

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Sacramento

From: (Public Agency): Dept. of Pesticide Regulation
1001 I Street, P.O. Box 4015
Sacramento, CA 95812

(Address)

Project Title: FIFRA Section 18 Specific Emergency Exemption: for use of afidopyropen on field-grown strawberries to control Lygus outbreaks

Project Applicant: California Strawberry Commission

Project Location - Specific:

Strawberry fields in Monterey, Orange, San Benito, San Diego, San Luis Obispo, Santa

Project Location - City: Cities in impacted counties Project Location - County: Counties listed above in project location

Description of Nature, Purpose and Beneficiaries of Project:

This emergency exemption, which expires October 31, 2024, is necessary to avert significant losses by California strawberry growers due to the lack of effective insecticides available for managing Lygus bug infestations on field-grown strawberries. In previous years, to reduce losses from fruit deformity due to damage from Lygus infestations, California strawberry growers relied on applications of thiamethoxam, a neonicotinoid pesticide, as a key component in a scheduled rotation of different insecticides. However, due to recently adopted California regulations to limit neonicotinoid pesticide use in the production of certain agricultural commodities, growers are losing access to critical applications previously used for managing Lygus infestations. Furthermore, due to the increasing numbers of pyrethroid resistant Lygus populations, growers are experiencing difficulties managing Lygus infestations using available pyrethroid insecticides. In California, damage caused by Lygus is a major cause of irregularly shaped, catfaced strawberries, which results in unmarketable fruit. As a result, Lygus causes an estimated \$100 million in crop loss annually. California strawberry growers have a critical need for an additional tool with a different mode of action. Allowing the use of Sefina Insecticide will help California strawberry growers control Lygus through the strawberry growing season. Please see attachment for additional information.

Name of Public Agency Approving Project: Department of Pesticide Regulation

Name of Person or Agency Carrying Out Project: California strawberry growers in impacted counties

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

A specific Section 18 emergency exemption from registration is considered an emergency project under CEQA because it can only be issued for situations involving an urgent and non-routine emergency situation where there are no registered pesticides or alternative practices that will effectively address the problem. The loss of effective insecticides to control Lygus infestations in field-grown strawberries due to both regulatory action and increasing concerns regarding pest resistance is sudden and unexpected, presents clear and imminent danger, and demands immediate action to prevent loss of property. DPR's analysis and the U.S. EPA FIFRA Section 18 specific emergency finding are attached.

Lead Agency

Contact Person: Tulio Macedo Area Code/Telephone/Extension: 916-324-3527

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Tulio Macedo Date: 06/18/2024 Title: Branch Chief

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____