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KINGS COUNTY
PLANNING AGENCY

7 September 2001

COMMENT

Bill Zumwalt, Director, Kings County Planning Agency
Government Center Building #6
1400 W. Lacey Blvd.
Hanford, Ca. 93230

RE: Program Environmental Impact Report; Revised Draft Dairy Element of the Kings County
General Plan, SCH # 2000111133 dated 7 May 2001.

Dear Mr. Zumwalt;

I am pleased to comment on the referenced Report.

My company manufactures selenium additives for animal and poultry feeds and I lost significant business when the US-FDA functionally "deregulated" selenium as a feed additive in 1987. I filed an Objection at that time, repeatedly complained to that Agency and eventually sued arguing the environmental documents (Environmental Impact Assessment and FONSI- Finding of No Significant Impact) used to support deregulation were totally inadequate. In September 1993, I won a favorable administrative decision when the FDA suspended its deregulation until such time the feed manufacturing industry would submit additional information to support the environmental safety of adding higher levels of selenium to feeds.

The AFIA (American Feed Industry Association) instead of developing and submitting the required information lobbied Congress so that in the Fall of 1994 it passed legislation reinstating the deregulation in spite of the lack of environmental information. The information that existed suggested the increase in the permitted addition level of selenium from 0.1ppm to 0.3ppm would have a significant negative impact on many fish species, interfering with their ability to reproduce. As a result, no one has studied the environmental impact of adding selenium to feeds and such addition may have a significant negative environmental impact the extent of which is not known.

Your EIR mentions selenium only on pages 4.3-8 and 4.3-9 but with no discussion of the environmental impact that may be caused as a result of its addition to dairy feeds.

On page 3-6, the EIR indicates a maximum dairy herd of 381,890 cows plus 423,998 head of support stock. On page 4.3-19, the EIR indicates a maximum of 85-lbs. of manure per day per cow. I prefer to simply state a daily feed intake of 22-lbs. (10-kgs) X 400,000 animals = 8,800,000-lbs. of feed consumed each day X 365 days = 3,212,000,000-lbs. of feed consumed each year. If selenium is added to this feed at 0.3 ppm (parts per million) then approx. 864-lbs. of selenium would be added to the environment each year.

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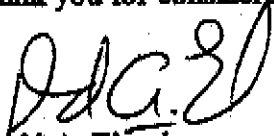
If one paints a "worst case scenario", one must assume 100% of this added selenium leaches from the urine and manure of treated animals during one heavy rainfall. The FDA "FONSI" (Finding of No Significant Impact) assumed a 10% leaching and estimated not more than 5 to 7ppb (parts per billion) would be added to surrounding lake water. The EPA in controlled studies in Iowa had concluded 2ppb selenium in lake water would interfere with 50% of the reproduction of bluegill fish.

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I believe the referenced EIR is inadequate in that it fails to mention the environmental issues surrounding the addition of selenium to dairy feeds and certainly fails to address them. The EIR will be incomplete until research is conducted on this matter.

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Thank you for considering my views.



David A. Eisenberg
195 Vasquez Avenue
San Francisco, Ca. 94124

home tel. 1-415-664-2891