

Sophia Markowska

Dear Sir/Madam,

Thank you for the opportunity to provide comments in response to the Department of Pesticide Regulation (DPR) proposed mitigation for anticoagulant rodenticides (ARs). Defenders of Wildlife (Defenders) is dedicated to protecting all wild animals and plants in their natural communities and has nearly 2.1 million members and supporters in the United States, with more than 311,000 residing in California.

ARs are intended to eradicate rodent populations; however, their use has the unintended and severe consequence of harming and killing non-target wildlife, including federally and state-listed species. These poisons can persist in the environment and bioaccumulate in food chains, leading to secondary poisoning and death of non-target at-risk species, including San Joaquin kit fox (SJKF), Swainson's hawk, fisher and burrowing owl. Defenders is concerned with the widespread use of ARs due to these severe and well-documented risks to wildlife.

ARs are highly toxic poisons that harm or kill animals that ingest them, directly or secondarily through consumption of poisoned prey. These chemicals work by interfering with blood clotting, causing mortality through internal hemorrhaging, which can take days to result in death. ARs are typically classified as either first-generation (FGARs) or second-generation (SGARs). FGARs require multiple feedings and tend to break down more quickly, whereas SGARs have increased toxicity, often do not require multiple feedings and persist much longer in animal tissues and the environment.

In California, the devastating impacts of these poisons are well-documented. Wildlife that naturally help control rodent populations are frequently found ill or dead from secondary poisoning after consuming prey that have ingested ARs. A 2018 DPR report cites evidence of high exposure levels in California for non-target species, including exposure rates of over 90% in some predator or scavenger groups. Particularly concerning is the threat to already imperiled species, including SJKF, which faces additional population pressures from rodenticide poisoning. A 2019 study found the effects of rodenticide exposure posed a greater risk to SJKF populations than climate change and is considered one of the biggest stressors (along with land use change) for SJKF populations.

DPR has proposed mitigation for anticoagulant rodenticides aimed at reducing impacts of both first-generation and second-generation ARs on non-target wildlife. To achieve this, DPR proposes to classify all ARs as restricted materials, limit where these products may be used and cap applications to no more than 35 consecutive days and 105 total days per year at any single site. The proposed mitigation also includes requirements for trainings on sustainable rodent management and to develop and maintain a Sustainable Rodent Management Plan.

Instead of mitigating risk through restrictions and limited allowances, all ARs should be banned in California, with no exceptions, other than for public health or environmental emergency, which is already permitted under existing law. California law prohibits the use of SGARs statewide, except in cases of defined public health or environmental emergencies as determined by the state. This existing exemption provides the necessary flexibility for government agencies to respond to legitimate emergency situations while ensuring that use, and in turn impacts, of ARs is limited.

Therefore, additional mitigation measures or conditional allowances are unnecessary; a full statewide ban consistent with current legal exemptions would provide the most effective protection for California's native species.

Furthermore, a number of recent laws, in which the California Legislature has made its intent clear, have been aimed at further limiting the use of harmful ARs. Assembly Bill (AB) 1788 established the initial statewide moratorium on SGARs. AB 2552 further prohibited the use of FGARs that contain certain ingredients in wildlife habitat areas and required certain AR ingredients to be considered restricted material. Most recently, AB 1322 reaffirmed and expanded California's commitment to reducing impacts from ARs by adding diphacinone to California's existing rodenticide moratorium and directing DPR to create permanent restrictions on SGAR. There should be no backsliding on these protections as all three laws are critical to safeguarding California's wildlife from the cumulative and deadly impacts of ARs.

The continued use of ARs undermines decades of conservation progress and disrupts ecosystems that rely on predator populations. Defenders urges DPR to prioritize the protection of wildlife and uphold existing state law that limits the use of ARs. We specifically request that DPR reconsider its proposal to allow over 100 days of AR use per year, as such allowance would significantly undermine the intent of prior legislation and current law.

Thank you once again for the opportunity to provide comments on Anticoagulant Rodenticide Mitigation and for considering our comments. Please feel free to contact me with any questions.

Respectfully submitted,

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Department of Pesticide Regulation
1001 I Street
Sacramento, CA 95814

Delivered electronically via Smart Comment

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¹ Department of Pesticide Regulation. 2018. *An Investigation of Anticoagulant Rodenticide Data Submitted to the Department of Pesticide Regulation.*

² California Food and Agricultural Code § 12978.7

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