August 22, 2013

Linda Irokawa-Otani, Regulations Coordinator  
Department of Pesticide Regulation  
1001 I Street, P.O. Box 4015  
Sacramento, California 95812-4015  
dpr13002@cdpr.ca.gov

Comments on the Notice of Proposed Regulatory Action, CA Department of Pesticide Regulation (DPR) Regulation No. 13-002

Dear Ms. Irokawa-Otani:

The Puente Hills Habitat Preservation Authority (Habitat Authority) appreciates the opportunity to comment on the Notice of Proposed Regulatory Action (No. 13-002) resulting from the California Department of Pesticide Regulation (DPR) findings that second-generation anticoagulant rodenticide (SGAR) exposure and toxicity to nontarget wildlife is a statewide problem and asks that the DPR not only restrict the consumer availability of the products specified in the aforementioned proposed regulation, but to prohibit the purchase and use of all SGAR products in California by cancelling, refusing to register or renew registration of products containing SGAR active ingredients.

The Habitat Authority is a joint powers authority established pursuant to California Government Code Section 6500 et seq. with a Board of Directors consisting of the City of Whittier, County of Los Angeles, Sanitation Districts of Los Angeles County, and the Hacienda Heights Improvement Association. According to its mission, the Habitat Authority is dedicated to the acquisition, restoration, and management of open space in the Puente Hills for preservation of the land in perpetuity, with the primary purpose to protect the biological diversity. Additionally, the agency endeavors to provide opportunities for outdoor education and low-impact recreation. The Habitat Authority owns and or manages over 3,800 acres (referred to as the Puente Hills Preserve) which lie within the cities of Whittier and La Habra Heights, as well as in the County unincorporated areas of the Puente Hills known as Hacienda Heights and Rowland Heights.

As managers of open space, the Habitat Authority is particularly concerned about the use of SGAR products and their effects on nontarget wildlife; not only can nontarget wildlife be secondarily poisoned\(^1\) but strong associations between mange-associated mortality and

\(^{1}\) [http://www.dfg.ca.gov/education/rodenticide/](http://www.dfg.ca.gov/education/rodenticide/)
anticoagulant exposure have been shown. The Habitat Authority’s Resource Management Plan noted that anticoagulants have harmful effects on all levels of carnivores in the ecosystem and are listed as having potential impacts on the Preserve. In January 2009, a bobcat living in the Puente Hills was found dead on the side of the road. Although the ultimate cause of death was from a collision with a vehicle, analysis of the bobcat liver for anticoagulant rodenticides detected one first-generation and three second-generation anticoagulant rodenticides present. Aside from secondary poisoning, bobcats and coyotes within the Puente Hills Preserve are also infected with mange; one GPS-collared bobcat died from mange-related mortality in April 2013, a second bobcat was captured in June 2013 in critical condition due to mange and treated, and coyotes infected with mange have been sited over numerous years. Also, just recently a rodenticide bait station was detected on a section of private property adjacent to, and not fenced separate from, the Puente Hills Preserve.

By continuing to allow certified applicators to use SGAR products as suggested in the proposed Regulation No. 13-002, these active ingredients will continue to be present in the environment and affect nontarget wildlife. For the overall health of the environment, including the Puente Hills specific above-mentioned matters, the Habitat Authority asks that the California Department of Pesticide Regulation (DPR) not only restrict the consumer availability of the products specified in Regulation No. 13-002 but to consider prohibiting the purchase and use of all SGAR products in California by cancelling, refusing to register or renew registration of products containing SGAR active ingredients.

In response to the DPR determining that the use of SGARs has impacts on nontarget wildlife, the Habitat Authority’s Board of Directors adopted the attached resolution dated August 22, 2013 opposing the sale, purchase and use of certain rat and mouse poison products that pose an unacceptable risk to children, pets and wildlife.

Thank you for your consideration. Should you have any questions, please feel free to contact me or Lizette Longacre, Ecologist, at (562) 945-9003.

Sincerely,

Bob Henderson
Chairman

cc: Board of Directors
Citizens Technical Advisory Committee

Attachment, Habitat Authority Resolution 2013-05

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³ The results showed evidence of brodifacoum (1.0 ppm) and difethialone (3.1 ppm) with trace amounts bromadiolone, and diphacinone.
Puente Hills Habitat Preservation Authority  
Endowment Profided by the Puente Hills Landfill  
Resolution No. 2013-05

Resolution opposing the sale, purchase and use of certain rat and mouse poison products that pose an unacceptable risk to children, pets and wildlife.

WHEREAS, in September 2004, the U.S. Environmental Protection Agency (USEPA) released its Revised Comparative Ecological Assessment for Nine Rodenticides, which found more than 300 documented wildlife incidents of exposure of birds and nontarget mammals, including endangered species, to rodenticides, in particular those rodenticides that contain the ingredient brodifacoum, a type of second-generation anticoagulant rodenticide (SGAR); and

WHEREAS, rodenticide poisonings have been documented in at least 21 wildlife species in California, 14 of which have been observed in the Puente Hills including: Golden Eagle, Great-horned Owl, Barn Owl, Cooper’s Hawk, Red-shouldered Hawk, Red-tailed Hawk, American Kestrel, Turkey Vulture, Gray Fox, Coyote, Bobcat, Mountain Lion, Raccoon and American Badger; and

WHEREAS, researchers determined that the biggest threat to Santa Monica Mountains bobcat populations is rat poison (rodenticide) exposure, and a probable link exists between rat poison and mange, which has also been detected in the Puente Hills; and

WHEREAS, the Puente Hills Habitat Preservation Authority’s Resource Management Plan states that anticoagulants have harmful effects on all levels of carnivores and when a bobcat was killed during a wildlife-vehicle collision in the Puente Hills, the liver was found to have one first-generation and three second-generation anticoagulant rodenticides present; and

WHEREAS, in 2008, the USEPA issued its Final Risk Mitigation Decision for Ten Rodenticides which gave producers until June 2011 to research, develop and register new products that would be safer for children, pets and wildlife and also limited SGAR use to within 50 feet from agricultural buildings (amended to within 100 feet in 2012); and

WHEREAS, in February 2013, the USEPA initiated a cancellation process for those 12 products that did not comply with the 2008 Decision and still pose an unacceptable risk to children, pets and wildlife, however until a hearing before an USEPA Administrative Law Judge is complete, those products remain on the market; and

WHEREAS, the California Department of Pesticide Regulation (DPR) finds that SGAR exposure and toxicity to nontarget wildlife is a statewide problem and released a Notice of Proposed Regulatory Action (No. 13-002) in July 2013 to designate SGARs as California restricted materials, thereby limiting possession and use to certified applicators as well as limiting the placement of aboveground baits to within 50 feet of a man-made structure.
NOW THEREFORE, the Governing Board of the Habitat Authority urges businesses in surrounding communities to stop the consumer sale of rat and mouse poisons that are prohibited under the USEPA's 2008 Risk and Mitigation Decision for Ten Rodenticides.

BE IT FURTHER RESOLVED that the Governing Board of the Habitat Authority urges local residents, industries, businesses and agencies to avoid buying, or paying for the services that use, the above products, and to avoid the use of second-generation anticoagulant rodenticides by using less-toxic rodent control methods.

BE IT FURTHER RESOLVED that the Governing Board of the Habitat Authority urges DPR to prohibit all SGAR products in California by cancelling, refusing to renew or permitting new registration of all products containing the active ingredients brodifacoum, bromadiolone, difenacoum and difethialone.

AUTHORIZES, the Executive Director to take any action necessary to implement the provisions of this resolution.

ADOPTION:
   Term. This Resolution shall remain in full force and effect except as modified in the future by the Board of Directors.

   Conflict of Terms. In the event that there are conflicts between this resolution and other adopted resolutions or parts thereof, the terms and conditions of this Resolution shall prevail.

   Procedure for Adoption. The Chairman of the Board of Directors shall be given approval to sign this Resolution on behalf of the Board, and the Secretary to the Board of Directors shall certify to the passage and adoption thereof.

APPROVED AND ADOPTED at a regular meeting held the 22nd day of August 2013.

AYES: Simmons, Hughes and Henderson
NOES: none
ABSENT: Chan
ABSTENTIONS: none

[Signature]
Chairman, Board of Directors

ATTEST:

[Signature]
Secretary to the Board of Directors