

# 1 Introduction

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The Napa County Mosquito Abatement District (the District), as Lead Agency under the California Environmental Quality Act (CEQA), has prepared this Programmatic Environmental Impact Report (PEIR) for their ongoing program of surveillance and control of mosquitoes and other vectors of human disease and discomfort.

## 1.1 History and Background

This section presents the history of why the District was established in 1925 to manage vectors that can affect the health and well-being of humans and their domesticated animals within the District's Service Area. It begins with a description of the diseases of concern, the potential for human and animal illness to occur, and the legislative and regulatory actions leading to the District's establishment of an Integrated Mosquito and Vector Management Program (IMVMP or Program). Additionally, the introduction and potential establishment of exotic vectors (e.g., the yellow fever mosquito [*Aedes aegypti*] or the Asian tiger mosquito [*Aedes albopictus*]) and diseases (e.g., dengue, chikungunya), or the potential reestablishment of vector-borne diseases that are no longer endemically present (malaria), are a serious concern to the District and California health authorities. The highly mobile nature of people, import and export of large amounts of goods, and immigration pose significant challenges requiring continuous proactive surveillance and timely implementation of effective management strategies to minimize risks associated with both endemic and exotic vectors and vector-borne diseases.

### 1.1.1 Vector-Borne Diseases in Program Area

The District's IMVMP is designed to protect the public health from the following potential diseases organized by vector. A *vector* is an insect or other organism that transmits a pathogenic fungus, virus, bacterium, etc. such as a mosquito, tick, or rat. According to the California Health and Safety Code [Section 2200(f)], "vector" means any animal capable of transmitting the causative agent of human disease or capable of producing human discomfort or injury, including, but not limited to, mosquitoes, flies, mites, ticks, other arthropods, and rodents and other vertebrates.

#### 1.1.1.1 *Mosquitoes*

Diseases of concern within the District's Service Area that are spread by mosquitoes include the following at present: West Nile virus (WNV), Western equine encephalomyelitis (WEE), St. Louis encephalitis (SLE), malaria, dog heartworm disease, and myxomatosis. The potential for the introduction of new diseases exists at any time.

#### **West Nile Virus**

WNV is transmitted during blood-meal feeding by mosquitoes that have previously fed on the blood of infected birds. Humans, horses, and most other mammals are all potential incidental hosts (CDC 2004a). Approximately 80 percent of people who become infected with WNV develop no clinical illnesses or symptoms and, of those who do develop symptoms, most develop what has been termed West Nile fever. Depending on the degree to which the central nervous system is affected, other more severe diseases could develop including West Nile meningitis, West Nile encephalitis, and West Nile poliomyelitis (CDC 2004b). Table 1-1 (<http://www.westnile.ca.gov/reports.php>) summarizes the total number of confirmed WNV cases reported to California Department of Public Health (CDPH), those which were neuroinvasive, and the fatalities since WNV was first detected in California in 2002.

**Table 1-1 Human West Nile Virus Activity, California 2003–2014**

Year	Symptomatic Cases					
	Total # of Cases	West Nile Neuroinvasive Disease	West Nile Fever	Other/ Unknown	Asymptomatic Infections	WNV-related Fatalities
Total (2003-2013)	4566	2316	2092	158	425	162
2014	562	383	179	0	65	17
2013	379	241	138	0	54	15
2012	479	313	158	8	48	20
2011	158	111	47	0	18	9
2010	111	73	38	0	20	6
2009	112	67	45	0	17	4
2008	445	293	148	4	53	15
2007	380	156	220	4	30	21
2006	278	83	190	5	14	7
2005	880	305	534	41	55	19
2004	779	289	395	95	51	29
2003	3	2	0	1	0	0

\* Reported as of Oct 13, 2014

Whelan (2015) reported the following observations and hypotheses. By the end of 2014, CDPH had documented 801 human cases, including 31 deaths. The rate of infection among birds was the highest to date with 60 percent of dead birds tested having WNV. California's drought is believed to be a significant factor contributing to the increasing numbers of infected mosquitoes, as both birds and mosquitoes have expanded their search for water closer to population centers, causing them to come into contact with each other more often and nearer to people. Warmer temperatures have increased the length of the mosquito season, which is another factor contributing to higher observed infection rates.

### Western Equine Encephalomyelitis

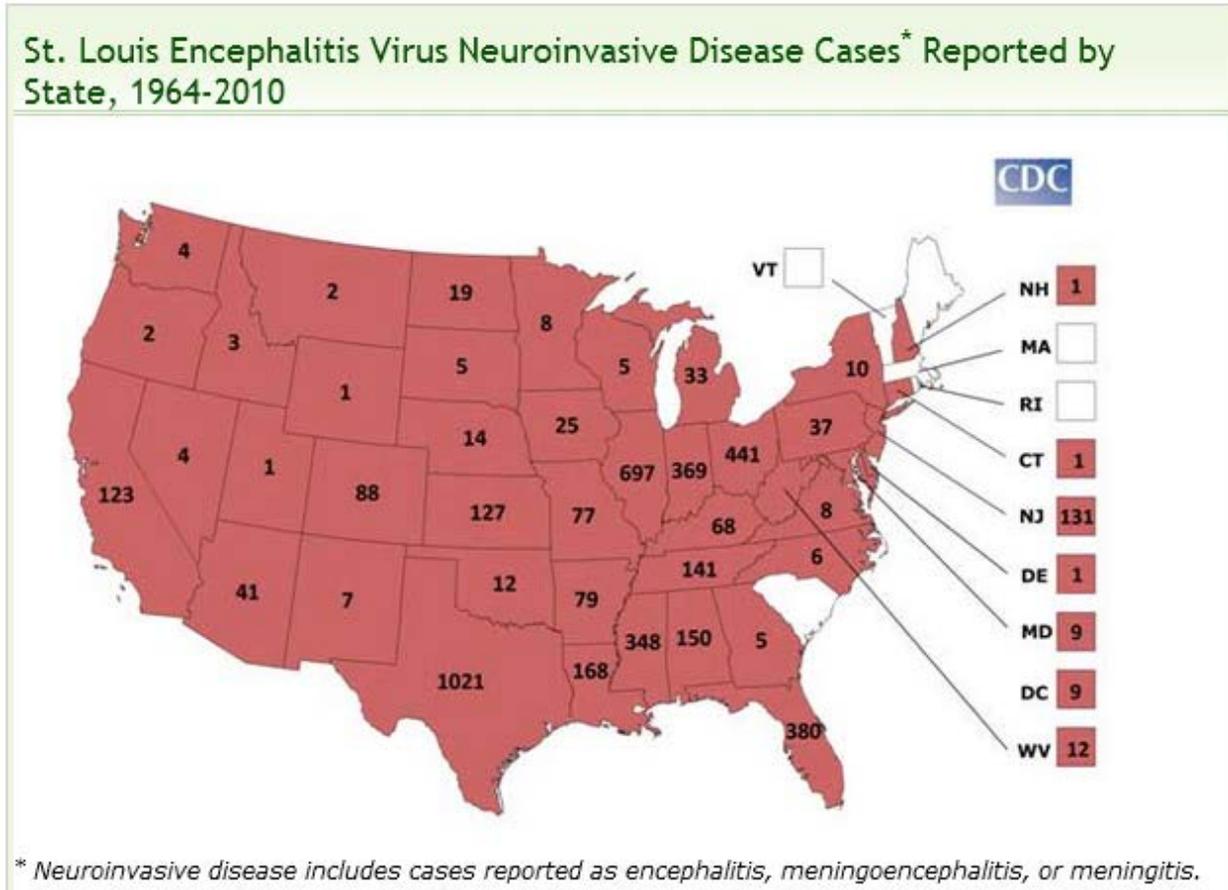
WEE virus primarily cycles between birds and mosquitoes infecting humans and horses. Horses infected with WEE do not develop a significant viremia<sup>1</sup> and are true dead-end hosts, meaning the horse is a host from which infectious agents are not transmitted to other susceptible hosts.

WEE can also cycle between mosquitoes and blacktail jackrabbits. WEE usually shows no symptoms or is mild in adults, with nonspecific signs of illness and few deaths. The disease is most severe in children, particularly infants under 1 year of age. Infants under 3 months most often experience permanent, severe neurological damage. Horses can also experience asymptomatic infections or mild symptoms; however, more severe infections can occur. Horses that recover from encephalitis have a high incidence of residual symptoms (Iowa State University 2008).

<sup>1</sup> Viremia is a medical condition where viruses enter the bloodstream and, hence, have access to the rest of the body.

### St. Louis Encephalitis

The SLE virus is transmitted to mosquitoes while feeding on the blood of infected birds. Humans and domestic mammals can acquire SLE infection, but are dead-end hosts, hosts that do not develop a significant viremia to be passed on (CDC 2009a). Most SLE infections show no symptoms, with clinical infections resulting in less than 1 percent of infections that can range from mild nonspecific fever to meningitis or encephalitis. Older age increases the risk of severe disease and fatality. According to the Centers for Disease Control and Prevention (CDC 2009b), almost 90 percent of elderly persons with SLE develop encephalitis. Figure 1-1 (CDC 2014a) summarizes the total number of confirmed and probable human SLE cases for California (1964–2010), with the last case having been detected in 1997.



**Figure 1-1 St. Louis Encephalitis Virus Neuroinvasive Disease Cases Reported by State, 1964–2010**

### Malaria

Malaria parasites are transmitted to humans after being bitten by an infected female Anopheles mosquito. It is endemic to tropical and subtropical parts of the world where climatic factors favor mosquito and parasite development. The mosquito must have been infected by previously feeding on the blood of an infected person. Uncomplicated malaria manifests in patients as flu-like symptoms while severe malaria can cause neurologic abnormalities, anemia, kidney failure, acute respiratory distress syndrome, and hypoglycemia (CDC 2012a). The parasite is most often seen in travelers and immigrants from countries where malaria is endemic; however, outbreaks of locally transmitted cases have been observed; and due to the existence of suitable vectors, the potential risk for the disease to reemerge is present, especially in

the southern states (CDC 2010a). The following data (Table 1-2) from CDPH summarizes the total number of malaria cases for California from 2001 through 2013. Almost all of the cases were the result of individuals that had returned from malaria-infested areas and, subsequently, exhibited symptoms and received medical treatment for malaria.

**Table 1-2 Total Malaria Cases By Year\***

2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
178	177	170	159	168	146	135	126	127	126	126	92	100

\* Data from Vector-Borne Disease Section Annual Reports, 2001–2013 (CDPH 2002–2014) and Malaria Yearly Summaries, 2001–2013 (CDPH 2011b, 2014b)

### **Dog Heartworm Disease**

Heartworm disease is caused by a parasitic worm and results in severe lung disease, heart failure, organ damage, and death in domesticated mammals, mainly dogs and cats. Worms are spread through blood-meal feeding of mosquitoes, with adults maturing in the heart, lungs, and associated blood vessels. The severity of heartworm disease is correlated to how many worms are living inside the animal, how long the animal has been infected, and the animal's response to the heartworms' presence. Signs of the disease can range from no symptoms to tiredness, coughing, and heart failure. The most severe cases are known as caval syndrome in which blood flow to the heart is blocked by a large worm mass. If left untreated, heartworm disease will progress and damage to internal organs will eventually cause death. In some rare cases, humans have contracted heartworms after being bitten by an infected mosquito; however, larvae usually die before they can migrate to the heart or lungs (US Food and Drug Administration 2010).

### **Myxomatosis**

Myxomatosis is a fatal disease of domesticated rabbits caused by the myxoma virus, characterized by mucinous skin lesions. In the United States, the disease is restricted to coastal areas of California and Oregon. Outbreaks occur infrequently but sporadic cases are common. Transmission occurs through the biting of blood-sucking insects, such as mosquitoes, fleas, and biting flies, as well as direct contact. Initial signs of the disease are conjunctivitis and milky discharge from the eyes, progressing to swelling of the face with discharge coming from the nasal cavity. Eventually breathing becomes labored and the rabbit will go into coma just before dying (McClure 2011).

#### **1.1.1.2 Other Arthropod Vectors**

Other arthropod vectors of concern to the District are ticks (that can cause multiple diseases described below) and yellow jacket wasps (have painful stings that can also result in severe reactions up to and including anaphylaxis).

### **Lyme Disease**

This disease is caused by the Lyme disease bacterium and is spread by the bite of infected western black-legged ticks. Immature nymph ticks most commonly infect humans because they are tiny and difficult to see and are active during spring and summer when people are most likely to be outdoors in tick habitat. Dogs and cats can contract Lyme disease and bring infected ticks in close contact with pet owners (CDC 2013a). Early signs of infection are a red, expanding bull's-eye rash known as erythema migrans, which occurs in 70 to 80 percent of infected persons, flu-like symptoms, and swollen lymph nodes. Untreated, the disease can cause inflammation in a variety of tissues in the body including joints, face, spinal cord, and heart. Approximately 10 to 20 percent of patients with Lyme disease have symptoms that worsen and last months to years. This condition is known as Post-treatment Lyme Disease syndrome and is thought to be an autoimmune response (CDC 2013b). In the United States,

most infections occur in the northeast and mid-Atlantic, northcentral states, and northern California (CDC 2013c). Table 1-3 summarizes the 2001–2013 California human case data.

**Table 1-3 Total Lyme Disease Cases By Year\***

2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
92	97	86	52	94	86	76	78	55	64	74	66	97

\* Data from Vector-Borne Disease Section Annual Reports, 2001–2013 (CDPH 2002–2014)

### Babesiosis

Babesiosis is a tick-borne disease caused by parasites that infect and destroy red blood cells in humans and domestic animals, mainly in parts of the northeast and upper Midwest (CDC 2012b). The life cycle of this parasite involves two hosts, a rodent, primarily the white-footed mouse, and a tick. A tick infects a mouse allowing the parasite to complete part of its life cycle. Another tick feeds on the mouse ingesting the partially developed parasite, after which that infected tick can feed on a human delivering the parasite to finish its life cycle (CDC 2012c). Many people who are infected with babesiosis develop no symptoms, while a smaller group of people develops nonspecific flu-like symptoms. The disease can be severe in people who have a compromised immune system, have another serious health condition, or are elderly. Complications can include low and unstable blood pressure, hemolytic anemia, low platelet count, and malfunction of vital organs (CDC 2012d). Table 1-4 summarizes the 2008–2013 California human case data.

**Table 1-4 Total Babesiosis Cases By Year\***

2008	2009	2010	2011	2012	2013
1	1	0	0	2	3

\* Data from Vector-Borne Disease Section Annual Reports, 2001–2013 (CDPH 2002–2014)

### Ehrlichiosis

Ehrlichiosis is a tick-borne bacterial infection of white blood cells caused by one of three bacterial species in the genus *Ehrlichia*, *E. chaffeensis*, *E. ewingii*, and *E. muris*. The tick bite in most cases is not detected due to the small size of the nymphal tick and symptoms usually develop in 1 to 2 weeks. The symptoms for this group of infections can vary greatly depending on the person, but generally they are flu-like, with 30 percent of adults and 60 percent of children developing rashes (CDC 2011a). Immune-compromised people could experience a more severe case of ehrlichiosis with the fatality rate of those infected being approximately 1.8 percent. The disease is most commonly reported in the southeastern and southcentral United States (CDC 2011b). Table 1-5 summarizes the 2008–2013 California human case data.

**Table 1-5 Total Ehrlichiosis Cases By Year\***

2008	2009	2010	2011	2012	2013
0	0	0	0	2 probable	2 probable

\* Data from Vector-Borne Disease Section Annual Reports, 2001–2013 (CDPH 2002–2014)

### Spotted Fever Group Rickettsia

Rocky Mountain spotted fever is a tick-borne disease caused by the bacterium *Rickettsia rickettsii*. The bacterium infects the endothelial cells that line the blood vessels. Symptoms are similar to other tick-borne diseases, generally flu-like with 90 percent of cases having an associated rash. Patients who have a severe infection can have long-term health complications where damage to the brain or other vital organs from bleeding or clotting may occur (CDC 2010b). According to the CDC, from 2000 to 2010 Rocky Mountain spotted fever had a fatality rate of 0.5 percent. Cases of this disease have been reported from all 50 states (CDC 2012e). Table 1-6 summarizes the 2008–2013 California human case data.

**Table 1-6 Total Rocky Mountain Spotted Fever Cases By Year\***

2008	2009	2010	2011	2012	2013
0	0	1 confirmed	1 confirmed	1 confirmed	1 confirmed
		5 probable	2 probable	3 probable	14 probable

\* Data from Vector-Borne Disease Section Annual Reports, 2001–2013 (CDPH 2002–2014)

Spotted fever group Rickettsia 364D is a tick-borne disease caused by a rickettsial bacteria that is transmitted by the Pacific Coast tick (*Dermacentor occidentalis*) (CDC 2014b; CPPH 2012b). Symptoms are similar to Rocky Mountain spotted fever and include fever, headache, fatigue, muscle aches, and frequently distinctive blackened or crusted skin at the site of the tick bite known as an eschar. The first reported human case of rickettsia 364D occurred in 2008. Table 1-7 summarizes the 2008–2013 California human case data.

**Table 1-7 Total Spotted Fever Rickettsia 364D Cases By Year\***

2008	2009	2010	2011	2012	2013
1	0	0	5	4	3

\* Data from Vector-Borne Disease Section Annual Reports, 2001–2013 (CDPH 2002–2014)

### Anaplasmosis

Anaplasmosis is a tick-borne disease caused by the bacterium *Anaplasma phagocytophilum*. The western black-legged tick (*Ixodes pacificus*) is the primary vector in Northern California. The symptoms of anaplasmosis are general, nonspecific flu-like symptoms; however, rashes are rarely reported and may signify a coinfection with other tick-borne diseases. The severity of the disease depends in part on the patient's immune system condition (CDC 2012f). According to the CDC, since anaplasmosis became a reportable disease in 1999 the number of cases reported per year has increased steadily. However the case fatality rate has remained low at less than 1 percent. The disease is most frequently reported from the upper midwestern and northeastern part of the country (CDC 2012g). Table 1-8 summarizes the 2008–2013 California human case data.

**Table 1-8 Total Anaplasmosis Cases By Year\***

2008	2009	2010	2011	2012	2013
0	0	0	1	2	6 probable

\* Data from Vector-Borne Disease Section Annual Reports, 2001–2013 (CDPH 2002–2014)

## Tularemia

Tularemia is a bacterial infection of animals and humans caused by the bacterium *Francisella tularensis*. The disease can be transmitted by tick and deer fly bites, handling infected animals, and more rarely inhaling dust or drinking water contaminated with the bacterium (CDC 2011d). Tularemia manifests itself depending on how the bacterium enters the body. Ulcers and lymph gland inflammation are common symptoms mainly from infected animal handling and tick and insect bites. Inhaled tularemia is the most severe form causing chest pain and trouble breathing. This condition can also result from other forms of tularemia being left untreated. Rabbits and domestic cats are very susceptible to tularemia (CDC 2011e). Table 1-9 summarizes the 2004–2013 California human case data.

**Table 1-9 Total Tularemia Cases By Year\***

2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
3	0	5	0	2	0	5	4	0	0

\* Data from Vector-Borne Disease Section Annual Reports, 2001–2013 (CDPH 2002–2014)

## Tick-Borne Relapsing Fever

Tick-borne relapsing fever is a disease caused by three species of bacteria, *Borrelia hermsii*, *B. parkerii*, and *B. turicatae* (CDC 2014c). Each is vectored by a specific species of soft tick belonging to the genus *Ornithodoros* that also has a preferred habitat and group of hosts (*O. hermsii* occurs at altitudes of 1,500 to 8,000 feet and is usually associated with ground squirrels, tree squirrels, and chipmunks, while *O. parkerii* and *O. turicatae* occurs at lower altitudes and are usually found in caves and the burrows of squirrels and burrowing owls). Tick-borne relapsing fever is characterized by recurring episodes of a fever lasting several days, followed by no fever, followed by another fever. Additional symptoms include headache, muscle and joint pain, nausea, anorexia, dry cough, rash, light sensitivity, confusion, and dizziness. Table 1-10 summarizes the 2001–2013 California human case data.

**Table 1-10 Total Tick-Borne Relapsing Fever Cases By Year\***

2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
7	20	6	6	5	5	2	11	3	5	1	4	4

\* Data from Vector-Borne Disease Section Annual Reports, 2001–2013 (CDPH 2002–2014)

### 1.1.1.3 Mammals

#### Hantavirus

Hantavirus Pulmonary Syndrome (HPS) is a respiratory disease in humans caused by an infection with hantavirus. The *Sin Nombre* hantavirus causes the majority of cases of HPS in the United States, and the host of this virus is the deer mouse (*Peromyscus maniculatus*), although several other hantaviruses with associated hosts exist. Rodents spread the disease through their urine, droppings, and saliva. The virus is mainly transmitted through airborne transmission, with people inhaling air contaminated with the virus. Other ways people may become infected are when they touch their nose or mouth after touching something contaminated with the virus, eat something that is contaminated, and very rarely bitten by an infected rodent (CDC 2012h). Early symptoms of the viral infection are flu-like, with later symptoms of shortness of breath, evidence of the lungs filling with fluid. According to the CDC the mortality rate for HPS is 38 percent (CDC 2012i). Hemorrhagic fever with renal syndrome is another disease cause by hantavirus and is transmitted in similar ways. Early symptoms are flu-like, with some individuals

developing inflammation or redness in the face. Later symptoms can include low blood pressure, acute shock, and kidney failure (CDC 2011f). Table 1-11 summarizes the 2001–2013 case data for California.

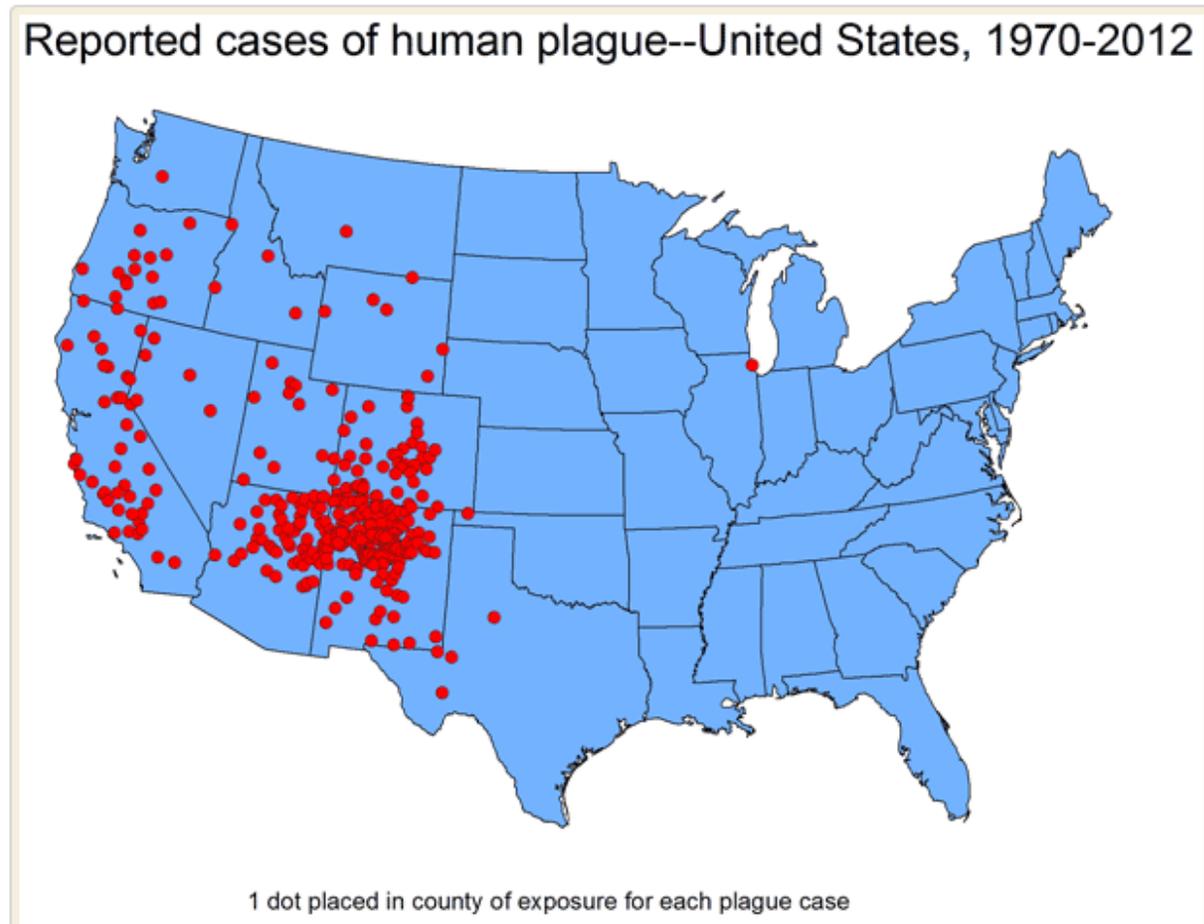
**Table 1-11 Total Hantavirus Cases By Year\***

2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
0	2	5	3	0	4	2	0	3	4	0	10	3

\* Data from Vector-Borne Disease Section Annual Reports, 2001–2013 (CDPH 2002–2014)

**Plague**

Plague is a disease caused by the bacterium *Yersinia pestis* that affects humans and other mammals. Bites from infected rodent fleas are the most common way of transmitting the plague (bubonic or septicemic plague); however, the bacterium can also be transmitted through contact with infected animals (septicemic plague) or breathing in infectious droplets for instance after an infected animal coughs (pneumonic plague). Cats are particularly susceptible to plague and can be infected by eating infected rodents, posing a risk to humans they come in contact with (CDC 2012j). All forms of the plague develop flu-like symptoms. With bubonic and septicemic plague swelling of lymph nodes and tissue necrosis respectively can occur near where the bacterium entered the body. Pneumonic plague is the most serious form causing shortness of breath and chest pain from bacteria spreading in the lungs. It can develop from untreated bubonic and septicemic plague and is the only form that can spread person to person (CDC 2012k). Figure 1-2 (CDC 2014d) summarizes cases of plague (1970–2012) for the United States.



**Figure 1-2 Reported Cases of Human Plague – United States, 1970–2012**

## Rabies

Rabies is a viral disease transmitted to humans and domestic animals through close contact with infected animals, usually saliva from bites or scratches. In the United States, bats are the most common source of human rabies infections. Initial symptoms of rabies are generally fever and unusual sensation at the wound site. The virus then spreads through the central nervous system causing fatal inflammation of the brain and spinal cord. From here, the disease can manifest in two ways: (1) individuals with furious rabies can show signs of hyperactivity and agitation with death resulting by cardiorespiratory arrest; or (2) paralytic rabies, which runs a less dramatic and usually longer course than the furious form with the muscles gradually becoming paralyzed, then a coma slowly develops, and eventually death occurs. (World Health Organization 2013).

## Raccoon Roundworm

Raccoon Roundworm, *Baylisascaris procyonis*, is an infection caused by the ingestion of roundworm eggs. The primary host for the roundworm is raccoon; however, other small mammals and birds can become infected. Dogs can also become infected by eating an infected animal, potentially passing worm eggs through their feces. Anyone who is exposed to areas where raccoons frequent is potentially at risk; however, children and the developmentally disabled are at higher risk as they are more likely to put soil and contaminated fingers and objects in their mouths (CDC 2012l). Larvae hatch in the intestines and migrate throughout the body affecting the brain and spinal cord, the eyes, and other organs (CDC 2012m). Tissue damage and symptoms tend to be severe due to the larval roundworm size, their ability to migrate throughout the body, and that they do not die readily (CDC 2012n).

### 1.1.2 Potential for Human and Animal Illness

To avoid or manage the risk to human and animal health from the diseases listed above requires effective vector-borne disease surveillance and control strategies that may fluctuate temporally and regionally. Such factors include vector and pathogen biology, environmental factors, land use patterns, and resource availability to support production of the vectors in quantities that threaten human and animal health. For example, detecting and monitoring WNV activity is accomplished by testing mosquitoes, dead birds, sentinel chickens, horses, and humans. The District identifies the mosquito species present, its locations and densities within the Service Area, and then the disease potential.

The District engages in activities and management practices to control mosquitoes and other vectors and to address the specific situations within its Service Area. These management practices emphasize the fundamentals of integrated pest management (IPM) wherein source reduction, habitat modification, and biological control are used when appropriate before resorting to pesticides. When pesticides are used, they are applied in a manner that minimizes risk to human health and ecological health.

### 1.1.3 Legislative and Regulatory Actions

A number of legislative and regulatory actions form the basis for the District's authority to engage in vector control. The District is a regulatory agency formed pursuant to the Mosquito and Vector Control District Law (California Health and Safety Code Section 2000 et seq.). In enacting that law the California Legislature recognized the importance to public health and the economy of proactive management of vectors. The Legislature thus found and declared Health and Safety Code, Section 2001:

1. California's climate and topography support a wide diversity of biological organisms.
2. Most of these organisms are beneficial, but some are vectors of human disease pathogens or directly cause other human diseases such as hypersensitivity, envenomization, and secondary infections.

3. Some of these diseases, such as mosquito-borne viral encephalitis, can be fatal, especially in children and older individuals.
4. California's connections to the wider national and international economies increase the transport of vectors and pathogens.

The Legislature granted the District broad powers to address the threat to public health and the economy posed by vectors and specified its duties as follows:

State law charges the District with the authority and responsibility to take all necessary or proper steps for the control of mosquitoes and other vectors in the District Program Area. Pursuant to Sections 2040-2045, the District may conduct all of the following activities:

- (a) Conduct surveillance programs and other appropriate studies of vectors and vector-borne diseases.
- (b) Take any and all necessary or proper actions to prevent the occurrence of vectors and vector-borne diseases.
- (c) Take any and all necessary or proper actions to abate or control vectors and vector-borne diseases.
- (d) Purchase the supplies and materials, employ the personnel, and contract for the services that may be necessary or proper to carry out the purposes and intent of this chapter.
- (e) Build, repair, and maintain on any land the dikes, levees, cuts, canals, or ditches that may be necessary or proper to carry out the purpose and intent of this chapter.
- (f) Engage necessary personnel, to define their qualifications and duties, and to provide a schedule of compensation for the performance of their duties.
- (g) Participate in, review, comment, and make recommendations regarding local, state, or federal land use planning and environmental quality processes, documents, permits, licenses, and entitlements for projects and their potential effects on the purposes and intent of this chapter.
- (h) Contract with other public agencies and federal agencies to provide any service, project, or program authorized by this chapter within the district's boundaries. A district may contract with other public agencies to provide any service, project, or program authorized by this chapter within the boundaries of the other public agencies and federal agencies.

In accordance with California Health and Safety Code Section 2053:

- (a) A district may request an inspection and abatement warrant pursuant to Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure. A warrant issued pursuant to this section shall apply only to the exterior of places, dwellings, structures, and premises. The warrant shall state the geographic area which it covers and shall state its purposes. A warrant may authorize district employees to enter property only to do the following:
  - (1) Inspect to determine the presence of vectors or public nuisances.
  - (2) Abate public nuisances, either directly or by giving notice to the property owner to abate the public nuisance.
  - (3) Determine if a notice to abate a public nuisance has been complied with.
  - (4) Control vectors and treat property with appropriate physical, chemical, or biological control measures.

- (b) Subject to the limitations of the United States Constitution and the California Constitution, employees of a district may enter any property, either within the district or property that is located outside the district from which vectors may enter the district, without hindrance or notice for any of the following purposes:
- (1) Inspect the property to determine the presence of vectors or public nuisances.
  - (2) Abate public nuisances pursuant to this chapter, either directly or by giving notice to the property owner to abate the public nuisance.
  - (3) Determine if a notice to abate public nuisance has been complied with.
  - (4) Control vectors and treat property with appropriate physical, chemical, or biological control measures.

On September 20, 2014, Fish and Game Code Section 1506, relating to wildlife management, was approved (known as AB 896, Eggman). It clarifies the intent of the Legislature to control mosquito production on managed wetland habitat that California Department of Fish and Wildlife (CDFW) owns or manages and to increase coordination and communication among CDFW, local mosquito abatement and vector control districts, and CDPH.

Local governing bodies may pass ordinances that regulate or restrict pesticide use in their own operations. However, these restrictions do not apply to state operations and would not be applicable to treatments proposed by the District under the Program because California state law preempts local regulation and restriction of pesticide use. The District is a regulatory agency formed pursuant to California Health and Safety Code Section 2000 et seq.

### **Cooperative Agreement between the California Department of Public Health and Local Vector Control Agencies**

Due to their public health mission, the California Department of Pesticide Regulation's (CDPR's) Pesticide Regulatory Program provides special procedures for vector control agencies that operate under a Cooperative Agreement with the CDPH. The application of pesticides by vector control agencies is regulated by a special and unique arrangement among the CDPH, CDPR, and County Agricultural Commissioners. CDPR does not directly regulate vector control agencies. CDPH provides regulatory oversight for vector control agencies that are signatory to the Cooperative Agreement. Signatories to the agreement use only pesticides listed by CDPH, maintain pesticide use reports, and ensure that pesticide use does not result in harmful residues on agricultural products.

The District maintains a cooperative agreement with CDPH. Its employees are certified by CDPH as vector control technicians, which help to ensure that employees are adequately trained regarding safe and proper vector control techniques including the handling and use of pesticides and compliance with laws and regulations relating to vector control and environmental protection.

In 2015, CDFW determined that CDPH, and the districts operating under a valid Cooperative Agreement with CDPH to conduct surveillance, prevention, or control of vectors and vector-borne diseases, are not required to obtain a scientific collecting permit (SCP) under Fish and Game Codes Sections 1002, 4005(e), and 4011. An SCP is required for any scientific study conducted by or in collaboration with CDPH or local agencies that is not routine surveillance and control activities and includes take of animals or plants. (CDFW 2015)

### **California Pesticide Regulatory Program**

CDPR regulates the sale and use of pesticides in California. CDPR is responsible for reviewing the toxic effects of pesticide formulations and determining whether a pesticide is suitable for use in California through a registration process. Although CDPR cannot require manufacturers to make changes in labels, it can refuse to register products in California unless manufacturers address unmitigated hazards by

amending the pesticide label. Consequently, many pesticide labels that are already approved by the United States Environmental Protection Agency (USEPA) also contain California-specific requirements. Pesticide labels defining the registered applications and uses of a chemical are mandated by USEPA as a condition of registration. The label includes instructions telling users how to make sure the product is applied only to intended target pests, and includes precautions the applicator should take to protect human health and the environment. For example, product labels may contain such measures as restrictions in certain land uses and weather (i.e., wind speed) parameters.

## **1.2 Program Objectives/Purpose and Need**

### **1.2.1 Program Objectives**

The District undertakes vector control activities through its Program to control the following vectors of disease and/ or discomfort in the Program Area: mosquitoes, rats, mice, ticks, yellow jacket wasps, and other stinging/biting insects such as biting flies. The District also performs vegetation management (including control of noxious and/or invasive plants) to facilitate access to vector habitat, improve efficiency and effectiveness of vector control operations, and as a source reduction measure.

The Proposed Program's specific objectives are as follows:

- > Reduce the potential for human and animal disease caused by vectors
- > Reduce the potential for human and animal discomfort or injury from vectors
- > Accomplish proactive effective and environmentally sound vector management by means of:
  - Surveying for vector abundance/human contact
  - Establishing treatment criteria
  - Appropriately selecting from a wide range of Program tools or components

Most of the relevant vectors are quite mobile and cause the greatest hazard or discomfort at a distance from where they breed. Each potential vector has a unique life cycle, and most of them occupy several types of habitats. To effectively control them, an IMVMP must be employed. District policy is to identify those species that are currently vectors, to recommend techniques for their prevention and control, and to anticipate and minimize any new interactions between vectors and humans and domestic animals.

### **1.2.2 Purpose and Need**

The District was established in 1925 to reduce the risk of vector-borne disease and discomfort to the residents of its Service Area. In addition to being nuisances by disrupting human activities and enjoyment of public and private areas, certain vectors can transmit a number of diseases. A vector is defined by the State of California as "any animal capable of transmitting the causative agent of human disease or capable of producing human discomfort or injury, including, but not limited to, mosquitoes, flies, other insects, ticks, mites, and rats, but not including any domesticated animal..." [California Health and Safety Code Section 2200(f)]. The diseases of most concern in the Program Area are as follows, by the vector they are associated with:

- > Mosquito-transmitted illnesses: WNV, WEE, SLE, dog heartworm, malaria, and myxomatosis
- > Tick-transmitted illnesses: Lyme disease, babesiosis, ehrlichiosis, tularemia, Rocky Mountain spotted fever and other spotted fever group rickettsia (e.g., Rickettsia 364D), anaplasmosis
- > Rodent/rat-transmitted illnesses: leptospirosis, HPS, tularemia, plague
- > Other vector-transmitted illnesses: plague and murine typhus transmitted by fleas (usually on rats), tularemia usually transmitted by ticks but can be contracted from infected animals

Depending on the disease, both human and domestic animal health can be at risk of disability, illness, and/or death. Furthermore, potential exists for introduction of new disease vectors into the District's Service Area. Examples include the discovery of populations of *Aedes albopictus* (Asian tiger mosquito) and *Aedes aegypti* (yellow fever mosquito) in central and southern California. These mosquito species are effective vectors of the causative agents of diseases such as chikungunya, dengue fever, and yellow fever.

Yellow jacket wasps and several mosquito species within the Program Area are not known to transmit disease pathogens but are still considered vectors [California Health and Safety Code Section 2200(f)] because they can inflict significant discomfort and injury (e.g., secondary infections and severe reactions including anaphylaxis) to residents, pets, and livestock. For example, employing the District's IMVMP to conduct surveillance and control for mosquito species such as *Aedes dorsalis* (summer salt marsh mosquito), *Aedes sierrensis* (western treehole mosquito), *Aedes squamiger* (California salt marsh mosquito), and *Aedes washino* (Washino's flood water mosquito) is important to minimize populations of these mosquitoes that would otherwise cause discomfort and injury-related issues with citizens, businesses, schools, agricultural operations, etc.

### 1.3 Alternatives Considered in this Programmatic Environmental Impact Report

The District's Program is an ongoing series of related actions for the management of mosquitoes, yellow jackets, rodents, and other vector populations to minimize human vector interactions and the associated risks of disease and discomfort. The District's activities involve the identification of vector problems; proactive actions to control existing populations of vectors, prevent new sources of vectors from developing, and manage habitat to minimize vector production; education of landowners and others on measures to minimize vector production or interaction with vectors; and provision and administration of funding and institutional support necessary to accomplish District objectives.

Since 1925, the District has taken an integrated systems approach to mosquito and vector control utilizing a suite of tools that consist of:

- > Surveillance
- > Physical Control
- > Vegetation Management
- > Biological Control
- > Chemical Controls
  - Larvicides
  - Adulticides
  - Other
- > Other Nonchemical Control/Trapping
- > Public Education

These first six tools are called "alternatives," are part of the present Program, and all would continue and be combined as the overall Proposed Program along with public education. These alternative Program "tools" or components are described in the subsequent subsection as "Program alternatives" for the CEQA process (except for public education, which is exempt from CEQA). Program implementation is weighted heavily towards vegetation management and physical and biological control, in part, to reduce the potential for environmental impacts. To realize effective and environmentally sound vector management, vector control must be based on several factors:

- > Carefully monitoring or surveying vector abundance and/or potential contact with people

- > Carefully monitoring and surveying for vector diseases and their antecedent factors that initiate and/or amplify disease
- > Establishing treatment criteria
- > Selecting appropriate tools from a wide range of control methods

This Program consists of a dynamic combination of surveillance, treatment criteria, and use of multiple control activities in a coordinated program with public education that is generally known as integrated pest management (IPM) or specifically for the District as IMVMP).

The District's IMVMP, like any IPM program, seeks by definition to use procedures that will minimize potential environmental impacts. The District's IMVMP employs IPM principles by first identifying the species and abundance of mosquitoes/vectors through evaluation of public service requests and field surveys of immature and adult mosquito/vector populations and, then, if the populations exceed treatment criteria, using the most efficient, effective, and environmentally sensitive means of control. For all vector species, public education is an important control strategy. In some situations, water management or other physical control activities can be instituted to reduce vector-breeding sites. The District also uses biological control such as the planting of mosquitofish in some settings: ornamental fish ponds, water troughs, water gardens, fountains, and unmaintained swimming pools. When these approaches are not effective, or are otherwise deemed inappropriate, then pesticides are used to treat specific vector-producing or vector-harboring areas.

Three core tenets are essential to the success of a sound IMVMP.

- > *First*, a proactive approach is necessary to minimize impacts and maximize successful vector management. Elements such as thorough surveillance and a strong public education program make all the difference in reducing potential human vector interactions.
- > *Second*, long-term environmentally based solutions (e.g., water management, reduction of harborage and food resources, exclusion, and enhancement of predators and parasites) are optimal as they reduce the potential pesticide load in the environment as well as other potential long- and short-term impacts.
- > *Lastly*, utilizing the full array of options and tools (public education, surveillance, physical control, biological control, and when necessary chemical control) in an informed and coordinated approach supports the overall goal of an environmentally sensitive vector management program.

The No Program Alternative is defined as the District not engaging in any of the control strategies and tools for mosquito and/or vector control. Past practices would not continue into the future. The District would not continue to operate and would close. In the absence of the District, CDPH would provide mosquito and vector "oversight" to local jurisdictions commensurate with their budget constraints.

## **1.4 Public Involvement**

Public involvement for this PEIR includes the following actions.

### **1.4.1 CEQA Public Scoping**

The District distributed a Notice of Preparation (NOP) of a Draft PEIR for their IMVMP pursuant to the CEQA Guidelines (Section 15082) on May 14, 2012. The NOP was sent to 82 agencies, organizations, and individuals, including the following state responsible and trustee agencies:

- > California Department of Water Resources
- > Native American Heritage Commission
- > California Department of Fish and Wildlife: Bay Delta Region
- > California Department of Parks and Recreation: Executive District

- > California Department of Pesticide Regulation
- > California Department of Public Health
- > California Department of Transportation: District 4
- > California State Lands Commission
- > Central Valley Regional Water Quality Control Board, Region 2
- > San Francisco Bay Regional Water Quality Control Board, Region 5

The NOP provided a description of the Program, the location of Program activities, and the resources and environmental concerns planned for analysis in the PEIR. The NOP announced a public scoping meeting and requested the comments on the content of the PEIR and the Program alternatives be submitted within 30 days of receipt. The public scoping meeting was held at the following location and time:

Town of Yountville Community Center  
Yountville, California  
June 5, 2012, 7:00 pm

#### **1.4.2 Public Scoping for Programmatic Environmental Impact Report**

Public scoping resulted in the following comments that are focused on additional public notification during Program implementation and possible future permits from the Central Valley Regional Water Quality Control Board (RWQCB):

- > Construction Storm Water General Permit requirements: where one or more acres of soil are disturbed or where < 1 ac but part of larger common plan that disturbs 1+ ac. Excludes regular maintenance.
- > Phase I and II Municipal Separate Storm Sewer System (MS4) Permits: to reduce pollutants and runoff flows from new development and redevelopment.
- > Industrial Storm Water General Permit: associated with industrial sites.
- > Clean Water Act Section 404 Permit: for discharge of dredged or fill material in navigable waters or wetlands.
- > Clean Water Act Section 401 Permit: if a US Army Corps of Engineers (USACE)/other federal permit is required due to the disturbance of waters, then Water Quality Certification must be obtained prior to initiation of project activities.
- > Waste Discharge Requirements: for nonjurisdictional waters of the state.

Comments were also provided by the California Native Plant Society, Napa Valley Chapter. Their letter advised the District to exclude drainage and conversion of wetlands from the Program.

#### **1.4.3 Areas of Known Public Concern**

CEQA Guidelines Section 15123 requires that the Summary “shall identify areas of controversy known to the lead agency.” The areas of greatest public concern and debate are based on comments from public scoping and comments made during other District activities. These areas of controversy are explained here and then incorporated into the preceding Summary chapter:

- > Use of Pesticides for Vector Control: Members of the public are distrustful of pesticide use for vector control. They prefer other methods to eliminate suitable habitat to deal with mosquito problems (including bites) rather than spraying pesticides. If adulticides must be used, ensure use is justified with documented, mosquito-borne disease activity within or within flight range of the tidal marsh. Concern exists about pesticide applications drifting into backyards where the property owner wants to

ensure their area is pesticide-free. The concern is not only with impacts to humans and “sensitive populations” but also to domestic animals and wildlife including nontarget insects.

- > Use of Herbicides for Vegetation Management: Request for specific vegetation management information about the proposed chemical vegetation control agents (herbicides), the types, amounts and locations of chemical stored, application methods and rates, and their effects on the environment.
- > Use of Biological Control Agents: Controversy exists over the use of some proposed biological control agents, in particular the use of mosquitofish and potential for them to impact sensitive species such as the California red-legged frog.
- > District’s Authority to Enter Public and Private Property for Control Activities: Some public agencies want the District to obtain an Encroachment Permit with notification of Park Supervisors for activities such as surveillance, physical control, or vegetation management where access to parkland is needed. Water districts insist that mosquito abatement materials and practices proposed for use on watershed lands must be thoroughly vetted and approved by CDPH. New legislation in 2014 clarified CDFW’s and the District’s responsibilities to engage in mosquito abatement in CDFW-owned and/or - managed wildlife refuges.

Section 1.5, Environmental Concerns, presents a summary of the environmental concerns by resource or issue area for analysis in the PEIR.

**1.4.4 Distribution of the Programmatic Environmental Impact Report**

The District has distributed the Notice of Availability of the Draft PEIR to the following agencies, organizations, and individuals:

- |   |   |
|---|---|
| > Agricultural Commissioner                           | > Groundwater Resources Advisory Committee        |
| > American Canyon Chamber of Commerce                 | > Lake Berryessa Resort Improvement District      |
| > American Canyon City Clerk                          | > Lake County Executive Office                    |
| > American Canyon City Manager                        | > Lake County Planning Department                 |
| > American Canyon Fire District                       | > Land Trust of Napa County                       |
| > American Canyon Library                             | > Local Agency Formation Commission               |
| > American Canyon Planning Department                 | > Los Carneros Water District                     |
| > Association of Bay Area Governments (ABAG)          | > Monticello Public Cemetery District             |
| > California Department of Public Health              | > Napa Chamber of Commerce                        |
| > California Department of Transportation             | > Napa City Clerk                                 |
| > California Department of Fish and Wildlife          | > Napa City Manager                               |
| > California Department of Parks and Recreation       | > Napa City Planning Department                   |
| > California Department of Pesticide Regulation       | > Napa City-County Library                        |
| > California State Lands Commission                   | > Napa County Airport                             |
| > Calistoga Chamber of Commerce                       | > Napa County Clerk                               |
| > Calistoga City Clerk                                | > Napa County Environmental Management            |
| > Calistoga City Manager                              | > Napa County Executive Officer                   |
| > Calistoga Joint Unified School District             | > Napa County Farm Bureau                         |
| > Calistoga Library                                   | > Napa County Flood Control District              |
| > Calistoga Planning Department                       | > Napa County Planning Department                 |
| > Central Valley Regional Water Quality Control Board | > Napa County Regional Park & Open Space District |
| > Circle Oaks County Water District                   | > Napa County Wildlife Conservation Commission    |
| > Congress Valley Water District                      | > Napa Resource Conservation District             |
| > Forestry & Fire Protection Department               | > Napa River Reclamation District                 |
| > Friends of the Napa River                           | > Napa Sanitation District                        |

- > Napa Valley College Library
- > Napa Valley Grapegrowers
- > Napa Valley Horsemen's Association
- > Napa Valley Unified School District
- > Napa Valley Vintners Association
- > Native Plant Society, Napa Valley Chapter
- > Office of Planning & Research , State Clearing House
- > Pope Valley Cemetery District
- > San Francisco Bay Conservation Development Commission
- > San Francisco Regional Water Quality Control Board
- > San Pablo Bay National Wildlife Refuge
- > Sierra Club
- > Silverado Community Services District
- > Solano County Executive Office
- > Solano County Planning Department
- > Sonoma County Executive Office
- > Sonoma County Planning Department
- > Spanish Flat Water District
- > St. Helena Chamber of Commerce
- > St. Helena City Clerk
- > St. Helena City Manager
- > St. Helena Library
- > St. Helena Planning Department
- > St. Helena Unified School District
- > Solano County Clerk
- > Sonoma County Clerk
- > US Army Corps of Engineers
- > US Department of Interior, Bureau of Reclamation
- > Yolo County Clerk
- > Yolo County Department of Planning
- > Yolo County Executive Office
- > Yountville Chamber of Commerce
- > Yountville City Clerk
- > Yountville City Manager
- > Yountville Library
- > Yountville Planning Department

## 1.5 Environmental Concerns

Below is a listing of environmental concerns by resource (i.e., by PEIR section), including but not limited to issues raised by agencies and the public. These concerns are those most appropriate to the environmental impact analysis rather than questions concerning Program implementation or future coordination activities between the District and other agencies and individuals. Additional environmental concerns can be addressed through responses to public comments on the Draft PEIR.

### 1.5.1 Urban and Rural Land Uses

The following concerns are associated with land uses, both urban/developed lands and rural/open space/undeveloped lands. They are addressed primarily in Chapter 3, Urban and Rural Land Uses:

- > Need to analyze and minimize aspects of the Program that diminish recreational experience of park visitors of the regional parks and trails within the Program Area.
- > Expressed concern on impacts at school sites.
- > Address local community regulations regarding pesticides.

### 1.5.2 Biological Resources-Aquatic

The following concerns are associated with biological resources in aquatic environments and are addressed in Chapter 4 of this PEIR or in Appendix A, Biological Resources Technical Report:

- > Employ techniques associated with the physical control of vectors and their habitat that conform to Habitat Conservation Plan (HCP) avoidance, minimization, and mitigation measures.
- > Consider direct/indirect effects of using mosquitofish as control. Do not stock mosquitofish (*Gambusia affinis*) in ponds, creeks, or reservoirs. As the mosquitofish used (*Gambusia affinis*) are nonnative predatory fish, describe how their impact on native fish populations is considered.
- > The PEIR should include a detailed description and complete assessment of the surveillance impacts (current and future, direct and indirect) on habitats (including endangered, threatened, and locally unique species and sensitive habitats) and on species (special status fish, wildlife, or plants).

- > The PEIR should include a detailed description and complete assessment of the biological control impacts (current and future, direct and indirect) on habitats (including endangered, threatened, and locally unique species and sensitive habitats) and on species (special status fish, wildlife, or plants).
- > The PEIR should include a detailed description and complete assessment of the chemical control impacts (current and future, direct and indirect) on habitats (including endangered, threatened, and locally unique species and sensitive habitats) and on species (sensitive fish, wildlife, or plants).

### **1.5.3 Biological Resources-Terrestrial**

The following concerns are associated with biological resources in terrestrial environments and are addressed in Chapter 5 of this PEIR or in Appendix A, Biological Resources Technical Report:

- > Discuss potential impacts on insect pollinators/bees from chemicals in treatment applications.
- > Describe the effects of all chemicals that are used and/or proposed for use on wildlife and natural ecosystems, including insect prey, birds, mammals, fish, vegetation and site topography. The loss of prey for birds is a particular concern. Also, consider unwanted effects of the “inactive” portion of the pesticides. What effects will the carrier portion of the chemicals have on the environment?
- > Discuss the potential impact of *Bacillus sphaericus* (Bs)/ *Bacillus thuringiensis israelensis* (Bti) products on native species.
- > Describe the role of mosquitoes within the food chain, and subsequent impacts if they were removed in terms of amphibians, birds, reptiles, fish and insects. This issue is also addressed in Section 6.2.
- > Pesticides can also kill the natural predators of mosquitoes, which can have difficulty in recovery from pesticides.
- > Pesticide efficacy attenuation and possible long-term resistance is an issue for all chemically based mosquito control programs. It is addressed by the use of different control methods and different agents over time where possible (best management practice [BMP] and IVM techniques are designed to identify these issues early and modify applications as appropriate and feasible).
- > Note that the Program Area includes potential habitat for several California and federally threatened and other special status plant and wildlife species and, as such, comprehensive biological studies should be implemented.
- > Coordinate with CDFW, California Natural Diversity Database (CNDDDB), US Fish and Wildlife Service (USFWS), and USFWS’ Information, Planning, and Conservation planning tool to identify special status plant and wildlife species. If impacts are found to be significant, the PEIR should identify adequate mitigation measure to reduce impacts to lower levels.
- > A primary concern is the environmental impact on natural resources in terms of vegetation removal, soil erosion, and possible wildlife impact.
- > Ensure mosquito abatement staff minimizes impact to tidal marsh and vernal pool habitats (especially during breeding season). Restrict operation of vehicles to levees and existing roads, and avoid vernal pool plants during blooming season (March–June).
- > Concern for spread of invasive weeds, erosion, and sedimentation.
- > The PEIR should include a detailed description and complete assessment of the surveillance, physical control, biological control, and chemical control impacts (current and future, direct and indirect) on habitats (including endangered, threatened, and locally unique species and sensitive habitats) and on species (sensitive fish, wildlife, or plants).

#### **1.5.4 Ecological Health Hazards**

The following concerns are associated with ecological health and are addressed in Chapter 6 of this PEIR or in Appendix B, Ecological and Human Health Assessment Report:

- > What are the impacts associated with the Surveillance Alternative?
- > Describe the effects of all chemicals that are used and/or proposed for use on wildlife and natural ecosystems, including insect prey, birds, mammals, fish, vegetation, and site topography. The loss of prey for birds is a particular concern.
- > Discuss the potential impact of Bs on native species. What would justify its use? What native species would be impacted?
- > Discuss impacts on bees from chemicals in treatment applications.
- > Concern over the “inactive” portion of the pesticides. What effects will the carrier portion of the chemicals have on the environment?
- > Discuss the effects of pesticides on the natural predators of mosquitoes.
- > The continued spray program leads to survival of mosquitoes resistant to pesticides – “the pest mill.”
- > Describe the role of mosquitoes within the food chain, and subsequent impacts if they were removed in terms of amphibians, birds, reptiles, fish, and insects.
- > Upon application and broadcast of pesticides, what is the fate and transport of these chemicals? Look at droplet size, dispersal patterns given wind, conversion products (both in storage and environment), and impacts of conversion products. Discuss the persistence of proposed treatment substances in the environment as well as the potential for bioaccumulation (and biomagnification) and effects of repeated exposures.
- > The PEIR should include monitoring programs that are designed to validate assumptions regarding the environmental fate and transport of materials.
- > The PEIR should include a detailed description and complete assessment of the chemical control impacts (current and future, direct and indirect) on habitats (including endangered, threatened, and locally unique species and sensitive habitats) and on species (sensitive fish, wildlife, or plants) and ensure CEQA requirements are met.
- > The PEIR should include a detailed description and complete assessment of the biological control impacts (current and future, direct and indirect) on habitats (including endangered, threatened, and locally unique species and sensitive habitats) and on species (sensitive fish, wildlife, or plants) and ensure CEQA requirements are met.

#### **1.5.5 Human Health Hazards**

The following concerns are associated with human health and are addressed in Chapter 7 of the PEIR or in Appendix B, Ecological and Human Health Assessment Report.

- > The PEIR should address Program impacts on people and pets through ingestion and absorption pathways and proposed mitigation. Address impacts on chemically sensitive people and sensitive populations such as children, the elderly, and pregnant women. Exposure to pesticides can result in a compromised immune system, which would allow for development of allergies or autoimmune disorders.
- > The PEIR must list any and all biological or chemical agents proposed for use.
- > CDPH should be consulted to ensure all potential risks are identified, characterized, and evaluated.

- > Concern expressed over public safety and health with regards to existing vegetable gardens and fruit trees within the Program Area. Local swimming holes could be a potential habitat for breeding mosquitoes, and chemical treatment could impact humans.
- > Concern expressed with use of Zenivex; it mimics chrysanthemums but is a harmful neurotoxin.
- > Concern expressed that adulticides present danger to humans, as many are known carcinogens and endocrine disruptors.
- > Concern expressed that pyrethrins may disrupt the normal functioning of sex hormones while piperonyl butoxide (PBO) affects the functioning of hormone-related organs.
- > In addition to short-term effects, what are the long-term effects of repeated exposure to these chemicals?

### **1.5.6      Public Services and Hazard Response**

While no scoping comments directly dealt with public services and hazard responses, the following issues are addressed in Chapter 8 of the PEIR:

- > Risk of spill of hazardous materials from equipment or applications of pesticides and/or herbicides.
- > Risk of aerial equipment failure during applications of pesticides.
- > Safe storage and disposal of chemical-related materials including pesticide containers.

### **1.5.7      Water Quality**

Chapter 9, Water Resources, addresses concerns related to the following potential impacts to surface water and groundwater resources:

- > Consideration of CDPH review and approval of mosquito abatement materials and practices proposed for use on watershed lands
- > Integration of “Source Reduction” strategies with Stream Maintenance Program approaches in Water Agency-owned flood control channels. (Sonoma County Water Agency)
- > Need for description and quantification of dredge or fill activities and evaluation of their impacts
- > Impacts of drift from aerial spray and ground applications on waterbodies, watersheds, and drinking water supplies
- > Concern for spread of invasive weeds, erosion, and sedimentation.

### **1.5.8      Air Quality and Climate Change**

The following environmental concerns are addressed in Chapter 10, Air Quality, and Chapter 11, Greenhouse Gases and Climate Change, in this PEIR and in Appendix C, Air Quality and Greenhouse Gases Technical Report:

- > Address impacts of spraying/fogging on air quality for humans and pets alike.
- > Address impacts of emissions of air pollutants from control and treatment methods and combustion of fuels.
- > Address impacts of surveillance activity.
- > Discuss impacts on greenhouse gases and climate change.

### 1.5.9 **Noise**

The following environmental concern is addressed in Chapter 12, Noise, in this PEIR and in Appendix D, Noise Analysis Technical Report:

- > Evaluate noise-related impacts on humans, in particular consistency with local noise regulations.

## 1.6 **Impacts Not Given In-Depth Evaluation in This Programmatic Environmental Impact Report**

The Proposed Program's surveillance, physical control, vegetation management, biological control, and chemical and nonchemical treatment alternatives were determined to have no impacts or less-than-significant impacts on the resources listed below; therefore, further analysis of these resources was not necessary for the reasons identified below. The resources not considered thereafter in the PEIR, or those partially considered (and how they are considered), include:

- > Aesthetics. In general the implementation of the vector control strategies and methods would not impact the aesthetics of the Program Area. No new construction of facilities would occur, the application of materials from the ground or the air would not have a visual impact because the Program alternatives are too small in scale to be noticeable in the open areas, and they would blend in with the habitat where they would be applied, including physical control and vegetation removal for mosquito control. None of the materials to be applied would change the appearance of existing structures or visual features of the landscape. The applied materials would not harm painted surfaces of structures, signs, and roadways.
- > Cultural Resources. The activities associated with vector control would not include any construction of facilities or subsurface ground disturbance beyond drainage control, including sediment and vegetation removal to improve water circulation in aquatic habitats. Material application would not occur on existing historical resources; therefore, cultural resources would not be impacted. However, if during the application of material in either developed or undeveloped areas human remains are encountered, the applicable county coroner would be contacted and appropriate measures implemented, consistent with State Health and Safety Code Section 7050.5, which prohibits unauthorized disinterring, disturbing, or removing of human remains from any location.
- > Geology and Soils. The activities associated with mosquito and/or vector control would not include any facilities construction or significant ground disturbance nor induce erosion or loss of topsoil; therefore, geology and soils would not be impacted in this manner. Program activities would not be affected by landslides or ground failure, because aerial application would be used primarily in open-space areas if needed. The issue of impacts to soil microbes is addressed in the fate and transport analysis of the chemical treatments.
- > Mineral Resources. The activities associated with mosquito and/or vector control would not include any new construction or alteration of subsurface resources beyond drainage control; therefore, the Program would not result in the loss of availability of a known mineral resource.
- > Population and Housing. The Program would not add new housing or increase the resident population within the Program Area; therefore, the Program is not expected to impact population and housing growth. Because the Program would not result in new development, it would not place a substantial demand on most public services including public facilities. However, the Program's potential to impact public health and emergency response services is addressed in Chapter 8, Public Services and Hazard Response.
- > Transportation and Traffic. The Program would not include the use of a substantial amount of new vehicles or block existing roadways for mosquito and/or vector control efforts. Light truck and automobile trips would be required to transport workers, materials, and equipment for the surveillance, monitoring, and physical control activities, and ground and aerial applications of pesticides and/or

herbicides. These trips would be consistent with present trips and not result in a substantial change in vehicle use over existing conditions. Therefore, no impacts would be associated with Program transportation or traffic.

- > Utilities and Service Systems. The Program would not include any new construction or the addition of housing or new workers to a community that would result in a substantial increase in demand for new utilities and service systems. Therefore, the Program is not expected to impact the utilities, including electricity, cable, water, and wastewater, in the Program Area. Water resources are addressed in Chapter 9, Water Resources.

## 1.7 Report Organization and Significance Terminology

The PEIR evaluates potential environmental impacts (direct, indirect, and cumulative) on the following environmental resources and concerns: human health, ecological health, agricultural economics and land use, nonagricultural land uses, public services/hazard response, water quality (surface water and groundwater), air quality, climate change (greenhouse gas production), noise, and biological resources, including cumulative impacts. The human and ecological risk assessments are technical appendices to the PEIR with important results summarized in the appropriate sections of the PEIR.

- > Chapter 1, Introduction, provides the Program's history and authority, Program objectives, a summary of public involvement activity and the public's concerns, impacts not further evaluated, and the PEIR's organization.
- > Chapter 2, Program Description, presents the Program objectives, chemical treatment and nonchemical treatment alternatives, and BMPs to minimize environmental impacts. It also describes equipment use, public education, and required permits and agency coordination.
- > Chapter 3, Urban and Rural Land Uses, explains the environmental setting and potential environmental impacts for each alternative.
- > Chapter 4, Biological Resources – Aquatic, explains the environmental setting and potential environmental impacts for each alternative.
- > Chapter 5, Biological Resources – Terrestrial, explains the environmental setting and potential environmental impacts for each alternative.
- > Chapter 6, Ecological Health, explains the environmental setting and potential environmental impacts for each alternative.
- > Chapter 7, Human Health, explains the environmental setting and potential environmental impacts for each alternative.
- > Chapter 8, Public Services and Hazard Response, explains the environmental setting and potential environmental impacts for each alternative.
- > Chapter 9, Water Resources, explains the environmental setting and potential environmental impacts for each alternative.
- > Chapter 10, Air Quality, explains the environmental setting and potential environmental impacts for each alternative.
- > Chapter 11, Greenhouse Gases and Climate Change, explains the environmental setting and potential environmental impacts for each alternative.
- > Chapter 12, Noise, explains the environmental setting and potential environmental impacts for each alternative.
- > Chapter 13, Cumulative Impacts, is a comprehensive assessment of all of the cumulative impacts to each of the resources contained in Chapters 3 through 12.

- > Chapter 14, Other Required Disclosures, is comprised of other analyses required by CEQA including growth-inducing impacts and irreversible or irretrievable commitments of resources.
- > Chapter 15, Alternatives, presents the District's consideration of a reasonable range of alternatives and the screening of those alternatives to the ones included in the Proposed Program. It evaluates the No Program Alternative for impacts, and identifies alternative tools or options for reducing potentially significant impacts from alternatives under the Proposed Program.
- > Chapter 16, Report Preparers, lists the persons and organizations involved in the preparation of this PEIR.
- > Chapter 17, References, identifies the organizations and persons consulted and references cited in this PEIR.
- > Appendix A, Biological Resources Technical Report
- > Appendix B, Ecological and Human Health Assessment Report
- > Appendix C, Air Quality and Greenhouse Gas Emissions Technical Report
- > Appendix D, Noise Analysis Technical Report
- > Appendix E, Alternatives Analysis Report
- > Appendix F, Supplemental IMVMP Information

For each resource evaluated, the key environmental issues and criteria, for determining whether an adverse impact is significant under CEQA, are discussed first. A "significant impact" is defined as:

*"a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant"*  
(CEQA Guidelines Section 15382).

The environmental impact analysis section for each resource defines the criteria used to judge whether an impact is significant. These criteria include the "Mandatory Findings of Significance" set forth in CEQA Guidelines Section 15065. These criteria also include the criteria set forth in the Initial Study checklist (CEQA Guidelines, Appendix G), agency regulatory standards, or other criteria relevant to the specific project.

In describing the significance of adverse impacts, **the following categories of significance** are applied, based on the best professional judgment of the PEIR preparers:

- > Significant and Unavoidable (SU). An impact that cannot be avoided or reduced to below the threshold level, even with the imposition of all feasible mitigation measures. "Significant" also covers the concept of potentially significant, which may be used when substantial uncertainty exists. This PEIR does not distinguish between "significant" or "potentially significant" in impact conclusion statements; both result in a determination that the impact is significant. All significant impacts from No Program are unavoidable.
- > Potentially Significant but Mitigable (SM). An impact that can be reduced to below the threshold level (i.e., to less than significant) given feasible mitigation measures. For example, the statement is made that the impact to surface water resources from permethrin is potentially significant but mitigable. With the application of a mitigation measure to avoid application of permethrin in locations where the receiving waters are 303(d) listed for pyrethroids or sediment toxicity, the impact can be reduced to less than significant.

- > Less than Significant (LS). An impact that may be adverse but does not exceed the threshold levels or covers an effect that is small or minimal, and does not require mitigation measures.
- > No Impact (N). Where an impact is neutral or is clearly deemed “no effect”, it is stated to have “no impact”.

Mitigation measures for one resource may have environmental impacts on other resources or not be sufficient to reduce the target impact to less than significant. Where a mitigation measure could have a significant environmental impact, this impact is discussed.

## 1.8 Use of This PEIR for Future CEQA Compliance

This PEIR evaluates the potential environmental impacts associated with the District’s current Program and its future Program when the activities and materials can be identified at present. For activities and materials not within the current Program that could be proposed at a future date to be included in the District’s IMVMP (“future activities”), the District will evaluate whether the proposed action or material was within the scope of the Program evaluated within the PEIR and whether additional environmental documentation is required. In making this determination, the District will first determine whether the activity would result in environmental effects that were not considered in the PEIR. If the subsequent activity involved site-specific operations, the District will evaluate the site and the activity to determine whether the environmental effects were covered in the PEIR and document its findings. Second, the District will evaluate the proposed activity or material to determine whether any new environmental effects could occur, or new mitigation measures would be required, due to changes in the activity or changes in the circumstances under which it is undertaken. If the District determines that the future activity is within the scope of the Program examined in the PEIR, that no new effects that were not examined in the PEIR could occur, and that no new information shows that new mitigation measures or alternatives are required, the District may approve the activity as being within the scope of the PEIR, and no new environmental documentation is required. (CEQA Guidelines Section 15168(c)(1)-(2))

If the District determines that the future activity was not within the scope of the Program evaluated in the PEIR, the action will be considered a “new action.” The District will determine whether the new action would result in environmental effects that were not examined in the PEIR by preparing an initial study. The initial study will be the basis for determining whether the effects of the new action require an EIR or a negative declaration. (CEQA Guidelines Section 15168(c)(1). A subsequent or supplemental EIR could be required if any of the following occur (CEQA Guidelines Section 15162[c]):

- > Substantial changes proposed for the District’s IMVMP would require major revisions to this PEIR because of new significant environmental impacts that cannot be mitigated below a level of significance or a substantial increase in the severity of the previously identified significant impacts in this PEIR.
- > Substantial changes to the circumstances under which the District’s IMVMP is undertaken would require major revisions to this PEIR because of new significant environmental impacts that could not be mitigated below a level of significance or a substantial increase in the severity of the identified significant impacts in this PEIR.
- > New information of substantial importance that could not have been known at the time the PEIR was certified shows significant effects not discussed in this PEIR that cannot be mitigated below a level of significance; significant effects would be substantially more severe; mitigation measures found to be infeasible in this PEIR would, in fact, be feasible and substantially reduce one of more significant effects, but the District decides not to adopt them; or mitigation measures or alternatives are identified that are considerably different from those analyzed in this PEIR that would substantially reduce one of more significant effects, but the District decides not to adopt them.

The specific process the District will follow to ensure CEQA compliance as it moves forward implementing its Program is explained in greater detail below.

### **1.8.1 Future Activities**

As discussed above, this PEIR evaluates the potential environmental impacts associated with the District's current Program and its future Program when the activities and materials can be identified at present. For activities and materials not within the current Program that are proposed at a future date to be included in the District's IMVMP, the District will evaluate whether the proposed activity or material was within the scope of the Program evaluated within the PEIR and whether additional environmental documentation is required. Future activities not within the scope of the Program evaluated in the PEIR are considered "new actions" and may be subject to future environmental review under CEQA. All new actions will be subject to the District's BMPs and may be subject to mitigation measures identified in the PEIR, as appropriate, including new mitigation measures that may be identified as being necessary through potential future CEQA review. This section provides more information about the process by which the District will determine whether future activities are within the scope of the Program and the PEIR. The evaluation process for future activities is organized under two categories: chemical treatment and nonchemical treatment.

#### **1.8.1.1 *Future Chemical Treatments***

All pesticides in current use have been evaluated in the PEIR (mostly under the Chemical Control Alternative), including the supporting Appendix B, Ecological and Human Health Assessment Report, along with a number of pesticides not currently in use but with the potential for use in the foreseeable future. A similar scenario occurs for herbicides. The herbicides most likely to be used are addressed under the Vegetation Management Alternative in this PEIR. Future formulations are likely to include ingredients already evaluated in this PEIR, as summarized below following the summary of the contents of Appendix B and materials that are exempt from USEPA reporting and use requirements.

#### **1.8.1.2 *Appendix B Summary and Exempt Materials***

The PEIR's Appendix B reports on the evaluation of 42 pesticide (insecticides and herbicides) active ingredients and 4 adjuvants, for a total of 46 chemical ingredients used in 57 insecticides and 36 herbicides. An adjuvant is any compound that is added to an herbicide formulation or tank mix to facilitate the mixing, application, or effectiveness of that herbicide. The actual pesticide formulations used by the District are listed by active ingredient in Table 6-1 (insecticides) and Table 6-2 (herbicides). The PEIR also considers materials such as PBO, which acts as a synergist. Synergists are chemicals that primarily enhance the pesticidal properties of other active ingredients, such as pyrethrins and synthetic pyrethroids. No pesticide products contain only PBO.

Most chemicals produced for general or specialized uses are subject to a rigorous suite of dozens of laboratory and field tests to evaluate the relative toxicity of the ingredient(s) in the product proposed for use. As a result of the testing, the chemical is given one of four USEPA toxicity categories ranging from highly toxic to practically nontoxic (Category I - *highly toxic and severely irritating*; Category II - *moderately toxic and moderately irritating*; Category III - *slightly toxic and slightly irritating*; and Category IV - *practically nontoxic and not an irritant*). The tests used to develop these categories are designed to address potential toxicity to humans, but also to address the potential toxicity to nontarget aquatic and terrestrial species. Table 1-12 presents the USEPA toxicity categories for human health risk assessments.

**Table 1-12 USEPA Toxicity Categories**

<b>Toxicity Study</b>	<b>Category I High Toxicity</b>	<b>Category II Moderate Toxicity</b>	<b>Category III Low Toxicity</b>	<b>Category IV Very Low Toxicity</b>
Acute Oral	Up to and including 50 mg/kg	> 50 thru 500 mg/kg	> 500 thru 5,000 mg/kg	> 5,000 mg/kg
Acute Dermal	Up to and including 200 mg/kg	> 200 thru 2,000 mg/kg	> 2,000 thru 5,000 mg/kg	> 5,000 mg/kg
Acute Inhalation	Up to and including 0.05 mg/L	> 0.05 thru 0.5 mg/L	> 0.5 thru 2 mg/L	> 2 mg/L
Eye Irritation	Corrosive (Irreversible destruction of ocular tissue) or corneal involvement or irritation persisting for more than 21 days	Corneal involvement or irritation clearing in 8 to 21 days	Corneal involvement or irritation clearing in 7 days or less	Minimal effects clearing in less than 24 hours
Skin Irritation	Corrosive (tissue destruction into the dermis and/or scarring)	Severe irritation at 72 hours (severe erythema or edema)	Moderate irritation at 72 hours (moderate erythema)	Mild or Slight irritation (no irritation or slight erythema)

Note:

kg = the body weight in kilograms as a universal metric for a reference. The toxicity is a function of the milligrams per kilogram (mg/kg) of body weight that elicits the noted response.

mg/L = milligram(s) per liter

USEPA also maintains a list of exempt and partially exempt chemicals for which the Chemical Data Reporting (CDR processing and use information is of "low current interest" and are listed in the USEPA CDR website and in the Federal Register at 40 Code of Federal Regulations [CFR] 711.6[b][2][iv]). Manufacturers of the chemicals in this category are exempt from reporting the processing and use information required and as defined by 40 CFR 711.15(b)(4).

The general category of exempt chemicals includes many culinary oils, specialized uses of common extracts of plants, and some chemicals consumed as food items, to name only a few. USEPA, at any time however, may amend the list of partially exempt chemicals on its own initiative or in response to a request from the public. The public may submit a petition to request that a chemical be added to or removed from the partial exemption.

**1.8.1.3 Future Formulations**

Future formulations are likely to be based on the existing active ingredients, adjuvants, surfactants, and synergists, and would be expected to have toxicity and potential effects similar to those reported in this PEIR. When considering a new pesticide formulation for use, the District will implement the following procedures to determine whether the information in this PEIR is applicable and sufficient to support the same conclusions on potential environmental impacts to human and ecological health or whether sufficiently different information identified that would mean additional evaluation and analysis under CEQA would be appropriate, prior to its inclusion in the District's IMVMP.

1. Obtain the materials safety data sheets and laboratory test information on the new formulation or material from the company producing the product or from the appropriate federal or state regulatory agencies.

2. For the new formulation review, consider whether it is in the same toxicity hazard category as the active ingredients, adjuvants, and synergists addressed in this PEIR, or whether it has been classified as exempt by USEPA. The general toxicity hazard categories for humans, mammals, birds, fish, aquatic invertebrates, honeybees, and other receptors are found in Appendix B, Table 4-1 of the PEIR:
  - a. Very Low
  - b. Low
  - c. Moderate
  - d. High
  - e. Nontoxic
3. If reported toxicity is similar to, or less than, the related formulation or material addressed in Appendix B, and the District does not have any evidence that the formulation or material would result in new significant impacts, or substantially more severe impacts, on human health and on ecological health that were not disclosed in the PEIR, then the District can reasonably proceed to make the finding that the information contained in the PEIR is sufficient to support a finding that no additional analysis under CEQA is required.
4. If the ingredients in the formulation have been classified as *Exempt* by USEPA, the District will independently review and evaluate the ingredients and product for efficacy and potential nontarget effects. If after this review, the evidence supports a finding that the new formulation or material will not have a new or substantially more severe significant effect than those included in the PEIR, the District can reasonably proceed to make the finding that no additional analysis under CEQA is required.
5. If the reported toxicity of the new formulation is greater than the reported toxicity in the PEIR for the similar formulation or material, leading to a conclusion that the use of the formulation by the District would result in new or substantially more severe significant impacts than those disclosed in the PEIR, then a subsequent PEIR would be prepared addressing the major revisions needed, or a supplemental PEIR would be prepared addressing any minor revisions needed, to adequately evaluate the new product for incorporation into the District's IMVMP.
6. If the new formulation contains ingredients that were not addressed in Appendix B, then an analysis of toxicity hazard will be conducted. If reported toxicity is similar to, or less than, the materials addressed in Appendix B, then the process under Step 3 above would apply. If the new formulation's toxicity is greater than the reported toxicity in the PEIR for similar formulation or material, then Step 5 would apply.

## **1.8.2 Future Nonchemical Treatments**

### **1.8.2.1 *Future Nonchemical Treatments by the District***

Activities that are not a continuation of present operations and maintenance activities and that are not within the scope of the activities specifically addressed in the PEIR, and that involve physical modification of the environment or where special status plant and animal species could be affected, ("future activities"), would be subject to the following evaluation procedures to determine whether CEQA compliance has been achieved through this PEIR. The steps outlined below would be contained in a "checklist" for use by District staff to document its evaluation of the future activity.

Prior to initiating treatment, the District will conduct the following review to:

- > Determine size and location of area to be physically modified or treated to ensure it is within scope of the District's USACE, San Francisco Bay Conservation and Development Commission (BCDC), and California State Water Resources Control Board (SWRCB) permits. These permits require the preparation of annual work plans, and the USACE permit requires maps of the affected areas. The permits are issued after consultation with the appropriate resource agencies (such as CDFW and USFWS) and contain special conditions that address site-specific or species-specific considerations.

- > Review request of another agency (e.g., flood control district, public works or sewerage agency) for physical control and/or vegetation management for coverage under existing permits of the agency or of the District.
- > If the activity is outside of any of the District (or agency) work plans for that year, then is it considered an emergency action exempt from CEQA compliance? Emergency actions are not subject to CEQA requirements (CEQA Guidelines Section 15269), so no further CEQA analysis is required. A written evaluation/rationale will be provided in a staff report to the District's Board of Trustees.
- > If an action is being carried out by a landowner or entity other than the District, and such entity requests that the District conduct such activities on their behalf, then the District will only consider doing so if the entity has satisfied all applicable legal requirements.<sup>2</sup>
- > If action is not within the scope of the Program evaluated in the PEIR or exempt, then the landowner/land manager would prepare a CEQA Initial Study to determine what type of further environmental review is appropriate (e.g., PEIR addendum, negative declaration, mitigated negative declaration, or supplemental EIR).

As part of any further environmental review (Initial Study, EIR, etc.), the landowner/land manager will be required to identify any potential impacts to special status species, through the following steps:

- > Check CNDDDB, USFWS, and other databases and studies for the area to determine if special status species or their habitat is present.
- > If suitable habitat is present, do surveys for special status species, as required.
- > If a special status species is (are) present, evaluate whether the proposed vector management activity can be scheduled around the species' critical life-stage periods to avoid disturbance.
- > If the proposed vector management activity cannot be scheduled around a special status species' critical life-stage periods and must be performed because of imminent threat to public or animal health from the vector, confirm that the lowest impact effective vector management option is proposed for use.
- > Engage in consultation with resource agencies.

Examples of activities that have not been addressed in a site-specific fashion in this PEIR are the various tidal marsh restoration projects planned for the North Bay to expand existing state and federal wildlife refuges, including the San Pablo Bay National Wildlife Refuge Sonoma Creek Enhancement Project and the Sears Point Restoration Project. The District is coordinating with the state and federal resource agencies on mosquito and vector management in the refuges and wildlife areas.

### **1.8.2.2 Future Nonchemical Treatments by Landowners/Managers**

As part of its mission to protect public health, the District advises landowners and land management agencies about the need for vector abatement with regard to their projects or when vector issues become an issue on their lands. The District does not manage land directly, as a park district or a property owner would; rather, it provides advice to the land manager/property owner on how to minimize the production of mosquitoes and other vectors of human disease and discomfort. The District derives its authority to proactively manage vector populations and protect public health from the Mosquito and Vector Control District Law (Health and Safety Code Sections 2000 et seq.). In enacting that law, the California Legislature recognized the importance to public health and the economy of active management of vectors.

<sup>2</sup> In these circumstances, the District's decision whether to act may be the only public agency decision if the requesting entity is a private party. In that event, if the District decides to act, it must comply with CEQA. The District may require landowners who request District assistance to pay for any necessary additional environmental work.

Notwithstanding this grant of power, the law does not mandate action by the District and provides that landowners and land managers ultimately are responsible for the abatement of vector populations that breed on their properties and affect public health. (Health & Safety Code, Section 2060.) The District may provide guidance for mosquito abatement activities to landowners. However, it will be the landowner's responsibility to determine and comply with all legal requirements necessary to perform the activity.<sup>3</sup> For nonchemical actions that could be taken by landowners/managers at the recommendation of the District, District staff will advise the landowner/manager to consult further with the appropriate city or county planning agency on whether the activity is within the scope of the Program and PEIR, or whether there is a need for further CEQA analysis. If the activity is outside the scope of the Program, it may be necessary for the landowner/manager to conduct a site-specific survey of special status species. Consultations with appropriate resource agencies on survey protocols and any necessary permits would be initiated by the landowner/manager prior to conducting the surveys. Because the District's Service Area contains both urban and nonurban properties adjacent to or in close proximity with wildlife management areas, the need for close coordination with the refuge managers/resource agencies is paramount for such future activities.

The landowner/land manager is responsible for environmental review of physical control/vegetation management site-specific activities such as those proposed for recent marsh restoration and enhancement projects (e.g., Cullinan Ranch Tidal Restoration within the San Pablo Bay National Wildlife Refuge).

In cases outside of the federal wildlife refuges, and where the landowner does not address the mosquito problem, the District is authorized to manage vector populations (Health and Safety Code Section 2040). The District can request inspection and abatement warrants, if needed, to access and inspect properties that may be breeding/have the potential to produce vectors (Health and Safety Code Section 2053). Otherwise landowner permission to enter is sufficient for the District to enter the property to conduct abatement activity. For example, abandoned swimming pools require immediate attention; if the landowner fails to abate the problem, the District may act. Mosquito abatement activities are often located on private property in urbanized areas that are not expected to provide habitat for special status species. The District would conduct only the activities addressed in this PEIR. Abatement actions by the District on private property are subject to the BMPs and PEIR mitigation measures, as appropriate. For those activities that are on public property, including parks and open-space areas, or on nonurbanized/undeveloped or "open" private property, where potential exists to encounter habitat for special status species, the District will follow the BMPs and mitigation measures identified in the PEIR, with the assistance of the landowner and resource agencies wherever possible. The District engages in public education and outreach to advise the landowner on reduction and prevention of vector habitats (see Section 2.4 of this PEIR). For discussion of required permits to perform abatement activity (in riparian habitats for vegetation removal and dirt work, discharges of pesticides into waters of the United States), whether the site is on or off a refuge, see Section 2.8.1 of this PEIR.

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<sup>3</sup> CEQA applies where there is a discretionary approval of a project by a public agency. If the District is merely advising, and not authorizing an action, its action is not subject to CEQA. However, projects requiring approval by another public agency would be subject to CEQA.

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