

# 1 Introduction

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The San Mateo County Mosquito and Vector Control 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 1913 to control the vectors transmitting diseases to 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).

### 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 2002(k), "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 (e.g., yellow fever, dengue fever, and chikungunya and Zika virus).

##### 1.1.1.1.1 **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. About 1 in 5 people who are infected will develop a fever with other symptoms such as headache, body aches, joint pains, vomiting, diarrhea, or rash. Although most people with West Nile fever recover, fatigue and weakness can last for weeks or months. Depending on the degree to which the central nervous system is affected, other more severe diseases could develop including West Nile meningitis (inflammation of the protective membranes covering the brain and spinal cord), West Nile encephalitis (inflammation of the brain), and West Nile poliomyelitis (CDC 2004b, 2015). Out of 429 reported human cases of WNV in 2012 in California, 19 persons died from the disease.

Whelan (2015) reported the following observations and hypotheses. By the end of 2014, the California Department of Public Health (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.

#### **1.1.1.1.2 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 black-tailed 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).

#### **1.1.1.1.3 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 signs, 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.

#### **1.1.1.1.4 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).

#### **1.1.1.1.5 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 (United States Food and Drug Administration 2010).

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

#### 1.1.1.1.6 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 Insect Vectors

Other insect vectors of concern to the District are yellow jackets, wasps, ticks, fleas, cockroaches, and flies.

##### 1.1.1.2.1 Lyme Disease

This disease is caused by Lyme disease bacteria and is spread by the bite of infected ticks. Immature nymph ticks most commonly infect humans since they are tiny and difficult to see. Dogs and cats can contract Lyme disease and bring infected ticks in close contact with pet owners (CDC 2013a). Early signs of the infection are a red, expanding rash, 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, north central states, and northern California (CDC 2013c).

##### 1.1.1.2.2 Babesiosis

Babesiosis is a parasitic 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). In California, the disease is known as *Babesia duncani*. The life cycle of this parasite involves two hosts, a rodent, primarily the deer mice, 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).

##### 1.1.1.2.3 Ehrlichiosis

Ehrlichiosis is a tick-borne bacterial infection of white blood cells caused by 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).

#### 1.1.1.2.4 Rocky Mountain Spotted Fever

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). This disease has been reported in local residents.

A closely related disease, *R. philippi* also occurs in California. Symptoms are known to be similar but milder.

#### 1.1.1.2.5 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), but has been recorded in California including one case in San Mateo County in 2013 (CDPH 2015).

#### 1.1.1.2.6 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 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).

#### 1.1.1.3 Mammals

Mammals of concern include domestic rats (*Rattus rattus* and *Rats norvegicus*), mice, bats, and nuisance urban wildlife including opossums, raccoons, and skunks.

#### 1.1.1.3.1 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).

### 1.1.1.3.2 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).

### 1.1.1.3.3 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 deaths. 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 paralytic rabies, where muscles gradually become paralyzed with a coma slowly developing and eventual death; and (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).

### 1.1.1.3.4 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 mosquito 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 California Health and Safety Code Section 2000 et seq. In enacting that law, the California Legislature recognized the importance of proactive management of vectors to public health and the economy. 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
5. Invasions of the United States by vectors such as the Asian tiger mosquito and by pathogens such as WNV underscore the vulnerability of humans to uncontrolled vectors and pathogens.

The Legislature determined that adequate protection against vector-borne disease is best achieved by organized public programs and granted mosquito abatement and vector control districts, such as the District, broad powers to address the threat to public health and the economy posed by vectors. 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 and specified its duties as follows.

Pursuant to Sections 2040-2055, the District may conduct all of the following activities (among others):

- 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. To 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. To 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. To engage necessary personnel, to define their qualifications and duties, and to provide a schedule of compensation for the performance of their duties.
- g. To 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. A district may 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.

Many of the District's activities are carried out on public property or on private property with the permission of the owner or tenant. The District may also implement its Program on private property, even without consent, 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, Section 1506 of the Fish and Game Code, 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 owned or managed by California Department of Fish and Wildlife (CDFW) and to increase coordination and communication between CDFW, local mosquito abatement and vector control districts, and CDPH.

#### **1.1.3.1.1 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 (SMCMVCD 2017). Its employees are certified by CDPH as vector control technicians, which helps 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. For more information on CDPH oversight of District activities, see Section 2.6.2.

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 Code Sections 1002, 4005(e), and 4011. A SCP is required for any scientific study conducted by or in collaboration with CDPH or local agencies, which is not routine surveillance and control activities and includes take of animals or plants. (CDFW 2015a)

#### **1.1.3.1.2 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. The CDPR is the state agency within California that has the authority to refuse, revoke or suspend the license of any pesticide that harms or is likely to harm endangered species. CDPR has drafted the California State Plan for Protection of Endangered Species from Pesticide Exposure (CDPR 1995) to protect threatened and endangered species in California from effects of pesticides. 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. The label also defines the amount of the product that can be applied. Pesticide product labels provide critical information about how to safely and legally handle and use pesticide products. District use of all pesticides shall be in strict accordance with the manufacturer's label instructions and all applicable federal, state, and local laws.

In addition to the label instructions, pesticide risks to endangered species within California are evaluated by an interagency network that includes CDPR, the CDFG Pesticide Investigation Unit, CDFA, the Pesticide Registration and Evaluation Committee, and the County Agricultural Commissioners as well as the USEPA and US Fish and Wildlife Service (USFWS). Statewide protection strategies and local plans that resolve pesticide use conflicts, as well as communication tools for implementation are described in more detail in Section 4.1.3.2.12.

## **1.2 Program Components Evaluated in this Programmatic Environmental Impact Report**

The District's Program is an ongoing series of related actions for control of mosquitoes and other vectors of human disease and discomfort. Chapter 2 of this document describes the various components of this Program in detail. In short, the District's activities involve the identification of vector problems; responsive 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.



For at least the past 100 years, the District has taken an integrated systems approach to mosquito and vector control utilizing a suite of tools. An in-depth description of each tool can be found in the Program Description (Ch.2).

- > Surveillance (Section 2.3.1)
- > Physical Control (Section 2.3.2)
- > Vegetation Management (Section 2.3.3)
- > Biological Control (Section 2.3.4)
- > Chemical Controls (Section 2.3.5)
  - Larvicides (Section 2.3.5.1.1)
  - Adulticides (Section 2.3.5.1.2)
  - Other (Sections 2.3.5.2 and 2.3.5.3)
- > Other Nonchemical Control/Trapping (Section 2.3.6)
- > Public Education (Section 2.3.7)

In the context of this PEIR, these tools are called “components,” are part of the current Program, and all would continue and be combined with a few future enhancements to comprise the overall Proposed Program. These Program “tools” or components are described in the subsequent subsection as “Program components” for the subsequent impact analyses for resource and environmental topics of the CEQA process. Program implementation is weighted heavily towards vegetation management and physical and biological control, in part, to reduce the potential for environmental impacts and the need for chemical control. To realize effective and environmentally sound vector management, vector control must be based on several factors:

- > Monitoring and surveying for vector presence, abundance, disease prevalence in vectors, human and animal contact or potential for human and animal contact;
- > Monitoring and surveying for vector-borne diseases and their antecedent factors that initiate and/or amplify disease;
- > Establishing treatment criteria; and
- > Appropriately selecting appropriate tools from a wide range of Program tools or components to address a wide range of mosquitoes and other vectors and implementing them to protect public health and safety.

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 Integrated Vector Management (IVM).

The District’s Integrated Mosquito and Vector Management Program (IMVMP), like any IPM program, seeks by definition to use procedures that will minimize potential environmental impacts. It is explained in detail in the District’s Draft IMVMP Plan. 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 predetermined criteria, using the most efficient, effective, and environmentally sensitive means of control. For all mosquito species, public education is an important control strategy. In some situations, water management or other physical control activities can be instituted to reduce mosquito-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, trapping, and when necessary chemical control) in an informed and coordinated approach supports the overall goal of an environmentally sensitive vector management program.

### 1.3 Public Involvement

Public involvement for this PEIR includes the following actions.

#### 1.3.1 CEQA Public Scoping

The San Mateo County Mosquito and Vector Control District distributed a Notice of Preparation (NOP) of a Draft Programmatic Environmental Impact Report (PEIR) for the Integrated Mosquito and Vector Management Program (Program) pursuant to the CEQA Guidelines (Section 15082) on May 21, 2012. The NOP was sent to 225 agencies, organizations, and individuals, including the following state responsible and trustee agencies:

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| > California Highway Patrol                 | > Department of Water Resources                                |
| > Caltrans District 4                       | > Division of Forestry   |
| > Coastal Commission                        | > Native American Heritage Commission                          |
| > Coastal Conservancy                       | > Office of Historic Preservation                              |
| > Department of Fish and Wildlife, Region 3 | > Resources Agency   |
| > Department of Parks and Recreation        | > San Francisco Regional Water Quality Control Board (SFRWQCB) |
| > Department of Pesticide Regulation        | > State Clearinghouse  |
| > Department of Public Health               | > State Lands Commission                                       |
| > Department of Toxic Substances Control    | > State Water Resources Control Board                          |
| > Department of Transportation              |  |

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: City of San Bruno Public Library, 567 El Camino Real, San Bruno, CA on June 19, 2012, at 5:30 pm.

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

Public scoping resulted in the following comment:

- > Town of Woodside adopted San Mateo Countywide Pollution Prevention Program Model Integrated Pest Management Policy on 9/27/11. Town says SMCMVCD staff or contractors are required to perform in accordance with the adopted IPM policy and Provision C.9 of Water Board Order No. R2-2009-0074, Municipal Regional Stormwater NPDES Permit No. CAS612008.

This and other comments are further addressed under Section 1.5 below and Section 2.6, Required Permits and Agency Oversight/Coordination.

### **1.3.3 Comments on the First Draft Programmatic Environmental Impact Report**

The District released the first Integrated Vector Management Program Draft PEIR on March 21, 2016, for public review (State Clearinghouse No. 2012052063). The 49-day public review (45 days minimum plus 4 extra days) and comment period began on March 22 and concluded on May 9. Comments were received from the following agencies, organizations, and individuals:

- > Public Agencies
  - United States Fish and Wildlife Service
  - California Department of Transportation
  - San Mateo County Department of Parks and Recreation
- > Private Organizations
  - Physicians for Social Responsibility, San Francisco Bay Area Chapter
  - Torres Martinez Desert Cahuilla Indians
  - Stephan C. Volker Law Offices, representing Healthy Children Alliance
- > Private Individuals
  - Jennifer Caldwell, Caldwell-Fisher Charitable Foundation
  - Ken Cook, Environmental Working Group
  - Christine Gardner, Environmental Working Group
  - Serena Roosevelt, Environmental Working Group
  - Sandra L Schmaier, Families Against the S.F. LBAM Spray
  - Robert D. Schmaier

Responses to these comments are provided in Appendix F, Responses to Comments, of this recirculated PEIR.

### **1.3.4 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 can be distrustful of pesticide use for vector control. Some prefer other methods to eliminate suitable habitat to deal with mosquito problems rather than spraying pesticides. 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: The District receives requests for specific vegetation management information about the proposed chemical vegetation control agents (herbicides); the types, amounts and locations of chemicals stored, application methods and rates, and their effects on the environment. The concern is with the potential environmental and health impacts of herbicides.
- > 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 special-status species such as the California red-legged frog.
- > District’s Authority to Enter 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 (AB 896) clarified responsibilities of CDFW and the District to engage in mosquito abatement in CDFW owned and/or managed wildlife refuges. See Section 1.1.3 for the authority to enter private property.

Section 1.4, Environmental Concerns, presents a summary of the environmental concerns by resource or issue area for analysis in the PEIR.

**1.3.5 Distribution of the Revised Draft Programmatic Environmental Impact Report**

The District has distributed the Notice of Availability of the Draft PEIR to the following 241 public agencies and organizations:

- |   |   |
|---|---|
| Atherton Building Department                  | Brisbane Marina   |
| Atherton City Manager/City Clerk              | Brisbane Mayor  |
| Atherton Library                              | Brisbane Parks & Recreation                                 |
| Atherton Mayor                                | Brisbane Planning Department                                |
| Atherton Parks Department                     | Brisbane Police Department                                  |
| Atherton Planning Department                  | Brisbane Public Works                                       |
| Atherton Police Department                    | Bureau of Land Management                                   |
| Atherton Public Works                         | Bureau of Reclamation                                       |
| Atherton/Menlo Fire Department                | Burlingame City Manager                                     |
| Bay Area Air Quality Management District      | Burlingame Community Development                            |
| Bay Area Water Supply and Conservation Agency | Burlingame Fire Department                                  |
| Bay Conservation and Development Commission   | Burlingame Human Resources                                  |
| Belmont City Clerk                            | Burlingame Library  |
| Belmont City Manager                          | Burlingame Mayor  |
| Belmont Community Development                 | Burlingame Parks & Recreation                               |
| Belmont Fire Department                       | Burlingame Police Department                                |
| Belmont Human Resources                       | Burlingame Public Works                                     |
| Belmont Mayor                                 | California Air Resources Board                              |
| Belmont Parks & Recreation                    | California Bay-Delta Authority c/o CALFED Bay-Delta Program |
| Belmont Police Department                     | California Coastal Commission                               |
| Belmont Public Works                          | California Department of Fish and Wildlife, Region 3        |
| Brisbane City Clerk                           | California Department of Food and Agriculture               |
| Brisbane City Manager                         | California Department of Health Services                    |
| Brisbane Fire Department                      |   |

|  |   |
|--|---|
| California Department of Parks & Recreation                      | Foster City Fire Department             |
| California Department of Pesticide Regulation                    | Foster City Human Resources             |
| California Department of Public Health                           | Foster City Manager                     |
| California Department of Toxic Substances Control                | Foster City Mayor                       |
| California Department of Transportation, District 4 <sup>2</sup> | Foster City Parks & Recreation          |
| California Department of Water Resources                         | Foster City Planning & Code Enforcement |
| California Division of Forestry                                  | Foster City Police                      |
| California Environmental Resources Evaluation System             | Foster City Public Works                |
| California Highway Patrol  | Half Moon Bay Building Department       |
| California Native American Heritage Commission                   | Half Moon Bay City Clerk                |
| California Natural Resources Agency                              | Half Moon Bay City Manager              |
| California Office of Historic Preservation                       | Half Moon Bay Mayor                     |
| California State Coastal Conservancy                             | Half Moon Bay Planning Department       |
| California State Lands Commission                                | Half Moon Bay Police Department         |
| California Stormwater Quality Association                        | Half Moon Bay Public Works              |
| Coastside Land Trust   | Half Moon Bay Recreation Service        |
| Colma Building Department  | Hillsborough Building Department        |
| Colma City Manager/City Clerk                                    | Hillsborough City Clerk                 |
| Colma Fire Department  | Hillsborough City Manager               |
| Colma Human Resources  | Hillsborough Fire Department            |
| Colma Mayor  | Hillsborough Library                    |
| Colma Parks & Recreation   | Hillsborough Mayor                      |
| Colma Planning Department  | Hillsborough Planning Department        |
| Colma Police Department  | Hillsborough Police Department          |
| Colma Public Works   | Hillsborough Public Works               |
| Daly City Building Department                                    | Jasper Ridge Biological Preserve        |
| Daly City Clerk  | Menlo Park Building Department          |
| Daly City Fire Department  | Menlo Park City Clerk                   |
| Daly City Library  | Menlo Park City Manager                 |
| Daly City Manager  | Menlo Park Community Development        |
| Daly City Mayor  | Menlo Park Library                      |
| Daly City Parks & Recreation                                     | Menlo Park Mayor                        |
| Daly City Police Department                                      | Menlo Park Parks & Recreation           |
| Daly City Public Works   | Menlo Park Planning Department          |
| East Palo Alto Building Division                                 | Menlo Park Police Department            |
| East Palo Alto City Manager/City Clerk                           | Midpeninsula Regional Open Space        |
| East Palo Alto Community Development                             | Millbrae Building Department            |
| East Palo Alto Human Resources                                   | Millbrae City Clerk                     |
| East Palo Alto Mayor   | Millbrae City Manager                   |
| East Palo Alto Planning Division                                 | Millbrae Fire Department                |
| East Palo Alto Police Department                                 | Millbrae Library                        |
| Foster City Building Inspection                                  | Millbrae Mayor                          |
| Foster City Clerk  | Millbrae Planning Department            |
| Foster City Community Development                                | Millbrae Police Department              |
|  | Pacifica City Clerk                     |
|  | Pacifica City Manager                   |

<sup>2</sup> Commented on March 2016 Draft PEIR

|   |  |
|---|--|
| Pacifica Fire Department                                | San Francisco Bay National Wildlife Refuge Complex           |
| Pacifica Mayor  | San Francisco Baykeeper                                      |
| Pacifica Parks & Recreation                             | San Francisco County Clerk                                   |
| Pacifica Planning & Building Department                 | San Francisco Estuary Project                                |
| Pacifica Planning Commission                            | San Francisco International Airport                          |
| Pacifica Police Department                              | San Francisco Planning Department                            |
| Pacifica Public Works Department                        | San Francisco Public Health                                  |
| Portola Valley Building Department                      | San Francisco Public Utilities Commission                    |
| Portola Valley Fire Department                          | San Francisco Regional Water Quality Control Board (SFRWQCB) |
| Portola Valley Library                                  | San Francisco Zoological Society                             |
| Portola Valley Mayor                                    | San Mateo Building Department                                |
| Portola Valley Planning Department                      | San Mateo City Clerk   |
| Portola Valley Public Works                             | San Mateo City Manager                                       |
| Portola Valley Town Clerk                               | San Mateo City Library                                       |
| Portola Valley Town Manager                             | San Mateo Community Development                              |
| Public Administrators Office                            | San Mateo County Agricultural Commissioner                   |
| Redwood City Building Department                        | San Mateo County Clerk                                       |
| Redwood City Clerk                                      | San Mateo County Department of Parks                         |
| Redwood City Fire Department                            | San Mateo County Environmental Health Services               |
| Redwood City Library                                    | San Mateo County Farm Bureau                                 |
| Redwood City Manager                                    | San Mateo County Library                                     |
| Redwood City Mayor                                      | San Mateo County Office of Education                         |
| Redwood City Parks & Recreation                         | San Mateo County Parks and Recreation <sup>3</sup>           |
| Redwood City Planning Department                        | San Mateo Fire Department                                    |
| Redwood City Police Department                          | San Mateo Local Agency Formation Commission (LAFCo)          |
| Redwood City Public Works                               | San Mateo Mayor  |
| San Bruno City Clerk                                    | San Mateo Parks & Recreation                                 |
| San Bruno City Manager                                  | San Mateo Planning Department                                |
| San Bruno Fire Department                               | San Mateo Police Department                                  |
| San Bruno Library                                       | San Mateo Public Works                                       |
| San Bruno Mayor   | Santa Clara County Clerk                                     |
| San Bruno Parks & Recreation                            | Santa Clara County Department of Planning                    |
| San Bruno Planning Department                           | Santa Cruz County Clerk                                      |
| San Bruno Public Services                               | Santa Cruz County Planning Department                        |
| San Carlos Acting Mayor                                 | South San Francisco Building Department                      |
| San Carlos Building Department                          | South San Francisco City Clerk                               |
| San Carlos City Clerk                                   | South San Francisco City Manager                             |
| San Carlos City Manager                                 | South San Francisco Fire Department                          |
| San Carlos Fire Department                              | South San Francisco Library                                  |
| San Carlos Library                                      | South San Francisco Mayor                                    |
| San Carlos Parks & Recreation                           | South San Francisco Parks & Recreation                       |
| San Carlos Planning Department                          | South San Francisco Planning Department                      |
| San Carlos Police Department                            | South San Francisco Police Department                        |
| San Francisco Bay Chapter Sierra Club                   |  |
| San Francisco Bay Conservation & Development Commission |  |

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<sup>3</sup> Commented on March 2016 Draft PEIR

South San Francisco Public Works  
 Stanford University  
 State Clearinghouse  
 State Water Resources Control Board (SWRCB)  
 US Army Corps of Engineers  
 US Fish & Wildlife Service  
 (SF Bay NWR Complex)<sup>4</sup>  
 Woodside Building Department  
 Woodside Fire Department

Woodside Mayor  
 Woodside Parks & Recreation  
 Woodside Planning Department  
 Woodside Police Department  
 Woodside Public Works  
 Woodside Town Clerk  
 Woodside Town Manager

The NOA for this recirculated PEIR was also sent to the following agencies and individuals who commented on the March 2016 Draft PEIR: Caldwell-Fisher Charitable Foundation, Healthy Children Alliance (by Law Offices of Stephan C. Volker); Environmental Working Group (individuals); Physicians for Social Responsibility, San Francisco Bay Area Chapter; and Families Against the S.F. LBAM Spray, and Torres Martinez Desert Cahuilla Indians.

## 1.4 Environmental Concerns

Below is a listing of environmental concerns by resource (i.e., by PEIR section), with a focus on, 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. The issues below are supplemented by some additional relevant questions posed in the CEQA Appendix G Environmental Checklist that are cited within the PEIR sections by environmental topic. Additional environmental concerns can be addressed through responses to public comments on the Draft PEIR.

### 1.4.1 Land Use and Planning

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, Land Use and Planning:

- > The Town of Woodside adopted the San Mateo Countywide Pollution Prevention Program Model Integrated Pest Management Policy in 2011 and indicated that SMCMVCD staff or its contractors are required to perform in accordance with the adopted IPM policy and Provision C.9 of Water Board Order No. R2-2009-0074, Municipal Regional Stormwater NPDES Permit No. CAS612008.
- > Aspects of the Program that diminish recreational experience of park visitors of the regional parks and trails within the Program Area.
- > Impacts at school sites.
- > Local community regulations regarding pesticides.
- > Physically divide an established community.
- > Result in adverse impacts on the quantity and/or quality of recreational land uses.
- > Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Program (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

<sup>4</sup> Commented on March 2016 Draft PEIR

### **1.4.2 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.
- > Ensure mosquito abatement staff minimize impact to tidal marsh habitats (especially during breeding season). Restrict operation of vehicles to levees and existing roads.
- > 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 physical control, and vegetation management 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 (special-status fish, wildlife, or plants).
- > Conflict with any applicable habitat conservation plan or natural community conservation plan (NCCP).

### **1.4.3 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 Bs/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.
- > Consider whether the pesticides can also kill the natural predators of mosquitoes, which have great difficulty in recovery from pesticides.
- > Consider the attenuation of pesticide efficacy and possible long-term resistance, which is an issue for all chemically based mosquito control programs.
- > Note that the Program Area includes potential habitat for several California and federally threatened and other sensitive plant and wildlife species and, as such, comprehensive biological studies should be implemented.
- > Coordinate with CDFW, California Natural Diversity Database, USFWS, and USFWS’ Information, Planning, and Conservation planning tool to identify special-status plant or 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).
- > 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 (special-status fish, wildlife, or plants).
- > Conflict with any applicable habitat conservation plan or natural community conservation plan.

#### **1.4.4 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:

- > Require additional information regarding bait blocks, chemical agents, and poisons in sanitary sewers concerning components and effects. Could pose a significant impact on the operation of wastewater treatment plant.
- > 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, and vegetation. The loss of prey for birds is a particular concern.
- > Discuss the potential impact of *Bacillus sphaericus* on native species. What would justify its use? What native species would be impacted?
- > Discuss impacts on bees from chemicals in treatment applications.
- > Concern expressed 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.
- > Concern expressed that 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.
- > 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).
- > 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).

#### **1.4.5 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 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.
- > Supply additional information regarding bait blocks, chemical agents, and poisons in sanitary sewers concerning components and effects. Could pose a significant impact on the operation of wastewater treatment plant.
- > 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 carcinogens and endocrine disruptors.
- > Concern expressed that pyrethrins 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?
- > Concern expressed about the role of pesticides in onset of developmental delay (DD) and autism spectrum disorder (ASD).

#### **1.4.6 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/vehicles 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.

### 1.4.7 Water Quality

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

- > Consideration of CPDH 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.
- > Need for description and quantification of dredge or fill activities and evaluation of their impacts.
- > Impacts of drift from aerial and ground applications on waterbodies, watersheds, and drinking water supplies.

### 1.4.8 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 GHG 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 on greenhouse gases and climate change.

### 1.4.9 Noise

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

- > Expose people to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Because of the large number of local jurisdictions involved, the state’s long-term land use compatibility guidelines, shown in Table 12-3, are used as a surrogate for land use compatibility standards in local general plans.
- > Result in a substantial temporary increase in ambient noise levels above levels existing without the Program.

Impacts of Program activity noise on wildlife are addressed in Chapter 5, Biological Resources-Terrestrial.

## 1.5 **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, nonchemical control/trapping and public education components 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 activities 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. If aerial applications for mosquito control are needed, the infrequent use of a

helicopter or fixed-wing aircraft would be short term and temporary. 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 vector surveillance and/or 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. Soils are not drenched with pesticides for vector control.
- > 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 continue to 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. Air quality and greenhouse gas emissions from vehicle use to implement the Program are considered in Chapters 10 and 11, respectively.
- > 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.

## 1.6 Report Organization and Significance Terminology

CEQA requires that an EIR define a threshold of significance for each impact that may occur to the physical environment. A threshold of significance is an identifiable quantity, quality, or performance level of a particular environmental effect. Under CEQA, impacts of a proposed project or program are assessed relative to an environmental baseline, which is defined as the existing physical conditions in the affected area as they existed at the time of the NOP was published (CEQA Guidelines Section 15126.2). Impacts of a proposed project or program are limited to changes in the baseline physical conditions of the

environment (CEQA Guidelines 15124) that would result directly, indirectly, or cumulatively from the proposed project or program. CEQA does not require the lead agency to consider impacts that are speculative (CEQA Guidelines 15145). Most of the activities that would be conducted under the Proposed Program are already ongoing. Therefore, the impacts analysis presented in this PEIR considers these ongoing activities to be part of the baseline environmental conditions.

In this recirculated PEIR, the existing condition (the environmental baseline) is the period from 2012 through 2017 in order to cover the range of information considered during preparation of the original PEIR (released in March 2016) and this revised PEIR (released in 2018). Use of this recent past timeframe to define the existing condition baseline is appropriate because vector control activities are a form of adaptive management, taken in response to the locations and evidence of populations of the vectors of concern, especially mosquitoes. Physical conditions are affected by weather conditions, but most often the changes in water availability and temperature do not result in irreversible changes to the physical environment. Similarly, most of the ongoing activities of the District do not dramatically or permanently alter existing conditions but can modify some physical conditions for some period of time ranging from a few days (for puddles) to several weeks or months (for vegetation) and a few years (for wetland channels). Physical control to maintain water circulation in wetland channels is conducted periodically as the channels fill with sediment over time. Most of the District's activities are part of the current ongoing IMVMP which is part of the environmental baseline, and the District has reviewed these activities compared to the existing conditions for the various environmental resources to be sure that potential environmental impacts are addressed. For example, where an activity like equipment use represents no change from existing use, then the air quality analysis indicates this. In contrast, when a chemical is used to control larval mosquitoes, its use is compared to the area of use without that chemical being physically present. In many instances, products used break down rapidly such that the existing conditions would not reflect presence of the chemical.

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 referenced or summarized in the appropriate sections of the PEIR. The impacts are evaluated for each component of the Proposed Program.

- > Chapter 1, Introduction, provides the Program's history and authority, Program overview, 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 components, public education, and environmentally protective best management practices (BMPs). It also describes equipment use and required permits and agency coordination.
- > Chapter 3, Land Use and Planning, explains the environmental setting and potential environmental impacts for each component.
- > Chapter 4, Biological Resources – Aquatic, explains the environmental setting and potential environmental impacts for each component.
- > Chapter 5, Biological Resources – Terrestrial, explains the environmental setting and potential environmental impacts for each component.
- > Chapter 6, Ecological Health, explains the environmental setting and potential environmental impacts for each component.

- > Chapter 7, Human Health, explains the environmental setting and potential environmental impacts for each component.
- > Chapter 8, Public Services and Hazard Response, explains the environmental setting and potential environmental impacts for each component.
- > Chapter 9, Water Resources, explains the environmental setting and potential environmental impacts for each component.
- > Chapter 10, Air Quality, explains the environmental setting and potential environmental impacts for each component.
- > Chapter 11, Greenhouse Gases and Climate Change, explains the environmental setting and potential environmental impacts for each component.
- > Chapter 12, Noise, explains the environmental setting and potential environmental impacts for each component.
- > Chapter 13, Cumulative Impacts, is a comprehensive assessment of all of the cumulative impacts to each of the resources evaluated 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 Program alternatives (i.e., based on changes to Program components) and the screening of alternative tools to the ones included in the Proposed Program. It evaluates the No Program Alternative and a Do Nothing Alternative for impacts and identifies three alternative programs: Reduced Chemical Control Alternative Program, Reduced Vegetation Management Alternative Program, and a No Chemical Control Alternative Program for reducing potentially significant impacts from the Chemical Control Component under the Proposed Program.
- > Chapter 16, List of 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, Responses to Comments on the first Draft PEIR (March 2016)

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 and based on professional judgment. 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.
- > **Less than Significant (LS):** An impact that may be adverse but does not exceed the threshold levels or covers an effect that is small, not substantial, or otherwise minimal, and does not require mitigation measures.
- > **No Impact (N):** Where an impact is neutral or is clearly deemed “no adverse 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 should be discussed. This situation does not occur in this PEIR.

## 1.7 Nature of the Discretionary Action Considered

The discretionary action considered in this PEIR is the approval of an updated IMVMP Plan that would enhance the District’s current activities and ensure they remain effective in the future for reasonably foreseeable situations. Under CEQA, “when the project is a continuation or revision of an existing land use or regulatory plan, policy of operation, the “no project’ alternative will be the continuation of the existing plan, policy or operation into the future” (Section 15126.6 (e)(3)(a)). Specifically, the discretionary action by the Board of Trustees is on portions of the Proposed Program that are activities not part of the current Program, i.e., the new activities not previously conducted or the additional enhancements and equipment under the Surveillance, Physical Control, Vegetation Management, Chemical Control, and Nonchemical Control/Trapping Components. No new activities are proposed under Public Education. All discretionary approvals will involve public notification through publishing of the Board of Trustees agenda and with the publication/filing of a Notice of Determination (NOD) with the San Mateo County Clerk (and other affected county clerks as needed).

Because the Program enhancements are designed to address future problems that may or may not occur, and in the interest of transparency, the District decided that the text of the PEIR would address the environmental impacts of both the existing and proposed combined Program Components in a comprehensive manner - even though it is only required by CEQA to evaluate the additional potential future activities. Therefore, the PEIR not only evaluates the relatively few new activities (required) but also the substantial existing activities (optional) together, based on current information and CEQA Guidelines for the comprehensive Program. Also, while it was acceptable to evaluate chemical use based on the product label in 2002 when the District performed its last comprehensive environmental review (wherein applications made consistent with label requirements were determined to not have significant impacts),

today the evaluation of chemical use must consider the context in which the pesticide product is used. By evaluating the combined impacts of both existing and proposed future activities in the environmental resource chapters, the Draft PEIR does not limit the environmental impact analyses to just the new activities, which ensures potential impacts from the entire Program are not overlooked; instead, both existing and proposed surveillance and control measures in the District's IMVMP Plan are evaluated. This permits the District to consider modifications to existing activities and to make changes if desired with a complete understanding of all environmental impacts as well as addressing public comments on the comprehensive Proposed Program.

## 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 (i.e., reasonably foreseeable). 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 Plan ("future activities"), the District will evaluate whether the new 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))

Although this PEIR is "programmatic," it presents information at a detailed level that would cover many of the sites or locations within San Mateo County where surveillance and control presently or could occur. The types of sites where chemical treatment does or could occur is indicated in the tables listing the pesticide products (see Chapter 2). These sites are often identified by type of land use (e.g., urban, rural, commercial, industrial, residential, open space), land cover or features (e.g., noncropland, ponds, marshes, forested roads), or specifically where at a facility (e.g., water under buildings, in catch basins, along forested roads). The two biology chapters discuss a number of aquatic and terrestrial habitat types under the environmental impact analyses. Chapter 4 (Biological Resources – Aquatic) addresses the following aquatic habitat types: Creeks and Rivers, Riparian Corridor, Ponds and Lakes (includes stock and golf ponds that have natural bottoms), Freshwater Marsh/Seeps, Seasonal Wetlands (includes Vernal Pools), Lagoon, Tidal Marsh and Channels, Water and Wastewater Management Facilities, Artificial Containers, Temporary Standing Waters, and Ornamental Ponds. Chapter 5 (Biological Resources – Terrestrial) addresses the following upland habitat types: Coniferous Forest, Deciduous Forest, Shrublands, Grasslands, Serpentine, Coastal Dunes, and Treeholes. Chapter 5 also considers the aquatic habitat types from Chapter 4 for terrestrial species that rely on those habitats as well. Therefore, when surveillance and chemical/nonchemical treatments need to be made at sites containing any of these habitats, there is coverage for that activity under this PEIR unless other unusual site-specific circumstances are identified on the District's environmental checklist (see Section 1.8.1.2.1 below) that may require additional environmental impact analysis not covered in this PEIR.

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 or 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 or 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 both 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 Plan, 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, and several under consideration for future 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 Component 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.

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

This 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/pesticide formulation or tank

mix to facilitate the mixing, application, or effectiveness of that herbicide/pesticide. The actual pesticide formulations used by the District are listed by product name in Tables 2-1 through 2-6 in Chapter 2, Program Description. They 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 not only address potential toxicity to humans, but also to address the potential toxicity to nontarget aquatic and terrestrial species. Table 1-1 presents the USEPA toxicity categories for human health risk assessments.

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.

**Table 1-1 USEPA Toxicity Categories**

| <b>Toxicity Study</b> | <b>Category I<br/>High Toxicity</b>   | <b>Category II<br/>Moderate Toxicity</b>                   | <b>Category III<br/>Low Toxicity</b>                         | <b>Category IV<br/>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) |

Notes:

- 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

### 1.8.1.1.2 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 is 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 material 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 the appropriate CEQA document would be prepared. For example, 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.

### 1.8.1.2 **Future Nonchemical Treatments**

#### 1.8.1.2.1 **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 an “environmental 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 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>5</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 PEIR).

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 California Natural Diversity Database, 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 South Bay, which includes areas within the Don Edwards San Francisco Bay National Wildlife Refuge (NWR). The USFWS prepared a Comprehensive Conservation Plan for Don Edwards NWR in 2012 that included a mosquito management plan that covered mosquito control activities occurring on Bair Island since the 1970s due to the adjacent

<sup>5</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.

development at Redwood Shores (USFWS 2012). Bair Island is a 3,000-acre parcel located in Redwood City, along the shore of San Francisco Bay at the mouth of Redwood Creek. It is part of Don Edwards NWR. As all of the individual vector control activities contained in this specific IPM plan have been addressed in this PEIR, separate site-specific CEQA analysis for work in this area is not required. By contrast, the California Coastal Conservancy contracted with the District to help implement its Invasive Spartina Project around the San Francisco Bay, involving activities not previously conducted by the District. This project was covered by a 2003 Final EIR prepared by the Conservancy and USFWS (Coastal Conservancy and USFWS 2003). The District is coordinating closely with the state and federal resource agencies on mosquito and vector management in the wildlife refuges. Typically, the project proponents are responsible for preparing environmental compliance documents.

An example of an activity that would possibly need to be addressed by the District in a site-specific fashion would be the introduction of vector control activities to a hypothetical island off the San Mateo coastline that had habitat and ecosystem types and/or special-status species not addressed in this PEIR. Projects such as these will be evaluated for the need for additional CEQA compliance (including site-specific project EIRs) through the process previously described in Section 1.8.

#### **1.8.1.2.2 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.

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 and 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>6</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 this PEIR, or whether a need for further CEQA analysis exists. 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 and conservation 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.

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).

<sup>6</sup> CEQA applies where a discretionary approval of a project by a public agency exists. 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.

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 feasible. The District engages in public education and outreach to advise the landowner on reduction and prevention of vector breeding 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.