

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

01-CV-00132-ANS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON TOXICS COALITION,
NORTHWEST COALITION FOR
ALTERNATIVES TO PESTICIDES, PACIFIC
COAST FEDERATION OF FISHERMEN'S
ASSOCIATIONS, and INSTITUTE FOR
FISHERIES RESOURCES,

Plaintiffs,

v.

ENVIRONMENTAL PROTECTION AGENCY,
and MIKE LEAVITT, ADMINISTRATOR,

Defendants,

v.

AMERICAN CROP PROTECTION
ASSOCIATION, et al.,

Intervenor-Defendants.

CASE NO. C01-0132C

ORDER

This matter is before the Court on Plaintiffs' motion for further injunctive relief. Having considered the briefs and arguments of the parties, and the entire record in this matter, and based on the Court's orders dated July 16, 2003 and August 8, 2003, and the oral argument held on August 14, 2003, the Court finds that further injunctive relief is appropriate to prevent potential adverse effects of certain

1 pesticide active ingredients on threatened and endangered salmonids, and therefore GRANTS Plaintiffs
2 interim injunctive relief as follows:

3 I. PERTINENT PESTICIDE ACTIVE INGREDIENTS AND SPECIES OF SALMONIDS

4 This Court's order of July 2, 2002 imposes a schedule upon the Environmental Protection
5 Agency ("EPA") to make effects determinations and to consult, as appropriate, with the National Marine
6 Fisheries Service ("NMFS") in connection with the effects of pesticides containing any of 54 active
7 ingredients on salmon and steelhead listed as threatened or endangered under the Endangered Species
8 Act ("ESA"), 16 U.S.C. §§ 1531-1544.¹ The 54 active ingredients ("Pesticides") subject to the July 2,
9 2002 order are:

| | | |
|----|---------------------|------------------|
| 10 | 1,3-dichloropropene | linuron |
| | 2,4-D | malathion |
| 11 | acephate | methamidophos |
| | alachlor | methidathion |
| 12 | atrazine | methomyl |
| | azinphos-methyl | methyl parathion |
| 13 | bensulide | metolachlor |
| | bentazon | metribuzin |
| 14 | bromoxynil | molinatc |
| | captan | naled |
| 15 | carbaryl | norflurazon |

16
17 ¹ The July 2, 2002 Order, July 16, and August 8, 2003 Orders, and this Order apply to the following 26
18 Evolutionarily Significant Units of salmon and steelhead listed as threatened or endangered under the
19 ESA (the "Salmon ESUs"): the Puget Sound, Upper Columbia River spring-run, Lower Columbia River,
20 and Upper Willamette River chinook (64 Fed. Reg. 14,308 (March 24, 1999)); California Central Valley
21 spring-run chinook and California coastal chinook (64 Fed. Reg. 50,394 (Sept. 16, 1999)); Hood Canal
22 summer-run chum and Columbia River chum (64 Fed. Reg. 14,508 (March 25, 1999)); Ozette Lake
23 sockeye (64 Fed. Reg. 14,528 (March 25, 1999)); Oregon coast coho (63 Fed. Reg. 42,587 (Aug. 10,
24 1998)); Upper Columbia River, Snake River Basin, Southern California, South Central California coast
25 and Central California coast steelhead (62 Fed. Reg. 43,937 (August 18, 1997)); Lower Columbia River
and California Central Valley steelhead (63 Fed. Reg. 13,347 (March 19, 1998)); Upper Willamette and
Middle Columbia River steelhead (64 Fed. Reg. 14,517 (March 25, 1999)); Northern California
steelhead (65 Fed. Reg. 36,074 (June 7, 2000)); Sacramento River winter-run chinook (59 Fed. Reg. 440
(Jan. 4, 1994)); Snake River fall-run chinook (57 Fed. Reg. 14,653 (April 22, 1992)); Snake River
spring/summer-run chinook (57 Fed. Reg. 14,653 (April 22, 1992)); Central California coast coho (64
Fed. Reg. 24,049 (May 5, 1999)); Southern Oregon/Northern California coast coho (62 Fed. Reg. 24,588
(May 6, 1997)); and Snake River sockeye (56 Fed. Reg. 58,619 (Nov. 20, 1991)).

| | | |
|---|-----------------------------|-------------------------|
| 1 | carbofuran | oryzalin |
| | chlorothalonil | oxyfluorfen |
| 2 | chlorpyrifos | paraquat dichloride |
| | coumaphos | pebulate |
| 3 | diazinon | pendimethalin |
| | dicamba | phorate |
| 4 | dichlobenil | phosmet |
| | diflubenzuron | prometryn |
| 5 | dimethoate | propargite |
| | disulfoton | simazine |
| 6 | diuron | tebuthiuron |
| | ethoprop | terbacil |
| 7 | fenamiphos | thiobencarb |
| | fenbutatin-oxide | thiodicarb |
| 8 | iprodione | triclopyr (BEE and TEA) |
| | lindane (gamma-BHC and HCH) | trifluralin |

9
10 **II. SALMON SUPPORTING WATERS**

11 This Order granting injunctive relief shall apply to "Salmon Supporting Waters" within the range
12 of the Salmon ESUs as identified by NMFS in its critical habitat designations² in Washington, Oregon,

13 ² Critical habitat designations for the Puget Sound, Lower Columbia River, Upper Willamette River,
14 Upper Columbia River spring-run, California Central Valley spring-run, and California coastal chinook
15 salmon; Hood Canal summer-run and Columbia River chum salmon; Ozette Lake sockeye salmon;
16 Oregon coast coho salmon; and Southern California, South-Central California coast, Central California
17 coast, California Central Valley, Upper Columbia River, Snake River Basin, Lower Columbia River,
18 Upper Willamette River, and Middle Columbia River steelhead are at 65 Fed. Reg. 7764 (Jan. 13, 2000).
19 The revised critical habitat designation for the Snake River spring/summer chinook salmon is at 64 Fed.
20 Reg. 57,399 (Oct. 25, 1999) (original designation at 57 Fed. Reg. 14,653 (April 22, 1992)). Critical
21 habitat designations for the Central California coast and Southern Oregon/Northern California coasts
22 coho salmon are at 64 Fed. Reg. 24,049 (May 5, 1999). Critical habitat designations for the Snake River
23 sockeye salmon and Snake River fall chinook salmon are at 58 Fed. Reg. 68,543 (Dec. 28, 1993). The
24 critical habitat designation for the Sacramento River winter-run chinook salmon is at 58 Fed. Reg.
25 33,212 (June 16, 1993). Although some of these critical habitat designations have been vacated and will
26 be redesignated, see 68 Fed. Reg. 55,900 & 55,926 (Sept. 29, 2003), the designations accurately define
the geographic range of the species. NMFS has not designated critical habitat for the extended range of
the Southern California steelhead ESU southward to the United States-Mexican border, but the ESU's
range, for purposes of the definition of "Salmon Supporting Waters," includes the San Mateo Creek and
Topanga Creek watersheds, which is the basis for extending the ESU range. 67 Fed. Reg. 21,586,
21,596-97 (May 1, 2002). NMFS has not designated critical habitat for Northern California steelhead,
but the ESU's range, for purposes of the definition of "Salmon Supporting Waters," includes the critical
habitat designation for the California coastal chinook salmon, see 65 Fed. Reg. 7764, with the
southernmost boundary being the Gualala River (inclusive) in Mendocino County for Northern
California steelhead, rather than the Russian River in Sonoma County for the California coastal chinook.

1 and California. For purposes of this Order, "Salmon Supporting Waters" are defined as the area below
2 the ordinary high water mark of all streams, lakes, estuaries, and other water bodies where salmon are
3 ordinarily found at some time of the year. For Washington and Oregon, the Streamnet database
4 identifies Salmon Supporting Waters as defined in this Order.³ For California, the U.S. Geological
5 Survey National Hydrography database identifies Salmon Supporting Waters as defined in this Order.⁴
6 Estuaries used by listed salmon and steelhead are included in Salmon Supporting Waters even if they are
7 not identified in the Streamnet or U.S. Geological Survey National Hydrography databases.

8 III. INJUNCTIVE RELIEF

9 A. Buffers

10 1. The Court finds that pesticide-application buffer zones are a common, simple, and
11 effective strategy to avoid jeopardy to threatened and endangered salmonids. (August 8, 2003 Order at
12 16, Dkt. No. 159.) The Court further finds that 20-yard buffer zones for ground use and 100-yard
13 buffers for aerial applications will substantially contribute to the prevention of jeopardy. (*Id.* at 18.)
14 Accordingly, except as provided below and in Sections III.B. through III.D., EPA's authorization of any
15 use of any Pesticide identified in Section I of this Order within 20 yards, and EPA's authorization of any
16 aerial application within 100 yards, of any Salmon Supporting Waters in California, Oregon, and
17 Washington, is hereby ENJOINED, VACATED, and SET ASIDE. This injunction shall not be lifted
18 until this Order is terminated, in whole or in part, as provided in Section VI or by other order of the
19 Court.

20 2. Plaintiffs did not seek, and this Court does not grant, any further injunctive relief for
21

22 ³ The Streamnet database is a cooperative venture of state and tribal fish and wildlife agencies in the
23 Pacific Northwest and is administered by the Pacific States Marine Fisheries Commission. It is
accessible at <http://www.streamnet.org>.

24 ⁴ The U.S. Geological Survey database is accessible at <http://nhd.usgs.gov>. The Streamnet database does
25 not include California streams.

1 Pesticide uses for which EPA has in place a "no effect" determination for a particular Salmon ESU.⁵

2 3. This injunction does not apply to any Pesticide uses in a particular Salmon ESU where
3 EPA has determined, for purposes of ESA § 7 compliance, that the Pesticide Use is "not likely to
4 adversely affect" the particular Salmon ESU, provided that the National Marine Fisheries Service has
5 not rejected or affirmatively failed to concur in the "not likely to adversely affect" determination.⁶

6 B. Buffer Variations

7 Based on EPA's effects determinations, the stipulation of plaintiffs, or the evidence in the record,
8 the Court determines that the following specific injunctive relief is appropriate for the particular uses
9 specified below instead of the injunctive relief provided for in Section III.A.1. EPA's authorization of
10 the Pesticide uses specified below is ENJOINED, VACATED, and SET ASIDE. This injunction shall
11 not be lifted until this Order is terminated, in whole or in part, as provided in Section VI or by other
12 order of the Court.

13 1. EPA's authorization of use of 1,3-dichloropropene (telone) products within one
14 yard of Salmon Supporting Waters is ENJOINED, VACATED, and SET ASIDE, when 1,3-

15
16 _____
17 ⁵ As of the date of this Order, the following Pesticides have received "no effect" determinations for all
18 Salmon ESUs and are therefore excluded from this injunctive relief:

19 Alachlor, atrazine, bentazon, dicamba, dichlobenil, iprodione, norflurazon, paraquat dichloride, pebulate,
20 simazine, terbacil, thiodicarb, triclopyr TEA.

21 Although EPA has made a "no effect" determination for the amine formulation of triclopyr, known as
22 triclopyr TEA, it has not yet made any effects determination for the ester formulation of triclopyr, known
23 as triclopyr BEE. To the extent that EPA has in place additional "no effect" determinations for
24 particular Pesticides in particular Salmon ESUs, the injunctive relief set out in this Section is
25 inapplicable to those Pesticides in those Salmon ESUs. The chart attached as Exhibit 1 depicts the
26 Pesticides that have "no effect" determinations in place for particular Salmon ESUs as of the date of this
Order.

⁶ The Pesticide uses and Salmon ESUs for which EPA has made "not likely to adversely affect"
determinations as of the date of this Order are identified in the chart attached as Exhibit 2 to this Order.

1 dichloropropene products are injected 18" or more beneath the soil and where the soil is
2 mechanically sealed through cultivation following treatment; for other uses, EPA's authorization
3 of any use of 1,3-dichloropropene (telone) within 20 yards of any Salmon Supporting Waters in
4 California, Oregon, and Washington is ENJOINED, VACATED, and SET ASIDE;

5 2. EPA's authorization of aerial and ground applications of granular formulations of
6 the Pesticides within 20 yards of Salmon Supporting Waters in California, Oregon, and
7 Washington is ENJOINED, VACATED, and SET ASIDE, except that EPA's authorization of
8 ground use of granular formulations of ethoprop within 20 yards, and aerial applications of
9 granular formulations of ethoprop within 100 yards, of Salmon Supporting Waters in California,
10 Oregon, and Washington is ENJOINED, VACATED, and SET ASIDE, because of EPA's
11 concern regarding ethoprop's level of risk and the inability to mitigate that risk effectively;

12 3. Based on the recommendations in EPA's effects determinations, and the toxicity
13 of phorate to fish, EPA's authorization of phorate use within 40 yards of Salmon Supporting
14 Waters in California, Oregon, and Washington is ENJOINED, VACATED, and SET ASIDE;

15 4. Based on the recommendations in EPA's effects determinations, EPA's
16 authorization of propargite use within 50 feet, and EPA's authorization of aerial applications of
17 propargite within 75 feet, of Salmon Supporting Waters in California, Oregon, and Washington
18 is ENJOINED, VACATED, and SET ASIDE in all ESUs; except: (a) for mint, seed alfalfa,
19 potatoes, and hops in the Middle Columbia steelhead ESU, in the Palouse watershed of the Snake
20 River fall chinook ESU, in the Willamette Valley portion of the Upper Willamette steelhead and
21 Upper Willamette chinook ESUs, and the Oregon portion of the Klamath River watershed in the
22 Southern Oregon/Northern California coast coho ESU, where EPA's authorization of aerial
23 applications of propargite within 100 yards of Salmon Supporting Waters is ENJOINED,
24 VACATED, and SET ASIDE; and (b) for the Upper Columbia chinook and Upper Columbia
25 steelhead ESUs, where EPA's authorization of any use or application of propargite within 100

1 yards of Salmon Supporting Waters is ENJOINED, VACATED, and SET ASIDE;

2 5. EPA's authorization of coumaphos for livestock use within 20 yards of Salmon
3 Supporting Waters in California, Oregon, and Washington is ENJOINED, VACATED, and SET
4 ASIDE, but only for a 24-hour period following application to livestock;

5 6. EPA's authorization of carbofuran use within 20 yards, and EPA's authorization
6 of any carbofuran aerial application within 100 yards, of any Salmon Supporting Waters in
7 California, Oregon, and Washington, is hereby ENJOINED, VACATED, and SET ASIDE,
8 except that EPA's authorization of carbofuran within one yard of Salmon Supporting Waters in
9 California, Oregon, and Washington is ENJOINED, VACATED, and SET ASIDE, when such
10 products are used on pine seedlings by dipping the seedling roots in a one-percent slurry
11 containing the active ingredient;

12 7. EPA's authorization of localized spot treatments of the Pesticides using hand-
13 held, ready-to-use devices within one yard of Salmon Supporting Waters in California, Oregon,
14 and Washington is ENJOINED, VACATED, and SET ASIDE, provided that the area treated is
15 limited to ten percent of the treated right-of-way, roadside, pasture, lawn, or forestry site;

16 8. EPA's authorization of Pesticide uses in insect bait stations within one yard of
17 Salmon Supporting Waters in California, Oregon, and Washington is ENJOINED, VACATED,
18 and SET ASIDE;

19 9. EPA's authorization of Pesticide use for spot treatments of wasp and hornet nests
20 within one yard of Salmon Supporting Waters in California, Oregon, and Washington is
21 ENJOINED, VACATED, and SET ASIDE, provided that the area treated is limited to ten
22 percent of the treated right-of-way, roadside, pasture, lawn, or forestry site;

23 10. EPA's authorization of individual tree removal using cut stump application of the
24 Pesticides within one yard of Salmon Supporting Waters in California, Oregon, and Washington
25 is ENJOINED, VACATED, and SET ASIDE; and

1 11. EPA's authorization of basal bark application of the Pesticides to individual
2 plants within one yard of Salmon Supporting Waters in California, Oregon, and Washington is
3 ENJOINED, VACATED, and SET ASIDE.

4 C. Specific Pesticide Product or Use Exclusions

5 Based on EPA's effects determinations, the stipulation of Plaintiffs, and the evidence in the
6 record, and notwithstanding Sections III.A. and III. B., the Court determines that EPA's authorization of
7 the following Pesticide uses specified below is not vacated:

8 1. Based on EPA's effects determinations and the declining use resulting from the
9 1999 California phase-out, EPA's authorization of metolachlor use in the California portion of
10 the Southern Oregon/Northern California coast coho ESU;

11 2. Based on EPA's effects determinations, EPA's authorization of bensulide use for
12 agricultural crops where the maximum label application rate is less than 6 pounds of active
13 ingredient per acre and the label requires banded applications and incorporation into soil;

14 3. Based on EPA's effects determinations, EPA's authorization of bensulide use on
15 golf course tees and greens, provided bensulide is not used on golf course fairways;

16 4. EPA's authorization of aerial applications of bensulide;

17 5. Based on EPA's effects determination, EPA's authorization of phorate use on
18 potatoes;

19 6. EPA's authorization of aerial applications of phorate;

20 7. EPA's authorization of aerial applications of 1,3-dichloropropene (telone);

21 8. EPA's authorization of pest control strips and cattle ear tags containing
22 coumaphos;

23 9. EPA's authorization of cattle ear tags containing chlorpyrifos;

24 10. EPA's authorization of indoor uses of any of the Pesticides;

25 11. EPA's authorization of tree injection applications of the Pesticides;

1 12. EPA's authorization of homeowner applications of the Pesticides to household
2 potted plants;

3 13. EPA's authorization of Pesticide use in flea and tick collars for dogs and cats; and

4 14. EPA's authorization of the Pesticides in manufacturing end-use products.

5 D. Particular Pesticide Programs Excluded

6 Based on EPA's effects determinations, the stipulation of plaintiffs, or the evidence in the record,
7 and notwithstanding Sections III.A. and III. B., the Court determines that EPA's authorization of the
8 following Pesticide uses specified below is not vacated:

9 1. *Public Health Vector Control Programs*

10 Use of the Pesticides for public health vector control as administered by public entities.

11 2. *Noxious Weed Programs*

12 Use of the Pesticides for control of state-designated noxious weeds as administered by public
13 entities, when such control program implements the following safeguards that NMFS routinely requires
14 for such programs:

15 a. Aerial application cannot occur within 100 yards of Salmon Supporting
16 Waters;

17 b. Broadcast spraying cannot occur within 20 yards of Salmon Supporting
18 Waters or when wind speeds are greater than five miles per hour;

19 c. Chemical spraying cannot occur within 15 feet of Salmon Supporting
20 Waters or when wind speeds are greater than five miles per hour;

21 d. Only those Pesticides registered by EPA under the Federal Insecticide,
22 Fungicide, and Rodenticide Act ("FIFRA"), 7 U.S.C. §§ 136-136(y), for aquatic
23 application can be used within 15 feet of Salmon Supporting Waters;

24 e. Pesticides cannot be used when precipitation is occurring or is forecast to
25 occur within 24 hours;

- 1 f. All spraying operations must be overseen by a certified applicator; and
2 g. For 2,4-D and triclopyr, only the amine formulations of 2,4-D and
3 triclopyr can be used.

4 3. *NMFS-Authorized Programs*

5 Use of a Pesticide in a specific agency action (other than EPA's authorization of a Pesticide use
6 under FIFRA) as authorized by: (a) a no-jeopardy biological opinion issued by NMFS that addresses the
7 Pesticide's use and effects on a Salmon ESU, and an incidental take statement issued by NMFS under
8 ESA Section 7(a)(2) that authorizes the take of salmon or steelhead listed under the ESA; (b) a written
9 concurrence by NMFS in a "not likely to adversely affect" determination issued under ESA Section
10 7(a)(2) that addresses the Pesticide's use and effects on a Salmon ESU; (c) an incidental take permit
11 issued by NMFS under ESA Section 10(a) that authorizes the take of salmon or steelhead listed under
12 the ESA from application or use of the Pesticide; or (d) a limit on the take prohibition of ESA Section 9
13 with respect to a specific use of a Pesticide promulgated by NMFS pursuant to ESA Section 4(d) and
14 incorporated into the salmon 4(d) rule codified at 50 C.F.R. § 223.203.

15 IV. INJUNCTIVE RELIEF SPECIFIC TO URBAN PESTICIDES

16 Plaintiffs also seek further injunctive relief with respect to seven active ingredients in urban areas
17 through which Salmon Supporting Waters pass.⁷ The Court finds that for the use of certain pesticides in
18 Urban Arcas, buffers alone are an insufficient remedy to ensure that jeopardy to Salmon ESUs and harm
19 to listed salmonids will be avoided. Therefore, in addition to the buffers imposed in Section III, the
20 Court also GRANTS Plaintiffs further injunctive relief for uses of products containing 2,4-D, carbaryl,

21
22 ⁷ "Urban Areas" are defined for purposes of this Order as all urbanized areas in Washington, Oregon,
23 and California with populations of at least 50,000 people, as defined by the 2000 United States Census,
24 within a Salmon ESU. (See Urban Area list attached hereto as Exhibit 3.) These areas are defined more
25 precisely in Exhibits 1A, 2A, and 3A to the August 8, 2003 Declaration of Gerald E. Heilman, Jr.,
26 which is attached to Plaintiffs' Notice of Filing Concise Definitions and Maps of Urban Watersheds
within the Geographic Scope of the Litigation (Aug. 11, 2003).

1 diazinon, diuron, malathion, triclopyr BEE, and trifluralin (the "Urban Pesticides") in Urban Areas. The
2 Court orders EPA to generate a point of sale notification for the public as described in Section IV.A
3 below, and to facilitate the availability of the notification to the purchaser at the point of sale as
4 described in Section IV.B below.

5 A. Mandatory Point of Sale Warning

6 EPA must develop a point of sale notification for the Urban Pesticides that incorporates the
7 following written and graphic information:

8 1. The heading "Salmon Hazard" in a large and visible font followed by the statement that:
9 "This product contains pesticides that may harm salmon or steelhead. Use of this product in urban areas
10 can pollute salmon streams." Both the heading and the statement shall be highly visible to purchasers;
11 and

12 2. A prominent graphic.

13 B. Availability and Distribution of Point of Sale Notifications

14 Within 60 days of the effective date of this Order, EPA must notify retailers that they are to make
15 the mandatory point of sale notification set out in Section IV.A whenever products containing the Urban
16 Pesticides are sold in the Urban Areas subject to this Order.

17 Within 60 days of the effective date of this Order, Intervenor-Defendants will distribute the point
18 of sale notification developed by EPA in quantity, for point of sale distribution, to sales outlets where
19 lawn and garden products are sold in the Urban Areas subject to this Order.

20 Within 60 days of the effective date of this Order, EPA will produce and provide copies of the
21 point of sale notification to state pesticide agencies, state fish agencies, and land grant university
22 extension coordinators in the Urban Areas subject to this Order and will request that they provide this
23 information to Certified Applicators certified in any category that would permit the applicator to apply
24 pesticides in parks, golf courses, and housing areas in the Urban Areas.

1 V. EFFECTIVE DATE

2 This Order shall be effective within two weeks of the date this Order is entered.

3 VI. TERMINATING EVENTS

4 The injunctive relief and *vacatur* of EPA's authorizations will terminate automatically for a
5 particular Pesticide and Salmon ESU upon the occurrence of one of the following:

6 1. Completion by EPA of its ESA Section 7(a)(2) consultation obligation; or

7 2. The issuance by NMFS of a biological opinion; or

8 2. A finding by EPA made for ESA Section 7 compliance purposes that the Pesticide is "not
9 likely to adversely affect" the particular Salmon ESU, provided that the National Marine Fisheries
10 Service has not rejected or affirmatively failed to concur in that "not likely to adversely affect"
11 determination; or

12 3. A finding by EPA made for ESA Section 7 compliance purposes that the Pesticide will
13 have "no effect" on the particular Salmon ESU.

14 VII. MODIFICATIONS TO INJUNCTIVE RELIEF

15 Because of EPA's and NMFS' ongoing actions to comply with ESA Section 7(a)(2), the parties
16 may seek to have this Court modify this injunctive relief. The Court will consider such future requests
17 as it deems appropriate.

18 VIII. IMPLEMENTATION

19 EPA is further DIRECTED to inform registrants, states, certified applicators, and licensed
20 pesticide dealers: (1) of this Court's Orders dated July 2, 2002; July 16, 2003; and August 8, 2003; and
21 (2) of this injunction. EPA shall instruct registrants to make aware of this injunction pesticide
22 distributors, wholesalers, retailers, brokers, dealers, and others in privity with them. EPA shall also
23 instruct states to inform registrants, certified applicators, and licensed pesticide dealers of this injunction.

24 Intervenor-Defendants are DIRECTED to ensure that their members are made aware: (1) of this
25 Court's Orders dated July 2, 2002; July 16, 2003; and August 8, 2003; and (2) of this injunction.

1 EPA and Intervenor-Defendants shall each file a status report with the Court within 60 days of
2 the date of this Order describing the steps they have taken to comply with this Order.

3 SO ORDERED this 22nd day of January, 2004.

4
5 
6 CHIEF UNITED STATES DISTRICT JUDGE

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

EXHIBIT 1

Pesticides With No Effect Determinations (Shaded) for a Subset of Evolutionary Significant Units

| Species | ESU | Azinphos methyl | Bensulide | Captan | Carbaryl | Chlorothalonil | Chlorpyrifos | Disulfoton |
|----------------|---|-----------------|-----------|--------|----------|----------------|--------------|------------|
| Steelhead | Southern California | | | | | | | |
| Steelhead | South-Central California Coast | | | | | | | |
| Steelhead | Central California Coast | | | | | | | |
| Steelhead | Central Valley, California | | | | | | | |
| Steelhead | Northern California | | | | | | | |
| Steelhead | Upper Columbia River | | | | | | | |
| Steelhead | Snake River Basin | | | | | | | |
| Steelhead | Upper Willamette River | | | | | | | |
| Steelhead | Lower Columbia River | | | | | | | |
| Steelhead | Middle Columbia River | | | | | | | |
| Chinook Salmon | Sacramento River winter | | | | | | | |
| Chinook Salmon | Snake River fall | | | | | | | |
| Chinook Salmon | Snake River spring/summer | | | | | | | |
| Chinook Salmon | Central Valley spring | | | | | | | |
| Chinook Salmon | California Coastal | | | | | | | |
| Chinook Salmon | Puget Sound | | | | | | | |
| Chinook Salmon | Lower Columbia | | | | | | | |
| Chinook Salmon | Upper Willamette | | | | | | | |
| Chinook Salmon | Upper Columbia | | | | | | | |
| Coho Salmon | Central California | | | | | | | |
| Coho Salmon | Southern Oregon/Northern California Coast | | | | | | | |
| Coho Salmon | Oregon Coast | | | | | | | |
| Chum Salmon | Hood Canal summer | | | | | | | |
| Chum Salmon | Columbia River | | | | | | | |
| Sockeye Salmon | Ozette Lake | | | | | | | |
| Sockeye Salmon | Snake River | | | | | | | |

Pesticides With No Effect Determinations (Shaded) for a Subset of Evolutionary Significant Units

| Species | ESU | Diuron - Crop | Diuron - Non-crop | Ethoprop | Fenamiphos | Fenbutatin oxide | Methomyl | Metolachlor |
|----------------|---|---------------|-------------------|----------|------------|------------------|----------|-------------|
| Steelhead | Southern California | | | | | | | |
| Steelhead | South-Central California Coast | | | | | | | |
| Steelhead | Central California Coast | | | | | | | |
| Steelhead | Central Valley, California | | | | | | | |
| Steelhead | Northern California | | | | | | | |
| Steelhead | Upper Columbia River | | | | | | | |
| Steelhead | Snake River Basin | | | | | | | |
| Steelhead | Upper Willamette River | | | | | | | |
| Steelhead | Lower Columbia River | | | | | | | |
| Steelhead | Middle Columbia River | | | | | | | |
| Chinook Salmon | Sacramento River winter | | | | | | | |
| Chinook Salmon | Snake River fall | | | | | | | |
| Chinook Salmon | Snake River spring/summer | | | | | | | |
| Chinook Salmon | Central Valley spring | | | | | | | |
| Chinook Salmon | California Coastal | | | | | | | |
| Chinook Salmon | Puget Sound | | | | | | | |
| Chinook Salmon | Lower Columbia | | | | | | | |
| Chinook Salmon | Upper Willamette | | | | | | | |
| Chinook Salmon | Upper Columbia | | | | | | | |
| Coho Salmon | Central California | | | | | | | |
| Coho Salmon | Southern Oregon/Northern California Coast | | | | | | | |
| Coho Salmon | Oregon Coast | | | | | | | |
| Chum Salmon | Hood Canal summer | | | | | | | |
| Chum Salmon | Columbia River | | | | | | | |
| Sockeye Salmon | Ozette Lake | | | | | | | |
| Sockeye Salmon | Snake River | | | | | | | |

Pesticides With No Effect Determinations (Shaded) for a Subset of Evolutionary Significant Units

| Species | ESU | Molinate | Oryzalin | Phorate | Phosmet | Prometryn | Propargite | Thiobencarb |
|----------------|---|----------|----------|---------|---------|-----------|------------|-------------|
| Steelhead | Southern California | Shaded | | Shaded | | | Shaded | |
| Steelhead | South-Central California Coast | | | Shaded | | | | |
| Steelhead | Central California Coast | | | Shaded | | | | |
| Steelhead | Central Valley, California | | | | | | | |
| Steelhead | Northern California | Shaded | | Shaded | | | Shaded | |
| Steelhead | Upper Columbia River | | | | | | | |
| Steelhead | Snake River Basin | | | | | | | |
| Steelhead | Upper Willamette River | | | | Shaded | | | |
| Steelhead | Lower Columbia River | | | | | Shaded | | |
| Steelhead | Middle Columbia River | Shaded | | | | | Shaded | |
| Chinook Salmon | Sacramento River winter | | | Shaded | | | | |
| Chinook Salmon | Snake River fall | Shaded | | | | | | Shaded |
| Chinook Salmon | Snake River spring/summer | Shaded | | | | | | Shaded |
| Chinook Salmon | Central Valley spring | | | Shaded | | | | |
| Chinook Salmon | California Coastal | | | | | | | |
| Chinook Salmon | Puget Sound | | Shaded | | | Shaded | | |
| Chinook Salmon | Lower Columbia | | | | | Shaded | | |
| Chinook Salmon | Upper Willamette | | | | Shaded | | | |
| Chinook Salmon | Upper Columbia | | | | | | | |
| Coho Salmon | Central California | | | Shaded | | | | |
| Coho Salmon | Southern Oregon/Northern California Coast | | Shaded | | | | | |
| Coho Salmon | Oregon Coast | | | Shaded | | | | |
| Chum Salmon | Hood Canal summer | | | | | | | |
| Chum Salmon | Columbia River | | | Shaded | | | | |
| Sockeye Salmon | Ozette Lake | | | | | | | |
| Sockeye Salmon | Snake River | | | | | Shaded | | Shaded |

EXHIBIT 2

Pesticides With Not Likely to Adversely Affect Determinations for a Subset of Evolutionary Significant Units (shaded)

| Species | ESU | Bensulfide | Captan | Carbaryl | Chlorothalonil | Chlorpyrifos | Diazinon |
|----------------|---|------------|--------|----------|----------------|--------------|----------|
| Steelhead | Southern California | | | | | | |
| Steelhead | South-Central California Coast | | | | | | |
| Steelhead | Central California Coast | | | | | | |
| Steelhead | Central Valley, California | | | | | | |
| Steelhead | Northern California | | | | | | |
| Steelhead | Upper Columbia River | | | | | | |
| Steelhead | Snake River Basin | | | | | | |
| Steelhead | Upper Willamette River | | | | | | |
| Steelhead | Lower Columbia River | | | | | | |
| Steelhead | Middle Columbia River | | | | | | |
| Chinook Salmon | Sacramento River winter | | | | | | |
| Chinook Salmon | Snake River fall | | | | | | |
| Chinook Salmon | Snake River spring/summer | | | | | | |
| Chinook Salmon | Central Valley spring | | | | | | |
| Chinook Salmon | California Coastal | | | | | | |
| Chinook Salmon | Puget Sound | | | | | | |
| Chinook Salmon | Lower Columbia | | | | | | |
| Chinook Salmon | Upper Willamette | | | | | | |
| Chinook Salmon | Upper Columbia | | | | | | |
| Coho Salmon | Central California | | | | | | |
| Coho Salmon | Southern Oregon/Northern California Coast | | | | | | |
| Coho Salmon | Oregon Coast | | | | | | |
| Chum Salmon | Hood Canal summer | | | | | | |
| Chum Salmon | Columbia River | | | | | | |
| Sockeye Salmon | Ozette Lake | | | | | | |
| Sockeye Salmon | Snake River | | | | | | |

Pesticides With Not Likely to Adversely Affect Determinations for a Subset of Evolutionary Significant Units (shaded)

| Species | ESU | Disulfoton | Diuron - Non-crop | Ethoprop | Fenamiphos | Fenbutatin oxide | Metolachlor |
|----------------|---|------------|-------------------|----------|------------|------------------|-------------|
| Steelhead | Southern California | | | | | | |
| Steelhead | South-Central California Coast | | | | | | |
| Steelhead | Central California Coast | | | | | | |
| Steelhead | Central Valley, California | | | | | | |
| Steelhead | Northern California | | | | | | |
| Steelhead | Upper Columbia River | | | | | | |
| Steelhead | Snake River Basin | | | | | | |
| Steelhead | Upper Willamette River | | | | | | |
| Steelhead | Lower Columbia River | | | | | | |
| Steelhead | Middle Columbia River | | | | | | |
| Chinook Salmon | Sacramento River winter | | | | | | |
| Chinook Salmon | Snake River fall | | | | | | |
| Chinook Salmon | Snake River spring/summer | | | | | | |
| Chinook Salmon | Central Valley spring | | | | | | |
| Chinook Salmon | California Coastal | | | | | | |
| Chinook Salmon | Puget Sound | | | | | | |
| Chinook Salmon | Lower Columbia | | | | | | |
| Chinook Salmon | Upper Willamette | | | | | | |
| Chinook Salmon | Upper Columbia | | | | | | |
| Coho Salmon | Central California | | | | | | |
| Coho Salmon | Southern Oregon/Northern California Coast | | | | | | |
| Coho Salmon | Oregon Coast | | | | | | |
| Chum Salmon | Hood Canal summer | | | | | | |
| Chum Salmon | Columbia River | | | | | | |
| Sockeye Salmon | Ozette Lake | | | | | | |
| Sockeye Salmon | Snake River | | | | | | |

Pesticides With Not Likely to Adversely Affect Determinations for a Subset of Evolutionary Significant Units (shaded)

| Species | ESU | Molinate | Oryzalin | Phorate | Phosmet | Propargite | Thiobencarb |
|----------------|---|----------|----------|---------|---------|------------|-------------|
| Steelhead | Southern California | | | | | | |
| Steelhead | South-Central California Coast | | | | | | |
| Steelhead | Central California Coast | | | | | | |
| Steelhead | Central Valley, California | | | | | | |
| Steelhead | Northern California | | | | | | |
| Steelhead | Upper Columbia River | | | | | | |
| Steelhead | Snake River Basin | | | | | | |
| Steelhead | Upper Willamette River | | | | | | |
| Steelhead | Lower Columbia River | | | | | | |
| Steelhead | Middle Columbia River | | | | | | |
| Chinook Salmon | Sacramento River winter | | | | | | |
| Chinook Salmon | Snake River fall | | | | | | |
| Chinook Salmon | Snake River spring/summer | | | | | | |
| Chinook Salmon | Central Valley spring | | | | | | |
| Chinook Salmon | California Coastal | | | | | | |
| Chinook Salmon | Puget Sound | | | | | | |
| Chinook Salmon | Lower Columbia | | | | | | |
| Chinook Salmon | Upper Willamette | | | | | | |
| Chinook Salmon | Upper Columbia | | | | | | |
| Coho Salmon | Central California | | | | | | |
| Coho Salmon | Southern Oregon/Northern California Coast | | | | | | |
| Coho Salmon | Oregon Coast | | | | | | |
| Chum Salmon | Hood Canal summer | | | | | | |
| Chum Salmon | Columbia River | | | | | | |
| Sockeye Salmon | Ozette Lake | | | | | | |
| Sockeye Salmon | Snake River | | | | | | |

EXHIBIT 3

US Census Designated Populated Places That Are Within US Census Designated Urban Areas. The Information For Both Data Sets Are From The 2000 Census. Urban Areas Include Only Those Areas That Fall Within A Threatened Or Endangered Salmon Or Steelhead ESU. Populated Places With A Population Of Zero Were Excluded. A Populated Place Type Of CDP Indicates A Census Bureau Delineated Non-Incorporated Statistical Area.

| State Name | Census Designated Urban Area Name | Populated Place Name | Populated Place Type | Total Population In 2000 |
|------------|---|---------------------------------|----------------------|--------------------------|
| CA | Antioch | Antioch | City | 90,532 |
| CA | Antioch | Bay Point | CDP | 21,534 |
| CA | Antioch | Brentwood | City | 23,302 |
| CA | Antioch | Oakley | City | 25,619 |
| CA | Antioch | Pittsburg | City | 56,769 |
| CA | Atascadero--El Paso de Robles (Paso Robles) | Atascadero | City | 26,411 |
| CA | Atascadero--El Paso de Robles (Paso Robles) | El Paso de Robles (Paso Robles) | City | 24,297 |
| CA | Atascadero--El Paso de Robles (Paso Robles) | Templeton | CDP | 4,687 |
| CA | Camarillo | Camarillo | City | 57,077 |
| CA | Chico | Chico | City | 59,954 |
| CA | Concord | Alamo | CDP | 15,626 |
| CA | Concord | Blackhawk-Camino Tassajara | CDP | 10,048 |
| CA | Concord | Clayton | City | 10,762 |
| CA | Concord | Clyde | CDP | 694 |
| CA | Concord | Concord | City | 121,780 |
| CA | Concord | Danville | Town | 41,715 |
| CA | Concord | Diablo | CDP | 988 |
| CA | Concord | Dublin | City | 29,973 |
| CA | Concord | Lafayette | City | 23,908 |
| CA | Concord | Martinez | City | 35,866 |
| CA | Concord | Moraga | Town | 16,290 |
| CA | Concord | Mountain View | CDP | 2,468 |
| CA | Concord | Orinda | City | 17,599 |
| CA | Concord | Pacheco | CDP | 3,562 |
| CA | Concord | Pleasant Hill | City | 32,837 |
| CA | Concord | Pleasanton | City | 63,654 |
| CA | Concord | San Ramon | City | 44,722 |
| CA | Concord | Vine Hill | CDP | 3,260 |
| CA | Concord | Waldon | CDP | 5,133 |
| CA | Concord | Walnut Creek | City | 64,296 |
| CA | Fairfield | Fairfield | City | 96,178 |
| CA | Fairfield | Suisun City | City | 26,118 |
| CA | Gilroy--Morgan Hill | Gilroy | City | 41,464 |
| CA | Gilroy--Morgan Hill | Morgan Hill | City | 33,556 |
| CA | Gilroy--Morgan Hill | San Martin | CDP | 4,230 |
| CA | Livermore | Livermore | City | 73,345 |
| CA | Lodi | Galt | City | 19,472 |
| CA | Lodi | Lodi | City | 56,969 |
| CA | Lodi | North Woodbridge | CDP | 1,320 |
| CA | Lodi | South Woodbridge | CDP | 2,825 |
| CA | Lompoc | Lompoc | City | 41,103 |
| CA | Lompoc | Mission Hills | CDP | 3,142 |
| CA | Lompoc | Vandenberg AFB | CDP | 6,151 |
| CA | Lompoc | Vandenberg Village | CDP | 5,802 |
| CA | Manteca | Manteca | City | 49,258 |
| CA | Modesto | Bret Harte | CDP | 5,161 |
| CA | Modesto | Bystrom | CDP | 4,518 |
| CA | Modesto | Ceres | City | 34,609 |
| CA | Modesto | Del Rio | CDP | 1,168 |
| CA | Modesto | Empire | CDP | 3,903 |
| CA | Modesto | Hughson | City | 3,980 |

| | | | | |
|----|-----------------------|----------------------------|------|---------|
| CA | Modesto | Keyes | CDP | 4,575 |
| CA | Modesto | Modesto | City | 188,858 |
| CA | Modesto | Ripon | City | 10,148 |
| CA | Modesto | Riverbank | City | 15,826 |
| CA | Modesto | Riverdale Park | CDP | 1,094 |
| CA | Modesto | Salida | CDP | 12,560 |
| CA | Modesto | Shackelford | CDP | 5,170 |
| CA | Modesto | West Modesto | CDP | 8,098 |
| CA | Napa | Napa | City | 72,585 |
| CA | Oxnard | Channel Islands Beach | CDP | 3,142 |
| CA | Oxnard | El Rio | CDP | 6,193 |
| CA | Oxnard | Meiners Oaks | CDP | 3,750 |
| CA | Oxnard | Mira Monte | CDP | 7,177 |
| CA | Oxnard | Oak View | CDP | 4,199 |
| CA | Oxnard | Ojai | City | 7,862 |
| CA | Oxnard | Oxnard | City | 170,358 |
| CA | Oxnard | Port Hueneme | City | 21,845 |
| CA | Oxnard | San Buenaventura (Ventura) | City | 100,916 |
| CA | Petaluma | Petaluma | City | 54,548 |
| CA | Redding | Anderson | City | 9,022 |
| CA | Redding | Redding | City | 80,865 |
| CA | Redding | Shasta Lake | City | 9,008 |
| CA | Sacramento | Arden-Arcade | CDP | 96,025 |
| CA | Sacramento | Carmichael | CDP | 49,742 |
| CA | Sacramento | Citrus Heights | City | 85,071 |
| CA | Sacramento | Elk Grove | CDP | 59,984 |
| CA | Sacramento | Fair Oaks | CDP | 28,008 |
| CA | Sacramento | Florin | CDP | 27,653 |
| CA | Sacramento | Foothill Farms | CDP | 17,426 |
| CA | Sacramento | Gold River | CDP | 8,023 |
| CA | Sacramento | Granite Bay | CDP | 19,388 |
| CA | Sacramento | La Riviera | CDP | 10,273 |
| CA | Sacramento | Laguna | CDP | 34,309 |
| CA | Sacramento | Laguna West-Lakeside | CDP | 8,414 |
| CA | Sacramento | Loomis | Town | 6,260 |
| CA | Sacramento | North Highlands | CDP | 44,187 |
| CA | Sacramento | Orangevale | CDP | 26,705 |
| CA | Sacramento | Parkway-South Sacramento | CDP | 36,468 |
| CA | Sacramento | Rancho Cordova | CDP | 55,060 |
| CA | Sacramento | Rio Linda | CDP | 10,468 |
| CA | Sacramento | Rocklin | City | 36,330 |
| CA | Sacramento | Rosemont | CDP | 22,904 |
| CA | Sacramento | Roseville | City | 79,921 |
| CA | Sacramento | Sacramento | City | 407,018 |
| CA | Sacramento | Vineyard | CDP | 10,109 |
| CA | Salinas | Boronda | CDP | 1,325 |
| CA | Salinas | Castroville | CDP | 8,724 |
| CA | Salinas | Prunedale | CDP | 16,432 |
| CA | Salinas | Salinas | City | 151,060 |
| CA | San Francisco-Oakland | Alameda | City | 72,258 |
| CA | San Francisco-Oakland | Albany | City | 16,444 |
| CA | San Francisco-Oakland | Ashland | CDP | 20,793 |
| CA | San Francisco-Oakland | Atherton | Town | 7,194 |
| CA | San Francisco-Oakland | Bayview-Montalvin | CDP | 5,004 |
| CA | San Francisco-Oakland | Belmont | City | 25,123 |
| CA | San Francisco-Oakland | Berkeley | City | 102,743 |
| CA | San Francisco-Oakland | Brisbane | City | 3,597 |
| CA | San Francisco-Oakland | Broadmoor | CDP | 4,026 |
| CA | San Francisco-Oakland | Burlingame | City | 28,158 |
| CA | San Francisco-Oakland | Castro Valley | CDP | 57,292 |
| CA | San Francisco-Oakland | Cherryland | CDP | 13,837 |
| CA | San Francisco-Oakland | Colma | Town | 1,191 |
| CA | San Francisco-Oakland | Daly City | City | 103,621 |
| CA | San Francisco-Oakland | East Palo Alto | City | 29,506 |

| | | | | |
|----|-----------------------|-------------------------|------|---------|
| CA | San Francisco—Oakland | East Richmond Heights | CDP | 3,357 |
| CA | San Francisco—Oakland | El Cerrito | City | 23,171 |
| CA | San Francisco—Oakland | El Sobrante | CDP | 12,260 |
| CA | San Francisco—Oakland | Emerald Lake Hills | CDP | 3,899 |
| CA | San Francisco—Oakland | Emeryville | City | 6,882 |
| CA | San Francisco—Oakland | Fairview | CDP | 9,470 |
| CA | San Francisco—Oakland | Foster City | City | 28,803 |
| CA | San Francisco—Oakland | Fremont | City | 203,413 |
| CA | San Francisco—Oakland | Hayward | City | 140,030 |
| CA | San Francisco—Oakland | Hercules | City | 19,488 |
| CA | San Francisco—Oakland | Highlands-Baywood Park | CDP | 4,210 |
| CA | San Francisco—Oakland | Hillsborough | Town | 10,825 |
| CA | San Francisco—Oakland | Kensington | CDP | 4,936 |
| CA | San Francisco—Oakland | Menlo Park | City | 30,785 |
| CA | San Francisco—Oakland | Millbrae | City | 20,718 |
| CA | San Francisco—Oakland | Newark | City | 42,471 |
| CA | San Francisco—Oakland | North Fair Oaks | CDP | 15,440 |
| CA | San Francisco—Oakland | Oakland | City | 399,484 |
| CA | San Francisco—Oakland | Pacifica | City | 38,390 |
| CA | San Francisco—Oakland | Piedmont | City | 10,952 |
| CA | San Francisco—Oakland | Pinole | City | 19,039 |
| CA | San Francisco—Oakland | Portola Valley | Town | 4,462 |
| CA | San Francisco—Oakland | Redwood City | City | 75,402 |
| CA | San Francisco—Oakland | Richmond | City | 99,216 |
| CA | San Francisco—Oakland | Rodeo | CDP | 8,717 |
| CA | San Francisco—Oakland | Rollingwood | CDP | 2,900 |
| CA | San Francisco—Oakland | San Bruno | City | 40,165 |
| CA | San Francisco—Oakland | San Carlos | City | 27,718 |
| CA | San Francisco—Oakland | San Francisco | City | 776,733 |
| CA | San Francisco—Oakland | San Leandro | City | 79,452 |
| CA | San Francisco—Oakland | San Lorenzo | CDP | 21,898 |
| CA | San Francisco—Oakland | San Mateo | City | 92,482 |
| CA | San Francisco—Oakland | San Pablo | City | 30,215 |
| CA | San Francisco—Oakland | South San Francisco | City | 60,552 |
| CA | San Francisco—Oakland | Stanford | CDP | 13,315 |
| CA | San Francisco—Oakland | Tara Hills | CDP | 5,332 |
| CA | San Francisco—Oakland | Union City | City | 66,869 |
| CA | San Francisco—Oakland | West Menlo Park | CDP | 3,629 |
| CA | San Jose | Alum Rock | CDP | 13,479 |
| CA | San Jose | Buena Vista | CDP | 1,704 |
| CA | San Jose | Burbank | CDP | 5,239 |
| CA | San Jose | Cambrian Park | CDP | 3,258 |
| CA | San Jose | Campbell | City | 38,138 |
| CA | San Jose | Cupertino | City | 50,546 |
| CA | San Jose | East Foothills | CDP | 8,133 |
| CA | San Jose | Fruitdale | CDP | 895 |
| CA | San Jose | Lexington Hills | CDP | 2,454 |
| CA | San Jose | Los Altos | City | 27,693 |
| CA | San Jose | Los Altos Hills | Town | 7,902 |
| CA | San Jose | Los Gatos | Town | 28,592 |
| CA | San Jose | Loyola | CDP | 3,478 |
| CA | San Jose | Milpitas | City | 62,698 |
| CA | San Jose | Monte Sereno | City | 3,483 |
| CA | San Jose | Mountain View | City | 70,708 |
| CA | San Jose | Palo Alto | City | 58,598 |
| CA | San Jose | San Jose | City | 894,943 |
| CA | San Jose | Santa Clara | City | 102,361 |
| CA | San Jose | Saratoga | City | 29,843 |
| CA | San Jose | Seven Trees | CDP | 1,666 |
| CA | San Jose | Sunnyvale | City | 131,760 |
| CA | San Jose | Sunol-Midtown | CDP | 748 |
| CA | San Luis Obispo | San Luis Obispo | City | 44,174 |
| CA | San Rafael—Novato | Belvedere | City | 2,125 |
| CA | San Rafael—Novato | Black Point-Green Point | CDP | 1,143 |

| | | | | |
|----|---------------------------|----------------------------|------|---------|
| CA | San Rafael--Novato | Corte Madera | Town | 9,100 |
| CA | San Rafael--Novato | Fairfax | Town | 7,319 |
| CA | San Rafael--Novato | Kentfield | CDP | 6,351 |
| CA | San Rafael--Novato | Larkspur | City | 12,014 |
| CA | San Rafael--Novato | Lucas Valley-Marinoood | CDP | 6,357 |
| CA | San Rafael--Novato | Mill Valley | City | 13,600 |
| CA | San Rafael--Novato | Novato | City | 47,630 |
| CA | San Rafael--Novato | Ross | Town | 2,329 |
| CA | San Rafael--Novato | San Anselmo | Town | 12,378 |
| CA | San Rafael--Novato | San Rafael | City | 56,063 |
| CA | San Rafael--Novato | Santa Venetia | CDP | 4,298 |
| CA | San Rafael--Novato | Sausalito | City | 7,330 |
| CA | San Rafael--Novato | Strawberry | CDP | 5,302 |
| CA | San Rafael--Novato | Tamalpais-Homestead Valley | CDP | 10,691 |
| CA | San Rafael--Novato | Tiburon | Town | 8,666 |
| CA | San Rafael--Novato | Woodacre | CDP | 1,393 |
| CA | Santa Barbara | Carpinteria | City | 14,194 |
| CA | Santa Barbara | Goleta | CDP | 55,204 |
| CA | Santa Barbara | Isla Vista | CDP | 18,344 |
| CA | Santa Barbara | Mission Canyon | CDP | 2,610 |
| CA | Santa Barbara | Montecito | CDP | 10,000 |
| CA | Santa Barbara | Santa Barbara | City | 92,325 |
| CA | Santa Barbara | Summerland | CDP | 1,545 |
| CA | Santa Barbara | Toro Canyon | CDP | 1,897 |
| CA | Santa Clarita | Santa Clarita | City | 151,088 |
| CA | Santa Cruz | Aptos | CDP | 9,396 |
| CA | Santa Cruz | Ben Lomond | CDP | 2,364 |
| CA | Santa Cruz | Capitola | City | 10,033 |
| CA | Santa Cruz | Felton | CDP | 1,051 |
| CA | Santa Cruz | Live Oak | CDP | 18,628 |
| CA | Santa Cruz | Opal Cliffs | CDP | 6,458 |
| CA | Santa Cruz | Rio del Mar | CDP | 9,198 |
| CA | Santa Cruz | Santa Cruz | City | 54,593 |
| CA | Santa Cruz | Scotts Valley | City | 11,385 |
| CA | Santa Cruz | Soquel | CDP | 5,081 |
| CA | Santa Cruz | Twin Lakes | CDP | 5,533 |
| CA | Santa Maria | Nipomo | CDP | 12,626 |
| CA | Santa Maria | Orcutt | CDP | 28,830 |
| CA | Santa Maria | Santa Maria | City | 77,423 |
| CA | Santa Rosa | Cotati | City | 6,471 |
| CA | Santa Rosa | Graton | CDP | 1,815 |
| CA | Santa Rosa | Healdsburg | City | 10,722 |
| CA | Santa Rosa | Larkfield-Wikiup | CDP | 7,479 |
| CA | Santa Rosa | Rohnert Park | City | 42,236 |
| CA | Santa Rosa | Roseland | CDP | 6,369 |
| CA | Santa Rosa | Santa Rosa | City | 147,595 |
| CA | Santa Rosa | Sebastopol | City | 7,774 |
| CA | Santa Rosa | Windsor | Town | 22,744 |
| CA | Seaside--Monterey--Marina | Carmel Valley Village | CDP | 4,700 |
| CA | Seaside--Monterey--Marina | Carmel-by-the-Sea | City | 4,081 |
| CA | Seaside--Monterey--Marina | Del Monte Forest | CDP | 4,531 |
| CA | Seaside--Monterey--Marina | Del Rey Oaks | City | 1,650 |
| CA | Seaside--Monterey--Marina | Marina | City | 25,101 |
| CA | Seaside--Monterey--Marina | Pacific Grove | City | 15,522 |
| CA | Seaside--Monterey--Marina | Sand City | City | 261 |
| CA | Seaside--Monterey--Marina | Seaside | City | 31,696 |
| CA | Simi Valley | Simi Valley | City | 111,351 |
| CA | Stockton | August | CDP | 7,808 |
| CA | Stockton | Country Club | CDP | 9,462 |
| CA | Stockton | French Camp | CDP | 4,109 |
| CA | Stockton | Garden Acres | CDP | 9,747 |
| CA | Stockton | Kennedy | CDP | 3,275 |
| CA | Stockton | Lathrop | City | 10,445 |
| CA | Stockton | Lincoln Village | CDP | 4,216 |

| | | | | |
|----|---------------|----------------------|------|---------|
| CA | Stockton | Morada | CDP | 3,726 |
| CA | Stockton | Stockton | City | 243,771 |
| CA | Stockton | Taft Mosswood | CDP | 1,388 |
| CA | Thousand Oaks | Agoura Hills | City | 20,537 |
| CA | Thousand Oaks | Casa Conejo | CDP | 3,180 |
| CA | Thousand Oaks | Moorpark | City | 31,415 |
| CA | Thousand Oaks | Oak Park | CDP | 2,320 |
| CA | Thousand Oaks | Thousand Oaks | City | 117,005 |
| CA | Thousand Oaks | Westlake Village | City | 8,368 |
| CA | Tracy | Tracy | City | 58,929 |
| CA | Turlock | Delhi | CDP | 8,022 |
| CA | Turlock | Denair | CDP | 3,446 |
| CA | Turlock | Turlock | City | 55,810 |
| CA | Vacaville | Elmira | CDP | 205 |
| CA | Vacaville | Vacaville | City | 88,625 |
| CA | Vallejo | American Canyon | City | 9,774 |
| CA | Vallejo | Benicia | City | 26,865 |
| CA | Vallejo | Crockett | CDP | 3,194 |
| CA | Vallejo | Vallejo | City | 116,760 |
| CA | Watsonville | Arnosti | CDP | 2,436 |
| CA | Watsonville | Corralitos | CDP | 2,431 |
| CA | Watsonville | Freedom | CDP | 6,000 |
| CA | Watsonville | Interlaken | CDP | 7,328 |
| CA | Watsonville | Las Lomas | CDP | 3,078 |
| CA | Watsonville | Pajaro | CDP | 3,384 |
| CA | Watsonville | Watsonville | City | 44,265 |
| CA | Yuba City | Linda | CDP | 13,474 |
| CA | Yuba City | Marysville | City | 12,268 |
| CA | Yuba City | Olivehurst | CDP | 11,061 |
| CA | Yuba City | South Yuba City | CDP | 12,651 |
| CA | Yuba City | Sutter | CDP | 2,885 |
| CA | Yuba City | Tierra Buena | CDP | 4,587 |
| CA | Yuba City | Yuba City | City | 36,758 |
| OR | Corvallis | Adair Village | City | 536 |
| OR | Corvallis | Corvallis | City | 49,322 |
| OR | Corvallis | Philomath | City | 3,838 |
| OR | Eugene | Coburg | City | 969 |
| OR | Eugene | Eugene | City | 137,893 |
| OR | Eugene | Springfield | City | 52,864 |
| OR | Longview | Rainier | City | 1,887 |
| OR | Medford | Ashland | City | 19,522 |
| OR | Medford | Central Point | City | 12,493 |
| OR | Medford | Jacksonville | City | 2,235 |
| OR | Medford | Medford | City | 63,154 |
| OR | Medford | Phoenix | City | 4,080 |
| OR | Medford | Talent | City | 5,589 |
| OR | Medford | White City | CDP | 5,466 |
| OR | Portland | Aloha | CDP | 41,741 |
| OR | Portland | Beaverton | City | 76,129 |
| OR | Portland | Butteville | CDP | 293 |
| OR | Portland | Cedar Hills | CDP | 8,949 |
| OR | Portland | Cedar Mill | CDP | 12,597 |
| OR | Portland | Clackamas | CDP | 5,177 |
| OR | Portland | Cornelius | City | 9,652 |
| OR | Portland | Durham | City | 1,382 |
| OR | Portland | Fairview | City | 7,581 |
| OR | Portland | Forest Grove | City | 17,708 |
| OR | Portland | Garden Home-Whitford | CDP | 6,931 |
| OR | Portland | Gladstone | City | 11,438 |
| OR | Portland | Gresham | City | 90,205 |
| OR | Portland | Happy Valley | City | 4,519 |
| OR | Portland | Hillsboro | City | 70,186 |
| OR | Portland | Jennings Lodge | CDP | 7,036 |
| OR | Portland | Johnson City | City | 634 |

| | | | | |
|----|--------------------|---------------------------|------|---------|
| OR | Portland | King City | City | 1,949 |
| OR | Portland | Lake Oswego | City | 35,278 |
| OR | Portland | Maywood Park | City | 777 |
| OR | Portland | Metzger | CDP | 3,354 |
| OR | Portland | Milwaukie | City | 20,490 |
| OR | Portland | Oak Grove | CDP | 12,808 |
| OR | Portland | Oak Hills | CDP | 9,050 |
| OR | Portland | Oatfield | CDP | 15,750 |
| OR | Portland | Oregon City | City | 25,754 |
| OR | Portland | Portland | City | 529,121 |
| OR | Portland | Raleigh Hills | CDP | 5,865 |
| OR | Portland | Rivergrove | City | 324 |
| OR | Portland | Rockcreek | CDP | 9,404 |
| OR | Portland | Sherwood | City | 11,791 |
| OR | Portland | Sunnyside | CDP | 6,791 |
| OR | Portland | Tigard | City | 41,223 |
| OR | Portland | Troutdale | City | 13,777 |
| OR | Portland | Tualatin | City | 22,791 |
| OR | Portland | West Haven-Sylvan | CDP | 7,147 |
| OR | Portland | West Linn | City | 22,261 |
| OR | Portland | West Slope | CDP | 6,442 |
| OR | Portland | Wilsonville | City | 13,991 |
| OR | Portland | Wood Village | City | 2,860 |
| OR | Salem | Eola | CDP | 49 |
| OR | Salem | Four Corners | CDP | 13,922 |
| OR | Salem | Hayesville | CDP | 18,222 |
| OR | Salem | Keizer | City | 32,203 |
| OR | Salem | Labish Village | CDP | 376 |
| OR | Salem | Salem | City | 136,924 |
| OR | Salem | Turner | City | 1,199 |
| WA | Bellingham | Bellingham | City | 67,171 |
| WA | Bellingham | Geneva | CDP | 2,257 |
| WA | Bellingham | Marietta-Alderwood | CDP | 3,594 |
| WA | Bellingham | Sudden Valley | CDP | 4,165 |
| WA | Bremerton | Bremerton | City | 37,259 |
| WA | Bremerton | East Port Orchard | CDP | 5,116 |
| WA | Bremerton | Erlands Point-Kitsap Lake | CDP | 2,723 |
| WA | Bremerton | Manchester | CDP | 4,958 |
| WA | Bremerton | Navy Yard City | CDP | 2,638 |
| WA | Bremerton | Parkwood | CDP | 7,213 |
| WA | Bremerton | Port Orchard | City | 7,693 |
| WA | Bremerton | Poulsbo | City | 6,813 |
| WA | Bremerton | Silverdale | CDP | 15,816 |
| WA | Bremerton | Suquamish | CDP | 3,510 |
| WA | Bremerton | Tracyton | CDP | 3,267 |
| WA | Kennewick-Richland | Burbank | CDP | 3,303 |
| WA | Kennewick-Richland | Finley | CDP | 5,770 |
| WA | Kennewick-Richland | Highland | CDP | 3,388 |
| WA | Kennewick-Richland | Kennewick | City | 54,893 |
| WA | Kennewick-Richland | Pasco | City | 32,066 |
| WA | Kennewick-Richland | Richland | City | 38,708 |
| WA | Kennewick-Richland | West Pasco | CDP | 4,629 |
| WA | Longview | Kelso | City | 11,895 |
| WA | Longview | Longview | City | 34,660 |
| WA | Longview | Longview Heights | CDP | 3,513 |
| WA | Longview | West Longview | CDP | 2,882 |
| WA | Longview | West Side Highway | CDP | 4,565 |
| WA | Marysville | Arlington | City | 11,713 |
| WA | Marysville | Granite Falls | City | 2,347 |
| WA | Marysville | Jordan Road-Canyon Creek | CDP | 2,326 |
| WA | Marysville | Lake Stevens | City | 6,361 |
| WA | Marysville | Lochsloy | CDP | 2,135 |
| WA | Marysville | Machias | CDP | 1,015 |
| WA | Marysville | Marysville | City | 25,315 |

| | | | | |
|----|---------------|----------------------------|------|---------|
| WA | Marysville | North Marysville | CDP | 21,161 |
| WA | Marysville | Northwest Snohomish | CDP | 2,067 |
| WA | Marysville | Priest Point | CDP | 779 |
| WA | Marysville | Smokey Point | CDP | 1,556 |
| WA | Marysville | Snohomish | City | 8,494 |
| WA | Marysville | Tulalip Bay | CDP | 1,581 |
| WA | Marysville | West Lake Stevens | CDP | 18,071 |
| WA | Mount Vernon | Big Lake | CDP | 1,153 |
| WA | Mount Vernon | Burlington | City | 6,757 |
| WA | Mount Vernon | Mount Vernon | City | 26,232 |
| WA | Mount Vernon | Sedro-Woolley | City | 8,658 |
| WA | Olympia-Lacey | Lacey | City | 31,226 |
| WA | Olympia-Lacey | Olympia | City | 42,514 |
| WA | Olympia-Lacey | Tanglewilde-Thompson Place | CDP | 5,670 |
| WA | Olympia-Lacey | Turnwater | City | 12,698 |
| WA | Seattle | Alderwood Manor | CDP | 15,329 |
| WA | Seattle | Algona | City | 2,460 |
| WA | Seattle | Ames Lake | CDP | 1,435 |
| WA | Seattle | Artondale | CDP | 8,630 |
| WA | Seattle | Auburn | City | 40,314 |
| WA | Seattle | Beaux Arts Village | Town | 307 |
| WA | Seattle | Bellevue | City | 109,569 |
| WA | Seattle | Black Diamond | City | 3,970 |
| WA | Seattle | Bonney Lake | City | 9,687 |
| WA | Seattle | Bothell | City | 30,150 |
| WA | Seattle | Brier | City | 6,383 |
| WA | Seattle | Bryn Mawr-Skyway | CDP | 13,977 |
| WA | Seattle | Buckley | City | 4,145 |
| WA | Seattle | Burien | City | 31,881 |
| WA | Seattle | Cascade-Fairwood | CDP | 34,580 |
| WA | Seattle | Cathcart | CDP | 3,015 |
| WA | Seattle | Clyde Hill | City | 2,890 |
| WA | Seattle | Cottage Lake | CDP | 24,330 |
| WA | Seattle | Covington | City | 13,783 |
| WA | Seattle | Des Moines | City | 29,267 |
| WA | Seattle | DuPont | City | 2,452 |
| WA | Seattle | Duvall | City | 4,616 |
| WA | Seattle | East Hill-Meridian | CDP | 29,308 |
| WA | Seattle | East Renton Highlands | CDP | 13,264 |
| WA | Seattle | Eastgate | CDP | 4,558 |
| WA | Seattle | Echo Lake | CDP | 849 |
| WA | Seattle | Edgewood | City | 9,089 |
| WA | Seattle | Edmonds | City | 39,515 |
| WA | Seattle | Elk Plain | CDP | 15,697 |
| WA | Seattle | Enumclaw | City | 11,116 |
| WA | Seattle | Esperance | CDP | 3,503 |
| WA | Seattle | Everett | City | 91,488 |
| WA | Seattle | Federal Way | City | 83,259 |
| WA | Seattle | Fife | City | 4,784 |
| WA | Seattle | Fircrest | City | 5,868 |
| WA | Seattle | Fort Lewis | CDP | 19,089 |
| WA | Seattle | Fox Island | CDP | 2,803 |
| WA | Seattle | Frederickson | CDP | 5,758 |
| WA | Seattle | Gig Harbor | City | 6,465 |
| WA | Seattle | Hunts Point | Town | 443 |
| WA | Seattle | Inglewood-Finn Hill | CDP | 22,661 |
| WA | Seattle | Issaquah | City | 11,212 |
| WA | Seattle | Kenmore | City | 18,678 |
| WA | Seattle | Kent | City | 79,524 |
| WA | Seattle | Kingsgate | CDP | 12,222 |
| WA | Seattle | Kirkland | City | 45,054 |
| WA | Seattle | Lake Forest Park | City | 13,142 |
| WA | Seattle | Lake Marcel-Stillwater | CDP | 1,381 |
| WA | Seattle | Lake Morton-Berrydale | CDP | 9,659 |

| | | | | |
|----|-----------|-----------------------------|------|---------|
| WA | Seattle | Lakeland North | CDP | 15,085 |
| WA | Seattle | Lakeland South | CDP | 11,436 |
| WA | Seattle | Lakewood | City | 58,211 |
| WA | Seattle | Lea Hill | CDP | 10,871 |
| WA | Seattle | Lynnwood | City | 33,847 |
| WA | Seattle | Maltby | CDP | 8,267 |
| WA | Seattle | Maple Valley | City | 14,209 |
| WA | Seattle | Martha Lake | CDP | 12,633 |
| WA | Seattle | McChord AFB | CDP | 4,096 |
| WA | Seattle | Medina | City | 3,011 |
| WA | Seattle | Mercer Island | City | 22,036 |
| WA | Seattle | Midland | CDP | 7,414 |
| WA | Seattle | Mill Creek | City | 11,525 |
| WA | Seattle | Milton | City | 5,795 |
| WA | Seattle | Mirrormont | CDP | 3,804 |
| WA | Seattle | Monroe | City | 13,795 |
| WA | Seattle | Mountlake Terrace | City | 20,362 |
| WA | Seattle | Mukilteo | City | 18,019 |
| WA | Seattle | Newcastle | City | 7,737 |
| WA | Seattle | Normandy Park | City | 6,392 |
| WA | Seattle | North Creek | CDP | 25,742 |
| WA | Seattle | Orting | City | 3,760 |
| WA | Seattle | Pacific | City | 5,527 |
| WA | Seattle | Paine Field-Lake Stickney | CDP | 24,383 |
| WA | Seattle | Parkland | CDP | 24,053 |
| WA | Seattle | Picnic Point-North Lynnwood | CDP | 22,953 |
| WA | Seattle | Prairie Ridge | CDP | 11,688 |
| WA | Seattle | Puyallup | City | 33,011 |
| WA | Seattle | Redmond | City | 45,256 |
| WA | Seattle | Renton | City | 50,052 |
| WA | Seattle | Riverton-Boulevard Park | CDP | 11,188 |
| WA | Seattle | Ruston | Town | 738 |
| WA | Seattle | Sammamish | City | 34,104 |
| WA | Seattle | SeaTac | City | 25,496 |
| WA | Seattle | Seattle | City | 563,374 |
| WA | Seattle | Seattle Hill-Silver Firs | CDP | 35,311 |
| WA | Seattle | Shoreline | City | 53,025 |
| WA | Seattle | South Hill | CDP | 31,623 |
| WA | Seattle | South Prairie | Town | 382 |
| WA | Seattle | Spanaway | CDP | 21,588 |
| WA | Seattle | Steilacoom | Town | 6,049 |
| WA | Seattle | Summit | CDP | 8,041 |
| WA | Seattle | Sumner | City | 8,504 |
| WA | Seattle | Tacoma | City | 193,556 |
| WA | Seattle | Tukwila | City | 17,181 |
| WA | Seattle | Union Hill-Novelty Hill | CDP | 11,265 |
| WA | Seattle | University Place | City | 29,933 |
| WA | Seattle | Waller | CDP | 9,200 |
| WA | Seattle | West Lake Sammamish | CDP | 5,937 |
| WA | Seattle | White Center | CDP | 20,975 |
| WA | Seattle | Woodinville | City | 9,194 |
| WA | Seattle | Woods Creek | CDP | 4,502 |
| WA | Seattle | Woodway | City | 936 |
| WA | Seattle | Yarrow Point | Town | 1,008 |
| WA | Vancouver | Barberton | CDP | 4,617 |
| WA | Vancouver | Battle Ground | City | 9,296 |
| WA | Vancouver | Camas | City | 12,534 |
| WA | Vancouver | Felida | CDP | 5,663 |
| WA | Vancouver | Five Corners | CDP | 12,207 |
| WA | Vancouver | Hazel Dell North | CDP | 9,251 |
| WA | Vancouver | Hazel Dell South | CDP | 6,605 |
| WA | Vancouver | Lake Shore | CDP | 6,670 |
| WA | Vancouver | Meadow Glade | CDP | 2,225 |
| WA | Vancouver | Mill Plain | CDP | 7,400 |

| | | | | |
|----|-----------|----------------------|------|---------|
| WA | Vancouver | Minnehaha | CDP | 7,689 |
| WA | Vancouver | Mount Vista | CDP | 5,770 |
| WA | Vancouver | Orchards | CDP | 17,852 |
| WA | Vancouver | Salmon Creek | CDP | 16,767 |
| WA | Vancouver | Vancouver | City | 143,560 |
| WA | Vancouver | Walnut Grove | CDP | 7,164 |
| WA | Vancouver | Washougal | City | 8,595 |
| WA | Wenatchee | East Wenatchee | City | 5,757 |
| WA | Wenatchee | East Wenatchee Bench | CDP | 13,658 |
| WA | Wenatchee | Rock Island | City | 863 |
| WA | Wenatchee | South Wenatchee | CDP | 1,991 |
| WA | Wenatchee | Sunnyslope | CDP | 2,521 |
| WA | Wenatchee | Wenatchee | City | 27,858 |
| WA | Wenatchee | West Wenatchee | CDP | 1,681 |
| WA | Yakima | Ahtanum | CDP | 4,181 |
| WA | Yakima | Eschbach | CDP | 400 |
| WA | Yakima | Gleed | CDP | 2,947 |
| WA | Yakima | Moxee | City | 821 |
| WA | Yakima | Selah | City | 6,310 |
| WA | Yakima | Summitview | CDP | 900 |
| WA | Yakima | Terrace Heights | CDP | 6,447 |
| WA | Yakima | West Valley | CDP | 10,433 |
| WA | Yakima | Yakima | City | 71,845 |