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June 24, 2011, *updated October 8, 2014*

**Re: Opposition to the Statewide Pest Prevention PEIR**

Dear Governor Brown and Secretary Ross:

The undersigned groups write to respectfully ask the state to abandon plans for the costly Statewide Pest Prevention Programmatic Environmental Impact Report (Pest PEIR). We urge the California Department of Agriculture (CDFA) to fully explore a modernized, less toxic approach to pest management before undertaking any California Environmental Quality Act (CEQA) review of its proposed future programs.

We outline below our reasons for opposing the Pest PEIR:

**Costly**

The consultant's budget for the Pest PEIR is \$3 - \$4.5 million. This estimate does not include the costs of the project-specific EIRs that would likely be required after the PEIR is complete, nor does it include legal costs. In view of the deficiencies in the PEIR, outlined below, it is likely to be subject to legal challenge and therefore to cost much more than has been estimated.

**Limits stakeholder input**

Once approved, the Pest PEIR would essentially end the public's ability to have meaningful input on future pest treatments. CDFA has publicly stated its intent to do no additional environmental review of future pest programs after the PEIR is complete. In other words, CDFA aims to obtain approval now for pesticide spray programs that might be carried out in communities anywhere in the state, years from now, at which time those communities would have no meaningful voice regarding the acceptability of these activities within their borders. CDFA would be under no obligation to alter its plans in response to public comment. This attempt to eliminate meaningful, timely public input regarding decisions about chemical exposure is unacceptable.

**Overly broad scope**

As CDFA has publicly described the Pest PEIR, it would attempt to analyze all impacts on all environments in the state of all treatments targeting invasive species, including pests that are here now and all those that may arrive in the future. Multiple CEQA attorneys have advised that it will be impossible for the state to adequately analyze all impacts of its pest treatments in all ecosystems and bioregions of the state, and on all sensitive and endangered species and environments, nor will it be possible to sufficiently evaluate alternatives for so many varied as well as unknown future conditions.

**Likely to lead to litigation**

Not only is the Pest PEIR scope far too broad to allow for adequate assessment of environmental impacts under CEQA, but it is structured similarly to the PEIR for the light brown apple moth, which is currently being challenged in two lawsuits by health and environmental groups. As proposed, the PEIR is likely to further erode public trust in state pest programs which is based on the state's decades of toxic pesticide use, and to be stalled in the courts for years. If there is concern about how any treatment covered by the PEIR might be carried out in the future, the public will have no choice but to challenge the PEIR legally during the 30-day statutory period after the document is approved or else forfeit forever the chance to question or object to the treatments it covers.

*Abandoning the PEIR will not impair the state's ability to rapidly respond to serious threats from invasive*

*species. The state has emergency powers at its disposal when a true emergency occurs, and planning for rapid responses can and should be a part of updating CDFA's pest programs.*

**Based on a costly, inefficient, chemically intensive, outdated approach to pest management**

Based on CDFA's current reliance on outdated "quarantine and spray" approaches to pests, the list of chemicals to be used in future programs that CDFA has given to the PEIR consultant, and the lack of focus on research into less toxic approaches, there is no reason to believe that this expensive and ultimately unenforceable PEIR will result in a new or safer approach to invasive species. Instead, it appears to be an attempt to codify CDFA's current practices into the future. Two-thirds of the proposed funding for the PEIR comes from two current programs (for the Asian citrus psyllid and European grapevine moth) 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. Other current quarantine regulations require the use of similar pesticides, toxic not only to pollinator and animal species but also to humans. ***This approach to pests is outdated – it has not changed since the controversial malathion spraying for the medfly in the 1970s – and it does not work.*** Since 1982, CDFA has conducted 274 eradication programs annually for the same 9 pests. If CDFA's current approach to invasive species continues, much of California's farmland could be quarantined on an ongoing basis. Pest quarantines covered 60,000 square miles or nearly 40% of the state in 2010 (Western Farm Press 8/29/10). ***The state has neither funds nor personnel to continue to enforce pest quarantines on this scale, nor can we afford the impacts on farmers, human health, and the environment.***

Farmers suffer from these widespread and sometimes overlapping quarantines that can last for months or recur over and over for years. Quarantines entail damaging inspections and forced chemical treatments and can shut down farms entirely, with devastating economic consequences. Testimony to the Senate Agriculture Committee in 2009 indicated that *one organic strawberry farmer lost \$40,000 in a single summer because of quarantine shutdowns*. Although larvae in his field each time turned out not to be the suspect insect, nonetheless each time his farm was shut down for weeks while the larvae were identified.

The cost of the current approach is unsustainable; as an example, the light brown apple moth program, which has cost \$115 million over the past 3 years, after which CDFA acknowledged that the insect had done no damage to date and that eradication was impossible, exemplifies the economic infeasibility of continuing to battle invasive species this way.

**We need an updated, less toxic approach.**

We need a new model. Work is already funded and under way at UC Davis to develop a 21<sup>st</sup> Century Invasive Pest Policy that would employ ecological pest management, be more cost- and resource-efficient than the state's current model, 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.

We 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.

We request a response from you on this matter as soon as possible, prior to any official commencement of a CEQA process for the PEIR.

Sincerely,

1. Center for Biological Diversity  
Jonathan Evans, Staff Attorney  
San Francisco CA

2. Center for Environmental Health  
Caroline Cox, Research Director  
Oakland CA
3. California Sportfishing Protection Alliance  
Bill Jennings, Executive Director  
Stockton CA
4. San Francisco Baykeeper  
Jason Flanders, Staff Attorney  
San Francisco CA
5. Physicians for Social Responsibility – Los Angeles  
Martha Dina Arguello  
Los Angeles CA
6. Physicians for Social Responsibility – Sacramento  
Harry Wang, M.D.  
Sacramento CA
7. Clean Water Action  
Andria Ventura, Program Manager  
San Francisco CA
8. City of Albany CA  
Farid Javandel, Mayor
9. MOMS Advocating Sustainability  
Debbie Friedman, Chairperson  
Mill Valley CA
10. California Environmental Health Initiative  
Nan Wishner, Board Member  
Albany CA
11. Pesticide Watch Education Fund  
Paul Towers, State Director  
Sacramento CA
12. Pesticide Action Network  
Margaret Reeves, Senior Scientist  
San Francisco CA
13. Californians for Pesticide Reform  
Tracey Brieger, Co-Director  
San Francisco CA
14. Search for the Cause  
Judi Shils, Executive Director  
Marin County CA

15. Teens Turning Green  
Erin Schrode  
Marin County CA
16. Wild Equity Institute  
Brent Plater, President and Executive Director  
San Francisco CA
17. Living Resources Company  
Steven Zien  
Citrus Heights CA
18. Safety Without Added Toxins (SWAT)  
Karen Lazlo  
Chico CA
19. Stop West Nile Spraying Now!  
Jack Milton, PhD  
Davis CA
20. Better Urban Green Strategies (BUGS)  
Samantha McCarthy  
Davis CA
21. Pesticide Free Zone  
Ginger Souders-Mason, Director  
Marin County CA
22. Health & Habitat, Inc.  
Dr. Sandra Ross, President  
Mill Valley CA
23. Butte Environmental Council  
Maggi Barry  
Chico CA
24. Sustainable Marin  
John Schlag, President  
Marin County CA
25. Sustainable Fairfax  
Stacy Weinberg Dieve, Community Health Advocate  
Fairfax CA
26. Save The Bay  
David Lewis, Executive Director  
Oakland CA
27. Pesticide-Free Sacramento  
Amy Barden  
Sacramento CA

28. Center for Policy Analysis of Trade and Health  
Ellen Shaffer, Co-Director  
San Francisco CA
29. City of Berkeley CA  
Tom Bates, Mayor
30. Physicians for Social Responsibility - SF-Bay Area Chapter  
Robert Gould, MD, President  
San Francisco CA
31. Citizens for East Shore Parks  
Robert Cheasty, President  
El Cerrito CA
32. Oakland Zoo  
Joel Parrott, DVM, Director  
Oakland CA
33. The Turtle Island Restoration Network  
Todd Steiner, Executive Director  
Marin County CA
34. Salmon Protection and Watershed Network (SPAWN)  
Carrie Sendak, Watershed Biologist  
Olema CA
35. Action Now  
Mitzi Shpak, Executive Director  
Altadena CA
36. Sustainable Novato  
V-Anne Chernock, President  
Novato CA
37. California State Grange  
Michael Greene, Director, Legislative Affairs  
Sacramento CA
38. WildCare  
Maggie Sergio, Director of WildCare Solutions  
San Rafael CA
39. City of Fairfax CA  
Pam Hartwell-Herrero, Mayor
40. Green Party of Alameda County CA  
Patti Marsh, Secretary, County Council
41. The River Otter Ecology Project  
Paola Bouley, Executive Director & Co-Founder  
Inverness CA

42. City of Richmond CA  
Gayle McLaughlin, Mayor
43. Environmental Protection Information Center (EPIC)  
Andrew Orahoske, Conservation Director  
Arcata CA
44. Alameda Creek Alliance  
Jeff Miller, Director  
Niles CA
45. Golden Gate Audubon Society  
Mike Lynes, Conservation Director  
Berkeley CA
46. Golden Gate Raptor Observatory  
Allen Fish, Director  
Sausalito CA
47. Humboldt Baykeeper  
Jennifer Kalt, Policy Director  
Eureka CA
48. Northcoast Environmental Center  
Dan Ehresman, Executive Director  
Arcata CA
49. Safe Alternatives for our Forest Environment  
Larry Glass, President  
Hayfork CA
50. Defenders of Wildlife  
Kim Delfino, California Program Director  
Sacramento CA
51. Ecology Center  
Martin Bourque, Executive Director  
Berkeley CA
52. Permaculture Marin  
Lauren Dalberth, Co-founder  
Pt. Reyes Station CA
53. Just Say Mow  
Patty Mayall, Coordinator  
San Mateo County CA
54. Parents for a Safer Environment  
Susan JunFish, Director  
Moraga CA

55. Raptors Are The Solution (RATS)

Lisa Owens-Viani, Founder  
Berkeley CA

56. Healthy Child, Healthy World

Rachel Lincoln Sarnoff, Executive Director/CEO  
Los Angeles CA

57. Breast Cancer Fund

Jeanne Rizzo, President/CEO  
San Francisco CA

58. Endangered Species Coalition

Leda Huta, Executive Director  
Washington DC

59. Friends of the Swainson's Hawk

Judith Lamare, President  
Sacramento CA

60. Jane Brunner, Council Member

Oakland CA City Council

61. Organic Consumers Association

Ronnie Cummins, Executive Director  
Finland MN

62. North Coast Rivers Alliance

Frank Egger, President  
Fairfax CA

63. Tri-Valley CAREs

Marylia Kelley, Executive Director  
Livermore CA

64. Center on Race, Poverty, and the Environment

Brent Newell, General Counsel  
San Francisco CA

65. California Church IMPACT

Elizabeth Sholes, Director of Public Policy  
Sacramento CA

66. Food & Water Watch

Adam Scow, California Campaigns Director  
San Francisco CA

67. TriCounty Watchdogs, Inc.

Jan de Leeuw, Board Member and Treasurer  
Frazier CA

68. Center for Food Safety  
Rebecca Spector, West Coast Director  
San Francisco CA
69. Fresno Metro Ministry  
Sarah Sharpe, Environmental Health Program Director  
Fresno CA
70. Black Women for Wellness  
Nourbese Flint, MA., Women's Health Program Manager  
Los Angeles CA
71. Friends of the Earth  
Marcie Kever, Oceans and Vessels Project Director  
Berkeley CA
72. Green America  
Alisa Gravitz, Executive Director  
Washington DC
73. Environmental Justice Project, Catholic Charities, Diocese of Stockton  
Betsy Reifsnider, Director  
Stockton CA
74. The Watershed Project  
Linda Hunter, Executive Director  
Richmond CA
75. Rachel Carson Council  
Dr. Diana Post, President; Munro Meyersburg, Secretary  
Silver Spring MD
76. Fresno Coalition Against the Misuse of Pesticides (FresCAMP)  
Women's International League for Peace & Freedom, U.S. Section  
Joan Poss, Chairperson  
Fresno CA
77. Women's International League for Peace & Freedom (WILPF) Earth Democracy Team  
Jean Hays  
Fresno CA
78. Breast Cancer Action  
Karuna Jaggar, Executive Director  
San Francisco CA
79. Lamorinda Democratic Club  
Lafayette CA
80. TEDX (The Endocrine Disruption Exchange)  
Lynn Carroll, Senior Scientist  
Paonia CO



81. Habitat 2020  
Rob Burness and Sean Wirth, Co-Chairs  
Sacramento CA
82. Sacramento Audubon Society  
Don Schmoldt, President  
Sacramento CA
83. Environmental Council of Sacramento (ECOS)  
Rick Guerrero, President,  
Sacramento CA
84. Malibu Agricultural Society  
Kian Schulman, Secretary  
Malibu CA
85. SafeLawns Foundation  
Paul Tukey, Founder  
Falmouth ME
86. Ojai Valley Green Coalition  
Deborah Pendrey, Director  
Ojai CA
87. Topanga Creek Watershed Committee  
Ben Allanoff, Carrie L. Carrier, Rabyn Blake, Gail McDonald-Tune, and Bill Bowling - Board Members  
Topanga CA
88. Beyond Pesticides  
Jay Feldman, Executive Director  
Washington DC
89. Save the Frogs!  
Kerry Kriger, Ph.D.  
Founder, Executive Director, Ecologist  
Santa Cruz CA
90. Stewards of the Earth  
Lupe Anguiano, Founder, Executive Director  
Oxnard CA
91. It is Now or Never for Pollinators (INNP)  
Patricia Algara and Therese Oxford, Co-Founders  
San Francisco Bay Area CA
92. Environmental Action Committee of West Marin  
Amy Trainer, JD, Executive Director  
Point Reyes CA

