

(Information sent November 4, 2009, via e-mail to DPR's e- surface water interested parties list)

In February, DPR sent interested parties a letter stating that the Department, concerned about the adverse impact of pesticides used in the agricultural and urban settings, was exploring options for regulating pesticides to protect surface water. The letter initiated an informal dialogue with stakeholders concerning potential restrictions to protect surface water. DPR's goals are to implement requirements that are practical, enforceable, and protect surface water. We believe the best way to achieve these goals is dialogue with interested stakeholders before DPR develops a regulation package for formal adoption.

This is a status report on this project.

During the current informal phase of dialogue, Dr. John Sanders, Chief, DPR Environmental Monitoring Branch, has met with the State and Regional Water Boards and county agricultural commissioners to discuss potential requirements. DPR is considering their comments and may revise potential requirements before meetings to be scheduled with the regulated community and other stakeholders. DPR expects this review and the resulting revision of potential requirements to take two to three months. Dr. Sanders is scheduled to meet in November with organizations that represent wastewater treatment facilities and storm water agencies. DPR also plans to schedule meetings with representatives of the agricultural and pest control industries in January or February.

We believe this informal stakeholder dialogue will not be completed until mid-2010. If DPR decides to adopt regulations to protect surface water, after the informal phase is completed DPR staff will draft a regulation package to initiate the formal process of rulemaking. The process requires DPR to receive public comment on the proposed regulation package. All interested parties will have an opportunity to comment on during the formal adoption process. DPR expects this process to take one year from the date the public notice of the formal rulemaking is published.

We have attached the three documents DPR distributed at meetings with the County Agricultural Commissioners in June:

- Potential requirements to protect surface water.
- A flowchart that provides a visual description of the potential requirements.
- Criteria DPR uses to identify approximately 70 pesticides that we believe need further restrictions to protect surface water.

DPR is soliciting written comments on all three documents. Please submit comments to Mark Pepple, (916) 324-4086, mpepple@cdpr.ca.gov. These documents may be revised by the time meetings with the regulated community occur in January or February.

If you have any questions, please contact Dr. Sanders at (916) 324-4155, jsanders@cdpr.ca.gov, or Mark Pepple, (916) 324-4086, mpepple@cdpr.ca.gov.