**PESTICIDE REGISTRATION**
**AND EVALUATION COMMITTEE (PREC)**
**Meeting Minutes –May 20, 2016**

**Committee Members/Alternates in Attendance:**

Amalia Neidhardt, Department of Industrial Relations (DIR) –via webcast
Ann Prichard, Department of Pesticide Regulation (DPR)
Charles Salocks, Office of Environmental Health Hazard Assessment (OEHHA)
Crystal Reul-Chen, Department of Resources Recycling and Recovery (CalRecycle) –via webcast
Eric Lauritzen, California Agricultural Commissioners and Sealers Association (CACASA)
James Seiber, University of California, Department of Toxicology
Jeff Fowles, Department of Public Health (CDPH) –via webcast
Jodi Pontureri, State Water Resources Control Board (SWRCB)
Lynn Baker, Air Resources Board (ARB)
Patti TenBrook, U.S. Environmental Protection Agency (EPA), Region 9
Perry Poe, California Department of Food and Agriculture (CDFA)
Rebecca Sisco, University of California, IR-4 Program
Stella McMillin, Department of Fish and Wildlife (CDFW)

**Visitors in Attendance:**

George Soares, Kahn, Soares & Conway, LLP
James Nakashima, OEHHA –via webcast
Jean-Mari Peltier, Environmental Solutions Group
Jodi Raley, California Cotton Ginners and Growers Associations
Miriam Rotkin-Ellman, Natural Resources Defense Council –via webcast
Paul Towers, Pesticide Action Network North America and Californians for Pesticide Reform
Rachel Kubiak, Western Plant Health Association (WPHA)

**DPR Staff in Attendance:**

Andi Cameron, Pesticide Registration Branch –via webcast
Anise Severns, Administrative Services Division
Aron Lindgren, Pesticide Registration Branch
Atac Tuli, Environmental Monitoring Branch
Carlos Gutierrez, Pesticide Registration Branch
Chris Collins, Environmental Monitoring Branch
David Duncan, Environmental Monitoring Branch
Denise Alder, Pesticide Registration Branch
Donna Marciano, Enforcement Branch
Edgar Vidrio, Environmental Monitoring Branch
Eileen Mahoney, Pesticide Registration Branch

**Cont. DPR Staff in Attendance:**

George Farnsworth, Pesticide Programs Division
Jesse Cuevas, Office of Legislation and Policy
Jill Townzen, Office of Legislation and Policy
Kelsey Craig, Environmental Monitoring Branch
Leslie Crowl, Worker Health and Safety Branch
Leslie Ford, Fiscal Services and Business Operations Branch
Lisa Ross, Worker Health and Safety Branch
Marylou Verder-Carlos, Pesticide Programs Division
Pam Wofford, Environmental Monitoring Branch
Randy Segawa, Pesticide Programs Division

1. **Introductions and Committee Business –Ann Prichard, Chair, DPR**

a. About thirty-five (35) people attended the meeting and fifty (50) webcast viewers.
b. No corrections to the minutes held on January 15, 2016 and March 18, 2016 identified.

2. **Air Monitoring Network Changes, Randy Segawa and Pam Wofford, DPR**

Currently, there is a proposed budget change proposal to increase the size of the Air Monitoring Network (AMN). The proposal will increase the total number of sites to eight and include analysis for all thirty-two chemicals at all sites. DPR will rank and select all eight communities. DPR will select and monitor three core sites within the communities. ARB will select and monitor five supplemental sites within the communities. The proposal requires preference be given to schools and environmental justice communities for the five sites managed by ARB. Additionally, this will include three seasonal monitoring studies per year conducted by ARB. Funding for the supplemental sites is limited to two fiscal years. Therefore, ARB monitoring at the five sites and the seasonal studies will end in June 2018, while DPR monitoring at the three core sites will continue. Comments regarding the AMN changes included possible changes to monitoring objectives, pesticides monitored, sampling frequency, communities monitored (including alternating communities), and criteria for selecting sites within communities.

The proposed revised method to rate communities for pesticide use includes two sets of communities: (1) based on 2012-2014 use of four fumigants; and, (2) based on 2012-2014 use of eleven organophosphates. The use in three zones (greater weight to community use) includes use within community (community zone), use within community and one mile of community (local zone), and use within community and five miles of community (regional zone). The use density (pounds per square mile) is determined by pesticide, year, and zone (36 or 99 use values) for each community. The communities are then ranked from highest to lowest community (1 to 1267) for each use value. Each community assigned average ranking of three years, three zones, and four or eleven pesticides.

The parameters used by DPR include community boundaries based on 2010 Census Bureau, legally defined boundaries by cities, and census designated places (CDPs). Areas under consideration for pesticide use density include the current, buffer, and ring. Use is divided by

average annual wind speed. Previously, pesticide use (ranking) were calculated from entire sections that are within five miles of the community boundary. Pesticide use will now be calculated as the proportion of use based on the area of a section within the buffer.

**Table 1. Community ranking.**

| Community | Current Community | | Buffer Community | | Ring Community | |
|---|---|---|---|---|---|---|
| Edmundson Acres CDP | 1 | 6 | 2 | 5 | 2 | 5 |
| Mettler CDP | 2 | 4 | 1 | 1 | 1 | 2 |
| Macdoel CDP | 3 | 12 | 3 | 8 | 3 | 6 |
| La Vina CDP | 4 | 38 | 7 | 33 | 7 | 35 |
| Saticoy CDP | 5 | 9 | 28 | 39 | 28 | 38 |
| Delft Colony CDP | 6 | 51 | 9 | 38 | 9 | 40 |
| Pajaro CDP | 7 | 3 | 4 | 3 | 4 | 3 |
| El Rio CDP | 8 | 2 | 6 | 2 | 6 | 1 |
| Boronda CDP | 9 | 23 | 8 | 13 | 8 | 12 |
| Castroville CDP | 10 | 11 | 10 | 9 | 10 | 10 |

**Table 2. Communities with the highest adjusted use rankings for organophosphates (2012-2014 data).**

| Communities | County | Ranking | CalEnviro Score |
|---|---|---|---|
| Guadalupe, Woodlands CDP, Santa Maria[1], ~~Callendar CDP~~, Garey CDP | Santa Barbara, San Luis Obispo | 1, 2, 14, ~~22~~, 23 | 36-75 |
| Chualar, Gonzalez | Monterey | 3, 11 | 66-70 |
| Tulare (Kingsburg area, 18 communities) | Tulare | 4-30 | 76-100 |
| Richgrove CDP, Rodriquez Camp CDP | Tulare | 5, 6 | 96-100 |
| San Joaquin, Tranquility, Cantua Creek | Fresno | 9,14,17 | 81-85 |
| Hamilton City CDP | Glenn | 10 | 61-65 |
| Lost Hills CDP | Kern | 15 | 86-90 |
| Seeley CDP | Imperial | 20 | 81-85 |
| Shafter[2] | Kern | 23 | 71-85 |

[1]Santa Maria is a current ARB monitoring site
[2]Shafter is a current ARB monitoring site

**Table 3. Communities with the highest adjusted use rankings for fumigants (2012-2014 data).**

| Communities | County | Ranking | CalEnviro Score |
|---|---|---|---|
| El Rio[1], Camarillo City, Oxnard City, Ventura | Ventura | 2, 5, 15, 28 | 11-95 |
| Watsonville Area[2] (10 communites) | Monterey, Santa Cruz | 4 - 29 | 36-95 |
| Santa Maria[3], Guadalupe City, Woodlands, Nipomo, Callender, Orcutt, Garey | Santa Barbara, San Luis Obispo | 7, 9, 12, 18, 19, 23, 27 | 1-75 |
| ~~Mettler~~, ~~Edmundson Acres~~, ~~Weedpatch~~, Arvin, Rosedale, Lamont | Kern | 1, 3, 6, 14, 20, 24 | 6-100 |
| ~~Macdoel~~, ~~Mount Hebron~~ | Siskiyou | 7 | 41-45 |
| Cuyama, New Cuyama | Santa Barbara | 8,17 | 41-45 |
| Farmersville City, Reedley, Caruthers | Tulare, Fresno | 23,28,30 | 51-100 |
| Delhi | Merced | 26 | 76-95 |

[1]Rio Mesa in El Rio is a current ARB monitoring site
[2]Ohlone in the Watsonville area is a current ARB monitoring site
[3]Santa Maria is a current ARB monitoring site

DPR proposes to retain monitoring at Shafter High School because 1,3-dichloropropene will exceed the regulatory target if concentration continues and the site is the highest organophosphate concentrations relative to screening levels. Shafter is ranked 23 for organophosphate use around the community and the continued monitoring allows for continuing trend analysis.

Additionally, DPR proposed to retain the three sites ARB is currently monitoring: Ohlone Elementary, Santa Maria, and Rio Mesa High School. Ohlone Elementary is the second highest site rated in the region and the continued monitoring allows for continuing trend analysis. The Santa Maria site exceeded chloropicrin subchronic screening level and the continued monitoring allows for continuing trend analysis. Rio Mesa High School is the highest ranking in the region for fumigant use and the continued monitoring allows for continuing trend analysis. Ohlone, Santa Maria, and Rio Mesa would monitor the top three regions for fumigant use.

Potential communities to start monitoring include Chualar and the Tulare area. Chualar is ranked the second highest region of organophosphate use with a CalEnviroScreen score of 66-70. The Tulare area is ranked the third highest region for organophosphate use and most of the communities scored over seventy-five with CalEnviroScreen. Santa Maria, Chualar, and Tulare area would monitor the top three regions for organophosphate use.

Under Senate Bill 525 (Cap and Trade), the California Environmental Protection Agency has defined a "disadvantage community" as one that scores at or above the 75th percentile using CalEnviroScreen.

**Table 4. Communities ranked in top fifteen that do not meet the 75th percentile.**

| Organophosphate | | |
|---|---|---|
| **Community** | **Rank** | **Score** |
| **Guadalupe** | 1 | 71-75 |
| **Woodlands** | 2 | 51-55 |
| **Chualar** | 3 | 66-70 |
| **Hamilton City** | 10 | 61-65 |
| **Gonzales** | 11 | 66-70 |

| Fumigant | | |
|---|---|---|
| **Community** | **Rank** | **Score** |
| **El Rio** | 2 | 36-65 |
| **Camarillo** | 5 | 31-75 |
| **Pajaro Dunes** | 7 | 46-50 |
| **Interlaken** | 8 | 41-55 |
| **Cuyama** | 8 | 41-45 |
| **Guadalupe** | 9 | 71-75 |
| **Amesti** | 10 | 46-50 |
| **Woodlands** | 13 | 51-55 |

DPR proposes to use annual average wind speed to adjust use, select four locations based on organophosphate use (including retaining Shafter High School, Chualar, and Tulare with an additional selection to be determined), and select four locations based on fumigant use (including retaining Rio Mesa High School, Ohlone Elementary, Santa Maria with an additional selection to be determined). DPR is still considering how to incorporate Environmental Justice considerations and when and what tool or system of rating to use.

For more information regarding changes to the AMN, please visit DPR's Web site at <http://cdpr.ca.gov/docs/emon/airinit/air_network.htm>. More information can also be obtained by contacting Mr. Randy Segawa, Environmental Program Manager I, at 916-324-4137 or by e-mail at <Randy.Segawa@cdpr.ca.gov> or Ms. Pam Wofford, Environmental Program Manager I, at 916-324-4297 or by e-mail at <Pam.Wofford@cdpr.ca.gov>.

## 3. Committee Comment

Lynn Baker stated the AMN should consider the presentation regarding Environmental Justice given at the PREC. The presentation Lynn Baker referred to was presented by Deldi Reyes with the U.S. Environmental Protection Agency, Region 9 and is located at <http://cdpr.ca.gov/docs/dept/prec/2013/031513_ejtools.pdf>.

Eric Lauritzen inquired if DPR will continue monitoring in Salinas. Randy Segawa stated DPR is proposing to move the Salinas monitoring site to Chualar. Eric Lauritzen further inquired if DPR is going to close out the study and write a report. Randy Segawa stated DPR is planning to write a comprehensive report to close out the study once the 2016 monitoring has completed.

Eric Lauritzen asked if there is going to be more than one monitoring site within a county. Randy Segawa stated there is potential for up to two monitoring sites in one county. However, DPR would like some geographic separation between the sites. Ideally, the separation would be at least twenty to thirty miles.

Patti TenBrook inquired as to why and how DPR is factoring wind speed into the community ranking. Randy Segawa stated DPR is dividing the use within the community (pounds per square mile) by the average wind speed for the entire year. The communities with lower wind speed now get a higher adjusted use score. Communities with lower wind speed would have higher air concentrations.

James Seiber commented DPR should consider holding a workshop to explain the data collected to-date from the Air Monitoring Program.

Lynn Baker stated Shafter ranked low on the organophosphates ranking and asked where Shafter ranked on the fumigants ranking. Lynn Baker further inquired as to why DPR is continuing monitoring Shafter when it is ranked so low. Randy Segawa stated Shafter currently is the communities with the highest 1,3-dichloropropene use. DPR is hesitant to discontinue monitoring.

James Seiber inquired if DPR has experimental data testing lower wind speed and higher air concentrations. Randy Segawa stated no but that is something to consider in the future.

Lynn Baker commented that DPR might want to consider using other weather data than CIMIS (California Irrigation Management Information System) selective ion monitoring (SIM). SIM measures wind speed six or eight feet above the ground and local obstacles such as trees and buildings could greatly affect the wind speed.

Eric Lauritzen asked if the average wind speed during highest use would be better than the average for the year. Randy Segawa stated the AMN's goal is to measure long-term air concentration. Not just for one year but multiple years. DPR determined average wind speed for the entire year would best factor into long-term data.

Lynn Baker stated DPR did not initiate the budget change proposal.

Rebecca Sisco stated DPR has been very accommodating to stakeholders.

Rebecca Sisco commented existing concerns should take precedence over factoring environmental justice in the ranking.

Jeff Fowles stated they are supportive of the proposed changes to the AMN and the inclusion of environmental justice and schools in the site selection.

Lynn Baker asked for a clarification as to how the communities with the highest adjusted use ranking were determined. Pam Wofford stated the communities were selected based on a "ring" approach.

Eric Lauritzen requested a laypersons summary or workshop for analyzing the data.

James Seiber stated he supports the workshop idea. James Seiber further asked how the AMN fits into modeling. Randy Segawa stated DPR is looking at different modeling approaches.

Charles Salocks asked if DPR has done a sensitivity analysis. Pam Wofford stated DPR would additionally look at the rankings without factoring wind speeds to compare the sites.

**4. <u>Public Comment</u>**

George Soares asked if Pam Wofford has responded to the letter sent by a coalition from industry. The letter asked for responses to specific issues and requested additional meeting opportunities. Pam Wofford stated DPR would address the comments in the write up of the plan for the AMN. George Soares stated the purpose of the letter was for industry to be given an understanding of the program so that industry could provide comment on the AMN changes. George Soares stated that to incorporate the response into the final work product eliminates the opportunity to have that interaction. Randy Segawa stated DPR would consider giving two comment periods for the AMN changes. George Soares commented it is critical to know the scientific justification for the changes. Industry needs the information to be able to effectively deal with the concerns DPR is raising. Randy Segawa stated many of the changes are policy decisions and not based on science. For example, the budget change proposal now requires DPR to consider environmental justice factors in the community ranking. This is a policy decision, not a scientific decision.

George Soares asked for DPR's specific authority to allow the use of mill assessment to fund another agency, working independently of DPR. Randy Segawa stated he is unfamiliar with the legal authority regarding DPR's funding. That said, this is not the first instance where DPR has provided direct appropriation of mill assessment funds to other agencies. George Farnsworth stated DPR would research the issue. George Soares clarified his question regarding statutory authority. George Soares further asked for the justification to allow another agency to independently engage in the AMN program and why this is not solely a DPR activity. Randy Segawa stated DPR has been doing joint monitoring with ARB for decades. This is just a more formal arrangement.

George Soares inquired if there is an independent activity with ARB in addition to DPR's program. Randy Segawa stated DPR is selecting the communities for monitoring. However, ARB will be selecting the monitoring sites within the communities for their monitoring sites (five sites). ARB will also be responsible for their field sampling (five sites). ARB will handle the laboratory analysis for sites while DPR conducts the data analysis. ARB and DPR have the same objectives.

George Soares asked DPR to provide a comprehensive analysis of the current program. Randy Segawa stated DPR is going to continue the monitoring. The comprehensive analysis will be completed after the 2016 data has been collected. However, DPR will continue to expand the monitoring as obligated by the budget change proposal. George Soares further asked when the

analysis would be completed. Pam Wofford stated the earliest the analysis could expect to be completed is the summer of 2017.

Rachel Kubiak inquired as to what is currently undecided regarding the AMN changes. Randy Segawa stated the communities are still under consideration. Some communities are based solely on the pesticide use rankings. The AMN is asking the Pesticide Registration and Evaluation Committee for suggestions as to how DPR should include the environmental justice factors.

Rachel Kubiak further inquired as to the timeframe for deciding on AMN changes. Randy Segawa stated there is not a hard timeframe and DPR hopes to receive comments within the next couple of weeks.

Rachel Kubiak commented there are concerns with the appropriation of DPR's fund and the changes proposed in March are substantially different from today's proposal. There is a significant industry concern on the process of the two-year long-term monitoring and the expansion of the program.

Rachel Kubiak stated there was a memo on DPR's Web site that stated, "CIMIS… yield inconsistent results for assessing likely impact." Rachel Kubiak asked if there is a change in wind speed consideration as it was ruled out in the 2009 AMN update. Randy Segawa stated DPR was looking at the data on a regional basis in 2009 and now DPR is looking at data on a community basis.

James Nakashima commented Shafter also has highest chlorpyrifos levels.

James Nakashima asked if there is supporting analysis to determine if the peak measurements coincide with lower wind speeds. Randy Segawa stated Shafter has the highest organophosphate use of the three sites. To date, DPR has not found residues exceeding the screening level for organophosphates. Randy Segawa further stated the peak measurements do coincide with lower wind speeds.

Miriam Rotkin-Ellman suggested DPR use the vulnerability ranking within CalEnviroScreen as opposed to the total ranking as a way to incorporate environmental justice factors. The total ranking could mask the pesticide-related hotspots the AMN should be evaluating because it reflects potential exposures to other pollutants. The vulnerability ranking values reflect population factors that could make communities more vulnerable to the impacts of pesticide exposures. Randy Segawa stated DPR has considered this.

Paul Towers stated using CalEnviroScreen data alone is insufficient to make the determinations. Vulnerability and farm worker exposure should be incorporated as well. Paul Towers stated Shafter is a limited site and ranks too low. Sequoia Elementary is better site than the high school. Chular may be a limited site. There is greater concern in the Salinas Valley.

Rachel Kubiak stated the budget change proposal is written with an objective to determine if pesticides in air disproportionally affect low-income communities, which is not an original objective of the AMN. Rachel Kubiak requested a "timeout."

Rachel Kubiak asked to clarify the budget change proposal regarding the number of studies ARB conducts for DPR. Lynn Baker stated the air monitoring ARB conducts is at the request of DPR. Every year, the departments meet and discuss the monitoring needs for the next year.

Rachel Kubiak asked how funding the program for only the next two years factors into DPR's long-term monitoring objective. Randy Segawa stated this would give us two additional years of data. George Soares questioned the value of two years of data. Randy Segawa stated any additional data would help DPR with exposure evaluations.

Jean-Mari Peltier inquired if the program is no longer a long-term ambient air program. Randy Segawa stated the original objectives of the AMN have not changed. The network has just expanded as directed by CalEPA.

## 5. Agenda Items for Next Meeting

Stella McMillin requested the next meeting discuss the active ingredient, bromethalin.

The next meeting is scheduled for Friday, July 15, 2016 at 10:00 a.m. in the Sierra Hearing Room on the second floor of the CalEPA building, located at 1001 I Street, Sacramento, California.

## 6. Adjourn