candice	2318
Barnett	Barbara	12021
Barnhart	Diane	4439
Barnhart	Jerry	6876
Barnhart	Diane	11558
Barnhill	Cara	10521
Barni	Barbara	2114
Barnum	Terry	13433
Baroni	Cherie	5127
Barr	Marla	8302
Barraza	Steve	13178
Barre	Mandy	7678
Barre	Mandy	1118
Barrera	Rossina	3201
Barrett	Sharon	3052
Barrett	Dennis	6433
Barrett	Bettina	10648
Barrett	Elaine	11940
Barrett	James	10474
Barrington	Tim	475
Barris	Mary	8210
Barron	Mary	8819
Barron	Mikail	694
Barron	Ellen	8387
Barron	Tiobe	2436
Barry	Dave	797
Barry	Dwight	2039
Barry	Lexi	8119
Barry	Charlotte	10365
Barsanti	Cristine	457
Barthelow	Marilyn	9544
Bartleman	Mark	574
Bartlett	Cindy	2328
Bartlett	Ray	4638
Barto	Christine	16733
Barton	S.	2898
Barton	Kara	11515
Bartone	Toi	6626
Bartosova	Ludmila	14175
Bartsch	Margit	4754
Bartulovich	Joan	6840
Basaldu	Maria	3442
basas	Amber	2221
Baskin	Joseph	10461
Basman	Melis	5587
Basrai	Rashida	6220
Bass	Lanny	7268
Bassett	Christine	2806
Bateman	Pamela	1842
Bates	Thomas	5298
Bates	Janis	6785
Bates	Abigail	9325
Bates	Angela	1358
Bates	Chris	4862
Bates	Donna	5762
Bates	Nancy	13352
Batha	Laurie	7443
Batley	Glenis	11384
Batley	Quillan	11549
Bator	Jennifer	1350

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Batten	Jason	14277
Battiest	Starla	5003
Battistella	Walter	7456
Baudry	Eric	5497
Bauer	Wendy	1594
Bauer	Alwen	8179
Bauernfeind	Bill	8346
Baughman	Whitney	2242
Baum	Miriam	4870
Baum	Seb	4885
Baum	Jolianne	1695
Baum	Dorothea	10335
Bauman	Mark	8236
Bausano	Vincent	7708
Bautista	Fabricio	10769
Baxter	Ben	534
Baxter	Melissa	8203
Bayard	Nadyne	14197
Bayer	Cristian	7420
Bayer	Judith	9486
Bayon	Eric	2937
Bazar	Joan	7699
Bazinet	Jon	9200
Beacock	Laurie	6885
Beal	John	2978
Beall	Dennis	8589
Bear	Charlotte	10712
Beard	Clara	403
Beard	Theresa	8416
Bearden	Jim	9091
Beardsley	Patricia	8810
Beardsley	Claire	10252
Beasley	Dale	5224
Beasley	Christopher	6100
Beattie	Evan	9848
Beatty	Barbara	10798
Beatty	Denise	9666
Beauchamp	Robert	5166
Beaudet	Denyse	2514
Beaudry	Jessica	1004
Beavis	Ian	8672
Bechko	Corinna	1355
Bechtel	Joan	5064
Beck	Mary	2811
Beck	Carol	6662
Beck	Jeff	4982
Beck	Barbara	6368
Beck	Mary	14211
Becker	Carol	5455
Becker	Mary	2021
Becker	Jaime	2268
Becker	Shari	4368
Becker	Justin	16689
Beckerman	Gary	1623
Beckers	Jeffrey	11146
Beckham	Brice	1945
Beckham	Ron	6993
Beckham	Michelle	4736
Beckwith	Karen	8542
Beckwith	Mark	2289
Bedard	Peter	685
Bedford	Pauline	4639
Bedient	Gwen	5317
Bee	Jitter	16700
Beecher	Christina	11811
Beeck	Nicole	5025
Beer	Julie	6079
Beers	Samantha	455
Beetley-Hagler	Chris	11618
Begin	Jackie	9495
Behling	Tresca	5831
Behnke	Heidi	710
Behr	David	3309
Beidler	Marilyn	6758
Bein	Ann	5476
Bein	Keith	6827
Bekins	Louise	7490
Bel	Phoebe	8540

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Belcher	Maryalee	9125
Belisario	Erica	4397
Belk	Andy	1345
Belknap	Lidia	11031
Bell	Ingrid	999
Bell	Darcy	1232
Bell	Jim	852
Bell	Teja	7423
Bell	Elizabeth	7674
Bell	Steve	6634
Bell	Marla	9861
Bell	Jenny	13208
Bell	Elizabeth	9640
Bell	Darryl	11465
Bell	Miss	11246
Bell	Clark	10622
Bellak	Nina	9103
Bellamy	Tam	1985
Bellant	Charla	509
Bellavia	Linda	4039
Belle	Maureen	1775
Bellem	Sarah	11068
Beller	Peri	1955
Bellino	Tami	11725
Bellomo	Clea	10084
Belloso-Curiel	Jorge	7502
Bellucci	Lucille	10512
Bellum	Victoria	11071
Belongie	Mignon	1977
Belt	Annie	3129
Belt	Emily	3099
Beltran	Sue	9401
Beltran	Gabriela	6522
Bembenek	Regor	3135
Bemrose	Lorie A.	3912
Benardo	Sally	5180
Benavides	David	7465
Bence	Michelle	3962
Benda	Hilarey	13238
Bendall	Jill	5286
Bendall	Jill	6557
Bender	Matt	3024
Bender	Kae	1102
Bender	Jerome	2352
Bendich	Hilary	11959
Bendich	Pamela	11643
Bendich	Ina	11957
Benedek	Melinda	762
Benedict	Douglas	1529
Benedikt	Ines	3644
Benes	Michelle	9399
Benesh	Gina	6825
Benevento	Janet	4889
Bengal	Valerie	4803
Benham	Lisa	4246
Benham	Laurie	1765
Benioff	Jeanne	2283
Benjamin	Elaine	2572
Benjamin	Paul	7245
Benjamin	Jennifer	14188
Bennett	Lolly	1075
Bennett	John	4622
Bennett	James	8277
Bennett	Kate	8444
Bennett	Patricia	11270
Bennett	Allen	9776
Bennett	Lori	10892
Bennett	Vinona	11516
Bennett	Carol	9491
Bennett	Dawn	14268
Bennett-Simmons	Carole	11685
Bennigson	Barbara	8983
Benning	Terri	10322
Bennington	Shanna	4893
Bennion	Beth	3842
Benson	Leonard	4904
Benson	Katherine	9380

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Benson	Lois	1138
Benson	Heidi	13443
Benson	Janet	10086
Bentley	Scott	3758
Benveniste	Anne	9332
Beren	Jack	7211
Berenson	Douglas	14250
Beresford	Nicole	8055
Berg	Keely	8653
Berg	Bette	1853
Berg	Peter	13239
Bergan	Eileen	3974
Bergart	Josh	11434
Bergdolt	Caroline	2565
Bergen	Jaye	2274
Bergen	David	882
Bergen	Jaye	3556
Bergenn	T.	14235
Berger	Mo	4774
Berger	Elmer	1553
Berger	Gaye	3717
Berger	Karen	10134
Berger	Eric	14160
Berger	Jacqueline	12035
Berger	Aaron	10732
Bergeron	Jeanene	7504
Bergeron	Lisa	8382
Berges	Jon	2996
Bergh	Darcy	5132
Berghoff	Ed	11679
Bergman	Claudette	8534
Bergstom	Carina	14717
Bergstrom	Liam	8344
Bergstrom	Barbra	5516
Beringer	Marita	16761
Berk	Heather	2489
Berke	Madeleine	1722
Berkley	Jere	6195
Berkofsky	Vicki	6066
Berlin	Dave	4742
Berlin	Rivian	16742
Berlin	Sharon	11119
Berliner	Diane	9485
Berman	Deborah	6837
Berman	Elena	2299
Berman	Juliann	8693
Berman	Morry	4009
Berman	Elaine	10670
Bermea	Jessica	9660
Bermeo	Adolfo	616
Bermudez	Leah	13423
Bernard	William	11907
Bernardino	Carlos	4149
Bernath	Emily	9231
Bernhagen	Royal	7519
Bernhagen	Jeannie	7397
Bernhardt	Benjamin	6525
Bernhardt	Jill	13114
Bernhart	Barbara	3142
Bernson	Janet	8506
Berrian	Denise	10442
Berridge	Rachael	5897
Berry	Rab	1074
Berry	Paula	4353
Berry	Brian	2443
Berry	Nina	7074
Berry	Jennifer	9899
Berry	Linda	11760
Berry	Vic	10591
Bersin	Elisabeth	9006
Bertelsen	Judy	6485
Berthiaume	Anne Marie	4270
Bertin	Madeleine	16686
Besancon	Maureen	3068
Best	Lourdes	4997
Best	Zan	3875
Bethune	Lisa	6912
Bettenhausen	Elizabeth	6781

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Betti	Mark	4943
Betts	Peter	11446
Betz	Erik	9589
Betz	Martha	11523
Beu	Catherine	9745
Bevil	Kishan	5972
Beyeler	Arturo	4415
Beyer	Dalia	8004
Beyer	Janice	11830
Bianca	Stephanie	8202
Bianchi	Melanie	11517
Bianco	Louise	2402
Bianco	Vickie	1117
Biase	Simone	8327
Bichan	Molly	7822
Bicher	Brooklyn	10965
Bickel	Nicole	7244
Biddle	Jan	2946
Biegen	Jennifer	6596
Biehl	Robert	5182
Bienkowski	Kenneth	4080
Bier	Ethan	557
Bierlich	Helen	6851
Bierman	Margaret	631
Biers	Michael	4038
Biers	Reva	3917
Bigelow	Tracey	14698
Biggs	April	451
Bighinatti	Christine	11286
Biglia	Monique	7213
Bilicke	Kathy	6583
Bill	Eileen	10129
Bills	Sharon	10186
Binah	Samantha	2070
Binckley	Charles	4697
Bindas	Janet	10800
Bingham	Jack	3929
Binns	Cheryl	6751
Birdwell	Jerry	7181
Birk	James	9068
Birk	Paul	9494
Birkin	Greg	6004
Birks	David	4099
Birnbaum	Andrea	11383
Birskovich	Kit	5183
Bisel	Olivia	6042
Bish	Frank	14134
Bishop	Mark	5338
Bishop	Regina	9238
Bishop	William Henry	10525
Bishop	Melissa	13084
Bittner	Jill	11879
Biv	Mike	4814
Biwer	Yseult	829
Bizakis	Anthony	6342
Black	Lindie	8116
Black	Deborah	1549
Black	Katherine	6410
Black	Liz	8231
Black	Molly	4590
Black	Teresa	3117
Black	Marion	9474
Black	Meaghan	2497
Black	Linda	8074
Black	Chanelle	6812
Black	R. C.	5566
Black	Meaghan	10571
Black, Jr.	Robert M.	11784
Blackaby	Linda	4899
Blackburn	Sandra	1043
Blackburn	Lee	3390
Blackburn	Nancy	11234
Blackburn	Tara	11962
Blackmoore	Robert	8185
Blackwell	Alan	5954
Blackwell-Marchant	Pat	3437

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Blaesi	Brent	8582
Blahut	Terri	3853
Blain	Vincent	5708
Blair	Nora	7107
Blair	Jenny	7909
Blair	Emily	8590
Blair	Roger	3747
Blaisdell	Jill	9661
Blake	Scott	4183
Blake	Susanne	2355
Blake	Therese	932
Blake	Sandra	9697
Blakley	Sharon	9116
Blalack	Russell	6608
Blanco	Shealy	2881
Blaney	Carol	11626
Blank	E.	8410
Blank	Vicky	5385
Blankenburg	Jim	11053
Blanton	Rollin	3371
Blastos	Nancy	9216
Blatchford	Amanda	6765
Blatt	Miriam	5865
Blattner	Thomas	9532
Blatz	Imogene	1494
Blau	Barbara	7873
Blaylock	Dawnell	8545
Blazek	Elise	11337
Bledsoe	Daniel	4221
Bledsoe	Richard	5672
Blell	Veronica	7547
Blevins	Patricia	4229
Blevins	Leslie	7147
Bliden	Michael	389
Blied	Peter	7404
Blitz	Danny	2449
Blitz	George and Ruth	10045
Blitzstein	Bonnie	11905
Block	Ruth	705
Block	Ann	13157
Blomstrand	Marilyn	1354
Blood	Larry	5359
Bloom	Steve	3710
Bloom	Todd	7820
Bloom	Stephanie	14620
Bloom	Adam	11093
Blough	Milton	11463
Blue	Rika	2302
Blum	Janet	2821
Blumara	Ravena	3800
Blumenthal	Harry	7832
Blythe	Frances	8639
Blythe	Randle	5857
Boals	Dianne	10208
Boatman	Rebecca	14677
Bocchetti	Ralph	7435
Bochicchio	Ivy Margulies	1563
Bock	Dale	2170
Bock	Veronica	1501
Bockelman	Nick	4360
Bockman	Pamela	9978
Bodemar	Jerilyn	5389
Bodiford	Loretta	2160
Bodlaender	Peter	686
Bodlaender	Peter	6417
Bodnar	Marianna	6363
Bodnar	Cristy	8574
Boes	Sondra	3414
Bogart	Robert	3760
Bogin	Ronald	1181
Bogios	Constantine	5900
Bogoff	Stephen	4309
Bohac	Stephen	7925
Bohannan	Susan	1626
Bohlender	Laura	11774
Bohn	Richard	6973
Bohnert	Allen	7376

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Bohnet	Julie	422
Bohr	Patricia	905
Boito	Diane	4547
Boito	David	11063
Boland	Deirdre	3181
Boland	Donna	6017
Bolbol	Deniz	10291
Boldon	Doug	6903
Bolinger	Jim	7858
Bollmann	Oliver	8621
Bolo	Tony	5801
Bolognini	Francesca	6780
Bolton	Kate	6983
Bolz	Mary	2181
Bomarito	MaryAnn	9287
Bonaso	Gail	8024
Bond	Jill	5111
Bond	Tamara	8305
Bond	Alex	5000
Bond	Lea	11847
Bonilla	Jewell	4163
Bonin	Cloudbird	13307
Bonini	Andrea	2925
Bonk	Janine	12074
Bonner	Patrick	9084
Bonnett	Andrea	423
Bonnier	Lisen	7136
Booker	Patrissha	10107
Boone	Joseph	7641
Booth	Malcolm	5647
Booth	Jacalyn	9806
Bopp	Nadine	6831
Borame	Joan	7530
Borbon	Marta	7258
Borchers	Margie	7108
Bordeaux	Michael	2494
Bordeaux	John	5363
Borden	Bruce	2895
Borden	Shirley	4924
Bordenave	Michael	783
Boren	Gary	8475
Borgardt	Karen	4906
Borgman	Leif	11542
Born	Barbara	1490
Bornstein	David	8486
Boroch	Ann	6256
Boros	Barbara	3161
Bortolin	Robert	7683
Borucki	Bonnie	12140
Borucki	Bonnie	12140
Borucki	Bonnie	12140
Borum	Jeffrey	2103
Bosch	Naomi	7600
Bosch	Christopher	10064
Boschen	Christine	4526
Boshard	Jonathan	5804
Boshears	Michael	11741
Boss	Herbert	6199
Boss	Diane	10329
Bossange	Anne	8528
Bosshardt	Anne	8646
Bostic	Marty	5617
Bostick	Carol	1643
Bostock	Vic	8867
Boswell	James	454
Boswell	Corinne	4160
Botkin	Marie	3404
Botsch	Robyn	4406
Bottger	Chris	11649
Bottomley	Susanne	14654
Bottomley	Arlynn	11655
Botz	Mathilda	628
Bouchard	Kim	4053
Boucher	Tasha	3998
Boucher	KL	3045
Bouckaert	Chris	7200
Boudreaux	Kristina	7735
Boudriot	Simone	2210

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Boughton	Bob	10836
Bouis	Bernard	7271
Bounsall	Laurie Gray	7022
Bourasa	Steven	11719
Bournellis	Cynthia	8195
Boutall	Tina	14247
Bouteille	Cyril	7265
Boutin	Rick	9725
Bouville	Fabienne	709
Bowen	Eleanor	8774
Bowen	Janine	11709
Bower	Lori	792
Bowers	Catherine	4394
Bowlen	L.	3624
Bowles	Lauren	7172
Bowling	Jerry	16759
Bowm	Claire	10016
Bowman	Kim	3115
Bowman	Jason	9900
Bowman	Candy	9764
Box	Carol Corethers	1408
Box	Enci	8083
Boxeth	Kate	10353
Boyce	Judy	8691
Boyce	Nancy	1839
Boyd	Steve	5438
Boyd	Mame	3729
Boyd	Billy Ray	5945
Boyd	Laura	5435
Boyd	Eleni	11342
Boyer	Rebecca	6288
Boyer	Jim	5937
Boyle	Alyssa	4444
Boyle	Lucia	10438
Boyne	Madeleine	9999
Boysen	Ruth	10827
Boysen	Christine	10976
Bozem	Ava	10952

Commenter Name Last	First/Middle	File Number
Braberry	Monica	11430
Bracken	Kyle	2427
Brackett	Debra	1937
Brackett	Joan M.	5233
Brackett	Rona	2131
Bradbury	Jade	6370
Braden	Lori	11271
Bradfield	Susan	3849
Bradford	Patricia	13316
Bradley	Kevyn	8802
Bradley	Amanda	2601
Bradley	Jon	580
Bradley	Mark	6292
Bradley	Audrey	11994
Bradley	Jjoyce	12029
Bradley	Jennifer	11284
Bradmiller	Katherine	8650
Bradshaw	Seren	2535
Bradshaw	Natalie	7906
Bradshaw	Jacqui	10471
Brady	Gerald	5284
Brady	John	6265
Brady	Cheryl	3610
Brady	Shelley	6310
Brady	Barbara	10741
Brady	Morgan	11827
Brady	Carol	13380
Brady	Hugh	10358
Brahney	Lisa	9016
Brain	Amy	6712
Braithwaite	Kimyn	11617
Brallier	Sylvia	1458
Bram	Marjorie	5285
Brambilla	Andrea	6386
Bramlage	Laurie	1642
Branca	C.	8381
Branch	Neil	13167
Brander	Cara	5867
Brandes	Robert	16703

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Brandon	Sara	2972
Brandon	Victoria	5655
Brandon	David	7856
Brandt	Kate	13424
Brandt	Elaine	10714
Brangan	Mary Beth	16563
Branigan	Michael	9842
Branson	Larry	8062
Branson	Linda	9857
Brant	Karen	7761
Brar	Deepi	9931
Brast	Dave	13168
Bratberg	Rania	2878
Braude	Michael	2444
Braun	Rebecca	3583
Braunstein	Lina	6564
Bravo	Lisa	11292
Brawley	Elizabeth	627
Brawley	Amanda	10236
Brawner	Jennie	12002
Bray	Suzannah	10296
Brazier	Helene	2851
Brazie'r	J.	5280
Brazil	Brenda	8199
Brazil	Diane	773
Brazis	Chris	6946
Brearley	Susan	13384
Breazeale	Joseph	5818
Breiding	Joan	16697
Breit	Allan	4579
Brennan	Gayle	6414
Brennan	Carin	5955
Brennan	Tamara	7048
Brennan	Pam	7498
Brennan	Mary	4897
Brennan	Cathy	7560
Brennan	Laura Lee	11174
Brenneis	Aida	830
Brenneman	Beth	3141
Brenner	Barry	5276
Brenner	Nadia	9246
Brenner-Ward	Isis	8884
Breshears	Marian	10161
Bresnahan	Rosalind	2599
Bresnan	Linda	10499
Bressie	Jeannine	968
Brett	Astrid	5028
Bretz	Ed	11365
Breuer	Nancy	1279
Brewer	Georgia	1137
Brewer	Douglas	9224
Brewer	Brad	13440
Brewer	Jill	10826
Brewer	Laurel	11073
Brewin	Mary Ann	14693
Brick	Mardi	10595
Brickell	Julie	6726
Bridges	R.	4065
Bridget Hanley	D	3585
Brier	Jane	1938
Briere	James	4699
Brigger	Kathy	11302
Briggs	Sandra	1698
Briggs, Jr.	William C.	1781
Brigham	Jennifer	7861
Bright	Robert	16760
Bright	Ruth	10103
Brightlight	Gabriella	14266
Brinckloe	Julia	5866
Brinkman	Lisabette	1190
Briskin	Jordan	12059
Brisson	Elaine	11423
Bristol	Toni	14217
Bristow	Becky	1533
Britt	Ayana	8921
Britt	Will	9567
Britton	Sandra	1165
Britton	Bill	916

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Britton	Lauren	9108
Britzman	Bonnie	11872
Broadwater	David	7363
Brock	Jason	2557
Brock	Frieda	1894
Brock	Carol	4156
Brockman	Blaise	5794
Brockman	J.E.	5711
Brockman	Hiloah	3090
Brockman	Ramona	10645
Brodsky	Barbara	11753
Brody	Adam	5208
Brolley	Deborah	14271
Bromberg	Glenda	4641
Brook	Lisbet	3900
Brooking	Elizabeth	972
Brookover	Cicely	2006
Brooks	Jennifer	5049
Brooks	Patricia	4488
Brooks	Eric	7934
Brooks	William	14163
Brooks	Cindy	16738
Brooner	Sharlyn	4610
Brophy	Tim	6408
Brothers	Peter	7524
Brothers	William	4631
Brotherton	Kate	13173
Brouillet	Louis	8973
Brow	Tonia	11507
Brower	Daniel	11676
Brower	Lisa	11171
Brown	Carolyn	217
Brown	Barry	5215
Brown	Susan	3743
Brown	Michael	6029
Brown	Anita	3111
Brown	Holly	545
Brown	Laura	3116
Brown	Walt	4995
Brown	Cynthia M.	1421
Brown	Ashton	2140
Brown	Debra	1816
Brown	Pat	4847
Brown	Jamie	4799
Brown	Irene	1006
Brown	Cynthea	7133
Brown	Jim	6300
Brown	Richard	7427
Brown	Roderick	1917
Brown	Katie	8167
Brown	Jeannine	7448
Brown	Kathleen	2195
Brown	Bridget	1219
Brown	Carol	9343
Brown	Sarah	6012
Brown	Mary	2235
Brown	William	3429
Brown	Jennifer	5349
Brown	Vera	3244
Brown	Chanel	7798
Brown	Dana	4191
Brown	Ron	8443
Brown	Myrna	2374
Brown	Lichen	10373
Brown	Joe	9841
Brown	Julie	9980
Brown	Ruby	11755
Brown	Dianne	13383
Brown	Aleasha	11819
Brown	Alice	11871
Brown	Gillian	13318
Brown	Cecilia	10000
Browne	Tom	3935
Browne	Susan	6351
Brownell	Wynann	4193
Brownfield	Marisa	8906
Brownson	Jennifer	8852
Brownton	Glenn	11928

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Bruce	Linda	4121
Bruce	Edie	3635
Bruinen	Maria	6298
Brumbaugh	Jason	8030
Brummell	Therese	433
Brune	Robin	9133
Brunelle	Deborah	10771
Bruner	Monique	12146
Brunett	Leslie	10715
Brunger	Marilyn	1636
Brunner	Barry	13096
Bruno	Theresa	3558
Bruno	Lorraine	10302
Brusco	Deborah	11970
Brustman	Thomas	11256
Brutoco	Rinaldo	10070
Bruton	Babette	1809
Bryan	Pat	7554
Bryan	Melissa	4821
Bryant	Mary	6734
Bryant	Antonio	7316
Bryant	Emily	5843
Bryant	Ellen	14676
Bryant	Marguerite	11254
Brydon	Neil	2239
Bu	Massiel	3380
Buchanan	Melissa	535
Buchanan	Robert	10202
Buchanan	Betty	14187
Buchholz	William	13418
Buchwach	Nalani	8269
Buck	Kaibrina	9954
Buckheim	Kurt and Debbie	11665
Buckles	Dan	7400
Buckley	Ian	13408
Buckley	Kimberley	11656
Buckley	Laurie	10503
Buckley III	Daniel J.	11159
Buck-Moyer	Sandra	2354
Budash	Laurie	5388
Buddes	Shannon	8175
Buech	Heidi	11882
Buensuceso	Antonio	3325
Buethe	Brad	7899
Bugay	Dawn	3709
Buhan	Mechelle	6373
Buhowsky	Joseph	948
Buhowsky	Joseph	11378
Bui	Khoi	8571
Bui	Anne	1467
Bui	Khai	11312
Bullard	Meteka	3265
Bulloch	Jay	2394
Bullock	Cheryl	11355
Bulskov	Christy	11639
Bulum	Leslie	1854
Bumann	Daniela	7743
Bunce	Peter	2194
Bunch	Eugene	4506
Bundenthal	Thomas	16696
Bungarz	Kathleen	4737
Bunt	Andrea	14606
Buonocore	Linda	7537
Buratto	Lorna	5753
Burback	Larry	7378
Burch	Judith	13243
Burchard	Peter	9353
Burchardt	April	4061
Burcin	Susanne	1963
Burd	Gloria	3180
Burda	Katarina	983
Burdick	Laurence	641
Burge	Dennis	4456
Burgenbauch	Susan	10507
Burger	Bitsa	848
Burger	Bruce	6129
Burger	Bitsa	9

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Burgess	Kat	5184
Burgess	Barbara	459
Burgess	Lois	2884
Burgess	Ian	5985
Burgess	Melinda	11857
Burggraf	Kim	1660
Burgin	Uli	5713
Burgin	Holly	9860
Burk	Robert	3418
Burke	Barbara	6404
Burke	Bonnie Margay	7682
Burke	Dianne	5962
Burke	Cassie	5198
Burke	Russell	9626
Burkhalter	Lisa	8376
Burkhart	Paul	5320
Burkhart	Jens	10452
Burkhart	Jennifer	11734
Burkholder	Wes	5901
Burlison	Judy	3543
Burman	Ruth	11925
Burnap	Trisha	1997
Burnash	George	4879
Burnham	Rita	8283
Burnham	Marjorie	6789
Burns	Kathryn	2035
Burns	Leanne	2281
Burns	Pat	4565
Burns	Donna	7259
Burns	Elizabeth	6183
Burns	Bruce	3109
Burns	Mary	4260
Burns	Terrie	8735
Burris	Steve	2589
Burris	Judy	6272
Burrough	Debra	2288
Burroughs	Kate	6142
Burrows	Elise	2803
Burrows	James	7866
Bursick	Robert	2582
Burt	Robert	6052
Burton	Emily	5023
Burton	Jeannie	4536
Burton	Robert	3477
Burton	Kathryn	1753
Burton	Mark	6750
Burton	Uc	11412
Burwell	Shelley	1944
Busch	D. Michael	12003
Bush	Joan	5468
Bush	Camille	12147
Bush	Veronica	14638
Bushnell	C.	3479
Busick	Kathleen	11989
Bustamante	James	3595
Bustos	Ray	1780
Butler	C.T. Lawrence	8392
Butler	Sheila	2053
Butler	Vicki	9403
Butler	Diona	7938
Butler	Tim	393
Butler	Shelley	2819
Butler	Sierra	5173
Butler	Bob	8635
Butler	Sam	4588
Butler	Pamela	11790
Butterfield	Lisa	8730
Butterick	Gabriel-Aristides	3960
Butterman	Ariana	3217
Butterworth	John	5292
Butts	Judith	6940
Bux	Linda	13376
Buxton	Christopher	1068
Bx	Kx	1485
Byblow	Melody	13205

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Byeon	Miri	13334
Byers	Sharon	3701
Byers	Anne	14165
Byrd	Craig	1122
Byrd	Julie	2519
Byrd	Valerie	10831
Byrne	Barbara	7656
Byrne	Matthew	5575
Byrnes	Ilse	884
C.	Tom	1864
C.	F.	435
C.	Rich	4175
C.	R.	13324
C. Sheeler	Richard	10058
Cabanas	Antonio	6460
Cabezas	Maritza	5518
Cabinaw	Shanti	4981
Caboor	Robert	8328
Cabot	Victor	8987
Cachopo	Patricia	5621
Caci	Christopher	10688
Caesar	Wendy	10989
Caetano	Mike	4985
Cahill	Kate	13131
Cahill	Bryan	11442
Cain	Tim	5730
Cain	Tamara	2054
Caine	Liz	6589
Caine	Elliott	1274
Cairncross	Janet	7722
Calabi	Dennis	3491
Calahan	Kathleen	9371
Calder	Kevin	4189
Calderon	Jesse	2583
Calderon	Socrates	1705
Caldwell	David	4424
Caldwell	Alex	11490
Caldwell	Jennifer	14208
Calender	Steven	4770
Calhoun	Charles	6850
Calhoun	Gilbert	8048
Calibjo	James	3937
Caliendo	David	11105
Call	AnneMarie	9642
Callaghan	Paul	8804
Callahan	Shalla	8936
Callahan	Robert	9813
Callaway	Michael	4932
Callaway	Jane	8877
Callison	Jeffrey	2319
Callison	Dorothy	3206
Caloh	Lisa	3295
Calvillo	Linda	8600
Camacho	Elyna	10433
Camarena	Abril	7862
Camden	Bobbie	9637
Camerom	Wade	4033
Cameron	Andrea	10472
Camhi	Gail	8321
Camin	Darin	5098
Caminos-Cain	Ana	3878
Cammerer	Susan	5825
Camp	David	7031
Camp	Robert	10196
Campagna	Rob	4304
Campbell	Tim	5582
Campbell	Donna	2458
Campbell	Dudley and Candace	912
Campbell	Kate	2966
Campbell	Cynthia	7948
Campbell	Terry	366
Campbell	Alan	7844
Campbell	Susan	7780
Campbell	Aileen	845
Campbell	Yvonne	3211
Campbell	Norma	8709
Campbell	Jeanne	11483

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
	Cronis	
Campbell	Allan	10076
Campbell	Mary	13152
Campbell	Bruce	14594
Campbell	Tracy	14234
Campbell	Thomas	9706
Campo	Joseph	9722
Campos	Karen	6250
Campos	Alicia	1631
Camus	Judy	13285
Canary	Gary	9584
Candelario	Shelley	9095
Canfil	Lloyd	3209
Cannara	Alexander	9388
Cannes	Seychelle	10321
Canning	Ernest	6729
Canning	Thomas	2490
Cannon	Jean	5791
Cannon	Gloria	8664
Cannon	Frank	5454
Cannon	Tameka	9033
Cannon	Wil	6401
Canody	Jhene	11309
Cansino	Danie	9543
Canter	M.	11988
Cantrell	Katie	111
Cantrell	Ina	10026
Capano	Suzy	10921
Capecci	Sandra	10632
Capezzuto	Raymond	9164
Caplan	Jonathan	6771
Caplan	Kristen	9350
Cappa	Karen	10756
Caprio	Ellen	2230
Caps	Fillip	4884
Caputto	Porfidia Moon	4116
Carbary	Lawrence	3656
Card	Junko	11800
Cardella	Richard	6650
Cardella	Sylvia	2493
Carden	E. A.	2612
Cardenas	Rebecca	3880
Carder	Suzanne	2969
Cardoza	Michael	483
Cardozo	Maria	7334
Carey	Cathy O'Leary	1366
Carey	Rachel	4744
Carey	Lisa	6035
Carey	Ann	10138
Cargman	Jered	4043
Cargulia	Guy	4126
Carico	David	6080
Carley	Jason	4996
Carlile	Nj	2002
Carlino	Thomas	2866
Carlson	Judy	1991
Carlson	Patricia	4569
Carlson	Dale	6105
Carlson	Joanne	6117
Carlson	Kathy	1871
Carlson	Rita	1142
Carlson	Kent	11435
Carlson	Nathan	11128
Carlson	Eric	11420
Carlstedt	Jim	1238
Carlton	Matt	6128
Carlton	Thomas	10229
Carman	Jason	3349
Carman	Kathleen	4876
Carman	Alicia	7594
Carman	Sharon	7556
Carman	Christopher	9298
Carmichael	Victor	5076
Carmichael	Jason	9667
Carmona-Mancilla	Laura	3673

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Carnahan	Summer	5411
Carnes	Catherine	3317
Carney	Diane	4089
Carollo	Gina	12038
Carothers	Jennifer	7304
Carow	David	3905
Carpenter	Benjamin	663
Carpenter	Gary	5053
Carpenter	Allison	13236
Carpenter	Linda	11632
Carpenter	James	10845
Carr	Emily	5271
Carr	Caryl	404
Carr	Donna	3609
Carr	Patrick	12063
carrano	Gigi	4146
Carranza	Irene	5471
Carranza	Ericka	11406
Carrasco	Steven	1504
Carraway	Coralie	10156
Carrera	Margot	10411
Carrier	Paula	9735
Carrigan	Milton	1820
Carrillo	Stephen	9034
Carrillo	Gia	2602
Carrillo	Charrissa	14200
Carrington	Martha	6398
Carroll	Daniel	3517
Carroll	Kathryn	5992
Carroll	Sarah	14143
Carroll	Kelley	9635
Carroux	Charles	1519
Carruthers	Lisa	8596
Carson	Lea	11092
Carson	Viviane	11777
Carson-Huff	Diane	4071
Carter	Keren	6986
Carter	Colleen	1719
Carter	Pat	4914
Carter	Michelle	634
Carter	Marian	9313
Carter	Nancey	3410
Carter	Kelly	10494
Carter	Jaan	10917
Cartier	Terry San	2856
Cartwright	Jennifer	3536
Cartwright	Linda	5054
Carty	Mariah E.	11849
Caruso	Dorothy	4667
Carvalho	Elizabeth	5240
Carvel	Edwin	11200
Carver	Blythe	11915
Carville	Julie	10745
Carvish	Jeffrey	10007
Cary	Diane	10705
Casaday	Garth	10978
Casado	Carmen	4326
Casares	Mary	7978
Casas	Mary Anne	1787
Casas	J.	9617
Casavant	Donald	3616
Case	Samuel	9976
Caserma	Sharon	10462
Casey	Barbara	4723
Casey	Veronica	2272
Casey	Gloriana	10615
Cashmore	Susie	8553
Cash-Walsh	Tina	7144
Casillas	Barbara	2971
Casler	Tiffany	7111
Cass	Stephen	6003
Cass	Mike	1330
Cassady	Marsh	6141
Cassidy	Cat	8025
Cassidy	Edward	5978
Cassinelli	Carol	3255
Cassinelli	Robert J.	1699
Cassini	Marina	4602

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Cassis	Kathryne	8851
Cassone	Tita	9344
Castaneda	Manuel	4922
Castaneda	Jamie	1768
Castaneda	Alison	10628
Castanos	Ana	5060
Castellinio	Sandra	6493
Castello	Anthony	1576
Castillo	Virginia Fahey	4201
Castillo	Jane	1683
Castillo	Dave	16758
Castle	William	9022
Castle-Rey	Christina	2100
Castner	Loralee	3830
Castro	Washington	8318
Castro	Diana	1443
Castro	Cathy	5910
Castro	Maria T.	1280
Castro	Rachel	6358
Castro	Ruthie	13388
Catania	Joseph	8981
Cates	Barbara	7848
Caton	Barbara	7063
Catron	Melissa	13112
Caughlin	Cece	7276
Cavallo	Sharon	10346
Cavanaugh	Violet	1716
Cavasian	Edward	3252
Caytuiro	Lorraineh	7944
Caywood	Lisa	8801
Cazanjian	Violet	3796
Cecena	Stephanie	11209
Cediel	German	4823
Cellier	Alfred	5267
Celona	Ann Maria	121
Cerny	Jayne	6941
Cerutti	Rick	8912
Cervantes	Rebecca	8583
Cervantes	Adolfo	4853
Cerveny	Avis	7196
Chacko	Ranjit	1446
Chadwick	Curt	16754
Chaffe	Liz	7158
Chaiken	Sara	1292
Chaiklin	Joseph	9713
Chakalian	Greg	4130
Chakos	Nick	10332
Chamberlain	Cory	6364
Chamberlin	Juli	11225
Chambers	E. Oscar	6233
Chambers	Allegra	3324
Chambers	Claire	2484
Chambers	Tom	10617
Chambers	Keith	10097
Champion	Alex	770
Champlin	Sally	7715
Champlin	Sara	3705
Chan	B.	496
Chan	Lesa	5300
Chan	Evain	8814
Chancellor	Nicole	11946
Chander	D.	8163
Chandler	Dolores	8829
Chandler	Monica	8705
Chandler	Steve	6178
Chandler	Vickie	1749
Chang	Julie	13218
Chao	Bo	9443
Chapel	Robin	5191
Chapin	Carol	9064
Chapin	Alisha	14586
Chapman	Zoe	6030
Chapman	Jnani	8848
Chapman	Terri	8330
Chapman	Bruce	5514
Chapman	Leann	9925
Chapman	Claire	9909

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Chapman	Erica	11793
Charbonneau	Denis	5426
Charis	Barbara	942
Charkowski	Elaine	9379
Charlebois	Stacie	8985
Charles	Connie	780
Charles	Mahin	9185
Charney	Danielle	5189
Charns	Harold	6122
Charter	Linda	8056
Chase	Gina	5014
Chase	Careena	4738
Chase	Mary	7097
Chase	Cheryl	2850
Chase	Diaba	8255
Chase	Janelle	5329
Chase	Paul	10949
Chasen	Steven	4960
Chasin	Gil	10381
Chatham	Cindy	2873
Chatman	Joan	6920
Chausse	Gwendoline	6803
Chavannes	Joslynn	2496
Chavez	Nola	878
Chavez	Phyllis	4492
Chavez	Kim	11091
Chavis	Kathy	6964
Chay	Morris	6565
Chazin	Julian	1054
Cheeseman	Lorne	7109
Cheesman	Jean	8365
Chen	Allan	8904
Chen	Grace	6857
Chen	Mich	11228
Chen	Cathy	13159
Chen	J.	11491
Cheney	John	6874
Cheng	Jack	6590
Cheng	Leon	695
Cheng	Chinteh	9836
Chenoweth	Jamaica	4520
Cherin	Marise	5070
Cherney	Michael	14178
Cherniss	Jennifer	10689
Cherwink	Robert	5462
Chesney	Kim	2848
Chester	John	16732
Chester	Molly	16736
Chesterman	Susan H.	10807
Chew	Doug	775
Chew	Lywen	11170
Chhugani	Vinita	8296
Chi	Pha	3041
Chianis	Antonia and Andrew	11223
Chick	Greg	3050
Chien	Jennifer	8932
Chiesa	Ernestine	16567
Chiesa	Roland	16568
Child	Katrina	10907
Childs	Pete	8771
Childs	Peter	1267
Childs	Christie	10791
Ching	R.	13430
Chinn	Karen	7621
Chinn	Evangeline	6895
Chiotti	Paula	9607
Chipkin	Lisa	12136
Chiprez	Chip	2001
Chirila	Sharon	13087
Chisholm	Janet	529
Chiu	Albert	2450
Chiu	DT	11336
Chizinsky	Ken	7494
Choi	Kay	2632
Chomat	Virginia	4578
Choyin	Detong	9947
Chralowicz	Donna	8868

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Chrislock	Melodie	2506
Christensen	Kcarolina	8978
Christensen	Evan	926
Christensen	Gail	965
Christensen	Laura	10962
Christenson	Daniel	3042
Christenson	Carla	5639
Christenson	Amy	14206
Christiansen	Popi	748
Christiansen	Darlene	10271
Christn	Matthew	10231
Christoforatos	Gerasimos	8856
Christofori	Ulrike	9121
Christol	Jim	6559
Christopher	Stephanie	2637
Christopher	Sandra	3159
Christwitz	William	6085
Christy	Benjamin	10356
Chu	Jonathan	8997
Chudilowsky	Mishka	14655
Chu-Juluri	Cecilia	7900
Chun	Linda	5682
Chung	James	6092
Church	Jennifer	3612
Chvala	Tom	9571
Chynoweth	Iris	4875
Ciardelli	Joanie	11727
Cicchi	Carla	6971
Cipperly	Abby	13201
Cirone	Tony	6372
Cirulnick	Paul	2432
Cisneros	Yeselin	11416
Ciu	Barbara	6090
Claas	Steve	5746
Claborn	Becky	8817
Clair	Darren	6482
Clairfield	Beverly	2040
Claman	Elizabeth	6344
Clancy	Maureen	494
Clapp	Cameron	11968
Clare	Kelley	3877
Clark	Phillip	5887
Clark	Lucy	4074
Clark	Karen	3490
Clark	Mary	5795
Clark	Kat	7234
Clark	David	6437
Clark	Stephanie	3031
Clark	Dale	6521
Clark	Julie	8186
Clark	Warren	4781
Clark	Leslie	6352
Clark	Margaret	6714
Clark	Susan	585
Clark	Mary Ann	6797
Clark	Erica	10751
Clark	Cathie	9881
Clark	Leigh	11058
Clark	Lori	11690
Clark	Jamie	11304
Clarke	Darrell	5951
Clarke	Tracylee	14236
Clarkson	Susan	11505
Class	Robyn	6392
Claude	Holly Lynn	4567
Claus	Walter	9237
Clausen	Suzan	4455
Claver	David	1044
Clazie	Dorothy J.	3684
Clearihue	Annalisa	14227
Cleary	Karen	3636
Clegg	Charlene	5529
Clegg	Denee	11425
Clemens	Michael	391
Clemens	Melissa	3986
Clemens	Sydney	7227
Clement	James	9147
Clemente	Joannel	8703

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Clements	Matt	9386
Clements	Kathy	7472
Clements	Scott	8408
Clemons	Edith	11359
Clendenin	Beth	11409
Cleveland	Colleen and Randall	2440
Cleveland	George	3394
Clifford	Ruth	4834
Clifton	Kimberly	934
Clifton	Wendy	4205
Cline	Melissa	7183
Cline	Laurel	1579
Cline	Jermiah	10661
Clish	Nancy	11147
Cliver	Robert	476
Clode	Derek	5425
Cloud	Mary Blyth	5214
Clouser	Devlon	5302
Clow	Catherine	4642
Cloyd	Caryl	6354
Clymo	Jerry	4812
Coahran	Scott	8744
Coakley	Michele	4062
Coates	Portland	7709
Coates-Danson	Casey	9326
Cobas	Aaron	6822
Cobb	Kylie	4694
Cobb	Brandon	3136
Cobo	Melissa	7389
Cochran	Noelle	2672
Cocks	Renee	10485
Cockshott	Shiela	2874
Cody	Dannys	8584
Coel	Sara	2485
Coetzee	H.	7242
Coeur	Kirsten	8448
Cofer	Rosalba	8623
Coffey	Lynette	9117
Coffey	Richard	4458
Coffi	Susan	6479
Coffman	Lexi	5318
Coffman	Lisa	6872
Cofrancesco	Rita	3596
Coggins	Courtney	7479
Cogswell	David	14154
Cohen	David S.	9175
Cohen	Steffanie	8242
Cohen	Mitch	1885
Cohen	Eileen	8303
Cohen	Susan	1444
Cohen	Benita	2089
Cohen	Jeremy	4907
Cohen	Beverly	1800
Cohen	Eleanor	14613
Cohen	Natalie	13197
Cohen	Daria	14179
Cohenour	Dolores	4341
Cohn	Barbara	2080
Coke	Caron	1348
Coker	Jeffery	5916
Colbe	Jay	9678
Colbourn	Karen	3140
Colburn	Patricia	14221
Colby	Sarah	6454
Colclasure	Carol	10261
Colden	Bradley	548
Cole	Elizabeth	6188
Cole	Tim	4482
Cole	David	7510
Cole	Lucy	3395
Cole	Joanna	16570
Cole	Patricia	11715
Cole	Wendy	10274
Cole	Joanna	13880
Cole	Judith	11431
Coleman	Barbara	6512
Coleman	Janet	806

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Coleman	Matthew	6569
Coleman	Mary	9923
Coleman	Charlotte	13429
Coleman	Karen	9956
Coleman	Alexandra	13109
Coletto	Elise	8514
Colfi	Alessandra	9040
Colgan	Joe	3663
Collas	Judith Woodhams	4998
Colletto	Frank	8636
Collier	Kathy	9632
Collins	Monica	3087
Collins	Carolyn	5013
Collins	Rick	8827
Collins	Rebecca	14325
Collins	Cassandra	14582
Colmenarez	Arturo	10179
Colombo	Tonya	5741
Colon	Elizabeth	8262
Colon	Trevor	8135
Colotti	Deborah	8915
Colton	Steve	9602
Colton	Lisa Nelson	13163
Columbia	James	6849
Colyer	Leslie	10323
Combs	James	6515
Combs	Barbara	9048
Combs	William	8109
Comenzind	Adrian	1653
Comer	Cherlyn	9778
Comfort	David	5310
Commons	Sandy	9782
Compagno	Kathy	6311
Comrack	Janine	8505
Comstock	Michael	10366
Con	Rain	13432
Conchas	Darla	4220
Condell	Alan	5809
Condominas	Laura	11041
Conger	Amy	7645
Congo	Elizabeth	4630
Conklin	Helga	8971
Conklin	Elaina	14328
Conley	Erin	8331
Conlon	Suzanne	6314
Connell	Karen	6598
Connell	Kathryn	11417
Connelly	Rebecca	9771
Conner	Kristen	5403
Connick	Cherie	375
Connolly	James	4543
Connor	William	4105
Connor	Elizabeth	2577
Connor	Arthur	1414
Connur	Param	7598
Conrad	Jamie	6094
Conrad	Lori	6768
Conroy	Faith	11697
Conroy	Michael	10133
Conroy-Salbi	Marie	6238
Conrriquez	Esther	2451
Consbruck	Barbara	9059
Considine	Trudy	3310
Consoli	Carolyn Lucille	6388
Constantinou	Dimitris	4057
Conte	Judith	7995
Conti	Kim	14318
Contreras	Cristian	4927
Contreras	Jan	3884
Contreras	Sue	2351
Conway	Nancy	9123
Coodley	Lauren	10657
Cook	Carol	1224
Cook	Glenn	3212
Cook	Katherine	4807
Cook	Courtney	6463

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Cook	Mary	3725
Cook	Suzanne	607
Cook	Charlotte	988
Cook	Steven	6192
Cook	Lynda	5738
Cook	Julie	3565
Cook	Alyssa	13416
Cook	Craig	10111
Cook	Justin	13359
Cooke	Janet	1870
Cooks	Cathleen	4059
Cooley	Allan	10529
Cooney	Brian	9265
Cooper	Petrina	8745
Cooper	James	7917
Cooper	Bridget	1095
Cooper	Brenda	14623
Cooper	Tiffany	12072
Cooper	Sam	14219
Coots	Jim	1670
Cope	Sandra	4916
Cope	Jeffrey	4286
Copeland	Michelle	10933
Copoulos	John	8487
Coppola	Carmine	1235
Coppola	GLoria	13211
Corbett	Julia	11809
Cordas	Ron	8029
Cordes	Greg	9050
Cordova	Berenice	3328
Cordova	Norma	1583
Corio	Joseph	3167
Corkey	Peter	4663
Cormack	Chereale	7876
Cornelius	Stacy	7339
Cornelius	Nicole	14316
Cornell	Michelle	1336
Cornell	George	7783
Cornett	Esther	13323
Cornish	Christopher	1877
Corona	Travis	888
Corradini	Pamela	2465
correa	Maurice	4343
Corrigan	Jim	11846
Corry	Ronit	10774
Corsi	Eric	7054
Corso	Bambi	6051
Cortes	Jose	957
Cortina	Joann	5044
Corum	Edythe	6380
Corwin	Cecil	1784
Cosentino	Deborah	4619
Cosgrave	John	5931
Cosma	Sharon	13305
Cossio	Alicia	6123
Cossutta	Renee	8800
Costello	Andrea	3416
Costello	Edward	5656
Costello	Mare	9971
Costenbader	Noreen	7311
Cotner	Robert	2876
Cottrell	Katharine	11779
Couillard	Paul	14711
Coulehan	Jack	1353
Coulon	Christopher	8278
Coulson	Ki	3987
Coupe	Monica	11682
Coupez	Therese	5304
Courtice	Daniel	576
Covas	John J.	6533
Covell	Sandi	6901
Cover	Raini	6426
Cover	Leslie	9812
Covey	John	1939
Covey	Michael	4209
Cowin	Caryn	488
Cox	Catherine	1828
Cox	Warren	2533

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Cox	Stacie	6998
Cox	Frank	6809
Cox	Pete	9162
Cox	Bonnie	11029
Coy	Carole	14333
Coyle	Damien	8966
Coyote	Jade	3795
Cozzini	Bruce	2629
Craft	Helen	11795
Craig	Tessafay	802
Craig	Sallyanne	3003
Craig	Ruth	8239
Craig	Emmeline	6419
Craig	John	11173
Craignou	Jesse	7897
Crandall	Barbara	3883
Crandall	Barbara	10068
Crandall-Bear	Joanne	2082
Crandell	John	8956
Crane	Mark	7540
Crane	Barbara	6965
Crane	Gina	3664
Crane	William	8087
Crane	Courtney	12064
Crane, Jr.	William	10581
Cranstoun	Eva	10760
Crase	Steve	9594
Crawford	Brian	8770
Crawford	Mercedes	4310
Crawford	Elizabeth	1011
Crawford-Zimring	Michal	10838
Cray	James	11316
Credell	Mark	6527
Creel	Erin	3611
Crehan	Michael	4293
Creighton	Sheilagh	6933
Cremer	Patricia	5299
Creque	Geri	9012
Crescenzi	Elinor	9087
Crescioli	Chris	1814
Crespo	Ali	7230
Cress	Paul	4502
Cresswell	Colin	11901
Cretser	Cathy	9241
Cridge	Kathleen	3350
Cripps	Phillip	7864
Crisan	Marolyn	14691
Crispi	Diana	1621
Crist	Pierre	9282
Crites	Marla	4678
Crittenton	Cynthia	1236
Crivinar	Robert	7867
Crompton	Kamala	10337
Cronin	John	8339
Cronin	Niki	1608
Cronk	Nanette	1386
Crooker	Heather	10425
Cross	Michele	4824
Cross	Alfred	8146
Cross	Elizabeth	6465
Cross	Susan	9634
Cross	Amber	9493
Crossley	Jean	8390
Croucher	Glenis	7734
Crow	Carolyn	8084
Crow	Steve	1174
Crowe	Karen	6127
Crowe	Victor	6259
Crowe	Kaliya	14615
Crowley	Suzan	7429
Crowley	Suzan	781
Crowner	Judy	2052
Crowner	Judy	4759
Croxton	Jessica	513
Crudale	Rachel	2600
Cruger	Kurt	3972
Cruikshank	Gordon	3425

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Crum	Cathy	4120
Crummett	Sara	9479
Cruz	Milton	2174
Cruz	Denise	8608
Cruz	Mario	3281
Cruz	Linda	5591
Cruz	Marian	8480
Cuartas	Dara	5413
Cubria	Paul Bernard	2953
Cufaude	Tara	10908
Cuff	Kermit	8896
Culbertson	Jon	5953
Cull	David	8767
Cullins	Judy	10183
Cullison	Kathy	10464
Culmore	Matthew	8525
Cumberland	Lindy	3368
Cummings	Susanna	2877
Cummings	Anne	3322
Cummins	Sea	11839
Cunningham	Caroline	5181
Cunningham	Sean	8924
Cunningham	Diana	5926
Cunningham	Carol	3224
Cunningham	Marta	8783
Cunningham	Alan	4700
Cupples	David	5774
Curiel	Alex	6732
Curioni	Martha	16564
Curlis	Chris	14223
Curran	Barbara	3867
Curran	Ellen	9484
Curry	Jessica	7599
Curry	Dennis	5952
Curry	Mary	11484
Curry	Gary	11107
Curtaz	Christa	8960
Curtin	Bonnie	8212
Curtis	Catherine	8763
Curtis	Ken	2341
Curtis	Robbi	5163
Curtis	Michael	9712
Curtis	Sophie	13395
Cushman	Robert	388
Cusolito	Karen	10018
Cutler	Megan	11054
Cutter	Elizabeth	11290
Cuviello	Pat	974
Cuviello	Joe	2253
Cyr	Michael	6984
Cyr	Vicki	14679
D.		9174
D.	Holly	8437
D.	Mia	9335
D.	A.	10797
Da Ponte	Gabriel	3063
Daar	Alisa	3906
Dabb	Greg	9044
Dabissi	Vincent	11024
D'Abreau	Danish	5736
Dadgar	Lisa	14592
Dadgari	Joseph	3628
Dadurka	Carole	13122
Daetz	Douglas	9005
Dafesh	Kevin	8352
D'Agostino	Ronald	13193
D'Agostino	Ron	11769
Dahl	Karen	10699
Dahlstrand	Lucia	1364
Dailey	Susan	4452
Dalal	Namita	2976
Dalberg	Lana	1445
Dale	Stephen	10861
Dale-LeWinter	Marcia	8442
Dales	Janet	13297
Daley	Jay	4457
Dalition	Mitch	6547
Dallal	Rose	9904

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Dallas	Polly	5849
Dallmann	Donald J.	4093
Dalo	Bern	4066
Dalpino	Idajane	10135
Dalton	C.	1359
Dalton	Natasha	4951
Dalton	Carol	14189
Daly	Carol	5498
Daly	Barbara	11340
D'Ambrosio	Patricia	583
D'Amico	Andrew	8647
Dammeyer	Tys	2246
Damon	Rhea	10385
Damron	Patricia	876
Dana	Krista	6944
Danard	Nancy J.	8323
Dane	William	2828
Daniel	Cynthia	7422
Daniels	Charles	4420
Daniels	Lisa	9646
Dann	Matt	8347
D'Anne	Denise	10220
Dannecker	Thomas	5374
Dannenfelser	Susan	1460
Daoudi	Ahmad	5046
DaParma	Jenn	10199
Dare	Lisa	6005
Darke	John	10641
Darling	Michael	1459
Darling	Cindi	10799
DaRocha	Camille	13249
Darovic	Elizabeth M.	1455
Dashe	Julia	2115
Dashew	Sharla	7212
DaSilva	Kathy	2370
DaSilva	Betsey	3271
Daskalakis	Evelyn	1700
Daskaloff	Ruth	4381
Daspit	Nicole	10500

Commenter Name Last	First/Middle	File Number
Dastur	Corry	4756
Daubner	Ceedola	1403
Daugherty	Terry	8614
Daulton	Kelly Reed	10345
Dave	Nancy	11160
Daveiga	Michael	5294
Davenport	Robert	749
Davenport	Susan	7945
Davidson	Michelle	7958
Davidson	Rose	4668
Davidson	Helen	14137
Davies	David	7194
Davies	Nancy	4552
Davies	Sue	3810
Davies	Margaret	11845
Davila	Matthew	6746
Davila	Martaelena	11557
Davila-Gomez	Stephanie	6961
Davine	Jill	499
Davis	Lorna	7933
Davis	Jason	9309
Davis	Judy	949
Davis	Clark	2353
Davis	Donald	1449
Davis	Tracy	8498
Davis	Robert	4070
Davis	Carla	1108
Davis	Vicki	8719
Davis	Shondrea	5116
Davis	Ryan	1737
Davis	Paul	5211
Davis	Michelle	2287
Davis	Frank	6020
Davis	Jacob	1441
Davis	Pat	5464
Davis	Patricia	3678
Davis	Rebecca	6924
Davis	Kim	9480
Davis	Berna	9720

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Davis	Jenasey	11477
Davis	Linda	9889
Davis	Arlene	13262
Davis	Vivian	11398
Davis	Timothy	10734
Davis	Karmin	9487
Davison	Jenine	1076
Davy	Steve	13360
Dawes	Chris	6045
Dawley	William	1058
Dawn	Siva	5688
Dawn	Kelly	3485
Dawson	Richard	3053
Dawson	Christopher	8740
Dawson	James	7794
Dawson	Margaret	6450
Dawson	Judy	3529
Dawson	Juliann	14230
Dawspn	Debra	1261
Day	Althea	3928
Day	Jonathan	779
Day	Jennifer	8821
Dayton	Steven	385
de Almeida	Maria Joao Faria	9724
De Antonio	Susan	2801
de Avalon	Ariannah	7285
De Baca	Sylvia	11844
de Bertaut	Carmel	8849
de Caccia	Kristen	8389
de Cant	Thom	5228
De Cecco	Jorge	3080
De Ferrari	Chas	2373
de Forest	John	10205
De Goff & Family	Robert	11167
De Goff and family	William	11162
de Jesus	Carla	3091
De Jong	Onno	9146
De La Cruz	Mary Ann	9193
De La Cruz	Gaby	9981
De La Mare	Russell	4063
De La Rosa	Ken	2286
de Leo	Marilyn	6805
De Lira	Rocio	10320
De Los Rios	Fiona	6625
De Lu	Dirk	3082
De Lu	Janet	10576
de Monet	Melanie	5278
de Paiva	Magda	3698
de Ruyter	A.J.	5012
De Smet	Hendrik	3862
De Stefano	Darin	5197
De Stefano	Vincent	7871
de Vicq	Renee	11059
Dean	Jaoana	6166
Dean	June	500
Dean	J.	5432
Deane	Michael	11856
DeAngelis	James	8720
Dearborn	Lisa	1079
Dearing	Deb	9586
Deas	Pamela	4804
Deas	Pamela	8341
Deason	Suzanne	4434
Deaton	Glenda	11082
Debar	Halcyon	5567
DeBerry	Dawn	6136
Debing	Therese	3683
Debits	Adriann	8273
DeBolt	Rich	11037
Debrabandere	Baudouin	6556
Decargouet	Yves	5236
DeCarion	Hally	10434
DeChiaro	Janet	6804
Deck	Sylvia	8588
Deckard	Bernadine	4489
Decker	Eleanor	8488

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Decker	Christie	9880
Dedekian	George	4669
Dederer	Mary	6307
Dee	Diana	1081
Deem	J.	8946
Deems	Anita	9026
Deering	Sarah	8071
Deering	Roberta	10140
Deerlyjohnson	Suzanne	7577
Deerwater	Raven	1676
Deetz	Thomas	10098
Defelice	Paula	3803
DeFore	Patrick	5358
Deggelman	Ricky	5295
DeGuide	Susan	9520
Dehdashti	Sheedy	11049
Dehner	Alice	7649
Deitch	Donna	7850
Deja	Vanessa	13187
DeKeyrel	Dallas	413
Dekker	Sjoukje	10315
Del Brocco	Barb	13259
Del Rio	Annie	730
Del Valle	Javier	4512
DeLacey	Robin	6274
Deland	Elizabeth	10567
Delaney	John	479
Delevoryas	John	1521
Delgadillo	Gladys	14590
Delgadillo	Robert	9906
Delgado	John	4468
Delgado	Jonna	11023
Delgado	Rob	13198
Della Ripa	Heather	984
Dellavecchia	Mark Alan	8967
Dello Buono	Carmen	2191
Delman	Claudia	7056
DeLong	Kenneth	9157
DeLongfield	Mary	4537
Delvecchio	Cheryl	10936
Demarest	Kandie	7217
DeMaria	Kristi	1175
DeMars	Louis	4716
DeMasi	Greg	7184
DeMeo	Patricia	2888
Demetriou	Robert	5732
Demicelli	Catrina	11486
DeMill	Kathleen	6124
Demirdjian	Ana Maria	3455
Demme	Frank	4234
Demott	Margaret	3475
Dempsey	Mark	6260
Dena	Eileen	11011
Denham	Jessica	1968
Denis	Daniel	1943
Denis	Linda	16741
Denison	James	3554
Denlinger	Dennis	14583
Denman	Kevin	6519
Denne	Ray and Joyce	8773
Dennehy-Schumann	Kelly	643
Dennett	Katherine	7688
Denning	Richard	5956
Denning	Jessica	11735
Denning-Mailloux	Gale	11415
Dennis	Scott	5365
Dennis	Sharon	9750
Dennison	Carolyn	9043
Dennison	Brett	9788
Denny	Rachael	8603
Denny	Gary	1256
Denny	Sean	6243
Denoncourt	Mary Beth	10387
Dentamaro	Gabriella	1617
Denuccio	Laura	560

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Denz-Hamilton	Joan	3465
DeOcera	Rod	6811
DePauw	Jolie	9407
Depner	Melanie	1679
Derakshan	Mithra	4640
Derbort	Wendy	6184
Derkarabetian	Veero	5576
Derose	Cindy	901
Des Marets	Diane	5993
DeSantis	Richard	1609
DeSantis	Amy	726
Desautels	Erin	8949
DeSchepper	Brett	11887
Deshler	Apryl	5766
Desisto	Susan	7090
Desmarais	Mary	11444
Desmond	Sheila	7891
Desmond	Rebecca	3752
Desmond	Jeanette	10626
DeSoto	Thomas	2872
Despas	Joel	14609
Dessornes	Marguerite	7759
DeStefano	Paul	13202
Detrick	Carola	3183
Dettori	Antonio	1089
Detzer	Christopher	1726
Deutsch	Vivian	2887
Dev	Peggy	568
Deveze	Luis	11979
Devine	Dewey	8126
Devine	Sandy	8689
Devine	Karla	8209
Devis	Stephan	11730
Devletian	Richard	3909
Devlin	Frances	11534
Dewalt	Terri	4403
Dewey	Amy	2454
Dewey	Kelli	3686
DeWitt	David	8476
Dexter	David	6171
Dexter-Mendez	Deborah	11136
Dey	April	668
Deyarmie	Nancy	9573
Deyarmin	Laura	1368
DeYoung	Patty	7710
Dezarov	Susan	9340
Dhand	Rebecca	10565
Di Frega	Maria Pia Scotto	7241
di Giovanni	Doug	2303
Diamond	Lele	216
Diamond	Kathy	7302
Diamond	Catherine	3581
Diamond	Wendy	7778
Diamond	Mitchell	8275
Diangson	Jeannette	10811
Diaz	Angelica	931
Diaz	Sandy	7725
Diaz	Barbara	4940
Diaz	Franciaco	828
Diaz	Kody	9620
Diaz	Guadalupe M.	14194
Dib	Carol	8014
DiCarlo	Leigh Ann	11768
Dickemann	Jeffrey	1101
Dicker	Sam	6174
Dickey	Helen	2336
Dickinson	Laura	9041
Dickinson	Sonya	11695
Dicks	Carol	3845
Dicterow	Laura	11191
Didelot	Sylvie	5636
Diderrich	Jim	7395
Diederichs	Barbara	1874
Diefenbach	Joanne	4327
Diego	Rey	7201
Diehnelt	Franka	1497
Dietrich	Cathe	3809

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Dietrich	Chris Omeara	8366
Dieve	Stacy	16615
Difatta	John	1033
DiFiore	Tomas	10276
Digesti	Tina	4623
Diggle	June	835
DiGiovanni Jr.	Robert	1399
DiGiulio	Sandra	11806
Digness	Warren	9534
Digregorio	Becki	8556
DiJulio	Christina	7651
DiLallo	Jeffrey	11104
Dill	Elizabeth	8034
Dill	Laura	5615
Dillard	Eugenia	11393
Dilley	Evette	3439
Dillon	Sharon	8414
Dillon	Michele	11369
Dillon	John	11633
Diluzio	Patricia	9497
DiMatteo	Richard	844
DiMauro	Natalie	14144
Dines	P. J.	10540
Dingilian	Martha	1203
Dingwall	David	7057
Dinitz	Richard	4108
Dinow	Barbara	4496
Dinsmore	James	523
Dinwiddie	Erin	6289
Dionne	Karen	4730
Dirkse	Marie	6015
Dirodis	Raymond	4660
Dirrenberger	Jonathan	11675
Disch	James	6207
DiSimone	Christine	4111
Diskin	Laurel	1918
Dittman	Roy	6130
Dittmer	Sharon	3107
Divelbis	D.	1697
Divoff	Andrew	2879
Diwald	Susie	1499
Diwan	Rishi	13441
Dixon	Ryan	13404
Djasran	Alexandra	4725
Djordjevich	Ana	10304
Do	Thanh	7290
Dobie	John	8825
Dobson	Pat	1106
Dochez	Lena	4931
Dockery	Sean	5982
Dodd	Jacqueline	7125
Dodd	Margaret	8168
Dodge	Eric	1401
Dodge	Dana	747
Dods	Suzanne	8250
Doehring	Gareth	9171
Doering	David	2536
Doesserich	Diane	13093
Dogole	Ian	7328
Doherty	Adrienne	14307
Dollar	Ellen	4001
Dolloff	Jacoba	11125
Dolnick	Cody	13192
Domb	Doreen	9320
Domenech	Gabriel	9709
Domenico	James	8229
Dominguez	Priscilla	4256
Dominguez	Delia 'Dee'	5019
Dominguez	Ralph	8931
Dominguez	Andresa	7039
Dominguez	Anahid	7375
Dominguez	Nancy	13271
Domon	Sharon	4808
Domser	Mal	9819
Donah	Olga	1470
Donahue	Cheryl	6146
Donaldson	John R.	5714
Donaldson	Karen	1020

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Donato	Karlene	7444
Doncaster	Donna	4577
Dong	K.	2636
Dongre	Sudd	768
Donigan	Geraldine	922
Donlon	Diana	16702
Donnell	Philip	9160
Donnelly	Jean	4375
Donoho	Julie	5446
Donohue	Gloria	1899
Donovan	Charlotte	7557
Doo	Christine	606
Doob	Jennifer	823
Dooley	J.	2202
Doqui	Pamela	11362
Dorcey	Thomas	11858
Dorenz	Dorothea	16725
Dorer	Michael	9184
Dorese	Josh	1143
Dormer	Florence	9069
Dornbos	Sarah	9793
Dorsey	Michael	8889
Dorth	Arabella	5876
Dorville	Susan	3508
Dosier	Herschel	1797
Dossey	Lisa	6955
Dostalik	Donna	10160
Doty	Shari	8934
Doty	Carolyn	10915
Doty	Thea	11343
Douangsitthi	Palamy	3329
Doublet-Weislak	Yvette	14246
Doud	Lindi	2087
Dougherty	Dennis	814
Dougherty	Anne	16688
Doughty	Lari	8464
Douglas	Lew	9071
Douglas	Nicole	8460
Douglas	Leigh	11310
Doull	Sarah	3523
Douthat	David	11149
Dove	Jackie	9081
Dow	Timothy	5512
Dow	Linda	8398
Dowdle	Daniel	5509
Dowell	Vivian	9115
Dowhan	Trish	7887
Dowis	David	4844
Dowling	Lenore	7160
Dowling	Glenna	7996
Dowling	Holly	2231
Dowling	Gary	2446
Dowling	Corinne	11913
Downing	Ruth	1539
Downing	Steve	10310
Dows	Wena	5104
Doyle	Charlotte	211
Doyle	Jill Thomas	2459
Doyle	Shannon	9304
Doyle	Laurance	6121
Doyle	Mary	10547
Drabek	Donna	3032
Draeger	Ramona	8142
Draffan	Alexander	5899
Drake	Jay	4843
Drake	Roberta	7185
Drake	Carol	5026
Drake	Karen	9031
Drapeir	Richard	5348
Drasin	Daniel	9210
Dravis	Mia	9024
Dreier	Ruth	3776
Dreifuss	Victoria	3888
Dressel	Tim	6385
Dresser	David	6936
Drew	Janet	10130
Driedger	Anna	14624
Driscoll	Michelle	3513

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Driscoll	Michele	11996
Driver	Susan	9310
Drobny	Edith	1153
Drobny	Kim	8839
Drogo	James	8893
Drotos	Fredrica	11897
Drummond	David	8933
Du Bois	Julie	3690
du Bois	Sheree	11122
Duarte	Colleen	4726
Dube	Yvette	4969
DuBois	Elaine	3703
Dubois	Marcia	854
DuBois	Amanda	5755
DuBois	Scott	10758
Ducat	Glenn	7042
Duckson	Robert	9675
DuClaud	Monica	4048
Dudan	Claire	4463
Dudan	Don	6197
Dudek	Anne	2357
Dudley	Ron	1362
Due	Linnea	5986
Duenas	Cathy	9587
Duerr	J.	9689
Dufau	Pat	6791
Duffaut	Debra	6747
Duffy	Crellan	5793
Duffy	Lisa	14319
Dugan	Dan	5031
Dugaw	Anne	6536
Duggan	C. Faye	5542
Duggan	Alek	10096
Duhart	Monica	8886
Duke	Rebecca	390
Duke	Fredrica	6788
Duke	Marianne	4285
DuKet	Tom	1132
Dumbelton	Jon	4190
Dunaway	Thiele	10722
Dunbar	Mitchell	7322
Duncan	Mary	4238
Duncan	Edith	9475
Duncan	Erin	9656
Duncan	Monique	14306
Dunford	Diane	6495
Dunn	Anamaria	5856
Dunn	Cheryl	2833
Dunn	Sherry	8897
Dunn	Morena	7020
Dunn	Diane	6209
Dunn	Molly	5844
Dunn	James	5604
Dunn	Terri	9583
Dunn	Megan	14171
Dunsmore	Dawn	9570
Duong	Vivian	7703
Dupre	Bill	6234
Duprey	Mary	2928
Duran	Dani	4078
Duran	Donna	3911
Durant	Angela	833
Durant	Monica	4072
Durbin	Kira	8041
Duren	Sheri	5905
Durham	Alishea	7937
Duriseti	Ram	3214
Durkin	Samuel	2003
Durkin	Michael	1242
Durkin	Carla	3072
Durrant	Cornelia	7117
Dussault	Don	11739
Dustin	Julie	11038
Dutil	Judy	9705
Dutra	Rc	7522
Dutra	Ron	4644
Dutton	John	1405
Dutton	Laura	6203

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Duval	Elizabeth	8634
Duvall	Pamela	8462
Duvall	Miller	10716
Duveen	Sandy	16566
Duzsa	Corie	4890
Dwan	Sandra	11834
Dwight	Marilynn	6186
Dwyer	James	2421
Dyakon	Douglas	3996
Dycus	Terry	5072
Dyer	Linda	3691
Dyer	Tiffany	11079
Dyer	Jym	11402
Dyke	Ruth	9867
Dysart	Tonya	1916
Dziamba	Michelle	3378
Dzierwa	Kelsey	9910
Dzwonkowski	Arlene	3427
Eacrett	Michael	9072
Eagan	Virginia	9021
Eagan	Lynne	3961
Eager	Denise Janssen	2964
Earhart	Celeste	2495
Earl	Kathy	10187
East	Denise	7368
Easterling	Nancy	943
Easterly	Sharon	4478
Easton	Stephanie	3193
Easton	Gerald	11975
Eastridge	Scott	3509
Eastwood	David	4805
Eaton	Chris	9728
Eaton	Margaret	14146
Eberhardt	Robert	6767
Eberle	Mary Pat	1762
Eble	Bob	14684
Ebmeier	David	11130
Echegaray	Elsa	6856
Echols	Jennifer	1791
Eckard	Stephanie	9896
Eckardt	Gerhard	9663
Eckert	William	13415
Eckes	William	5586
Eckhardt	Barbara	6880
Eckstein	Jennifer	10909
Economakosj	Joanna	1488
Economides	Michael	13328
Eddy-Lee	Gladys	3384
Edelen	Amy	1271
Edelman	Sharon	2279
Eden	Jonathan	8176
Eden	Joyce M.	16764
Edens	Bonnie	7506
Edgerly	Bob	3602
Edgren	Mark	6683
Eding	Megan	5981
Edlund	Johanna	3964
Edman	John	5407
Edmiston	Tomiko	677
Edmond	Tina	3672
Edmonds	Teresa	3574
Edmondson	Rick	8189
Edmonston	Pandora	6612
Edridge	Michael	2963
Edwards	Jane	3822
Edwards	Anthony	3837
Edwards	Kris	7122
Edwards	Bita	765
Edwards	Mike	6341
Edwards	Sylvia	5760
Edwards	Rolayne	3754
Edwards	Stanley	7104
Edwards	Jeri	5218
Edwards	David	9856
Edwards	Bita	10180
Edwardsen	Joanna	5880
Efross	Monnie	12056

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Egan	Gioconda	10369
Egger	Rebecca	8792
Eguez	Rodrigo	3575
Ehemann	June	11745
Ehly	Erin	11710
Ehresman	Vivian	6863
Ehrhardt	Carole	6950
Ehrheart	Kelly	8830
Ehrman	Gordon	4432
Ehrman	Lindsay	14701
Eichelberger	John	2986
Eichenseer	Wendy	3981
Eichhorn	Donis	9538
Eichler	Nancy	1466
Eichler	Heidi	14719
Eicholtz	Dennis	7787
Eifert	Tina Marie	3533
Eikeland	Karen	2984
Eisenberg	Howard	2203
Eisenberg	Joel	4296
Eisenstaedt	Kevin	9284
Eiser	Jay	7439
Eiserloh	Eric	10175
Eisman	Gregg	10969
Eitelman	Andrea	5770
Eklund	Steve	7247
El	Mira	2532
El-Ahdab	W.	9061
Elam	Caroline	13188
Elarms	Betty	11498
Elbeck	Christian	6430
Eldorado	Andrew	10046
Elesby	Sally	6629
Elgut	Malcolm	6283
Elia	Rob	4068
Elizalde	Angeles	13409
Elkind	Linda	6779
Elkins	Michael	608
Elkins	Michael	5530
Ellen	Barbara	3527
Ellenhorn	Maureen	4856
Eller	Belen	5510
Ellerbe	Gunhild	617
Ellestad	Nancy	9510
Ellinger	Marcia	6089
Elliott	Laverne	1732
Elliott	Tracy	3469
Elliott	Ed	5549
Elliott	Julie Heath	8732
Elliott	Angela	1911
Elliott	Margaret	14555
Elliott	Meredith	10733
Elliott	Sherry	11801
Ellis	Marie	3874
Ellis	Claudette	8096
Ellis	Mary	7260
Ellis	Christina	4372
Ellis	David	9269
Ellis	Robert	892
Ellis	Rose	6990
Ellis	Susan	11884
Ellis	Koll	14260
Ellis	Jodie	9726
Ellison	Janet	5574
Ellison	Elizabeth	14239
Ellison	Suzanne	11439
Ello	Joan	7345
Ellsmore	Cindy	4083
Ellsworth	Alison	7123
Elmore	Angela	1126
Elsbach	Martin	856
Else	Clara	3818
Ely	Ernest	1039
Ely	Lezlie	7676
Elyad	Linda	11653
Emanuel	Frances	8028
Emanuelson	Karen	11437
Emberton	Hilary	7587

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Embrey	Glenn	4772
Embrey	Bruce	4365
Emde	Enid	10405
Emerson	C.	4377
Emery	Ariela	6892
Emery	John	5624
Emery	Douglas	10082
Emmer	Matthew	1889
Emmerson	Helen	6284
Emsley	Scott	429
Encell	Arlene	10119
Enciso	Violet	2457
Endres	Christina	10606
Engber	Bonnie	5058
Engelman	Nancy	10618
Engelsiepen	Jane	1383
Engelsman	Kate	8178
England	Eleonor	1098
England	Jenny	4970
Engle	Richard	7476
English	Jade	2042
Englund	Klaudia	6418
Engstrom	Paul	7367
Engstrom	Mary	2932
Enloe	Timothy	1884
Ennis	Elizabeth	7454
Ennouri	Elena	8367
Enrique	Veronica	4359
Enzmann	Narcissa	8895
Epstein	Daniel	1360
Epstein	Natalie	8576
Epstein	M.S.	2305
Epstein	Kim	10686
Erdem	Shanai	502
Erdman	Guy	5337
Erdogan	Kristie	1928
Erdreich	David	4002
Erhardt	Ann	4388
Erhardt	Linda	4659
Erhorn	Walter	11211
Erickson	Carole	793
Erickson	Holly	3660
Erickson	Suzanne	1162
Erickson	Victoria	967
Erickson	Ann	3662
Erickson	Jon	11619
Erickson	Russell	11904
Ernst	Dillan	13310
Ertel	Jeanette	2941
Erwin	Diane	6237
Escajeda	Mark	2204
Esparza	Brianna	6151
Esperas	Randall	6406
Espino	Linda	2558
Espinosa	Mavie	11006
Espinoza	Lynette	11010
Esposito	Dan	1012
Esque	Sandy	10113
Essenmacher	Barbara	5966
Esser	Nicholas	5579
Essig	Malka	3840
Essman	John	5390
Essoe	Joshua	6691
Estay	Andrea	13358
Estep	William	8536
Estes	Douglas	462
Estes	Eh	518
Estes	Marie	9190
Estes	Carl	4035
Esther	Miranda	10812
Estrada	Teresa	3308
Estrada	Karen	13304
Estrada	Michele	10994
Etchison	Diane	4760
Ets-Hokin	Celeste	14605
Etter	John	11674
Eubanks	Jennifer	10708
Eugster	Eva	5305

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Eurs	Albert	5792
Eusey	Paul	2060
Evangelho	Corinne	1966
Evangelinos	John	4480
Evangelista	Gloria	8292
Evans	Marian	3311
Evans	Tom	8166
Evans	Joann	7667
Evans	Ramona	8257
Evans	Guthrie	537
Evans	Max	4031
Evans	Ellen	2400
Evans	Nancy	6108
Evans	Colleen	7573
Evans	Alanna	4262
Evans	Ava	1506
Evans	Christopher	7973
Evans	Clair	6313
Evans	Keith	10420
Evans	Nancy	11521
Evans	Justin	14608
Evans	Dinda	11750
Evans	Carolyn	14680
Evans	Karen	14611
Evans	Angela	14702
Evanston	Luci	13147
Eveland	Donna	9035
Everett	Nancy	7289
Everett	Jennifer	9306
Evers	Helen	1418
Evilsizer	Alicia	5017
Evnochides	Fawnee	2284
Evon	Susan	5059
Ewing	Tracy	491
Ewing	Charles	4732
F.	Wendy	4708
F.	E.	3715
F.	S.	1484
F.	Mary	10545
Fa	Tanya	7679
Fabiano	D.	4413
Fabiyi	Emman	611
Fabreo	Kandy	8880
Faccinto	Soutine	5666
Fahey	Keith	10001
Fahey	Logan	14304
Fahrner	Rita	8907
Faia	Don	1062
Faia	Don	5729
Fair	Jerry	2592
Fairbanks	Michael	1078
Fairchild	Karreen	2628
Fairchild	Karl	3085
Fairfax	Kirby	5382
Fairfield	Richard	10019
Falabella	Lauri	4295
Falcone	Donna	6645
Falk	Jon Charles	8570
Falk	Rena	11950
Fallender	Deborah	693
Fallian	Henrik	6784
Falls	Richard	9290
Falls	Gary	10306
Falvey	Tom	2407
Fandel	Amber	3992
Fanshier	Kevin	3694
Farber	Joyce R.	6315
Fardella	Sophia	6735
Fargnoli	Sam	5125
Farhangi	Fereshteh	9907
Farina	Gail	732
Farinas	Joyce	10081
Farland	Wendy	14337
Farmer	Tawna	3482
Farmer	Mark	4114
Farmer	Dulce	4440
Farnum	Lorna	442
Farquhar	John William	7992

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Farr	Daniel	3682
Farrell	Francis	6434
Farrell	Norbert	3530
Farrell	Sharon	3942
Farrell	Marty	16720
Farris	Constance	4007
Farrow	Brian	3568
Faruqi	Amin	8772
Fass	Ken	4363
Faste	Linda	9256
Fattah	Elizabeth	3134
Fattahipour	Darius	11445
Faulkner	Vernon	490
Fay	Douglas	3353
Fazio	Cassandra	10121
Fears	Wendy	3903
Feathers	Josan	4511
Featherstone	Mary	13270
Fechner	Jennifer	11396
Federin	Deb	5646
Fedorow	Dinah	6646
Feehan	Nancy	10748
Feemster	Heather	5161
Feezor	James	7392
Fehrmann	Catherine	1595
Fein	Md	10047
Feissel	John	1875
Feissel	Sharon	11518
Feldman	Dan	4560
Feldman	Mark	5932
Feldman	Ruth	5146
Feldman	Tom	3899
Feldman	Ruth	5258
Feldman	Ira	2393
Feldmann	Grace	2232
Feldon	Richard	5436
Felgadillo	Arthur	9759
Felix	Alice	11351
Felix	Amanda	13319
Fellay	Helga	8102
Fellman	Barbara	2259
Fellner	Robin	7810
Fellner	David	2255
Felstiner	John	8758
Felt	Amanda	6724
Felton	Adam	8415
Feniello	Lauren	2416
Fenster	Laura	6738
Fenton	Reed	7770
Ferar	Barkat	11358
Fergus	Jeri	9270
Ferguson	William	6552
Ferguson	Virginia	6038
Ferguson	Carol	5659
Ferguson	Joseph C.	2401
Ferguson	Elizabeth	3374
Ferguson	James	3207
Ferlazzo	Kim	3559
Fernandes	John	3100
Fernandez	Sandra	4782
Ferrando	Caroline	10854
Ferrante	Leslie	8379
Ferrante	Anna	4580
Ferrari	John	6416
Ferrari	Andrea	6927
Ferrari	Teresa	14327
Ferraro	Susan	5632
Ferreira	Silvana	4813
Ferreira	Lisa	10163
Ferrero	Mauro	7720
Ferro	Shari	4237
Ferroggiaro and Family	Suzanne	7178
Ferry	Richard	10432
Fertig	Asano	10783
Fetsch	Penelope	7132
Fetterman	Kevin	8417
Fetzer Scott	Anne	5185

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Few	Herman	8225
Feye-Henderson	Allyson	8808
Fiandaca	Anastasia	8298
Fidaleo	Kathleen	7406
Field	Camilla	6462
Field	Siobhan	5204
Field	Patricia	2064
Field	David	9127
Field	David	1272
Field	Rebecca	10392
Fielden	Jessica	10100
Fielder	Aixa	8288
Fields	Susan	4570
Fields	Scott	990
Fiering	Wendy	10141
Fife	Paul and Donna	4740
Figueroa	Daphne	4714
Figueroa Jr	Jose	410
Figus	D.	8306
File	Shannon	8001
Filio	Michael Lynn	11520
Filip	Thomas	9094
Filipelli	Deborah	787
Finch	Glenn	9158
Findeis	Jeffrey	6792
Findeis	Jeffrey S.	16551
Fine	Howard	1970
Fines	Gaylord	10984
Fink	Christine V.	489
Fink	Patti	6700
Finkel	Allyson	12013
Finley	Gladys	3627
Finnerty	Elizabeth	11132
Finnigan	Michael	5602
Finsen	Susan	11241
Fioozat	Neda	8530
Fiori	Barbara	1295
Firebaugh	Bunny	7548
Firgens	Ronald	395
Fischer	Susan	9217
Fischer	Donald	2324
Fischer	Geoffrey	4170
Fischer	Susan	2104
Fischer	Phil and Lynn	2007
Fischer	Dottie	9791
Fish	Jason	2096
Fish	Sheilah	5907
Fishbein	Michael	6058
Fisher	Arlene	3989
Fisher	Robyn	3535
Fisher	Chuck	4049
Fisher	Matt	3192
Fisher	Lana	9137
Fisher	S.	1438
Fisher	Leslie	745
Fisher	Marlene	4274
Fisher	Bruce	6081
Fisher	Renee	4752
Fisher	Rebecca	11480
Fisher	Susan K.	9502
Fisher	Chris	13417
Fisher-Kouadio	Jeannette	2420
Fishman	Ted	6906
Fishman	Ted	1752
Fishman	Larry	729
Fishman	zelma	9560
Fishman	Merle	10627
Fisk	Sarah	1815
Fisk	Holly	2206
Fisk	Todd	2531
Fisk	Sharon	11326
Fisk	Rebecca	13137
Fite	Austin	1409
Fitting	Christian	14657
Fitzgerald	Karen	7764
Fitzgerald	Maura	7845

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Fitzgerald	Stan	2149
Fitzgerald	Allie	11662
Fitzgerald	Mary	11718
Fitzgerrell	Deborah	5221
Fitzgibbon	Christina	12020
Fitzpatrick	Mark	7215
Fitzpatrick	Martha	4909
Fitzpatrick	Tom	7128
Fitzwater	Kathryn	1361
Fix	Allan	14270
Fizdale	Georgia	7145
Flaherty	James	4677
Flaherty	Bridgette	4154
Flamenco	Victoria	8432
Flammer	Kristen	13401
Flanagan	Peter	1994
Flanagan	Janet	8357
Flanders	Lenore	2113
Flannery	Marcia	6458
Flannigan	Brian	4571
Flatto	Janice	8794
Flay	Heather	9010
Flebotte	Katharine	2822
Fleischman	Dan	3868
Fleming	Tracy	3392
Fleming	Elizabeth	7464
Flesher	Rob	7895
Fletcher	Jude	6376
Fletcher	Ashley	9918
Flewelling	Cynthia	7515
Flick	Simeon	7586
Fligg	Katherine	5330
Flint	Ben	703
Flint	George	2487
Flittie	Karen	1116
Flores	Tina	9082
Flores	Amy	3514
Flores	Adrian	8878
Flores	Patty	6572
Flores	Amy	659
Flores	Chloe	6459
Flores	Herminio	2918
Flores	Regina	2415
Flores	Ron	3299
Flores	Brian	1110
Flores	Rene	5995
Flores	Nancy Oliver	11980
Flores	Itzel	10364
Flores	Regina	12062
Flores	Regina	11262
Flores	Regina	10036
Florey	Ellen	2624
Florian	Brian	818
Florido	Carlos	6264
Flournoy	Yula	5485
Flower	Melissa	4414
Flowers	Howard	3285
Floyd	Kim	3270
Floyd	Archie	5450
Floyd	Debra	3647
Fluor	Christine	8037
Flynn	Jean	4614
Flynn	Pierce	1334
Flynn	Ruthie	3619
Flynt	Regina	5863
Fobert	William	1665
Fobes	Jeanne	4091
Fogan	Sara	3044
Fogarty	Sheri	416
Fogarty	Dan	6504
Fogel	Richard	3601
Fogel	Barbara	13174
Fogel	Byron	9893
Foglesong	Nancee	3863
Foley	Mary	5437
Foley	James	8206
Foley	Erin	13451
Foley	Hilda	10375

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Folger	Zoe	4555
Fomenko	Nancy	1605
Fons	Kelsie	2486
Fons	Michael	785
Foot	Susie	7505
Foote	Kathy	1214
Footman	Farel	9965
Forby	Leilani	7622
Ford	Christie	5893
Ford	Fredrick	9927
Ford	Michael C.	1824
Forest	Joan	1022
Forester	Elaine	11315
ForgÃ¡cs	Eszter	3387
Forkish	Jo	6239
Forman	Betsy	2051
Forrest	Scott	3303
Forrest	Tanya	10940
Forsen	Hal	5928
Forslund	Charles	2947
Forster	Carol	7668
Forster	Lorraine	14640
Forsythe	Sarah	9136
Fosgate	Pam	6935
Fosse	Mary Alice	7035
Fosselius	George	8757
Foster	Richard	5678
Foster	Joyce	5911
Foster	Phil	4214
Foster	John	7971
Foster	Lesley	4311
Fouche	Suzanne	4513
Foucher	Gene	6185
Fountain	Nicole	2356
Fowler	Evan	8713
Fowler	Liz	7272
Fowler	Kimberly	4938
Fowler	Steve	556
Fowler	Gregory	5743
Fowler	Kathryn	2930
Fowler	Victoria	11513
Fox	Kathleen	3892
Fox	Bayard	4131
Fox	Rhona	4990
Fox	Jonathan	3852
Fox	Erica	2225
Fox	James	1735
Fox	Nancee	4267
Fox	Gerald	4676
Fox	Geri	13419
Fox	Janie	10254
Fox	Jill	9556
Fragulia	Jason	1638
Frahm	Janene	3169
Fraiola	Kauaoa	3001
Fraker	Laurie	1157
Frame	Lynne	4510
Framiglio	Lisa	11495
Frances	Claire	9236
Frances	Barbara	9331
Franceschini	Armida	13074
Franceschini	Mary	11283
Francis	Keith	7475
Francis	Tony	2433
Francis Jr	Leroy	6621
Franco	Rita	3076
Francois	Anne-Lise	6775
Frandson	Karla	5463
Frank	Margo	8267
Frank	Todd	6356
Frank	Tena	11296
Frank	Miryan	11108
Frankel	Linda	3714
Frankel	Alison Dayne	11243
Frankland	Brad	6574
Franklin	Olive	9007
Franklin	Susan	13389
Franklin	Elizabeth	11680

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Franklin	Constance	11464
Frankly	Scarlet	4992
Franklyn	Rex	742
Franz	Mary	470
Fraser	Alan	3933
Frazee	Carolyn	8865
Frazer	Barbara	6049
Frazier	Marie	14705
Fredericks	Jacqueline	7149
Fredricks	Gary	14265
Fredsti	Lisa	9027
Freed	Makayla	2934
Freedman	Steve	6244
Freedman	Paula	6633
Freedom	Rea	2020
Freedom	Reality	9243
Freeland	Judith	11506
Freeman	Mary	6618
Freeman	Andrea	1234
Freeman	April	4704
Freeman	James	3538
Freeman	Kyri	11637
Freeman	Scott	12049
Freeman	Lisa	14641
Freeman	Myrna	16763
Freeman	Marinda	13375
Freiberg	Matthew	10504
Freitas	Julene	4421
Freitas	Brian	5254
Freitas	Gina	6651
Freitas	Amanda	10610
French	Calvin	6760
French	Nancy	5461
French	Walt	8425
Freudenberg	Lynn	3104
Freund	Forrest	2367
Frewin	Terry	10938
Frey	Lisa	4886
Frey	Andrew	702
Frey	Michael	1310
Freytag	Chris	7442
Fricano	Marian	2296
Frick	Dean	2534
Frick	Dean	5626
Fricke	John	5504
Fridman	Ariel	11808
Fried	Adrian	5108
Fried	Carmen	4883
Friedenberg	Sarah	9181
Fried-Lee	Lauri	1024
Friedman	Nancy	2929
Friedman	Laurie	1163
Friedman	Michael	1343
Friedman	Nina	1302
Friedman	Nancy	3552
Friedman	Leanne	2050
Friedman	Ida	13366
Friedmann-Cerny	Vivian	6491
Friedrich	Lawrence	5569
Friel	Jan	5882
Fries	Warren	9595
Frischmann	Justine	7481
Frisella	Tracy	8595
Frisk	Julia	2108
Fritsch	Christina	2959
Fritzinger	Dennis	13392
Froeming	Heather	3283
Fromberg	Jeff	6156
Fromer	Robert	7636
Fromherz	Markus	10263
Fromson	Caroline and David	10762
Fronce	Linnea	14326
Front	Adam	5441
Frost	Robert	2922
Frost	Martin	597
Frost	Laura	4169
Frost	Courtney	8193

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Frost	Heather	6858
Frothinger	Marlene	619
Frounfelter	Earl	4923
Frugoli	Tina	741
Frumento	John	3836
Fuchs	Waunetta	819
Fuchslocher	Bryna	5839
Fuchslocher	Bryna	11213
Fuentes	Gerardo	1128
Fugate	Deborah	7085
Fuhrman	Jed	796
Fuhrman	Lindsay	9615
Fujita	Judith	6925
Fujita	Jillian	8552
Fukuda-Schmid	Kristina	4629
Fukumoto	Barbara	4722
Fukunaga	Judy	10182
Fulcomer	Jan	1560
Fulgham	Jason	13355
Fuller	Tony	8067
Fuller	Nancy B.	1882
Fuller	Rebecca	911
Fuller	MIke	9934
Fuller	Lena	11100
Fuller	Julia	11202
Fullerton	James	7411
Funai	Robert	5193
Fung	Alyse	3945
Funke	Emily	6147
Funke-Stoddard	Elaine	11354
Furlong	Viviana	10459
Furnee	Marieke	10516
Furst	Robert	9517
Fury	Kristina	6578
Fusco	Carol Anne	9148
Fusilier	Gilda	2369
Futernick	Marc	10319
Futrell	Sherrill	13321
Futterer	Joe	10264
Fyans	Tiffiny	841
G.	Amber P.	7007
G.	Sarah	7174
G.	Michael	5322
G.	Angie	777
Gabova	Anya	3525
Gabriel	Mike	1434
Gabriel	Guy	8643
Gabriel	Gayla	2173
Gadwood	Judy	5622
Gaetano	Nick	1652
Gaffga	William	1630
Gaffney	Mal	857
Gaffney	Juan Pedro	7960
Gagen	Dan	5428
Gage-Nesmith	Judith	4152
Gaillac	Marie	4887
Gaillard	Heather	14720
Gaissert	Heidi	5925
Gaissert	John Malcolm	4297
Gajewski	Carol	1298
Galanis	Tim	14242
Galbraith	Mark	5008
Galde	Wade	6360
Gale	Jane	827
Galey	Georgia	5829
Galiher	Norma Jean Bodey	2901
Gall	Gary	4493
Gallagher	Winnie	8260
Gallagher	Diane	9322
Gallagher	Thomas M.	8728
Gallagher	Carey	6116
Gallagher	Kaela	10409
Gallaher	Tim	1065
Gallant	Jeannine	7578
Gallatin	Divina	7892
Gallegos	Jeff	9477
Gallegos	Lourdes	751

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Gallegos	Joseph	13263
Gallegos	Mark	10359
Gallin	Kay	1289
Gallinger	Rob	4710
Galloway	Patricia	3417
Galloway	Kathryn	8112
Gallup	Josie	3829
Galvan	Candida	11659
Galvez	Adriana	8970
Galvin	Maggie	5005
Galvin	Bridget	9333
Galvina	Inguna	3518
Gamble	Sandra	8022
Gamito	Zulmira	9704
Gampper	Petra C. H.	11021
Gan	Monica	7591
Gan	Carol	8324
Ganahl	Amy	6082
Gandolfi	Roberta	13372
Gang	Pete	5336
Gann	Elizabeth	5467
Gantos	Angela	6048
Gaponoff	Sharma	9566
Garavito	Jose	10173
Garay	Rebeca	5852
Garces	Laurence	9142
Garcia	Dominique	5449
Garcia	Evette	3872
Garcia	Mark	6212
Garcia	Michelle	5786
Garcia	Karla	8265
Garcia	A. D.	4404
Garcia	Bas	6571
Garcia	Bryan	6928
Garcia	Analisa	8777
Garcia	N.	3579
Garcia	Steven	6531
Garcia	Erin	3546
Garcia	Barbara	1811
Garcia	Susan	3083
Garcia	Gilda	9752
Garcia	Marie	13179
Garcia	Stephanie	13189
Garcia	Heather	14209
Garcia	Luis	9946
Garcia-Rey	Soren	2342
Garcia-Spitz	Cristela	881
Gardener	Gail	7550
Gardenias	Kathe	4122
Garding	Ekaterina	9614
Gardner	Lynne	4684
Gardner	David	7371
Gardner	Scott	7849
Gardner	Keith	3397
Gardner	Jason	7049
Gardner	Katrina	11751
Gardner	Erin	11129
Gardner	Christine	16710
Gardner	Jeremy	12015
Gardner	William	11422
Gardner	Nicole	10275
Garfield	Andrea	3925
Gargas	Thea	7453
Garibay	Zerah	10259
Garibay	Art	10700
Garitty	Michael	1962
Garland	Ruth	2048
Garland	Marlena	2249
Garman	Janet	9498
Garmus	Diana	11881
Garner	Tina	9178
Garner	Beverley	14323
Garnett	Laurei	4129
Garon	Jeannine	11462
Garr	Jay	10333
Garras	Marina	14204
Garrecht	Jamila	8759
Garrett	Steve	4094

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Garrett	Brett	7195
Garrett	Laurie	1099
Garrett	Randy	13203
Garrison	James	2965
Garrison	Ross	7223
Garrison	Diana	10344
Garrity	Jane	565
Garry	Ann	1462
Garza	Joseph	1283
Garza	Linda	2254
Garza	Veronica	11253
Gaskill	David	11030
Gasperoni	John	472
Gast	Bridget	12145
Gastelum	Marguerite	5751
Gates	Jan	2066
Gates	David	7025
Gates	Sandra	6948
Gates	Gary	7293
Gather	Sandra	367
Gather	Sandra	12045
Gatson	Donna	2213
Gatto	Gina	2109
Gatto	Danielle	13455
Gauler	Brad	5694
Gauss	Ilana	3297
Gavrilenko	Valentina	7553
Gawboy	Hailey	11737
Gaylen	Helen	14196
Gaylord	Steven	5380
Gaynor	Robert	4082
Gearhart	Madelon	4968
Gearhart	David	5472
Gebin	Gertrude	2460
Gecas	Cynthia	6989
Gedo	Terri	5613
Gee	Lisa	10114
Geer-Alsop	Megan	11552
Geis	J.	10924
Geissinger	Joyce	9779
Gell	S.	9569
Geluz	Gemma	5459
Gen	Katy	14273
Gendreau	Judith	9639
Genevieve	Marshalle	10979
Gengo	Julie	5930
Gentes	Mija	5890
Gentry	Randall	61
George	Laurence	6054
George	David	6499
George	Bonnie	4212
George	Lindsay	9826
George	Sharon	11331
Gerber	Lisa	14191
Geren	Janet	9996
Gergel	Inna	8629
Gerhold	Kelly	4277
Germain	Tina	11982
German	Veronica	8246
Gernert	Ann	3286
Gerr	Lewis	9387
Gerran	Anthony	7257
Gershenson	Alyce	1404
Gerstley	James	2960
Gertz	Michael	2831
Gessner	June	7829
Getter	Camile	9058
Getzoyan	Lisa	6879
Geyer	Sandra	6039
Gharda	Kirk	5434
Gherardi	Lisa	2209
Giachetti	Pamela	4857
Giacoletti	Mary	10030
Giamanco	Jan	11134
Gianelli	Marge	4419
Gianni	Kisha	549
Giannoni	Linda	1666
Gibb	Linda	3687

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Gibb	Karen	6622
Gibb	Wayne	7614
Gibboney	Linda	2102
Gibboney	Linda	8105
Gibbs	Barbara	5683
Gibson	Debbie	7815
Gibson	Claudia	8974
Gibson	Linda	2820
Gibson	Sarah	11762
Gibson	Rachel	14596
Gibson	Miles	10842
Giddings	Ron	2615
Giese-Zimmer	Astrid	8975
Giffen	Phoenix	9060
Gifford	Teresa	1591
Gifford	Phyllis	6318
Gift	Norene	5056
Gigel	Steve	7250
Giglio	Paula	14241
Giguere	Ed	2842
Gil	Karyn	2476
Gil	Savannah	9106
Gilbert	Stephanie	7452
Gilbert	Sheryl	8741
Gilbert	Camille	7655
Gilbert	Nancy	664
Gilbert	Ames	808
Gilbert	Nancy	10660
Gilbert	Pat	12054
Gilbertson	David	6074
Gilbride-Read	Anita	1332
Gilchrist	Tia	376
Gildard	Allen	1140
Gilford	Elfi	10623
Gill	Brian	4751
Gill	Susan	6191
Gill	Ayesha	9339
Gill	Meredith	9373
Gill	Brian	11381
Gill	Jamie	11798
Gill	Robert	10371
Gillen	Stacey	6271
Gillespie	Thomas	2580
Gillette	Robyn	3779
Gilmore	AG	379
Gilmore	Cher	5118
Gilmore	Naomi	9787
Gimple	Ian	3341
Gineris	George	6139
Gingrich	Nancy	1416
Ginsberg	Barbara	1957
Gioiosa	Rusti	6110
Giorgi	Anthony	9225
Giraldez	Arturo	1431
Girard	Janet	914
Girnary	Munira	791
Gish	W.	4925
Gisler	Heidy	14136
Gitomer	Michele	6763
Gittins	Justin	4587
Gize	Jean	6610
Gladfelter	Barbara	10194
Gladish	Christine	1717
Gladstone	Donald	4674
Gladstone	Cynthia	4606
Gladstone	Jean	6799
Glann	Kim	10172
Glas	Joan	11629
Glaser	Fred	11926
Glasser	Craig D.	5381
Glasser	Karen	4672
Glasser	Mark and Susan	2075
Glassoff	Pam	2522
Glaston	Joe	909
Glatman	Themis	7980
Glatt	Stephanie	4967
Glazar	MaryAnne	380

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Glazer	Mary	10351
Gleason	Barbara Lafaver	3510
Glenn	Constance	879
Glenn	Trish Gallager	1131
Glick	Robin	4934
Glick	Allan	2062
Gloege	Isabel	8619
Glogovac	Paula	4993
Gloor	Prisca	1019
Gloor	Michele	3361
Glore	Susie	6957
Gloria	Carolyn	9688
Glotov	Petr	8194
Glover	John	5808
Glover	Robert	1801
Glover	Sandra	10213
Glover	Edwin	11389
Gluck	Louisa	4596
Gluck	Barbara	2386
Gobel	Kim	6755
Gobert	Stephanie	5316
Goco	Karen	11386
Goddard	Peggy	1747
Godfrey	Laura	6338
Godwin	G.	9102
Goe	Judith	6733
Goebel	Lawrence	7984
Goebel	Nancy	8042
Goestenkors	Tracy	5139
Goetz	Linda	2430
Goetz	James	1798
Goetze	Arlene	8797
Goff	Sheldon	552
Goff	Frances	3029
Goings	Robert	1688
Gold	Vicki	6810
Gold	M.	3733
Gold	Carol	5777
Gold	Eddie	505
Gold	Warren	6296
Gold	Esther	12028
Gold	Bianca	13145
Goldbaum	Sarah	6913
Goldberg	Daniel	5505
Goldberg	Susan	2294
Goldberg	Wendy	3326
Golden	Steven	8268
Golden	Jane	8944
Golden	Victoria	9323
Golden	Gene	7859
Golden	Anthony	11261
Golden	Nancy	9653
Goldfarb	Georgia	1714
Goldin	Martha	11909
Golding	John	1127
Golding	Andrew	4972
Goldinger	Lyn	10495
Goldmacher	Sheila	6994
Goldman	Jane	506
Goldman	Judy	2593
Goldman	Ron	9004
Goldman	Valerie	10743
Goldman	Lauren	11476
Goldman-Hull	Sergi	2392
Goldner	Sheila	2847
Goldschmidt	Ruth	5155
Goldstein	Susan	7165
Goldstein	Diana	1251
Goldstein	Carol	6890
Goldstein	Alice E.	8007
Goldstein	Stuart	10435
Goldstein-Cobb	Roz	7913
Goldthorpe	Jack	10308
Golia	Rosanna	11914
Golter	Lindsay	8297
Gomes	Anthony	1680
Gomes	Elisabete	4656

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Gomes	Caren Oberg	13279
Gomez	Kjirsti	7696
Gomez	Dona	1707
Gomez	Armando	9785
Gomez	Yessica	9478
Gomez	Michelle	10630
Gong	Cynthia	11084
Gong	Sharon	11114
Gonsalves	Carole	377
Gonsman	James	7823
Gonzales	Mary Nella	5692
Gonzales	Marissa	7356
Gonzales	Nora	3274
Gonzales	Diane E.	8134
Gonzales	Bernie	1866
Gonzales	Jemeleth	13269
Gonzales	Suzi	13100
Gonzales	Rachel	13123
Gonzales	Daniel	11648
Gonzalez	Dolores	5237
Gonzalez	Valerie	8577
Gonzalez	Jose	7030
Gonzalez	Melissa	735
Gonzalez	Rena	4919
Gonzalez	Autumn	4680
Gonzalez	Ana	9516
Gonzalez	Yazmin	10683
Gonzalez	Raul	11231
Gonzalez	Irene	9985
Gonzalez	Anthony	9890
Gonzalez	Sonia	13106
Gonzalez	Leslie	11503
Good	Caroline	3629
Good	Mary	2368
Good	Penny	10519
Goode	Veronica	10242
Goodell	Barbara	6520
Goodfellow	Rosalind	4378
Goodhill	Barbara	8593
Gooding	Rodney	7060
Gooding	Luna	4827
Goodley	Michael	2808
Goodmacher	Greg	3165
Goodman	Diana	1640
Goodman	Tansy	2911
Goodman	Leslee	7353
Goodman	Timothy	2111
Goodman	Maria	486
Goodman	Ron	7076
Goodman	Greg	11519
Goodrich	Cathy	561
Goodrich	C.	980
Goodsell	Jean	11158
Goodwin	Elizabeth	1314
Goodwin	Margaret	11610
Goodwin	Julie	14712
Goossens	Clara	6719
Gopalakrishnan	Saritha	11868
Gorbachova	Ekaterina	11281
Gordon	Mildred	7888
Gordon	Billie	6627
Gordon	Nancy	8950
Gordon	Ray	1029
Gordon	Janet	3924
Gordon	Carol	1396
Gordon	Elizabeth	3735
Gordon	Gene	6988
Gordon	J.	9289
Gordon	Elliot	11204
Gore	Robert	9555
Gorel	Adiel	13183
Gorelik	Bella	3202
Gorenfeld	Will	1644
Gorenstein	Abby	920
Gorman	Leslie	3950
Gornick	Kristin	9129
Gorr	Sherry	8828
Gorrilla	Jolaine	7106

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Gorski	Jerold	1207
Gorsuch	Royce	5933
Gosa	Carey	8453
Goshko	Greg	3719
Gosler	Julie	14597
Gosliner	Joan	4548
Goslinga	Christiaan	13165
Gottejman	Brian	3335
Gottejman	Brian	3851
Gottowski	Becky	6474
Gotvald	Mark	8725
Goudy	Sarah	10646
Gould	Leslie	1308
Gould	Thomas	7232
Gould	Catherine	1478
Goulden	Sylvia	1433
Govindan	Jaikumar	2968
Gowani	Saleem	5100
Gowens	Edward L.	5813
Gower	Douglas	6877
Gowern	William	7408
Goykhman	Yanina	5113
Grace	Judy	9366
Grace	Rob	8712
Grace	Susan	4600
Grace	Kaitlyn	10561
Grady	Kevin	4627
Graetz	Kay	8947
Graf	Daniel	13365
Graff	Deana	4215
Graff	Steven	8782
Graffell	Jess	8508
Graham	Dolores	3700
Graham	Jeremy	6442
Graham	Judith	10477
Graham	Justin	11397
Graham	Lynn	10104
Graham	Mark	11636
Graham	Bryan	11250
Graham-Waldon	Martha	2139
Grainger	Elizabeth	7346
Grajales	Tanya	11070
Grajeda	Monique	10256
Grammenos	Marc	3334
Granadillo-Schwentker	Rosa	586
Granahan	Diane	8334
Grans	Will	8085
Grant	Jim	4979
Grant	Kathy	5409
Grant	Elizabeth	11140
Grant	Nancy	11920
Graser	Lisa	10710
Graves	Caryn	1482
Graves	Joel	14249
Gravestock	Linne	5521
Gravin	Peter	10535
Gray	Kathryn	9139
Gray	Linda	3958
Gray	Robin	5066
Gray	Jim	2167
Gray	Raven	5420
Gray	David	1592
Gray	Brian	10607
Grayck	Mia	6478
Greathouse	Colleen	10240
Greaves	Denise	6978
Greaves	Madelyne	10640
Grebe	Bronwen	11673
Greco	Tara	7055
Green	Terrica	5507
Green	June	3133
Green	Diane	8879
Green	Ed	1288
Green	Jonathan	4284
Green	Tim	3287
Green	Patty	3688
Green	Delone	8996

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Green	Leatrice	8790
Green	Harry	1248
Green	Susans	2339
Green	Dev	4350
Green	Janet	9390
Green	Jennifer	10398
Green	Jamie	10629
Green	Don	11981
Greenawalt	Lee	2537
Greenberg	Denise	5401
Greenberg	Jan	7191
Greenberg	Corinne	3339
Greenberg	Len	8263
Greenberg	Bert	7438
Greenberg	Stephen	6086
Greene	Becci	5075
Greene	Ford	7611
Greene	Tina	3693
Greene	Barbara	11361
Greenfield	Julie	14335
Greenfield	Nancy	10204
Greenleaf	Phyllis	14618
Greenman	Jessea	4599
Greenough	Patricia	2620
Greenspan	Sara	4132
Greenstein	Jerry	1739
Greenwald	Evelyn	2571
Greenwald	Virginia	13349
Greenwood	Barbara	5679
Greenwood	Ellen	1826
Greenwood	Len	8373
Greenwood	Holly Windsong	13075
Greer	Nancie	7011
Gregg	Jeff	1115
Gregg	Brandon	907
Gregg	Louise	10372
Gregorian	Arthur	1845
Gregorian	Tila	10065
Gregorio	Danielle	2331
Gregory	David	4301
Gregory	Marc	9334
Gregory	Ramsey	4319
Gregory	Mary	7874
Gregory	Christina	7901
Gregory	Anne	1597
Gregory	Faye	3103
Gregory	Probyn	11468
Greif	Adi	5323
Grelet	Chris	11028
Greminger	Thomas	1923
Grenland	Dianne	5477
Greschner	Ida	9756
Grewal	Drew	13129
Grey	C.	8157
Greytak	Taylor	10266
Grezaffi	Judith	8738
Grieco	Mercy	3061
Grierson	Don	3975
Griffen	Sharon	8875
Griffin	Leah	5370
Griffin	Pam	6295
Griffin	Robert	2555
Griffin	Mary	8894
Griffin	Erica	9242
Griffin	Nicola	11559
Griffith	Jean	7785
Griffith	Lin	4877
Griffith	Pablo	10165
Griffiths	Aaron	10128
Griffy	Kathleen	5246
Griggs	Jane Hunt	9591
Grime	Danny	8968
Grimes	Nancy	1948
Grimes	Robert	4438
Grindle	Russell	11090
Grindstaff	B.K.	11373
Grinthal	Scott	13456

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Griskaite	Vaiva	8625
Grissen	Erica	8430
Grobman	Bruce	10728
Groeger	Michael	5834
Groenwold	Sophie	10153
Grogan	Patricia	8214
Grogan	Patricia	3130
Groll	Amber	10483
Groody	Lance	4036
Groome	Malcolm	7824
Groot	Henriette	9266
Grosh	William	10678
Gross	Anne	7525
Gross	Steve	7038
Gross	Andrea	6689
Gross	Anne	6878
Gross	Sandy	5331
Gross	Kurt	10847
Gross	Catherine S.	13294
Grossi	Rachella	113
Grossman	Mark	6670
Grossman	Aaron	2188
Grossman	Irabella	14670
Grosswendt	Joe	4013
Grosszek	Ana	13138
Grotjan	Gloria	5130
Groundwater	Lorna	5297
Groux	Kathleen	4903
Grovenburg	Cathy	6954
Groves	Gregory	7529
Groves	Donna	467
Grow	John	1817
Grubb	Jacqueline	7951
Grubbs	Victoria	10024
Gruliow	Frank	9227
Grunbaum	Daniel	7919
Gruninger	John	4797
Grush	Melissa	11307
Grutman	Jon	1869
Gruver	Andrew	6261
Guadron	Herbert	2018
Guardado	Deborah	1821
Guaspari	Jeanne	3137
Guchi	Tanya	2509
Guddemi	Phillip	538
Gudjons	Bjorg	10835
Guedalia	Jerelyn	10112
Guekguezian	Madeleine	6367
Guenther	Craig	7313
Gueorguieva	Iva	958
Guerra	Lisa	2037
Guerra	Michelle	9592
Guerra	Adrian	9990
Guerra	Terri	11638
Guerrero	Adele	7968
Guest	Adina	13899
Guest	Adina	14129
Guevara	Juvi	8401
Guevara	Maria	6447
Guevara	Lucia	3260
Guidera	Leslie	9286
Guidi	Adriana	3744
Guidotti	Rick	7457
Guidry	Denise	8662
Guiducci	Cristiana	7324
Guilbert	Guy	4892
Guiles	Stephanie	13420
Guilin	Luis	5608
Guillen	Dora	11332
Guillory	Donna	4864
Guinan	Valerie	9509
Guion	Carol	2322
Guisinger	Tim	8353
Guitar	Terry	14581
Guittard	Lauren	14220
Gulino	Gail	14257
Gulla	Dennis	6208
Gulyash	Lynn Graves	16717

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Guma	Karen	10415
Gunderson	Melanie	4917
Gunn	Lavonne	10246
Gunning	Sylvia Lewis	8478
Gunst	Rosemary	9107
Gunter	Ernest	8474
Gunther	Blanche	3777
Guo	Eva	8354
Gupta	Louise	2207
Gupta	Veeren	5886
Gurdin	J. Barry	382
Gurev	Keith	8070
Gurlides	Despina	10352
Gurney	Brian	11497
Gurunathan	Mohan	6247
Gustafson	Rae Ann	6483
Gustafson	Gilda	6497
Gustafson	Robert T.	4793
Gutell	Brenna	9772
Gutierrez	Nichole	4153
Gutierrez	Silvia	5935
Gutierrez	Eddie	7115
Gutierrez	Nancy	1205
Gutierrez	Andrew	8988
Gutierrez	Alexander	11224
Guzmán	Genevieve	8685
Gyatso	Lama	1673
H.	Aa	3901
H.	Kat	3797
H.	S.	2126
H.	Terry	5136
H.	Amy	1580
H.	Tina	10819
Haage	L.	6934
Haas	Eric	6018
Haase	Aaron	4575
Habegger	Sue	6518
Habelski	Inna	1420
Haberlin	Sally	7240
Hackett	Sarah	8493
Hackin	Andrea	6631
Hadda	Ilse	7730
Hadenfeldt	Dennis	2198
Haertsong	D.	2098
Hafner	Gloria	1833
Haga	Stephen	8261
Hagan	Gregory	3198
Hager	Jeffrey	9698
Haglund	Heather	6346
Hague	George	746
Hahn	Virginia	4022
Hail	Carol	11050
Haim	Carla	3398
Haines	Trevolyn	6741
Haines	John M.	654
Halbe	Denise	6752
Hale	Dorothy	8681
Hale	Eileen Adele	5963
Hale	Bruce	2452
Hale	Stephen	2248
Hale	Catherine	7875
Hale	Bonnie	9351
Halen	Dan	7146
Haley	Ann	10988
Haley	Mary	11763
Halferty	Gina	5226
Halizak	Kimberly Anne	2271
Hall	Thomas	14326
Hall	Michael	2991
Hall	Linda	6649
Hall	Zack	460
Hall	Judith	5915
Hall	Timothy	6595
Hall	Holly	8991
Hall	Gudrun	2134
Hall	Stacy	1507
Hall	Lori	3280

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Hall	Craig	10772
Hall	Sarah	9739
Hall	Vicki	9492
Hall	Noah	11912
Hall	Leana	9746
Hall	Rosemay	10941
Hall	Frederick	11456
Hall	Gregory	11008
Hall	Nina	11933
Halligan	Michele	13403
Hallinan	Cecilia	7249
Hallmark	Jena	2849
Hallse	Monika	11440
Hall-Whitney	Suzanne	10916
Halper	Leah	2044
Halperin	Vidal	10298
Halpern	Lisa	1530
Halsey-Franke	Raymond	6573
Halverson	Richard	7398
Hamady	Dolores	5203
Hamblin	Sheryl	8569
Hamed	Haitham	6153
Hamel	Lyne	8003
Hamill	Nora	1428
Hamilton	Colleen	3941
Hamilton	Sharon	5737
Hamilton	Wendy	1151
Hamilton	Frederick	2025
hamilton	Jason	5767
Hamilton	Hope	5351
Hamilton	Kevin	3726
Hamilton	Diana	4603
Hamilton	Mary	8605
Hamilton	Edwin	9130
Hamilton	Sharon	656
Hamilton	Jamal	9080
Hamilton	Billie	897
Hamm	Esther	8847
Hamm	Louise	9611
Hammargren	Kelly	6115
Hammarstrom	Sylvia	5739
Hammel	Barbara	10820
Hammer	F.	5850
Hammer	F.	1393
Hammer	Lauren	14195
Hammermeister	Cassidy	2013
Hammermeister	Lisa	10038
Hammond	Pamela	8762
Hammond	E.	6148
Hammond	Lynn	11196
Hampson	James	4888
Hampton	Susan	4168
Hampton	Carolyn	6087
Hampton-Hunt	Laurel	8618
Hamtil	Scott	9814
Hanahan	Lillian	6304
Hanan	Seymour	8482
Handforth	Michael	4313
Handler	George	10775
Handy	Vanessa	4695
Handy	Jim	11647
Haney	Michael	533
Haney	Sandra	10616
Hanger	Susan	9154
Haniford	Jo Ellen	9359
Hanks	Cindy	10849
Hanlon	Steve	8766
Hanly	Heather	6656
Hanmore	Bonnie	9691
Hanna	Helen	636
Hannan	Larry	10585
Hannis	Angela	8441
Hannreich	Rosa	13436
Hannum	Jill	10850
Hans	Mari	9770
Hansell	Jody	9989
Hanselmann	Mary	396
Hansen	Sheldon	9113

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Hansen	Lena	5107
Hansen	Marilyn	3838
Hansen	Lynn	4016
Hansen	Phillip	8059
Hansen	Jan	7126
Hansen	Karen	9370
Hansen	Michaela	409
Hansen	Matthew	398
Hansen	Sue	9357
Hansen	David	4225
Hansen	Kristin	9968
Hansen	John	14704
Hansen-Feruch	Jennifer	2499
Hanshaw	Kristina	10991
Hanson	Jody	7014
Hanson	Ginny	6517
Hanson	Merianne	6206
Hanson	Dale	6060
Hanson	Elizabeth R.	2389
Hanson	Michael	3145
Hanson	Dana	5112
Hanson	Brian	5345
Hanson	Sally	10656
Hanson	Kathy	10148
Haradon	Virginia	10325
Haralambides	Nicolas	1602
Harde	David	1952
Harden	Richard	7134
Harden	Robert	4461
Hardin	Joseph	3238
Harding	Jo	3354
Harding	Maggie	1304
Harding	Rebecca	2423
Hardy	Kathryn	10157
Hardy	Dian	9546
Hargett	Lynne	9563
Hargraves	Mark	7924
Hari	Jaspreet	5457
Harlan	Gabrielle	10829
Harley	Janet	8253
Harley	Betts	1086
Harman	Susan	2321
Harnage	William	6158
Harp	Patricia I.	683
Harpe	Barbara Jane	4411
Harper	Barbara	866
Harper	Rebecca	859
Harper	Barbara	7391
Harper	Charesa	5293
Harper	Mark	7625
Harper	Benjamin	6514
Harper	Rachel	4788
Harper	Diane	9935
Harper	Ruth	300005
Harper	Julianne	300007
Harr	Silva	10011
Harradine	Gabrielle	9300
Harralson	David	8736
Harrell	Bryan	2015
Harrell	Roger H.	1150
Harriger	Rachel	11805
Harrington	Michael	3870
Harrington	Maria	5027
Harrington	Joyce	11141
Harrington	Lisa	14313
Harrington	Eileen	10197
Harris	Jeanie	6301
Harris	Lorna	5815
Harris	April	8832
Harris	Beverly	8259
Harris	Zoe	6291
Harris	Shirley	3699
Harris	Laurel	5176
Harris	Philip	6063
Harris	Pat J.	7066
Harris	Terri	6687
Harris	Avrum	8228
Harris	James	3784

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Harris	Lois	2097
Harris	Patricia	4845
Harris	Denise	8567
Harris	Susan	7957
Harris	Hugh	3511
Harris	John	3487
Harris	Marsha	8091
Harris	Ruth	10095
Harris	Alvin	10012
Harrison	Colleen	8349
Harrison	Valerie	6974
Harrison	Diana	5754
Harrison	Norma J. F.	5376
Harrison	Christa	1846
Harrison	William	2408
Harrison	Jennifer	10537
Harrison	Colleen	14603
Harrod	Florence	10149
Harshbarger	Frank	8929
Hart	Pete	5499
Hart	Alison	9036
Hart	Leilani	5902
Hart	Diane	3704
Hart	Johanna	5976
Hart	Michael	6654
Harten	Laurie	4494
Harter	John	5261
Harter	Linda	10496
Hartfield	Sheila	11001
Hartgraves	Paula	9187
Harth	Adele	1569
Hartje	David	11965
Hartman	Erika	5601
Hartman	Nancy	1949
Hartman	Blanche	2068
Hartman	Gail	2894
Hartmann	Elora	4325
Hartt	Ernie	716
Harvey	Marcia	8793
Harvey	Richard	3305
Harvey	Steve	4476
Harvey	Sarah	5325
Harvey	Aileen	2398
Harvey	Shea	1369
Harvey	Suzanne	13134
Harvey	Mark	9795
Harvey	Toni	14709
Hasenau	Jeff	1225
Hasenhuttl	Claudia	9274
Haser	Papa	6078
Haslam	Gerald	6819
Hasselgren	Joan	3590
Hastings	Wendy	2920
Hatch	S.	11742
Hathaway	Michael	1326
Hathaway	Susan	8516
Hatt	Christy	2332
Hatter	James	5494
Hatton	Tobi	3567
Hattum	Joanne	2839
Hauber	Lucy	13337
Hauptmann	Daniela	2870
Haus	Julia	8558
Hausman	Benson	3126
Haussling	Rebecca	14700
Hauswald	Christina	8006
Havassy	Nancy	8550
Havel	Dawn	6864
Haven	Gary	1810
Hawes	Gayle	7436
Hawke	Raymond	3856
Hawkins	Paula	6511
Hawkins	Tara	6061
Hawkins	Salome	8144
Hawkins	T	11427
Hawley	Claire	6642
Hayashi	A. T.	9949
Hayden	Mary	11866

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Hayes	Tim	7157
Hayes	Barbara	2241
Hayes	Andrew	4095
Hayes	Barbara	427
Hayes	Clara Jo	14139
Hayes	Christine	11074
Hayes	Jennifer	11000
Hayes-Tripp	Suzy	3038
Hayley	Kennneth	5160
Haymaker	Annette	2548
Haynes	T.	7142
Hayward	Pamela	712
Hazelhofer	Galen	8252
Hazelleaf	Thomas	3841
Hazelton	Laura	3196
Hazen	Alona	7879
Hazlett	Yuriko	11870
Head	Susan	9261
Head	Kris	1792
Head	Kris	10109
Heald	Maria	691
Healey	Frances	2344
Healey	Shannon	9870
Healy	Pat	13099
Heartsong	Jenny	11840
Heath	Frances	1940
Heath	George	11775
Heavons	Cynthia Raiser	9197
Hebert	Yvonne	7155
Hecht	Sharon	3646
Heck	Nancy	9093
Heckman	Steve	7118
Hedberg	Joel	10788
Heddy	Denay	9562
Hedge	Joanne	7473
Hedgecock	Michael	6544
Hedgecock	James	3430
Hedges	Ken	4729
Hedges	Carolyn	6818
Hedlund-de Witt	Nicholas	2584
Hedrick	Donald	9908
Heffley	Richard	8215
Hegenbarth	Linda	7503
Heggstad	Susan	6640
Heidler	Pam	9013
Heidt	Lin	3844
Heiken	Jon	4558
Heilbrunn	Randy	7632
Heim	Donna	5581
Hein	Harold	10785
Heindl	Michael	8869
Heinle	Janet	7256
Heinly	Bridgett	6698
Heintz	Penelope	6953
Heinze	Brad	8088
Heinzmann	Zinnia	10667
Heisler	Susan	7001
Heitz	True	3762
Helbick	Terry	4765
Held	Chad	1961
Held	Gary	5109
Helenchild	Liz	622
Helgason	Lesle	9687
Heller	Emila	6255
Heller	Dorothy	10063
Hellingson	Charles	3860
Hellyer	Melinda	1134
Helm	Pamela	2975
Helm	Bill	4973
Helm	Tom	4401
Helman	Elliot	851
Helmbold	Roland	3785
Helmer	Jace	5939
Helmer	Kathleen	3571
Helmholz	Sharron	10858
Helsel	Daniel	4320
Hembree	Michelle	13078

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Hembry	Douglas	5517
Hemenez	Jeffrey	5242
Hemingway	Carol	5347
Hemingway-Proia	GeorgeAnn	4422
Hemlock	Vanessa	4559
Hemmimg	Olivia	7700
Hemp	Peter	5375
Henderson	Michael	7387
Henderson	Teresa	5073
Henderson	Martin	5138
Henderson	Diana	7981
Henderson	Rachelle	5168
Henderson	Valerie	5245
Henderson	Alma	10737
Henderson	Courtney	10458
Henderson	Patricia	11644
Henderson	Steven	12006
Hendon	Clara	14214
Hendricks	Keli	2967
Hendricks	Philip	5628
Hendrickson	Ken	625
Hendrix	Dale	5383
Hendrix	Alice	10122
Heng	Felicia	14320
Henley	Charlene	3721
Henley	Marie	8256
Henneberger	Dan	9862
Hennelly	Anna	2236
Hennelly	Ann	8290
Hennen	Heide	9902
Hennessey	Julie	11368
Henning	Linda	5018
Henry	Tamara	3505
Henry	Darlene	7694
Henry	Alicia	14433
Henry	Gordon	9992
Henry	Lila	11964
Hensel	Sheryl	13444
Henzel	William	4612
Hepner	Jean	10139
Herberg	Devorah	445
Herbert	Dale	5051
Herbert	Michael	9288
Heredia	Gwen	1093
Hereth	Cindy	9730
Hergenrather	Samuel	13169
Herlin	Melvin	1804
Herman	Bill	887
Herman	Gene	11822
Hermann	Birgit	9226
Hernandez	Randy	7369
Hernandez	Maria Elena	8458
Hernandez	Steven	8308
Hernandez	Ana	2861
Hernandez	Alfredo	679
Hernandez	Shelly	3248
Hernandez	6Bears	10910
Hernandez	James	10237
Hernandez	Juanita	9917
Hernandezkosche	Dena	11451
Herndobler	Beth	6843
Herndon	Laura	1198
Herndon	Katharine	14263
Herold	Ana	3586
Heron	David	7601
Heron	Robert	874
Herr	Jo Ann	6227
Herrera	William	1992
Herrera	Patricia	6143
Herrera	Vanessa	2905
Herrera-Duran	Pat	5796
Herrick	William	9204
Herring	Kristen	8831
Herron	April	10177
Hersh	Paul	1565
Hersh	Jill	10931

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Hershberger	Vickie	9805
Hershman	Candice	5248
Hertel	Nita	2540
Hertzel	David	8630
Hertzog	Christine	11323
Herwill	Alice	1975
Herzog	Nancy	2320
Herzstein	Sandra	3023
Heske	Amanda	3757
Hesler	Gary	7379
Hess	Maria	1898
Hetland	Alita	5909
Hettich	Kathryn	3621
Hettmannsperger	Keith	3124
Hetzel	Ken	7546
Hevesy	Hannelore	13320
Hevia	Karsson	7040
Hewes	William	5405
Hewitt	Stephan	4650
Hewitt	Carol	7455
Heyer	Ellis	1315
Heyer	Stephanie	1378
Heym	Rosanne	6010
Heyn	Joyce	1843
Hibben	Walker	5634
Hibler	Dylan	16721
Hibshman	Steven	9311
Hickey	Kristin	8351
Hicklin	Mary	4872
Hickman	Adrienne	3769
Hicks	Leslie	4911
Hicks	William	3383
Hicks	Timmi	7382
Hicks	Robert	6223
Hicks	Robert	10348
Hiestand	Nancy	3290
Hietala	Anna	10530
Higgins	Stephanie	4962
Higgins	Ka	7385
Higgins	Julie	7737
Higgins	Kristin	8360
Higgins	Susi	11614
Higgins	Q.	10536
High	Susan	11499
Higham	Nancy	14185
Hight	Madison	3995
Higson	Howard	8131
Hilario	Andrea	2882
Hilburn	Heather	3015
Hildebrandt	Joel	11472
Hileman	Jacki	3499
Hileman	Gary	9636
Hiler	Deborah	5128
Hill	Anita	3264
Hill	Amy	6882
Hill	Alison	1542
Hill	Terry	812
Hill	Frank	5742
Hill	Vanessa	9049
Hill	Erin	8137
Hill	Joel	3834
Hill	Sheri	1424
Hill	Debbie	9393
Hill	Debra	3450
Hill	Misako	10637
Hill	Annette	10013
Hill	Jean	13176
Hillard	Dale	3073
Hillis	James Martin	10752
Hillman	Gary	8955
Hillman	Stephanie	11124
Hills	Arthur	3175
Hills	Bradford	3948
Hilton	Bill	993
Hinckley	Denise	10821
Hinds	Ward	3825
Hines	Lanier	8223
Hines	MaryAnne	982

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Hinkle	Carole	2951
Hinman	C.	8279
Hinrichsen	Bonnie	9786
Hinton	Eugene	7019
Hiraiwa	Lois	9575
Hirsch	Catherine	9250
Hirsch	Kirsten	13268
Hirsch	Mike	13289
Hirsch	Deborah	11172
Hirsh	Steve	11014
Hirt	Kathryn	8789
Hirth	Carol	692
Hirth	Ingrid	10501
Hisasue	Carole	13105
Hixson	Deborah	3462
Hoaglund	Judith	9208
Hoang	Bao	7868
Hoban	Ann	6774
Hoban	Evelyn	4046
Hobbs	Cheryl	4328
Hobbs	Mike	3918
Hobbs	Lindsay	10638
Hobrucker	Annette	2614
Hochberg	Charles	1008
Hochendoner	Bernard	9213
Hochwald	Bari	1246
Hockinson	Anastasia	7659
Hocklye	J.	9257
Hodge	Kathy	11969
Hodges	Barbara	1989
Hodgson	Marie	995
Hodson	Xena	11387
Hodson	Clive	9645
Hoehn	Jason	11272
Hoekstra	Bud	13180
Hoey	Janeen	6016
Hoff	Anne	9056
Hoff	Wilbur	10725
Hoffert	Florence	11273
Hoffheimer	Roger	11205
Hoffman	Diane	5190
Hoffman	Peter	7349
Hoffman	Robert	8513
Hoffman	Marcia	3333
Hoffman	Corrinne	7216
Hoffman	Lynne	7800
Hoffman	Melanie	5555
Hoffman	Chrissy	7793
Hoffman	Kaj	2573
Hoffmann	Janet	2049
Hoffmann	Keith	3088
Hoffmann	Debra-Lou	7164
Hofland	Freda	7880
Hofmann	Sonia	4385
Hogan	Judith	3495
Hogan	Michael	2323
Holbert	Patricia	6294
Holcomb	Susan	8670
Holden	Cathy	8722
Holden	Eileen	690
Holden	Chase	5821
Holder	Elaine	1192
Holderby	Patricia	4504
Holdren	Joann	8544
Holeway	Ron	7500
Holgate	Jeffrey	11113
Holl	Chris	1526
Holland	Matthew	613
Holland	Sido	1211
Holland	James	9840
Holland	Ann	10913
Holland	Brett	11489
Hollander	Nicholas	2560
Hollenbeck	Susan	4481
Hollenbeck	Loni D.	4409
Hollier	David	1257
Hollis	Chris	6453
Hollis	Linus	9757

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Hollis	Sharon	11670
Holloman	Ursula	6215
Hollomon	Jamie	10719
Holloway	Sally	7635
Holloway	Hakeem	6445
Holm	Karen and Gary	9291
Holman	Linda	2868
Holmes	Gregory	789
Holmes	Wendy	14210
Holmquist	Laurel	7417
Holmquist	Kirsten	8103
Holstrom	Michael	5940
Holt	Armelle	5927
Holt	Jane	6839
Holter	Norbert	9638
Holtzclaw	John	553
Holtzman	Jed	872
Holz	Mark	5800
Holz	Dennis	11744
Holzberg	Steve	11137
Holzer	Rebecca	11987
Hom	Nancy	2360
Hommes	Eden	8562
Honda	Alison	13370
Hong	Malina	3502
Hong	Celeste	9803
Honsa	William	9817
Hood	Patricia	7786
Hook	Damiana	5217
Hoop	Anne	8457
Hooper	Eric	1715
Hooson	Clare	2989
Hoover	Kris	8714
Hoover	Michael	8697
Hoover	Janet	9644
Hopkins	James	6095
Hopkins	Sylvia	1806
Hopkins	Carol	5473
Hopkins	Kathleen	10067
Hopper	Jack	8164
Hopper	Steve	8068
Hopster	Bonnie	4197
Hopwood	Lydia	13207
Horan	Sherri	8220
Horn	Cyndi	4010
Horn	Fabien	11443
Horner	Shaun	4739
Horner	Ron	4142
Horo	Diana	921
Horowitz	Carolyn	10533
Horrocks	Nancy	5162
Horstmann	Bonnie	11353
Horstmeyer	Susan	1743
Horton	Helen C.	4851
Horton	Margaret	9294
Horton	Michael	5077
Horton	Rebecca	13411
Horton	Bradleigh	9717
Horwith	Caeli	14656
Horwitz	Martin	8695
Horwitz	Lucy	7348
Horwitz	Lucy	1179
Hoskins	Cathy	7907
Host	Sammie	16730
Hotchkiss	Laurence	6451
Houangvilay	Chanda	8901
Houlihan	Bryce	5758
House	Stephen	630
Houseal	Mary Ellen	10234
Houston	Roberta	6254
Houston	Tristan	4501
Hovey	Roseanne	7964
Hovorka	Annette	5082
Howard	Erin	2214
Howard	Cindy	7750
Howard	Noah	7521
Howard	Laurence	5037

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Howard	David	1558
Howard	Thomas	1778
Howell	Julia	4106
Howell	Trudi	7753
Howell	Norman	9912
Howell	River	11855
Howes	Carollee	8564
Howk	Amy	1825
Howk	Todd	6962
Howlett	Julia	2626
Hoyer	Margaret	13378
Hoyt	Marsha	6909
Hreha	Tim	8090
Hsu	James	11696
Huaco	Valerie	10
Huang	Crispin	5631
Huang	Karissa	8160
Huang	Zoe	10520
Huard	Lisa	3970
Hubacek	Richard	10763
Hubbard	James	10911
Hubbs	Gail	6896
Huber	Ivan	2997
Huber	Anne	5255
Huber	Carol	7131
Huberman	Anne	1136
Hubiak	Katya	13306
Hudak	Lesley	9603
Huddleston	Molly	1057
Hudgins	Jerry	7046
Hudson	Helen	8394
Huerta	Ronald	10312
Hues	T.	10795
Huff	Eric	4032
Huff	Elaine	4014
Huffer	Marshall	2417
Hughes	Michael	8633
Hughes	Bonita	3711
Hughes	Joe	5474
Hughes	Kimberly	8455
Hughes	Vicki	3814
Hughes	Lola	10073
Hughes	Brendan	13090
Hughes	Tennielle	10287
Hughey	Lara	12039
Huhn	Laura and Hendrik	2853
Hulden	Jodie	2030
Hulett	Allene	7446
Huling	Karen	3150
Human	Lisa	5744
Humburg	Judith	5303
Hume	Ted	10075
Humes	Jasmine	4235
Hummel	George	9063
Humphrey	Jessica Garza	5249
Humphrey	Charlene	11055
Humrich	Gilia	1517
Humrich	Aidan	6466
Hund	Claire	6331
Hungate	H. Nona	9124
Hunner	Trina	6421
Hunner	Nikos	16750
Hunnicutt	Joan	3464
Hunnicutt	Roger	9182
Hunt	Linda	7450
Hunt	Donna	4136
Hunt	Kathleen	3331
Hunt	Antje	6566
Hunt	Bonni	8811
Hunt	Barbara	1015
Hunt	Chris	7930
Hunt	Myphon	11154
Hunter	Gayl	4173
Hunter	Nancy	5750
Huntington	Barbara	4244
Huntsberger	Bev	5427
Huntsman	Carol	1114

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Hurd	Kimball	2019
Hurry	Simon	11902
Hurst	J.	14589
Hurst	April	11792
Hurtado	Jose	10497
Hurwitz	Jeffrey	2201
Husbands	Tess	6270
Husbands	Robert	7939
Husk	Randal	9299
Husoe	Erik	2515
Hussain	Marian	3185
Huston	Jenny	319
Huston	J.	4128
Huston	Donna	5171
Huston	Glenda	13286
Hutasangkas	Danielle	9214
Hutchens	Toby	4839
Hutchins	Barbara	9389
Hutchins	Rinko	5999
Hutchins	Joshua	10466
Hutchinson	Michael	3674
Hutchinson	Melissa	4370
Huth	Graciela	4898
Hutton	Craig	1239
Huxley	Frederick	4854
Huyett	Rick	5219
Huynh	Jacklyn	10054
Hydar	John	579
Hyde	Josephine	7949
Hydeman	Jinx	738
Hylton	Steve	6740
Hyman	Rick	16573
Hynd	J.	10597
Hyndman	Carol	2554
I.	A.	973
Iacuaniello	Kairi	11303
Iamboliyski	Boriana	7517
Ibarra	Liz	3775
Iftikhar	Isaak	5726
Ignacio	Nancy	5668
Ihlenfeld	Scott	9273
Ihrig	Janis	7338
Iida	Carole	10498
Ikegami	Mark	14275
Ilan	Judy	14145
Iler	Courtney	6665
Ilkhani	Maryam	1452
Illiano	Neil	4589
Imhoff	William	3732
Immel	Hayley	4056
Imus	Antoinette	4280
Ingoldsby	Jonathan	8788
Ingoldsby	Sean	4374
Ingram	Taylor	4384
Ingram	Harriet Ann	7902
Innes	Robert	5263
Irani	Romin	8171
Irby	Drew	8561
Ireland-Ashley	Gil	7989
Iribarne	Matthew	6852
Irving	James	7718
Irwin	Alex	6807
Irwin	Rebecca	7559
Irwin	Yvette	7741
Isa	Ahmed	8676
Isaac	David	8543
Isaacson	Joel	7239
Isaacson	Melinda	3561
Isaksen	Mary	3898
Isaman	Robin	11966
Isbell	Donald	6475
Iseri	Martin	862
Ishii-Price	Rika	3832
Ishimoto	Cynthia	11859
Islam	Aisha	7137
Isler	David	8995
Isley	Lisa	1014
Isoda	James	1307

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Isolde	Ann	8406
Isom	Tim	784
Israel	Ken	11248
Issel	Grey	10601
Ivanova	Nikolina	3930
Iversen	Sheryl	4264
Iverson	Kent	6602
Iverson	Dehra	5335
Iverson	Steve	10431
Ivey	Richard	5693
Iwamasa	Lorraine	2924
J.	M.	4880
J.	K.	11044
J.	L.	9919
J. B.	Alda	5156
Jaasko	Lisbeth	4789
Jaccard	Helen	1090
Jacinto	Paloma	6643
Jack	Lisa	8162
Jackson	Greg	7704
Jackson	Lael	3931
Jackson	Judy	6960
Jackson	Frederick	3882
Jackson	Elizabeth	1681
Jackson	Kathleen	8234
Jackson	Alicia	5699
Jackson	George	1000
Jackson	Monica	11460
Jackson	Stephanie	11999
Jacob	Ronald	5541
Jacob	Elisa	5787
Jacobel	Richard	8522
Jacobi	Johanna	6623
Jacobs	Laurie	6033
Jacobs	Joanne	7362
Jacobs	Ferne	1252
Jacobs	Heather	1341
Jacobs	Anna	10746
Jacobs	Jeannine	10454
Jacobs	Stephen	9582
Jacobsen	Barbara	7092
Jacobsen	Daun	10676
Jacobsen	Tracy	13158
Jacobson	Elizabeth	6467
Jacobson	Diane	11948
Jacques	Karen	6347
Jade Tippett	James	2036
Jafar	Aena	9993
Jaffe	Sandra	6753
Jager	Gina	1536
Jagers	Annette	14665
Jaime	Tina	9829
Jain	Paula	3605
Jain	Manju	7582
Jakary	Kathy	3373
Jakubiec	Cathy	4594
Jamati	Edna	3916
James	Maya	3079
James	Damian	2257
James	Christine	7624
James	Chris	4617
James	C.	3638
James	Grayson	4344
James	Aleksandra	12024
James-Higgins	Barbara	11106
Jamfrey	Ethel	10809
Jamieson	Peggy	10478
Jamvold	Shunko	9363
Janakiraman	Anna	11083
Janet	Janet	4991
Jankovitz	Valerie	10658
Jannusch	Chris	13412
Jansen	Benjamin	10664
Jardine	Peter	2233
Jarocki	Gail	2412
Jarvis	Marsha	11941
Jasper	Bob	3614
Jasper	Marilyn	7771

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Jasper	Linda	16560
Jass	Kevin	2954
Jauchen	Diana	10569
Jaudal	Adelina	13373
Javaherian	Emma	5135
Javrotsky	Julia	11752
Jawor	Wendy	117
Jay	Katie	8285
Jay	Brandon	10388
Jaye	Abbe	6969
Jean-Marie	Bernadette	2993
Jeavons	John	753
Jedlicka	Pavel	7811
Jefferson	Cat	10450
Jeffries	Matthew	6543
Jeffries	Lynne	3243
Jelf	Michael	11711
Jenkins	Rosemary and Willie	4395
Jenkins	Stacey	6201
Jenkins	Jeffrey	2138
Jenkins	Ken	6690
Jenkins	Bruce	3498
Jenkins	Joyce	4671
Jenkins	John	9898
Jenkinson	Lee	7545
Jenne	Karen	4783
Jenner	Mina	4806
Jennings	Jim	1429
Jennings	Beverly	3648
Jennings	Candy	3033
Jensen	Laura	439
Jensen	Greg	6309
Jensen	R.	9384
Jensen	Jody	7535
Jensen	Lawrence	2827
Jensen	S.	5148
Jensen	Lisa	8271
Jensen	Kevin	13182
Jensen	Sisse	9758
Jensen	Marilyn	9550
Jeremias	Stefan	11582
Jeremiason	Nancy	5200
Jerkic	Manja	4790
Jerome	Anna	10403
Jeska	Renee	6982
Jeske	Jennifer	13091
Jeske	Christopher	11664
Jessel	Paul	1990
Jessler	Darynne	12051
Jevne	Lucretia	3343
Jewkes	Penelope	4939
Jewkes	Rosemary	12019
Jewkes	Rosemary	11825
Jiang	Xireng	5619
Jimenez	Lawrence	4778
Jimenez	Maria	3407
Jimenez	Blanca	12023
Jimmerson	Glinda	6083
Jin	Audrey	9112
Jin	Ronald	7662
Jindrich	Denise	5328
Jo	Bev	6661
Jo Jonkoski	Mary	9078
Joba	Jane	4333
Joe	Adam	2220
Johansen	P.	7159
Johansson	Celeste	7193
John	Louise	4665
John	Sandra	3121
John	Emilee	1194
John	Eleanora	14267
John	Shelly	14302
Johns	Andrew	5723
Johnsen	Dana	9383
Johnson	Stephen	9219
Johnson	William	7493
Johnson	Rob	2162

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Johnson	Cheryl	1107
Johnson	Paula	4900
Johnson	Sage	5994
Johnson	Denton	1027
Johnson	Paula	7857
Johnson	Randy	4261
Johnson	Deborah	2144
Johnson	Teresa	5396
Johnson	Beda	2251
Johnson	Eric	5482
Johnson	Hilary	7514
Johnson	Curt	6814
Johnson	Miki	4323
Johnson	Paul	6132
Johnson	Renee	2310
Johnson	Marylouise	3184
Johnson	Karen	9328
Johnson	Douglas	4741
Johnson	Carolyn	7893
Johnson	Beverly	1847
Johnson	Molly	1967
Johnson	Arnold	2979
Johnson	Roslyn	2488
Johnson	Mark	2101
Johnson	Amy	8648
Johnson	Chad	2004
Johnson	Stephen	7583
Johnson	Tamara	7633
Johnson	Christy	5817
Johnson	Susan	2112
Johnson	Kathleen	8658
Johnson	Robert	2076
Johnson	Deborah	6505
Johnson	Elvis	2347
Johnson	Catherine	4391
Johnson	Taylor	2361
Johnson	Margaret	7235
Johnson	Cliff	7093
Johnson	Mara	721
Johnson	Alan	10203
Johnson	Linda	14251
Johnson	Elizabeth	11924
Johnson	Samantha	13354
Johnson	Shawn	9677
Johnson	Joyce	11026
Johnson	Eilene	10972
Johnson	Eden	10445
Johnson	Dwight	9839
Johnson	Leonette	14585
Johnson	Joel	11268
Johnson	Ira	11621
Johnson	Cathy	13398
Johnson	Gregg	14687
Johnson	Robyn	11895
Johnston	Matthew	6302
Johnston	Philip	6484
Johnston	John	3994
Johnston	Shawn	2273
Johnston	Don	1935
Johnston	Rosemary	9345
Johnston	Jeremy	10846
Johnston	Patty	12057
Joly	Frederique	6135
Jonas	Mindy	11240
Jones	Crystal	6391
Jones	Andrew	4681
Jones	Marian	8682
Jones	Mike	7774
Jones	Karen	7615
Jones	Marilyn	2196
Jones	Donna L.	7727
Jones	Suzanne	2545
Jones	Marilynn	5311
Jones	Bonnie	8140
Jones	Vincent	6806
Jones	Gary	2508
Jones	Roslyn	5241
Jones	Joy	9316

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Jones	Chris	5773
Jones	Donna L.	9191
Jones	Shannon	655
Jones	Peggi	4227
Jones	Gary	3727
Jones	Susan	6542
Jones	Karen	1505
Jones	Chris	6853
Jones	Kathy	6575
Jones	Allison	8888
Jones	Hollace	1812
Jones	Elizabeth	6951
Jones	Allan B.	2606
Jones	Arthur	5033
Jones	Debriana	3261
Jones	J. Martin	5725
Jones	Melanie	860
Jones	Stephanie	9513
Jones	Wayne	11471
Jones	Rosemary	9690
Jones	Patricia	10612
Jones	Susan	10551
Jones	Thomas	11820
Jones	Claire	11721
Jones	Rita	9850
Jones	Edmund	10303
Jones	Ian	14637
Jones	Lila	14294
Jones	Amanda	13076
Jones	Jason	11678
Jones	Elizabeth	9774
Jones	Mary	9536
Jones	Lonnie	11034
Jones-Bunn	Shawn	7402
Jones-Mason	Karen	7881
Jonko	Maureen	119
Jonko	Maureen	119
Jonko	Maureen	119
Jordan	Kiara	8054
Jordan	Jaclyn	6637
Jordan	Sheila	3382
Jordan	Lee	1300
Jordan	Cynthia	11906
Jordan	Jessica	11121
Jordan	Lance	10218
Jordan	Stephanie	11995
Jorgensen	Alena	2223
Jorgensen	Jaime	13086
Jorgenson	Annlouise	11210
Joseph	Claire	7745
Joseph	Marc	1063
Josephs	William	4515
Josephson	Stephen	9523
Joslin-Davis	Rebecca	689
Josselyn	Susan	7426
Jovanelly	Mark	2403
Joyner	Shannon	6411
Juarez	Carolina	7188
Juarez	Yazmin	3321
Jude	Ana	861
Judge	Timothy	7351
Judy	Paul	8870
Julia Regan	Marguerite	10168
Julian	Heather	992
Jung	Tammy	10642
Jurancich	Joan	11102
Just	Josette	7497
Justus-Rusconi	Valerie	2190
K.	L.	8845
K.	Anna	9616
Kacmar	Rich	6282
Kade	Linda	10744
Kadin	Michael	9780
Kadota	Marian	9496
Kadyk	Ann	2962
Kaehn	Max	3548
Kahkonen	Kirstina	8009
Kahle	Judith	6502

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Kahle	Holly	5361
Kahn	Rene	9172
Kahn	Georgia	1338
Kahn	Richardk	13413
Kahney	Pauline	933
Kahsai	Nassinet	8463
Kahwaji	Karim	8551
Kaimori	Nicole	11467
Kaiser	Katherine	4144
Kaiser	Jennifer	8746
Kaiser	Jessica	13447
Kaku	Stefanie	1329
Kalavase	Puneeth	8026
Kalik	Antal	8479
Kalinowska	Agnieszka	3247
Kalish	Leah	5583
Kalter	Ruth	9933
Kalustian	Natalie	1758
Kaluza	N.	4881
Kamin	Stacy	10557
Kaminskas	Sandra	10272
Kaminski	Scott	7297
Kamkar	Matt	3545
Kammerer	Lacey	867
Kampa	Jan	8169
Kampmeyer	Lisa	3988
Kan	Terri	11005
Kanae	Morgan	8750
Kanavou	Angeliki	3351
Kandarian	Indamani	8638
Kandisetty	Satish	8675
Kane	Mike	2377
Kane	Patricia	5239
Kane	Lisa	7634
Kane	Jill	11927
Kanna	Ronald	1696
Kannier	Olivia	2234
Kanthety	Renuka	8961
Kanthoul	Lee	9755
Kantner	Donna	2896
Kanzler	Pat	7228
Kapitan	Audrey	3993
Kaplan	Muriel	2955
Kaplan	Robert	3799
Kaplan	Adam	2297
Kaplan	Sheryl	4361
Kaplan	Joan	14667
Kaplan	Jack	11878
Kapp	Adele	2559
Kapp	Margaret	6205
Kapp	Adele	5333
Kappus	Mike	1770
Karakad	Kelly	13222
Karan	Elizabeth	1215
Karandy	Erika	4195
Karasaki	Chisato	11133
Karasik	Miriyam	12037
Karges	Abbe	9984
Karkanen	Kellie	1612
Karlberg	Ulla	11052
Karlsson	Gunilla	10295
Karnauskas	Carolyn	10079
Karno	Raquel	6939
Karowsky	Laura	11728
Karp	Chuck	3713
Karp	Mitchel	1077
Kasparian	Laura	4503
Kass	Bronte	11703
Kast	Michael	2306
Kasteiner	Elaine	14203
Kastl	Zoe	3932
Kasulka	Hannah	7532
Kasuya	Tauny	2000
Kataeva	Natalia	3967
Kataoka	Lucy	645
Kates	Jack and Marilyn	6848
Katheiser	Laini	978

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Katz	Joanna	6523
Katz	Michele	6722
Katz	Mimi	3783
Katz	Sherry	9960
Katz	Raymond	10004
Katzen	Joanne	2885
Kauffman	George B.	6113
Kaufman	Anna	6236
Kaufman	Andrea	5006
Kaufman	Barry	2841
Kaufman	Helga	9930
Kaufman	Michelle	13393
Kaul	Jens Koethner	8972
Kautzky	D.	449
Kavanaugh	Michael	11628
Kawamura	Maroka	9680
Kay	Rena	1221
Kay	Gerald	3348
Kay	Beryl	7173
Kay	Renee	10793
Kayatsky	Tal	10963
Kaye	Catherine	4004
Kaye	Steve	8080
Kaye-Carr	Josh	7186
Kays	John	7243
Kays	Doug	10680
Kearney	Lisa	8665
Kearns	Patric	5500
Keating	Christina	3722
Keaton	Jasmin	9761
Keay	Pete	10724
Keedy	Curtis	469
Keegan	Bruce	8434
Keehn	Suuzanne	7828
Keeler	Dustin	1451
Keenan	Kelley	3798
Keeney	Ronald	3266
Keffer	Joe	6539
Kegler	Lori	14660
Kehoe	Edward	8654
Kehr	Katharine	9748
Keitelman	Mary	5011
Keitges	Julie	13402
Keith	Randall	4416
Kekule	Richard	7663
Kelcey	Kathleen	2316
Kelemen	Clare	9397
Kellam	Marcia	386
Keller	Sara Lynn	5874
Keller	Vicki	9312
Keller	Krista	5703
Keller	Catherine	3857
Keller	Bruce	2575
Keller	Donna	2863
Kellerman	Katherine	9046
Kellett	Dan	4895
Kelley	Catherane	5853
Kelley	Anne	4316
Kelley	Jean	14617
Kelley	Joseph	10755
Kelly	Susie	5715
Kelly	Brian	609
Kelly	Kristian	6711
Kelly	Parker	3873
Kelly	Mary	7558
Kelly	Paul	3195
Kelly	Gerald	6097
Kelly	Nancy	9177
Kelly	Alice	4944
Kelly	Brian	8715
Kelly	Bev	2607
Kelly	Chuck	5387
Kelly	Odette	10985
Kelly	Stephanie	10532
Kelly	Brian	10189
Kelly & Family	Lisa Ann	4859
Kelsey	Susan	13248

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Kemnitzer	David	3366
Kemp	Kris	1041
Kemper	Michael	1861
Kempf	Anita	3402
Kendall	Camilla	4618
Kendrick	Thomas	8089
Keneipp	Shelley	11349
Keniry	Martella	10215
Kennedy	William	4050
Kennedy	Paula	6429
Kennedy	Rena	5422
Kennedy	Wanda	7816
Kennedy	Carolyn	1247
Kennelly	Melissa	5417
Kennington	Janet	2935
Kenny	T. J.	1197
Kent	Sheri	7637
Kent	Margo	8606
Kenville	Graham	8660
Kenville	Dee	11274
Kenyon	Douglas	1531
Keorkunian	Tammy	13246
Keough	Kathy	8818
Keppeler	Crystal	2639
Keppelman	Carlton	1463
Kepper	Heidi	2238
Keril	Kelly	5596
Kern	Ronni	1913
Kern	Madeleine Fisher	3226
Kern	Mary	7739
Kern	Lisa	4946
Kern	Alicia	9525
Kernen	Todd	11886
Kerns	Susan	4045
Kerr	Peter	6104
Kerr	Ken	6420
Kerr	James	5195
Kerr	Heather	14215
Kerrebijn	Paula	13434
Kerslake	Annette Garcia	8980
Keshishian	Vartouhi	8557
Kessel	Karen	4023
Kessler	Burt	8860
Kessler	Anthony	8232
Kester	Kate	2371
Ketcherside	Sharon	8631
Ketterer	Michele	14324
Key	Nancy	5209
Keyes	David	590
Khachadour	Christopher	2974
Khadder	Pamela	3854
Khademi	Pourya	7942
Khalsa	Shabad	8291
Khalsa	Mha Atma S.	4278
Khalsa	Simran K.	3020
Khalsa	Amrit	3028
Khan	Nida	3820
Khan	Imran	8156
Khetan	Neha Paleja	1996
Khloy	Jocelyn	2172
Khoo	Cecelia	13199
Khorashadi	Mahmoud	6047
Khoury	richel	1627
Khoury	Donna Marie	7567
Kiceniuk	Taras	1950
Kiceniuk	Katherine	10602
Kidd	Joyce	940
Kiefer	Carol	5257
Kiefer	Kim	8632
Kielman	Laura	9223
Kielu	LaVive	5728
Kilbourne	Bill	2175
Kilby	Jim	2564
Kilgore	Anne	6246
Kilian	Christine	1725
Killion	Sofia	4443

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Killmer	Patrick	14600
Kim	Samuel	7010
Kim	Gloria	1746
Kim	Grace	11207
Kim	Angela	10207
Kimball	James	9277
Kimball	Toni	5277
Kimberling	Kathleen	10176
Kimbrough	Jan	1675
Kimmel	Dawn	4435
Kimmell	Marcia	6968
Kimminau	Trenton	9352
Kimura	Jeannie and Jonathan	11020
Kimura	Liz	13116
Kincaid	Kristen	7526
Kindig	Norman	11085
King	Christopher	8322
King	Jennifer	2838
King	Aurora	7101
King	Sam	5371
King	Lucretia	8385
King	Barbara	5414
King	Kim	1672
King	Travis	7319
King	Melani	7409
King	Matt	3225
King	Jordana	5048
King	Lorraine	13113
King	Stephen	11116
King	Cassandra	13394
King	Victoria	14182
King	Jaleila	9539
King	Ida	14177
King	Ryan	14621
King	Cathy	14151
Kingett	Kathie	9258
Kingston	Nancy	2504
Kinney	Kim	8036
Kinney	Krystal	11511
Kinnick	Patricia	8916
Kintzley	Carolyn	11891
Kipp	Jeanne	7262
Kiralla	Michael	473
Kirby	Evelyn	3235
Kirby	Barbara	7853
Kirby	Lilli	11706
Kirk	Deborah	713
Kirk	John	4538
Kirk	Carol	6069
Kirkham	Connie	5620
KirkPatrick	Karma	3955
Kirkpatrick	Lisa	10832
Kirkpatrick	Connie	11641
Kirkpatrick	Janice	10682
Kirola	Ana	918
Kirschbaum	Norton and Saran	4675
Kirschenbaum	Robert	1590
Kirschling	Karen	1572
Kirui	Kathryn	4693
Kisacikoglu	Aylin	10729
Kish	Danielle	11746
Kisner	Al	11255
Kissling	Elmone	4342
Kite	Pat	13327
Kizis	Deanna	14649
Kizziah	Jennifer	11097
Klahn	Ellen	3367
Klakovich	Mate	10999
Klammer	Carol	3434
Klasey	Janet	3258
Klawans	Rebecca	7773
Kleber	Tracey	7034
Klecker	Janet	3459
Klehr	Christiane	9767
Klein	Richard	3593
Klein	Mike	7986

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Klein	Martin	4819
Klein	Lealie	2083
Klein	Renee	6619
Klein	Marion	4164
Klein	Andi	1016
Klein	Leslie	3893
Klein	Linda	2081
Klein	Joseph	9685
Kleinbart	Melissa	2604
Kleindenst	Fred	4965
Klett	John	5920
Kliche	Diana	6297
Kline	Linda	7253
Kline	Jeff	10225
Kline	Lorraine	9801
Klingensmith	Margaret	3436
Klinger	Richard	554
Klipfel II	George	6423
Kloos	Helmut	6922
Kloster	Nathan	4868
Klug	Frank	10143
Knapp	Louise	755
Kneeland	Leslie	8504
Knell	Gregory	1574
Knickerbocker	Deanna	9360
Knieriemen	Susan	9149
Knight	Eva	6739
Knight	Brad	8948
Knight	Kendra	2483
Knight	Diane	923
Knight	Linda	5735
Knight	Theolinda	3516
Knight	Chetana	1556
Knight-Arrowood	Steven	11065
Knights	Lindsay	13342
Knoll	Kristie	9800
Knopf	Georgianna C.	7308
Knopp	Kristeene	14310
Knott	Jennifer	3788
Knowland	Diana	6293
Knowles	Maya	8317
Knox	Elena	1290
Knox	Stacy	3199
Knox	Elizabeth	16755
Knox	Claire	11099
Knudson	Claudia	9519
Knutson	Dawn	10294
Ko	Ja	2985
Ko	Caroline	4709
Kobara	Tomi	1498
Kobatte	Mohammed	13446
Kobayashi	Anne	7210
Kobayashi	Hugo	14255
Koby	Greg	3677
Koch	Cindy	9621
Koch	Thatcher	13162
Kocher	Sharon	1886
Koeck	Diana	11814
Koehler	Paul	8910
Koehly	Dina	10980
Koenig	Brent	7067
Koenigsdorf	Jill	6997
Koeninger	Laura	4572
Koerner	Lisa	498
Koessel	Karl	3943
Kohdaverdian	Madelyn	11341
Kohl	Adelle	896
Kohler	Danika	3599
Kohler	Roger	2952
Kohler	Lisa	10631
Kohn	Laura	7116
Kohn	Rachel	4308
Kohnen	Sean	3017
Koivisto	Ellen	10851
Kokinakes	Paul	8238
Kolarik	John	4291

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Kollbach	Anja	3086
Kollmar	Richard	9488
Kolodny	Stephen	10174
Kolodzie	Mariah	7707
Kolter	Emily	8224
Kona	Wanmai	9066
Konar	Deborah	8017
Konarzewski	Mary Ann	969
Kondracke	Alexandra	5605
Kong	Me	9028
Konigsberg	Susanne	12016
Koo	Rebecca	1988
Kopinetz	John	7555
Kops	Elsa	11524
Koran	Laurie	13449
Koren	Margaret	6382
Korioth	Lori	1578
Koromzay	Daniela	1859
Korsen	Alan	2055
Korson	Steven	8411
Korte	Brenda	2613
Kortum	Charlotte	11698
Kory	Michelle	7222
Koshi	John	8565
Koster	Stuart	9824
Kostruba	Gene	7638
Kothari	Sheila	6217
Kotsaftis	Maria	1262
Kotzamani	Sarah	125
Kotzenberg	Darilym	8796
Koutsakis	Rose	8993
Kouzel	Lynn	2473
Kovary	Aylene	1980
Kovic	Diana	11889
Kowall	Betty	3823
Kowzan	Donna	3697
Kozak	Jesse	8473
Kozanitas	Cheryl	10912
Kozarsky	Daniel	3027
Kozlowski	Kaitlin	8624
Kraft	Kevin	4686
Kraft	Tessa	8510
Kraft	Kathy	532
Kraft	Clinton	11390
Krahn	Maria	9221
Krakowsky	Arthur	7317
Kramer	Kelly	7542
Kramer	Dee	5667
Kramer	Erica	8809
Kramer	Julie	10055
Kramer-Rolls	Dana	5749
Krantz	Samuel	3147
Kranz	Robert	7630
Krasilnikoff	Carol	8046
Kraus	Gary	4687
Kraus	Irene	4780
Kraus	Andrea	14631
Krause	Paul	1629
Krause	C. E.	420
Krause	Donna	2056
Krausz	Lisa L.H.	124
Kreager	Anita	5391
Krebs	Francis	6431
Kreiger	Kevin	7877
Krell-Bates	Diane	9336
Kremsky	Stuart	10211
Krendzelak	Lucia	14692
Kress	Kurt	1664
Kreuter	Annica	2594
Krey	Chantal	6262
Krich	Kristina	13128
Krieg	Linda	4561
Krieg	Keith	9568
Krieger	Beverly	2815
Krikourian	Robert	2199
Krishna	Radha	3734
Krishnaswami	Karthik	7372
Kriss	Evan Jane	706

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Kriss	Evan Jane	10707
Kritzer	Sherry	10150
Kroetsch	Kevin	13252
Kroll	Jane	7697
Kruch	Jennifer	6405
Krueger	Robert	468
Krueger	Heide	8148
Krueger	Jada	9708
Krupinski	Kim	2633
Krupinski	K.	1598
Krupnick	Wendy	5035
Krutilek	Virginia	2074
Krutilek	Virginia	7846
Kryan	Igor	11094
Krystian	Margot W.	11025
Ku	Cheryl	3772
Kuan	Helen	3650
Kubacki	Craig	9096
Kubota	Charleen	621
Kuczynski	Kathleen	2229
Kuhfal	Bonny	5568
Kuklo	Dan	6340
Kukulan	Ag	11900
Kulber	Heather	6219
Kullas	Lynn	9104
Kully	lisa	1540
Kumar	Bobby	3939
Kunert	Shelley	10283
Kunstman	Suzanne	10386
Kuntze	Richard	1333
Kunzle	Marjoyrie	6823
Kupke	Mark	6926
Kurowski	Camille	7544
Kurowski	Hilda	2091
Kurwa	Marya	6286
Kusian	Tammy	9052
Kusnitz	Steven	7807
Kutch	Ron	6513
Kutcher	Celia	13194
Kuticka	Sheri	2185
Kuttner	C.	10855
Kuzdenyi	Carol	8050
Kuzma	Robert	1097
Kwan	Dory	917
Ky	Bounkheung	9079
Kyes	Michael	1351
Kyle	William	4696
Kyle	Elizabeth Hennessy	10604
Kyrk	John	7592
L Arida	Jorge	8526
L.	Paul	3910
L.	Judie V.	719
L.	Rayna	8813
La Bruna	Paola	6064
La Chance	Kim	6883
La Croix	Cynthia	5007
la Forest	Nancy	8908
La Pointe	Elaine	8008
La Rocca	Isabella	7002
La Scala	Cory	6235
Laage	Kirsten	5326
LaBarge	Lawrence	11267
Labay	Alice	7027
Laberdie	Gail	13213
LaBerge	Jason	1407
Laborte	Annette	13348
Labrador	Roxana	4139
LaCagnina	Donna	8937
Lacey	Pamela	9783
Lacopucci	Ron	7836
Lacore	Ivan	8661
Lacy	Sharon	9025
Ladeira	Paul	13166
Laderosa	Andrea	3146
Ladner	Bertram	1896
LaFevre	Inanna	9868
Laffoon	Brent	11686

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
LaFrance	Roberta	1166
Lafreniere	C. L.	10367
Lagas	Jane	6674
Lagomarsino	Leslie	7041
Lagutaris	Deborah	2958
Lahorgue	Frank	1144
Lahti	Donald	5654
Lahti	Sandy	14181
LaHue	Lynda	3092
Laielen	A.	6867
Laine	Alexis	2017
Laine	Stacey	3277
Laing	Maria	1561
Laipple	Mitch	9894
Laird	Lora	1223
Lakie	Robert	5458
LaLanne	Jana	9700
Lally	Kelly	11821
LaMar	Robert	5264
Lamb	Forrest	6070
Lamb	Barbara	3591
Lamb	Margo	3566
Lamb	Barbara	3959
Lamb	Emma	5961
Lamb	John	10439
Lamb	Alicia	9559
Lambert	Alan	1654
lambert	Jon	6871
Lambert	Daniel	11429
Lambeth	Jeff	6501
LaMere	Tamika	5592
Lamkie	Renee	11482
Lamm	Jim	7860
Lammers	Jonathan	5081
LaMonica	Trudy	7335
LaMont	Erika	4499
Lamont	Sally	8747
Lamont	Diane	12070
Lamperd	Michael	9963
Lancaster	Jonel	8012
Lancon	D.	7894
Lanctot	K.	2809
Land	Susan	3307
Landau	Sarah	7203
Landau	Jeff	3228
lande	Ann Noel	698
Lander	Margaret	10650
Landgrebe	Gary and Seraphina	6902
Landman	Miriam	8850
Landman	Jan	7405
Landon	Cindy	7765
Landon	Jessica	1028
Landphere	Susan	8094
Landsberg	Marisa	903
Lane	Patrick	7466
Lane	J.	8965
Lane	Jennifer	6929
Lane	Joyce	9134
Lane	Debra	417
Lane	Susan	9196
Lane	Apryl	1071
Lane	Constance	6736
Lane	Meghan	7769
Lane	John	11269
Lane	John	11943
LaNew	Maryann	4069
Lang	Johanna	10145
Langan	Eileen	7366
Langdon	Nancy	947
Langfield	Jen	3755
Langhus	Jill	7905
Langis	Robert	14274
Langley	Billie Lee	6053
Langley	Bonnie	7628
Langner	Carrie	2605
Langston	Gayle	6138
Languedoc	Jehanne	7370

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Lanham	Michael	7766
Lanning	Kathryn	10361
Lanum	Glenn	437
Lanzl	Catherine	8188
Lapeyre	Sheeva	7141
Lapid	Gary	8791
Lapid	Zack	9798
Lapointe	Kenneth	6671
Lapuyade	Larry	6040
LaQua	Keith	12148
Laquatra	Mike	11551
Laquinto	Joey	10856
Lara	Maria	6638
Lara	Dan	3681
Larch	Linda	4177
Lares	Anthony	13381
Larkin	Timothy	8669
Larkin	Steve	11047
Larky	Steven	4796
Laroe	Timothy	1956
Larro	William	7726
Larro	Stephanie	5557
Larsen	Hans	1668
Larsen	Eric	8065
Larsen	Nadine	8521
Larsen	Martha	10787
Larsen	Greg	11780
Larsen	Lisa	11890
Larson	Wendy	4666
Larson	Dena	754
Larson	Dan	7274
Larson	Eugenia	7920
Larson	Shannon	7384
Larson	Matt	9206
Larson	Courtney	7110
Larson	Janet	5174
Larson	Susan	8786
Larson	Ronald	1168
Larson	Rod	5704
Larson	James	2466
Larson	Frances	9804
Larson, Jr.	R. Dene	7784
Larter	Jodi	14285
Lartigue	George	13214
LaRue	Pamela	1508
Lasahn	J.	1931
Lasak	Alexander	6487
Lascano	Natacha	8846
Lashaway	Lisa	7886
Lasher	Linda	6730
Lasman	Sharon	4398
Laster	Scott	536
Lau	Pamela	6007
Laub	Linda	853
Laube	Susan	9126
Lauchner	Janine	6679
Lauer	Antje	8727
Laughon	Char	2916
Lauinger	Gail	5871
Laur	Janet	5623
Laursen	Seth	9376
Lausmann	Vance	3336
Lautrup	Erica	8216
Lavadour	Sheri	14336
Lavelle	K. D.	6339
Lavey	Joyce	7713
Lavin	Goura	4255
Lavin	Delores	9939
Lavoie	Joseph	9365
Law	Patricia	3327
Law	Connie	10343
Lawnicki	Timothy	10301
Lawrence	Katherine	4107
Lawrence	Kate	5820
Lawrence	Rhonda	1794
Lawrence	Bridget	9503
Lawton	Emil	11550
Lawyer	Julie	7061

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Lay	David	3062
Layton	Barbara	4379
Lazar	Magdolna	5372
Lazar	Patricia	9395
Lazaro	Kim	11405
Lazarova	Olga	11418
Le	Ronald	4097
Le	Sharon	14724
le	C.	11470
Le Fevre	Dale	1905
Le Sieur	Esther	9718
Leach	Steven	1170
Leaf	Seabrook	4928
Leahy	Daniel	1964
Leahy	Katherine	5341
Leaird	Yolanda	4785
Leath	Jan	4598
Leathers	Katrina	1685
Leavengood	David	7365
Leavenworth	Andrew	10338
Lebas	Anne Marie	9114
LeBlanc	Candy	811
LeCel	Dorothy	3746
Leck	Mary	11169
Ledden	Dennis	8881
LeDent	Jamie	4338
Ledoux	Marilyn	10244
Lee	Christopher	7562
Lee	Dominique	1744
Lee	Peter	8943
Lee	Serena	5859
Lee	Kevin	8313
Lee	Virginia	5558
Lee	Brenda	6749
Lee	Ruby	6179
Lee	Peter	1160
Lee	Alex	4976
Lee	Junko	5938
Lee	Jeffrey	4423
Lee	Don	9394
Lee	Cynthia	547
Lee	Marlies	1973
Lee	Richard	6677
Lee	Gary	1113
Lee	Regina	7100
Lee	M.	3122
Lee	Victoria	7569
Lee	Trisha	10015
Lee	Erica	9665
Lee	Amanda	11873
Lee	Wilson	9837
Lee	Shirl	3445
Lee Chill	Deborah	8332
Leeburg	Mandy	10131
Leeds	Vicki	6394
Leeds	Regina	6248
Leemon	Robert G.	4775
Leemon	Ryan	5912
Lees	William	6473
Lefever	Vern	3249
Leff	Michele	4390
Leffel	Jeannine	11424
Lefkowitz	Jay	3592
Lefler	Jacqueline	10523
Legere	Bill	1254
Legg	Derek and Ann	3105
Lehmann	Eric	4874
Lehmann	David	7282
Lehotsky	Sharon	5705
Lehr	Stephanie	5399
Lei	Tamara	6202
Leidner	Vicki	2382
Leifur	Annie	2335
Leigh	Lori	1325
Leigh	Lynda	1243
Leighton-Toth	Mindy	10014
Leiman	Lannon	9988

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Leinwand	Allen	5307
Leis	Janet	10517
Leiva	Miranda	9405
Lembeck	Helen	6620
Lemire-Elmore	Domini	6014
Lemke	Judy	10284
Lemley	Michelle	4427
Lemon	David	9760
Lenardson	Denise	6103
Lenchner	Nicholas	1906
Lendahl	Joan	5559
Lengel	Ken	3467
Lenihan	Tracy	8405
Lenihan	Janet	6140
Lennan	Bill	2105
Lennox	Kent	9676
Lenny	Thomas	3756
Lenssen	Henriette	10071
Lent	Kelli	4861
Lentz	Jerry	9624
Leon	Dai	7238
Leonard	Paul	4101
Leone	Catherine	6716
Leone	Jill	1186
Leonelli	Lorraine	10074
Leon-Grossmann	Andrea	10166
Leonova	Nadine	3279
Leopard	Sunday	3915
LePaule	Michaline	11414
Leri	Dennis	5826
Lerner	Shaina	6830
Lerner	Will	8799
Leshay	Tracy	9531
Leske	Jim	7153
Leskiw	Sue	11291
Leslie	Kimbrough	11757
Leslie	Benjamin	11699
Leslie-Dennis	Donna	3606
Lessard	Debra	4352
Lessels	Linda	9533
Lester	Denise	14671
Letizia	Mark	9673
Leto	Bogdana	8289
Letourneau	Pamela	4830
Letton	Frank	5717
Lev	Marjorie	4858
Levashvili	Angelina	6783
Levenson	Harriet	6725
Levenson	Carole	3577
Leventhal	Janet	9317
Leverich	Chris	4119
Leverich	Chris	8701
Leverich	Chris	5400
Leverich	Chris	8841
Leverich	Chris	10115
Leveridge	Lynn Ann	11277
Levi	Marc	1959
Levicke	Jeff	1554
Levin	Tamar	7303
Levin	Karl M.	4272
Levin	Shaun Marie	7520
Levin	Judy	10967
Levin	Isabella	10406
Levine	Margaret	4905
Levine	Bruce	803
Levine	Ellen	6377
Levine	Sandy	8000
Levine	Julie	5765
Levine	Marci	1301
Levine	Sharon	3030
Levine	Judith	3907
Levine	Lark	2208
Levine	Marilyn (Toby)	4109
Levinson	Christina	5709
Levit	Ted	7487
Leviton	Peggy	2267
Levitt	Robert	6931

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Levitt	Joel	8208
Levitt	Lacey	1500
levitt	Michael	8640
Levy	Morton	3205
Levy	David	763
Levy	Simon	2008
Levy	Norm	6059
Levy	Laura	11264
Levy	Warren	10757
Levy	Gary	10822
Lewek-Franco	Madeline	2244
Lewis	Patrick	7416
Lewis	Ashley	4298
Lewis	K.	4713
Lewis	Donna	1124
Lewis	Christine	7412
Lewis	Victoria	5287
Lewis	Laraine	3119
Lewis	Heather	5924
Lewis	Laurie	8240
Lewis	Mark	1347
Lewis	Robet	551
Lewis	Ildiko	1562
Lewis	George	2276
Lewis	Catherine	8520
Lewis	Debra	4250
Lewis	Nic	8375
Lewis	M	669
Lewis	Lori	817
Lewis	Joan	5535
Lewis	Patrick	1070
Lewis	O.	2186
Lewis	Drew	14183
Lewis	Alan	10663
Lewis	Katherine	11263
Lewis	Griffith	14454
Lewis	O.	10105
Lewis	Pam	14289
Lewis	Daisy	10961
Leyba	Bob F.	7461
Li	Jennifer	6190
Liao	Karen	14253
Libeerty	John	2178
Liberman	Beverly	3144
Liberman	Herb	9526
Libonati	Pamela	4100
LiCalsi	Carolyn	2860
Lichtwardt	Ian	4628
Liddle	Lee	3204
Lieber	Robert	7
Lieberman	Andrea	1832
Liebermann	Eva	4643
Liechti	Pierre	4683
Liechty	Alan	5824
Lien	Karen	3640
Liepman	Robin	4957
Lieu	Alice	14634
Lieurance	Cynthia	6312
Ligammari	Marcie	10951
Light	Julie	5071
Light	Karen	10318
Light	Judith	11080
Likens	Jessica	2551
Likover	Laura Jean	5253
Liles	David	6305
Lilla	Brian	9958
Lilli	Joe	6031
Lilly	Carolyn	3676
Lilly	Susan	7619
Lily	Catherine	4299
Lily	Marlene	10563
Lim	Olivia	9037
Lim	Steven	5572
Lim	Seongyong	7015
Lim	Kristina	8477
Lima	Larry	2638
Lima	Christopher	938
Limon	Joseluis	5029

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Limura	Wallace	9874
Lin	Diane	1667
Lin	Daphne	6160
Linam	Stephanie	2816
Linarez	K. J.	10080
Lincoln	Barb	8708
Lincoln	Elizabeth	3360
Lind	Carol Anna	369
Lind	Carol	591
Lind	Britt	3152
Linda	Lauren	2218
Lindberg	Susan	6550
Linde	Lauren	8058
Linder	Patty	9194
Linder	Dana	5052
Lindgren	Jean	9766
Lindley	Michael	7962
Lindquisg	Erin	438
Lindsay	Linda	6956
Lindsay	Scott	1051
Lindsey	David A.	11707
Lindstrom-Dake	Erica	12032
Lineberry	Ronald	2136
Linert	Patricia	10341
Linerud	Tim	8749
Ling	Jh	3494
Lingo	Joanne	4448
Linhares	Claudia	13101
Linke	Lisa	8837
Linsley	Stephen	4436
Linton	Annie	8512
Lintz	Barbara	6942
Lipinski	Michael	1614
Lipkind	Larry	1284
Lipkis	Thomas	1281
Lipmanson	Donald	10541
Lipner	Pearl	5099
Lippincott	Judith	10998
Lipsey	Louise	3741
Lipsitz	Maxine	4601
Lisa	Carrie	1868
Lish	Christopher	16795
Lista	Cassandra B.	4282
Littauer	Richard	6923
Little	Darlene	7278
Little	Keith	1863
Little	Judith	2121
Little	Essie	3819
Little	Sandra	5695
Little	Robyn	13190
LIttle	Laura	9915
Litwak	Maxine	740
Liu	Chris	898
Liu-elizabeth	Emily	5222
Liva	Patrick	9869
Livesey-Fassel	Elaine	8191
Livingstone	Joy	5364
Livingstone	Bruce	7698
Livote	Marilyn	7124
Lizardo	Mercedes	4556
Lizarraga	Valerie	11799
Lloyd	Gilly	3365
Lo	Wendy	6481
Lo Gelfo	Giovanni	9765
Lobel	Colleen	7388
Lobos	Elizabeth	9652
Locatell	Carol	6720
Locher	Lynn	7301
Lochner	Jan	10738
Locke	Charlene	8280
Locke	Mark	11810
Locke	Cheryl	11767
Locks	Renee	2805
Lockton	Teri	14135
Lockwood	Nathan	8815
locy	Joanna	3476
Loda	Jennifer	6427
Lodolo	Lucia	11127

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Loe	Steve	11183
Loef	Adam	10773
Loewer	Vera	902
Lofroos	Kit	4027
Logan	Sean	4507
Logan	Anne	3345
Logan	Lucy	5009
Logan	Sykvia	9849
Logan	Marilyn	10428
Logg	Connie	4692
Logston	Linda	11478
Lohrmann	Karl	3112
London	Diane	510
London	Dana	5178
Long	Loretta	4450
Long	Kit	3359
Long	John	5803
Long	Carol	8499
Long	Jeff	9580
Long	Marcie	11616
Long	Patty	10171
Long	Kristina	14288
Long	Cherie	10178
Long	Ned	11189
Long	Robin	11956
Longhouse	Sweet Grass	8335
Longshore	Wally	1741
Longstreet	Susan	14231
Longsworth	Jon	16713
Looby	Judith	11850
look	MackenZie	13102
Look	Joanne	11556
Loomis	Christopher	370
Loomis	Cindy	720
Looney	Ernie	6369
Loop	Donna	10448
Loosli	Ed	7140
Lopez	Victor	5186
Lopez	Victor	6617
Lopez	Ralph	1795
Lopez	Andrea	7291
Lopez	Ralph	8755
Lopez	Mary	2424
Lopez	Adolfo	5368
Lopez	Damian	8362
Lopez	Dixie	8002
Lopez	Sergio	7590
lopez	Victor	3770
Lopez	Nick	10546
Lopez	Marcello	10711
Lopez	Macaya	13170
LoPrinzi	Amanda	11364
Loranger	Nancy	6743
Lorber	Katherine	7746
Lorber	Caro	1021
Loren	Donna	1728
Loren	Christine	966
lorentzen	Robert	10414
Loring	Judy	6303
Lorioux	Thomas	8940
Lorraine	Edward	10655
Lorraine	Bren	10992
LoTempio	Maria	3058
Lott	Nicole	5036
Lotus	Trisha	13251
Lotz	Jude	5537
Loughbom	Jacklyn	3655
Loughlin	R. Lance	1026
Louie	Gary	3926
Louie	Vincent	9885
Louis	Jean	13104
Louk	Janet	11441
Lounsbury	James	11930
Lovci	Billy	16728
Love	Penny	913
Love	Karenna	6991
Love	Amanda	5378
Love	William	10701

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Love	Susan	11756
Loveall	Chelsea	7199
Love-Kanow	Kate	2384
Lovelace	Abigail	7801
Lovell	Darlene	3971
Lovetro	Vicky	6744
Loving	Kathryn	9732
Lovins	Julie	7393
Lowe	Jean	1173
Lowe	Margot	4211
Lowell	Jacquie	4787
Lowman	James	8266
Lowry	Jamie	1201
Lowry	Marsha	6757
Lowry	Kristen	1145
Lowry	Pamela A.	14622
Lozano	James	5340
Lozano	Mark	6551
Lozano	Luis	7326
Lozoya	Adrienne	605
Lua	Christy	8497
Luban	Holly	6641
Lubbers	Darcy	5235
Lubin	Stephen	9199
Lubin	Marshall	723
Lubin	Dana	4776
Lubin	Stephen	10416
Lubin	Stephen	10443
Lubitz	Iris	1509
Lubofsky	Toni	10436
Lubrani	Samantha	3254
lucas	Rosa	8418
Lucas	Janie	1040
Lucas	Ken	3369
Lucas	Laura	5578
Lucas	Ken	2814
Lucas	Suzanne	11836
Lucha	Jeremy	1412
Lucia	Angela	5045
Lucidarme	Bruno	14652
Ludwig	Michael	6579
Luebben	Yunus	8019
Luebsen	Jp	8081
Luenow	Brian	3009
Luetkemeier	Kristen	11893
Lugo	Breanna	6273
Luiz	Pamela	6987
Lujano	Anna	10094
Lukasiewicz	Judy	3724
Luke	Robert	4585
Lumpkin	Kirk	208
Luna	Ricardo	5872
Lund	Brent	1632
Lund	Dana	3675
Lund	Christina	4987
Lund	Deva	11048
Lundgren	Norma	2383
Lundin	Lindy	8198
Lunn	Kate	7361
Lunsford	Jimmie	8938
Luoma	Wyatt	1932
Lupenko	Andy	4466
Luquire	Patricia	6299
Lurie	Eve	8739
Luschas	Manuel	5523
Lustgarden	Steve	8657
Luth	Sarah	4471
luther	Tal	5362
Lutjen	Linda	3093
Lutman	Ashley	11279
Lutton	Patricia	7380
Lutz	Jeanette	5570
Lutz	Irene	2942
Lutz	Samantha	9612
Luu	Sarah	4750
Ly	Huong	6616
Lydick	Eva	13343
Lyerly	Linda	4863

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Lyke	Linda	4240
Lyman	Richard	1548
Lynch	W	6675
Lynch	Kelli	8433
Lynch	Susan	1148
Lynch	Stephen	2914
Lynch	Michal	5087
Lynch	Erin	2159
Lynch	Tonie	11452
Lynch	Richard	14292
Lynley	Lauren	9338
Lynn	David	8641
Lynn	Georgia	10316
Lynn	Arthur	10731
Lynn	Sue	10566
Lyon	Barbara	4568
Lyon	Lisandre	4930
Lyon	Stephen	11206
Lyon	Anne	10447
Lyon	Dawn	11363
Lyons	Jeremy	412
Lyons	Aleks	6777
Lyons	Dawn	4621
Lyons	Ronald	8159
Lysne	Gerald	8124
Lytle	Gail	4531
M Marco	Anna	14647
M Potts	Sienna	3576
M.	Mitch	8359
M.	A.	3707
M.	Ann	2576
Ma	Janet	11947
Ma	Maryanne	11954
Maassen	Jens	8104
Mac	J.	4758
Macaitis	Aimee	5196
Macaluso	Gillian	10281
MacArthur	Alison	14278
MacConnel	Kim	14599
MacDonald	Paul	870
Macdonald	Bc	9254
Macdougall	Galen	1030
MacDougall	Caroline	5965
MacGregor	Stuart	14283
Machotka	D.	4802
Macias	Jennifer	7373
Macias	Richard	2358
Macias	Susan	2837
Macias	Marina	8245
MacInnes	Kerry	6652
MacInnes	Diane	10784
Mack	Callie	7224
Mackay	Donald	1757
Mackay	Leslie	3319
MacKenzie	Michelle	508
MacKenzie	Susan	11824
Mackenzie	Isabel	11818
Mackey	Claudia	1176
MacKinnon	Alethea	2312
MacKrell	Chris	9047
MacLaird	Amber	3689
MacLaren	Hannah	5919
MacLeod	Jessie	9255
MacMillan	Armando	5783
Macmillan	Eileen	8111
Macomber	Paul	6688
MacPherson	Markus	9349
MacPherson	Kate	10717
MacRaith	Bonnie	7963
MacTaggart	David	10331
Madasu	Viplava	4258
Maddan	Bryan	10379
Madden	Meg	6570
Madden	Shirley	1259
Madden	Don	10412
Madia	Scott	11876
Madison	Chelsea	6446
Madle	Carol Ann	10953

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Madlener	Tracy	11789
Madoshi	Diana	8237
Madrid	Jasmine	4402
Madrid	Concha	11853
Madsen	Margaret	3399
Maduro	Tiberon	14173
Maehr	Carol	915
Maes	John	7954
Maes	Richard	14721
Maeshen	Stanley	7314
Magallon	Christopher	11197
Magana	Victor	484
Magarian	Robert	10779
Magdalene	Lilithe	2088
Magee	Nele	1088
Magee-Hill	Heather	2094
Maghakian	Michael	8241
Magistad	Joann	3739
Magness	Brian	4516
Magrath	Pat	2375
Maguire	Terrill	8326
Maguire	Phyllisann	6996
Mah	Barbara	11308
Mahan	James	5443
Maher	Thomas	4764
Maher	Ed	11631
Mahoney	Janine	6245
Maida	Cecilia	7383
Maijala	Ann	7045
Main	Elsie	1611
Maing	Michelle	3685
Mainland	Edward	14192
Maino	Sarah	6280
Maisler	Michael	10060
Maisonneuve	Mark	2434
Maizel	Yefim	8990
Majersky	Matt	9659
Majorek	Aldona	5250
Majors	Aaron	8962
Majoy	Barbara	8013
Makanzie	Thomas	14668
Maker	Janet	9014
Malbrough	Jean	4762
Maldonado	Gloria Linda	1637
Maldonado	Jeannett	14695
Maletsky	Susan	3421
Malin	Theresa	10210
Malley	Karen	5833
Malley	Dawn	3632
Mallory	Brad	11391
Malloy	Mary	10118
Malmuth	Sonja	8452
Malo	Brenda	6088
Malone	Don	1872
Malone	Marsha	2500
Malone	Timothy	1253
Malone	Stacey	4332
Malone	Constance	4184
Maloney	Bonnie	6685
Malot	Don	5921
Malter	B.	7988
Malven	Laura	6673
Mamuzich	Jaclyn	6329
Man	Mih	11976
Manata	Gerald	8130
Mancour	Michele	7381
Mancuso	Gabrielle	9085
Mandalia	Dharmesh	16692
Mandel	Marc	1229
Mandoki	Jutka	13224
Mandrake	Christine	697
Mangels	Francis	10039
Manglicmot	Denise	8061
Mangum	Janice	11015
Manina	Rosie	9528
Mankey	Robin	1035
Mann	Dennis	3077
Mann	Harold	3066

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Mann	Courtney	2477
Mann	Ted	10132
Manne	Florence	2099
Manners	June	7036
Manners	Laurie	1774
Manning	Charlotte	1661
Manning	Laura	11973
Manning	Allison	14222
Manno	Devin	7029
Manoogian	Arthur	8053
Manoogian	Jone	10977
Mansfield	Claudia	11376
Mantha	Sam	5663
Manwaring	Jed	6496
Manzano	Lachelle	10248
Manzel	Jerry	7695
Mapes	James	5122
Mara	Leo	4017
Marano	Lucia	10870
Marathakis	George	11772
Marcel	Lorretta	1921
March	Eric	11842
Marchesano	Nancy	512
Marchessault	Michael	3347
Marchillo	Luann	9754
Marchuk	Dennis	9128
Marcus	Martin	7721
Marcus	Lynn	6211
Marcus	Melissa	6415
Mares	Lionel	13245
Marez	Christine	951
Margerum	Virginia	4124
Margherone	Maryclare	2482
Margiot	Linda	6232
Mariasine	Pamela	14587
Marie	Lisa	4651
Marie	Lisa	3262
Marie	Gwenn	13232
Marin	Lynda	688
Marin	Mindy	7190
Marinelli	Laura	1312
Marini	Laura	10776
Mariposa	Virginia	5513
Mark	Jazzmine	10282
Markel	Stephen	482
Markel	Marlena	5423
Markell	Harriet	3120
Markle	Angela	7051
Marko	Barbara	1410
Marks	Richard B.	1824
Marks	Abby	4307
Marks	JB	10935
Markson	Bill	8964
Markson	Craig	9135
Markuson	Denise	11903
Marlatt	Barbara	10863
Marling	Nick	4792
Marmorino	Angela	8177
Marquez	Sharon	9285
Marquez	Luis	9775
Marquez III	Mariano	3067
Marris	Kathleen	13080
Marroquin	Sulma	7914
Marsal	Leonard	5225
Marshall	Hermine	2327
Marshall	Ian	3095
Marshall	Raymond	3132
Marshall	Patricia	4178
Marshall	Ilona	2921
Marshall	Jack Preston	8500
Marshall	Jean	10927
Marston	Mary	2517
Marston	Stephen	7842
Marten	Sandrine	4679
Martens	Jaen	8073
Martin	Dave	1514
Martin	Sue	8356
Martin	Barbara	8200

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Martin	Robert	3848
Martin	John	4271
Martin	Sean	3839
Martin	Cheryl	140
Martin	Gina	7669
Martin	Madelynn	4988
Martin	Lesley	3816
Martin	Mary	6477
Martin	Inge	8412
Martin	Derek	7589
Martin	Michelle	4719
Martin	Kai	7182
Martin	Susan	5021
Martin	Sallie	6577
Martin	Chevy	809
Martin	Robert	3885
Martin	Joan	6582
Martin	Staci	7058
Martin	Jess	6826
Martin	Glenn H.	2939
Martin	Frances	10713
Martin	Christopher	11161
Martin	Allison	13206
Martin	Henrik	10151
Martin	Amy	11175
Martin	Lynda	11509
Martin	Chloe	14338
Martin	Ben	10089
Martin	Heather	11035
Martin	Allison	11143
Martin	William	9715
Martin	Kyle	13426
Martin	Kenneth	16752
Martin	William	14184
Martineau	Darlene	5089
Martineau	Alice Anne	11501
Martinez	Angela	1495
Martinez	Alfred	1275
Martinez	Ana	2027
Martinez	Alberto	9381
Martinez	Natalee	3054
Martinez	John	4340
Martinez	Andrew	5418
Martinez	Felipe	3471
Martinez	Susan	3794
Martinez	Jonathan	7809
Martinez	Victor	6838
Martinez	Helena	4809
Martinez	Ina	10635
Martinez	Antonio	11666
Martinez	Joleen	14158
Martinez	Martha	10144
Martini	Richard	1890
Martini	Carol	11101
Martino	Valerie	9385
Marvonek	Arlene	4842
Marx	Jaime	5653
Marzich	John	1657
Marzocchi	George	6915
Mascarenas	Patricia	4041
Mash	Khair	3679
Maskileyson	Dan	6754
Maslin	Cheryl	1733
Mason	Pamela	4712
Mason	Carolyn	1471
Mason	Thomas	7576
Mason	Patricia Elaine	3463
Mason	John	5756
Mason	Clinton	4376
Mason	Judith	9327
Mass	Jason	9003
Massello	Ray	10192
Masson	Carole	9668
Massoubre	Ann Gould	7032
Masten	Lorraine	11374
Masters	Kanta	3669
Masuda	Patricia	4469

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Masullo	Annie	9179
Masumoto	Amparo	4073
Masuoka	Linda	10124
Masur	Cleo	8760
Mata	Mercedes	4846
Mata	Christine	8372
Matas	Barbara	5097
Matelski	Lauren	1450
Materazzi	August	5057
Mateu	Laia Pedreno	9623
Mathews	Arline	987
Mathews	Susan	10311
Mathies	Shawn-Michael	13181
Matlin	Robin	5519
Matlock	Dale	10396
Mato	Betty	3018
Matoff	David	4470
Matos	Cris	9994
Matranga	Chris	7279
Matson	Tim	7154
Matson	Joan	577
Matsuda	Haruko	2859
Mattarolo	Robert	6281
Mattern	Sharon	11401
Mattes	Dale	3014
Matteson	Douglas	7263
Matthews	Pamela	12000
Mattos	Johanna	11138
Mattson	Brian	14140
Mattson	Signe	14689
Matych	Teresa	3125
Mauk	Barbara	2009
Maul	Brian	432
Maupin	Edward	8607
Maurer	Timothy	10578
Maurice	Rene	11111
Mauz	Barbara	9905
Maxson	Ronald	9008
Maxwell	Kathryn	4490
Maxwell	Mara	7717
Maxwell	Betty	9942
May	Dana	795
May	Debra	5885
May	Jessica	1777
May	Julie	2410
May	Geraldine	620
May	Michael	7485
May	Jackson	10185
May	Hildy	10946
May	M	11190
Maya	William	7390
Maya	Robert	9693
Maya	Tabitha	10987
Mayall	Cassandra	6981
Mayberry	Sandina	10126
Mayer	Helen and Gary	2480
Mayer	Toni	2846
Mayer	Robert	1474
Mayer	Susan	3507
Mayer	Marita	9131
Mayer	Judith	14152
Mayer II	Gary	11630
Mayers	K	4213
Mayes	Kain	11683
Mayeux	Nicole	5206
Mayfield	James	9882
Mayfield	Larry	14595
Mayland	Aria	6868
Maynard	Kim	6682
Maynard	Donna	10582
Mayo	Ann Lynette	9711
Mayr	Troy	381
Mayr	Troy	6013
Mays	Linda	5086
Maysonave	Paul	6489
Maytorena	Robin	5835

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Maywald	Persephone	5545
Mazaika	Kathryn	10273
Mazer	Geoffrey	6320
Mazhnyy	Mark	8502
Mazon	Carmen	3652
Mazur	Rafal	6776
Mc Cutchan	Maria	2883
Mc Elvany	Doreen	4534
Mc Grath	Lisa	8667
McAdoo	P.	1734
McAfee	Lois	14238
McAllister	Richard	8248
Mcallister	Helen	4018
McAllister	Tom	13335
McAnelly	John	14212
McAteer	Joseph	9356
McAuliffe	Margo	3064
McAuliffe	Mary	2610
McBee	Nora	1793
McBirney	Joanne	5661
McBride	Tom	7826
McBride	Ashley	6820
McBride	Mary	4008
McBride	Pamela	3267
McBride	Helen	11700
McBride	Gina	14714
McCabe	Kathleen	4935
McCaffrey	Sally	6152
McCain	Karma	8469
McCaleb	Janis	9198
Mccaleb	Sudia Paloma	5785
McCalister	Janet	519
McCall	Kristen	2388
McCall	Karolyn	9799
McCallum	Bonnie Stein	3751
McCammon	Doreen	9599
McCamon	E.	3138
McCans	Brandy	14311
McCarney	Diane	3630
McCart	Dale	771
Mccarthy	Maggie	7959
McCarthy	K.C.	7087
McCarthy	Anne	4745
Mccarthy	Sharon	6257
McCarthy	Samantha	11942
McCarthy	Deborah	10347
McCarthy	Carole	9669
McCarthy	H. C.	11646
McCarty	Cecelila	6480
McChrystal	Karen	1104
McClain	Teagen	3622
McClain	Brenda	9808
McClamroch	Hal	6285
McClellan	Becky	4386
McClintic	Kenneth	3114
McCloskey	Deborah	2330
McClure	Linda	8795
McClure	Denise	3431
McClure	Kathy	9655
McCollum	Sudi	7364
McColly	Caryl	4141
McComas	Barney	10223
McCombs	Jeff	1837
McCombs	Robert	7507
McConlogue	Keren	10382
McConnell	Judith	3466
McCord	David	11693
McCormick	Douglas	1320
McCormick	Brigid	11642
McCorry	Tom	8900
McCoy	Kevin & Colleen	546
McCoy	Catherine	5642
McCoy	Maureen	7602
McCracken	Diana	1072
McCracken	Joanne	8165
McCraig	Dhyana	8371
McCrary	Amy	7161

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Mccrea	Lisa	5548
McCrea	Melanie	7449
McCreery	Scott	8307
McCreery	Ward	13072
McCrink	Laurie	5339
McCulloch	Arch	5918
McCulloch	Glenne	5147
McCullough	Andrea	1031
McCumby	Charlie	1319
McDade	Shereen	9657
McDaniel	Abraham	6024
McDaniel	Skot	8887
McDaniels	Brian	9406
McDavid	John	731
McDermit	Evan	5229
McDermott	Don	9045
McDevitt	Mary	1293
McDonagh	Claudia	13200
McDonald	Pam	8456
McDonald	Stacey	7176
McDonald	Norma	4866
McDonald	Grace	9627
McDonnell	Mary Hope	5812
McDonough	Liane	3409
McDonough	Rebecca	3843
Mcdow	Derek	5745
McDowell	Alana	9180
McElroy	Raymond	10780
McElwee	Katie	997
McEntee	Janet	7099
McEntee	Shannon	4522
McFall	Bev	4239
McFall	Larry	6335
McFarland	Kory	2617
McFarland	Joshua	10511
McFarlane	Kathy	9470
McGaffey	Victoria	6000
McGann	Mary	4465
McGann	Andrew	2526
McGaw	Pat	3059
McGee	Aletha	12025
McGhee	Cecilia	8721
McGhee	Dianna	5047
McGilvery	Eva	1807
McGinley	Stephanie	210
McGinnis	Nancy	1678
McGinnis	Joseph	13280
McGinn-Villas	Ceilidh	6949
McGivern	Robert	5664
McGlocklin	David	9367
McGoldrick	Kerri	2998
McGorty	Patrick	8573
McGowan	Gail	3977
McGowan	Deanna	7000
McGowan	Michael	3191
McGowan	Deanna	16757
McGrath	Michael and Diane	14298
McGuire	Jason	3123
McGuire	Mary	5424
McGuire	Louise	5561
McGuire	Molly	6713
McGuire	Jann	8052
McGuire	Michael	3002
McGuire	Serena	10704
McGuire	Dennis	9855
McHugh	Heather	5641
McHugh	Colin	6731
McHugh	Sinead	9769
McInnes	Ken	5967
McInnis	Anita	9030
McIntire	Elizabeth	8882
McIntosh	Patrick	7298
McIntyre	Misty	8976
McIntyre	Karla	10393
McKay	Rachel	7073
Mckay	Gail	7677
Mckee	John	6834

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
McKee	Richard	8733
McKee	Brian	4936
McKee	Krista	6696
McKelvey	Gerald	1139
McKennon	Monique	7150
Mckenzie	Mary	14632
Mckeon	John	11826
McKeown	Sheila	12060
McKibben	Matthew	8222
McKie	Vicky	1934
Mckinley	Bruce	5511
McKinney	Sally	1618
McKinney	Kelye	14291
McKitrick	Marshal	4657
McKlintoc	Jared	3706
Mcknight	Shoshanah	9169
McLamb	Lynette	2891
McLane	Michael	9664
McLarty	Heather	673
McLaughlin	Pat	3481
McLaughlin	Merrie	7803
McLaughlin	Kelle	5771
McLaughlin	Shirley	6469
McLaughlin	E. J.	1069
McLaughlin	Sigrid	11535
Mclaughlin	Michael	10956
McLaughlin	Nick	10560
McLean	Susan	7629
McLean	Bob	10397
Mclean	Celeste	11042
McLemore	Shawnee	10982
McLennan	Miles W.	2163
McLeod	Mary	4734
McMahan	Michael	8859
McMahan	Alexa	2900
McMahan	Pamela	2315
McMahon	Carol	9834
McMahon	Jennifer	10069
McMenamin	Jennifer	1803
McMinn	Beth	10621
McMullen	Gail	4462
McMullen	Susan	7102
McMurray	Kendel	4953
McMurtrey	Anita	1748
McNally	Eileen	300004
McNamara	Robert	1702
McNamara	Patricia	10123
McNaughton	Nick	711
Mcneil	Susan	4445
McNeil	James	4945
McNeill	Katherine	1363
McNeill	Tee	1502
McNenny	Geraldine	8780
McNiece	Allen	4349
McPherson	Leslee	2550
McPherson	Jason	5486
McPherson	Nancee	5344
McPherson	Randy	6241
McQueen-Martinez	Mchel	6324
McQuillan	Amy	7480
McQuirter	Donna	5595
McRae	Lee	3296
McRae	Frank	2453
McRae	Diana	3313
McRae	Lynne	11366
McReynolds	Cindy	11865
McStroul	Geoffrey	1856
McSwan	Kelli	6424
McTeer	Nicole	7740
McVay	Thomas	9702
McVey	Dennis	1550
McVey	Kelly	2608
McWhorter	Jeanine	1841
Mead	Nancy	10862
Meade	Pattie	8132
Meade	Keegan	6001
Meade	Janet	10217

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Meadows	Marcy	1007
Meadows	Marcy	4941
Meadows	James	11407
Meads	Mary Suem	5941
Meagan	Hayley	6378
Mealer	Giovanna	16694
Meals	Shelley	13098
Mechem	Rachele	7657
Mechtilde	Jay Myers	2919
Meddick	Sherry	7495
Medeiros	Dolores	3997
Medeiros	Ernie	3019
Meders	Lonna	9997
Medina	Miguel	5188
Medina	Mark	9019
Medla	Viljo	14718
Medley	Rebecca	11410
Mednis	janique	6383
Medvin	Loi	5707
Meece	Eric	7399
Meecham	Amanda	14666
Meehan	Roger	2944
Meehan	Don	9230
Meeks	John	8127
Meeks	Judith	11346
Meert	Rosemary	11198
Megaw	Margaret	14633
Megley	Ginger	7246
Mehegan	Teri	11081
Mehler	Maureen	979
Mehlhorn	Michelle	5151
Mehrings	Sue	14636
Mehta	Adil	7341
Mehta	Adil	6076
Meier	Axel	4947
Meier	Nicholas	8883
Meier	Robert	4364
Meier	James	4829
Meier	Charles	3920
Meinhardt	Aeriol	14282
Meinschein	Margaret	8586
Meinzer	Sarah	4150
Meissner	Steven	2228
Meissner	Carl	8954
Meissner	Peter	9500
Mejia	Marianna	7851
Mejia	Vanessa	3040
Mekonnen	Martha	8395
Melbardis	Kris	1376
Melchior	June	3866
Melin	Jeff	6568
Melin	Dan	8038
Melinkoff	Marc	11761
Mellen	Linda	2429
Mellet	Vanessa	4735
Mellon	Barbara	6162
Mellor	Maggie	14642
Melman	Maryke	1772
Melnick	Leon	10527
Melody	Sybil Malinowski	13371
Melowicz	Jessy	9506
Meloy	Robert	9578
Melton	Kathy	8276
Memon	Nafeesa	4912
Menard	Rose Marie	9961
Menard	Rose Marie	9916
Mendelsohn	Pamela	8602
Mendelson	David	8136
Mendez	Leslie	10997
Mendiburu	Nancy	8343
Mendoza	Suzanne	8890
Mendoza	Miranda	3500
Mendoza	Wendy	10336
Meneguzzi	Sophie	9781
Menendez	Crystal	3966
Menicucci	Marisa	5990
Menjivar	Ana	3403

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Menna	Alejandra	7617
Menne	Suzanne	8447
Mensing	Julia	1398
Menzel	Sandra	10695
Mercer	Melissa	8656
Merchant	Parvez	7460
Meredith	Micki	10735
Merilatt	George	9329
Merino	Margaret	1603
Merkel	Alison	2512
Merkel	Karynn	639
Merkel	Alison	5524
Merkel	Jane	406
Merrick	Fred	7788
Merrick	Thomas	11990
Merrick	Diane	10214
Merrin	James	9549
Merritt	Jean	10147
Merritt	Jean	11672
Mertan	Brian	2513
Mervin	Kay	9203
Merz	Jonathon	3278
Mesa	Barbara	3528
Meshorer	Gwen	5192
Mesker	Florence	8694
Messenger	William	11275
Messer	Chris	6332
Messer	Barbara	7596
Messina	Rose	7950
Messina	Paula	7833
Messmer	Kim	1684
Meszaros	John	13346
Metcalf	Alicia	11399
Metcalfe	Christina	524
Metcalfe	Joy	10078
Metelica	Nikita	13172
Meteraud-ortiz	Kathy	11294
Methner	Kerry	1103
Mettler	Joan	6709
Metz	Geri	11276
Meuser	Pamela	3338
Mew	Margaret	6632
Meyer	Melodie	1233
Meyer	Twyla	1771
Meyer	Lisa	7219
Meyer	Alex	589
Meyer	Robert	6859
Meyer	Patricia	10170
Meyer	Marie	9964
Meyers	Donna	10588
Meza	Joel	910
Meza	Jenny	10599
Mezzapelle	Cheri	9176
Michael	Joe	4574
Michael	Masley	11963
Michalik	David	7512
Michaud	Denys J. and Mrs.	12001
Michelli	Nancy	4337
Michelson	Golda	2915
Michelson	Arthur	5597
Michener, Jr.	Robert	11645
Michiels	Kristi Johnson	11716
Mickle	James	9375
Miclea	Marinela	1217
Middleton	Chris	4060
Middleton	Tim	4028
Middleton	Michael	10402
Midgette	Andy	5720
Miggins	Edward	6253
Migliore	Joe	9618
Migliorini	Eris	7790
Miguel	Johnny	4800
Miguel	Joseph	5761
Mikaelian	Mike	5643
Mikals	Nicole	2597
Mikesell	Sara	14723

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Miksak	Matthew	11677
Miksovsky	Rose	5822
Mikulak	Bill	6889
Mil	Anna	7565
Milani	Waltraud	6786
Milano	Amy	1912
Milcarek	Thomas	8254
Miles	Sharon	4711
Miles	John K.	9009
Miles	Kristal	10475
Milioto	Charlotte Ann	3188
Millar	Robert	7094
Miller	Kay	7221
Miller	Heidi	9283
Miller	Madge	4075
Miller	Kenneth	7932
Miller	Analia	7792
Miller	Deborah	5609
Miller	Sara	5169
Miller	Victoria	7539
Miller	Alexis	1374
Miller	Anne	3393
Miller	Robert	7151
Miller	Bill	7148
Miller	Laura	5837
Miller	Amelia	8380
Miller	Carol	8190
Miller	Edwin	1754
Miller	Norma	5633
Miller	William	2547
Miller	Tim	3580
Miller	Melissa	9281
Miller	Edmund	8666
Miller	John	5686
Miller	Richard	4399
Miller	Kirsten	2028
Miller	Alan	1851
Miller	H.	7777
Miller	Diane	5022
Miller	A. M.	1258
Miller	J.	7280
Miller	Diane	8197
Miller	Annika	5551
Miller	Uma	5676
Miller	Shannon	10562
Miller	John	9871
Miller	Lynn	9865
Miller	Kelly	11812
Miller	Roxanne	10550
Miller	Mike	9597
Miller	Christine	13284
Miller	Sandra	9962
Miller	Dianne	16719
Miller	Theresa	11060
Miller	Ann	14205
Miller	Harriet	9552
Miller	Sue	11148
Miller	Kendrick	10198
Millette	Karl	1291
Milligan	Jo	899
Milliken	Elizabeth	2071
Milliken	Rosalind	1972
Millman	Harriet	7757
Mills	Faye	1712
Mills	Garey	8439
Mills	Michael	7940
Mills	Robert	3979
Mills	Susannah	9847
Mills	Chris	13070
Millsom	David	5244
Milrod	Scott	9264
Milrod	Bonnie	5855
Milton	Jack	60
Milton	Raymond de Lisle	3793
Milton	Jack	2569
Mimeau	Patricia	10293

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Mims	Roy	8492
Minakata	Elvia	13153
Minault	Kent	4705
Mindel	Deb	9529
Mindelzun	Naomi	5106
Miner	Dan	9514
Minesinger	Chris	8010
Minger	Paula	7872
Minkovsky	Dimitar	2585
Minnehan	John	4635
Mino	Olympia	4767
Mintz	Barbara	9723
Miotke	Victoria	3786
Mir	Tony	10564
Mira	Ginger	614
Mira	Hugo	8945
Miramontes	Lizandro	11007
Miranda	Steve	8170
Miranda	Rocio	7918
Miranda	Sara	14164
Miranda	Lisa	13391
Mirell	Douglas	7283
Mirijanian	Craig	7156
Misenko	James	10404
Mishkin	Valerie	13177
Misquez	Michael	4140
Mistretta	Jill	7169
Mitch	Lowell	1435
Mitchell	William	2145
Mitchell	Gary	5124
Mitchell	Desiree	842
Mitchell	Ina	6164
Mitchell	Annmarie	6308
Mitchell	Zephyr	3865
Mitchell	Deb	8247
Mitchell	Martha	6694
Mitchell	Ken	1087
Mitchell	Dorothy	11088
Mitchell	Laurie	11117
Mitchell	Linda	10580
Mitidieri	Denise	4582
Mitouer	Cheryl	528
Mitri	Denise	6224
Mitsuda	Michael	5453
Mittig	William	3164
Mittino	Chris	3179
Mittman	Asa	1822
Mix	Kathy	1129
Miyamoto	Nancy	10573
Miyasaki	Julie	10600
Mizutani	Joann	11724
Mobley	Doug	6534
Mock	Neal	5580
Mock	Carol	1240
Mockers	Chris	5671
Mockus	Deimile	9716
Modesti	April	1902
Moeller	Michael	2084
Moguel	Patty	10159
Mohsenian	Mitra	10245
Moise	Claude	387
Moiseyev	Maya	7050
Mojadedi	Yasi	6026
Molgora	Bianca	2899
Molidor	Dave	5275
Molina	Ron	10028
Moller	William	9622
Molloy	Rita	9308
Molyneux	Tracy	4138
Monaco	Ann	9145
Monahan	Moira	2215
Monahan	Marie and Patrick	9234
Mone	Carolyn	9743
Monheim	Andrew	4408
Moniz	Mark	7898
Monjaras	Victor	9348
Monk	Laura	4690

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Monkewicz	Martin	6615
Monreal	Pete	8876
Monroe	Jim	7052
Monroe	Dana	2252
Monroe	Jeanette	424
Monroe	Leslie	11841
Monroy	Marissa	14708
Monsalud	Jennifer	9097
Monson	Christie	9253
Mont	Swede	7758
Montag	Lydia	4357
Montagna	Anne	9738
Montanez-Salas	Alida	9873
Montapert	Anthony	567
Montapert	Anthony	5207
Monteilh	Gene	3633
Montero	Deborah	14226
Monterrosa	Wendy	3944
Mont-Eton	Elaine	507
Mont-Eton	Jean	5283
Montez	Mignonet	10777
Montgomery	Edo	1897
Montgomery	Pamela	2256
Montgomery	John	9768
Montoya	Rebecca E.	14193
Montrucchio	Ryan	11447
Monzingo	Mary	14224
Moody	Ian and Janeane	3352
Mooney	Albert	3954
Mooney	Don	11624
Mooney	Don	14823
Mooney	Donald B.	14823
Mooney	Holly	10383
Mooney	Robin	11004
MoonStar	Pleiades	5823
Moore	N. J.	1200
Moore	Jodi	8244
Moore	G.	1706
Moore	Malcolm	6396
Moore	Sharlee	2043
Moore	Kevin	7561
Moore	Edith	7431
Moore	Marilyn A.	9362
Moore	Hugh	1639
Moore	Sheila	5687
Moore	Monica	5950
Moore	David	1045
Moore	Janet	1914
Moore	H.	4649
Moore	Richard	4044
Moore	Dwight	1009
Moore	Terrence	2556
Moore	Kerry	8930
Moore	Malc	5969
Moore	Joy	13364
Moore	Miriam	16726
Moore	Aimee	9859
Moore	Pleshette	14332
Moore	Kathy	10374
Moore	Cyndy	9606
Mootham	Christopher	2129
Mora	John	2566
Mora	Sandra	14593
Morales	Mirka	6773
Morales	Gloria	6938
Morales	Henrietta	11654
Morales	Rosy	11945
Moran	Patty	5577
Moran	Jean	5618
Moran	Emily	6266
Moran	Janet	8982
Morando	Louisa	1402
Moranz	Sigrid	7433
Morarre	Pam	4786
Morelan	Craig	11474
Moren	Susan	733
Moreno	Alison	1552

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Moreno	Jim	2245
Moreno	Gen	7075
Moreno	Vianey	13425
Moresi	Jacqueline	4757
Moretti	Vicente	3391
Morgan	Linda	1766
Morgan	C. L.	6133
Morgan	Kathryn	6821
Morgan	Alecia	1878
Morgan	James	6686
Morgan	Karen	8377
Morgan	Marilyn	2317
Morgan	Mary	9959
Morgan	Alecia	13315
Morgan	Sher	10742
Morgan	Sara	9731
Morgan	David	13143
Morgan-Hickey	Diana	6101
Morganstern	Vanessa	7618
Morgen	Henry	11051
Morgenrath	Martha	10400
Morgenstern	Anita	962
Morgenstern	James	7597
Mori	Toshio	708
Mori	Margaret	16727
Moricca	Joan	8775
Moriel	Velia	12048
Morikone	Rachel	8099
Moris	Vonya	10823
Moritz	Noel	989
Morningstar	Shawn	6937
Morrell	Prairie	3094
Morrell	Heidi	11765
Morrill	Martha	14261
Morris	Marianne	8533
Morris	Sharon	6770
Morris	Mary	9229
Morris	Tracy	4194
Morris	Ray	2141
Morris	Adrienne	11076
Morris	Dennis	14228
Morris	Jacqueline	11232
Morris	Keith	11934
Morrison	Deborah	3613
Morrison	Wesley	9042
Morrison	Priscilla	5847
Morrison	Lynn	9222
Morrison	Petite	5177
Morrison	Sharon	5979
Morrone	Angela	4425
Morrow	David	2596
Morrow	P.	2308
Morrow	Quenby	10947
Morrow	Kathy	9629
Morse	Thomas	7523
Morse	John	3980
Morse	Paul	11145
Mortimore	Margaret	9396
Morton	Robert	5416
Morton	Laura	504
Mosby	Joya	9293
Mosca	Brigga	8272
Moseley	Lance	7009
Moseley	Mary	13148
Moser	Rich	6269
Moses	James	4794
Moses	Daniel	4717
Mosher	Holly	2391
Moskaly	Susan	14673
Moskow	Lisa	11938
Moskowitz	Mignon	9953
Mosley	Teriz	14201
Moss	Marjorie	2595
Moss	Richard	3919
Moss	Kevin	4747
Moss	Carol	11259
Moss	Diane	10044
Mostaghimi	Lidia	9545

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Motia	Fuad	10652
Motola	Isaac	7489
Mott	Byron	1551
Mottice	Gretchen	13069
Moulder	Shelia	5759
Mounier	Peter	1228
Mounts	Colette	10790
Mourad	Crystal A.	1303
Moustakas	Michael	865
Mouw	Brenda	3356
Movsesyan	Greg	397
Moycik	Mary	9075
Moyer	Ann	10549
Mueller	Joe	1263
Mueller	Gretchen	5290
Mueller	Rita Ann	5598
Mueller	Karsten	5748
Mueller	Wiebke	6325
Mugglestone	Lindsay	8620
Mugridge	Nancy	1226
Muhtadi	Reem	3805
Muir	Jennifer	6084
Mujica	Christy	11729
Mukminov	Timur	11153
Mulcahy	June	642
Muldaur	Maria	13387
Mulder	Mark	11426
Mulgrew	Sharon	3269
Mulhall	Frank	7604
Mulkey	Sharon	6319
Mull	Tracy	985
Mullane	Sharon	5175
Mullaney	Susan	8812
Mullendore	Cassie	1687
Mullenix	Paula	7863
Mulligan	Hilary	7021
Mulligan	Margaret	9151
Mulligan	James	14317
Mullin	Deirdre	9554
Mullins	Cat	6287
Mulvany	Felecia	6893
Munay	Kiki	10765
Mundy	Kenneth	3306
Munguia	Alex	4181
Munguia	Franklin	10429
Munir	Munir	11493
Munn II	William	3806
Munoa	Connie	14244
Munoz	Angela	1779
Muradian	Becky	6832
Murakami	Myron	1340
Murarka	A.	3811
Murch	Joyce	3113
Murdock	Lauren	7396
Murin	Nerissa	637
Murphree	Joyce	5807
Murphy	Wendy	6448
Murphy	Michael	5397
Murphy	Tia	2926
Murphy	Joanie	6204
Murphy	Sonia	5701
Murphy	ERika	6503
Murphy	Maeve	5590
Murphy	Sean	2282
Murphy	Tim	8020
Murphy	Cassie A.	11278
Murphy	Shaaron	11257
Murphy	Pamela	9613
Murphy	Laura	12130
Murphy	Melissa	10806
Murphy	Kate	11152
Murphy	James I.	9696
Murphy	Kelly	9816
Murphy	Heidi	11786
Murray	Verona	2598
Murray	Sybil	4204
Murray	Jessica	2813
Murray	Patrick	4086

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Murray	Michelle	3075
Murray	Tracy	6277
Murray	Richard	9863
Muss	Jeffrey	11485
Mussette	Karen	11862
Mutascio	Bob	672
Muzoglu	Alpay	1663
Myers	Adele	9232
Myers	Derald	1720
Myers	Trent	2380
Myers	Elena	5540
Myers	Amy	3251
Myers	Leslie	4446
Myers	Rob	11717
Myers	Jean	10027
Myers-Taylor	Aviva	4222
Myles	Marla	10920
Myres	Laurie	11992
Myslik	Kenneth	5718
N.	C.	2906
Nace	Janet	2990
Nachazel	Jane	2590
Nadalin	Renee	5282
Nadeau	Christine	7273
Naegler	Hanne	5465
Nafziger	Nikki	1907
Nagle	Carol	5680
Nagy		8751
Nahigian	Kenneth	8787
Nahouraii	D.	9541
Nahum	Alan	4702
Naifeh	Karen	11357
Najera	Monica	10317
Najia	Rose	6972
Nakamura	Irene	6509
Nakamura	Lisa	6345
Nakamura	Janice	9832
Nakashima	Cynthia	4217
Nakata	Jim	7779
Nancy	Carey	3947
Nanjangud	Savitha	1309
Nansen	Linda	10570
Nantel	Vivianne	5662
Napier	Sabrina	11613
Napierala	Susanna	7661
Naples	Mary	5603
Narcisse	Chenoa	4849
Nardiello	Lana	11953
Narducy	Suzanne	1776
Narine	Jason	2179
Nash	Colleen	2250
Nash	Ruth K.	9733
Nasser	Matthew	9132
Nasser	Diana	5627
Nasso	Samantha	13235
Nastasescu	Liviu	7834
Natarajan	Srividya	3617
Nathanson	Andrea	11461
Navarro	Peter	5131
Navarro	Adrianne	7665
Navarro	Virginia	11345
Navarro	Matilde	14258
Naylor	William	6526
Nealon	Sandra	466
Neary	Caroel	9382
Needham	Michael	11282
Needleman	Larry	1411
Neely	Frances	8939
Neely	Michele	9588
Neff	Sarah	3451
Neff	Amie	2570
Neffson	Richard	9891
Neft	Darrell	1984
Neidich	Julie	3813
Neill	Denise	6375
Neill	Laurie	9558
Neill	Sheila	9903
Nelson	Deborah	7731

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Nelson	Beth	7781
Nelson	Angie	6002
Nelson	Pam	5830
Nelson	Brigitte	4820
Nelson	Karyn	9400
Nelson	Jon	3515
Nelson	Jon	3540
Nelson	Mark	3978
Nelson	Erin	6494
Nelson	Lisa	6930
Nelson	Lynette	372
Nelson	Sherman and Denise	8400
Nelson	Marisa	3680
Nelson	Steven	6154
Nelson	Brad	1388
Nelson	Earl	5187
Nelson	Paul	14280
Nelson	Steve	11625
Nelson	Judy K.	10034
Nelson	Sandra	11215
Nelson	Beatrice	10844
Nelson	L.	10410
Nemechek	Krista	9633
Nemeth	Monica Holzmann	7563
Nemeth	Diane	11911
Nercessian	Nazar	14300
Nerenburg	Jeannie-Kay	11408
Neril	Marilyn	4294
Nero	Justin	14225
Nesbitt	Valerie	10221
Nesmith	Lindsay	2764
Ness	Gina	4999
Nesselbush	Janet	10672
Netti	Steve	1979
Nettleton	Lisa	5102
Neuber	Christa	1169
Neuenkirk	Cheryl Neuenkirk	2176
Neufeld	Jane	7024
Neuhauser	Alice	8604
Neumann	Rita	9530
Neustadt	Landon	7605
Nevans	Ann	725
Neves	Melanie	9077
Nevi-Maguire	Trish	5892
Newby	Patricia	10515
Newcomer	Ariana	2227
Newel	Barrie	7575
Newell	Sally	8435
Newell	Scott	7516
Newey	Maureen	8145
Newick	Cyndee	6240
Newlin	Jody	889
Newman	Hudelle	2511
Newman	Helen	3448
Newman	Heidi	2346
Newman	Michele	2581
Newman	Scarlet	3139
Newman	Roberta	4595
Newman	Suzan	14629
Newman	Richard	12053
Newman	Suzanne	11103
Newman	Karen	14169
Newnes	Sheryl	4771
Newquist	Robin	9576
Newsom	Stephanie	11061
Newstat	Ronald	11510
Newton	Laura	10339
Newton	Linda	10193
Newton	Leah	11910
Newton	Sandra	9692
Ng	Mary	2012
Ng	Carol	4380
Ng	Yorkey	1830
Nghe	Keefe	6655

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Ng-Lee	Allie	1971
Nguy	Dung	10370
Nguyen	Dylan	3234
Nguyen	Mike	8355
Nguyen	Margaret	1423
Nguyen	Thoai	4529
Nguyen	David	5123
Nguyen	Marlene	1422
Nguyen	Khanh	1415
Nguyen	Trina	14174
Nguyen	Thongminh	10209
Nguyen	Tracy	16744
Nguyen	Carolyn	13095
Nguyen	Francis	9565
Nicholes	Linda	4102
Nichols	Anna	939
Nichols	C.	3953
Nichols	Carrie	13094
Nichols	Cassidy	11377
Nichols	Linda J.	11488
Nicholson	Joan	4428
Nicholson	Joan	11306
Nickel	Lucy	16699
Nickles	Patricia	5677
Niclaus	Zoe	4483
Nicodemus	Sharon	1819
Nicolaidis	Judith	10158
Nicoletto	Linda	5878
Nicolson	Scott	8538
Niebel	Stuart	2478
Nieberding	Ron	6914
Niedbalski	Jeff	11640
Niehaus	Marcus	10482
Nielsen	Paige	4984
Nielsen	Agnes	2065
Nielsen	Steven	11238
Nielsen-Brito	Leonor	3005
Niemeyer	Donald	7791
Nightlinger	Charlotte	10930
Nikchehi	Fatemah	5306
Nilan	Mary	16743
Nillo	Christina	4025
Nilsen	K.	1216
Nilsson	Lena	2217
Nisperos	Phil	10022
Nitsos	Pamela	6546
Niwa	Rosemarie	13438
Nixon	Henry	11983
Noble	Nina	5415
Noda	Easter	4354
Noel	Peggy	9736
Noellert	Sunnie	1305
Nogosek-Chandler	Brigitte	4566
Nogotona	Elizabeth	11348
Noia	Lauren	11433
Nolan	Katherine	2561
Nolan	Timothy	7692
Noll	Michale	5780
Nolta	Robyn	4624
Nomi	Jennifer	11694
Nomura	Eugene	5996
Noon	Gail	10285
Noone	Heather	11120
Noordyk	James	1513
Noori	Laila	7998
Norberg	Christopher	1619
Norcott	Adam	6707
Nordahl	Richard	9092
Noren	Iris	1055
Norris	Eleanor	2567
Norris	Tom	4155
Norris	A.	11797
North	Jill	4453
North	Diana	3242
Northcutt	H.	7613
Northcutt	Sally	9499
Northrop	Ann	6435

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Northrup	Deanna	14252
Norton	Oak	7284
Norton	Joanne	6669
Norton	Barbara	8927
Norton	Juliet	59
Norton	Robert	10814
Norup	Paul	9262
Norwood	Darlene	7650
Norwood	Elizabeth	6967
Nostrome	Patricia	8150
Notary	Kimberly	5998
Nourse	Sherri	8243
Novak	Ken	5584
Novak	Kammy	14276
Nowak	Joseph	10528
Nowicki	Maria	7432
Noyes	Nicolette	5769
Noyes	Donna	1879
Nulty Jr.	Tom	1573
Nunez	Maria	5547
Nunez	Manuel	7768
Nunez	Marci	8874
Nunez	Thomas M.	4961
Nunez	Carlos	7808
Nungesser	Leah	11216
Nurse	Heidi	9183
Nutt	Jay	10288
Nutting	Geoffrey	5564
Nydell	Pearl	8219
Nye	Erik	6676
Nygard	Stephanie	5869
Nymo	Maren	7486
Nyomarkay	John	8637
Nystrom	Barbra	1286
Oakley	Jean	5392
Oaks	Miguel	5914
Oatfield	Emil	6333
Obeji	Cecilia	8979
Obenaus	Eleanor	11195
Oberg	Rachel	10444
Obermeyer	Rita	4287
Oberstein	Priscilla	1606
Oboruemuh	Abraham	11298
Oboruemuh	Abraham	11723
Obrien	Patricia	8284
O'Brien	Jim	6580
O'Brien	Kathy	5968
O'Brien	Matthew	6099
O'Brien	Floyd	5752
O'Brien	Jim	5696
O'Brien	Beth	11660
O'Brien	Maureen	13149
O'Bryan	Kimberle	11816
O'Bryan	Samantha	14279
Ocean-Forest	Aletha	9727
Oceanlight	Barbara	4542
Ochsenweidenheimer	Wayne	8986
O'Connell	Melanie	1496
O'Connell	Jeanie	8342
O'Connor	Mary	7673
O'Connor	Willa	7229
O'Connor	Monica	9109
O'Connor	Kate	13369
O'Connor	Michon Bolanos	11372
O'Connor	Maryrose	11804
Odelberg	Bruce	5479
Odell	Norma	9088
O'Dell	Rollin	3557
Odezynskyj	Maria	10990
Odin	Danielle	9969
Odom	Nellie	4652
Odom	Gail	10556
O'Donnell	Sheila	8350
O'Donnell	Kelly	5700
O'Donnell	Meghan	485
O'Donnell	Kathleen	2871

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Odzak-Goppold	Tanja	3364
Oei	Tamara	6336
Oei	Caelyn	11245
Oelkers	Yvonne	5030
Oeth	Linda	3034
O'Farrell	Connor	5614
Offereins	Karen	11193
Offermann	Mary	14162
Offermann-Sims	Paul	14661
O'Flynn	Kerry	11458
Ogata	Laura	13357
Ogella	Edith	400
Ogilvie	Dave	8106
Oh	Katie	14207
O'Hara	Gayle	8300
O'Hara	Sharon	4817
O'Hara	Elizabeth	8233
O'Hare	William	7440
Ohde	Samantha	11466
Ohearn	Terry	13133
Okay	Ziya	2950
Okey	Eric	8125
O'Klock	Pam	4616
Okuda	Liesl	6524
Olafsdottir	Ruth	1425
Olague	Joe	13110
Old	Victoria	10441
Oldani	Sacha	9073
Oldham	Victoria	8834
Oldham	Ashley	8726
Oldwin	Nora	11668
OLeary	Andrew	2419
Olivares	Laura	4113
Olivas	Joseph	6200
Oliveau	Bill	1167
Oliveira	Christina	600
Oliver	Mayra	2625
Oliver	Simone	9000
Oliver	Andrew	1265
Oliver	Jerry	4519
Oliver	Dennis	886
Oliver	Richard	7430
Oliver	Jandra	5506
Oliver	Wanda	7837
Oliver	Stephanie	2936
Oliver	Nancy	8155
Oliver	John	1390
Oliver	Kelly	8494
Oliver	Karen	13234
Oliveria	Anthony	8423
Olmstead	Lenore	4791
O'Loren	B. Rabia	6225
Olsen	Andrew	2468
Olson	Liana	3316
Olson	Pamela	5202
Olson	Karen	2431
Olson	Melissa	5846
Olson	M.	665
Olson	Benjamin	9212
Olson	Steve	8143
Olson	Barbara	4366
Olson	Dean	2404
Olson	Carol	7658
Olson	Beth	6349
Olson	D.	1187
Olson	Amanda	11539
Olson	Clay	10490
Olson	Jeffery	11344
Olson	Carol	10942
Olson-Lee	James	5721
Olsson	Krister	6718
Olteanu	Michael	9152
Omaha	John	2379
O'Malodomhnaigh	Liathain	11923
Oman	Donna	2438
Oman	Gilda	9577
Omeara	Sharon	5848

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Omens	Annie	5764
Omori	Akio	13361
On	Move	1427
Onan	Thomas	2164
Onan	Elizabeth	10164
O'Nan	Kathleen	11067
O'Neal	Moira	122
O'Neal	Moira	122
O'Neil	Faith	11087
Oneill	Maris	11324
O'Neill	Ryan Patrick	8989
O'Neill	Catherine Rusoff	1718
O'Neill	Gabriele	14315
Onesti	Frances	5402
Oomerjee	Gulshan	13400
Opp	Sheri	10417
O'Rafferty	Eric	8465
Orban	Margaret	9159
Orcholski	Gerald	8436
Orcutt	Maggie	9572
Ore	Edward	13204
O'Regan	Kathy	8128
O'Reilly	A.	16735
Orenstein	Natalie	16698
Oriard	Pam	3603
Orion	Lynn	7883
Orloff	Paula	1375
Ormiston	Carole	10491
Ornelas	Karen	8803
Orona	Angel	13125
O'Rourke	Richard	1545
Oroz	Michelle	14170
Orozco	Maleena	7467
Orozco	Angela	14643
Orr	Barbara	1651
Orr	Julian	7261
Orser	Robert	9161
Orshoff	Tasha	1083
Orsot-Heneka	Beatrice	8078
Ortenzo-Hayes	Kristine	11714
Ortiz	Lionel	514
Ortiz	Ivonne	7814
Ortiz	Robert	8687
Ortiz	Amber	7478
Ortiz	Gregory	13140
Ortiz	Daniel	10269
Ortiz	Lionel	12131
Ortiz	Frank	10035
Ortiz	Maria P.	9654
Ortiz	Henry	11529
Osborne	Ketsa	1904
Osborne	Roger	2623
Osborn-Gagen	Vicki	955
Oser	Wendy	1373
Osgood	Pamela	3016
Osgood	Karen and Edward	8914
Oskamp	Stuart	10974
Osorio	Omar	16762
Ososaka	Okiyo	5974
Ososke	Jancie	13326
Osterhoudt	David	1023
Ostoich	Julie	7458
Ostrander	Matthew	8419
Ostrau	Mark	7804
Ostro	Linda	8822
Ostrow	Hillary	1656
O'Sullivan	Kay	9858
Oszter	Crystal	11899
Othmer	Siegfried	3010
Ottengheime	Terri	2447
Ottina	Martha Jean	11688
Ousley	Carrie	2034
Overholt	Roger	632
Overland	Tina	10759
Overman	Carol	4707
Overmann	Laura	3428

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Owainati	Hassan	6678
Owen	Linda	7218
Owen	Samantha	4085
Owens	Delila	1105
Owens	Cindy	822
Owens	Renee	4986
Owens	Theresa	6790
Owens	Katie	5828
Owens	Carly Clements	14699
Oxilien	Agnes	3446
Oxley	Rhonda	6075
Oxley	Helen	10260
Oxley-Butler	Shalena	13396
Oyog	David	7270
Ozcan	Fulya	7878
P.	Carol	9144
P.	E.	1294
P.	E.	1018
P.	Kat	16734
Pache	Tom	4188
Pacheco	Raquel	7016
Pacheco	Michele	11851
Packard III	Frank	9512
Pacula	Helen	5103
Padelford	Grace	8424
Paden	Laura	5262
Padilla	Amanda	1050
Padilla	Ray	5838
Padilla	Doris	13296
Padilla	Jennie	10463
Padmanabhan	Urmila	4382
Padrta	Perry	6703
Padula	P. S.	573
Paek	Christy	6555
Paganuzzi	Cinzia	1454
Page	Anthony	8925
Page	Marilyn	2326
Page	Heidi	6585
Page	Shelby	6275
Page	Sydne	5799
Pagel	Michele	6715
Paiz	Maria Olga	4604
Palacio	Diane	5095
Palladine	Michelle	6165
Pallanes	Beatriz	14199
Pallas	Rusty	8431
Palma	Richard	1149
Palmer	Matthew	1946
Palmer	Michelle	7854
Palmer	paul	2622
Palmer	Francis	864
Palmer	Kirstie	6845
Palmer	Ana	4937
Palmer	Deborah	7084
Palmer	David	1085
Palmer	K.	5923
Palmer	Sharon	10848
Palmer	Nichole	11394
Palmisano	William	13223
Palomino	Brita	10508
Palomino	Dani	9515
Paltin	Sharon	2118
Paniagua	Rosiris	736
Paniagua	Rosiris	4878
Pankow	Sandra	7640
Pannell	Bonnie	3879
Panny	Christopher	1659
Panos	Gregory	10955
Panter	Rich	13431
Paper	Tom	16709
Paquet	Annette	13237
Paradise	Diana	2301
Param	Bhavani	5611
Paratore	Joseph	581
Pardee	Sean	7419
Pardo	Daniela	6023
Parducci	Tobi	10781

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Paredes	Serene	10090
Parekh	Aabha	4024
Paris	Sandra	8449
Parish	Alice	4964
Parizek	Laurie	2418
Park	Jim	5090
Park	Byoung	7434
Park	Jason	4200
Parker	Nancy	8591
Parker	Lance	5442
Parker	Alan	4509
Parker	Elaine	9209
Parker	Becky	3069
Parker	Denise	13405
Parker	Richard	13077
Parker	Jennifer	13079
Parker	Sherry	11350
Parkinen	Mitch	2166
Parkins	April	5553
Parkins	Cheryl	8076
Parkins	Janet	11758
Parks	Manish	11635
Parlette	Karen	11016
Parr	Elaine	13331
Parres	Laurie	1986
Parrish	Cynthia	1268
Parrish	Caryl	1135
Parrish	Joan	7352
Parrish	L.	10051
Parrott	Ian	16690
Parry	Michael	7321
Parsons	Amy	3940
Parsons	Sam	11327
Partenfelder	Mary	2224
Partridge	Ronald	1220
Parzen	Elinor	7287
Parzick	Anne	9315
Pascua	Patty	14248
Pasetta	Stacy	4005
Pasqua	John	1976
Pasquinelli	Jill	3216
Passafaro	Rocco	3534
Passmore	David	1034
Passmore	Philip	7929
Passoian	Kristina	13175
Pastore	Tony	13124
Patarias	Elodie	9307
Patel	Christine	14630
Patel	Deepa	13291
Pateman	Lynne	8729
Patik	Judy	7206
Patino	Philip	7719
Patitucci	Janine	11512
Paton	Marjie	10730
Patriana	Zarah	8489
Patrick	Cynthia	6635
Patrick	Patrea	10789
Patrizio	Kay	14664
Patterson	Ananda	562
Patterson	Patricia	1344
Patterson	Cressie	3861
Patterson	Katherine	5877
Patterson	Kevin	8077
Patterson	Will	5489
Patterson	Brooke	4437
Patterson	Elizabeth	11186
Patterson	Jennifer	16711
Pattni	Erica	13233
Patton	Diane	3573
Patton	James	5684
Patton	Carol	14706
Patton	Ben	16695
Patton	Lisa	9835
Patty	Shannon	4322
Patyk	Stacy	1306
Paul	Margaret	9173
Paul	Tamara	5119
Paul	Christopher	7018

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Paul	Revel	11952
Paulino	Mac Edward	7593
Paulson	P.	5528
Paulson	Melony	963
Paulson	Susan	6897
Pavlovich	Alexander	4971
Paxton	Rebecca	13407
Payne	Jewel	520
Payne	Andy	10666
Payne	Sherry	14639
Paysinger	Belinda	2908
Peabody	Annikah	4563
Peach	Patricia	5259
Peacock	Bruce	764
Pearlman	Jeffrey	4763
Pearlman	Scott	9155
Pearlman	Margaret	8369
Pearlman	Michael	2205
Pearson	Josh	4546
Pearson	James	6728
Pearson	Juliet Johns	13397
Pearson	Elizabeth	11794
Peavy	Jerry	2521
Peck	Laura	3555
Peck	David	5503
Peck	Denise	3292
Peck	Suzanne	6855
Peck	Karin	10102
Pedersen	Kim D.	4006
Pedersen	Cindy	11144
Pederson-Krag	Gillian	5884
Pedrini	Michele	1264
Pedroza	Donna	3659
Pedroza	Natalie	9259
Peevey	Jerry	10241
Peitso	Dennis	2804
Pekrul	Jeffrey	11392
Pelican	Susan	8548
Pelletier	Patrick	3143
Pellicani	Andrea	7639
Peltier	Brian	7789
Peluso	Dan	776
Peña	Suzanne	2395
Penacho	Andrew	14713
Pendleton	Elizabeth	6134
Penn	Neil	7690
Penn	Elizabeth	1047
Penner	Marsha	7936
Penniman	Christina	10794
Pennington	Kenneth	8696
Pennington	Heather	9749
Penrose	Graham	10476
Percival	Amelia	5439
Percy	Amanda	503
Perdios	Dan	601
Perea	L.	5309
Perea-Barchie	Daniel	9280
Pereida	Clair	12031
Pereira	Daniel	9319
Pereira	Anita	11385
Peretz	Christina	1585
Perez	Michelle	8470
Perez	Celene	6006
Perez	Dawn	7653
Perez	Martin	6436
Perez	Najah	7536
Perez	Kira	8517
Perez	Alejandra	3913
Perez	Rosa	10258
Perez	Jannet	11828
Perez	Margarita	10852
Peri	Andy	2470
Peri	Deborah	10948
Perich	Eva	11985
Perillo	Nancy	6562
Perinchief	Jana	1525
Perkins	Linda	3154
Perkins	James	4835

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Perkins	Stephen	5681
Perkins	Carol	11419
Perkins	Lynn	13260
Perkins	Robert	11702
Perle	Emily	5238
Perlis	Ken	4871
Perlman	Melinda	8866
Perlman	Stephen M.	2676
Perlman	Janet	1662
Perlman	K.	4166
Perlman	Jason	5606
Pero	Alice	11289
Perona	Marilyn	11089
Perone	Will	14648
Perone	Daniela	14644
Perras	Kriss	6684
Perren	Wi	8064
Perricelli	Claire	2292
Perritt	Kelli	5788
Perrone	Michele	11382
Perry	Leslie	6836
Perry	Karen	7966
Perry	P	2587
Perry	Lisa	5159
Perry	James	3300
Perry	Stewart	5731
Perry	Sarah	5260
Perry	Theresa	6970
Perry	Susan	5220
Perry	Antoinette	11185
Perry	Philip	13144
Perry	Mary Elizabeth	14651
Perry	Jisho	9547
Perry	Caroline	13414
Perryman	J.	4715
Perry-Thistle	Floyd	1123
Persaud	Herman	11547
Persi	Eric	8451
Persico	Yuka	5712
Persky	Jerry	2155
Pesic	Jovana	14256
Pesti	Katalin	3781
Pesulima	Denise	14213
Peterburs	Pamela	8404
Petermann	Robert	2923
Peters	Jeremy	6440
Peters	Jamie	5565
Peters	Elaine	4933
Peters	Marta	9789
Peters	Freya	9557
Peters	Chris	16731
Peters	Susan	10996
Peters	Charlotte	10088
Petersen	Lara	2973
Petersen	Garrine	5797
Petersen	Wayne	3011
Petersen	Eileen	10226
Peterson	Ronald	1577
Peterson	Sally	5433
Peterson	Nancy	2182
Peterson	Michael	7997
Peterson	David	2426
Peterson	Dale	5274
Peterson	Roger	421
Peterson	John	7923
Peterson	Kimberly	8101
Peterson	Dave	3973
Peterson	John	3162
Peterson	Noelle	5629
Peterson	Tom	7189
Peterson	Stanley	1982
Peterson	John and Madeleine	8391
Peterson	Larry	4524
Peterson	David	8201
Peterson	Gary	4346
Peterson	Carol	9101

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Peterson	Scott	9490
Peterson	Glenn	11978
Peterson	E.	11544
Petkiewicz	Jim	8384
Petlin	Yaelisa	2773
Petrak	Teresa	2943
Petrakis	Chris	7748
Petray	Jennifer	1381
Petrich	Mary Ellen	4196
Petrilli	Elizabeth	5710
Petro	Mary Ann	13071
Petrulias	Linda	3914
Petry	Gabor	8699
Pettenger	Lee	6330
Petterson	Lindsay	904
Pettis	Carolyn	707
Pettit	Laura	4324
Pettit	Brian	6161
Pettlon	Archee	4841
Petty	Bobby	3695
Pewther	Beth	5313
Peyrucain	Nadine	7360
Pezzuto	Rena	12052
Pfaff	Alyssa	10643
Pfaucht	Gayle	8386
Pfeffer	Gordon	2467
Pfeiffer	Pat	6708
Pfingsten	Norah	4816
Pfran	Remy	8107
Pham	John	925
Pham	Jeannie	5685
Pham	Minh	11708
Pham	Tee	11514
Pham	Jeannie	16571
Phelan	Linda	7394
Phelps	Jeanette	5469
Phelps	Walter E.	1908
Phelps	Tami	9825
Phelps	Brittany	13345
Phelps	Mary	14710
Phi	Jimmy	1901
Phillips	Marilyn	3634
Phillips	Jack	8213
Phillips	Lorraine	453
Phillips	Jeff	1511
Phillips	Robert	5492
Phillips	Mary	8952
Phillips	Lydia	4658
Phillips	Vicki	3484
Phillips	Annie	3006
Phillips	Chip	8108
Phillips	Alan	6072
Phillips	Ellen	11455
Phillips	Regina	10257
Phillips	Heather	10253
Phillips	Randall	11684
Phillips	Betsy	11986
Phillips III	E. C.	10005
Phillipson	Anthony	13217
Philpot	Andy	10553
Phinney	Eric	3560
Photenhauer	Holly	4247
Photopoulos	Cathy	11411
Phung	Kristina	9218
Phung	Andrea	11974
Piccagli	Kathie	428
Picchi	Adrienne	4433
Pichel	Vanna	8644
Pick	Thomas	9398
Pick	Harold	4174
Pick	Colleen	12073
Pickard	Genevieve	3723
Pickens	Tom	3097
Picker	Seth	11788
Pickle	Delores R.	4226
Pielke	Jan	5004
Pierce	Valerie	4351
Pierre	Gabriela	11525

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Pierson	Cynthia	810
Pigg	Jay	16746
Piggott	Robert	11722
Pike	Jennifer	9324
Piller	Brigitte	12017
Pilon	Linda	7671
Pimentel	J.	10239
Pimsler	Sherry	10925
Pina	Tobias	760
Pincus	Arlene	649
Pincus	Arnold	11109
Pineau	Ricci	3645
Pineda	Jay	3828
Pineda	Rene	10801
Pingle	Ray	7588
Pinkerton	Andrea	8468
Pinkerton	Justin	7288
Pinkerton	Michael	2825
Pinkerton	Linda	9302
Pinkus	Robert	4037
Pinto	Suzanne	10066
Piotrowski	Michael	10455
Pipescu	Vlad	7095
Piquett	Lynn	1564
Pirazzi	Tina	522
Pirch	Charlotte	3379
Pircher	Phyllis	7970
Pirrello	Darlene	3801
Pirrone	Annette	9143
Pisani	Maureen	769
Pisani	Debbi	2904
Pisz	Ethan	11689
Pitcher	Jodi	11064
Pitchford	Jayne	8133
Pitesky	Sheldon	3445
Pitman	Tom	6381
Pittas	Susan	7425
Pivirotto	Kalicia	5904
Pizza	Diane	10810
Pizzo	J.	2046
Plain	Melanie	4015
Plaister	Deane	11864
Planding	Mary	5251
Plascencia	Annette	8299
Plassaras	Claudia	5301
Plastino	Joan	5983
Plastino	Joan	10950
Platt	John	11754
Platten	Kathleen	7459
Platter-Rieger	Mary	3223
Plaw	Steve	10032
Plaza	Minette	10767
Pleska	Anne	2817
Plocher	T.	1464
Plotkin	Miriam	7347
Plotner	Nick	9378
Plotnik	Jeffrey	10586
Plummer	Pam	9649
Pobjoy	Bruce	1025
Pocekay	Dennis	6323
Podell	Dan	6593
Poehlmann	Chris	7166
Poer	Nancy	14703
Poggi	Pietro	1622
Pogue	William	1969
Polcyn	Ian	11112
Polendey	Dean	13092
Polesky	Alice	2264
Polish	Bret	1658
Polito	Donnalynn	10250
Pollack	Alan	6222
Pollack	Alison	1056
Pollak	Jeannie	3859
Pollastrini	Pat	11033
Pollock	Jeri	4921
Polonsky	Brian	7113
Polsky	Diana	5199
Pomerantz	Brian	1713

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Pomies	Jackie	9268
Ponce de Leon	Myrna	3969
Ponce de Leon	Raquel	11875
Ponce de Leon	I. Ernest	10538
Poncia	Beverly	2448
Pond	Katharine	3194
Pond	Esther	13250
Pons	Kathy	9913
Ponter	Serena	4460
Pool	Joan	8951
Poole	Courtney	3765
Poole	John	4822
Poon	Christina	6887
Poor	Mary	7177
Popailo	Samuel	3657
Pope	Michele	1419
Pope	Robert	9029
Pope	Glenn	7706
Pope	Saundra	7028
Pope	Laural	727
Pope-Stutzman	Jennifer	11432
Poppe	D.	4855
Poppitt	David	11459
Porciello	Eleanor	4974
Porter	Joan	6607
Porter	Cheri	3102
Porter	Joelle	1510
Porter	Rob	7508
Porter	Gladys	4966
Porter	Heidi	4636
Porter	Susan	941
Porter	Jon	8523
Porter	Aviva	10805
Porter III	Alexander	1091
Porter-Steele	Nancy	1394
Poseley	Kathy	5819
Posey	William	11239
Posk	Emily	981
Posner	Jessica Jean	3423
Potenzo	Leslie	1133
Potter	Penny	5491
Potter	Cheryl	3963
Potter	Bryce	14607
Potter	Sharon	9671
Potts	Lisa	9681
Poulios	Stephen	5234
Pound	Allison	4199
Pound	Robert	1092
Pousman	Robert	14646
Pouv	Savath	2865
Povah	Amy	8249
Povill	Jonathan	2818
Powell	Kim	2957
Powell	Andrea	7795
Powell	Donna	4833
Powell	Kathleen	9245
Powell	Jeffrey	13363
Powell	Jennifer	10002
Powell	Glenna	10590
Powell	Penelope	10696
Powers	Suzan Michele	7088
Powers	Jeri	976
Powers	Bev-Sue	2903
Powers	Rachel	16716
Prada	Francesca	1060
Prada	Luis	4263
Prael	Felix	13156
Praetzel	Eugenia	4535
Praetzel	Anne	2880
Prager	Carol Lynn	8172
Prather	Carl	4549
Pratl	Raymond	9295
Pratt	Jack	8032
Pratt	Katie	6795
Prawer	Debbie Ralton	4810
Pray	Dareth	5747
Pregerson	Suzanne	6854

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Preston	Lynne	778
Preston	Jo Dee	11295
Preton	Cynthia	13184
Pretzer	Jonty	6362
Prey	Elisabeth	10470
Prial	James	6721
Price	Jim	1703
Price	Chelsea	6176
Price	Raymond	8503
Price	Bonnie	596
Price	Tyler	6384
Price	Ron	10453
Price	Emily	14166
Price	Natalie	14198
Price	Michael and Madeline	11311
Priceman	Lorraine	11179
Prince	Noelle	8151
Prince	Laura	13303
Pringle	Michiko	9628
Pringsheim-Moore	Erika	7549
Prins	C.	6008
Priskich	Fiona	14142
Pritchard	Roger	6529
Pritchett	Mary	4231
Prochazka	Penelope	10943
Prochovnick	Ora	6666
Proctor	Michael	9489
Proia	Tina	544
Prokushkin	Sergey	10662
Pronio	Micaela	10270
Proudfoot	Gail	2399
Provasoli	Ariel	4950
Prudeaux	Mario	9707
Pruegel	Stefanie	7323
Pruitt	Lisa	3921
Pryor	Jeanne	9391
Pryor	Lois	9878
Pryputniewicz	Stephen	4224
Psinakis	Mike	4103
Psyllos	Eleni	3237
Ptucha	Gregory	9110
Puaoi	Richard	9318
Puccetti	Lisa	14612
Puddy	Michelle	7103
Puentes	Felena	2077
Pugliese	Kristin	555
Puig	Brianda	12068
Pula	Monica	10362
Pulido	Noe	3827
Pulleva	Emma	10964
Pulliam	Vivian	5487
Punch	Evelyn	2563
Puntch	Ann	4339
Purcell	Gloria and Jim	6910
Purcey	Russell	2266
Purdum	Bruce	6516
Purdy	Blake	7013
Purpuri	Philip	8491
Purviance	Paula	6835
Pusey	John	8110
Puterbaugh	Patricia	10481
Pyle	Melinda	13117
Q.	Shoshona C.	1377
Quail	Karen	11403
Quarrick	Robert	2107
Quaschnick	Jim	13088
Quashnick	Jennifer	8422
Quattrochi	Lisa	11651
Queen	Sara	13329
Quek	Swee	4019
Quenelle	Leah	2143
Quevedo	Edith	10092
Quigley	Mark	10127
Quilici	Mike	2329
Quimby	Mary	6963

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Quinn	Clark	5230
Quinn	Terry	5593
Quinn	Raphaella	8428
Quinn	Aaron	1183
Quinn	Patricia	7983
Quinn	Elizabeth	401
Quinn	Elizabeth	9695
Quinn	John	12058
Quinones	Susan	11266
Quintana	Camila	11917
Quintanar	Rosalinda	1692
Quon	Karen	2023
Quon	Marjorie	10087
r	m	405
R.	Katy	1543
R.	Brittany	4336
R.	K.	1951
R.	Bill	6353
R.	Carly	11781
R.	Craig	9553
R.	Rhonda	11863
R.	Bill	9714
Raatz	Kristine	4236
Rabaut	Charles	3232
Rabe	Erika	7044
Race	Bob	558
Rachmuth	Marc	10181
Rackley	Jamie	11936
Radcliff	Ruth-Ann	6428
Radcliff	Carolin	2802
Radford	Lena	5419
Radtke	Jessica	11229
Radzins	Ruta	1709
Rae	Brad	4664
Raffals	Rich	4143
Raffel	Corey	3692
Raffetto	Carey	1646
Raffetto	Christine	5384
Rafkin	Rhoda	3275
Raganato	Alessandro	10363
Rago	Francesca	3489
Ragsdale	Billy	9737
Raible	Annette	4948
Raikes	Antonia	9818
Rainie	James	1461
Rains	Gail	13347
Rajan	Gayatri	6866
Rajan	Narayan	6824
Rakunas	Adam	16705
Ralph	Bill	3553
Ralph	Cecil	7693
Ralston	Charles	7812
Ralston	Ashley	6397
Ralston	Jeannette	10249
Ramanis	Arvis	14322
Ramdhani	Lee	11217
Ramer	Andrew	8413
Rametta	Patricia	734
Ramirez	Ellen	4550
Ramirez	Jesus	3641
Ramirez	Cecilia	737
Ramirez	Dorina	8301
Ramirez	Jessica	1750
Ramirez	Alexander	13435
Ramirez	Armand	10025
Ramirez	Marissa	14628
Ramirez	Armando	13155
Ramirez	Jean	11885
Ramos	Paul	2152
Ramos	Franchesca	5360
Ramos	Joseph	7003
Ramsay	Ingrid	1430
Ramsay	Colin	11375
Ramsey	Walter	1053
Ramstrom	Shirley	1983
Ramstrom	Eric	3074
Randall	Joan	8862
Randall	Phillip	9053

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Randall	Josephine	300010
Randall	Nicole	13253
Randle	Carol	13275
Randolph	Sheri	10290
Randolph	Dee	9790
Rangel	Louise	8069
Rangel	Adrianna	5493
Rankin	Sara	4913
Rankin	Emily	6904
Ranz	Lauren	1327
Rao	Pradeep	4218
Raphael	Joan	8057
Raphael	Magi	8320
Rapp	Douglas	3208
Rasco	James	14662
Rash	Leslie	1199
Rash	Leslie	13442
Rashall	Keith	8969
Rashall	Rosa	7572
Raskin	Dorri	2261
Rasmussen	Leland	9228
Rasmussen	William	3246
Rasmussen	Rashelle	7767
Rasmussen	Laura	9815
Rasmusson	Jonathan	3541
Rassler	J.	6492
Rathgeber	Carole	11955
Rathkey	Cynthia	5452
Ratkovsky	Greg	8340
Rattner	Ron	5988
Raughley	Cilla	1084
Rauh	Colene	14696
Rauschenberg	Dan	7908
Rausis	Maria	11251
Rautine	Susan	2634
Raven	Robert	5657
Raven	Zoe	10766
Ravizza	Norman	11802
Rawlings	Dorelle	1892
Rawlins	Wes	2293
Ray	Carol	1855
Ray	Carol	571
Ray	Jonathon	4040
Ray	Cathie	13161
Ray	Susan	14286
Ray	Gary	10620
Ray	Thomas	10324
Ray	Jo	10598
Raybold	Arthur	3318
Raye	Joyce	10162
Raymond	Wendy	7266
Raymond	Beckman	2177
Raymondo	Chris	3812
Razzano	Ani	2349
Razzano	Larry	10389
Rea	Paul	6916
Reade	Lorraine	684
Reader	Stephanie	11096
Real	Asia	3186
Ream	Debbra	14627
Rearden	Chance	10305
Reardon	Brian	1729
Reardon	Catherine	14658
Reback	Mark	1958
Rebello	Stephen	6096
Rebischung	Cheryl	3658
Rebman	Diana	6456
Rebow	Verona	11543
Record	Nancy	14301
Redd	Amani	5448
Redding	Laura	3276
Reddish	Luz	7518
Reddy	Sunil	6908
Redig	Edward	13312
Rediger	Ronald	10142
Redman	Linda	8139
Redwing	Liz	1724
Reed	Angel	5386

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Reed	Rodger	7344
Reed	Christie	5612
Reed	Mary	2909
Reed	Barbara	7648
Reed	Robert	4242
Reed	Brian	6461
Reed	Michele	2413
Reed	Victoria	3651
Reed	G.	13225
Reed	Roberta	10136
Reedy	Kelsey	10968
Reel	Joseph	2078
Rees	Janine	1172
Reese	Drew	3589
Reese	Charlotte	4632
Reese	Kathy	3229
Reeves	Carolyn	7852
Reeves	Diane	1710
Reeves	Pamela	3483
Regalado	Geoff	3637
Regan	Catherine	8018
Regan	Marilyn	11669
Rego	James	8655
Rego	Jon	11536
Reich	Andrew	4159
Reichel	Linda	670
Reid	Steven	1130
Reid	Jena	3443
Reid	Eliza	5768
Reid	Steven	4356
Reid	John	7607
Reid	Karen	9186
Reid	Matthew	6229
Reid	William	5946
Reid	Calder	11380
Reider	Mike	4532
Reilley	Dave	4137
Reilly	William	5460
Reina	Judy	7627
Reinders	Sophia	10614
Reinhart	Robin	5571
Reiser	Violetta	5268
Reisman	Emil	6560
Reiter	Doris	4011
Reiter	Gayla	3166
Rejos	Montserrat	11018
Rembe	Mark	603
Rembold	L.	4882
Remstein	Bob	8044
Renda	Jadziea	10506
Rennacker	Ann	8778
Renton	Edie	2309
Rentzel	Jodi	13336
Reola	Matthew	6019
Reporter	Roshan	2807
Repreza	Jonathan	9483
Respicio	Maria Linda	9794
Retherford	Ethan	5790
Reuscher	F. Carlene	813
Reutenauer	Lisa	4454
Reuter	Susan	11370
Reutershan	Gail	4172
Revilla	Laura	2938
Reyes	Juan	3026
Reyes	Christian	3357
Reyes	Hector	4467
Reyes	Enedina	4345
Reymond	Bridget	3623
Reynolds	Diane	5526
Reynolds	Heather	8511
Reynolds	Dale	570
Reynolds	Jim	8823
Reynolds	Yolanda	3767
Reynolds	Jane	4647
Reynolds	Patricia	4869
Reynolds	Robert	3377
Reynolds	Kevin	6966
Reynolds	Lloyd	2631

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Reynolds	Eleanor	5201
Reynolds	Kenny	13281
Reynolds	Yuki	12022
Reynolds	Andrea	10694
Reynoso	Samuel	6663
Reynoso	Andy	4654
Rhazi	Carolyn	3426
Rhein	Robert	4047
Rhine	Wallace	517
Rhoades	David L.	3952
Rhoades	Joseph	9751
Rhoads	Paul	840
Rhoda	Patricia	7269
Rhodes	Richard	8312
Rhodes	Janet	10224
Riber	Genevieve	6149
Riblett	Mary	1472
Ribustello	Diane	10137
Ricci	Mark	2362
Ricciardi	Dawnelle	7307
Riccitelli	Carl	3071
Rice	Karen	4648
Rice	Megan	623
Rice	Sheridan	5973
Rice	Chris	11328
Rice	Colette	14707
Rich	Grant	4026
Rich	Erin	7209
Rich	Christine	5651
Richaard, Jr	Charles	11663
Richard	Pamela	2439
Richard	Kimberly	11657
Richards	Gwen	8977
Richards	Steven	4673
Richards	Kim	1356
Richards	Sally and Frank	11898
Richardson	William	5068
Richardson	Charles	10327
Richardson	Travis	11937
Richcreek	Ge	6611
Richert	Adele	11481
Richfield	Helen	10407
Richman	Heather	9015
Richman	Bruce	10061
Richmond	Carole	7691
Richmond	John and Susan	6091
Richmond	Lonna	7008
Richter	Mark	1686
Richter	Shirley	869
Ricketts	Dexter	10120
Ricks	Tom	2024
Ridder	Lynette	1740
Ridder	Catherine	10460
Ridder	Catherine	10770
Ridenour	Linda	4867
Rider	Heather	7004
Rider	Corrina	9879
Ridge	Russell and Margaret	678
Ridgway	Nelson	7616
Ridgway	Christine	11623
Ridgway	Christine	13288
Ridley	Andrew	4777
Ried	Georgina	10155
Riedemann	Lucia	4655
Riehart	Dale	7855
Riehl	Jean	9924
Ries	Julie	1769
Riesenberg	Pille	14688
Rietzel	Marilyn	5205
Rigau	Felix	5929
Riggle	Alexandra	6150
Rigrod	Carol	2212
Rigrod	Andrew	1209
Riklin	Andrea	3173
Riley	Callie	461

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Riley	Laura	464
Riley	Charles	4115
Riley	Helen	13215
Rimes	Jen	13196
Rimkeit	Sandra	815
Rinaldi	Zorine	10235
Rinaldo	Lisa	10859
Rincon	D.	1277
Rinehart	Paul	5167
Rinehart	Joyce	13229
Rios	Esther	8483
Ripley	Paul	1318
Rippey	Kathleen	7207
Ripple	Joan	8679
Rise	Shankari	9672
Risley	Coel	3405
Ristagno	Suzanne	4202
Ristig	Michael	5393
Ritchey	Robert	9347
Ritchie	Shann and Dennis	6077
Ritchie	Colin	11404
Ritola	Donna	1442
Ritter	Elisabeth	7831
Ritter	Rebecca	10349
Ritter	Melissa	12134
Ritts	Judy	1479
Ritts	Cierna	6756
Ritzau	Kristin	10509
Ritzau	Nathan	10457
Ritzo	Sandy	8153
Riva	Paul	8023
Rivas	Mario	6919
Rivas	Dorian	8902
Rivas	Rosemary	2546
Rivas	Rick	14330
River	Iva	8316
Rivera	Joe	7935
Rivera	Amy	1487
Rivera	Joe	2005
Rivera	Ron	11334
Roach	Judith	11993
Robarts	Barbara	11546
Robb	Dave	4743
Robbins	Norrie	2290
Robbins	Sierra	3314
Robbins	Evalyn	10037
Robello	Gina	5670
Robello	Kimberly	13290
Roberto	Robert	10928
Roberts	Francis	2855
Roberts	Wendy	3737
Roberts	Gail	667
Roberts	Julie	6702
Roberts	Richard	4371
Roberts	Suzanne	5272
Roberts	Les	10677
Roberts	Jacquelyn	16708
Roberts	Sophia	10108
Roberts	Happ E.	14216
Roberts	Tom	9921
Robertson	Tammy	480
Robertson	Diana	9267
Robertson	Helene	954
Robertson	Carol	10923
Robertson	Brian	9796
Robey	Eddy	7827
Robey	Steve	4634
Robichaud	Julie	13227
Robie	Stephen	9301
Robie	Jessica	10031
Robin	Lois	4219
Robin	Georgette	8683
Robin	Etta	7927
Robin	Andrew	8748
Robins	Lori	474
Robins	Rick	11126
Robinson	Lisa	2333

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Robinson	Amy	8928
Robinson	Beah	2425
Robinson	Lou	6172
Robinson	Helene	1883
Robinson	Kelley	9067
Robinson	Clifford	6833
Robinson	Paul	875
Robinson	Darrell	6911
Robinson	Tracey	5170
Robinson	Eileen	4275
Robinson	Gwen	4670
Robinson	Amanda	800
Robinson	Marybeth	5319
Robinson	Marybeth	5367
Robinson	Jill	4521
Robinson	Anne	2840
Robinson	Lee	7482
Robinson	Kathy	674
Robinson	Elizabeth	3759
Robinson	Melody	1584
Robinson	Richard	3257
Robinson	Dorothy	4464
Robinson	Lee	8427
Robinson	Megan	4573
Robinson	Caroline	2970
Robinson	Lawrence	8147
Robinson	Rodney	10919
Robinsong	Freja	11203
Robison	Alexis	6535
Robison	Natalie	13330
Robledo Family	Joy and Gil	10959
Robles	Sidney	2507
Robyn	Elisabeth	14148
Rocca	Rhonda	13103
Rocco	Priscilla	9734
Rocha	Silvia	9404
Rocha	Candace	1475
Roche	Maureen	9358
Roche	David	4373
Rocheleau	Philip	8358
Rocheleau	Lori	13421
Rochester	Anna	6169
Rochon	Bonnie	13266
Rochon	Bonnie	13368
Rocke	Janice	9895
Rockey	Phillip	3441
Rockwell	Susan	3101
Rockwell	Erika	11807
Rodarte	MaryKay	7437
Rodas	Mario	6999
Roddy	Patricia	4472
Rodgers	Ron	2132
Rodgers	Christy	2128
Rodin	Mar	6137
Rodin	Nick	2116
Rodrigues	Sharon	739
Rodriguez	Daniel	7499
Rodriguez	Lauren	8496
Rodriguez	Donna	2406
Rodriguez	Cynthia	9763
Rodriguez	Gilbert	11526
Rodriguez	Sarah	12027
Rodriguez	Wilfredo	10309
Rodriguez	Angelica	11249
Rodriquez	Maria	2365
Roe	Tahirah	8668
Roe	R. Richard	873
Roe	Christina	5096
Roeland	Brittny	10649
Roescher	Steve	1276
Roessner-Herman	Michaela	8315
Rogers	Travis	8182
Rogers	James	5055
Rogers	Marc	8743
Rogers	Kenneth	3927
Rogers	Kathleen	9170
Rogers	Patricia	8935

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Rogers	Margaret	2130
Rogers	Pamela	5126
Rogers	Helen	5645
Rogers	Paul and Judith	7689
Rogers	Lianne	9292
Rogers	William	14614
Rogers	Rita	10944
Rogie	Barbara	1865
Rohde	Michael	3587
Rohm	Emily	13341
Rohr	Philip	4362
Rohrbach	Kenneth	2530
Rohrer	Barb	7670
Rojany	Lauren	4283
Rojas	Raul	7130
Rojas	Carlos	5266
Rojas	Cristal	11967
Rojas	Maria	10042
Rojero	Karen	9590
Rojero-Wilson	Iliana	9991
Rojeski	Mary	1873
Rokab	Sylvie	1005
Rokas	Elena	4110
Roland	Raymie	1981
Rolbeck	Mike	5948
Rolstone	Darrell	9719
Romaine	Ayn	8154
Roman	Nora	3089
Roman	Justin	7350
Roman	Mercedes	5062
Roman	Evan	11066
Romanowski	Scott	9811
Romans	Rebecca	3084
Romen	Merrilyn	10191
Romer	Cynthia	8293
Romero	Vicente	8021
Romero	Valerie	4158
Romero	Elio	3716
Romero	Mirthia	4430
Romines	Judy	3976
Romo	Roberto	3215
Ronco	Garry	1625
Rondanini	Rob	1269
Rone	Caroline	9163
Roney	Teri	572
Ronkko	Mikko	6907
Roo	Reeta	4117
Rood	Priscilla	2314
Rood	Doyle	5691
Rooney	Diane	1342
Roos	Sandy	3210
Root	Barbara	13230
Root	Charlene	13136
Ropp	Lorie	4392
Rosa	Julee	4779
Rosas	Brittany	444
Roschke	Leah	8397
Rosdail	Ryan	2956
Rose	Adam	2237
Rose	Eddie	4055
Rose	Mary	767
Rose	Dan	3740
Rose	Rachel	1677
Rose	John	1924
Rose	lisette	4133
Rose	Sharon	1880
Rose	Donna	10792
Rose	Jena	11880
Roseen	Irene	10824
Rosen	Susan	3081
Rosen	Natalie	2414
Rosen	Z.	11860
Rosen	Bryan	11671
Rosenberg	Robert	3787
Rosenberg	Larry	5531
Rosenberg	Eric	7711
Rosenberg	June	8601

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Rosenberg	Jonathan	7928
Rosenberg	Amanda	10326
Rosenblitt	David	10391
Rosenblood	Jamie	8337
Rosenblum	Stephen	2528
Rosenbrock	Sara	8532
Rosenbush	Emma	6278
Rosenfeld	Wendy	4330
Rosenstein	Richard and Carolyn	8798
Rosenstein	David	9598
Rosenstrauch	Neal	13082
Rosenthal	Eileen	7985
Rosenthal	Stephen	7336
Rosenthal	Rob	6037
Rosenthal	Jonathan	6326
Rosenthal	Stella	13083
Rosewater	Gwen	8706
Rosewood	Lois	4477
Rosing	Veronica	9039
Rosman	Karin	16714
Ross	M	8892
Ross	Ad	633
Ross	Jeannie	8905
Ross	Andrea	4682
Ross	Darlene	6107
Ross	Glenn	1888
Ross	Steve	1867
Ross	Starlene	5630
Ross	Sara	9314
Ross	Melody	4012
Ross	David	11731
Rosse	Janice	5270
Rosselle	Beth	5379
Rosser	Jerry	8123
Rosser	Grif	5873
Rosser	Gwen	5288
Rossi	Beverly	6905
Rossi	Thomas	13428
Rossman	Nancy	1915
Rotcher	Michael	1995
Rotermund	Kristy	13448
Roth	Steve	3750
Rothafel	Dort	9017
Rothchild	Eric	4545
Rothe	Peter	6476
Rothkrug	Barbara	9235
Rothman	William	929
Rothman	Sandy	5164
Rothrock	Michael	666
Rothschild	Blake	11791
Rothspan	Max	9377
Rothstein	Francoise	2387
Rotter	Elizabeth	6276
Roufchaie	Saba	4929
Rouse	Barbara	9207
Rouse	Susan	4491
Rouse	Victoria	13302
Routh	May	849
Routledge	Judith	3730
Rowe	Susan	8546
Rowe	Leslie	8717
Rowe	Irene	6613
Rowe	Margaret	5949
Rowe	Paula	11077
Rowe	Jodi	12043
Rowe	D.	10486
Rowell	John	10314
Rowe-Shields	Michele	6413
Rowe-Shields	Michele	2562
Rowland	Gary	8509
Rowland	Carol	7742
Rowley	Guadalupe	7672
Roy	Joyce	7775
Royer	Allen	6468
Royer	George	3036
Rozek	Angelika	10970
Rozek	Johannes	11972

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Rozelle	Allen	6796
Rozen	Barbara	10465
Rubacky	M. L.	12042
Rubalcava	Angelic	575
Rubalcava	Richard	11188
Rubel	Scott	8336
Rubenson	Joan	10201
Rubin	Linda	6210
Rubin	Jonathan	1491
Rubin	J.	6322
Rubin	Melissa	11280
Rubio	Karen	8710
Ruble	Lois	4290
Ruby	Dennis	9346
Rucker	T.	1570
Rudholm	Tom	7533
Rudik	Maya	6168
Rudish	Leana	4685
Rudisill	Carol	4243
Rudman	Norman	1189
Rudnicki	Susan	3600
Rudolph	Beverly	4042
Rudzinski	Stephen	9279
Ruegg	Christoph	5137
Ruff	Paul	3227
Ruff	Bryan	443
Ruffer	Dennis	1635
Ruge	Mox	563
Ruge	Rodger	13351
Ruiter	Rikje Maria	8781
Ruiz	Sylvia	7355
Rumbaoa	Kristen	11958
Rumbold	Jeremy	5016
Rundle	Michele	10059
Runion	Paul	3000
Rusert	Frieda	1473
Rush	Brian	6742
Rush	Robert	7069
Rush	Claude	2095
Russell	Sandra	2889
Russell	John	4064
Russell	Dana	6011
Russell	Patrick	5165
Russell	Toni	718
Russell	Michael	8622
Russie	Greg	8911
Russo	Natalie	7119
Russo	Cathy	1910
Russo	Barbara	3022
Rustigan	Mike	928
Rutenbeck	Linda	3472
Ruth	Lucymarie	3999
Ruth	Grace	3289
Ruth	Jayson	2479
Rutherdale	Jay	1669
Rutherford	Susan	7723
Rutkowski	Chris	2491
Rutter	Tanya	8597
Ruzicka	David	4426
Ryack	Rita	4828
Ryan	Craig	368
Ryan	Juanita	8779
Ryan	Michael	3520
Ryan	Deirdre	6599
Ryan	Shawn	9098
Ryan	Ana	7610
Ryan	Therese	7428
Ryan	Anne	4661
Ryan	Brigid	1575
Ryan	Kenneth	5265
Ryan	Susan	3213
Ryan	Michael	964
Ryan	Rebecca	11776
Ryan	Steve	11318
Ryan	John	9648
Ryan	Jo Ellen	7474
Ryba	Dominique	3176
Rychtecky	Linda	1736

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Ryder	Sheridan	6120
Rye	Faye	7267
Rygiel	Rose	5039
Rykowski	Katherine	13097
Ryland	Gail	11749
S.	John	564
S.	Stacy	3782
S.	C.	1164
S.	J.	9105
S.	Stephanie	5094
S.	Sharon	1953
S.	K.	3408
S.	Rofek	717
S.	Ravi	1689
S.	Sharon	2442
Saadia	Daniel	5539
Saame	Jaak	4198
Sabatini	Kathy	1909
Sabellico	Theresa	10091
Sabet	Laila	4593
Sablan	Arman	3539
Saccone	Joseph	3766
Sachs	Nikki	2502
Sachter	Judy	530
Sacks	Sharan	11178
Sadafi	Sima	11894
Sadeghi	Venus	7033
Sadja	Lynn	9099
Sadler	Darla	2474
Sadler	Roger	7570
Saez	Denisa	7168
Saffier	Sharman	8913
Sagara	lee	3957
Sagatelian	Nancy	10572
Sage	Sandy	6668
Sager	Jonathan	5840
Sager	Brian	10594
Sahhar	D.	8711
Saidy, Jr.	Nelson	3702
Sailors	Ron	1206
Saint-Marie	Mary	8563
Sais	Lily	10685
Saito	Thomas	8616
Saito	Don	807
Sal	Kat	9574
Salama	Moktar	9275
Salas	Jan	582
Salazar	Alicia	1895
Salazar	Joe	1522
Salazar	Mila	5273
Salazar	Isaac	5588
Salazar	Francisca	9540
Salcido	Maribel	3946
Saldana	Carla	14635
Saldivar-Latasa	Merrie	10843
Salerno	Suzanne	1188
Salerno	Mary	1066
Salerno	Lou	7441
Salgado	Mario	4626
Salinas	Katherine	3055
Salinas	Robert	10575
Salisbury	Paulette	2552
Salisbury	Roidina	6126
Salkin	Judith	10286
Sall	Gloria	10446
Sallberg	Penelope	8049
Sallee	Coco	13185
Salmon	Joy	11545
Salmon	Jean	11454
Salo	Lois	5466
Salof	Tanya	5724
Salomon	Stanley	13453
Salonia	Frank	4498
Salstrom	Julia	3712
Saltzman	Barry	5149
Salvas	Kathleen	9851
Salvatore	Shelley	4865
Salvo	Evelyn	13160

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Salyer	Warren	1936
Salyers	Helen	9239
Samatar	Sofia	14290
Sammel	Chelsea	7294
Sampson	Jonathan	10340
Samson	Douglas	1978
Samuel	Ingrid	13325
Samuels	Michele	115
Samuels	Scott	9952
San Jose	Sean	8329
Sanabria	Salma	7993
Sanborn	Marilyn	3332
Sanborn	Alan	1046
Sanborn	Heidi	9929
Sanchez	Maria	8204
Sanchez	Sergio	7237
Sanchez	Sergio	1296
Sanchez	Juanita	6932
Sanchez	Miriam	7112
Sanchez	Yvette	11883
Sanchez	Emily	14334
Sanchez	Alexa	11949
Sanchez	Dalila	14190
Sanchez	Martine	10761
Sand	Merrie	4523
Sandberg	Marcia	10440
Sandel	Petrea	6865
Sander	Edward	5546
Sander	Angela	13264
Sanders	Mark	6218
Sanders	Mary	6118
Sanders	Ralph	4314
Sanders	Bev	3013
Sanders	Jeannie	4329
Sanderson	Lou	5038
Sandler	Blair	5088
Sando	Edith	7884
Sandoval	Gustavo	6216
Sandoval	Kelly	4134
Sandoval	Lily	9090
Sandoval	Dore	10926
Sandrone	Rose	14259
Saner	Jackie	7839
Sanfilippo	Val	3891
Sanford	Julia	2543
Sanford	Rita	4798
Sangster	Carol	4766
Sanguinetti	Karen	1182
Sankey	David	3043
Sankovich	Deborah	7646
Sann	Falen	10669
Sannella	Frank W.	1516
Sanocki	Susan	6710
Sanoff	Jill	2106
Sanoff	Elizabeth	9561
Sansone	V. R.	2079
Sant	Tammy	3362
Santana	Consuelo	516
Santana	Kathryn	4405
Santangelo	Stephen	5475
Santi	Tara	13231
Santiago-Chanette	Giselle	5560
Santino	Nico	2892
Santizo	Julio	8287
Santopietro	Michael	3661
Santopietro	B. Angela	7609
Santori	Laura	13308
Santoro	Michele	2913
Santos	D. Kendall	4334
Santos	Christine	646
Santos-Oyama	Rita	5810
Santschi	William	4383
Santucci	Walter	7967
Santucci	Walter	1323
Sao	Nary	3753
Saporta	Carson	10559
Saquib	Farah	6985

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Sarabia	Michael	8680
Sarabia	Jose Luis	4249
Sarakki	Latha	3519
Sarasvati	Unmani	1682
Sare	Dawn	10804
Saretsky	Arlene	3504
Sargent	Deborah	3773
Sarka	Jeanette	13135
Sarmiento	J. C.	4539
Sarne	Sabrina	1061
Sarraille	Marijeanne	930
Saslow	Rondi	4112
Sato	Nancy	1544
Saucedo	Jim	5429
Saucedo	Angelina	10651
Saucer	Charles	9473
Sauer	Gretchen	3512
Saul	Gale	11395
Saumur	Melissa	6316
Saunders	Alice	6541
Saunders	Laura	378
Saunders	Chad	5648
Saunders	Jennifer	7685
Saunders	fred	11759
Savage	Patricia	946
Savage	Nicole	5854
Savage-Wright	Kathleen	6390
Savant	Joseph	5556
Savich	Sophia	1357
Savinelli	Nancy	5971
Savka	Dinmani	13081
Savoia	Jo-Ann	481
Sawaya	Carol	5522
Sawyers	Carol	9827
Sax	Pat	3748
Saxena	Sandeep	7841
Saxty	Jillian	1094
Sayre	Debora	7205
Sayre	Fred	1413
Sblendorio	Barbara	5279
Scaff	Beverly	10401
Scanlin	Jason	9150
Scanlon	Matt	7306
Scarbrough	Julianne	650
Scarpa	Patti	1831
Scarr	Carolyn	1528
Scatena	Carol	3965
Schaaf	Paul	3168
Schabram	Kira	5697
Schachter	Sandra	8840
Schader	Kevin	497
Schadt	Valerie	895
Schadt	Billie	7991
Schaefer	Gary	2812
Schaefer	Dale	5861
Schaeffer	Katie	1185
Schaeffer	Nadine	10568
Schaffell	Jenny	4251
Schaffer	Charles	6290
Schaffer	Edie	6506
Schaletzky	Julia	1349
Schally	Raina	2192
Scharf	David	3474
Schary	Joy	2845
Schaser	Kay	4959
Schaser	Wilhelm	13344
Schatz	Spencer	6348
Schatz	Eileen	10544
Schauf	Christy	1760
Schear	Roberta	5440
Schecter	Mark	1616
Scheda	Rose	5640
Schedler	Ginger	5085
Schehl	Ed	648
Scheibler	Mindy	14293
Scheifler	Donna	2912
Scheirer	Peter	4637
Schenck	Alan	10513

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Schenk	Kathie	6321
Schepps	Roberta	2092
Scherba	George	5114
Scherzer	Teresa	1331
Scheuerman	Roslyn	8909
Schiafone	Cheryl	9278
Schiafone	Cherie	6334
Schick	Peter	8953
Schieding	Ann	3749
Schiffman	Lauren	9843
Schilder	Mary	9248
Schildhaus	Arnold	10808
Schillinger	Jonathan	7281
Schimmel	Nancy	3386
Schinkel	Joan	2150
Schiros	Rebecca	2275
Schlachter	Scott	7333
Schlegel-Perry	Lynde	4852
Schlenker	Patricia	10152
Schlesinger	Susie	4562
Schlichter	Heather	3831
Schlicker	William-Robert	7965
Schlinger	Henry	2146
Schloetel	Carl	8617
Schmid	Linda	6581
Schmidt	Robert	6660
Schmidt	Ron	7890
Schmidt	Diana	4915
Schmidt	Teresa	8529
Schmidt	Marlene	11078
Schmidt	Noel	12034
Schmidt	Tamara	10056
Schmidt	Amanda	13382
schmidtke	Suzanne	5093
Schminke	Molly	11778
Schmitt	Erica	5650
Schmitz	Kevin	12046
Schnabel	Erik	629
Schneider	Richard	2041
Schneider	Noel	7870
Schneider	Rosalie	3233
Schneider	Adam	9018
schneider	Stefanie	4276
Schneider	Dror	7747
Schneider	AnnMarie	14308
Schneider	David	14598
Schneider	George	11475
Schneider	Sandra	9831
Schoene	William	13151
Schofield	Jackie	3718
Scholl	Lisette	4233
Scholz	Ernest J.	13311
Schonberger	David	1111
Schoner	Kurk	10675
Schonfeld	D.	2472
Schooley	Mary	4104
Schoolman	Alice	11479
Schoorl	Sara	2063
Schor	Joanna	13277
Schrader	Melanie	7300
Schramm	Beatrix	6025
Schreiber	Linda	9201
Schreiber	Lisa	9011
Schreier	Bryna	12071
Schremp	Earle	7070
Schroeder	Mark	6842
Schroeder	Jon	7976
Schroeder	Lyndsey	7135
Schroeder	Jade	13350
Schroer	Richard	10492
Schubert	Jan	2117
Schubert	Kristina	5589
Schulenberg	Bob	4474
Schuler	Jeanette	6846
Schulman	Matthew	5083
Schultz	Lindon	5101
Schultz	Marston	821

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Schultz	Robert	8484
Schultz	Judith	4891
Schultz	Jef	8692
Schulz	Cynthia	1796
Schulze	Mary	8578
Schumacher	Justin and Kate	118
Schumacher	Brandy	465
Schumaker	Karl	456
Schumaker	Bonny	1059
Schumann	Curtis	5772
Schumann	Jeff	10003
Schupp	Norma	6173
Schwaller	Greg and Laurie	1317
Schwartz	Barry	3025
Schwartz	James	7170
Schwartz	Florence	8310
Schwartz	Martha	7931
Schwartz	Don	5779
Schwartz	Zoe	7714
Schwartz	Stephen	7204
Schwartz	Brian	1440
Schwartz	Alan	9141
Schwartz	Randy	2616
Schwartz	Jake	2927
Schwartz	Tom	10830
Schwartzman	Liya	8011
Schwarz	Elisa	4727
Schwarzenberg	Faioa	402
Schweitzer	Ron	975
Schwentker	Rob	657
Schwentker	James	566
Schwimmer	Dena	1480
Scibetta	Kimberly	3182
Sciurba	Laura	4530
Sclafani	Sherry	8531
Sclar	Deanna	9240
Scofield	Boyd	5488
Scott	Thomas	2461
Scott	Carlee	8217
Scott	Sidney Ramsden	5554
Scott	Lily	2340
Scott	Jerri-Beth	696
Scott	Catherine	5607
Scott	Will	492
Scott	Marilyn	9260
Scott	Lana	5327
Scott	Shane	5798
Scott	Carole	3370
Scott	Lynndi	7023
Scott	Hayley	598
Scott	Lorna	1119
Scott	Heather Hampton	7982
Scott	Walter	1708
Scott	Lisa	2147
Scott	Pamela	906
Scott	Laurel	11874
Scott	Karen	9809
Scott	Johanna	9853
Scott	Robert	11701
Scott	Pippa	11009
Scott	Celia	16748
Scotti	O. Bisogno	8045
Scremin	Tristan	4801
Scroggins	Nancy	3337
Scully	Pam	9972
Scurlock	Jami	2032
Seal	Kathy	7295
Seaman	Gerda	4955
Seargeant	Charles E.	12069
Searing	Robert	6439
Searles-Wilson	Wendy R.	14625
Seaton	Chris	924
Seay	Stephanie	12050
Seeley	Marsha	3532
Seeley	Kathleen	12012

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Seely	Brendan	5975
Sefton	John	4179
Sefton	Gloria	2422
Segal	Ellen	588
Segal	Charris	9296
Segal	Ellen	10753
Segelstad	Harold	3506
Segnitz	Lisa	3460
Sehroy	Carl	10195
Seiberlich	Steven	5315
Seidenberg	Ariella	13255
Seidler	Betty	2987
Seifert	David	1730
Seiji	Lorraine	2153
Seil	Fredrick	8899
Seiter	Charles	7782
Seitz	Patricia	6180
Seki	Dena	1704
Selene	Jodi	8378
Selesnick	Katinka	11045
Self	Winke	11192
Seliandin	Steve	9901
Seligman	Tchira	1589
Seligson	Jane	4495
Selken	Jacqueline	5898
Sell	Sean	8364
Sellars	Stefanie	1929
Sellars	Jenifer	11227
Sellers	Chris	2523
Selph	Elisabeth	11908
Seltzer	Robert	3065
Selverston	Sylvia	2058
Selz	Carole	14690
Semple	Sheridan	13228
Senhen	Elizabeth	615
Senour	Jon	1601
Sensenbaugh	Philip	4417
Sentianin	Eric	10840
Sepanlou	Mehry	9877
Sepassi	Nima	11155
Sepulveda	Christine	971
Sepulveda	Gerry	7681
Serafim	Petra	868
Serb	Leah	10484
Serio	Amie	7961
Serletic	Cathie	3203
Serna	Peter	10422
Sernel	Elliott	1476
Serrano	Pagasa Valerio	3294
Serrano	Frank	10957
Sesma	Audrey	4281
SeThee	Jai	5342
Seton	Judith and Robert	16691
Settel	Elizabeth	3531
Severance	Ria	11747
Severn	Percy	3440
Sevey	James	11681
Sevier	Kim	7354
Sevilla	Olga	6258
Sewak	Cynthia	13340
Sewak	John A.	10243
Sewell	Nate	5842
Sexton	Delisa	4748
Sexton	Martha	2200
Sexton	Lorraine	6317
Seymoure	Michelle	3128
Shabrami	Carol	9686
Shabsin	Linda	10313
Shacter	Steve	5134
Shade	Gary	7047
Shafer	Elizabeth	10041
Shaffer	Emily	5050
Shaffer	Gwen	9932
Shahzada	Eileen	10815
Shaia	Gerald	1017
Shaibe	Jordan	4848

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Shaibi	Zaina	7910
Shain	Deborah	10885
Shamoon	Evan	5652
Shanahan	Timothy	4051
Shand	Bonnie	11019
Shanklin	Monica	1152
Shannon	Maura	7729
Shannon	Christine	1645
Shannon	Cheryl	10190
Shannon	Roxana	13377
Shannon	Heather	13267
Shansab	Maryam	8370
Shaper	Judy	7192
Shapira	Susan	8918
Shapiro	Dorothy	610
Shapiro	Shirley	6028
Shapiro	Norman	8459
Shapiro	Garry	1998
Shapiro	Anne	832
Shapiro	Irving	5870
Shapiro	Deanna	10505
Shapiro	Meredyn	9508
Sharber	Stacy	14312
Sharcot	James	8518
Sharee	Donna	7264
Sharkey	Virginia	3922
Sharkov	Zdrava	6119
Sharma	Barbara	11554
Sharp	Mary Lou	8923
Sharp	Theresa	1010
Sharp	Brian	5888
Sharp	Cynthia	3433
Sharp	Fred	6828
Sharp	Marla	6441
Sharp	Lynn	8333
Sharpe	Milt	9070
Shartsis	Charles	2325
Shauinger	Lynn	4952
Shaul	Stan	350
Shaw	Carolyn	8764
Shaw	Michael	3342
Shaw	Phyllis	7509
Shaw	Claudia	6745
Shaw	Desiree	10726
Shaw	Marianne	11075
Sheardy	Robert	756
Sheehan	Veronica	10922
Sheets	Gabriel	1518
Sheets	Sarah	4497
Sheffield	Michael	10782
Shein	Deborah	2455
Sheinfeld	Susan	10555
Shekell	Margaret	10609
Sheld	Janet	9188
Sheldon	Ruth	2961
Shelley	Dorothy	9368
Shelton	Carole	11869
Shelton	Donna	9802
Shemberg	Bea	11736
Shena	Sarah	14141
Sheofsky	Beth	4292
Shepard	Dodie	8092
Shepard	Reta	8196
Shepard	Doug	11317
Shepatin	Keirsten	12423
Shepherd	Marilyn	2635
Shepherdson	Marjorie	11165
Sheppard	Sheila	3346
Sheppard	Debra	13089
Sherman	Marcia	7080
Sherman	Stu	9189
Sherman	Brenda	5944
Sherman	Dale	6576
Sherman	Martin	9876
Sherman	Vicki	11783
Sherman	David	11500
Sherman & Family	Richard	11151

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Sherrill	Anne	4691
Sherwood	Rowan	5444
Sherwood	Linda	1844
Sherwood	Harry	4954
Shiasky	Stephanie	4259
Shields	Bronwyn	4761
Shieldsmaher	Patricia	4586
Shier	Jo	13242
Shiferaw	Lydia	10368
Shimaoka	Earl	831
Shimeall	Clark	6343
Shing	Janet	10619
Shinohara	Mark	3385
Shirey	Rita	3817
Shirley	Mette	13374
Shishkin	Rosemarie	14669
Shively	Judy	10006
Shoemaker	Charlotte	116
Shoemaker	David	2313
Shogren	Martha	2578
Shoham	Amit	1316
Shone	Mya	7415
Shope	Philip	13338
Shope	Robin	13379
Shore	Elizabeth	3106
Short	Alison	5894
Short	Brenda	6472
Short	Eleanor	8325
Short	Sarah	13362
Shortridge	Katrina	7377
Showalter	James	4223
Shreve	Rick	11951
Shreves	Diana	10945
Shriver	Sherry	3412
Shropshire	Maya	5353
Shubs	Howard	1503
Shuey	Marion	11852
Shulman	Joseph	2280
Shunnar	Leila	3991
Shupe	Katie	10399
Shuster	Marguerite	441
Siacotos	Toula	7728
Sibley	Robert	9551
Sichert	Verena	10146
Siciliano	Maria	8566
Sick	Marilyn	5308
Sickler	Thomas	8999
Siddiq	Adam	14264
Sidebotham	Nancy	2539
Sidenstecker	Maris	493
Siders	Jo	4901
Siebert	Simone	8235
Siebert	Joleen	1838
Siegenthaler	Coby	6766
Siegfus	Jon	680
Siegling	Tiffany	9609
Siegman	Roxanne	2869
Siekmann	Kerry	3956
Sieper	Jean	722
Sierra	Saori	4077
Sifuentes	D. G.	4591
Sigel	Liz	4186
Sigel	Kathleen	8117
Sigler	Richard	4306
Sigler	Teri	6027
Silan	Sheila	5395
Sills	Alma	10262
Sills	Bianca	14650
Silva	Debbie	6561
Silva	Jennifer	14715
Silva	Thomas	10072
Silver	Victoria	8033
Silver	Cassandra	1426
Silver	Geraldine	4517
Silver	Alexis	10853
Silver	Kim	10280
Silveria	Kenneth	11803
Silverio	Alexander	11199

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Silverman	Susan	3098
Silvers	John	10222
Silveus	Michael	1191
Silvia	Trista	3330
Siman-Tov	Sivan	11922
Siminski	April	3312
Simmons	Eve	2073
Simmons	Johanna	1586
Simmons	Michael	7755
Simmons	Doris	14686
Simmons	Adrienne	10394
Simmons	Bob	9986
Simms	Twik	6727
Simms	Cynthia	8173
Simms	Jenni	10419
Simon	Nancy	640
Simon	Zoe	2363
Simon	David	10376
Simonds	Meg	5942
Simone	Jessica	16729
Simons	Anita	2243
Simpkins	Virginia A.	8903
Simpson	Suzanne	3388
Simpson	Josh	8917
Simpson	Patricia	7496
Simpson	Ed and Bee	434
Simpson	Masina	3480
Simpson	Sarah	2902
Simpson	Marilyn	774
Simpson	Kim	10768
Sims	Cheryl	5153
Sims	Joan	6444
Sims	Dale	1493
Sims	Allan	952
Sims	Jennifer	6648
Sims	Mary	10251
Sims	Amber	13298
Sims	Arlyne	13254
Simunek	Lori	8345
Sinacore	Paul	8286
Sinclair	Richard	8141
Sinfuego	Ruth	9505
Sing	Therese	6604
Singer	Jim	3654
Singh	Isha	6644
Singh	Kunal	1073
Singh	Jessi	1208
Singh	Joanne	3381
Singleton	Selenesol	10395
Singleton	Mark	10593
Sink	Randy	13292
Sinker	Doug	6144
Sinkov	Mike	1763
Sinner	John	1146
Sinnott	Kathy	893
Sircar	Subrata	425
Sirias	Christine	6490
Sirola	Paula	6249
Sitnick	Joan	384
Sivesind	Torunn	6157
Sixtus	Michael	6528
Sizemore	Helen	527
Skaggs	Brian	4475
Skarada	Darcy	2520
Skeels	Vicki	7534
Skefich	Sylvia	1835
Skei	Ingrid	6841
Skelly	Karen	14245
Skelton	Ginny	9966
Skidmore	Lawrence	2995
Skillin	Christina	750
Skinner	Neal	9263
Sklove	Allan	7255
Sklute	Stacey	4920
Skolnick	David	2270
Skudra	Renee	10587
Skurnik	Jonathan	1436
Skwara	Aexandra	8684

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Skwarek	Richard	9886
Skweres	Mary Ann	7680
Sky	Kate	6046
Slade	Daniel	10603
Slater-Giglioli	Julie	9747
Slater-Price	Pam	8737
Slaughter	Sarah	6898
Slauson	Kevin	4956
Slavid	Jan	7401
Slavik	Robert	2133
Slawson	Dana	2619
Slawson	Bob	4607
Sledge	John	5811
Sless	Barry	4533
Sletteland	Trygve	6187
Sleva	Cathy	10480
Slevin	Margarita	8854
Slife	Patricia	9305
Sloan	Robin	5520
Sloan	Susan	10624
Sloss	Martha	8138
Slothower	Rich	2949
Slucki	Henry	5851
Slusher	Lori	9249
Small	Mary	5212
Small	Mews	6125
Small	Kim	6109
Small	Barbara	5543
Smalley	Mary	8519
Smarr	Janet	7180
Smart	Wesley	4003
Smedley	Gary	5084
Smernoff	Susan	8113
Smethwyck	Mariah	11540
Smiddy	Terra	11833
Smith	Gianna	2161
Smith	Sheila	660
Smith	Leslie	9233
Smith	JoAnne	5398
Smith	Julie	6009
Smith	Doug	1920
Smith	Karan	7926
Smith	Erika	3037
Smith	Michael	8700
Smith	Corinne	123
Smith	Kathleen	1942
Smith	Hillary	1037
Smith	Indira	1184
Smith	Linda	3569
Smith	Peter	7337
Smith	Judith	2011
Smith	Fred	2031
Smith	Candace	3219
Smith	Clark	4081
Smith	Ronald	4087
Smith	Irene	7447
Smith	Glenn	4147
Smith	Nicole	3291
Smith	Joyce	8652
Smith	Linda	4208
Smith	Randolph	7977
Smith	Gayle	3936
Smith	Teri	5660
Smith	Decker	8678
Smith	James	4265
Smith	West	3070
Smith	Sally	5430
Smith	Jerry	4090
Smith	Cindy	2366
Smith	Donna	9076
Smith	Bret	5115
Smith	Nancy	1120
Smith	Kathleen	1379
Smith	Stephanie	4387
Smith	Marjorie	2338
Smith	Jessica	5394
Smith	Lawrence	2348
Smith	Derek	2285

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Smith	George	1372
Smith	Ann	1802
Smith	Regina	2611
Smith	Barbara	5067
Smith	Lori	2603
Smith	Bonnie	5063
Smith	Susan	5034
Smith	Evan	2549
Smith	Rebekah	408
Smith	Michael	6817
Smith	Brian	5896
Smith	Larry	4429
Smith	Lemuel	3886
Smith	Drew	3406
Smith	Rochelle	7171
Smith	Linda	675
Smith	Sabina	7492
Smith	Carlene	6772
Smith	Holden	9192
Smith	Louis	5281
Smith	Raymond	5243
Smith	Lane	900
Smith	Rochelle	5210
Smith	Brian	4400
Smith	Julie	1786
Smith	Sally	13300
Smith	Carol	9938
Smith	Marylou	14138
Smith	Karollyn	9792
Smith	Aimee	9504
Smith	Nancy	10048
Smith	Constance	13399
Smith	Ron and Nancy	9610
Smith	Sherry	14450
Smith	Christine	9987
Smith	Erika	10698
Smith	Lynn	10268
Smith	Sherri	14202
Smith	Deanna	11222
Smith	Madeleine	10702
Smitham	Bo	8114
Smits	Josine	8785
Smollin	Mark	919
Smoot	Zach	6457
Smrdeli	Anthony	6159
Snapp	Martin	1610
Snead	Gordon	11504
Sneddon	Laura	6198
Snedegar	Jan	11877
Snider	Kelley	4079
Snow	Alicia	8031
Snow	Janice	6891
Snow	Tower	10510
Snow, Jr.	Richard	11208
Snyder	Shaun	2445
Snyder	Theodore C.	6697
Snyder	Irv	846
Snyder	Tiffiny	4145
Snyder	Joanne	2541
Snyder	Carlanne	6594
Snyder	Emily	4605
snyder	Emily	5065
Snyder	Douglas	9674
Snyder	Todd	12558
Soares	David	1742
Soares	Monique	7956
Soares	Faye	11991
Sobditch	Kristin	7403
Sobel	Barbara	14697
Sokolow	Alex	6106
Sokolsky	Joel	1555
Solbert	Marion	3236
Soldavini	Richard	5032
Solidum	Carmencita	10279
Soll	Joy	13309
Sollberger	Simon	1671
Solloway	Thad	3582

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Solomon	Shelby	10110
Soltan	Barbara	5781
Soltero	John	6695
Solton	Carolyn Marie	11837
Somers	Luanne	5451
Somkin	Anthony	10803
Somkin	Noelle	13130
Sommerfeldt	Jamie	8580
Somps	Diana	16704
Sonnenblick	Rachel	1547
Sophia	Christina	9888
Sordetto	Nancy	5074
Sorem	Carl	3938
Sorensen	Sue	4553
Sorensen	Lenore	2061
Soria	Peter	9321
Sorter	Phyllis	3340
Sortland	Joyce	2836
Sortwell	Rebecca	2033
Sorvetti, II	Stephen	13111
Sosa	Eduardo	4210
Sosa	Salvador	11330
Sota	Daniel	4703
Soto	Mervat	8466
Soto	Edy G.	6762
Soto	Carol	3708
Soto	Gloria	10184
Sotres	Sherry	1278
Soucek	Paul P.	10937
Soucie	Maija	16707
Souders-Mason	Virginia	14342
Souders-Mason	Virginia	14342
Soukup	Clarence	10816
Sousa	Antonia	5635
Souza	Colleen	3626
Souza	Michael	5616
Souza	Robert	970
Souza	Allison	4975
Souza	Paul	6022
Spadoni	Kelly	3004
Spak	Margaret	5480
Spangler	Julie	10247
Spanjaart	Anna	3048
Spanos	Christopher	6609
Spanski	Linda	450
Sparer	David	5716
Sparkman	Gregg	4273
Sparkman	Daunette	1311
Sparks	Rick	7330
Sparks	Don	6438
Sparks	Deanna	8426
Sparks	A.	7484
Sparks	Patty	8984
Sparks	Suzanne	8579
Sparks	Kirk	10857
Spaulding	Beverly	6601
Spear	Stanley	977
Spear	Margrit	2994
Speare	Mary	12033
Spears	Chase	5959
Spears	Marlene	7327
Speckhart	Annika	10357
Spector	Richard	13257
Speidel	Kurt	5484
Speidel	Barbara	824
Spence	Kathryn	5478
Spencer	Raymond	3170
Spencer	Shirley	1599
Spencer	Gayle	1367
Spencer	Ande	8097
Spencer	Dana	2948
Spencer	D. R.	5227
Spencer	Adelaide	6537
Spenger	Constance	5532
Spentzos	Effie	10833
Sperling	Mary Ellen	11496
Spero	David	8842

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Sperry	Adam	1158
Spevak	Mark	4410
Spickler	Julie	788
Spiegel	Irene	5366
Spiegel	Sara	11931
Spielberg	Janie	5895
Spier	Carolyn	10265
Spiers	Victoria	8374
Spiezio	Joseph	3550
Spiker	Beverly	8642
Spindler	Rebecca	10083
Spinella	Nancy	3804
Spinelli	Jill	9928
Spitz	Jon	10052
Spivak	Howard	14584
Spock	Christine	8227
Spoon	Leslie	661
Sprecher	Nina	2334
Spring	Bruce	587
Springstead	Wendy	9168
Sprott	Kewpie	14678
Spurlock	Katie	12005
Spurr	Kathy	8485
Spurrell	Sylvia	8314
Squire	Oona	10099
Squire of the Highlands	William	7220
Squires	Harry	383
Squires	Joan	7702
Srinivasa	Smitha	9740
St. Angelo	R.	10169
St. Clair	Caryl	3869
St. Clair	John	758
St. Clair	Betty	7086
St. Jean	Constance	8612
St. John	Rick	2165
St. Julien	Deborah	8707
Stacey	Sabre	10424
Stachenfeld	Mari	2291
Stack	Ken	4718
Stacy	Eva	8807
Stafford	Leanne	838
Stafford	Cheryl	8149
Staley	Richard	6251
Staley	Jedediah	394
Stallard	Carolyn	1193
Stallard	Robert	8575
Stamos	James	3049
Stamper	hilary	4303
Stampfer	Martha	5934
Stampp	Jenny	13427
Stancek	Claire Marie	3259
Standard	Steven	13226
Standley	Dawn	2428
Stanfield	Ivanna	3178
Stanford	Lee	1392
Stanford	John	5674
Stanford	Mary Ann	419
Stanford	Suzanne	7736
Stanger	Shawna	7096
Stanley	Robert	8651
Stanley	Edh	2893
Stanley	Lala	11157
Stannard	Mark	7463
Stanojevic	Erica	6214
Stansberry	Beth	3983
Stansbery	Steven	6793
Stansell	Cathy	11764
Stanton	Judith	2579
Stanton	Neil	5041
Stanton	Debra	13171
Stanturf	Colleen	6395
Stanwyck	Kerry	7332
Stapleton	Margaret	3745
Stapleton	Faith	11748
Star	Morning	8756
Starr	Isabelle	8440
Starr	Alli	3696

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Starr	Jesse	11705
Starri	Ernesto	8549
Starry	Mike	11602
Statom	Stephanie	12139
statom	Stephanie	10608
Staton	Carrie	1693
Stavely	Jary	2057
Stavrianoudakis	Tamra	11796
Stearns	Patricia	8120
Stebbings	Barrie	11971
Steckel	Julie	10230
Steed	Suzette	10033
Steel	Laura	3189
Steele	Cheryle	4837
Steele	Joshua	511
Steele	Erica	540
Steele	Karen	7817
Steele	Brad	11634
Steele	Leslie	10692
Steele	Anne	14694
Steelman	Carlyn	6801
Steelman	Patricia	1432
Steelman	Katryn	5144
Steen	Larry	7470
Steenhoven	Jon	4269
Steere	M.	521
Steeves	Charleen	3497
Steeves	Robin	3222
Steffen	Maria	6947
Steffes	Wayne	10539
Steimer	Alex	5010
Stein	Richard	6449
Stein	Joseph	801
Stein	Kathryn	8093
Stein	Jory	1534
Stein	Sherry	1080
Stein	Karl	9883
Steinberg	Stacey	14331
Steinberg	Laura	11785
Steindler	Marvin	6389
Steinel	Samantha	4180
Steiner	Lauren	3239
Steiner	Neal	5421
Steinfeld	Naomi	2510
Steinhart	Judith	2072
Steiniger	Kara	11233
Steinitz	George	2999
Steinmetz	Lee Ann	11220
Steinschriber	Rebecca	9521
Steinwand	Lou A.	5573
Stellato	Robert Parker	584
Stelle	Roddie	3821
Stenger	Diane	3895
Stephan	Dorothea	7631
Stephens	Kat	5841
Stephens	Lilia	9057
Stephens	Chandra	5562
Stephens	Janet	11740
Stephens	Dana	11072
Stephens-Cole	Karen	5157
Stephenson	Daniel	5001
Stephenson	Kim	8835
Stephenson	Joyce	7254
Steponaitis	John	1613
Sterling	Kaylah	8043
Sterman	Paul	471
Stern	Stephen	5356
Stern	Roberta	3934
Sternberg	David	4825
Sternberg	Barbara	8806
Sternhagen	Paul	1941
Stettler	Linda	13142
Steuer	S.	5515
Stevens	Bob	5129
Stevens	Anthony	3051
Stevens	Niala	14299
Stevens	Gina	11313

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Stevens	Gretchen	10691
Stevens	Andrea	11713
Stevenson	Daniel	4459
Steves	J.	7796
Steward	Shalene	1212
Stewart	Spencer	6606
Stewart	Carolyn	4167
Stewart	Greg	9364
Stewart	Mary	5314
Stewart	Susan	1042
Stewart	Natalie	2992
Stewart	Katie	6900
Stewart	Gail	4407
Stewart	Jan	5763
Stewart	Jill	6361
Stewart	Cheryl	5269
Stewart	John	2047
Stewart	Glenn R.	6664
Stewart	George	5172
Stewart	Eriksen	6507
Stewart	Christine	9957
Steyer	Angela	13314
Stickels	Annika	7885
Stickford	Mika	11131
Stickle	John D.	11027
Stickney	John	9074
Stiehl	Joanna	3108
Stiewe	Bettina	16701
Stiff	Eric	4266
Stiles	Kathleen	1313
Stimson	Katrina	1615
Stinchcomb	Julie	6327
Stock	Linda	5350
Stock	Jane	7331
Stock	Ron	8898
Stockstill	Rob	5117
Stockton	Ingrid	3742
Stoecken	Diane	11658
Stoffel	Chris	1582
Stohs	Leah	2262
Stojanowski	Nina	8855
Stokely	Linda	14159
Stokes	Denese	14626
Stokes-Guinan	Katherine	1299
Stolarczuk	Margaret	3570
Stoll	Joanne Klemstein	4216
Stomper	Connie	658
Stone	Whitney	8281
Stone	Jeffrey	3172
Stone	Stephanie	4034
Stone	Bonnie and Lee	7511
Stone	Diane	5481
Stone	Russell	10983
Stone	Lisa	16715
Stone	Nancy	10723
Stone	Claudia	11823
Stone	Jackie	10023
Stone	Rebecca	13322
Stonehawk	Mika	3039
Stoner	Sean	6400
Stookey	Richard	1384
Story	Tiffany	2471
Stotenburg	Sandara	11608
Stover	susan	8919
Stowell	Connie	9220
Stowell	Patricia	13278
Strailey	Piers	6365
Strailey	Faith	2435
Straker	Kim	3984
Strand	Jonathan	9202
Strand	Heidi	9507
Stratton	Blythe	4335
Stratton	Jewels	794
Stratton	Anthony	4318
Stratton	Bill	10488
Straus	Faye	3631

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Strauss	Joshua	937
Strauss	Terry	3301
Strauss	Randy	1690
Strauss	Ted	14269
Straussburg	Christina	11002
Straussburg	Linda	11235
Strayer	Rosa	4620
Strecker	Paul	10634
Street	Nelda	6705
Streeter	Marjorie	7418
Streeter, Jr.	Daniel	1764
Streich	Janelle	11944
Streit	Mike	11815
Strickland	Stacy	5061
Strindberg	Samantha	8121
Strohm	Shelley	3320
Strom	Laura	1891
Strom	Paul	8555
Strom	Carmi	11449
Stromeyer	Alex	4000
Strong	Leticia	3864
Stroub	Dale	1930
Strup	Gina	14588
Struthers	Sue	8568
Struve	Elizabeth	3792
Stuart	Tyffyne	8181
Stuart	Charlotte	4978
Stuart	Melissa	11531
Stuart	Thomas	11321
Stubblefield	Maureen	7606
Stubbs	Peter	1322
Stum	Tanya	10200
Stuppert	Susan	14303
Styles	Lynn	8805
Styles	Shirley	3153
Suarez	Rene	8230
Suarez	Crystal	14232
Suarez	Crystal	300020
Suastegui	Charlie	2503
Sublett	Claude	13282
Subramanian	Venkat	11522
Sudbury	Jean	5141
Sueoka	Sandra	3780
Sugar	Michael	7684
Sugarman	Steven	1112
Sugerman	Rick	4148
Suggitt	Bryan	8686
Sugihara	Joan	4162
Suguitan	Jenny	13150
Sulkoske	Joanne	7733
Sullivan	Linda	1755
Sullivan	Judith	5544
Sullivan	Jennifer	6056
Sullivan	Robert	7121
Sullivan	Jerry	8311
Sullivan	Deborah	6357
Sullivan	Tad	3240
Sullivan	Dianne	5247
Sullivan	James	5092
Sullivan	Joan, Paul and PJ	11732
Sullivan	Dianne	14167
Sullivan	Mike	14610
Sullivan	Dennis	11770
Sully	Nicholas	4633
Sumandra	Michele	10981
Sumida	Kaytee	3454
Sumilhig	Freddie A. S.	6114
Summers	Patrice	4135
Sumpter	Michael	11258
Sumrall	Amber Coverdale	592
Sumski	Joelle	11867
Sun	Kiayu	9211
Sun	Daniel	13356
Sunbul	Asuman	8649
Sunshine	Carl	11252
Supeala	Cosmin	4451

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Sur	Penny	3904
Surratt	Ryan	7806
Suter	Penelope	9023
Sutherland	Hugh	4896
Sutler	Steven	5719
Sutler	Christopher	5776
Sutton	Constance	2378
Sutton	Suzanne	6452
Sutton	Joseph	682
Sutton	John	6231
Sutton	Mike	11787
Sutton	Carre	13139
Sutton-Williams	Fran	7574
Suyehara	Erin	4369
Suyehara	Erin	4613
Suzuki	Lorraine	9472
Svensson	Bo	4171
Svidler	Mariano	6861
Svoboda	Eva	11181
Swaim	John	16751
Swalla	Kelly	13274
Swan	Cate	10380
Swan	Susan	13146
Swan	VIctoria	14262
Swann	Megan	11182
Swanson	Michelle	7818
Swanson	Leslie	3315
Swanson	Christine	3155
Swanson	Paula	3284
Swanson	Rebecca	1437
Swanson	Janice	5836
Swanson	Haley	11012
Swanson	Cora	10010
Swanson	Anne	10255
Swanson	Sandra	10228
Swartz	Matthew	13439
Sweeney	Dennis	3615
Swenning	Christine	7732
Swick	Chelsea	1829
Swick	Chelsea	14683
Swick	Lesley	14180
Swigart	Jane	7296
Swoiskin	Mark	7644
Swords	Toni	11528
Swoveland	Maury	5079
Swyer	Alan	1965
Swyers	Matthew	3458
Syed	Mushtaq	9974
Sylvester	Angee	6600
Sylvester	F.	1858
Szabo	Joseph	8872
Szappanos	Andrea	11388
Szczepanek	Jon	5805
Szczepanski	Paul	6945
Szepesi	Thomas	414
Szydlowski	Kathryn	7462
Szymanska	Anna	1382
Szymanski	C.	8594
Szymanski	Edward	12009
Szymcxak	Nancy	3871
T.	Mandi	7652
T.	David	2038
Tabacco	Karen	2397
Tabachnick	Kenneth	3584
Tabat	Gregory	7701
Tabatabai	Masoud	8086
Tabler	Tenaya	816
Taccetta	Carol	3790
Tache	Jan	8040
Taff	Toni Lynn	11244
Tafolla	Adrian	10966
Taft	Kathleen	6636
Taggart	Carol	3896
Taghdiri	Celia	1527
Tait	Darlene	9083
Tait	Ann	3396
Takacs	Shiri	6393
Takacs	Lauren	11265

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Takagi	Richard	10430
Takayama	M. E.	8187
Takeya	Junko	8698
Talamantes	Billie	6071
Talbot	Margaret	6041
Talbot	Jacques	8472
Talbott	Diana	8507
Talcroft	Colin	6588
Talick	Gail	8495
Tam	William	7580
Tamanian	Ruben	5231
Tamano	Akiko	13353
Tamayo	Jessica	3671
Tamayo	Ester	1483
Tambio	Patricia	8958
Tamburo	Mari Mack	6672
Tan	Jennifer	6328
Tanabe	Ingrid	9522
Tanaka	Shoko	9943
Tang	Binh	1032
Tangney	Jim	6881
Taniguchi	Naomi	8613
Tanner	Ian	5733
Tanner	Christie	14672
Tanner	Karen	11285
Tanz Kubota	Ria	6952
Tanzer	Elliot	6145
Tao	Carol	9982
Tapley	Dennis	2498
Taps	Barbara	4701
Tarakci	Umit	3597
Tarantino	Pat	13127
Tarazi	Teresa	1270
Tarbell	Tim	3413
Tarsia	Cassina	1244
Tartalone	Flora	8716
Tarverdians	Andre	3411
Tashima	Fred	5121
Tashiro	Terance	8659
Tasker	David	6567
Tataranowicz	Tom	8063
Tataranowicz	Thomas	7167
Tate	Leslie	2169
Tate	Ashley	4505
Tatman	Robin	2852
Taub	Ed	6748
Taube	Dee	4597
Taugher	Kathleen	9608
Taurel	Zephyr	10932
Tavares	Steve	11230
Tavares	Margaret	11236
Tavernise	Peter	8319
Taylor	Marilyn	4076
Taylor	Betsy	2723
Taylor	J. Holley	8338
Taylor	Emily	1691
Taylor	Melvin	7421
Taylor	Elaine	2226
Taylor	Jennifer	8388
Taylor	Gordon	8082
Taylor	Rachel	1297
Taylor	Denise	10596
Taylor	Judy	10802
Taylor	Nicole	10720
Taylor	Terri	9651
Taylor	Michal	10750
Tchick	Cherie Lynn	5987
Teach	Jessica	12141
Teal	Suzanne	11829
Teevan	Ella	871
Teitelbaum	Brian	5078
Teixeira	Nicki	4544
Tejeda	Cindy	8761
Tektas	Jessica	1926
Tellez	Kimberlee	5496
Telliez	Angelica	3666
Temple	Andrea	13295
Templeton	Sara	1767

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Templeton	Arthur	4724
Templeton	Todd	6659
Temsamani	Barbara	9670
Tenenbaum	Debbie	1783
Tenerowicz	Kristina	3985
Tenney	Joanne	2277
Tenney	Amanda	7310
Teofan	Yvonne	1096
Teplitz	Paul	8421
Teran	Diego	8674
Terpapyan	Barbara	2858
Terrazas	Edward V.	7098
Terrrell	Tyler	7488
Terry	Michael	4557
Terry	Cheryl	5860
Terry	Alex	1178
Tesluk	Dawn	2026
Tesser	Daniel	11627
Tessler	Beth	11508
Tessmer	Frances	4768
Testa	Dan	5495
Thacker	Jason	11339
Thackray	Varykina	1537
Tharp	Kevin	6412
Thatcher-Smith	Karen	1222
Thayer	Douglas	8963
Therry	Dennis	1001
Theurich	Kimba	4958
Theurich	Kimba	1546
Thew	Janet	2067
Thibodeau	David	6869
Thiel	Mary	8820
Thielen	Joanne	7037
Thielking	John	7797
Thiermann	David	14172
Thollaug	Julia	991
Thomas	Jeff	1647
Thomas	Carol	8264
Thomas	Eva	1002
Thomas	Melissa	602
Thomas	Nabin	6366
Thomas	Bob	7975
Thomas	Adrienne	6073
Thomas	Matt	3174
Thomas	Carrie	5369
Thomas	Ralph B. and Janet R.	855
Thomas	Jonathan	6402
Thomas	Jackson	9138
Thomas	Marilyn	6975
Thomas	T	714
Thomas	Julia	936
Thomas	Phil	8348
Thomas	Robert	2469
Thomas	Michelle	10647
Thomas	Ralph	11854
Thomas	Stephanie	16739
Thomas	Kimberly	10740
Thomason	Anita	4860
Thomason	Leise	3190
Thombre	Rhadha	11040
Thompson	Josephine	539
Thompson	Andrew	1241
Thompson	Andree	7077
Thompson	Joann	5814
Thompson	Donna	5020
Thompson	Andrew	6667
Thompson	Ann	4348
Thompson	Linda	6170
Thompson	Pat	3850
Thompson	Barbara	766
Thompson	Sunday	9337
Thompson	Heather	3157
Thompson	Yvonne	3060
Thompson	Stephanie	4508
Thompson	David	7068
Thompson	Linda	7059
Thompson	Stephen	10292

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Thompson	Ava	11325
Thompson	Jeanne	10493
Thompson	Lawrence	11057
Thompson	Loretta	12030
Thompson	Leslie	9729
Thompson	Paula	11098
Thompson	Patrice	10644
Thompson	Brian	13386
Thompson	Zachary	12135
Thompson	Lyle	11322
Thoms	Erma	7325
Thomsen	Gary	3598
Thomson	H.	7772
Thorensen	Lynn	7231
Thornbrugh	Gary	3564
Thornburg	Alan	6252
Thorne	Christopher	4731
Thorne	Teresa Thorne	14674
Thornhill	Margaret	7660
Thornhill	Robert	7946
Thorsby	Patricia	6630
Thrash	Ernie	8015
Thrush	Shirley	1064
Thryft	Ann	6471
Thuma	Teri	11438
Thumm	Travis	11813
Thune	Michael	11743
Thunen	Erif	1156
Thursby	Nancy	3151
Thurston	Kate	14168
Thwaite	Shannon	7712
Tiarks	Daniel	1535
Tiaven	Marilyn	3493
Tiburzi	Cheryl	1038
Ticen	Heidi	9355
Tichman	Nadya	798
Tickes	Steven	2843
Tidwell	Stephanie	8180
Tidwell	Amber	495
Tierney	Patricia	4396
Tigerlily	Eliot	1231
Tigerman	Steve	858
Tilenius	Eric	3731
Tillement	Lindy	4963
Tilley	Tatiana	8251
Tillson	Judith	6068
Tilmant	Lisa	5970
Timme	Mary	6306
Timmerman	Susan	4317
Timms	Dana	1469
Tindukasiri	Mary	448
Tinsley	Rebecca	1596
Tipler	Cheri	8826
Tirre	Amber	13154
Tishgart	Lori	10693
Tittle	Maryann	10690
Toalson	Darlene	8863
Toback	Norman	1141
Tobe	Jerry	10085
Tobin	Gilman	9341
Tocher	Beaatrice	2127
Toczek	Mike	4980
Todd	Miranda	8515
Tokay	Hale	1933
Toledo	Justin	5690
Toledo	Charlie	10049
Tolentino	Jennifer	9852
Toler	Nancy	4514
Tolivar	Carmen	1840
Tolleson	Dena	4554
Tollett	Myrna	7896
Tom	Woo	6098
Toma	Sandy	6498
Tomasello	Pela	1559
Tomaso	Claudia	9846
Tomczyszyn	Michael	559
Tomissich	Rex	10679

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Tomlin	Debbie	6808
Tomlin	Debbie	10639
Tomlinson	Jonas	4753
Tomlinson	Wayne	2260
Tomlinson	Michael	7825
Tomota	Frank	7252
Tomsits	Pati	1453
TomYoy	Edwin	7882
Toney	Kevin	2630
Toney	Kevin	3537
Tong-Dickson	Andrea	10377
Tonkonogy	Marina	7089
Tonningsen	Barbara and Ed	10009
Toobert	Michael	1805
Toobert	Michael	9926
Tool	William	1674
Toomey	Tiffany	9884
Topinka	Vera	4949
Toppen	Mj	5525
Topping	Jeff	5140
Toriello	Frank	10350
Tornabene	Michele	652
Tornatore	Marianne	7214
Toro	Jo Ann Toro	10289
Toro-Mazote	Eugenia	3127
Torre-Bueno	Ava	3268
Torres	George	7776
Torres	Ofelia	681
Torres	Philip	447
Torres	Anthony	2437
Torres	Susana	8718
Torresani	Amanda	2069
Torrisi	Sharon	8079
Toth	Jennifer	8361
Touchstone	Lana	1711
Tovar	Janette	5179
Tovey	Tamara	6693
Tower	Alexandra	3643
Towers	Patricia	9820
Townsend	Sarah	5991
Townsend	Carlos	10489
Toyohara	Karen	2525
Traer	Nancy	9744
Trafficante	Michelle	8115
Trainor	Hollis	14295
Trame	Christine	10413
Tramel	Kristina	6399
Tramutolo	David	10574
Tran	Hien	7424
Tran	Shawn	9682
Trapp	Gene R.	7474
Trauger	Adam	5150
Traum	Sandra	4125
Trauth	Beti	11221
Travers	Chris	8471
Traycik	Donna	10633
Traylor	Henry	6268
Treacy	Carol	6538
Treanor	Elida	5881
Treece	Michael	9166
Trees	Barbara	14156
Trefry	Rick	10384
Trefzger	Jeanne	6761
Treiber	Terry	11998
Trejo	Catherine	9920
Trela	Christine	7292
Tremaine	Laurel	2110
Trembath	Raymond	1761
Tremblay	John	13317
Tremmel	Leonard	10817
Trevethan	Evelyn	2154
Trevillian	Linda	2187
Trevino	Roland	8838
Trickel	Bart	790
Trinidad	Ricardo	826
Trinkle	Heidi	7320
Triplett	Tia	1773

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Tripoli	Vicki	3620
Tripp	Marilyn	1947
Tritel	Lori	4902
Trivisonno	Susan	1903
Troolines	Katrina	14309
Trott	Sharon	1245
Trotter	S.	3231
Trover	Jacob	8942
Trowbridge	Virginia	5922
True	Jim	6603
Trumbo	Debra	4054
Truong	Tina	4662
Truong	Lynne	3400
Truscott	Rosie	16718
Trussell	Vetza	10227
Truth	Aikyam	7705
Truthers	Jean	3230
TruthSayer	Dr.	2085
Tsalis	Mary	8393
Tsang	Grace	5343
Tseng	Y.	10973
Tsiang	Angela	9118
Tsosie	Susan	4331
Tsukushi	Kristen	4755
Tsunehara	Yoshiko	8368
Tu	Chantal	2123
Tubbs	Ann	2295
Tucker	Lee	5675
Tucker	Adrienne	5984
Tucker	Roger	7531
Tucker	John	8047
Tucker	Michael	5689
Tucker	Mark	2180
Tucker	Deanna	5957
Tucker	Ruth	5722
Tuff	Becx	4096
Tulchinsky	Ekaterina	10017
Tulier	Valerie	6181
Tull	Pamela	13221
Tullock	Mary	2278
Tumbleson	Jena	1380
Tung	Aiting	14682
Tuomi	Reesha	5291
Turbeville	Sara	1587
Turley-Sinclair	Jean	10473
Turner	Judith	908
Turner	Virginia A.	3778
Turner	Maggie	8129
Turner	Christina	9354
Turner	Jeanne	1960
Turner	Jacqueline	5891
Turner	Judith	2337
Turner	Ardisanne	7202
Turner	Dolores	10390
Turner	Darci	13212
Turner	Sherri	9564
Turney	John	2148
Turov	Ilya	11288
Turrietta	Justine	13209
Tuteur	Mary	1195
Tuttle	Stephen	5947
Tuttle	Will	11453
Twombly	Glen A.	6111
Twomey	Patrick	8723
Tyler	Kathleen	5133
Tyler	Calvin	6798
Tyler	Steve	7120
Tyler	Michael Lee	4894
Tyler	Sharon	12044
Tyron	Erica	531
Ubell	Sabina	5637
Uchin	Andrew	4479
Uchiyama	Matthew	9951
Uemura	Anne	7943
Uhlmann	Brigitte	16722
Ulansey	S.	10579
Ulloth	Jane	3057
Ullrich	Amandus	14645

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Ulmer	Vic and Barby	10518
Ulrich	Dan	10053
Ung	Kera	8174
Ungar	Ruth	1650
Ungar	Luci	2501
Ungar	Arthur	671
Unger	Elda	11533
Unger	Lorraine	10021
Unsinn	Helena	6242
Upp	Cynthia	13241
Uransky	Gayna	9979
Urb	Johann	11184
Urbach	Amen	4840
Urban	Miro	7585
Urban	Daniella	11835
Urbani	Mariano	7953
Ureno	Jose	9524
Urey	Gwen	4412
Urmacher	Glenda and Uri	8527
Urner	James	7762
Urrea	Ivonne	11831
Urszuly	Suzanna	3492
Utt	Charles	2029
Utz	Martha	6563
Utzig, Jr.	Albert	5501
Utzman	Anna	624
V.	E.	8926
V.	Jimmy	10914
Vadopalas	Erika	10697
Vaj	Marcy	11436
Valdes	Jamielyn	5158
Valdez	Adela	6917
Valdez	Miguel	9020
Valdez	Janice	3949
Valdez	Sylvia	9086
Valdez	Silvia	13216
Valega	Benjamin	7541
Valencia	Richard	1624
Valenta	Deborah	1492
Valenta	Miroslav	7760
Valente	Juliette	5091
Valenti	Michael	5740
Valentine	Jennifer	8192
Valentine	Sarah	4418
Valian	Pat	960
Valin	Laurel	10764
Vall	Laura	9089
Vallejos	Laura	14297
Vallianatos	Evaggelos	7581
Valsangiacomo	Fulvio	7065
Van	Duc	3256
Van Amburg	Tim	2183
Van Arsdale	DG	7987
Van Bloemen	Dona	9845
Van Cleave	Link	6228
Van Den Blink	Kieren	7315
Van den Bossche	Ed	1227
Van Drimlen	Tiffany	7568
Van Dusen	June	1082
Van Dyken	Barbara	8673
van Enk	Barbara	5194
Van Every	Leslie	6584
van Giersbergen	Pieternel	4123
Van Gundy	Lauren	7903
Van Hise	James	11555
Van Hoorn	Alia	11237
Van Hooser	Tracey	110
Van Hooser	Tracey	14237
Van Horn	Elizabeth	8754
Van Horn	Sandra	10354
Van Houten	Corinne	612
Van Jaarsveld	Samuel	16753
Van Leeuwen	Tiffany	953
Van Lom	Keaven	5373
Van Ooy	Daphne	8270
Van Scyoc	Vickie	9482
Van Stone	Michael	4300

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
van Sunder	David	1604
van Sunder	Maria Isabel	3496
Van Tassell	Robin	11135
Van Valkenburgh	Ke	5600
Van Wert Weisberg	Linden	11935
Vanacore	Eric	8599
Vanantwerp	Mari	13293
Vance	Diana	7969
Vance	Lola	6226
Vancompernolle	Geert	9828
Vandenberg	Wilma	2568
Vandenberg	Anita	11219
Vandenbosch	Liesbeth	8702
Vanderbeek	August	9897
Vanderburg	Jantina	9944
Vanderhoof	Peter	10029
Vanderklift	Marianna	5862
Vandermeer	Denise	5154
Vanderweele	Alex	1782
Vandevere	Joyce R.	2258
Vanella	Nathan	11201
Vanevery	Kathleen	11218
Vare	Sandi	10531
Varellas	Dorothy	2086
Varga	John	3604
Vargas	Christopher	6221
Vargas	Andres	7865
Vargas	Blanca	599
Vargas	Sandra Perez	3897
Vargas	Erika	10418
Vargo	David	9476
Varner	Natasha	7251
Varnum	David	11537
Vartanian	Richard M.	7139
Vartanian	Roobina	11032
Vartnaw	Bill	10057
Varvas	Jason	6875
Vasco	Donald	10828
Vasher	Lamara	9501
Vasquez	Rebecca	8957
Vasquez	Vanesa	10993
Vaswani	Rupesh	743
Vatter	Sherry	4449
Vatuone	Catheryn	11997
Vaughn	Summer	2462
Vavrin	Alan	5015
Vaz	Mary	8399
Vaz	Mary	10277
Vecchione	Laura	8559
Vedder	Amy	13120
Vega	Selene	3667
Vega	Michelle	6586
Vega	Louis	7197
Vega	Yesenia	4942
Veganlover	Nika	4518
Vela	Sara	10219
Velasco	Jane	10426
Velasquez	Lizzette	6510
Velasquez	Claudia	6065
Velasquez	Dayanara	4926
Velazquez	Eric	6062
Velez	Jorge	7643
Vella	Milo	9120
Velloo	Samara Hanson	3046
Veloso	Tangee	14229
Veloso	Vivi	14233
Velvick	Joan	10456
Vendin	Marianne	6886
Veneziale	Deborah	3951
Vengco	Ron	9727
Vengco	Ron	10534
Venkatraman	Krishna	6194
Venner	Amy	13073
Venturelli	Ava	8864
Venturi	Darlene	13261
Veraldi	Anne	4541

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Verano	Andrea	3241
Verbeek	Naida	3273
Verdugo	Debbie	2586
Verdugo	Emilio	6553
Verduin	Rene	1468
Verduzco	Jonathan	10299
Vered	Dorrit	4192
Verga	Enrico	1249
Vergara	Javier	7064
Verhauz	Ariana	8450
VerMeer	Shellie	8304
Vermund	Anita	8857
Vernon	Sandy	7952
Vernon	Anne-Louise	7608
Vernon	Theresa	843
Verschoor	Steven	415
Vesper	Paul	1993
Vetter	Charles	10050
Veylupek	Melody	8158
Vezian	Marc	3035
Viau	Ghislain	11371
Vicari	Angela	8027
Vickerman	Linda	1823
Vickerman	Danel	3670
Vickers	Margaret	3456
Vickers	lsura	6888
Vickers	Catherine	4688
Victor	Martin	8690
Victoria	Stella	10971
Vidaver	Judith	4528
Vie	Phoenix	11473
Vieira	Heather	7821
Vierling	Genevieve	10929
Vierra	Lizzie	10659
Vieth	Janice	994
Vignau	Lydia	10918
Vignola	Radha	8183
Villani	S.	2824
Villarreal	Silvana	8035
	Garcia	
Vilms	Peeter	6847
Vilter	Lance	407
Vincent	Marcus	2826
Vincent	Olisa	5080
Vincent	Cyndi	7359
Vincent	Lisa	16740
Vinci	R.	10154
Vira	Katie	14601
Vital	Nereida	13108
Vitela-Hernandez	Martha	13219
Vitt	Ryan	11421
Vivian	Miriam	11139
Vleymore	Linchai	8051
Voegelin	Frederick	6470
Voelker	Estelle	3881
Vogel	Ann	1481
Vogel	Nathan	6067
Vogel	Liam	2518
Vogel	Janny	10330
Vogt	Stephanie	10421
Voigt	Alan	4230
Vojik	Deborah	13367
Volk	S.	7305
Volkov	Kalila	9940
Volmer	Alex	5778
Volpe	Joseph	1756
von Abele	Melitta	6813
von Alten	Pat	2189
von Franzke	Paul	1759
von Kries	Karl	3728
von Rechendorff	Nils	1202
Von Rosen	Chris	651
von Trampe	Michael	2481
Voogd	Andrea	1927
Vosacek	Jim	6155
Vose	Nathaniel	5980
Vossler	Al	11838
Vossoughi	Siamak	2168

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Votava	Jennifer	9619
Voyvodich	Kay	7840
Vradelis	Helen	7603
Vreeland	Richard	2405
Vu	Tung	2875
Vujacic-Richer	Dusica	7127
Vukov	Vesna	4989
Vuyas	Victor	2311
W Evans	Michael	11293
W Smith	David	12026
W Tiessen	Grace	2300
W.	T.	6355
Waara	Kent	14272
Wachtel	Jeffery	3551
Waddell	Christine	8998
Wade	Virginia	1161
Wade	Dawn	4254
Wade	Joanne	4826
Wade	Lain	8587
Wadsworth	Ralph and Molly	3323
Wagemann	Daniel	13313
Wager	Joan	7491
Wagner	Albert	4850
Wagner	Esther	701
Wagner	Inge	8258
Wagner	Heidi	7277
Wagner	Elissa	8524
Wagstaff	Debbie	9833
Waid	Katherine	5958
Waidtlow	Sherri	11984
Waitz	Mary	10502
Walberg	Jeriene	6387
Walcher	Andrew	477
Walden	Deborah	6486
Walden	Sue	2864
Walden	Kristin	3835
Waldman	D. P.	11538
Waldron	Linda	1566
Wales	Tim	5698
Walker	Richard	6359
Walker	Stephanie	8446
Walker	Verla D.	2981
Walker	Jo	3642
Walker	Carol Most	1999
Walker	Christine	7612
Walker	Sandra	2059
Walker	Barbara	7471
Walker	Barbara	6860
Walker	Sandra	2119
Walker	Susan	5346
Walker	Angela	8383
Walker	Benjamin	1633
Walker	Joan	9699
Walker	Robin	9753
Walker	Sandra	10786
Walker	Jeanne	10813
Walker	Rose	11335
Wall	Jennie	3908
Wall	Martha	3008
Wallace	Darrell	8861
Wallace	Heidi	6213
Wallace	Cristina	7756
Wallace	Circe	7026
Wallace	Amber	8501
Wallace	Shasta	7912
Wallace	Stephanie	8282
Wallace	Robert	4447
Wallace	Diane	13265
Wallace	Susan	9892
Wallace-Nelson	Nancy	6432
Wallach	Aleta	5357
Wallach	Bruce	1335
Wallach	Violet	7187
Wallen	David	1745
Waller	Joan	4811
Waller	Don	3096
Waller	Robert	11013

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Wallick	Wendy	8560
Wallin	William	724
Wallis	Stephen	11771
Wallof	Hunter	13107
Walp	Susan	6407
Walser	Kirk	3149
Walsh	John	7005
Walsh	Kathy Maschal	3855
Walsh	Susan	3503
Walsh	Maureen	676
Walsh	Linda	6759
Walsh	Jay	3990
Walsh	Thomas	5816
Walsh	Stephen	7501
Walsh	Jen	13299
Walters	Juli	365
Walters	Ernie	11620
Walters	Ernie	12014
Walters	Kari	10020
Walters	Julie	11457
Walther	Eric	805
Walton	JoAnne	1352
Walton	Darnell	5563
Walton	Terri	2265
Walton	Jan	6977
Walton	John	8753
Walton	Janet	1177
Walton	Rod	6894
Walton	T.	9579
Walworth	Nathan	431
Walz	Alyssa	6032
Wang	Kevin	8454
Wang	Rosa	12011
Wang	Tracy	16724
Wanlass	Richard	9601
Wanner	Laurel	5527
Wanta	Robert	8100
Wanyik	Greta	5024
Ward	Janey	956
Ward	Douglas	9303
Ward	Lori	7329
Ward	Cynthia	847
Ward	Mal	7843
Ward	Laura	14157
Ward	Rafik	14722
Warde	Thomas	8581
Warden	Billie	4245
Ware	Christopher	8920
Warenycia	Dee E.	986
Warfield	Nancy	6102
Warner	Peter	8309
Warner	Chris	1125
Warner	Melinda	1003
Warner	Matthew	1048
Warner	Michelle	11180
Warren	Jan	526
Warren	Patricia Nell	8628
Warren	Maurice	6044
Warren	Carol	6196
Warren	Rahima	6545
Warren	Cara	1808
Warren	Karen	8429
Warren	Kathleen	9970
Warren	Kenneth	11017
Warwick	Scott	4581
Warwick	Nichole	9983
Wasacz	Leni	10706
Waschevski	Alan	1457
Wasgatt	Ann	3148
Washington	Martin	2014
Washington	Kamani	11115
Wasserstein	Caryn	14616
Watanabe	Katsumi	1860
Watazychyn	Dutch	2359
Waters	Anje'	3218
Waters	Maddy	6043
Waters	Michelle	8833

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Waters	Lanene	5252
Waters	Dan	4698
Waters	Rain	1893
waterson	Kim	12067
Watkins	Richard L.	1987
Watkins	Marilyn	6540
Watkins	Anita	578
Watson	Kathleen	894
Watson	L.	2854
Watson	Michael	7571
Watson	Fran	2591
Watson	Joseph	7994
Watson	Shelley	6717
Watson	Donna	5706
Watson	Carrie	14287
Watson	Richard	9875
Watson	Claire	11226
Watson	Junell	11832
Watt	Julie	8554
Wattenbarger	Don	14659
Watters	Diane	5864
Watterson	Sylvia	1266
Watts	Susan	1568
Watts	Jeremiah	1100
Watts	Anne	1109
Watwood	Alan	13385
Wawrytko	Sandra	7566
Wayne	Sarah Carlson	5508
Wayne	Vicki	11400
Wdowin	Garrett	5324
Wdowin	Heather	6769
Weadon	Paul	9119
Weatherby	Tracy	3887
Weatherly	Judith	1628
Weathersbee	Hope	3524
Weatherup	Cat	4127
Weaver	Sandy	9153
Weaver	Bill	5447
Weaver	Joan	8098
Weaver	Patricia	8836
Weaver	Sandra	7838
Weaver	Judy	6163
Webb	Melissa	1836
Webb	Helen	1477
Webb	Laura	4067
Webb	Renate	11333
Webber	Sheryl Ann	11726
Weber	Daniel	374
Weber	Merryl	1285
Weber	Charles	9271
Weber	Claudia	8891
Weber	Sarah	11738
Weber	Merris	9998
Webster	Roswitha	8481
Webster	L.	6455
Webster	Bernadette	9922
Webster, Sr.	William G.	7309
Wecker	James	14149
Wedeman	Ila	7286
Wedgwood	Stephen	7595
Weeden	Noreen	10558
Weekes	Matthew	13422
Wegener	Elfriede	4058
Wegner	Talitha	3594
Wehmhoener	Jason	10543
Wei	Shirley	11347
Weibel	Annemarie	10653
Weicher	Jeff	1370
Weidner	Donna	6976
Weigand	J.	6267
Weigel	Alice	4769
Weikel	Dana	10668
Weikel	Wendy	13333
Weil	Helene	3221
Weilgart	Lisl	11541
Weinberg	Henry	1721
Weinberg	Sara	11212

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Weinberger	Carolyn	4315
Weinberger	Mark	6778
Weiner	Nona	850
Weiner	Michael	8776
Weiner	Linda	1790
Weiner	Carol	6921
Weiner	Joan	10954
Weingold	Edward	452
Weinstein	Marcus	8218
Weinstein	Sarasa	7152
Weintraub	Rona	4525
Weintraub	Joseph	13220
Weir	Joan	5665
Weis	Joe	1887
Weiske	Lynne	11242
Weismehl	Land	5936
Weiss	Lizette	1852
Weiss	Jan	1751
Weiss	Ronit	8184
Weiss	Elizabeth	5536
Weiss	Arleen	7835
Weiss	Simon	550
Weiss	Jules	9844
Weiss	Ben	14602
Weissauer	Tina	8941
Weisz	Russell	1789
Weitkamp	Margaret	3488
Weitz	Scott	3047
Welanko	Philip	5534
Welch	Paul	2857
Welch	Tahnee	5673
Welch	Christopher	3544
Welch	Joanna	10681
Welch	Rich	10043
Welch	C. J.	12010
Welchert	Alice	2298
Welk	Michelle	11039
Welland	Adam	1600
Welling	Jeannette	5913
Wells	Mary Belle	7105
Wells	Margie	1439
Wells	R.	569
Wells	Genevera	4773
Wells	Susan	7686
Wells	Michelle	9694
Wells	Tara	13406
Wellsted	Bob	7312
Welsch	Duane	1900
Welsh	Armand	7819
Welz	Alana	14663
Wendell	John	5352
Wendt	Steve	1785
Wennbo	Lori	6279
Wenrich	Kara	9527
Wentz	Dave	5879
Wenzel	Ruth	11069
Werden	Bob	6592
Wermter	Janie	7642
Werner	Kirstyn	4253
Werner	Suzanne	6918
Wertheim	Mike	950
Werthman	Julie	4625
Wescott	Debbie	9914
Wessel	Melissa	8572
West	Andrew	1237
West	Richard	8461
West	Jerry	885
West	Jeffrey	11164
West	Leslie	11469
West	Marie	11961
Westad	Kim	8768
Westberg	Juanita	5917
Westbrook	Edwin	10408
Westergaard	Angela	6680
Westerman	Eileen	5782
Westfall	Donna	1607
Westlake	Janice	9002
Westman	Betty	8816

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Weston	Karen	10703
Wettekin	Jessica	4918
Wetteland	Signe	4609
Wetterau	Kaitlyn	10232
Wexler	Steve	4592
Wexler	Marly	9872
Whaley	Richard	9585
Whaley	Susan	11530
Wharton	Elizabeth	3833
Wheat	Amber	9683
Wheeland	Kenneth	6558
Wheeler	Jennifer	7579
Wheeler	S.	1049
Wheeler	Jeanette	5883
Wheeler	Barbara	863
Wheeler	Mary Jo	10378
Wheeler-Nicholson	Azolene	11352
Wherry	LuAnn	6647
Whicker	Michael	6422
Whisenand	Gretchen	6350
Whistler	Sarah	7802
White	Linda	8205
White	Jeannine	3923
White	Danielle	2542
White	Mani	3791
White	P. Christine	5445
White	Sylvia	7805
White	Guy	804
White	Julie	9051
White	Tiffany	890
White	Pamela	8072
White	Mindi	6591
White	Terry	7343
White	Joseph	7469
White	Jennifer	3263
White	Rich	8409
White	Michael	10206
White	Ramey	9647
White	Kathleen	13210
White	Jennifer	14243
White	Harvey	9658
White	Corinne	10754
White	Stefan	10577
White	Edwina	11356
Whitefeather	Angelica	2931
Whitehead	Melissa	1465
Whitehorn	Carolyn	3547
Whitehouse	Stephanie	16749
Whitley	Jerry	5470
Whitman	Beatriz	13119
Whitmore	Dorothhy	3163
Whitmore	Arleen	6959
Whitmore	Robert	6443
Whitson	Dan	418
Whitson	Helene	2211
Whitson	Andrea	626
Whitson-White	Cindy	6800
Whittle	Lori	11704
Whyman	Barbara	3171
Whyte	Jacob	4305
Wick	Kristen	10077
Wickes	Brad	1448
Widmann	Martha	7062
Wiedemann	Anny	3968
Wieland	Chuck	2120
Wiener	Mary	4484
Wiener	Ben	3625
Wiens	Nancy	5594
Wiesner	John	7584
Wiest	Nancy	8592
Wightman	Kelly	6844
Wightman	Richard	3521
Wiker	Vicki	11110
Wilber	Heather	6884
Wilcox	Wandis	11194
Wilcox	Cathy	14284
Wild	Laura	5334

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Wild	Carol	1371
Wilder	Roxanne	10167
Wildschutte	Shari	2832
Wiley	D. Wesley	7477
Wiley	Carol	8122
Wilke	Gail	4441
Wilkerson	Jere	9215
Wilkins	Paul	3549
Wilkins	Skip	4157
Wilkinson	Leandra	5552
Wilkinson	Laura	11622
Wilkinson	Connie	11960
Wilkinson	Dorothy	13339
Will	Jennifer	2137
Will	Mary	1922
Will	Beverly	4367
Willcox	Christopher	1634
Willens	Sheila	4288
Willens	Kay	1147
Willer	Benjamin	5289
Williams	Mark	4608
Williams	Joanne	6701
Williams	Kristin	3982
Williams	Gerry	4268
Williams	Marianne	2171
Williams	Sara	4818
Williams	Margery	996
Williams	Susan	6787
Williams	Aaron	3449
Williams	Martha	2142
Williams	R. Terra	1655
Williams	Heather	3473
Williams	Cassandra	5120
Williams	Peter	3424
Williams	Paulette	5669
Williams	Kimberley	440
Williams	Glen	5610
Williams	L.	436
Williams	Nicholas	3187
Williams	Jason	9650
Williams	Sunny	11692
Williams	Kevin	10736
Williams	Earl and Pat	10747
Williams	Laura	11150
Williams	Patrick	11260
Williamson	J. C.	3824
Williamson	Sherry	2124
Williamson	Debbie	4088
Williamson	Tessa	7724
Williamson	Helen	4487
Williamson	Shawn	11848
Williamson	Gail	14681
Williamson	Barbara	9838
Willis	Jennifer	1538
Willis	Bob	10739
Wills	Rich	1799
Wills	Amber	1397
Wilmes	Norm	9372
Wilmoth	Charles	4206
Wilsey	Maria	1155
Wilson	Patricia	1273
Wilson	Dave	7979
Wilson	Lois	478
Wilson	Richard	1489
Wilson	Marilyn	3078
Wilson	Orpha	392
Wilson	Jim	8467
Wilson	Leland	4720
Wilson	Patricia	7053
Wilson	Andrea	6554
Wilson	Sheila	7551
Wilson	Floyd	8871
Wilson	Ken	5734
Wilson	James H.	7947
Wilson	Susan	4021
Wilson	Maria Riter	6379
Wilson	Jason	6958
Wilson	Rick	9062

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Wilson	Andrew	11861
Wilson	Daren	9866
Wilson	Shalise	9593
Wilson	Kate	12061
Wiltberger	Arlene	2157
Winborne-Graven	Marcia	10684
Winchell	Theresa	4721
Winchell	Joan	7623
Winchell	Elizabeth	10671
Windell	Michelle	2193
Windrum	Ken	6829
Windsong	Debra	8626
Windsor	Troy	487
Wing	Martha	1321
Wingerd	Mala	6873
Winholtz	Betty	2385
Winiecki	Marcin	14218
Winik	Fred	1456
Winkels	Philip	1571
Winkler	Danielle	3876
Winkler	Mark	13132
Winne	Dianne	3763
Winnick	Joie	3007
Winocur	Nadine	3470
Winship	Ann	4486
Winter	Charles	5354
Winter	H. Leabah	1282
Winter	Matthew	10526
Winter	Kevin	300015
WinterSun	George	6587
Wintucky	Sarah	2609
Wipf	Rebecca	13860
Wirtz	Tod	4689
Wirtz	Emily	9247
Wirz	Carl	3288
Wisch	Anita	9156
Wisch	Anita	9297
Wise	Amanda	6093
Wise	Edwin	2917
Wise	Andrea	11667
Wisehart	Robert	7675
Wisper	Michael B.	3131
Wisslead	James	5832
Wisznia	N.	12055
Wiszowaty	Walter	3453
Witchner	Beverly	4832
Withrow	Amanda	7083
Withrow	Shari	10101
Witt	Jack	7017
Witt	Frank	2156
Witt	Jo	11301
Witt	Debbie	14240
Wittl	Wendy	6034
Wobermin	Victoria	13276
Wojcik	Marysia	3588
Wolaver	Robert	3444
Wolf	Mark	7129
Wolf	Diana	839
Wolf	Maurice and Wati	5789
Wolf	Rachel	7162
Wolf	Cybele	8438
Wolf	Laura Tomi	2381
Wolf	Roy	11527
Wolfberg	Amy	11691
Wolfe	Jessica	8645
Wolfe	Lorena	2010
Wolfe	Charles	2045
Wolfe	Cheryl	11932
Wolfe	Nanlouise	13121
Wolff	Tobias	837
Wolff	Sandra	7830
Wolff	Alexandria	3110
Wolff	Pat	7972
Wolfgang	Sara	10673
Wolfshagen	Russell	9535
Wolfson	David	1520

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Wolfson	Dawn	8734
Wolhuter	Suzanne	9773
Wolkenfeld	Daniel	5943
Wollman	Michael	9854
Wollner	William	3639
Wolter	Brian	7208
Womack	Christopher	8118
Womble	Jeffrey Earl	7138
Wong	Lisa	2022
Wong	Crystal	2441
Wong	Laurie	7538
Wong	Sami	7654
Wong	Leona	218
Wong	Manuel	8490
Wong	Kathleen	3522
Wong	Anthony	728
Wong	Steven	8992
Wong	Arlene	14150
Wong	Scott	9777
Wong	Laura	10093
Woo	Ruby	5658
Wood	Deborah	2524
Wood	Dianna	4485
Wood	Natalie	8211
Wood	Brian	3363
Wood	Mary	1515
Wood	Cheryl	11086
Wood	David	14314
Wood	Wendell	11299
Wood	Cynthia	10583
Wood	Joy	10552
Wood	Antoinette	14716
Woodall	Leanne	3826
Woodbury	Randall	1813
Woodcock	Charlene	3012
Woodford	Jill	4279
Woodhouse	Marily	9548
Woodriff	Elaine	10040
Woodruff	Danah	9641
Woods	Rustie	5431
Woods	Lon	9361
Woods	Amanda	8420
Woods	Cheri	7911
Woods	David	927
Woods	Debbie	4289
Woods	James	3415
Woodward	Stanley	7226
Woodward	Matt	3789
Woody	Theresa	3807
Wooldridge	Bernard	2940
Woolery	Matt	3858
Woolsey	Carri	10307
Woolworth	Moriah	9055
Worcester	Chris	2529
Work	Joseph	11360
Workinger	Scott	3245
Worley	Elena	699
Worley	Patti	2219
Wornum	Claudia	7904
Woveris	Kathy	4815
Wren	Ashley	935
Wright	Judith	2933
Wright	Emma	1339
Wright	Matt	1196
Wright	Cynthia	8396
Wright	Katherine	3118
Wright	Laura	3478
Wright	Denise	8407
Wright	Abigail	11487
Wright	Dale	10718
Wright	Mary	11896
Wright	Lorraine	9679
Wright	Sherry	9941
Wright	Denise	12066
Wright	Patrick	12047
Wright	Darcy	10939
Wrighte	Edmund	4098
Wrigley	Kristi	10665

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Wrigth	Laura	11142
Wrinkle	Susan	10584
Wrinkle	Susan	9887
Wrobel	Harold	8016
Wu	Blake	1954
Wulf	Patty	11062
Wurgel	Carmen	14176
Wyatt	Marla	7275
Wyatt	Aimee	2269
Wyatt	Sandra	11297
Wyland	Judith	14619
Wylie	Michael	10267
Wyman	Tom	2135
Wyse	Sheila	6816
Xavier	Marjorie	11611
Ximenes	Enio	6036
Yacoub	Caroline	7079
Yaffe	Rebecca	2409
Yaffee	Steve	7687
Yager	David	7752
Yahn	Michelle	1532
Yaley	Shawna	4540
Yamada	Eileen	8295
Yamaguchi	David	4029
Yamanoor	Srihari	2867
Yamas	John	9330
Yamauchi	R.	3542
Yampolsky	Rita	13410
Yancey	Lea	541
Yarbrough	Jim	6112
Yaroslow	Gregory	2627
Yassi	Esther	10423
Yastrow	Jacob	3253
Yates	Erwin	13272
Yates-Gordon	Gayla	6764
Ybarra-Weckmann	Bryann	594
Ye	Alexander	7078
Yeakle	Deanna	7198
Yee	Daphne	7248
Yelda	Thomas	687
Yelich	Stephen	1557
Yellin	Shane	14186
Yencso	Dave	9369
Yenney	Bob	883
Yenoki	George	1694
Yeomans	Kathy	371
Yerena, Jr.	Julian	1876
Yerge	Matthew	10328
Yeung	Alexander	3608
Yguico	Erlinda	5638
Yiun	Hyo	9596
Yokoyama	Holly	2977
Yonge	George	1391
Yoon	Jinah	10212
Yoon	Anne	10216
York	Bing	5105
Yoshiyama	Lane	1204
Yothers	Carol	644
Youabian	Anita	5538
Youens	Constance	1230
Youn	Aerie	3302
Young	Dennis	2240
Young	Allan	2516
Young	Vincent	2304
Young	Jonathan	3894
Young	Kathleen	7410
Young	Nina	5585
Young	Chris	4176
Young	Elise	7072
Young	Leslie	7012
Young	Alan	8731
Young	Wendy	6979
Young	Jo Ellen	6548
Young	Katherine	6657
Young	Kyle	6704
Young	Chris	7847
Young	Duane	14653

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Young	Mary	10542
Young	Gail Eva	10709
Young	Nicholas	16712
Young	Joanne	10469
Youngelson	Noah	10749
Youtt	Harry	3572
Yturalde	Deb	2897
Yu	Evan	9122
Yudell	J.	9950
Yudin	Gary	4203
Yuen	Shirley	4052
Yurman	Richard	3344
Yusem	David	11022
Z.	Jas	7483
Zaccagnino	David	8541
Zacher	Robert	9762
Zack	Kathleen	10342
Zagaris	Michael	7445
Zagha	Susan	11609
Zaharopoulos	Leila	9822
Zak	Deborah	10437
Zakrzewski	Joseph	7916
Zaks	Benjamin	7813
Zalon	Susan	8402
Zamagni	Mary	3764
Zaman-Zade	Rena	6182
Zamarripa	Juan A.	10654
Zamlich	Kimberly	4473
Zammit	Annabel	11003
Zanella	Lisa	3177
Zanic	Laura	1862
Zankel	Margaret	10479
Zankich	Dianne	6464
Zaouk	Marian	4020
Zargaran	Hossein	4983
Zaubi	Cyndee	14147
Zavinsky	Nickie	9662
Zawaski	Joan	8742
Zbitnoff	Anna	836
Zdenek	Diana	2396
Zec	Ina	3447
Zeichner	Walter	1723
Zeitman	Martin	2184
Zelasko	Sandra	4092
Zeligs	Natasha	5312
Zeller	Rudy	10548
Zelman	Steve	752
Zelman	Beth	647
Zemach	Amielle	4645
Zemba	Tim	8844
Zenker	Elizabeth	593
Zepeda	Julian	7071
Zerbato	Pete	6530
Zhao	Jane	11187
Zhou	Michael	8403
Ziegleder	Meg	7941
Ziegler	Joel	8994
Ziegler	Herbert	10360
Ziegler	Michael	11929
Ziegler	Dawn	10233
Zielke	David	2125
Ziemba	Jelehla	5296
Zierikzee	R.	7564
Zierler	Stephanie	3293
Ziffren	Cathy	4611
Zimaniova	Monika	2158
Zimbler	Joanne	515
Zimmerman	Heidi	7744
Zimmerman	Roger	3808
Zimmerman	Diana	1400
Zimmerman	Robert	8095
Zimmerman	Pam	4551
Zimmerman	Julie	10278
Zimmerman	Laura	13186
Zimmermann	John	8547
Zingone	Drew	8445
Zink	Amy	9830
Zittrain	Jeff	5412

Table 5-1: List of Individuals Who Submitted Form Letter 1

Commenter Name Last	First/Middle	File Number
Zlatanov	Violin	3298
Zlatnik	Marya	2621
Zoah-Henderson	Richard	7738
Zoernig	Kristin	7225
Zogran	Diana	127
Zola	Matt	3563
Zolezzi	Deidra Austin	8769
Zoll	Donna	8627
Zollars	Teresa	1486
Zonia	T.	3902
Zonner	Steven	6706
Zorach	Tim	618
Zorger	John	2945
Zoya	Jan	2982
Zrimsek	Alanna	6532
Zubicek	Shawn	9604
Zucker	Lori	11168
Zuckerberg	Ronnie	3607
Zuckerwise	Amelia	11548
Zuerlein	Melinda Lusk	4393
Zuk	Marina	11379
Zukoski	Katie	759
Zulch	Ramona	10524
Zur	Jennifer	799
Zurfluh	Philip	4161
Zurla	Jack	4252
Zwerner	Deborah	2988
Zwick	Sandy	2464
Zwigoff	Terry	3375
Zwolenkeiwicz	Deborah	11056
Zylius	Patricia	1213

Table 5-2

List of Individuals Who Submitted Form Letter 2

Table 5-2: List of Individuals Who Submitted Form Letter 2

Commenter Name		File
Last	First/Middle	Number
Brooks	Mary	10894
Browne	Mary-Lou	52
Browne	Rita	51
Delzeit	Myra	2722
Diane	Elizabeth	9439
Gazes	Diana	100012
Hardy	Lynda	10888
Kane	Pandora	102
Kane	Pandora	102
Kane	Pandora	102
Moore	Jack	10879
Pasner	Fred	100013
Patty	Dee	14494
Perlman	S. and M.	2717
Schrag	Jan	10889
Taylor	Rose	100004
Taylor	Rose	100005
Thomas	Ralph	11564
Wood	Bonnie	16

Table 5-3

List of Individuals Who Submitted Form Letter 3

Table 5-3: List of Individuals Who Submitted Form Letter 3

Commenter Name		File
Last	First/Middle	Number
Abrahamson	Stephanie	327
Andersen	Concetta	2744
Auerbach	Cassandra	10880
Baker	Nikki	13026
Bella	Stella	14347
Berger	Karen	9458
Berger	Mark	14045
Bhaerman	Steve	9408
Black	Cindy	9420
Brocke	Edgar	9448
Brooks	Julie	301
Bush	Camille	11586
Carnahan	Kerry K.	12392
Chi	Pha	352
Chieffe	Mary	11590
Cohen	Isabel	10866
Corado	Carmen	12192
Correa	Laura	2711
Curia	Cindy	14024
Daspit	Nicole	9461
Davis	Dana	10868
DeLoia	Jennifer	306
Devine	Karla	11604
Dhand	Rebecca	293
Dolan	Jerolyn	14573
Engel	Margie	9430
Evans	Michael W.	292
Farber	Ken	14414
Freedman	Rande	11588
Freeman	Alexandra	9423
Furey	Kathleen	11589
Gilbertson	Jean	11584
Gonzalez	Carly	2762
Goodrich	Tim	12082
Grace	Marien	9449
Hadden	Sas	11606
Harris	Genny	2798
Hayes	Susan	14343
Hill	Maahra A.	14572

Commenter Name		File
Last	First/Middle	Number
Honeycutt	Zen	248
Howe	Brian	2681
Iarocci	Kim and John	10899
Kalik	Antal	16613
Kassner	Lisa	9427
Kassner	Lisa	9426
Keller	Joseph	240
Keller	Vicki	239
Kiely	LaVive	12936
Larsen	Joyce	14487
Lazoff	David	14121
Lee	Peter Booth	283
Liber	Judy	16766
Light	Lillian	12228
Lutz	Samantha	9412
Martindale	Eloise	2703
Maschino	John	14122
McQuiston	Christine	9465
Meda	Adolpho	2678
Mendoza	Amber	12077
Miernowska	Marysia	10883
Mikkelsen	Jeff	9444
Mura	Ruslan	12488
Murrill	Malene	2783
Nelson	Candie	9446
Nestoff	Susan	10897
Omann	Geneva	16557
Osman	Daniel	2705
Pedersen	Chris	14018
Pereira	Tony	11596
Peterson	Carol	12081
Pettis	Carolyn	10890
Presteng	Sarah	318
Ramos	Paul D.	261
Regensburger	William	11598
Rizzoni	Christina	11605
Russell	Christine	9432
Sahlin	Connie	11594
Schepps	Roberta L.	322

Table 5-3: List of Individuals Who Submitted Form Letter 3

Commenter Name		File
Last	First/Middle	Number
Schneblin	Michael	2751
Shoji	Jane	300009
Sigel	Liz	2660
Soares	Mary	9457
Sophia	Christina	2745
Sophia	Christina	10875
Stewart	Susan	2799
Stone	Barton	9459
Subbaiah	Poonam	2767
Taylor	Rose	16
Tippett	Karen	2728
Tippett	Richard	11583
Trudel	Teresa	9417
Uyeda	Monique Ann	2758
Vittore	Sabrina	2769
Walker	Arianne	10900
Washizu	Maya Kathleen	9451
Waters	Carolyn	199
Yates	Gayla	353
Yates	Gayla	354
Zankich	Dianne	2752
Zappulla	Kim	12083
Zehavi	Eron	11592

Table 5-4

List of Individuals Who Submitted Form Letter 4

Table 5-4: List of Individuals Who Submitted Form Letter 4

Commenter Name		File
Last	First/Middle	Number
Anonymous		16628
-	Lise	14007
-	Kimberly-Ann	12166
A. Lowry	Pamela	14810
Adele Hale	Eileen	12323
Aenlle	Willy	12708
Ahola	Kelly	12743
Allen	Michael and Linda	16658
Alonso	Shelley	12697
Amador	Nicole	12573
Amelang	Loren	12556
Anderson	William	12790
Anderson	Gillian	12092
Anena	Madame	13058
Armstrong	Audrey	12574
Armstrong	Arlo	12122
Armstrong	Rebecca	12732
Asan	Tenaya	12230
Atkinson	Kim	16616
B.	David	12181
Backberg	Erika	12324
Bahr	Rich	14025
Banne	Nathen	12674
Barfield	Cameron	16663
Barnes	Sharon	12725
Barnes	Terry	14481
Barron	Ellen	13609
Bartleman	Mark	14362
Batley	Glenis	14011
Bauer	Kim	13721
Baxter	Sarah	16767
Benton	Michael	12868
Best	Lourdes	13014
Billik	Shelley	13555
Bilwin	Gina	12205
Bingham	Chrisopher	14748
Black	Nancy	16679
Bogios	Constantine	14132
	Gus	
Bolinger	Sherry	14356
Bond	Jill	12500
Bosworth	Karen	16653
Branley	Brent	16777
Brenner-Ward	Isis	13745
Bresnahan	Rosalind	14408
Brewer	Georgia	12522
Brooks	Deborah	13629
Bross	C. T.	12450
Brown	Kelly Stokes	12256
Brown	J.	12328
Bruemmer	Paul	13740
Bryant	Ellen	13464
Burke	Bonnie Margay	12325
Burns	Bruce	12287
Byrd	Cynthia	14499
Cabreana	Karen	14498
Campbell	Allan	12952
Carlton	Lynette	12690
Carrigan	Milton	12377
Chandler	Vickie	13619
Chavez	Phyllis	14373
Chipman	Jil	16649
Clarridge	Jan	13461
Colbourn	Karen	13624
Crane	Rita	13821
Culloty	Sean	13902
Cupito	Caia	13816
Dand	Tracy	13909
Davis	Vicki	12769
Day	Misty	2748
Decker	Susan	14406
DeNardo	Marlene	12339
Deurloo	Marianne	12102
Deutsch	David	12916
Dorsey	Natasha	12463
Drake	Maggie	12800
Dutra	Ron	12524

Table 5-4: List of Individuals Who Submitted Form Letter 4

Commenter Name		File
Last	First/Middle	Number
Easley	Faye	12639
Ek	Betsy	12280
Ellis	Sally	13539
Erik Keippel	Julian	13037
Estes	Mr. and Mrs. Carl	13486
Evans	Dinda	13723
Evans	Jessica	12773
Falvey	Tom	12758
Farris	Constance	12865
Feldman	Mark	12086
Ferber	Laura	12386
Fish	Catherine	12787
Flahive	Lauren	12774
Flebotte	Katharine	14800
Fleischmann	Toni	12746
Ford	Harold	12610
Ford	Michael	13692
Freeland	David	13865
Friedrick	Christin	13788
Fuijkschot	Edo	12182
Gabriel	Shanta	14419
Gallagher	Rosemary	16814
Garcia	Judith	13934
Garcia	Jeffery	13564
García	Armando A.	12301
Gardner	Emma C.	12623
George	Cynthia	12824
Gibble	Joia	12722
Gibbon	Roy	12516
Gilmaher	Tara	12098
Gilmore	Cher	13951
Goodman	Sherri	14497
Greenberg	Susan G.	14727
Greenberg	Susan G.	14727
Greenman	Jessea	12635
Gregory	Steve	12770
Gregory	Reiko	12777
Griswold	Burt	12502
Groscup	Julie	13543
Guise	Elizabeth	12615
Haag	Robert	13622
Hamm	Kristin N.	14393
Hansen	Jennifer	14345
Harkavy	Kamila	13845
Harrison	Stephanie	13915
Hashimoto	Margaret Cummings	13561
Haun	Daniel	12617
Hay	Stacy	12944
Henson	Nancy	14070
Hill	A. S.	14774
Hoover	Michael F.	12895
Horstman	Cyndi	13963
Horton	Margaret	13929
Howell	Brenda	12903
Huerta	Ron	12457
Humphries	Jane	12282
Hunter	Judy	12188
Huntington	Nick	12308
Ingegno	DeBorah	16800
Itzenhauser	Diane	12242
Jacobi	Johanna	13019
Jim	Tai	14385
Jimenez	Blanca	12121
Johnson	E.V.	12654
Jordan	Stephanie	12342
Jorgensen	Kevin	12631
Julian	Patrick	12304
Keon	Liese	14550
Kerry	Theodora	12733
Kiely	LaVive	12936
Kirschling	Karen	12453
Klugherz	Margaret	14749
Kohler	Glen	12197
Kohler	Kathleen	14780
Kral	Audrey	12295
Krauss	Sabrina	13600

Table 5-4: List of Individuals Who Submitted Form Letter 4

Commenter Name		File
Last	First/Middle	Number
Krell-Bates	Diane	12376
Kwok	William	13717
La Pan	Renee	12555
LaPorta	Angela	12270
Larson	Emily M.	16647
Lee	Jennifer	13536
Lemongello	Donna	12291
Leventis	Nick	13747
Lewis	Cynthia	13538
Linglet	Jeremie	12404
Lloyd	Terri	173
Lonergan	Carol	13854
Longsworth	Jon	12164
Low	Monique	12338
Lynn	Merril	13465
Mackey	Claudia	12765
Malven	Laura	13650
Marangoni	Eugene	12220
Marchand	Lynn	12506
Martinez	Cam	12278
Mason	William	16786
Maurice	Patti	13517
Mayor	Babette	12409
Mayor	Babette	13563
McCall	Joan	12285
McCartney	Kimberly	12399
Mikulicic	Suzanne	12763
Miles-Holleman	Bette	12227
Miller	Julie S.	12448
Miller	Wes	13025
Moore	Nicky	12624
Mordecai	D.	12380
Morgan	Diane	12191
Morrison	Luke	12095
Mullaney	Rebecca	12153
Murphy	Cindy	12841
Murphy	Laura	12130
Nash	Jean	13055
Natalini	Sarah	13632
Nelson	Judith	12854
Nguyen	Leilani	13916
Norris	A.	14482
Norris	Tom	12222
Nucci	Britney	14475
Ockerberg	Lenore	13918
Osterhoudt	David	12883
Oviedo	Leah	13545
Parker	Erika	13556
Parsons	Nancy	39
Patterson	Therese	12329
Patty	Dee	14494
Pebbles	Terry	14114
Peterburs	Pamela	12127
Peterson	Ray	13017
Pitman	T.	13739
Porcile	Rene	13618
Prichard	Bob	12605
Quiggle	Ellyn	13673
Ramirez	Jessica	12299
Reese	Susan	13961
Reeve	Sharon	13566
Reimann	Dominique	13626
Resnikoff	Rachel Heyman	12942
Rice	Kyra	16813
Ridgley	Bryan	12900
Ritchie	Shann and Dennis	12114
Robbins	Richard	12772
Robinson	Joel	12724
Rocco	Priscilla	14357
Rosenblood	Jamie	12292
Rubicam	Shannon	13757
Rusert	Brent	12781
Rushton	Sharon	13547
Sahhar	Dianna	12736
Sanders	Joanne	12835
Schary	Joy	12537

Table 5-4: List of Individuals Who Submitted Form Letter 4

Commenter Name		File
Last	First/Middle	Number
Schenck	Steve	12252
Schenck	Steve	12251
Schweickert	Laurie	14376
Selby	Elijah Shannon	12726
Shanahan	Timothy	12261
Shareing	Liona	13852
Shaul	Stacy	2685
Sheehan	Kitty	12888
Shepherd	Marilyn	13686
Shequin	Ingrid and Steve	13695
Sherman	David	13578
Shinkle	Whitney	12414
Shirley	Rebecca	12417
Simmons	Karen	13741
Sinfuego	Ruth	12460
Spanopoulos	Anna	13012
Spiteri	Jessica	12385
Spitz	Jon	12829
Stahl	William	14441
Stanger	Janice	12545
Stebbings	Barrie	16656
Stefl	Barbara	12737
Stock	Ron	12864
Strodl	Helen	16596
Suzanne	Paulette	13631
Taylor	Sally	12764
Tele	Mark	12365
Towne	Ashley	16610
Treacy	Carol	12317
Trenier	Bea	13706
Tuamia	Lou'a	12642
Tullius	Michael	12775
Van Etten	Sandi	12567
Vaughan	Colleen	13053
Vdub	Mak	13643
Vigliotta	Marie	12250
Vollmer	Alex	12568
Walker	Mary	12303
White	Jeanette	12185
White	Jeanette	12186
White	Jeanette	12187
Williams	Laren	16775
Winburn	William	14115
Winter	Judy	13930
Wolf	Anne	13546
Wootton	Sabrina	12237
Wright	Melvyn and Mary	13785
Zelman	Steve	13633
Zink	Laura	14364
Zukas	Alex	13640

Table 5-5

List of Individuals Who Submitted Form Letter 5

Table 5-5: List of Individuals Who Submitted Form Letter 5

Commenter Name		File
Last	First/Middle	Number
-	Tiffany	13884
Abramson-Levine	Pamela	13583
Adams	David	206
Adams	Ariel L.	12739
Alet	Frances	12783
Ashley	Victoria	12709
Battistelli	Krysti	2689
Bautista	Marisa L.	13875
Bellak	Nina	16644
Bellettini	Cristine	12634
Berg	Leta	11577
Betwarda	Rashell	13554
Bigelow	Tracey	14453
Bigelow	Eleanor	16565
Blank	Todd	12735
Blatt	Miriam	12557
Bode	Samantha	14778
Borchers	Marguerite	12410
Bourbonnais	Margie	214
Bowers	Brian	12799
Brady	Morgan	11578
Brady	Morgan	12085
Branton	Bethel	11587
Broderzen	Nance	13059
Brooks	Serena	13883
Carpenter	Colin	11916
Cassell	Anne	13552
Charbonneau	Denis	12621
Cowin	Caryn	13549
Cullar	Rachel Maria	9441
Curtis	C. W.	14478
Davis	Michelle	12782
Dillard	Nakia	213
Dolvik	Kyle	12760
Dravis	Mia	12691
Fiene	Karen	14092
Filer	Anne	14557
Fuller	Edward	13548
Gallaher	Tim	12823
Gassner	Suzanne	13822
Ginevra	Leandra	14490
Gordon	Rick	16562
Guzman	Naomi	12729
Harrison	Lee	12142
Hildebrand	Christina	2739
Hopkins-Kurz	Elizabeth	14074
Horwitz	Michelle M.	13983
Hull	Guadalupe	12536
Ihrig	Glen	13939
Ivanov	Nataly	2735
Jeffcoat	Fern	14571
Jordan	Connie	13573
Karlock	Peter	12720
Kim	Gloria	12438
Kliszewski	Claudia	12716
Korengold	Jill	13876
Koroleva	Lyubov	2738
Krutel	Lea	9440
Kupke	Mark	12919
Kyle	Joe	12856
Leslie	Cheri	12858
Lewis	Ivana	2792
Liao	Karen	13882
Lipschutz	Shirley	13513
Lipsky	Karen	12345
Lyman	Eleanor	14811
Lyman	Eleanor	14811
Lyman	Eleanor	14811
Malone	Linda	12472
Manning	Charles	13790
Manowitz	Lizzette	14368
Marx	Jennifer	209
Mauk	Barbara	14536
McCann	Naomi	13873
McComb	Melinda	12149
McFall	Larry	14394
Mednick	Christina	14123

Table 5-5: List of Individuals Who Submitted Form Letter 5

Commenter Name		File
Last	First/Middle	Number
Mikos	Annette	302
Miller	Ken	12666
Mills-Thysen	M.	13491
Minnema	Megan	13881
Mulligan	Hilary	16593
Nakanishi	Larry	12859
Nasser	Diana	14065
Nelli	Caterina	13950
Nelson	Mark	12825
Oder	Danila	12640
Ozsoy	Pinar	12509
Palos	Cheryl	13975
Patty	Dee	14494
Pemberton	Kristen	13964
Pesch	Roland H.	12738
Polonsky	Brian	12217
Post	Stephanie	12143
Ravesies	Marilyn	12755
Ray	Suzanne	12649
Rayfiel	Alex	12216
Reyes	Rosemary	13863
Richards	Vivien	13568
Roberts	Dara	12137
Robertson	Diana	12820
Romen	Merrilyn	9442
Rubio	Elsa	12861
Sabatini	Kathy	14738
Salmon	Georgia	2690
Sargeant	Eric M.	12219
Sarmento	Kathy	14064
Schwartz	Janelle	13862
Self	Amy	13054
Simpson	Kathryn	12867
Sims	Bruce	12213
Skene	Kevin	12218
Smith	Kelly A.	12700
Smith	Deneen	2691
Smith	Judith	13927
Spiegel	Sara	11581
Stanojevic	Erica	12598
Statom	Stephanie	12138
Stepansky	June	13459
Takemori	Claire	2696
Tompkins	Lori	12298
Townsend	Lori	12315
Urso	Christina	13919
Van Der Lee	Aniko	13878
Vasquez	Leah	13839
Vieira	Anthony	12661
Vierling	Genevieve	14547
Wagner	Helene	12650
Walden	Leona	14726
Wertz	Dorothy	8
Wickland	Timothy	13537
Wilks	Elise	11579
Williams	David	16569
Wolma	Keith	16672

Table 5-6

List of Individuals Who Submitted Form Letter 6

Table 5-6: List of Individuals Who Submitted Form Letter 6

Commenter Name		File
Last	First/Middle	Number
Abrahamsson	Erika	15773
Adams	Grace	15588
Afonso	Claudia	15695
Alcurrie	Mandy	15468
Alexeas	Peter	15669
Almeida	Maryann	15415
Alvarez	Ana	15417
Ames	Karin	15646
Anastasio	Laura	15714
Anderson	Patricia	15697
Andrews	Tammy	15655
Ansay	Gabriele	14895
Arnold	Sylvia	14829
Atkinson	Becky	15625
Atwell	J.	15482
Auslander	Joe Ann	15634
Austin	Jeannette	16205
Ayala	Rosa	15671
Ayers	Paul	15698
Aziz	Mark	15424
B.	Jess	15383
Baide	Cindy	15405
Baier	Stacie	15705
Bains	Jeffrey	15691
Baird	Barbara	15672
Baker	Rachelle	15725
Baker	Kathy	15401
Baker	Susan	15481
Balles	Katherin	15772
Barke	N.	15554
Barnett	Nancie	15604
Barringer	Joyce	15448
Barrons	Susan	15721
Baruch	Jacqueline	15544
Bates	Barbara	15442
Bauer	Helen	15654
Baumgartner	Donald	15537
Beasley	Dale	15735
Beck	Margaret	15657
Becker	Elaine	15983
Belue	Kristen	15501
Bern	Dina	16039
Bernard	Martin	15583
Bertelmann	Gabriella	16339
Bigelow	Gina	15703
Billings	Suzanne	15619
Bird	Rhonda	15661
Bird	Kenneth	15548
Black	Joan	15469
Black	Nancy	15666
Blackburn	Diane	15390
Blank	Ann	15761
Boden	Jeff	15584
Boniface	Kathryn	15463
Bonilla-Jones	Carmen Elisa	15560
Boonin	Joy	15434
Bosak	Christopher	15073
Bossert	Kristen	15681
Bostick	Carol	15652
Bowland	Denise	15486
Bowman	Candy	16439
Bowman	Jason	16017
Brandwein	Susan	15592
Brewer	John	15511
Brody	Lane	15429
Bross	C.T.	15696
Brou	J. C.	15643
Brown	Terri	15516
Bruck	Timothy	15605
Bruno	Alexandra	15496
Burke	Joanne	15184
Burns-Walters	Jacqueline	16094
Butche	Mije	15493
Call	Beth	15629
Cantu	Denise	15637
Capotorto	Jeanette	15576
Cappellaro	Nora	14917
Cappello	Dan	15470

Table 5-6: List of Individuals Who Submitted Form Letter 6

Commenter Name		File
Last	First/Middle	Number
Caraballo	Alicia	15597
Carden	E.	15664
Carlson	Ivonne	15490
Carlson	Judith	15084
Carney	Michael	15649
Caronia	Marcia	15436
Carter	Peggy	15883
Carter	Sheila	15598
Casey	Steven	15432
Castillo	Kiss	15504
Cavalier	Andre	15428
Cervencik	Mary	15575
Chambers	Jacque	15525
Chazin	Al	16217
Chestney	Karen	15650
Chismar	Nancy	15563
Christiansen	Sue	15494
Christison	Yvonne	16361
Chu	Sandra	15577
Claeys	Yvette	15420
Clement	James	15645
Clements	Paul	15430
Coleman	Edith	16527
Collins	Jennifer	14928
Collins	Kysha	16450
Combs	Beverly	15589
Connell	Dylan	15406
Conner	Eileen	15524
Connor	Linda	16083
Cooley	Richard E.	15639
Copeland	C.	15656
Costa	Celeste	15709
Councilman	Dave	15437
Cowley	Teresa	15741
Creech	Jeffrey	15687
Crowley	Joyce	15458
Dadic	Ann	15419
Darling	Carrie	15350
Davies	Brenda	15505
Dawson	Julie	15708
Dee	Diana	15624
Densmore	Chuck	15628
Desai	Parag	15039
Desmond	Sheila	15206
Dewey	Michael	15531
Dickey	Bo	15633
Dietsche	Susan	15398
Dirnbach	Boris	15712
Ditton	Judy	15720
Dolbear	Robin	15421
Dooley	Katherine	16239
Dorman	Melanie	15393
Dorn	Carol	15117
Douglas	Dianne	16427
Dowell	Antonio	15861
Duerre	Michelle	15506
Dunham	Suzanne	15476
Dunham	Jack	15447
Edmonds	Janet	15408
Efron	Deborah	15591
Ellison	Nancy G.	14939
Els	M.	15684
Ensign	Pamela	15739
Erbe	Roger	16305
Ernst	Karen	15710
Esponde	Deb	15717
Esposito	Susan	15523
Esposito	Louis J.	15460
Evans	Dind	15724
Fahrenwald	Gill	15439
Faith	Bonnie	15361
Farr	Daniel	15611
Farris	Jansie	15488
Faulks	Lea	16316
Fay Sampson	Linda	15995
Fisher	Sharon	15480
Fister	Lee	15626
Fitzgerald	T.	15580

Table 5-6: List of Individuals Who Submitted Form Letter 6

Commenter Name		File
Last	First/Middle	Number
Flowers	Bobbie	15642
Flynn	Sean	15459
Ford	Michael C.	15685
Marks	Richard B.	15685
Forrest	Vicky	15694
Foster	Brian	15665
Frankito	Michelle	15465
Frohn	Joyce	15407
Fuller	Sharon	16161
Funk	Greg	15615
Gaffney	Mal	15723
Ganguly	Helga	15521
Garrido	Nancy	16183
Garson	PJ	15427
Gathing	Nancy	15593
Gaudette	Thea	15435
George	Patricia	15884
George	Donna	15641
Gervais	Kathy	16028
Giese	Mark M.	15688
Gilbertson	David	16006
Gillis	Suzanne	15662
Gl	Jordan	15994
Goetinck	Jean	15613
Gosselin	M.J.	15399
Grant	Brenda	15464
Graywolf	Stanley	15484
Graziosa	Sara	15454
Greenhouse	Sheryl	15561
Gregory	Marc	15095
Grib	Dawn	15640
Gross	Seymour	14951
Guss	Elisa	15422
Hall	Rose	15569
Hall	Claudia	16250
Hall	Holly	16372
Hanline	Frank	15582
Hanzelka	Linda	14940
Happel	Charles	15410
Hatton	Kathleen	15499
Heinlein	Richard	15513
Hess	Lawrence	16117
High	Chere	15573
Hobson	Darlene	15526
Hodgin	Terry	15616
Hoeschele	Dan	14973
Holton	John	15542
Horning	Laura	15700
Hughey	Mike	15636
Humphreys	Beth	15503
Hunter	Konrad	15972
Ingersoll	Jaycie	15737
Jannicelli	Barbara	15618
Javidi	Parisa	15806
Joel	Taryn	15606
Johns	Barb	15558
Johnson	Barbara	14840
Johnson	Barbara	15217
Johnson	Cecile	15317
Joyce	Demetra	16105
Jurick	Linda	15950
Kalmenson	Karen Lyons	15453
Kann	Carol	15578
Kanno	Tracy	15284
Kaplan	Dennis	15596
Karnes	Kat	15409
Kasbarian	Anita	15403
Kastrati	Sabrine	15675
Katz	Catrin	15534
Kelley	Dorinda	15702
Kelly	Mike	15425
Kenzer	Sharon	15644
Ketz-Robinson	Elizabeth	15682
Khan	Salma Ahmad	15431
Kill	B.	15402
King	Janis	15731
Klein	Joseph	15412
Klein	Robert	14995

Table 5-6: List of Individuals Who Submitted Form Letter 6

Commenter Name		File
Last	First/Middle	Number
Knight	Suki	15727
Konstantinidis	Sandy	15389
Koritz	Raleigh	15627
Kowalski	Dee	15522
Kozel	Jean	15514
Krebbs	Cheryl	15620
Kruger	Pam	15601
Kuon	Earl	15750
Lander	Clara	15689
Lavagnino	Beatriz	15850
LeBlanc	Candy	15586
Leduc	Sharon	15630
Lee	Nina	15295
Lee	Jinny	15502
Leigh	Lynda	15483
Lemer	Susan	16106
Levin	Emma	16549
Levy	Joyce	15461
Liakos	Constance	15028
Liebman	Jill	15433
Ligay	Christine	15139
Light	John	15495
Lockwood	Shawn	15555
Logan	Pam	15651
Long	Carol	15817
Longfellow	Lee	15631
Love	Angelina	15571
Lowe	Kay	15706
Lowry	Lorraine	15491
Lowry	Kristen	15507
Loyd	Susanne	15438
M.	Mike	15396
M.	Kay	16416
Mac Farland	Cynthia	15961
Macelli	Angela	14873
Mackin	Zuzanna	16494
Madden	Marie	15906
Maine	Christine	15173
Mandell	Sheila	15128
Manfred	Al	15457
Marcoux	Catherine	15552
Margulis	Elise	15648
Marinescu	Maria-Cristina	15411
Marion	Carolyn	15466
Martin	Debbie	15517
Martin	Maggie	15395
Martinez	Genoveva M.	15539
Martinez	Karen	15512
Massetti	J.	15051
Matthews	Clyde and Linda	16328
Matthews	Donna	15568
McGarry	Randy	15609
McGrath	Raymond	15161
McKean	Mary Jane	15632
Mckinstry	Rosemary	15414
McMichael	Jan	15339
Mechanic	Lorraine	15567
Meeker	Simone	15678
Melton	Jim	15683
Mendez	Julia	16172
Meyer	Paul	15590
Meyer	Colonel	15500
Meyer	Twyla	15839
Meza	Debra	15150
Michaels	Charmaine	15416
Miller	Connie	16128
Miller	Virginia	15397
Millet	Denise	15162
Mitchell	Judith	16272
Moore	Mimi	15680
Moral	Mari Carmen	15701
Morgan	Paula	15738
Morrissey	Janet	15423
Mosca-Clark	Vivianne	16405
Moya	Deliece	14827
Muehlhof	Charles	15574
Mullan	Kate	15471

Table 5-6: List of Individuals Who Submitted Form Letter 6

Commenter Name		File
Last	First/Middle	Number
Mullendore	Kathleen	15479
Mundy	Patricia	15515
Munoz	Maria	15647
Nawaz	Angela	15533
Nelson	Kristin	15679
New	Robert	15736
Newman	Jordanna	15718
Novark	Melanie	16438
Oaster	Kimberly	15621
O'Brien	Beth	15261
Ogburn	Alicia	15653
Ogburn	Alicia	15446
Oldershaw	Susan	15711
Olsen	Maryl	15413
Olson	Bruce	15475
Olson	Jeanne	15692
Olsson	Debra	15686
O'Neal	Maureen	15674
O'Neill	Leola	14828
Ordaz	Alejandra	15917
Ortiz	Robert	16216
Osborne	Elizabeth	15532
Overton	Joyce	15477
Ozkan	Dogan	15599
Padilla	Anne	15529
Paganuzzi	Cinzia	15658
Page	Carol	15384
Paich	Timothy	15426
Painter	Carol	15485
Pangelina	Robert	15707
Pardee	Sheryann	15487
Parisi	Nancy	15828
Parkin	Pauline	15387
Parmenter	Annmarie	15587
Parr	William	15062
Parsons	Kat	15535
Pashia	Toni	15538
Pasqua	John	15719
Patterson	Lonnie	15602
Pattison	Terri	15663
Pautsch-Bishop	N. Jean	15939
Payden-Travers	Christine	15462
Paynter	Eizabeth	16505
Pearson	Tia	15585
Perry	Nancy	14962
Petaccio	Joanne	15635
Petermann	Robert	15726
Peterson	Kyle	15715
Phelps	Tami	15603
Phillips	Ellen	15452
Pilch	Tom	14851
Pingel	Scott	15400
Plowman	Shirley	15659
Pollard	Beth	15579
Pollard	Charlene	15733
Poole	Patsy	15570
Poor	Ce	15492
Powell	Mary	15272
Prather	Debra	16228
Preciado	J.J.	16061
Prieto	Andrea	16538
Prochovnick	Jon	15440
Punneo	Sheryll	14984
Pynn	Jessica	16516
Ramage	Kelsey	15572
Ramirez	Carina	16283
Randall	Marie	15557
Rannes	Rosemary	16050
Redeford	Susan	15543
Reed	Mike	15474
Ricciardi	Chase	15528
Ridgeway	William	15489
Ripple	Martha Jane	16461
Rivera-Diaz	Javier	15456
Rizer	William	16350
Robertson	Bridget	15581
Robinson	Gertrude	15527

Table 5-6: List of Individuals Who Submitted Form Letter 6

Commenter Name		File
Last	First/Middle	Number
Rodriguez	Frances Ann	15693
Ronald	William	15451
Rose-Laughlin	Jesse	15595
Rosenstock	Sean	15638
Rosenstock	Carl	15449
Ross	Glenn	15106
Ruiz	Liza	15553
S.	Frank	15509
S.	C.	15895
Salcedo	Teresa	15508
Sally	Susan	14884
Sanchez	Rose	15728
Sanderson	Jodi	15729
Schilling	Cherry	15467
Schmall	Jacquie	16072
Schmidt	David	15306
Scholes	Andrew T.	15372
Schuhrke	Nancy	15713
Schultz	Betty	15610
Schumacher	G.	15667
Schwartz	Alan	15536
Seeherman	Ellen	15614
Sennello	Patrick	15673
Serlin	Alan	15541
Shaffer	Lisa	16394
Sheppard	Hope	15716
Silaco	Joan	15510
Simpson	James	15545
Sims	Vidya	15928
Siskron	Kathleen	15617
Skalsky	Rebecca	15478
Sky	Cosmic	15668
Smith	Deborah	15550
Smith	Dina	15607
Solton	Marsha	15195
Sperling	Kathy	16383
Srnoguy	Lilyana	15404
Stacy	Diane	15699
Stahl	Jary	15784
Stankiewicz	Kimberly	16472
Stierlen	Lorelei	15556
Stillings	Deanna	15551
Storsved	Mary	15622
Stout	Karen	15445
Strebeck	Robert	15519
Stufflebeam	J	15006
Sungenis	Laura	15239
Sweeley	Autumn	15530
Tanner	Sara	15547
Tarpley	Matthew	15388
Tausch	Mona	15549
Taylor	Lucy	15391
Tefft	Susan	15394
Thompson	Lorraine	15450
Thomson	Rob	15546
Ti.	Dani	15017
Tomlinson	Larry	15444
Tonkin	Patricia	15872
Torres	AnaMaria	15722
Trummer	Richard	15559
Tulli	Jackie	16483
Uffman	Bonnie	15704
Vaccaro	Terry	15676
Valecic	Sanja	15795
Vazquez	Andres	15443
Velez	Eileen	15660
Veloo	Uma	16194
Venezio	Glen	15441
Vieira	Barbara	15540
Villegas	Michele	14906
Wald	Fay	15520
Wales	Rachel	15228
Walker	James	15564
Walker	Aurea	15670
Walter	Shirley	15328
Ward	David J.	15623
Ward	Ken	15608
Watson	Diane	15497

Table 5-6: List of Individuals Who Submitted Form Letter 6

Commenter Name		File
Last	First/Middle	Number
Wedlock	Eldon	16294
Weinberg	Henry	15740
Weisberg	Edmund	15562
Weisel	Jan	15273
Weiss	Cheryl	15734
Weldon	Joan	15418
Westermann	Cecily	15498
Wetzel	Barb	15455
Wheeler	Kelcia	15594
Whipple	Wyman	16150
White	Arlene	15730
Whitney	Robert	16261
Wilkerson	Robert	15612
Williams	Ted	15518
Williamson	Robert	15690
Wilson	Terri	15050
Wilson	David	16327
Wojcik	Elaina	16139
Woodliff	Charles	15473
Woods	William	15600
Wooley	Stacie	15250
Wright	Gay	15472
Yarnell	Susan	15732
Young	Lorna	15566
Young	Janice	15677
Zakin	Eric	14862
Zboya	Patrice	15565
Zuckerman	Barry	15392

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Chapter 6
REVISIONS TO THE DRAFT PEIR

This chapter presents revisions made to the Draft Program Environmental Impact Report (PEIR), specifically Volumes 1 through 4. Revisions made in response to public comments are identified in individual responses to comments (see Volume 5, Chapter 3, *Individual Responses to Comments*), and are reproduced here in Volume 5 of the PEIR, Section 6.1, *Changes and Corrections to the Draft PEIR Initiated by Public Comments*. Changes and corrections made to the Draft PEIR made not in response to public comments are shown in PEIR Volume 5, Section 6.2, *Draft PEIR Changes Initiated by the Lead Agency.*

Changes to the Draft PEIR are presented in the order they would appear in the document. Deleted text is shown in ~~strikethrough~~, and inserted text is shown in underline**.** Page numbers are provided to assist the reader in identifying the location of the revisions.

6.1 Changes and Corrections to the Draft PEIR Initiated by Public Comments

Revisions to the *Table of Contents*

Volume 1, Main Body Table of Contents, Section 2.11, *Program Management Practices*, the text has been changed as follows:

~~Progr5m~~Program

Revisions to *Executive Summary*

On page ES-4, text has been amended as follows to clarify that the California Department of Food and Agriculture's (CDFA's) IPM approach includes pesticide use.

- A description of public notification process associated with the response
- An identification of the IPM analysis of ~~alternative~~ treatment methods
- The project work plan

On page ES-4, text has been amended as follows.

- CDFA project staff, Office of Environmental Health Hazard Assessment staff, Department of Pesticide Regulation staff, local Agricultural Commissioner staff

- ~~Information about the method or methods of applying the pesticide~~Providing information about any pesticides that may be used, and the method or methods of application

- The CDFA Hotline to address further questions, information, or scheduling concerns

An additional text modification on page ES-4 is as follows.

- An opportunity for the public to ask questions
- Providing regulatory information to affected growers, businesses, and residents about quarantine regulations and applicable restrictions or prohibitions on the movement of pests, hosts, or host material ~~from quarantine areas~~

In the *Summary of Statewide Program Activities* section on page ES-5, the IPM definition has been amended as follows.

> IPM is the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment, while achieving adequate efficacy to meet the goal of the program.

The fifth bullet of page ES-8 is changed as follows:

- ~~Cumulative~~ Concern over cumulative or synergistic effects of pesticide exposure.

On page ES-8, text under *Areas of Known Controversy* has been amended as follows.

- Public involvement and input regarding CDFA's IPM activities and decision making process
- Effects of CDFA's ~~IPM~~pest management activities on organic farming

On page ES-9, text under *Agricultural and Resource Economics* has been amended as follows.

- MPs addressing appropriate weather conditions under which pesticides may be applied, and other methodologies, would be sufficient to reduce the risk and extent of pesticide drift. In addition, ~~And~~ while crops treated with pesticides not approved by the National Organic Program would not be allowed to be marketed as organic, the farms themselves would maintain their certification.

Text under *No Pesticide Alternative* on page ES-13 has been amended as follows.

> Under the No Pesticide Alternative, CDFA would continue to generate a list of high priority pests, would continue its biological control ~~program~~activities, would continue to release sterile insects, and would continue developing and enforcing State quarantine regulations and requiring that they do not result in use of pesticides.

On page ES-15, text under *Environmentally Superior Alternative* has been amended as follows.

> Of the remaining alternatives, the USDA Organic Pesticide Alternative is considered to be environmentally superior. It would avoid any potential impacts associated with use of non-USDA organic conventional pesticides, but could result in some offsetting adverse effects, such as impacts associated with greater reliance on ~~organic pesticides~~, and increased applications of, USDA organic pesticides approved for organic crop production. The alternative also could result in other adverse environmental impacts because of the inability to achieve effective eradication and control of certain priority pests.

Revisions to Chapter 1, *Introduction*

The IPM definition in relation to the Statewide Program in Section 1.2, *Overview of Activities Conducted under the Statewide Program*, on page 1-2 was amended as follows.

> IPM is the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment, while achieving adequate efficacy to meet the goal of the program.

Revisions to Chapter 2, *Proposed Program Description*

On page 2-17, text under Section 2.8, *Pest Prevention and Integrated Pest Management Approach,* has been amended as follows.

> IPM is the coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment, while achieving adequate efficacy to meet the goal of the program.

Text under Section 2.9.3, *Chemical Management Activities*, on page 2-20 has been amended as follows.

> Utilizing the IPM approach would reduce the use of pesticides under the proposed program because they would be used only when alternative treatment methods are determined not to be succeeding, or would not be effective.

Under Microbial Insecticides, on page 2-23, the third sentence down has been updated as follows.

> The following ~~three~~two microbial insecticides may be used under the Proposed Program: spinosad and *Bacillus thuringiensis*.

In Section 2.11, *Program Management Practices*, page 2-27, the following sentence has been amended for Management Practice SPRAY-3 (MP-SPRAY-3), bullet point #1:

> ~~*Read pesticide Label.*~~ *Comply with Pesticide label.*

In Section 2.11, *Program Management Practices*, page 2-27, the following sentence has been amended for MP-SPRAY-3 bullet point #2:

> ~~*Ensure staff are trained to properly apply pesticide.*~~ *Require employees who supervise the handling and application of pesticides to maintain a Qualified Applicator License issued by CDPR.*

On page 2-28, text under MP-AERIAL-1 has been amended as follows.

> ***MP-AERIAL-1: Use appropriate aerial spray treatment procedures***
>
> - ~~Do not spray in urban/residential areas.~~
> - Do not make direct applications to water bodies.

Text under MP-GROUND-1 on page 2-28 has been amended as follows.

> ***MP-GROUND-1: Follow appropriate ground-rig foliar treatment procedures***
>
> - Avoid direct applications to water bodies unless the material is registered for such use.
> - Maintain a 30-foot buffer around water bodies per NPDES permit.

In addition on page 2-29, the MP-GROUND-1 text has been amended as follows.

> - Perform ground-rig foliar treatments at low pressure, to reduce the quantity of fine droplet particles where applicable.
> - Allow only staff or private entities under contract that are appropriately trained and licensed to perform ground-rig spot treatments.
> - Check weather service prior to application. Delay foliar treatments if there is a 40% or higher chance of rain forecast to occur 24 hours before or after the planned application.

On page 2-29, text for MP-GROUND-2 has been amended as follows.

> ***MP-GROUND-2: Follow appropriate low-pressure backpack treatment procedures***
>
> - Avoid direct applications to water bodies unless material is registered for such use.
> - Maintain a 30-foot buffer from water bodies per NPDES permit.

Text under MP-GROUND-3 on page 2-29 has been amended as follows.

MP-GROUND-3: Train personnel in proper use of pesticides

- Conduct training for personnel in the safe and proper mixing, loading, and application of pesticides, in compliance with both federal and State pesticide regulations and the product label.
- Require employees who supervise the handling and application of pesticides maintain a Qualified Applicator Certificate, issued by CDPR or have County License for Pesticide Regulation.
- Contractors will be appropriately trained and licensed.

Management Practice (MP) HAZ-1, page 2-30, has been updated to include contact information for the California State Warning Center/Governor's Office of Emergency Services.

- Provide a pesticide label and/or material safety data sheet for any medical personnel.
- For any spill incident, contact the California State Warning Center/Governor's Office of Emergency Services at (916) 845-8911 or warning.center@oes.ca.gov.
- Call the fire department and notify department personnel of the presence of pesticides for a spill involving fire, if a fire hazard exists. Eliminate all sources of ignition (electric motors, gasoline engines, or smoking) to prevent fire or explosion.

Other modifications of MP-HAZ-1 in Section 2.11, *Program Management Practices*, include adding the sentence below on page 2-31, and amending a sentence in bullet point #4 on page 2-30 as follows:

Follow instructions for First Aid Measures as listed on the Material Safety Data Sheet.

Use ~~common sense~~ established protocols in determining the appropriate action in the event of an accidental crash of a spray rig, tanker, or aircraft.

On page 2-31, in Section 2.11, *Program Management Practices*, the following sentence has been amended for MP-HAZ-3, bullet point #1:

Decontaminate paved surfaces per site protocols and Accidental Release Measures on the Material Safety Data Sheet.

Revisions to Chapter 3, *Proposed Program Activities*

The word "control" has been changed to "manage" for all bullets on page 3-4 of Section 3.2.1, *Biological Control Agents*, as follows.

- ***Tamarixia radiata:*** This parasitoid would be released to ~~control~~manage populations of ACP. *T. radiata* is already being released in large numbers in southern California, and has become established at several locations.

- ***Diaphorencyrtus aligarhensis:*** *This parasitoid would be released to ~~control~~manage populations of ACP. D. aligarhensis is being tested at the University of California, Riverside for potential release in California; it has been released in Florida.*

- ***Psyttalia lounsburyi:*** This parasitoid would be released to ~~control~~manage populations of olive fruit fly. *P. lounsburyi* is considered established in San Luis Obispo and San Mateo counties, and releases are ongoing.

- ***Psyttalia poneraphaga:*** This parasitoid would be released to ~~control~~manage populations of olive fruit fly. *P. poneraphaga* currently is in quarantine and undergoing pre-release studies at the University of California, Berkeley. It has not been released previously in the United States.

- ***Psyllaephagous euphyllurae:*** This parasitoid would be released to ~~control~~manage populations of olive psyllid. *P. euphyllurae* currently is in quarantine at the University of California, Riverside and is undergoing pre-release studies. It has not been released previously in the United States.

- ***Tetrastichus julis:*** This parasitic wasp would be released to ~~control~~manage populations of cereal leaf beetle. *T. julis* has been released and is considered established on cereal leaf beetle in Oregon and Washington. It initially was released in the Midwest and eastern U.S., where it now is common. The cereal leaf beetle has recently invaded northern California. Under the Proposed Program, CDFA would collect *T. Julius* in Oregon and release it in California.

- **Trissolcus japonicus:** This parasitic wasp would be released to ~~control~~manage populations of brown marmorated stink bug. The brown marmorated stink bug, a potential pest of stone fruits, grapes, and tomatoes, recently has invaded California. It occurs throughout California, from Los Angeles County north into Oregon. CDFA is working with the USDA Agricultural Research Service, Newark, Delaware, and the University of California, Riverside to develop the use of *T. japonicus*. It has not been released previously in the United States.

- **Gonatocerus morrilli:** This parasitic wasp would be released to ~~control~~manage GWSS. *G. morrilli* has been released in the California Central Valley.

- **Gonatocerus morgani:** This parasitic wasp would be released to ~~control~~manage GWSS. *G. morgana* has been released in the California Central Valley.

- **Gonatocerus triguttatus:** This parasitic wasp would be released to ~~control~~manage GWSS. *G. triguttatus* has been released in the California Central Valley.

- ***Trichogramma* sp.**: This specific to Gypsy moth species of parasitic wasps would be released to ~~control~~manage Gypsy moth. *Trichogramma* species have been released previously in Oregon and Washington. They most likely would migrate to California if Gypsy moth were present.

- ***Dolichogenidea tasmanica:*** This parasitic wasp would be released to ~~control~~manage LBAM. *D. tasmanica* needs evaluation before release as a BCA, and it has not been released previously in the United States.

- ***Trichogramma platneri:*** This parasitic wasp that is native to California would be released to ~~control~~manage LBAM. Further evaluations regarding methods of delivery and mass production are needed before its use as a BCA, but because it is native no other studies are needed before its use as a BCA.

On page 3-7, Section 3.3.1, *Trapping and Lures*, text has been amended as follows.

- **Methyl Eugenol or Cuelure Jackson Trap:** Used to trap cue-lure-responding (i.e., melon fly) and methyl eugenol-responding (i.e., oriental fruit fly, guava fruit fly, peach fruit fly) species of exotic fruit flies, this delta-shaped Jackson trap is made of plastic-coated cardboard. The trap has a baited cotton wick with pesticide, suspended from the inside of the trap. A sticky insert on the bottom side captures pests, and fuming action of a pesticide kills the pest ~~s on contact~~by proximity. Either cue-lure or methyl eugenol (both parapheromone attractants) is used as the attractant.

Revisions to Chapter 4, *Prior CEQA Coverage*

The footnote at the bottom of page 4-10 of PEIR Volume 1, Chapter 4, *Prior CEQA Coverage*, has been amended as follows.

> [1]Aerial spraying would not occur in residential areas without conducting additional tiered CEQA analysis and associated public review.

In Section 4.2.6, *Light Brown Apple Moth Eradication Program EIR*, text has been removed and amended as follows.

> ~~"The primary tool for LBAM eradication in California is the sterile insect technique. The program releases sterile male moths for mating with wild moths to eradicate the population, USDA has accelerated the process of developing large-scale mass rearing facilities to support LBAM eradication".~~
>
> Alternatives evaluated and analyzed in the 2010 PEIR included the use of biological control agents, mating disruption with pheromones, male moth attractants, and ~~organically approved~~ insecticides approved for use in organic systems by the National Organic Program.

Revisions to Chapter 5, *Cumulative Scenario*

In Section 5.4.2*, Historical Uses,* on page 5-9 of the PEIR, the text has been amended as follows:

> At the beginning of the ~~nineteenth~~ twentieth century, pest control was restricted primarily to botanical preparations, elemental sulfur, oil soaps, and kerosene…

The text of the PEIR has been updated to add the words "potential to cause" on page 5-46:

> "Effects on human health from cumulative exposure to pesticides include potential to cause cancer, respiratory irritation, nausea, reproductive issues, and/or nervous system damage."

Revisions to Section 6.2, *Air Quality*

Section 6.2.2, *Air Quality, Environmental Setting*, on page 6.2-5 adds a discussion as follows of methyl bromide as an ozone-depleting substance (ODS).

> **Ozone Depleting Substances**
>
> The ozone (O_3) layer in the stratosphere protects life on earth from exposure to dangerous levels of ultraviolet light. It does so by filtering out harmful ultraviolet radiation from the sun. When CFCs [chlorofluorocarbons] and other ozone-degrading chemicals are emitted, they mix with the atmosphere and eventually rise to the stratosphere. There, the chlorine and the bromine they contain catalyze the destruction of ozone. This destruction is occurring at a more rapid rate than ozone can be created through natural processes. The degradation of the ozone layer leads to higher levels of ultraviolet radiation reaching Earth's surface. This in turn can lead to a greater incidence of skin cancer, cataracts, and impaired immune systems, and is expected also to reduce crop yields, diminish the productivity of the oceans, and possibly to contribute to the decline of amphibious populations that is occurring around the world (U.S. EPA, 2014).
>
> The chemicals most responsible for the destruction of the ozone layer are chlorofluorocarbons, carbon tetrachloride, methyl bromide, methyl chloroform, and halons. U.S. production of ozone-depleting gases has declined significantly since 1988, and has now reached levels (measured by their ozone depletion potential) comparable to those of 30 years ago. Because of the international agreements to decrease production and ultimately to phase out production of CFCs and halons, total equivalent chlorine (total chlorine and bromine, with adjustments to account for bromine's higher ozone depletion potential) in the troposphere peaked between 1992 and 1994 and has since decreased. Total chlorine abundance in the stratosphere is at or near peak; stratospheric bromine is likely still increasing. Increasing ozone losses are predicted for the remainder of the decade, with gradual recovery by the mid-21st century (U.S. EPA, 2014).
>
> The Montreal Protocol and its Amendments and Adjustments have successfully controlled the global production and consumption of ODS over the last two decades,

> and the atmospheric abundances of nearly all major ODS that were initially controlled are declining. As a result of the Montreal Protocol, ozone is expected to recover from the effect of ODS as their abundances decline in the coming decades. Tropospheric methyl bromide abundances continued to decline during 2005-2008, as expected due to reduction in industrial production, consumption, and emission. About half of the remaining methyl bromide consumption was for uses not controlled by the Montreal Protocol (quarantine and pre-shipment applications). An evaluation of the impact of phase out of quarantine and pre-shipment emissions found that this would only accelerate the return of equivalent effective stratospheric chlorine (EESC) to 1980 levels by 1.5 years relative to a case of maintaining emissions at 2004-2008 average levels (WMO, 2011).

Impact AQ-1 has been expanded to discuss how the use of methyl bromide will not conflict with any applicable air quality plans and policies as follows.

> The emission inventory for the Statewide Program indicates that the baseline level of Proposed Program activities in individual air basins could increase in the future, while staying below the applicable incremental mass emission thresholds, which are designed by air districts to ensure that local air quality implementation plans are met and that ambient air quality standards are achieved and maintained. Proposed Program activities would also follow ODS regulations implemented by U.S. EPA to control the use of methyl bromide and limit its use to quarantine applications where no suitable alternatives considering human health and economic feasibility exist. Therefore, the Proposed Program would not conflict with or obstruct implementation of applicable air quality plans and policies. The impact would be less than significant.

Revisions to Section 6.3, *Biological Resources*

In Section 6.3.2, *Environmental Setting*, the Special-Status Species descriptions on page 6.3-2 of the PEIR have been modified as follows:

> State threatened (ST): species designated as threatened under the CESA. These include native species or subspecies that, although not threatened currently with extinction, are likely to become an endangered species in the foreseeable future in the absence of special protection and management efforts (CESA Section 2067). Take, as defined by Section 86 of the Fish and Game Code, of any State ~~endangered~~ threatened species is prohibited, except as authorized by the CDFW.

> State candidate (SC): species designated as a candidate for listing under the CESA. These are native species or subspecies for which the Fish and Game Commission has accepted a petition for further review under Section 2068 of the CESA, finding that sufficient scientific information exists to indicate that the petitioned action may be warranted. "Take" of any State ~~endangered~~ candidate species is prohibited, as defined by Section 86 of the Fish and Game Code, except as authorized by CDFW.

Revisions to Section 6.5, *Hazards and Hazardous Materials*

Mitigation Measure HAZ-CHEM-3 has been revised to be clearer about how it protects against effects from subchronic and chronic exposure to methyl bromide. Mitigation Measure HAZ-CHEM-3, beginning on page 6.5-20, has been amended as follows (change occurs on page 6.5-21):

> ***Mitigation Measure HAZ-CHEM-3: Require Compliance with the Proposed Program's Authorized Chemical Application Scenarios.***
>
> CDFA shall require Proposed Program staff and contractors to conduct chemical applications in a manner consistent with the Proposed Program's authorized chemical application scenarios, resulting in acceptable human health risk as described in Chapter 2, Proposed Program Description and the HHRA (Appendix A). Deviations from the authorized chemical application scenarios may be allowed if:
>
> (1) An evaluation is conducted pursuant to the CEQA Tiering Strategy (Appendix B), which concludes that the alternative scenario will not exceed the level of concern for any receptor; or
>
> (2) A certified industrial hygienist concludes that the alternative scenario will not result in risk exceeding the level of concern for any potential receptor, and the scenario is implemented by a licensed or certified applicator. This conclusion may be based on site-specific factors that minimize potential for exposure, absence of a particular receptor, use of additional or different PPE, or monitoring of the exposure, such as regular blood tests to ensure blood concentrations in the exposed individuals are below the risk threshold.
>
> <u>When methyl bromide is used, appropriate air sampling and analysis by a qualified professional will be done for the fumigation worker and fumigation downwind bystander to evaluate the effectiveness of BMPs related to subchronic and chronic exposure.</u>
>
> The results of the evaluation or hygienist's conclusions will be documented, along with any monitoring results.
>
> CDFA will conduct training for its staff and contractors on these approaches. CDFA also will require adherence to these scenarios by including requirements in contractual agreements, such as compliance agreements (for quarantines), permits (e.g., for movement of certain materials outside quarantine areas), contracts (e.g., with CDFA contractors), or other similar means.

The text on page 6.5-6 has been amended as follows to include mention and summary of the results of the CHARGE study.

> However, epidemiological studies have suggested an adverse association between organophosphate exposure and neurodevelopment (Eskenazi et al. 2007). In addition, numerous studies suggest some association between pesticide exposure

and childhood leukemia and other cancers (Infante-Rivard and Weichenthal 2007, Bassil et al. 2007). The CHARGE Study (Shelton et al. 2014) also identified an association between gestational exposure to several agricultural pesticides (e.g., organophosphates, chlorpyrifos) and autism spectrum disorders (ASD). The CHARGE Study found that proximity to organophosphates at some point during gestation was associated with a 60% increased risk for ASD (Shelton et al. 2014).

On page 6.5-13, the *Multiple Chemical Sensitivity* section's text was amended as follows.

Studies have concluded that although the symptoms of MCS appear to be real, the underlying causes of MCS are not understood (Magill et al. 1998, Graveling et al. 1998). Proposed theories to explain the cause of MCS include allergy, dysfunction of the immune system, neurobiological sensitization, problems with the nitric oxide and its oxidant product peroxynitrite cycle (NO/ONOOO cycle), initiation by a toxic exposure which leads to the loss of tolerance for common chemicals, and various psychological theories.

Revisions to Section 6.7, Water Quality

The commenter is correct in that the water quality standards for copper shown in Table 6.7-3 are from the California Toxic Rule. Table 6.7-3 has been updated to reflect this, as follows.

7440-50-8	Copper	5.7	ug/L	15~~3~~	Not modeled	ug/L	NA
		4.1	ug/L	15~~4~~			
		200	ug/L	5			
		300	ug/L	6			
		1000	ug/L	7			

15. California Toxics Rule (U.S. EPA).

16. ~~15.~~ Source unless specified is SWRCB 2013b.

17. ~~16.~~ Source is Dashboard database and Appendices A and B.

On pages 6.7-7 through 6.7-8, text has been amended to further clarify surface water and groundwater monitoring data considered as follows.

Other Surface Water Monitoring

The California Department of Pesticide Regulation (CDPR) and State Water Resources Control Board (SWRCB) maintain comprehensive databases of pesticides in surface and groundwater (CDPR, 2014a; SWRCB, 2014b; SWRCB, 2014c). These surface and groundwater databases draw data from a variety of sources, including public, federal, state, and local agencies, private industry, and environmental groups. Examples of these sources include: U.S. Geological Survey (USGS 2011), State Water Resources Control Board (SWRCB 2014c), California Department of Public Health (CDPH) and CDPR (CDPR 2009a; CDPR 2010; CDPR 2011b; CDPR 2012a; CDPR 2012b; CDPR 2012c). These databases were queried for detections of Proposed Program pesticide ingredients over the past 5 years (2009-2014) in order

to assess the potential for exposure to these ingredients via the ingestion of drinking water from both groundwater and surface water sources. Reported ingredient concentrations were compared to corresponding risk-based screening thresholds to evaluate the likelihood of exposure above a level of concern. When available, risk based screening thresholds were selected based on the most health protective Water Quality Goal available from the SWRCB Compilation of Water Quality Goals (SWRCB, 2014a) or derived using the methods described by USEPA (2011w). Detection and water quality data may be reviewed in the Dashboard Database.

~~Various databases were queried for information on baseline conditions related to drinking water quality from chemicals that may be used under the Proposed Program. Specifically, the California Environmental Data Exchange Network (CEDEN 2010), State Water Resources Control Board (SWRCB 2000), and CDPR (CDPR 2009a; CDPR 2009b; CDPR 2010b; CDPR 2011b; CDPR 2012a; CDPR 2012b; CDPR 2012d) databases were searched for detections of relevant chemicals in California drinking water, to assess the potential for exposure to these ingredients through ingestion of drinking water from groundwater and surface water sources.~~

Among the chemicals that may be used under the Proposed Program, acephate, acetamiprid, bifenthrin, carbaryl, chlorpyrifos, cyfluthrin, DDVP, diazinon, fenpropathrin, tau-fluvalinate, glyphosate, imidacloprid, lambda-cyhalothrin, malathion, methamidophos, methyl bromide, methyl chloride, naled, naphthalene, permethrin, pyrethrins, thiamethoxam, and xylene surface water concentrations are monitored and reported in one or more databases. For the majority of the listed ingredients, surface water concentrations are below detection limits in California surface water. Of these chemicals, five were detected above their risk-based screening threshold.

The chemicals detected above their risk-based screening threshold were acephate, chlorpyrifos, DDVP (dichlorvos), diazinon, and methamidophos. Note that the use of DDVP within the Proposed Program is limited to trap and splat application methods to trees and telephone poles. These methods involve highly targeted applications to very small areas. Thus, it is not likely that the Proposed Program's use of DDVP will result in substantial, if any, transport to water. However, there exists the potential for the other four chemicals to reach surface waters. The maximum detected chemical concentrations exceeding the established risk-based screening thresholds in surface waters for both CDPR (2014c) and SWRCB (2014b) data sources are 13.5 ppb for acephate, 2.4 ppb for chlorpyrifos, 0.169 for DDVP, 61.9 ppb for diazinon, and 1.3 ppb for methamidophos. The risk based screening threshold for these chemicals is 2.8 ppb for acephate, 2 ppb for chlorpyrifos, 0.1 ppb for DDVP, 1 ppb for diazinon and 0.35 ppb for methamidophos.

~~Only acephate, chlorpyrifos, and diazinon exceeded their respective U.S. Environmental Protection Agency (EPA) acute or chronic Human Health Benchmark for Pesticides (HHBP) (EPA 2012a), Maximum Contaminant Level (MCL) (EPA 2009a)x), or the most stringent regulatory level available for California surface water. The highest detected concentration of acephate was found at 13.5 parts per~~

~~billion (ppb). Chlorpyrifos was found at a high of 3.96 ppb, and diazinon was found at a high of 61.9 ppb.~~

Other Groundwater Monitoring

With respect to groundwater, the following chemicals that may be used under the Proposed Program were monitored in groundwater and reported in one or more databases ~~(USGS 2011, CEDEN 2010, SWRCB 2000, CDPR 2009a; CDPR 2009b; CDPR 2010b; CDPR 2011b; CDPR 2012a; CDPR 2012b; CDPR 2012d):~~listed above under "Other Surface Water Monitoring." Of the Proposed Program chemicals, acephate, carbaryl, chlorantraniliprole, chlorpyrifos, cyhalothrin, DDVP, diazinon, dinotefuran, ethylene, glycol, glyphosate, imidacloprid, lambda-cyhalothrin, malathion, methyl bromide, naled, naphthalene, permethrin, thiamethoxam, 1,2,4-trimethylbenzene, and xylene groundwater concentrations were monitored and reported in one or more databases. Only methyl bromide and the inert ingredients 1,2,4-trimethylbenzene, naphthalene, and xylenes were detected in groundwater above their respective risk-based screening threshold. The maximum detected chemical concentrations exceeding the established risk based screening thresholds in groundwater for both CDPR (2014a) and SWRCB (2014c) data sources are 30,000,000 ppb for 1,2,4-trimethylbenzene, 490 ppb for methyl bromide, 6,000,000 ppb for naphthalene, and 71,000,000 ppb for xylenes. The risk based screening threshold for these chemicals is 140 ppb for 1,2,4-trimethylbenzene, 9.8 ppb for methyl bromide, 0.29 ppb for naphthalene, and 1,400 ppb for xylene.

Methyl bromide is a fumigant that may be used under the Proposed Program in aboveground fumigation chambers and sea vans. This activity is unlike soil fumigation practices that inject methyl bromide directly into the subsurface soil to control soil-borne pathogens. Soil injection, under certain site-specific circumstances, may result in transport of methyl bromide from soil to groundwater, but will not occur in fumigation chambers and sea vans. Thus, this soil to groundwater transport phenomenon would be absent under the Proposed Program.

Revisions to Chapter 9, *Glossary and Acronyms*

The text includes a revised "residential" area definition as follows.

A noncommercial area containing multiple or single family dwellings. Does not apply to a residence found in a commercial (e.g., farm) setting. ~~The term residential is used in two contexts – one for treatments conducted in response to regulations (i.e. quarantines), and another for non-regulatory treatments (i.e., eradication and control programs). In regulatory situations, the terms refers to treatments occurring in rural or rural residential locations outside of nurseries and areas of agricultural production. For non-regulatory situations, the term refers both urban and rural residential areas.~~

The text includes a revised "urban/residential area" definition as follows.

See definition of Residential. ~~Noncommercial area generally containing multiple or single family dwellings~~

Revisions to Appendix B, *Human Health Risk Assessment*

The seventh bullet after the first paragraph under Section 1.6.3, *Pesticides and Pest Control Operations*, on page 19 has been amended as follows.

> ~~Cultural commissioners~~Cooperative regulatory activities of County Agricultural Commissioners

Revisions to Appendix C, *CEQA Tiering Strategy*

On page C-8, the text of Question 3, is changed as follows:

> Would the activity potentially result in significant impacts which were…

Revisions to Appendix O, *Regulatory Setting*

The seventh bullet after the first paragraph under *California Code of Regulations: Pesticides and Pest Control Operations*, on page O-42 (previously N-42; the appendices were renumbered) of Appendix O (previously N), *Regulatory Setting*, has been amended as follows.

- ~~Cultural commissioners~~Cooperative regulatory activities of County Agricultural Commissioners

Text has been added to Appendix O, *Regulatory Setting*, Section O.2 to discuss the regulatory aspects of methyl bromide and the ozone layer as follows.

> **Ozone-Depleting Substances (ODS) Regulation**
>
> Under Title VI of the Clean Air Act, U.S. EPA is responsible for programs that protect the stratospheric ozone layer; this covers the production of ozone-depleting substances (ODS), the recycling and handling of ODS, the evaluation of substitutes, and efforts to educate the public. U.S. EPA's Stratospheric Protection Division runs regulatory and voluntary programs that protect the Earth's stratospheric ozone layer. These programs protect the ozone layer, and include requirements under the Montreal Protocol on Substances that Deplete the Ozone Layer and the Clean Air Act. This includes programs to phase out the production and import of ODS in the United States, and guides the transition to non-ozone-depleting substitutes. The Significant New Alternatives Policy program reviews substitutes for ODS. In Section 612(c) of the Clean Air Act, U.S. EPA is authorized to identify and publish lists of acceptable and unacceptable substitutes for class I or class II ODSs.
>
> Methyl bromide is a class I ODS; it falls under allowable exemptions to the phase out for quarantine applications that are treatments to prevent the introduction, establishment, and/or spread of quarantine pests (including diseases), or to ensure their official control, where: (1) official control is that performed by, or authorized by, a national (including state, tribal, or local) plant, animal, or environmental protection or health authority; (2) quarantine pests are pests of potential importance to the areas endangered thereby and not yet present there, or present

but not widely distributed and being officially controlled. This definition excludes treatments of commodities not entering or leaving the United States or any state (or political subdivision thereof) (40 CFR Part 82).

6.2 Changes to Draft PEIR Initiated by the Lead Agency

CDFA has made a number of non-substantive changes and corrections to the Draft PEIR. For example, references to "this Draft PEIR" have been updated throughout the document to "this Final PEIR." Headers, footers, and title pages have also been changed to reflect the final version of the document. Throughout the document, in-text references to appendices were also updated, because Appendix A, *Human Health Risk Assessment and Ecological Risk Assessment* was split into Appendix A, *Ecological Risk Assessment* and Appendix B, *Human Health Risk Assessment*, and all other appendices changed one letter (C to D, D to E, etc.). Other changes include updating the description of the public review process for the Draft PEIR, updating the PEIR's cited references, and revising the glossary and acronym list. Because these changes are not substantive, they are not shown below, but the finalized text can be found in Volumes 1-4 of the PEIR.

However, CDFA has determined it is important to show changes to the text of impact discussions or mitigation measure language; these are shown below. Note that none of these changes result in any change in the PEIR's conclusions regarding significance of impacts prior to or following mitigation, and so do not trigger the need to recirculate the Draft PEIR.

Section 6.3, *Biological Resources*

Mitigation Measure BIO-CHEM-2, page 6.3-13, has been amended to reduce uncertainty regarding the CDFA's process for coordinating with the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW), and the National Marine Fisheries Service (NMFS) to avoid or minimize substantial adverse effects on special-status species.

Mitigation Measure BIO-CHEM-2: Obtain Technical Assistance from USFWS, CDFW and NMFS to Identify Site-Specific Buffers and Other Measures to Protect Habitats Used by Special-Status Species.

CDFA shall identify any suitable habitat for special-status wildlife species identified as having potential to (1) occur in the region and (2) be affected by the treatment scenario in question. Suitable habitat may consist of aquatic or terrestrial foraging habitat. If such habitat exists, CDFA ~~may~~ would ~~obtain~~ prepare ~~technical assistance from USFWS, CDFW, and NMFS to develop~~ treatment plans that will avoid or minimize substantial adverse effects on special-status species and submit them to USFWS, CDFW, and NMFS for review. This may be done on a project-specific basis (for individual applications) or for an entire quarantine area.

Treatment plan measures may include modifications in the timing, locations, and/or methods for chemical treatments on a case-by-case basis, including establishment of

site-specific buffers. The technical assistance process has been designed so that no "take" authorization will be needed.

The treatment plan requirements will be provided to those implementing the treatments. In the case of quarantines, the requirements will be attached to the compliance agreement between CDFA and regulated entities (e.g., growers) affected by the requirements (e.g., those who may treat in proximity to suitable habitat for special-status species).

CDFA shall document the results of the USFWS, CDFW, and NMFS coordination, and shall maintain records of compliance with the measures to protect special-status species.

Revisions to Section 6.5, *Hazards and Hazardous Materials*

Mitigation Measure HAZ-GEN-4b was modified to clarify the potential entities/parties that CDFA would coordinate with for proper worker health and safety protocols as follows.

Mitigation Measure HAZ-GEN-4b: Conduct a Hazardous Materials Records Search before Beginning Proposed Program Activities at a Given Site.

If exposure to hazardous materials contamination is determined to be a possibility, before conducting the activity under the Proposed Program, CDFA staff (or the entity conducting the activity) shall search the EnviroStor database to identify any area that may be on sites containing known hazardous materials. If hazardous sites are encountered, CDFA shall coordinate with ~~hazardous waste sites~~ the property owners and/or site managers, and regulatory agencies with jurisdiction over these sites for proper protocols to follow to protect worker health and safety. At a minimum, these protocols shall ensure that workers are not subjected to unacceptable health risk or hazards, as determined by existing regulations and standards that have been developed to protect human health.

The word "growers" was modified to regulated entities and defined in Mitigation Measure HAZ-CHEM-1b as shown below.

Mitigation Measure HAZ-CHEM-1b: Conduct Training Sessions and Prepare Educational Materials Regarding Safe Handling and Application of Pesticides.

CDFA shall continue training sessions for its staff and contractors regarding safe pesticide handling and application.

In addition, for quarantine areas, CDFA shall include materials in its compliance agreements with regulated entities (e.g., growers) with information for pesticide applicators and agricultural workers regarding MPs for pesticide applications, including an emphasis on notification, signage, re-entry periods, potential adverse health effects, and how to seek proper help if an accident is suspected. A regulated entity is defined as someone who has to comply with the quarantine requirements in order to move their products outside of the regulated area. This may include but

not be limited to growers, nurseries, and commodity shippers. The compliance agreements will require that regulated entities ~~growers~~ distribute these materials to applicators and workers.

As necessary, all materials will be presented in a language understood by the target audience, such as Spanish.

Revisions to Section 6.6, *Noise*

Mitigation Measure NOISE-PHYS-1 was modified to resolve a typographical error in the definition of daytime hours to match the World Health Organization's nighttime criteria definition and remain consistent with the existing noise analysis.

Mitigation Measure NOISE-PHYS-1: Conduct Activities during the Daytime.

For activities that exceed the applicable nighttime noise criteria at the nearest sensitive receptor, activity operations will be scheduled to occur during the day (between 6 ~~7~~a.m. and 10 p.m.).

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Chapter 7
REPORT PREPARATION

This chapter presents the list of individuals who assisted in preparing and/or reviewing Volume 5 of the Program Environmental Impact Report (PEIR). For the list of individuals who assisted in preparing and/or reviewing the Draft PEIR, please refer to Chapter 10, *Report Preparation*, of Volume 1, Main Body.

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Chapter 8
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Chapter 9

Glossary and Acronyms

Please see Chapter 9, *Glossary and Acronyms* of Volume 1, Main Body.

Attachment A

Draft PEIR Notices and Mailing List

Notice of Availability



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE
Karen Ross, Secretary

August 25, 2014

Re: Notice of Availability of a Draft Program Environmental Impact Report Regarding the Proposed Statewide Plant Pest Prevention and Management Program

To Interested Parties:

NOTICE IS HEREBY GIVEN that the California Department of Food and Agriculture (CDFA), as lead agency under the California Environmental Quality Act (CEQA), is making available a draft program environmental impact report (PEIR) for public review. CDFA has prepared this PEIR to provide the public, responsible agencies, and trustee agencies with information about the potential environmental effects of the proposed Statewide Plant Pest Prevention and Management Program (Proposed Program). This PEIR was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended) and the State CEQA Guidelines (California Code of Regulations [CCR] title 14, section (§) 15000 et seq.). CDFA hereby invites comments on the adequacy and completeness of the environmental analyses in the PEIR.

PROGRAM LOCATION: Plant pests and pathogens are found in a combination of urban, rural, natural and agricultural settings in the state, and therefore, Statewide Program activities would occur in a variety of locations throughout California. The potential geographic extent of a pest infestation depends on a variety of factors, including suitable climatic and ecological conditions for the pest and its hosts. Accordingly, Statewide Program activities may occur anywhere that a pest or pathogen is (or may be) found in agricultural or nursery settings (in cooperation with commercial growers), in residential communities, at border protection stations, and sometimes outside California (for activities conducted by others besides CDFA, in response to restrictions on importation of potentially infested commodities and equipment from outside the state). Proposed Program activities are conducted based on specific management decision criteria, including whether a pest population has been detected, whether the size and density of that pest population exceeds an identified threshold, the related severity of the threat to agriculture, and other factors. The location, area, and extent of specific activities under the Statewide Program ultimately depend on the targeted pest, the type of program, and the management approaches available.

PROJECT DESCRIPTION AND ENVIRONMENTAL REVIEW: The Statewide Program encompasses a range of prevention, management and regulatory activities, carried out or overseen by CDFA against specific injurious pests and pathogens, and their vectors, throughout California. The Statewide Program is made up of a variety of focused programs, each including a set of options for controlling target pests or pathogens. Activities conducted under the Statewide Program include: pest rating (evaluation of pest's environmental, agricultural and biological significance); identification, detection and delimitation of new pest populations; pest management response, which may include rapid eradication and/or control of new and existing pest populations, and prevention of the movement of plant pests into and within California. The Statewide Program includes a set of options to achieve CDFA's goals and objectives, including physical, biological, and chemical management techniques.

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State of California
Edmund G. Brown Jr., Governor





CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

The Statewide Program is ongoing and currently is implemented pursuant to existing CEQA authorizations. This PEIR is intended to provide CEQA compliance for the future Statewide Program activities. CDFA will use the PEIR in deciding whether to approve, approve with modifications, or deny the Proposed Program. The PEIR is intended to comply with CEQA requirements for reasonably foreseeable pest prevention and management activities, and to update compliance requirements for existing pest prevention and management programs as needed. The Proposed Program does not attempt to capture all potential future Statewide Program activities, only those that are reasonably foreseeable based on existing information regarding the status of specific pests and management approaches.

This PEIR also updates and integrates the various physical, biological, and chemical management activities into a comprehensive program, and provides a consolidated set of updated management practices (MPs) and mitigation measures using the most current technology and scientific information. If CDFA approves the Proposed Program, these MPs and mitigation measures will replace those identified in prior CEQA documents and will serve as a comprehensive management framework for Proposed Program activities.

Finally, the PEIR will be used for subsequent CEQA evaluation, for both project-level pest prevention and management activities and program-level compliance for newly developed management approaches or other program activities, such as newly identified types or species of plant pests. Use of the PEIR to facilitate CEQA compliance for individual activities and program components will enable CDFA to respond consistently with its goals of rapid response and minimizing risk to human health and environmental resources. A Tiering Strategy has been developed for this purpose and is included in the Draft PEIR.

DOCUMENT AVAILABILITY: The PEIR and supporting documents are available for download from the CDFA's website: http://www.cdfa.ca.gov/plant/peir/. Hard copies of the document can be reviewed at CDFA's offices in Sacramento (address shown below). To arrange to view documents at CDFA's offices during business hours, call (916) 403-6881. The document can also be reviewed electronically at libraries throughout the state that serve as document repositories; for a full list of locations, refer to the Statewide Program website. CDs are available on request by phoning (510) 986-1852 or emailing PEIR.info@cdfa.ca.gov. They will also be available at the public meetings in San Diego, Los Angeles, Tulare, Sacramento and Napa. Printed copies are also available at cost plus postage, upon request using the above contact information.

PUBLIC REVIEW PERIOD: The PEIR is available for a 45-day public review and comment period, which begins on August 25, 2014 and ends at 5 p.m. on October 8, 2014. **Please send comments on the PEIR at the earliest possible date, but postmarked no later than 5 p.m. on October 8, 2014 in order for your comments to be considered.**

Comments may be mailed to the following address:

California Department of Food and Agriculture
ATTN: Laura Petro, Senior Environmental Scientist (Supervisory)
Statewide Program Draft PEIR Comments
1220 N Street, Suite 221
Sacramento, CA 95814

CDFA Executive Office • 1220 N Street, Suite 400 • Sacramento, California 95814
Telephone: 916.654.0433 • Fax: 916.654.0403 • www.cdfa.ca.gov

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cdfa CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

Written comments may also be submitted by email to: PEIR.info@cdfa.ca.gov. Emailed comments are preferred, and should include your name, address, and daytime telephone number so a representative of CDFA can contact you if clarifications regarding your comments are required.

All comments received, including names and addresses, will become part of the official public record. A Final PEIR will be prepared which will include responses to comments received during the public review period.

PUBLIC MEETINGS: All interested persons are encouraged to attend the public meetings to present written and/or verbal comments on the PEIR. Five public meetings will be held at the following locations and times:

- San Diego, CA: Monday, September 22, 2014 from 5:30 to 7:30 p.m. at the San Diego County Farm Bureau (1670 E. Valley Parkway, Escondido, CA 92027)
- Los Angeles, CA: Tuesday, September 23, 2014 from 5:30 to 7:30 p.m. at the Huntington Library (1151 Oxford Road, San Marino, CA 91108)
- Tulare, CA: Wednesday, September 24, 2014 from 5:30 to 7:30 p.m. at the Tulare County Agricultural Commissioner's Office (4427 S. Laspina, Tulare, CA 93274)
- Sacramento, CA: Monday, September 29, 2014 from 5:30 to 7:30 p.m. at the California Department of Food and Agriculture (1220 N Street, Auditorium, Sacramento, CA 95814)
- Napa, CA: Tuesday, September 30, 2014 from 5:30 to 7:30 p.m. at the Napa County Agricultural Commissioner's Office (1710 Soscol Avenue, Napa, CA 94559)

Sincerely,

Michele Dias
General Counsel, CDFA

Locations where PEIR can be reviewed:

- Online: http://www.cdfa.ca.gov/plant/peir/
- California Department of Food and Agriculture, 1220 N Street, Sacramento, CA, 95814 (by prior arrangement during normal business hours – call (916) 403-6881
- Libraries throughout the state; see PEIR website (http://www.cdfa.ca.gov/plant/peir/) for a list of locations

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State of California
Edmund G. Brown Jr., Governor

Notice of Extension of Public Review Period



CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE
Karen Ross, Secretary

September 10, 2014

Re: Extension of Public Review Period for the Draft Program Environmental Impact Report (PEIR) Regarding the Statewide Pest Prevention and Management Program

To Interested Parties:

Based on requests from members of the public, the public review period has been extended and will end at **5 p.m. on October 31, 2014**.

The remainder of this letter repeats information from the previously distributed Notice of Availability regarding document availability, the public review period, and public meetings.

DOCUMENT AVAILABILITY: The PEIR and supporting documents are available for download from the CDFA's website: http://www.cdfa.ca.gov/plant/peir/. Hard copies of the document can be reviewed at CDFA's offices in Sacramento (address shown below). To arrange to view documents at CDFA's offices during business hours, call (916) 403-6881. The document can also be reviewed electronically at libraries throughout the State that serve as document repositories. For a full list of locations, refer to the Statewide Program website. CDs are available on request by phoning (510) 986-1852 or emailing PEIR.info@cdfa.ca.gov. They will also be available at the public meetings in San Diego, Los Angeles, Tulare, Sacramento and Napa. Printed copies are also available at cost, plus postage, upon request using the above contact information.

PUBLIC REVIEW PERIOD: The PEIR is available for a 68-day public review and comment period, which began on August 25, 2014 and ends at 5 p.m. on October 31, 2014. **Please send comments on the PEIR at the earliest possible date, but postmarked no later than 5 p.m. on October 31, 2014 in order for your comments to be considered.**

Comments may be mailed to the following address:

California Department of Food and Agriculture
ATTN: Laura Petro, Senior Environmental Scientist (Supervisory)
Statewide Program Draft PEIR Comments
1220 N Street, Suite 221
Sacramento, CA 95814

Written comments may also be submitted by email to: PEIR.info@cdfa.ca.gov. Emailed comments are preferred and should include your name, address, and daytime telephone number so a representative of CDFA can contact you if clarifications regarding your comments are required.

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All comments received, including names and addresses, will become part of the official public record. A Final PEIR will be prepared which will include responses to comments received during the public review period.

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- Tulare, CA: Wednesday, September 24, 2014 from 5:30 p.m. to 7:30 p.m. at the Tulare County Agricultural Commissioner's Office (4437 S. Laspina, Tulare, CA 93274)
- Sacramento, CA: Monday, September 29, 2014 from 5:30 p.m. to 7:30 p.m. at the California Department of Food and Agriculture (1220 N Street, Auditorium, Sacramento, CA 95814). Webinar available – to participate via the webinar, please sign up at: https://www2.gotomeeting.com/register/346781786
- Napa, CA: Tuesday, September 30, 2014 from 5:30 p.m. to 7:30 p.m. at the Napa County Agricultural Commissioner's Office (1710 Soscol Avenue, Napa, CA 94559)

Sincerely,

Michele Dias

Michele Dias
General Counsel, CDFA

Locations where PEIR can be reviewed:

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Notice of Completion

Print Form

Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #2011062057

Project Title: Statewide Plant Pest Prevention and Management Program

Lead Agency: California Department of Food and Agriculture — Contact Person: Laura Petro

Mailing Address: 1220 N Street — Phone: (916) 403-6628

City: Sacramento — Zip: 95814 — County: Sacramento

Project Location: County: All counties - Statewide — City/Nearest Community: Various

Cross Streets: N/A — Zip Code: N/A

Longitude/Latitude (degrees, minutes and seconds): ____° ____′ ____″ N / ____° ____′ ____″ W Total Acres: ____

Assessor's Parcel No.: ____ Section: ____ Twp.: ____ Range: ____ Base: ____

Within 2 Miles: State Hwy #: ____ Waterways: ____

Airports: ____ Railways: ____ Schools: ____

Document Type:

CEQA: ☐ NOP ☒ Draft EIR NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☐ Neg Dec (Prior SCH No.) ____ ☐ Draft EIS ☐ Other: ____
☐ Mit Neg Dec Other: ____ ☐ FONSI

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☐ Other: ____

Development Type:

☐ Residential: Units ____ Acres ____
☐ Office: Sq.ft. ____ Acres ____ Employees____ ☐ Transportation: Type ____
☐ Commercial: Sq.ft. ____ Acres ____ Employees____ ☐ Mining: Mineral ____
☐ Industrial: Sq.ft. ____ Acres ____ Employees____ ☐ Power: Type ____ MW____
☐ Educational: ____ ☐ Waste Treatment: Type ____ MGD____
☐ Recreational: ____ ☐ Hazardous Waste: Type ____
☐ Water Facilities: Type ____ MGD ____ ☐ Other: ____

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☐ Fiscal ☒ Recreation/Parks ☒ Vegetation
☒ Agricultural Land ☒ Flood Plain/Flooding ☐ Schools/Universities ☒ Water Quality
☒ Air Quality ☒ Forest Land/Fire Hazard ☒ Septic Systems ☒ Water Supply/Groundwater
☒ Archeological/Historical ☒ Geologic/Seismic ☒ Sewer Capacity ☒ Wetland/Riparian
☒ Biological Resources ☒ Minerals ☒ Soil Erosion/Compaction/Grading ☒ Growth Inducement
☐ Coastal Zone ☒ Noise ☒ Solid Waste ☒ Land Use
☒ Drainage/Absorption ☒ Population/Housing Balance ☒ Toxic/Hazardous ☒ Cumulative Effects
☒ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☐ Other: ____

Present Land Use/Zoning/General Plan Designation:

Various - Program activities would occur in various locations throughout the state.

Project Description: *(please use a separate page if necessary)*

The overall goal of the Statewide Pest Prevention and Management Program is to protect California's agriculture from damage caused by invasive plant pests. Other goals of the Statewide Program include: (1) providing rapid response resources to pest infestations as they occur, and (2) using an IPM approach in conducting activities. The Statewide Program encompasses a range of prevention, management and regulatory activities, carried out or overseen by CDFA against specific injurious pests and their vectors, throughout California. The Statewide Program is made up of a variety of focused programs, each including a set of options for controlling target pests or pathogens. The Statewide Program is ongoing and currently is implemented pursuant to existing CEQA authorizations. This PEIR is intended to provide CEQA compliance for the future Statewide Program activities.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2010

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

X	Air Resources Board	X	Office of Historic Preservation
S	Boating & Waterways, Department of		Office of Public School Construction
X	California Emergency Management Agency	S	Parks & Recreation, Department of
	California Highway Patrol	S	Pesticide Regulation, Department of
S	Caltrans District # ____		Public Utilities Commission
X	Caltrans Division of Aeronautics	X	Regional WQCB # ALL
	Caltrans Planning	S	Resources Agency
	Central Valley Flood Protection Board	S	Resources Recycling and Recovery, Department of
	Coachella Valley Mtns. Conservancy	X	S.F. Bay Conservation & Development Comm.
X	Coastal Commission		San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
	Colorado River Board		San Joaquin River Conservancy
S	Conservation, Department of		Santa Monica Mtns. Conservancy
	Corrections, Department of	X	State Lands Commission
X	Delta Protection Commission		SWRCB: Clean Water Grants
	Education, Department of	S	SWRCB: Water Quality
	Energy Commission		SWRCB: Water Rights
S	Fish & Game Region # ____	X	Tahoe Regional Planning Agency
S	Food & Agriculture, Department of	X	Toxic Substances Control, Department of
S	Forestry and Fire Protection, Department of	X	Water Resources, Department of
X	General Services, Department of		
S	Health Services, Department of		Other:
	Housing & Community Development		Other:
X	Native American Heritage Commission		

Local Public Review Period (to be filled in by lead agency)

Starting Date August 25, 2015 Ending Date October 8, 2014

Lead Agency (Complete if applicable):

Consulting Firm: Horizon Water and Environment
Address: 180 Grand Avenue, Suite 1405
City/State/Zip: Oakland, CA, 94612
Contact: Michael Stevenson
Phone: (510) 986-1852

Applicant:
Address:
City/State/Zip:
Phone:

Signature of Lead Agency Representative: Michele Liou **Date:** 08-18-14

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Revised 2010

Draft PEIR Mailing List

Agency	Street Address	City, State, Zip
Alturas Main Library	212 West Third St.	Alturas, CA 96101
Antioch Library	501 W. 18th Street	Antioch, CA 94509
Arvin Branch Library	201 Campus Drive	Arvin, CA 93203
Auberry Branch Library	33049 Auberry Road	Auberry, CA 93602
Auburn Branch Library	350 Nevada Street	Auburn, CA 95603
Baker Branch Library	1400 Baker Street	Bakersfield, CA 93305
Bay Point Library	205 Pacifica Avenue	Bay Point, CA 94565
Big Pine Library	500 South Main Street	Big Pine, CA 93513
Bishop Library	210 Academy Avenue	Bishop, CA 93514
Bolinas Library	14 Wharf Road	Bolinas, CA 94924
Brentwood Library	104 Oak Street	Brentwood, CA 94513
Buttonwillow Branch Library	116 Buttonwillow Drive	Buttonwillow, CA 93206
California City Branch Library	9507 California City Blvd.	California City, CA 92505
Calipatria Branch Library	105 S. Lake Avenue	Calipatria, CA 92233
Central Library	630 W. 5th Street	Los Angeles, CA 90071
Cesar Chavez Central Library	605 N. El Dorado Street	Stockton, CA 95202
Chico Branch Library	1108 Sherman Avenue	Chico, CA 95926
Civic Center Library	3501 Civic Center Drive, Room 427	San Rafael, CA 94903
Clara M. Jackson (McFarland) Branch Library	500 West Kern Ave.	McFarland, CA 93250
Colusa County Free Library	738 Market Street	Colusa, CA 95932
Concord Library	2900 Salvio Street	Concord, CA 94519
Corte Madera Library	707 Meadowsweet Drive	Corte Madera, CA 94925
Courtland Community Library	170 Primasing Avenue	Courtland, CA 95615
Cupertino Library	10800 Torre Ave	Cupertino, CA 95014
Del Norte County Library - Main	190 Price Mall	Crescent City, CA 95531
Department of Water Resources	3500 Industrial Blvd., Room 117	West Sacramento, CA 95691
E.P. Foster Library	651 E. Main Street	Ventura, CA 93001
Eleanor Wilson Branch Library	1901 Wilson Road	Bakersfield, CA 93304
Elk Grove Library	8962 Elk Grove Boulevard	Elk Grove, CA 95624
Eureka Main Library	1313 3rd Street	Eureka, CA 95501
Fairfax Library	2097 Sir Francis Drake Blvd.	Fairfax, CA 94930
Fairfield Civic Center Library	1150 Kentucky Street	Fairfield, CA 94533
Fairfield Cordelia	5050 Business Center Drive	Fairfield, CA 94534
Fort Bragg Branch Library	499 Laurel Street	Fort Bragg, CA 95437

Agency	Street Address	City, State, Zip
Foster City Library	1000 East Hillsdale Blvd.	Foster City, CA 94404
Fremont Library - Main Branch	2400 Stevenson Blvd	Fremont, CA 94538
Fresno County Public Library, Central Branch	2420 Mariposa Street	Fresno, CA 93721
Garden Grove Regional Library	11200 Stanford Ave.	Garden Grove, CA 92840
Groveland Branch Library	18990 Highway 120	Groveland, CA 95321
Half Moon Bay Library	620 Correas St	Half Moon Bay, CA 94019
Hanford Branch Library (Main)	401 N. Douty Street	Hanford, CA 93230
Heber Branch Library	1078 Dogwood Road	Heber, CA 92249
Holtville Branch Library	101 E. 6th Street	Holtville, CA 92250
Imperial County Free Library--Headquarters	1125 Main Street	El Centro, CA 92243
Inverness Library	15 Park Ave.	Inverness, CA 94937
Inyo County Free Library (Independence -Central Library)	168 N. Edwards Street	Independence, CA 93526
Ione Branch Library	25 East Main Street	Ione, CA 95640
Iselton Branch Library, Iselton Elementary School	412 Union Street	Iselton, CA 95641
Jackson Main Library	530 Sutter Street	Jackson, CA 95640
John F. Kennedy Library	505 Santa Clara Street	Vallejo, CA 94590
Kern County Library - Beale Memorial Library	701 Truxtun Avenue	Bakersfield, CA 93301
King Library	150 E. San Fernando Street	San Jose, CA 95112
Kingsburg Branch Library	1399 Draper Street	Kingsburg, CA 93631
Lakeport Library (Main)	1425 N. High Street	Lakeport, CA 95453
Lassen Library District	1618 Main Street	Susanville, CA 96130
Lone Pine Library	127 West Bush	Lone Pine, CA 93545
Los Altos Library	13 S. San Antonio Road	Los Altos, CA 94022
Madelyn Helling Library	980 Helling Way	Nevada City, CA 95959
Madera County Branch (Library Headquarters)	121 North G Street	Madera, CA 93637
Mammoth Lakes Library	400 Sierra Park Rd.	Mammoth Lakes, CA 93546
Marian O. Lawrence (Galt) Library	1000 Caroline Avenue	Galt, CA 95632
Marin City Library	164 Donahue Street	Marin City, CA 94965
Marina Branch	190 Seaside Circle	Marina, CA 93933
Mariposa County Library	4978 10th Street	Mariposa, CA 95338
Markleeville - Main Library and Archives	270 Laramie Street	Markleeville, CA 96120
Martinez Library	740 Court Street	Martinez, CA 94553
Merced County Library (Main)	2100 O Street	Merced, CA 95340
Middletown Library	21256 Washington Street	Middletown, CA 95461
Napa Main Library	580 Coombs Street	Napa, CA 94559
National Marine Fisheries Service	650 Capitol Mall, Suite 5-100	Sacramento, CA 95814

Agency	Street Address	City, State, Zip
Northeast Branch Library	3725 Columbus Street	Bakersfield, CA 93306
Novato Library	1720 Novato Blvd.	Novato, CA 94947
Oakley Library	1050 Neroly Road	Oakley, CA 94561
Pine Grove Branch Library	19889 Highway 88	Pine Grove, CA 95665
Pioneer Branch Library	25070 Buckhorn Ridge	Pioneer, CA 95666
Pittsburg Library	80 Power Avenue	Pittsburg, CA 94565
Placerville Library	345 Fair Lane	Placerville, CA 95667
Pleasant Hill	1750 Oak Park Boulevard	Pleasant Hill, CA 94523
Plymouth Branch Library	9375 Main Street	Plymouth, CA 95669
Point Reyes Library	11431 State Route One	Point Reyes Station, CA 94956
Quincy Library	445 Jackson	Quincy, CA 95971
Redbud Library	14785 Burns Valley Road	Clearlake, CA 95422
Rio Vista Library	44 S. Second Street	Rio Vista, CA 94571
Riverdale Branch Library	20975 Malsbary Ave.	Riverdale, CA 93656
Riverside Main Library	3581 Mission Inn Ave.	Riverside, CA 92501
Sacramento Central Library	828 I Street	Sacramento, CA 95814
Salton City Branch Library	2098 Frontage Road	Salton City, CA 92275
San Andreas Central Library	1299 Gold Hunter Road	San Andreas, CA 95249
San Benito County Free Library	470 5th Street	Hollister, CA 95023
San Bernardino County Library	777 East Rialto Ave.	San Bernardino, CA 92415
San Diego Central Library	330 Park Blvd.	San Diego, CA 92101
San Francisco Public Library	100 Larkin Street	San Francisco, CA 94102
San Joaquin Branch Library	8781 Main Street	Fresno, CA 93660
Santa Barbara Public Library – Central	40 East Anapamu	Santa Barbara, CA 93101
Santa Cruz Public Library–Downtown Branch	224 Church Street	Santa Cruz, CA 95060
Santa Rosa Central Library	211 E Street	Santa Rosa, CA 95404
Shasta Public Library–Redding Library	1100 Parkview Avenue	Redding, CA 96001
Sierra County Public Library–Loyalton Station Library	511 Main Street	Loyalton, CA 96118
South Novato Library	6 Hamilton Landing, Suite 140A	Novato, CA 94949
Springstown Library	1003 Oakwood Avenue	Vallejo, CA 94591
Stanislaus County Library	1500 I Street	Modesto, CA 95354
Stinson Beach Library	3521 Shoreline Highway	Stinson Beach, CA 94970
Stockton-San Joaquin County Public Library – Escalon Branch Library	1540 Second Street	Escalon, CA 95320

Agency	Street Address	City, State, Zip
Stockton-San Joaquin County Public Library – Lathrop Branch	15461 Seventh Street	Lathrop, CA 95330
Stockton-San Joaquin County Public Library – Manteca Library	320 W. Center Street	Manteca, CA 95336
Stockton-San Joaquin County Public Library-Tracy Library	20 E. Eaton Avenue	Tracy, CA 95376
Suisun City Library	601 Pintail Drive	Suisun, CA 94585
Sutter County Library, Main Branch	750 Forbes Avenue	Yuba City, CA 95991
Tehama County Library	645 Madison Street	Red Bluff, CA 96080
Trinity County Free Library, Weaverville Branch	351 Main Street	Weaverville, CA 96093
Tuolumne Branch Library	18636 Main Street	Tuolumne, CA 95379
Ukiah Main Branch Library	105 N. Main Street	Ukiah, CA 95482
Upper Lake Library	310 Second Street	Upper Lake, CA 95485
Vacaville Public Library, Cultural Center	1020 Ulatis Drive	Vacaville, CA 95687
Visalia Branch Library (main)	200 West Oak Ave.	Visalia, CA 93291-4993
Walnut Grove Branch Library	14177 Market Street	Walnut Grove, CA 95690
Willows Public Library	201 N. Lassen Street	Willows, CA 95988
Woodward Park Regional Library	944 East Perrin Ave.	Fresno, CA 93720
Yolo County Library – A. F. Turner Branch	1212 Merkley Avenue	West Sacramento, CA 95691
Yolo County Library – Clarksburg Branch	52915 Netherlands Avenue	Clarksburg, CA 95612
Yolo County Library – Mary L. Stephens Davis Branch	315 E. 14th Street	Davis, CA 95616
Yolo County Library - Winters Community	708 Railroad Ave.	Winters, CA 95694
Yolo County Library--Yolo Branch Library	226 Buckeye Street	Woodland, CA 95695
Yreka Branch Library	719 4th Street	Yreka, CA 96097
Yuba County Library	303 Second Street	Marysville, CA 95901

Agency	Street Address	City, State, Zip
Alameda County Clerk-Recorder's Office	1106 Madison Street, First Floor	Oakland, CA 94607
Alpine County Clerk's office	99 Water Street	Markleeville, CA 96120
Recorder-Clerk	810 Court Street	Jackson, CA 95642
Butte County Recorder	25 County Center Drive	Oroville, CA 95965
Calaveras County Clerks Office	891 Mountain Ranch Road	San Andreas, CA 95249
Colusa County Recorder	546 Jay Street, Suite 200	Colusa, CA 95932
Contra Costa County Recorder	555 Escobar St.	Martinez, CA 94553
Recorder's office	981 H Street, Suite 160	Cresent City, CA 95531
El Dorado County Recorder	360 Fair Lane	Placerville, CA 95667
Fresno County Clerk	2221 Kern Street	Fresno, CA 93721
Glenn County	526 W. Sycamore Street	Willows, CA 95988
Humboldt County Recorder	825 5th Street Fifth Floor	Eureka, CA 95501
Imperial County Recorder	P. O. Box 1560	El Centro, CA 92243
Inyo County Clerk Recorder	P.O. Box F	Independence, CA 93526
Kern County Clerk	1115 Truxtun Ave.	Bakersfield, CA 93301
Kings County Clerk	1400 West Lacey Blvd.	Hanford, CA 93230
Lake County Recorder	255 North Forbes	Lakeport, CA 95453
County Clerk-Recorder	220 South Lassen St Suite 5	Susanville, CA 96130
Registrar-Recorder/County Clerk	12400 IMPERIAL HIGHWAY	Norwalk, CA 90650
Madera County Clerk	200 West 4th Street	Madera, CA 93637
Marin County Clerk	Rm 247, Hall of Justice, 3501 Civic Center Dr	San Rafael, CA 94903
Mariposa County Clerk	4982 10th Street	Mariposa, CA 95338
Mendocino County Assessor-County Clerk-Recorder	501 Low Gap Rd., Room 1020	Ukiah, CA 95482
Merced County Recorder	2222 M Street, Room 14	Merced, CA 95340
Modoc Recorder's Office	204 South Court St.	Alturas, CA 96101
Mono County Clerk	Annex I, 74 School St.	Bridgeport, CA 93517
Monterey County	168 West Alisal Street, 1st Floor	Salinas, CA 93901
Napa County Clerk	900 Coombs St # 116	Napa, CA 94559
Nevada County Clerk	950 Maidu Ave	Nevada, CA 95959
Orange Clerk-Recorder Office	12 Civic Center Plaza, Rooms 101 and 106	Santa Ana, CA 92701
Placer County Clerk	2954 Richardson Drive	Auburn, CA 95603
Plumas County Clerk-Recorder	520 Main Street, Room 102	Quincy, CA 95971
Riverside County Clerk-County Administrative Center	4080 Lemon St, 1st Floor	Riverside, CA 92502
Sacramento County Clerk/Recorder	600 8th Street	Sacramento, CA 95814
San Benito County Clerk	440 5th St., Room 206, County Courthouse	Hollister, CA 95023
San Bernardino County Clerk	222 West Hospitality Lane	San Bernardino, CA 92415
San Diego County Clerk	1600 Pacific Hwy # 260	San Diego, CA 92101
San Francisco County Clerk	City Hall, Room 168	San Francisco, CA 94102
San Joaquin Recorder County Clerk	44 North San Joaquin Street, suite 260, second floor	Stockton, Ca 95202
SLO Clerk-Recorder	1055 Monterey St., Ste. D-120	San Luis Obispo, CA 93408
San Mateo County Clerk	555 County Center, First Floor	Redwood City, CA 94063
Santa Barbara County Clerk-Recorder	1100 Anacapa St.	Santa Barbara, CA 93102
Santa Clara County Clerk-Recorder	70 West Hedding, East Wing, First Floor	San Jose, CA 95110
Santa Cruz County Recorder	701 Ocean Street, Rm 210	Santa Cruz, CA 95060
Shasta County Recorder	1643 Market Street	Redding, CA 96099
Sierra County Recorder	P.O. Drawer D, 100 Courthouse Square, Suite 11	Downieville, CA 95936
Siskiyou County Clerk	510 North Main St.	Yreka, CA 96097
Solano County Clerk of the Board	675 Texas Street, Suite 6500	Fairfield, CA 94533
Sonoma County Clerk	2300 County Center Drive, Suite B177	Santa Rosa, CA 95403
Stanislaus County Clerk-Recorder	1021 I Street, Suite 101	Modesto, CA 95354
Board Clerk's Office	433 2nd Street	Yuba City, CA 95991
Tehama County Recorder	633 Washington Street, Room 11	Red Bluff, CA 96080
Trinity County Recorder	101 Court Street	Weaverville, CA 96093
Tulare County Recorder	County Civic Center, 221 South Mooney Boulevard	Visalia, CA 93291
Tuolumne County Clerk	2 South Green Street, 2nd Floor	Sonora, CA 95370
Ventura County Recorder Officer	800 S. Victoria Ave.	Ventura, CA 93009
Yolo County Clerk	625 Court Street, Room B01	Woodland, CA 95695
Yuba County Clerk Recorder	915 8th St., Suite 107	Marysville, CA 95901

Name	Title	Agency	Street Address	City, State, Zip
Angela Godwin	County Agricultural Commissioner	VENTURA-SWM	800 S Victoria Ave, L# 1750	Ventura, CA 93009-1750
Scott Paulsen (Acting)	County Agricultural Commissioner	ALAMEDA	224 W Winton Ave, Rm 184	Hayward, CA 94544-1220
Mike Boitano	County Agricultural Commissioner	AMADOR	12200-B Airport Rd	Jackson, CA 95642-9527
Kevin Wright	County Agricultural Commissioner	CALAVERAS	891 Mountain Ranch Rd	San Andreas, CA 95249-9709
Joe Damiano	County Agricultural Commissioner	COLUSA	100 Sunrise Blvd, Ste F	Colusa, CA 95932-3246
Vince Guise	County Agricultural Commissioner	CONTRA COSTA	2366-A Stanwell Circle	Concord, CA 94520-4804
Jim Buckles	County Agricultural Commissioner	DEL NORTE	2650 W Washington Blvd	Crescent City, CA 95531-8619
Charlene Carveth	County Agricultural Commissioner	EL DORADO/ALPINE	311 Fair Lane	Placerville, CA 95667-4195
Les Wright	County Agricultural Commissioner	FRESNO	1730 S Maple Ave	Fresno, CA 93702-4596
Jim Donnelly	County Agricultural Commissioner	GLENN	PO Box 351	Willows, CA 95988-0351
Jeff Dolf	County Agricultural Commissioner	HUMBOLDT/TRINITY	5630 S Broadway St	Eureka, CA 95503-6905
Connie Valenzuela	County Agricultural Commissioner	IMPERIAL	PO Box 806	El Centro, CA 92244-0806
Nathan Reade	County Agricultural Commissioner	INYO/MONO	207 W South St	Bishop, CA 93514-3492
Ruben Arroyo	County Agricultural Commissioner	KERN	1001 S Mt Vernon Ave	Bakersfield, CA 93307-2857
Tim Niswander	County Agricultural Commissioner	KINGS	680 N Campus Dr, Ste B	Hanford, CA 93230-3556
Steve Hajik	County Agricultural Commissioner	LAKE	883 Lakeport Blvd	Lakeport, CA 95453-5405
Joe Moreo (Acting)	County Agricultural Commissioner	LASSEN	175 Russell Ave	Susanville, CA 96130-4299
Kurt Floren	County Agricultural Commissioner	LOS ANGELES	12300 Lower Azusa Rd	Arcadia, CA 91005-5872
Stevie McNeill	County Agricultural Commissioner	MADERA	332 Madera Ave	Madera, CA 93637-5499
Stacy Carlsen	County Agricultural Commissioner	MARIN	1682 Novato Blvd, Ste 150-A	Novato, CA 94947-7021
Cathi Boze	County Agricultural Commissioner	MARIPOSA	PO Box 905	Mariposa, CA 95338-0905
Chuck Morse	County Agricultural Commissioner	MENDOCINO	890 N Bush St	Ukiah, CA 95482-3745
Dave Robinson	County Agricultural Commissioner	MERCED	2139 Wardrobe Ave	Merced, CA 95341-6445
Joe Moreo	County Agricultural Commissioner	MODOC	202 W 4th St	Alturas, CA 96101-3989
Eric Lauritzen	County Agricultural Commissioner	MONTEREY	1428 Abbott St	Salinas, CA 93901-4507
Greg Clark	County Agricultural Commissioner	NAPA	1710 Soscol Ave, Ste 3	Napa, CA 94559-1315
Jeffrey Pylman	County Agricultural Commissioner	NEVADA	255 S Auburn St	Grass Valley, CA 95945-7289
Mike Bennett	County Agricultural Commissioner	ORANGE	222 E Bristol Ln	Orange, CA 92865-2714
Josh Huntsinger	County Agricultural Commissioner	PLACER	11477 E Avenue	Auburn, CA 95603-2799
Tim Gibson	County Agricultural Commissioner	PLUMAS/SIERRA	208 Fairground Rd	Quincy, CA 95971-9462
John Snyder	County Agricultural Commissioner	RIVERSIDE	PO Box 1089	Riverside, CA 92502-1089
Juli Jensen	County Agricultural Commissioner	SACRAMENTO	4137 Branch Center Rd	Sacramento, CA 95827-3897
Ron Ross	County Agricultural Commissioner	SAN BENITO	PO Box 699	Hollister, CA 95024-0699
John Gardner	County Agricultural Commissioner	SAN BERNARDINO	777 E Rialto Ave	San Bernardino, CA 92415-0720
Ha Dang	County Agricultural Commissioner	SAN DIEGO	9325 Hazard Way, Ste 100, MS01	San Diego, CA 92123-1217
Miguel Monroy	County Agricultural Commissioner	SAN FRANCISCO	1390 Market St, Ste 822	San Francisco, CA 94102-5303
Gary Caseri (Acting)	County Agricultural Commissioner	SAN JOAQUIN	2101 E Earhart Ave, Ste 100	Stockton, CA 95201-1809
Martin Settevendemie	County Agricultural Commissioner	SAN LUIS OBISPO	2156 Sierra Way, Ste A	San Luis Obispo, CA 93401-4556

Name	Title	Agency	Street Address	City, State, Zip
Fred Crowder	County Agricultural Commissioner	SAN MATEO	PO Box 999	Redwood City, CA 94064-0999
Cathy Fisher	County Agricultural Commissioner	SANTA BARBARA	263 Camino Del Remedio	Santa Barbara, CA 93110-1335
Joe Deviney	County Agricultural Commissioner	SANTA CLARA	1553 Berger Dr, Bldg 1	San Jose, CA 95112-2704
Mary Lou Nicoletti	County Agricultural Commissioner	SANTA CRUZ	175 Westridge Dr	Watsonville, CA 95076-2797
Paul Kjos	County Agricultural Commissioner	SHASTA	3179 Bechelli Ln, Ste 210	Redding, CA 96002-2041
Pat Griffin	County Agricultural Commissioner	SISKIYOU	525 S Foothill Dr	Yreka, CA 96097-3090
Jim Allan	County Agricultural Commissioner	SOLANO	501 Texas St	Fairfield, CA 94533-5627
Tony Linegar	County Agricultural Commissioner	SONOMA	133 Aviation Blvd, Ste 110	Santa Rosa, CA 95403-2893
Milton O'Haire	County Agricultural Commissioner	STANISLAUS	3800 Cornucopia Way, Ste B	Modesto, CA 95358-9494
Mark Quisenberry	County Agricultural Commissioner	SUTTER	142 Garden Highway	Yuba City, CA 95991-5512
Rick Gurrola	County Agricultural Commissioner	TEHAMA	PO Box 38	Red Bluff, CA 96080-0038
Jeff Dolf	County Agricultural Commissioner	TRINITY/HUMBOLDT	PO Box 1466	Weaverville, CA 96093-1466
Marilyn Kinoshita	County Agricultural Commissioner	TULARE	4437 S Laspina St	Tulare, CA 93274-9537
Vicki Helmar	County Agricultural Commissioner	TUOLUMNE	2 S Green St	Sonora, CA 95370-4618
Henry Gonzales	County Agricultural Commissioner	VENTURA	555 Airport Way, Ste E	Camarillo, CA 93010-8530
John Young	County Agricultural Commissioner	YOLO	70 Cottonwood St	Woodland, CA 95695-2593
Louie Mendoza, Jr,	County Agricultural Commissioner	YUBA	915 8th St, Ste 127	Marysville, CA 95901-5273

Name	Title	Agency	Department	Street Address	City, State, Zip
Mark Nechodom	Director	California Department of Conservation		801 K Street MS 24-01	Sacramento, CA 95814
Jeff Single	Regional Manager	California Department of Fish and Wildlife	Central Region	1234 East Shaw Ave	Fresno, CA 93710
Kimberly Nicol	Regional Manager	California Department of Fish and Wildlife	Inland Deserts Region	3602 Inland Empire Blvd, Suite C-220	Ontario, CA 91764
Tina Bartlett	Regional Manager	California Department of Fish and Wildlife	North Central Region	1701 Nimbus Road	Rancho Cordova, CA 95670
Ed Pert	Regional Manager	California Department of Fish and Wildlife	South Coast Region	3883 Ruffin Rd	San Diego, CA 92123
Chris Zimny		California Department of Forestry and Fire Protection		1416 9th Street	Sacramento, CA 95814
Tom Smith	Senior Plant Pathologist	California Department of Forestry and Fire Protection		1416 9th Street	Sacramento, CA 95814
Dennis Shusterman	Public Health Officer III	California Department of Health Services	Hazard Evaluation Section	850 Marina Bay Parkway Building P, 3rd Floor	Richmond, CA 94804
Ramona Robison, Ph.D.	Vegetation Management Specialist	California Department of Parks and Recreation	Natural Resources Division	1416 9th Street, Room 923	Sacramento, California 95814
Pat Paswater		California Department of Resources Recycling and Recovery		1001 I Street	Sacramento, CA 95814
Ken Murray		California Department of Transportation	Office of Landscape & Litter Abatement	1120 N Street, MS 31	Sacramento, CA 95814
Dr. David Ting	Chief, Toxicologist	California Environmental Protection Agency	Office of Environmental Health Hazard Assessment	1515 Clay Street, 16th Floor	Oakland, CA 94612-2807
Marylou N. Verder-Carlos, DVM, MPVM	Assistant Director, Pesticide Programs Division	California Environmental Protection Agency	Department of Pesticide Regulation	1001 I Street, 4th Floor	Sacramento, California 95812
Rick Kreutzer, MD	Chief	California Health and Human Services Agency	Division of Environmental and Occupational Disease Control	850 Marina Bay Parkway, Building P, 3rd Floor	Richmond, California 94804
Jim Cranney	Member	California Invasive Species Advisory Committee		853 Lincoln Way, Suite 206	Auburn, CA 95603
John Randall	Member	California Invasive Species Advisory Committee		UC Davis, One Shields Ave., Mail Stop 4, Robbins Hall	Davis, CA 95616
Joseph DiTomaso	Member	California Invasive Species Advisory Committee		One Shields Ave	Davis, CA 95616
Larry Godfrey	Member	California Invasive Species Advisory Committee		73 Briggs Hall, Dept. of Entomology, 1 Shields Ave	Davis, CA 95616
Christiana Conser	Member	California Invasive Species Advisory Committee		PO Box 853	Fairfax, CA 94978
Bob Atkins	Member	California Invasive Species Advisory Committee		4113 N Mission Road	Fallbrook, CA 92028
Marcy Martin	Member	California Invasive Species Advisory Committee		978 West Alluvial Avenue, Suite 107	Fresno, CA 93711
Richard Forster	Member	California Invasive Species Advisory Committee		810 Court St	Jackson, CA 95642
Victoria Brandon	Member	California Invasive Species Advisory Committee		15995 Lucy Cir	Lower Lake, CA 95457
Jay Goldsmith	Member	California Invasive Species Advisory Committee		1111 Jackson St, Suite 700	Oakland, CA 94607
Jeanne Merrill	Member	California Invasive Species Advisory Committee		1029 K St, Suite 24	Sacramento, CA 95814
Robin Wall	Member	California Invasive Species Advisory Committee		650 Capitol Mall, Suite 6-400	Sacramento, CA 95814
Andrea Fox	Member	California Invasive Species Advisory Committee		1127 11th Street, Suite 626	Sacramento, CA 95814
Sheri Smith	Member	California Invasive Species Advisory Committee		2550 Riverside Drive	Susanville, CA 96130
David Pattison	Member	California Invasive Species Advisory Committee		11350 Lilac Vista Drive	Valley Center, CA 92082
Heather Baugh	Assistant General Counsel	California Natural Resources Agency		1416 9th Street, Suite 1311	Sacramento, CA 95814
Edward Hand	Environmental Program Manager	California State Parks	Division of Boating and Waterways	One Capitol Mall, Suite 410	Sacramento, CA 95814
Lonnie Wass	Supervising Engineer	Regional Water Quality Control Board	Central Valley Region	1685 E Street	Fresno, CA 93706
Shakoora Azimi-Gaylon	Assistant Executive Officer	Sacramento-San Joaquin Delta Conservancy	Invasive Species Coordination	1450 Halyard Drive, Suite 6	Sacramento, CA 95691
Philip S. Isorena	Senior Water Resource Control Engineer	State Water Resources Control Board	NPDES Wastewater Unit, Division of Water Quality	1001 I Street, 15th Floor	Sacramento, CA 95814
Catherine Zeeman		U.S. Fish and Wildlife Service	Carlsbad Fish and Wildlife Office	2177 Salk Ave., Suite 250	Carlsbad, CA 92008
Kellie J. Berry	Chief	U.S. Fish and Wildlife Service		2800 Cottage Way Rm W-2605	Sacramento, CA 95825-1886
Diane Noda		U.S. Fish and Wildlife Service		2493 Portola Rd, Suite B	Ventura, CA 93003
Jenny Marek		U.S. Fish and Wildlife Service		2493 Portola Rd, Suite B	Ventura, CA 93003
Helene Wright	Plant Health Director	United States Department of Agriculture	APHIS	650 Capitol Mall, Suite 6-400	Sacramento, CA 95814
Mitzi Shpak	Executive Director	Action Now		2219 West Olive Ave.#254	Burbank, CA 91506
Veronica Raymond		Action Now		5339 Santa Anita Ave	Temple City, CA 91780
Ronnie Eaton		Alameda County Department of Agriculture		224 W. Winton Ave, Rm 184	Hayward, CA 94544
Dorothea Dorenz		Albany/Berkeley Coalition for Environmental Health		1200 Neilson Street, B	Berkeley, CA 94706

Name	Title	Agency	Department	Street Address	City, State, Zip
Nat DiBuduo	President CEO	Allied Grape Growers		7030 N. Fruit Ave., Suite 115	Fresno, CA 93711
Diane Hoffman		Bradley Real Estate		44 Bolinas Road	Fairfax, CA 94930
Carol Farris	Asst Secretary Agency Relations	Business, Transportation and Housing Agency		915 Capitol Mall, Suite 350 B	Sacramento, California 95814
Traci Stevens	Acting Undersecretary	Business, Transportation and Housing Agency		980 9th Street, Ste 2450	Sacramento, California 95814-2742
Richard Price		Butte County Department of Agiculture		316 Nelson Ave	Oroville, CA 95965
Maggi Barry		Butte Environmental Council		116 W 2nd St # 3	Chico, CA 95928
Bob Blakely		CA Citrus Mutual		512 N Kaweah	Exeter, CA 93221
Karen Bur	President	California Association of Resource Conservation Districts		801 K Street, Suite 1415	Sacramento, CA 95814
Jonathan Dixon, PhD	Research Program Director	California Avocado Commission		12 Maucl1ly, Suite L	Irvine, CA 92616-6305
Cathy Calfo	Executive Director/CEO	California Certified Organic Farmers		2155 Delaware Avenue, Suite 150	Santa Cruz, CA 95060
Craig Shuman	Regional Manager	California Department of Fish and Wildlife	Marine Region	20 Lower Ragsdale Drive, Suite 100	Monterey, CA 93940
Scott Wilson	Regional Manager	California Department of Fish and Wildlife	Bay-Delta Region	7329 Silverado Trail	Napa, CA 94558
Neil Manji	Regional Manager	California Department of Fish and Wildlife	Northern Region	601 Locust Street	Redding, CA 96001
Junko Hoshi	Assistant Project Lead	California Department of Fish and Wildlife	CA State Wildlife Action Plan	1416 Ninth Street, 13th Floor	Sacramento, CA 95814
Chuck Bonham	Director	California Department of Fish and Wildlife		1416 9th Street, 12th Floor	Sacramento, CA 95815
Scott Flint	Acting Chief	California Department of Fish and Wildlife	Habitat Conservation Planning Branch	3883 Ruffin Road	San Diego, CA 92123
Helen Lopez	Chief of Staff	California Department of Forestry and Fire Protection		3650 Schriever Avenue	Mather, California 95655
Jay Chamberlin	Chief	California Department of Parks and Recreation	Natural Resources Division	1416 9th Street, Room 923	Sacramento, California 95814
Anita Gore	Public Affairs	California Department of Public Health		1615 Capitol Avenue	Sacramento, CA 95814
Brenda Smyth	Chief	California Department of Resources Recycling and Recovery	Statewide Technical and Analytical Resources Branch	801 K Street, MS 19-01	Sacramento, CA 95814
Joshua Pulverman	Statewide Local Development-Intergovernmental Review Coordinator	California Department of Transportation		P.O. Box 942874, MS-32	Sacramento, CA 94274-0001
Keith Robinson		California Department of Transportation	Office of Landscape & Litter Abatement	1120 N Street, MS 28	Sacramento, CA 95814
Parviz Lashai		California Department of Transportation	Office of Landscape & Litter Abatement	1120 N Street, MS 31	Sacramento, CA 95814
Donn Zea	Executive Director	California Dried Plum Board		3840 Rosin Court, Suite 170	Sacramento, CA 95834
Jane Kelly	Board Member	California Environmental Health Initiative		5926 Masterson Road	Gazelle CA 96034
Thomas G. Kelly, JD	Board Member	California Environmental Health Initiative		5926 Masterson Road	Gazelle CA 96034
Nilan C. Watmore	Special Assistant	California Environmental Protection Agency		1001 I Street, 25th Floor	Sacramento, CA 95812
Allan Hirsch	Chief Deputy Director	California Environmental Protection Agency	Office of Environmental Health Hazard Assessment	1001 I Street, 23rd Floor	Sacramento, California 95812
Carol Monahan-Cummings	Chief Counsel	California Environmental Protection Agency	Office of Environmental Health Hazard Assessment	1001 I Street, 23rd Floor, MS # 25B	Sacramento, California 95812
Ricardo Martinez Garcia	Deputy Secretary	California Environmental Protection Agency	Office of Environmental Justice, Tribal & Border Affairs	1001 I Street	Sacramento, California 95812
Barry Bedwell	President	California Grape and Tree Fruit League		978 W. Alluvial, Suite 107	Fresno, CA 93711-5700
Jason Giessow	President of the Board of Directors	California Invasive Plant Council		1442-A Walnut St., #462	Berkeley, CA 94709
Greg Suba	Conservation Program Director	California Native Plant Society		2707 K Street, Suite 1	Sacramento, CA 95816-5113
John Laird	Secretary	California Natural Resources Agency		1416 9th Street, Suite 1311	Sacramento, CA 95814
Liane Randolph	Deputy Secretary and Chief Counsel	California Natural Resources Agency		1416 9th Street, 13th Floor, Suite 1311	Sacramento, CA 95814
Mark Bybee	Chairman	California Plums Marketing Board		PO Box 968, 975 "I" Street	Reedley, California 93654·0968
Bill Jennings	Executive Director	California Sportfishing Protection Alliance		1248 East Oak Avenue #D	Woodland, CA 95776
Bob McFarland	President	California State Grange		3830 U Street	Sacramento, CA 96817
Kathleen Nave	President	California Table Grape Commission		392 Fallbrook, Suite 101	Fresno, CA 93711-6130
Frederick W. Klose	Manager	California Wild Rice Advisory Board		Buffum Building, 4125 Temescal Street	Fair Oaks, CA 95628
Doug Johnson		Cal-IPC		1442-A Walnut Street, #462	Berkeley, CA 94709
Lynn Elliot Harding		CEHI		556 Aileen Street	Oakland, CA 94609
Elizabeth Thompson	Law Clerk	Center for Biological Diversity		351 California St., Ste. 600	San Francisco, CA 94104

Name	Title	Agency	Department	Street Address	City, State, Zip
Jonathan Evans	Staff Attorney	Center for Biological Diversity		351 California St., Ste. 600	San Francisco, CA 94104
Farid Javandel	Mayor	City of Albany		1000 San Pablo Ave	Albany, CA 94706
Gayle McLaughlin	Mayor	City of Richmond		450 Civic Center Plaza	Richmond, CA 94804
Kevin L. Riley	Director of Planning and Inspection	City of Santa Clara		1500 Warburton Avenue	Santa Clara, CA 95050
Erin M. Tobin		Earthjustice		426 17th Street, 5th Floor	Oakland, CA 94612-2807
Carol Hafner		FCDA		1730 S Maple Ave	Fresno, CA 93702
Brian Domingas		Fresno County Farm Bureau		1274 W Hedges Ave	Fresno, CA 93728
Steve Soeth		Glen County Board of Supervisors		Willows Memorial Hall, 2nd Floor 525 West Sycamore Street, Suite Bl	Willows, CA 95988
James W. Bogart	President	Grower-Shipper Association of Central California		512 Pajaro St, P.O. Box 828	Salinas, CA 93902
Dr. Sandra Ross	President	Health & Habitat, Inc		76 Lee Street	Mill Valley, CA 94941
Marae Berman		ILWU Teamsters		1127 11th Street, Ste 501	Sacramento, CA 95814
Matt Cotton		IWMC		19375 Lake City Road	Nevada City, CA 95959
Tony Barba	Board Chairman	Kings County Board of Supervisors		1400 W. Lacey Boulevard	Hanford, CA 93230
Jim Crisp	President	Kings County Farm Bureau		870 Greenfield Avenue	Hanford, Califoruia 93230
Mark Chandler	Executive Director	Lodi Winegrape Commission		2545 W. Turner Road	Lodi, CA 95242
Debbie Friedman, JD		Mothers of Marin Against the Spray		800 Hearst Avenue	Berkeley, CA 94710
Regina Linville	Senior Toxicologist	Office of Environmental Health Hazard Assessment		1001 I Street, Sacramento, CA 95812	
A.G. Kawamura		Orange County Produce, LLC		11405 Jeffrey Road	Irvine, CA 92602
Melissa Pork		Paramount Farming		33141 E. Ledro Hwy	Bakersfield, CA 93308
Paul Towers	State Director	Pesticide Watch Education Fund		1314 H St. Suite #100	Sacramento, CA 95814
Andrew Zaninovich		Rio Blanco Farms		1998 Road 152	Delano, CA 93215
Jason Flanders	Staff Attorney	San Francisco Baykeeper		785 Market Street	San Francisco, CA 94103
Kelly King		Senator LaMalfa		1601 Ridgeback Way	Chico, CA 95928
Mary Pfeiffer		Shasta Ag		3179 Bechelli Road #210	Chico, CA 95928
Michael Endicott	Resource Sustainability Advocate	Sierra Club California		801 K St., Suite 2700	Sacramento, CA 95814
Nick Frey	President	Sonoma County Winegrape Commission		3637 Westwind Boulevard	Santa Rosa, CA 95403
Robert Perdue	Executive Officer	State Water Resources Control Board	Division of Water Quality	1001 I St	Sacramento, CA 95814
Nan Wishner		Stop the Spray East Bay		800 Hearst Avenue	Berkeley, CA 94710
Tom Kelly, JD		Stop the Spray East Bay		800 Hearst Avenue	Berkeley, CA 94710
Marko S. Zaninovich		Sunview Shandon		1998 Road 152	Delano, CA 93215
Pam Hartwell-Herrero	Executive Director	Sustainable Fairfax		P.O. Box 342	Fairfax, CA 94978
Stacy Weinberg Dieve	Board of Directors	Sustainable Marin		1017 Bel Marin Keys Blvd.	Novato, CA 94949
Erin Schrode		Teens Turning Green		2330 Marinship Way, Suite 200A	Sausalito, CA
Pablo Garza		The Nature Conservancy		555 Capitol Mall, #1290	Sacramento, CA 95814
Larry Bragman		Town of Fairfax		142 Bolinas Road	Fairfax, CA 94930
Ryan Olah	Chief	U.S. Fish and Wildlife Service	Carlsbad Fish and Wildlife Office	2177 Salk Ave., Suite 250	Carlsbad, CA 92008
Thomas Leeman	San Joaquin Valley Division Chief	U.S. Fish and Wildlife Service		2800 Cottage Way Room W-2605	Sacramento, CA 95825
Margareta Lelea		UC Davis		1919 Calaveras Ave	Davis, CA 95616
Jennifer Sedell		UC Davis		5155 Remis Drive	Davis, CA 95618
John Kabshima		UCCE		1045 Arlington Drive	Costa Mesa, CA 92626
Barb Maehler		United States Department of Agriculture	APHIS	650 Capitol Mall, Suite 6-400	Sacramento, CA 95814
Beth Stone-Smith		United States Department of Agriculture	APHIS	650 Capitol Mall, Suite 6-400	Sacramento, CA 95814
Dan Hamon		United States Department of Agriculture	APHIS	650 Capitol Mall, Suite 6-400	Sacramento, CA 95814
Dave Bergsten	Assistant Chief	United States Department of Agriculture	APHIS	650 Capitol Mall, Suite 6-400	Sacramento, CA 95814
Dan Dooley	Sr Vice President for External Relations	University of California		1111 Franklin Street	Oakland, CA 94607
James R. Carey	Professor, Department of Entomology	University of California, Davis		1 Shields Avenue	Davis, CA 95616-8584
Frank Zalom		University of California, Davis		204 Lindo Place	Davis, CA 95616
Donald Yasuda	Regional Analyst	USDA Forest Service	Pacific Southwest Region	3237 Peacekeeper Way	McClellan, CA 95652
Christine Nota	Regioanl Forester	USDA Forest Service	Pacific Southwest Region	650 Capitol Mall #7524	Sacramento, CA 95814
James G. Kenna	State Director	USDI Bureau of Land Management		2800 Cottage Way	Sacramento, CA 95814
Christine Lehnertz	Regional Director	USDI National Park Service	Pacific West Region	333 Bush Street, Suite 500	San Francisco, CA 94104
Fabiola Estrada		USEPA Region 9	Pesticides Office	75 Hawthorne Street	San Francisco, CA 94105
Lauren Bauer				P.O. Box 58	Bakersfield, CA 93302

Name	Title	Agency	Department	Street Address	City, State, Zip
Charlotte Shoemaker				1618 Parker Street	Berkeley, CA 94703
Tom Kelly				1809 San Ramon Ave	Berkeley, CA 94707
Judith Wilkes				1402 Bancroft Way	Berkeley, CA 94 702
Eleanor Lyman				49 Wharf Road	Bolinas, California 94924
Heather Hacking				P.O. Box 9	Chico, CA 95928
Janet Gerland				16950 E. Liberty Road	Clements, CA 95227
James McFarlane				P.O. Box 1079	Clovis, CA 93613
James Northup				1204 Synder Drive	Davis, CA 95616
Jenny Josephian				605 Del Valle Circle	El Sobrante CA 94803
David Brown				8631 Band Road	Elk Grove, CA 95624
Judy Stewart-Leslie				729 Davis Ave	Exeter, CA 93221
Claudia Tomaso				90 Tamalpais Road	Fairfax, CA 94930
Valeri Hood				79 Dominga Ave	Farifax, CA 94930
Lynn MacMichael				3812 F Happy Valley Rd.	Lafayette, Ca. 94549
Dennis L. Knepp				2 White Tail Lane	Monterey, CA 93940
Jay Haley				4251 Montgomery, #5	Oakland, CA 94611
Nancy Snedden				4348 Montgomery Street	Oakland, CA 94611
Phillip Pease				109 Monte Vista Avenue	Oakland, CA 94611
Tamarind Fleischman				109 Monte Vista Avenue	Oakland, CA 94611
Ted Luehs				1107 Crespi Dr	Pacifica, CA 94044
George Nikolich				1467 E. Dinuba Ave	Reedley, CA 93654
Lauren Schiffman				1343 S. 59th Street	Richmond, CA 94804
Leah Zabel				1990 3rd Street, Suite 400	Sacramento, CA 95811
Neil Edgar				1822 21st Street	Sacramento, CA 95811
Nolan Isozaki				21 Pisa Court	San Francisco, CA 94080
Ed Laido				9885 Alcosta Boulevard	San Ramon, CA 94583
Skip Berg				2330 Marinship Way, Suite 301	Sausalilo, California 94965
A. Webster				1415 Michigan Ave	Stockton, CA 95204
Ted Batkin				11945 Ave 274	Visalia, CA 93277

Newspaper Ad Proofs

HORIZON WATER & ENVIRONMENT, LLC
180 GRAND AVENUE, SUITE 1405
OAKLAND, CA 94612

PROOF OF PUBLICATION

COUNTY OF FRESNO
STATE OF CALIFORNIA

The undersigned states:

McClatchy Newspapers in and on all dates herein stated was a corporation, and the owner and publisher of The Fresno Bee. The Fresno Bee is a daily newspaper of general circulation now published, and on all-the-dates herein stated was published in the City of Fresno, County of Fresno, and has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of November 28, 1994, Action No. 520058-9.
The undersigned is and on all dates herein mentioned was a citizen of the United States, over the age of twenty-one years, and is the principal clerk of the printer and publisher of said newspaper; and that the notice, a copy of which is hereto annexed, marked Exhibit A, hereby made a part hereof, was published in The Fresno Bee in each issue thereof (in type not smaller than nonpareil), on the following dates.

August 25, 2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated August 25, 2014

C. Williams

Exhibit A

PUBLIC NOTICE

#1195943

Join us for a
CEQA public meeting
on the
Statewide Plant Pest Prevention and
Management Program EIR

The California Department of Food and Agriculture is circulating a Draft Program Environmental Impact Report (PEIR) for the Statewide Plant Pest Prevention and Management Program for a 45-day review public review and comment period. The review period will begin on Monday, August 25th, 2014 and end on Wednesday, October 8th, 2014. During this period, CDFA will hold five public meetings: in San Diego, Los Angeles, Tulare, Sacramento and Napa. The purpose of public circulation and the public meetings is to provide agencies and interested individuals with opportunities to comment on or express concerns regarding the contents of the PEIR. The dates, times and locations of the meetings are as follows:

Monday, September 22nd, 5:30 p.m
San Diego County Farm Bureau
1670 E. Valley Parkway
Escondido, CA 92027

Tuesday, September 23rd, 5:30 p.m
Huntington Library
1151 Oxford Road
San Marino, CA 91108

Wednesday, September 24th, 5:30 p.m.
Tulare County Agricultural Commissioner's Office
4427 S. Laspina
Tulare, CA 93274

Monday, September 29th, 5:30 p.m.
California Department of Food and Agriculture
1220 N Street, Auditorium
Sacramento, CA 95814

Tuesday, September 30th, 5:30 p.m.
Napa County Agricultural Commissioner's Office
1710 Soscol Avenue
Napa, CA 94559

Website: http://www.cdfa.ca.gov/plant/peir/

Will you need an accommodation in order to attend and/or participate in this event? If so, please contact Michael Stevenson, Horizon Water and Environment at (510) 986-1852. Auxiliary aides and services are available to individuals with disabilities upon request.

The Sacramento Bee
P.O. Box 15779 • 2100 Q Street • Sacramento, CA 95852

HORIZON WATER AND ENVIRONMENT, LLC
180 GRAND AVENUE, SUITE 1405
OAKLAND CA 94612

DECLARATION OF PUBLICATION
(C.C.P. 2015.5)

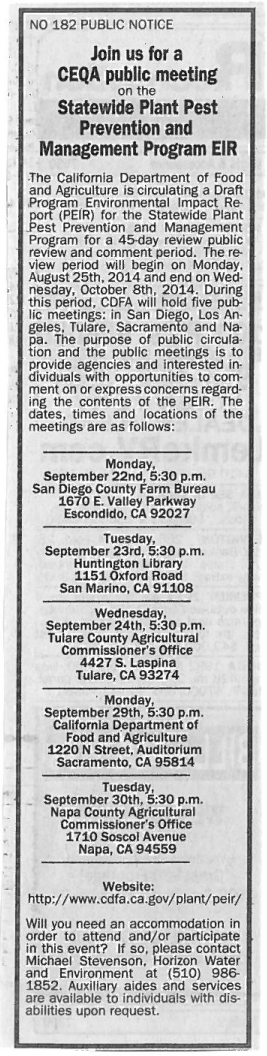
COUNTY OF SACRAMENTO
STATE OF CALIFORNIA

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interest ed in the above entitled matter. I am the printer and principal clerk of the publisher of The Sacramento Bee, printed and published in the City of Sacramento, County of Sacramento, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sacramento, State of California, under the date of September 26, 1994, Action No. 379071; that the notice of which the annexed is a printed copy, has been published in each issue thereof and not in any supplement thereof on the following dates, to wit:

AUGUST 25, 2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Sacramento, California, on **AUGUST 25, 2014**

(Signature)



NO 182 PUBLIC NOTICE

Join us for a CEQA public meeting
on the
Statewide Plant Pest Prevention and Management Program EIR

The California Department of Food and Agriculture is circulating a Draft Program Environmental Impact Report (PEIR) for the Statewide Plant Pest Prevention and Management Program for a 45-day review public review and comment period. The review period will begin on Monday, August 25th, 2014 and end on Wednesday, October 8th, 2014. During this period, CDFA will hold five public meetings: in San Diego, Los Angeles, Tulare, Sacramento and Napa. The purpose of public circulation and the public meetings is to provide agencies and interested individuals with opportunities to comment on or express concerns regarding the contents of the PEIR. The dates, times and locations of the meetings are as follows:

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Escondido, CA 92027

Tuesday,
September 23rd, 5:30 p.m.
Huntington Library
1151 Oxford Road
San Marino, CA 91108

Wednesday,
September 24th, 5:30 p.m.
Tulare County Agricultural Commissioner's Office
4427 S. Laspina
Tulare, CA 93274

Monday,
September 29th, 5:30 p.m.
California Department of Food and Agriculture
1220 N Street, Auditorium
Sacramento, CA 95814

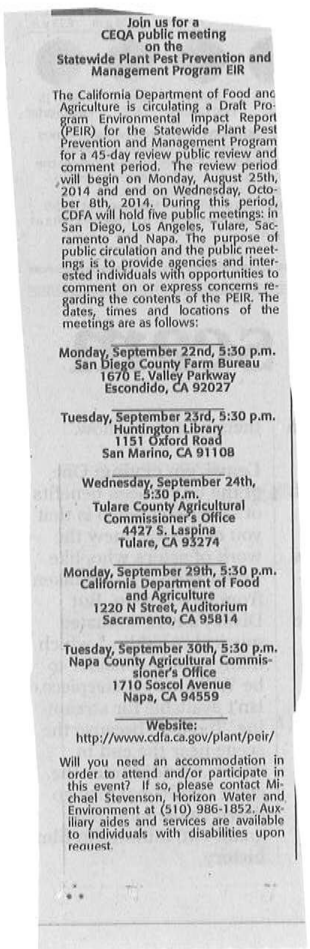
Tuesday,
September 30th, 5:30 p.m.
Napa County Agricultural Commissioner's Office
1710 Soscol Avenue
Napa, CA 94559

Website:
http://www.cdfa.ca.gov/plant/peir/

Will you need an accommodation in order to attend and/or participate in this event? If so, please contact Michael Stevenson, Horizon Water and Environment at (510) 986-1852. Auxiliary aides and services are available to individuals with disabilities upon request.

DECLARATION OF PUBLICATION OF
SAN FRANCISCO CHRONICLE

Lori Gomez



Join us for a CEQA public meeting on the Statewide Plant Pest Prevention and Management Program EIR

The California Department of Food and Agriculture is circulating a Draft Program Environmental Impact Report (PEIR) for the Statewide Plant Pest Prevention and Management Program for a 45-day review public review and comment period. The review period will begin on Monday, August 25th, 2014 and end on Wednesday, October 8th, 2014. During this period, CDFA will hold five public meetings: in San Diego, Los Angeles, Tulare, Sacramento and Napa. The purpose of public circulation and the public meetings is to provide agencies and interested individuals with opportunities to comment on or express concerns regarding the contents of the PEIR. The dates, times and locations of the meetings are as follows:

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Will you need an accommodation in order to attend and/or participate in this event? If so, please contact Michael Stevenson, Horizon Water and Environment at (510) 986-1852. Auxiliary aides and services are available to individuals with disabilities upon request.

Declares that:
The annexed advertisement has been regularly published In the

SAN FRANCISCO CHRONICLE

Which is an was at all times herein mentioned established as newspaper of general circulation in the City and County of San Francisco, State of California, as the term is defined by Section 6000 of the Government Code

SAN FRANCISCO CHRONICLE
(Name of Newspaper)

901 Mission Street
San Francisco, CA 94103

From 8/25/14

To 8/25/14

Namely on 8/25/14
(Dates of Publication)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8/27/14

At San Francisco, California

Los Angeles Times
MEDIA GROUP

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF ILLINOIS
County of Cook

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the action for which the attached notice was published. I am a principal clerk of the Los Angeles Times, which was adjudged a newspaper of general circulation on May 21, 1952, Cases 598599 for the City of Los Angeles, County of Los Angeles, and State of California. Attached to this Affidavit is a true and complete copy as was printed and published on the following date(s):
Aug 25, 2014

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated at Chicago, Illinois
on this 25 day of Aug, 2014.

[signature]

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Chicago, IL 60611

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Tulare County Agricultural Commissioner's Office
4427 S. Laspina
Tulare, CA 93274

Monday, September 29th, 5:30 p.m.
California Department of Food and Agriculture
1220 N Street, Auditorium
Sacramento, CA 95814

Tuesday, September 30th, 5:30 p.m.
Napa County Agricultural Commissioner's Office
1710 Soscol Avenue
Napa, CA 94559

Website: http://www.cdfa.ca.gov/plant/peir/

Will you need an accommodation in order to attend and/or participate in this event? If so, please contact Michael Stevenson, Horizon Water and Environment at (510) 986-1852. Auxiliary aides and services are available to individuals with disabilities upon request.
Join us for a
CEQA public meeting

2589918 - Los Angeles Times

PROOF OF PUBLICATION
(2010 & 2011 C.C.P.)

This space is for the County Clerk's Filing Stamp

STATE OF CALIFORNIA
County of San Diego

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of

UT - North County

Formerly known as the North County Times and which newspaper has been adjudicated as a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, for the City of Oceanside and the City of Escondido, Court Decree numbers 171349 & 172171, for the County of San Diego, that the notice of which the annexed is a printed copy (set in type not smaller than nonpariel), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

August 25th, 2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at **Oceanside,** California
On This 25th, day August, 2014

Jane Allshouse
UT NORTH COUNTY
Legal Advertising

Proof of Publication of

Join us for a
CEQA public meeting
on the
Statewide Plant Pest Prevention and Management Program EIR

The California Department of Food and Agriculture is circulating a Draft Program Environmental Impact Report (PEIR) for the Statewide Plant Pest Prevention and Management Program for a 45-day review public review and comment period. The review period will begin on Monday, August 25th, 2014 and end on Wednesday, October 8th, 2014. During this period, CDFA will hold five public meetings: in San Diego, Los Angeles, Tulare, Sacramento and Napa. The purpose of public circulation and the public meetings is to provide agencies and interested individuals with opportunities to comment on or express concerns regarding the contents of the PEIR. The dates, times and locations of the meetings are as follows:

Monday, September 22nd, 5:30 p.m.
San Diego County Farm Bureau
1670 E. Valley Parkway
Escondido, CA 92027

Tuesday, September 23rd, 5:30 p.m.
Huntington Library
1151 Oxford Road
San Marino, CA 91108

Wednesday, September 24th, 5:30 p.m.
Tulare County Agricultural Commissioner's Office
4427 S. Laspina
Tulare, CA 93274

Monday, September 29th, 5:30 p.m.
California Department of Food and Agriculture
1220 N Street, Auditorium
Sacramento, CA 95814

Tuesday, September 30th, 5:30 p.m.
Napa County Agricultural Commissioner's Office
1710 Soscol Avenue
Napa, CA 94559

Website: http://www.cdfa.ca.gov/plant/peir/

Will you need an accommodation in order to attend and/or participate in this event? If so, please contact Michael Stevenson, Horizon Water and Environment at (510) 986-1852. Auxiliary aides and services are available to individuals with disabilities upon request. pub: 8/25/14

Attachment B

Draft PEIR Meeting Materials

Meeting Flyer

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

STATEWIDE PLANT PEST PREVENTION AND MANAGEMENT PROGRAM

CEQA Draft PEIR Public Review

Public input is a valued and important component of the California Environmental Quality Act (CEQA) process. Please provide input on the content of the draft program environmental impact report.

Per the guidance provided by CEQA, comments should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigation the significant environmental effects. The basis for your comments should be explained, including relevant data or references.

All comments received will be considered during preparation of the Final PEIR.

COMMENTS DUE:

5:00 pm on Friday, October 31, 2014

MAIL WRITTEN COMMENTS TO:

California Department of Food and Agriculture
Attn: Laura Petro, Senior Environmental Scientist (Supervisory)
Statewide Program Draft PEIR Comments
1220 N Street
Sacramento, CA 95814

OR EMAIL COMMENTS TO:

PEIR.info@cdfa.ca.gov

Include your name, address, contact number, and email address
for future correspondence related to this CEQA process

Further information about the Statewide Plant Pest Prevention and Management Program can be found at the program website: http://www.cdfa.ca.gov/plant/peir/

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CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE

Meeting Agenda

California Department of Food and Agriculture

Statewide Plant Pest Prevention and Management Program

Draft Program Environmental Impact Report

Public Meetings

5:30 WELCOME & OPEN HOUSE

- Opportunity for one-on-one discussion with staff
- Review and discussion of materials at various stations with opportunity for questions and clarifications

6:00 OPENING REMARKS

Michael Stevenson, Horizon Water & Environment – Facilitator

- Welcome
- Agenda Review
- Purpose of Meeting
- Meeting Ground Rules

PROJECT BACKGROUND & OVERVIEW

Laura Petro, Senior Environmental Scientist (Supervisory), CDFA

- Overview of Statewide Plant Pest Prevention and Management Program

CEQA OVERVIEW & HOW TO COMMENT DURING PUBLIC REVIEW PERIOD

Michael Stevenson

- Background & Overview of CEQA and the EIR Process
- Key findings and conclusions of the Draft EIR
- How to Comment on Draft EIR and Use of Public Meeting Comments
- Summary of Next Steps

6:25 RECEIPT OF PUBLIC COMMENTS

- Receive oral comments and questions

7:30 ADJOURN

FOR MORE INFO, VISIT:
HTTP://WWW.CDFA.CA.GOV/PLANT/PEIR/
WRITTEN COMMENTS ACCEPTED UNTIL OCTOBER 31, 2014

Meeting Ground Rules

The purpose of this meeting is to solicit input from the public and interested public agencies regarding the analysis of environmental impacts, mitigation measures and project alternatives in the draft Program Environmental Impact Report (PEIR). Additionally, the public meeting provides an opportunity for the Department of Food and Agriculture to share information regarding the PEIR that is being prepared for the Statewide Program. Staff are present to answer relevant questions and to help the public become better informed in order to provide constructive comments on the environmental analysis. Toward that end:

- Please make sure that all cell phones and pagers are on silent.
- Focus your attention on the speaker – having side conversations distracts others in the group.
- Do not interrupt the presenter; there will be plenty of time for discussion.
- Try to make your comments clear and succinct. For specific questions that are of personal interest to you, please talk to Department staff before or after the meeting.
- Be respectful of each other and of differing points of view.
- Take personal responsibility for observing these ground rules, and honor our time together by keeping the meeting moving forward positively.
- This is a public meeting, not a formal hearing. Oral comments are not being transcribed. Written comments will be printed in the Final PEIR. Responses to written comments will be provided in the Final PEIR.
- The facilitator may ask individuals who do not abide by these rules to leave the meeting.

Written Comment Form

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE: STATEWIDE PLANT PEST PREVENTION AND MANAGEMENT PROGRAM

Draft PEIR - Public Meeting Comment Form

Name:
Group/Organization (optional):
Mailing Address:
Telephone No. (optional):
Email (optional):

Comments/Issues:

Please use additional sheets if necessary.

SUBMIT WRITTEN COMMENTS (POSTMARKED NO LATER THAN OCTOBER 31, 2014) TO:

MAIL: California Department of Food and Agriculture
Attn: Laura Petro, Senior Environmental Scientist (Supervisory)
Statewide Program Draft PEIR Comments
1220 N Street
Sacramento, CA 95814

EMAIL: PEIR.info@cdfa.ca.gov

Questions? Please email us or visit our website: http://www.cdfa.ca.gov/plant/peir/

Place Stamp Here

California Department of Food and Agriculture
Attn: Laura Petro
Statewide Program Draft PEIR Comments
1220 N Street
Sacramento, CA 95814

(fold here)

Tape Here-

Do not staple

Speaker Card

CDFA Statewide Plant Pest Prevention and Management Program EIR Review
Speaker Card

Name: **Date:**
Comment(s):

CDFA Statewide Plant Pest Prevention and Management Program EIR Review
Speaker Card

Name: **Date:**
Comment(s):

Public Meeting Sign-In Sheets

California Department of Food and Agriculture
Statewide Plant Pest Prevention and Management Program
Draft PEIR Public Meeting Sign In Sheet
September 22nd – San Diego County, CA

Name	Address	Email Address (optional)	Organization (optional)	Phone Number (optional)
Ken Gilliland	PO BOX 2130 Newport Beach, CA	kgilliland@pwgu.com	Ag trade Assoc,	949-885-2267
Thomas Cooper	4050 Taylor St San Diego CA 92110	thomas.cooper@dot.ca.gov	CalTrans	619 688-3375
Jim Wynn	151 E. Carmel St. San Marcos	James.Wynn@sdcounty.ca.gov.	SD Ag Dept	760-752-4710
ERIC LARSON	1670 EAST VALLEY PKWY ESCONDIDO CA 92027	eric@sdfarmbureau.org	FARM BUREAU	760 745 3023

California Department of Food and Agriculture
Statewide Plant Pest Prevention and Management Program
Draft PEIR Public Meeting Sign In Sheet
September 23rd – Los Angeles County, CA

Name	Address	Email Address (optional)	Organization (optional)	Phone Number (optional)
ED WILLIAMS	11012 GARFIELD AVE SOUTH GATE, CA. 90280	EWilliams@acwm.lacounty.gov	LA COUNTY	
KURT FLOREN	12300 Lower Azusa Rd. Arcadia, CA 91006	KFloren@acwm.lacounty.gov	LA. County Agricultural Commissioner Weights & Measures	
NARA MNATSAKANIAN		nmnatsakanian@cdfa.ca.gov	CDFA	

California Department of Food and Agriculture
Statewide Plant Pest Prevention and Management Program
Draft PEIR Public Meeting Sign In Sheet
September 24th – Tulare County, CA

Name	Address	Email Address (optional)	Organization (optional)	Phone Number (optional)
Tom Tucker	4437 S. LaSpina Tulare CA	ttucker@co.tulare.ca.us	Ag. Comm.	559-684-3350
Gary Van Sickle	31831 Rd 132 Visalia CA 93292	gary@specialtycrops.org	CA Specialty Crops Council	559-288-0301

California Department of Food and Agriculture
Statewide Plant Pest Prevention and Management Program
Draft PEIR Public Meeting Sign In Sheet
September 29h – Sacramento County, CA

Name	Address	Email Address (optional)	Organization (optional)	Phone Number (optional)
Bob Gore	500 Cap Mall Ste 2600	bob_gore@guako group.com	The Guako Group / GAP CA	
Hector Webster	CDFA-AHFSS	hwebster@cdfa.ca.gov	CDFA	
Mike Blankinship	1590 Drew #120 Davis, CA 95618	mike@h2osci.com	Blankinship	5307590941
Kate Barnier	1730 Delaware St,			(510) 548-8762
Roberto Traina	" #C 94703			"

California Department of Food and Agriculture
Statewide Plant Pest Prevention and Management Program
Draft PEIR Public Meeting Sign In Sheet
September 30th – Napa County, CA

Name	Address	Email Address (optional)	Organization (optional)	Phone Number (optional)
ERIC LAURITZEN	1428 ABBOTT ST SALINAS	lauritzene@co.monterey.ca.us	Monterey Co Ag Comm	(831) 759-7325

Meeting Posters


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CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE
Welcome to
The California Department of Food and Agriculture
Statewide Plant Pest Prevention and Management Program
Draft Environmental Impact Report
Public Meetings
September 2014

SIGN IN / ORIENTATION

- All Guests Sign In Here
- Information, Handouts, and Comment Cards for Tonight's Meeting

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STATEWIDE PROGRAM OBJECTIVES

- Exclude invasive or harmful plant pests from California and prevent or limit the spread of newly discovered pests within the state

- Protect California from damage caused by the introduction or spread of harmful plant pests

- Minimize the impacts of pest management approaches on human health and urban and natural environments

- Promote the production of a safe, healthy, source food supply

- Support CDFA's goal of rapid response by streamlining project-level implementation activities, addressing new pests as they are detected, and integrating new pest management approaches as they are developed

- Implement a program that is broad enough to apply to a wide range of pest management methods and pests groups in California

- Be consistent with existing CDFA permits, protocols, and policies, including the National Pollutant Discharge Elimination System (NPDES) Permit issued to CDFA by the State Water Resources Control Board (SWRCB)

- Coordinate CEQA compliance for the multiple, interrelated pest prevention and management programs under the Statewide Program

- Develop a checklist evaluation tool to assess the potential environmental impacts of proposed activities that can be understood and reviewed by the public

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CDFAposters.v1.ind3

STATEWIDE PROGRAM ACTIVITIES

- Pest rating (evaluation of pest's environmental, agricultural, and biological significance)

- Identification, detection, and delimitation of new priority pest populations

- Pest management response for priority pests, which may include:

  - ► Rapid eradication and/or control of new and existing pest populations

  - ► Prevention of movement of plants pests into and within California (quarantines)

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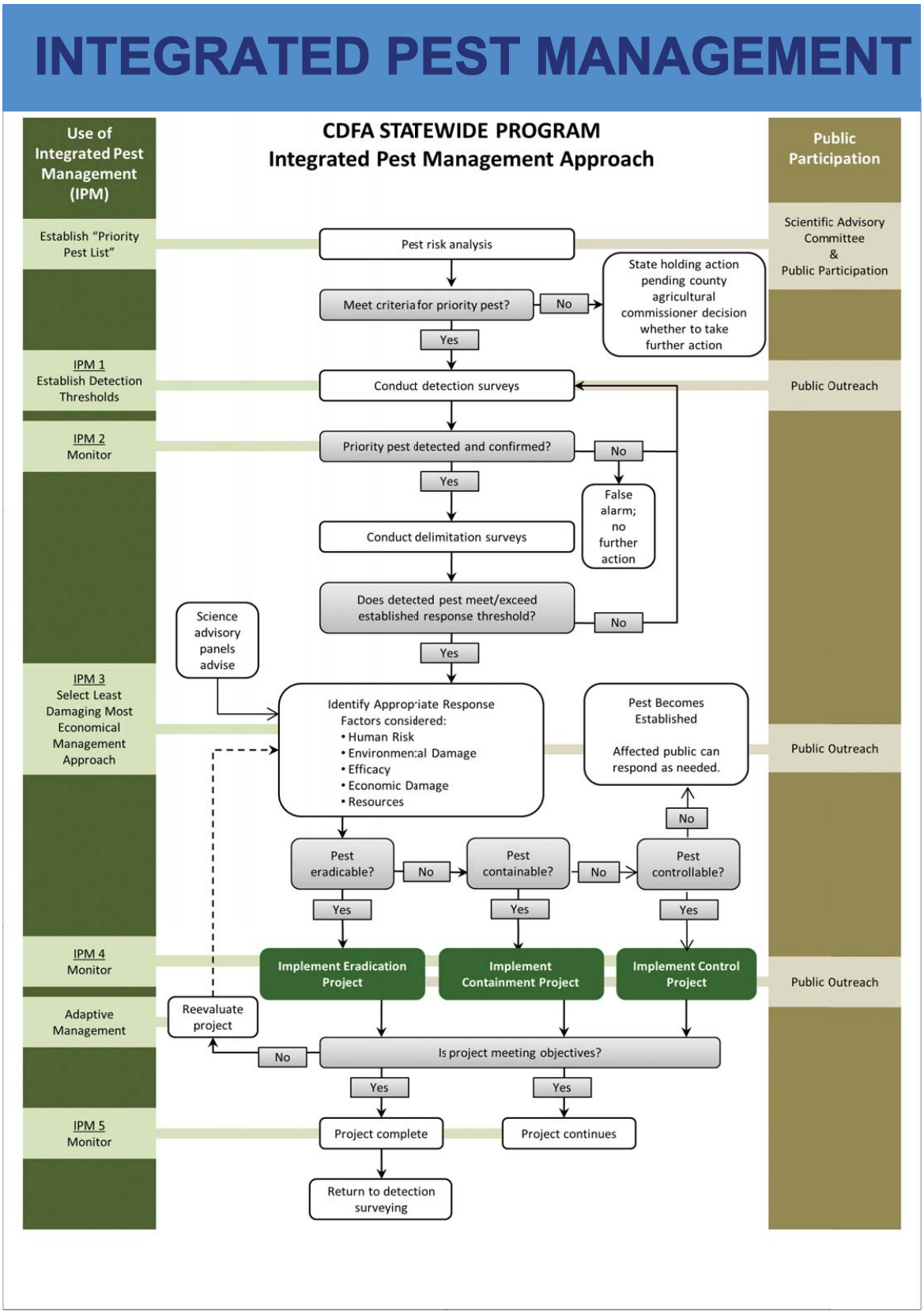
INTEGRATED PEST MANAGEMENT
CDFA STATEWIDE PROGRAM
Integrated Pest Management Approach
Use of Integrated Pest Management (IPM)
Public Participation
Establish "Priority Pest List"
Pest risk analysis
Scientific Advisory Committee & Public Participation
Meet criteria for priority pest?
No
State holding action pending county agricultural commissioner decision whether to take further action
Yes
IPM 1
Establish Detection Thresholds
Conduct detection surveys
Public Outreach
IPM 2
Monitor
Priority pest detected and confirmed?
No
Yes
False alarm; no further action
Conduct delimitation surveys
Does detected pest meet/exceed established response threshold?
No
Yes
Science advisory panels advise
IPM 3
Select Least Damaging Most Economical Management Approach
Identify Appropriate Response
Factors considered:
• Human Risk
• Environmental Damage
• Efficacy
• Economic Damage
• Resources
Pest Becomes Established
Affected public can respond as needed.
Public Outreach
No
Pest eradicable?
No
Pest containable?
No
Pest controllable?
Yes
Yes
Yes
IPM 4
Monitor
Implement Eradication Project
Implement Containment Project
Implement Control Project
Public Outreach
Adaptive Management
Reevaluate project
No
Is project meeting objectives?
Yes
Yes
IPM 5
Monitor
Project complete
Project continues
Return to detection surveying

PUBLIC NOTIFICATION OF PEST MANAGEMENT ACTIVITES

A protocol for public notification is established for every program response plan and may include:

- Property-specific notifications via personal service
- Notification by mail, in local newspapers, and/or on official websites
- Establishing a Proclamation of an Eradication Project or Proclamation of Emergency
- Notifications to relevanet authorities, governing boards of affected cities and counties, county agricultural commissioners, and health officers
- Public meetings
- The CDFA Hotline for information, to address questions, or scheduling concerns
- Providing regulatory information to affected growers, businesses, and residents

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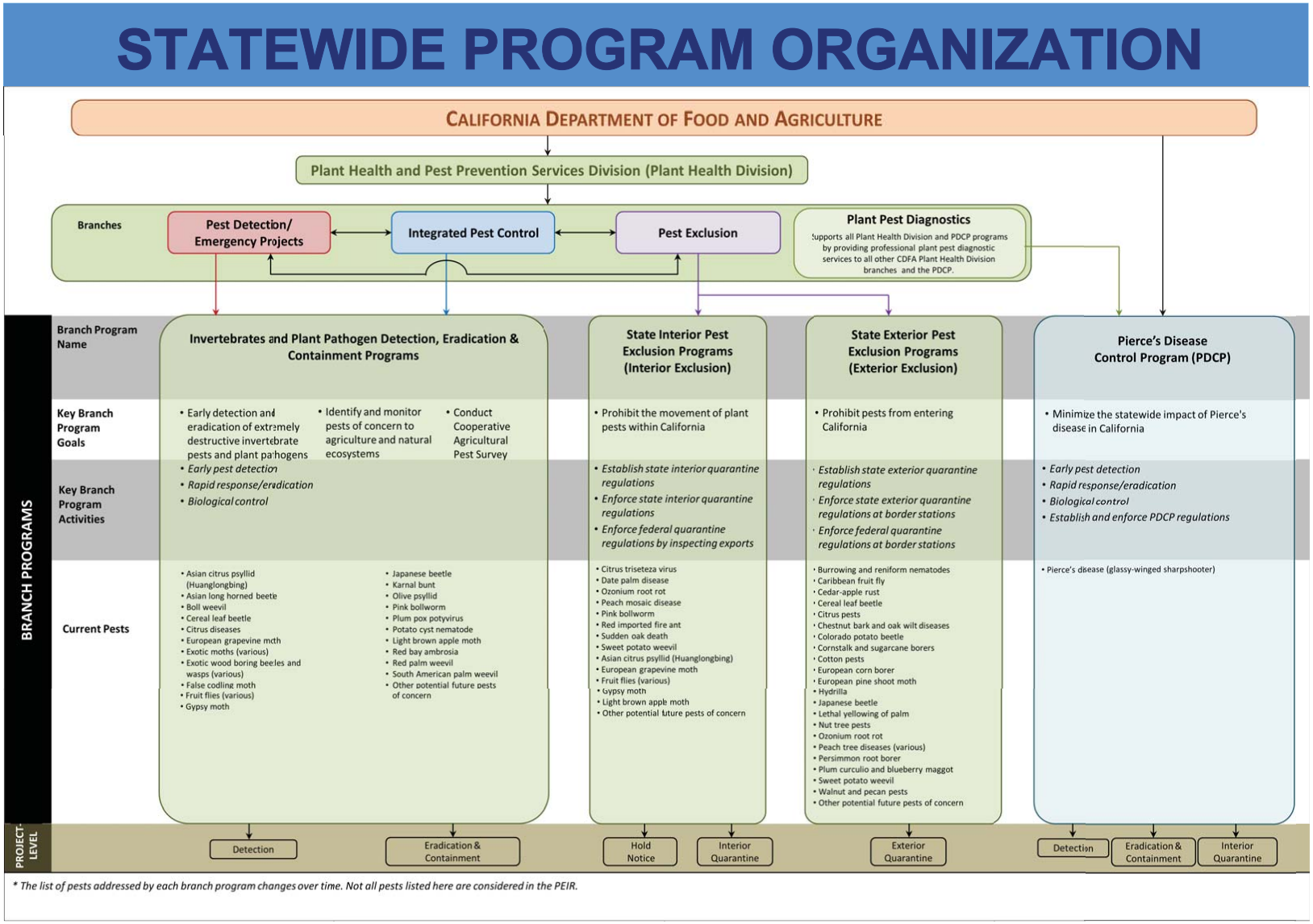
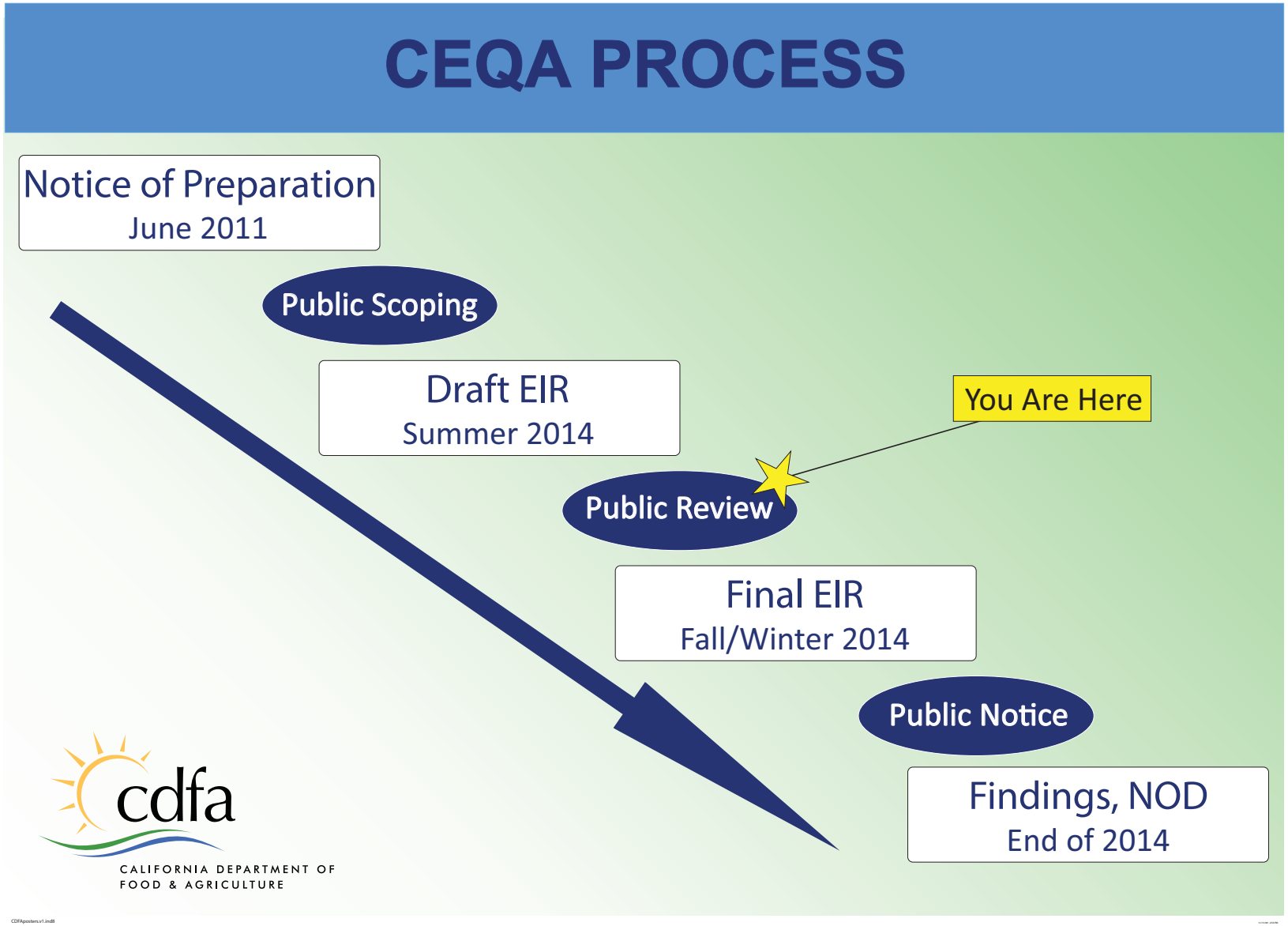

STATEWIDE PROGRAM ORGANIZATION
CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE
Plant Health and Pest Prevention Services Division (Plant Health Division)
Branches
Pest Detection/ Emergency Projects
Integrated Pest Control
Pest Exclusion
Plant Pest Diagnostics
Supports all Plant Health Division and PDCP programs by providing professional plant pest diagnostic services to all other CDFA Plant Health Division branches and the PDCP.
BRANCH PROGRAMS
Branch Program Name
Invertebrates and Plant Pathogen Detection, Eradication & Containment Programs
State Interior Pest Exclusion Programs (Interior Exclusion)
State Exterior Pest Exclusion Programs (Exterior Exclusion)
Pierce's Disease Control Program (PDCP)
Key Branch Program Goals
• Early detection and eradication of extremely destructive invertebrate pests and plant pathogens
• Identify and monitor pests of concern to agriculture and natural ecosystems
• Conduct Cooperative Agricultural Pest Survey
• Prohibit the movement of plant pests within California
• Prohibit pests from entering California
• Minimize the statewide impact of Pierce's disease in California
Key Branch Program Activities
• Early pest detection
• Rapid response/eradication
• Biological control
• Establish state interior quarantine regulations
• Enforce state interior quarantine regulations
• Enforce federal quarantine regulations by inspecting exports
• Establish state exterior quarantine regulations
• Enforce state exterior quarantine regulations at border stations
• Enforce federal quarantine regulations at border stations
• Early pest detection
• Rapid response/eradication
• Biological control
• Establish and enforce PDCP regulations
Current Pests
• Asian citrus psyllid (Huanglongbing)
• Asian long horned beetle
• Boll weevil
• Cereal leaf beetle
• Citrus diseases
• European grapevine moth
• Exotic moths (various)
• Exotic wood boring beetles and wasps (various)
• False codling moth
• Fruit flies (various)
• Gypsy moth
• Japanese beetle
• Karnal bunt
• Olive psyllid
• Pink bollworm
• Plum pox potyvirus
• Potato cyst nematode
• Light brown apple moth
• Red bay ambrosia
• Red palm weevil
• South American palm weevil
• Other potential future pests of concern
• Citrus triseteza virus
• Date palm disease
• Ozonium root rot
• Peach mosaic disease
• Pink bollworm
• Red imported fire ant
• Sudden oak death
• Sweet potato weevil
• Asian citrus psyllid (Huanglongbing)
• European grapevine moth
• Fruit flies (various)
• Gypsy moth
• Light brown apple moth
• Other potential future pests of concern
• Burrowing and reniform nematodes
• Caribbean fruit fly
• Cedar-apple rust
• Cereal leaf beetle
• Citrus pests
• Chestnut bark and oak wilt diseases
• Colorado potato beetle
• Cornstalk and sugarcane borers
• Cotton pests
• European corn borer
• European pine shoot moth
• Hydrilla
• Japanese beetle
• Lethal yellowing of palm
• Nut tree pests
• Ozonium root rot
• Peach tree diseases (various)
• Persimmon root borer
• Plum curculio and blueberry maggot
• Sweet potato weevil
• Walnut and pecan pests
• Other potential future pests of concern
• Pierce's disease (glassy-winged sharpshooter)
PROJECT-LEVEL
Detection
Eradication & Containment
Hold Notice
Interior Quarantine
Exterior Quarantine
Detection
Eradication & Containment
Interior Quarantine
* The list of pests addressed by each branch program changes over time. Not all pests listed here are considered in the PEIR.


CEQA PROCESS
Notice of Preparation
June 2011
Public Scoping
Draft EIR
Summer 2014
You Are Here
Public Review
Final EIR
Fall/Winter 2014
Public Notice
Findings, NOD
End of 2014
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CEQA RESOURCE TOPICS

- Agricultural Resources
- Air Quality
- Biological Resources
- Global Climate Change
- Hydrology and Water Quality
- Hazards and Hazardous Materials
- Noise
- Cumulative Effects

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HOW TO PROVIDE COMMENTS

Please provide us with your input regarding the PEIR on the comment cards provided.

You can also take a comment card and mail it (or a letter) prior to the close of the comment period (October 31, 2014) to:

California Department of Food and Agriculture
Attn: Laura Petro, Senior Environmental Scientist (Supervisory)
1220 N Street, Suite 400
Sacramento, CA 95814

Or email:

PEIR.info@cdfa.ca.gov

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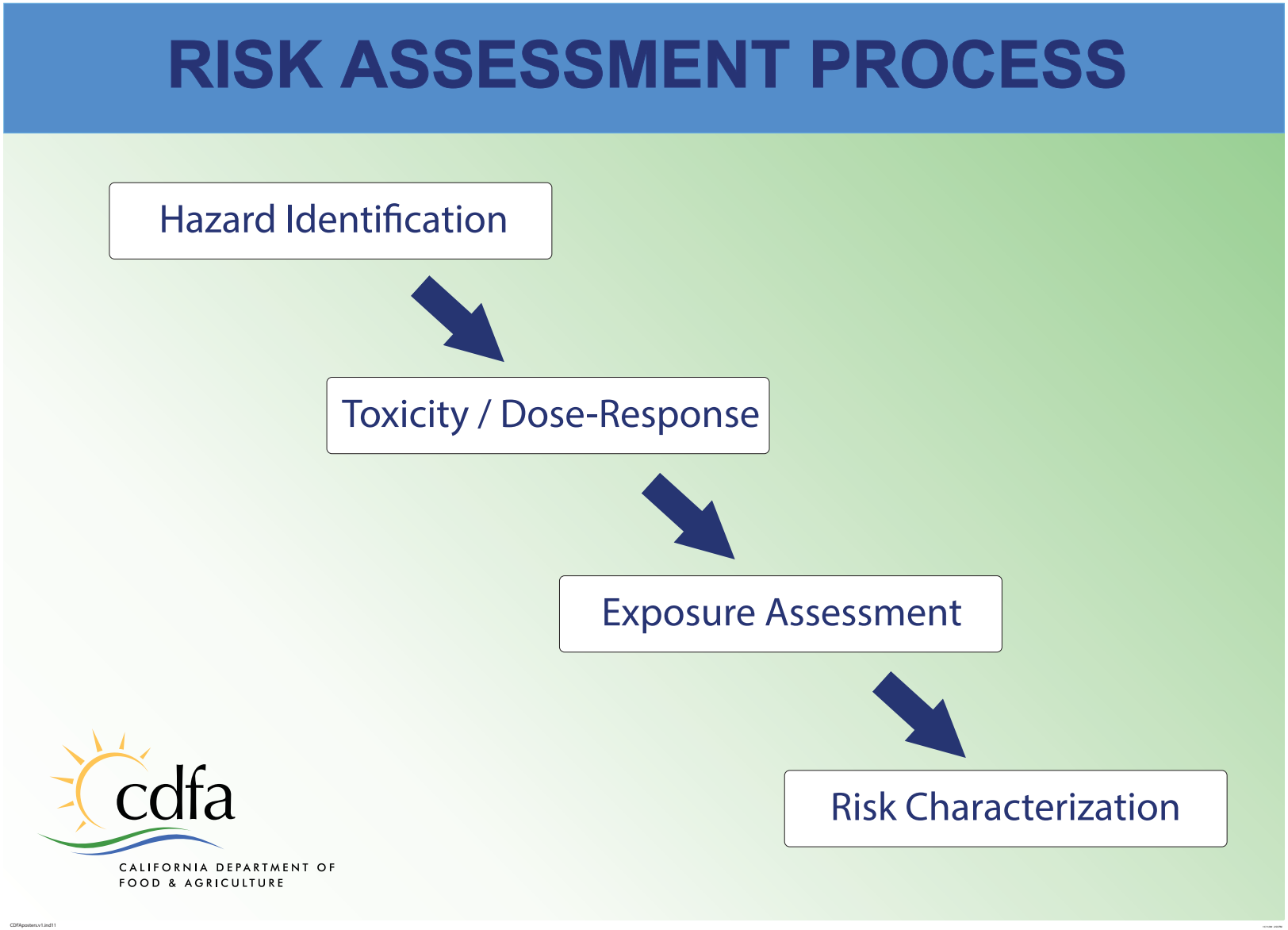
RISK ASSESSMENT PROCESS
Hazard Identification
Toxicity / Dose-Response
Exposure Assessment
Risk Characterization
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FOOD & AGRICULTURE

HUMAN HEALTH RISK ASSESSMENT

The Human Health Risk Assessment considered the following types of individuals:

- Mixer-Loader-Applicator
- Post-Application Loader
- Combined Nursery Worker
- Post-Application Worker
- Downwind Bystander
- Post-Application Resident
- During- and Post-Application Resident
- Fumigation Worker
- Fumigation Downwind Bystander
- Post-Transfer Worker

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ECOLOGICAL RISK ASSESSMENT

The Ecological Risk Assessment used a variety of "surrogate species" to address the various species found in California:

- Terrestrial Invertebrates

- Aquatic Invertebrates and Fish: habitat types of lakes, streams, ponds, estuaries, and marine

- Birds and Mammals: carnivores, insectivores, invertivores, herbivores, and granivores

- Amphibians: frogs, toads, and salamanders

- Reptiles: snakes, turtles and tortoises, and lizards

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HUMAN HEALTH RISK ASSESSMENT

The Human Health Risk Assessment considered the following potential exposure routes:

- Inhalation: aerosols and vapors
- Intentional Ingestion of Soil: pica behavior (children that intentionally eat soil)
- Ingestion of Vegetation: eating garden produce
- Dermal Exposure to Soil: resulting from working or playing in treated areas
- Incidental Ingestion of Soil: hand-to-mouth transfer of soil caused by touching perioral areas (tissues around the mouth) or eating
- Incidental Ingestion of Vegetation Residues: hand-to-mouth transfer of plant residues caused by touching perioral areas or eating

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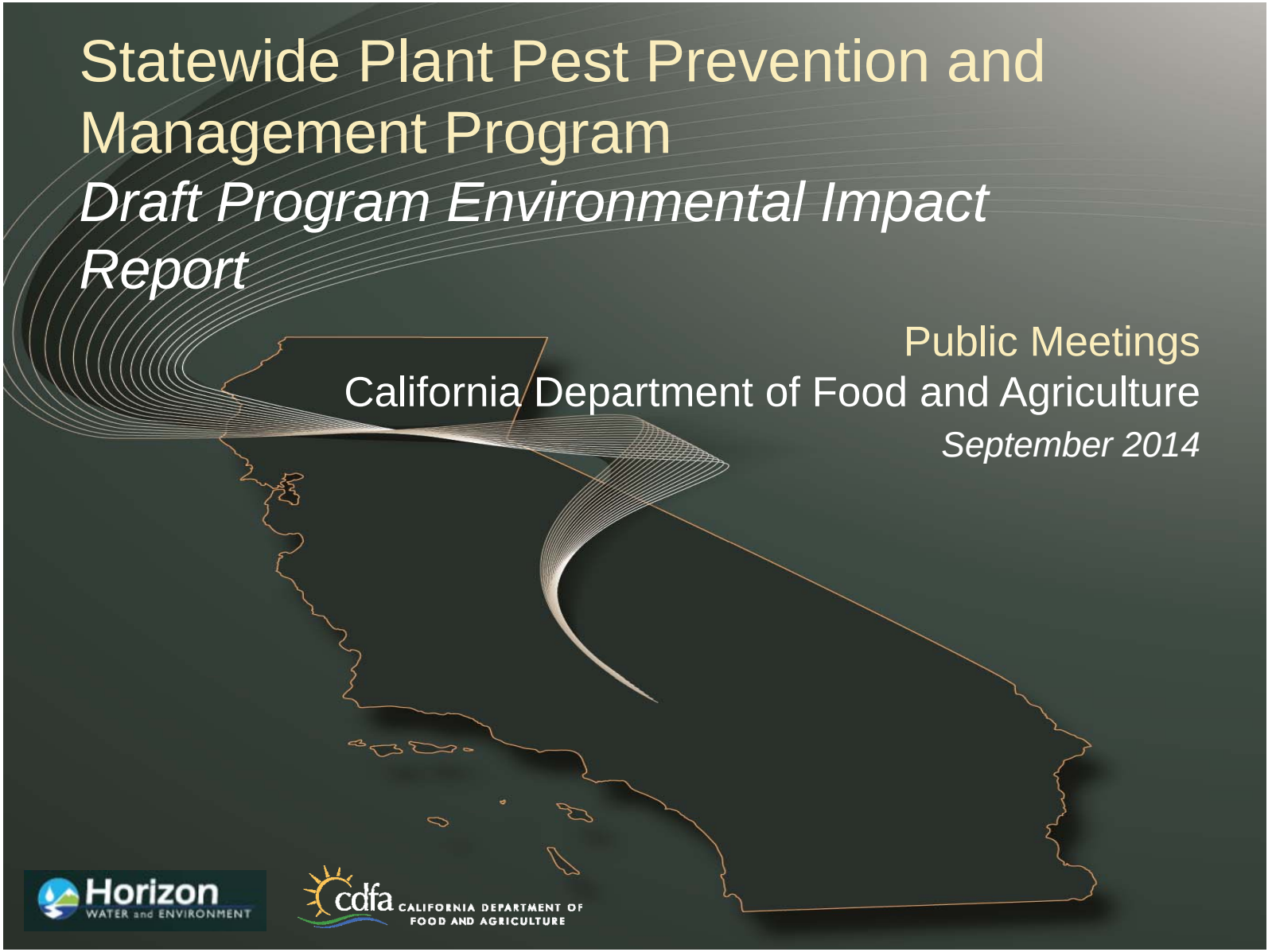
Presentation Slides


Statewide Plant Pest Prevention and Management Program
Draft Program Environmental Impact Report
Public Meetings
California Department of Food and Agriculture
September 2014
Horizon
WATER and ENVIRONMENT
cdfa
CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

Meeting Agenda

- Meeting purpose, overview of agenda, and ground rules
- Overview of the Statewide Plant Pest Prevention and Management Program (Statewide Program)
- Overview of the CEQA process
- Draft Program Environmental Impact Report (PEIR) structure and contents
- Findings of the PEIR
- Next steps and timeline
- How to comment on the PEIR

Horizon WATER and ENVIRONMENT

cdfa CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

Meeting Purpose

To afford the public and agencies an opportunity to provide comments regarding the sufficiency of the PEIR in identifying and analyzing:

- ✓ Possible environmental impacts
- ✓ The ways in which significant effects might be avoided or mitigated



Horizon WATER and ENVIRONMENT

cdfa CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

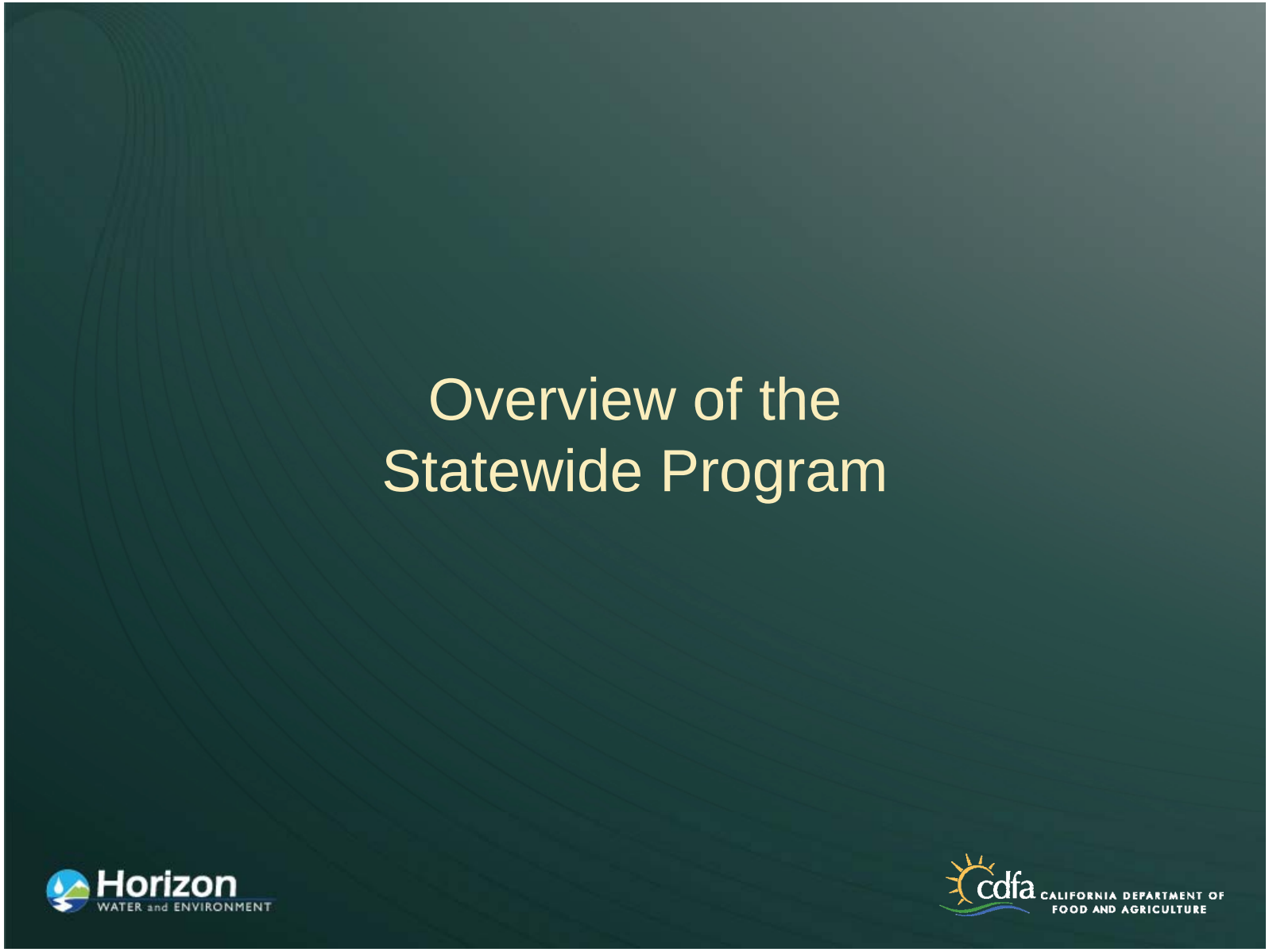
Meeting Ground Rules

- Silence cell phones
- Do not interrupt the speaker
- Keep comments as clear and succinct as possible
- Respect each other and differing points of view



Horizon WATER and ENVIRONMENT

cdfa CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE


Overview of the
Statewide Program
Horizon
WATER and ENVIRONMENT
cdfa
CALIFORNIA DEPARTMENT OF
FOOD AND AGRICULTURE

Statewide Program Overview

Overarching goal of the Statewide Program is:

To protect California's agriculture from damage caused by invasive pests.

Other goals include:

- Provide rapid response resources to pest infestations as they occur
- Use an Integrated Pest Management (IPM) approach in conducting activities



Horizon WATER and ENVIRONMENT

cdfa CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

Statewide Program Overview

Objectives of the Statewide Program include:

- Exclude invasive or harmful plant pests from California and prevent or limit the spread of newly discovered pests with the state
- Protect California from damage caused by the introduction or spread of harmful plant pests
- Minimize the impacts of pest management approaches on human health and urban and natural environments
- Promote the production of a safe, healthy, secure food supply



Horizon WATER and ENVIRONMENT

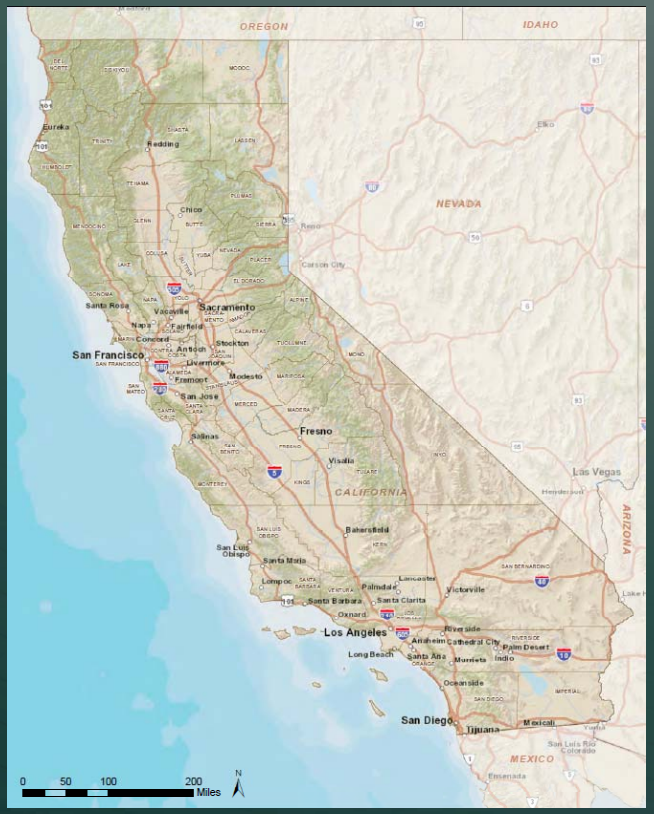
cdfa CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

Statewide Program Overview

Program Area:

Plant pests and plant pathogens are found in a combination of urban, rural, natural and agricultural settings in California. The Statewide Program activities may occur in various locations throughout California.





Horizon WATER and ENVIRONMENT

cdfa CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

Statewide Program Overview

Program activities:

- Pest rating
- Identification, detection and delimitation of new pest populations
- Pest management response for priority pests, which may include:
  - Rapid eradication and/or control of new and existing pest populations
  - Prevention of movement of plant pests into and within California (quarantines)





Horizon WATER and ENVIRONMENT

Statewide Program Overview

Pest management:

- Detection
- Delimitation
- Pest risk analysis
- Priority pests
- Pest management response



Pest control:

- Exclusion
- Eradication
- Suppression

Horizon WATER and ENVIRONMENT

cdfa CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

Statewide Program Overview

Integrated Pest Management (IPM):

Coordinated use of information about pest population biology and the host environment, combined with all available pest control methods to prevent unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.







Horizon WATER and ENVIRONMENT

cdfa CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE

Statewide Program Overview

Public Notification:

Protocol for public notification is established for every program response plan and may include:

- Providing property-specific notifications via personal service
- Notification by mail, in local newspapers, and/or on official websites
- Establishing a Proclamation of an Eradication Project or Proclamation of Emergency Projects
- Providing authorities for the response with a justification
- Notification to governing boards of affected cities and counties
- Holding public meetings
- Providing regulatory information to affected growers, businesses, and residents

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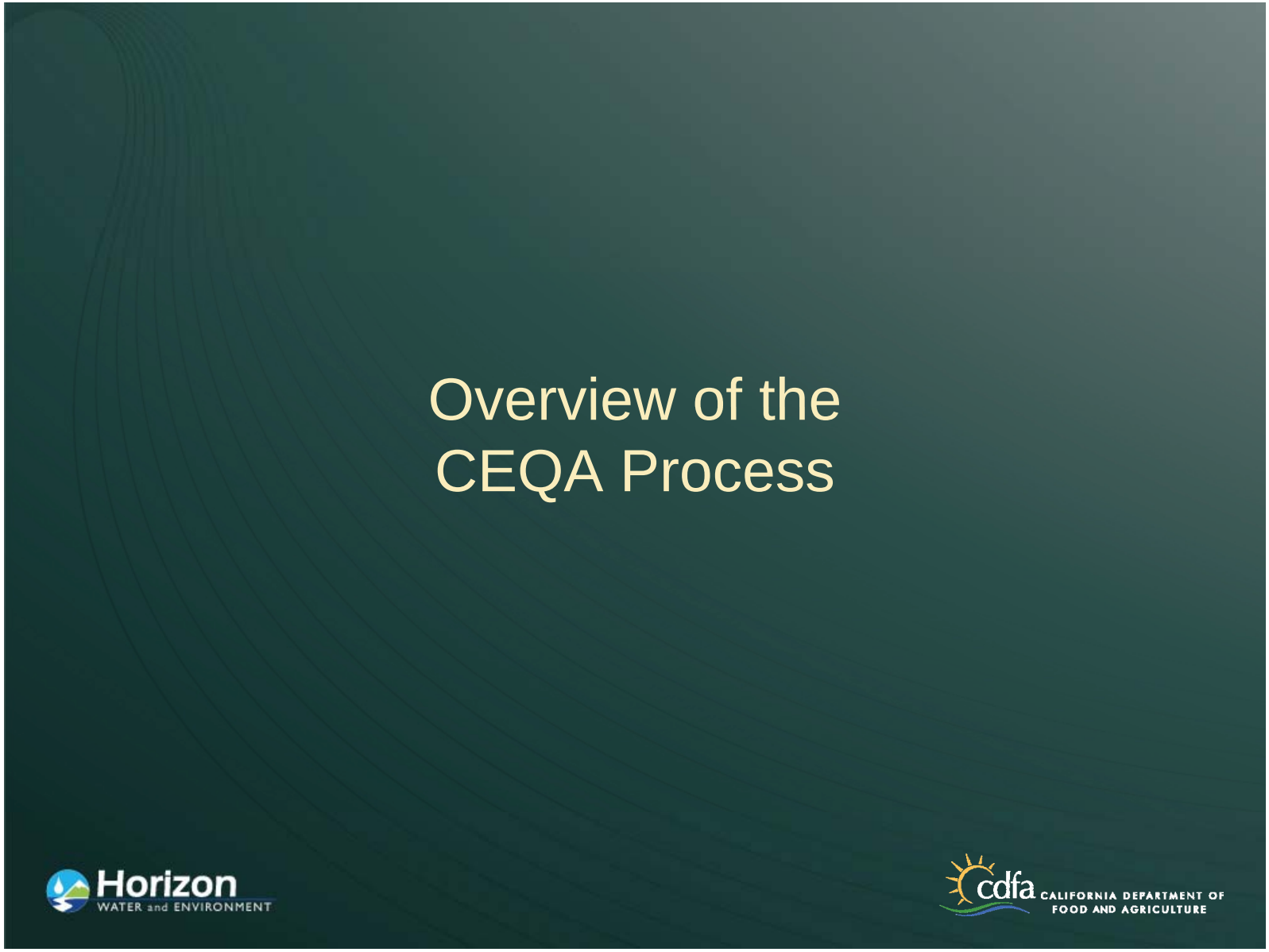
Overview of the
CEQA Process
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CEQA Process

Basic purposes of CEQA (State CEQA Guidelines, Section 15002):

- Inform governmental decision makers and public about potential, significant environmental effects of proposed activities.
- Identify ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to environment by requiring changes in projects through the use of alternatives or mitigation measures when governmental agency finds changes to be feasible.
- Disclose to public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

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CEQA Process

General concepts and definitions:

- Discretionary action – CEQA applies in situations where a governmental agency can use its judgment in deciding whether and how to carry out or approve a project (Section 15002).
- Significant effect on the environment – defined as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project (Section 15002).
- Program EIR – an EIR which may be prepared on a series of actions that can be characterized as one large project (Section 15168).
- Tiering – using analysis of general matters contained in a broader EIR with later EIRs and negative declarations on narrower projects (Section 15152).

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CEQA Process

Tiering:

- When a specific activity under the Program is ready for implementation, it is evaluated in the context of the PEIR to determine whether there are potential impacts which were not fully disclosed in the PEIR.
- If so, then a tiered CEQA document must be prepared. The tiered document will have a more limited scope – it focuses on the details of the specific activity, the impacts that were not fully disclosed in the PEIR, and any related mitigation measures or alternatives.
- Tiered environmental documents are subject to a public review process as mandated by CEQA.

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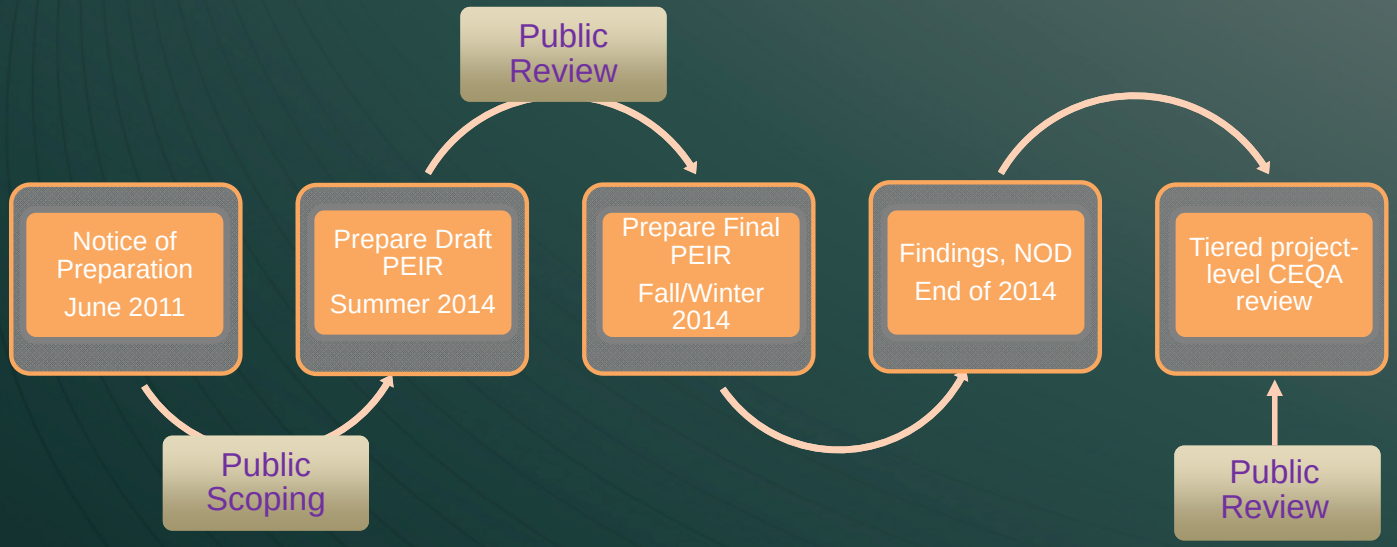
CEQA Process

EIR process:



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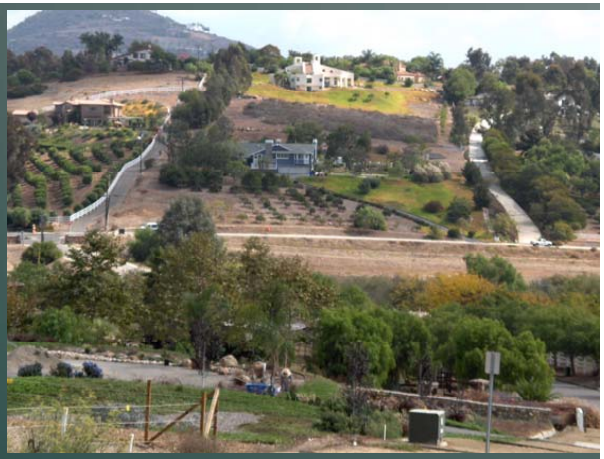
Draft PEIR



Discretionary action considered in the PEIR:

- Reasonably foreseeable future Statewide Program activities
- An updated and integrated comprehensive program of physical, biological, and chemical management activities
- A consolidated set of Management Practices and mitigation measures, using the most current technology and scientific information

These MPs and mitigation measures will replace those identified in prior CEQA documents and will serve as a comprehensive management framework for implementation of the Statewide Program

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Draft PEIR

Statewide Program activities broken down into categories for environmental analysis:

- Physical
  - Trapping
  - Pest removal
  - Host removal
  - Cleaning
  - Restricted movement
- Biological
  - Biological control agents
  - Sterile insect technique
- Chemical
  - Trapping and lures
  - Foliar spray applications
  - Soil applications
  - Fumigation
  - Mating disruption
  - Disinfection



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Draft PEIR



Topics analyzed in PEIR:

- Agricultural Resources and Economics
- Air Quality
- Biological Resources
- Global Climate Change
- Hazards and Hazardous Materials
- Noise
- Water Quality



Alternatives considered:

- No Program Alternative
- No Pesticide Alternative
- USDA Organic Pesticide Alternative
- No Eradication Alternative

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Draft PEIR

Human Health and Ecological Risk Assessment

Potential effects from pesticide applications that may be conducted under Statewide Program analyzed quantitatively in Human Health Risk Assessment and Ecological Risk Assessment (Appendix A).

- Standard risk assessment process involving hazard identification, toxicology/dose-response, exposure assessment, and risk characterization
- Conservative assumptions used throughout
- Regular consultation with OEHHA and CDPR throughout process



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Draft PEIR Findings

PEIR found a number of less than significant environmental impacts, as well as several significant and unavoidable impacts. Significant and unavoidable impacts included:

- Emissions of criteria air pollutants above an air basin mass emission threshold
- Considerable contribution to cumulatively significant air quality impacts
- Greenhouse gas emissions from use of off-road equipment, aircraft, and motor vehicles

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Draft PEIR Findings

Risk assessment concluded chemical use in Proposed Program would not pose risk exceeding level of concern to workers and others who may be exposed.

Impacts on ecological receptors determined to be possible, but mitigation measures were identified to reduce such impacts.

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Next Steps and Timeline

Public review of Draft PEIR	August 25, 2014 to October 31, 2014
Final PEIR	Fall/Winter 2014
Certify PEIR, file Notice of Determination and CEQA Findings	At least 10 days after completion of the Final PEIR



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Final PEIR

Final PEIR will contain:

- Copies of all written comments received during public review period
- Specific responses to each written comment
- Changes to the PEIR based on the comments and responses



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How to Comment Tonight

- Fill out speaker card and wait to be called.
- Each speaker will be allowed 3 minutes. If there are a relatively small number of speakers, this period may be extended.
- We will call each speaker individually, as well as notify those who are next in line.
- Respect the right of everyone to speak; please do not interrupt speakers.

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How to Comment After Tonight

Send written comments to:

Laura Petro, Senior Environmental Scientist (Supervisory)
California Department of Food and Agriculture
1220 N Street, Suite 400
Sacramento, CA 95814
Email: PEIR.info@cdfa.ca.gov

Include contact information (name, address, email and phone number) for future correspondence related to the PEIR

Comments due

5:00 PM on Friday October 31, 2014

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We will now take your comments.
Thank you!
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Attachment C

Copies of Letters Entirely Addressed by Master Responses

Please see separate folder and files.

Attachment D

Copies of Form Letters

Please see separate folder and files.