



Environmental Justice Work Group Kick-Off Meeting

July 20, 2006



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Brief History of DPR

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New Controls Over Pesticide Use

- **1969:**
 - New law requires state licensing of agricultural pesticide dealers
- **1971:**
 - Licensing of PCAs now required
- **1972:**
 - Department and CACs given authority over agricultural pesticide workplace
- **2005:**
 - New law allows licensing of non-ag pesticide dealers

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“Thorough Evaluation”

- **1969 & 1970:** landmark legislation requiring a “thorough evaluation” of pesticides before registration
 - Gave department clear authority to establish criteria for studies to be submitted, and to place specific restrictions on use
 - Also required dept. To begin a program of orderly and continuous evaluation of pesticides and eliminate from use those posing a danger to health or the environment

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Enforcement In The Field

- **1970s and 1980s:** enforcement focus & staffing expanded
 - **1972:** FIFRA amendments make grants available for more training of staff and CACs
 - **1972:** state legislation delegates pesticide use enforcement to the department and the county agricultural commissioners, and gives them primary authority over the occupational safety of employees handling agricultural pesticides

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Enforcement In The Field

- **1975:** U.S. EPA and CA sign the nation's first-ever FIFRA cooperative enforcement agreement
- Enforcement authority enhanced by legislation, including **1985** bill that gave CACs civil penalty authority
- **2006:** DPR proposes to put into regulation a 2005 policy designed to strengthen pesticide enforcement and make it more consistent from county to county

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Supporting Pesticide Regulation

- **1971:**
 - Mill assessment enacted to help support pesticide regulatory program
 - Set at \$0.008 per dollar of pesticide sales
- **2006:**
 - \$0.021 per dollar of pesticide sales

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Birth Defect Prevention Act

- ❑ Birth defect prevention act of **1984** (SB950) requires submission of specified chronic health effects studies before registration of new active ingredients
- ❑ Also requires cancellation of pesticides with “*demonstrated serious uncontrollable adverse effects*”
- ❑ Prompted department to formalize risk assessment process

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Ground Water Protection

- ❑ Pesticide contamination prevention act of **1985** requires submission of specified environmental fate data for a new active ingredient for agricultural use
- ❑ Pesticides found in ground water subject to restrictions on use, or cancellation
- ❑ In **2005**, DPR expanded use restrictions on detected pesticides to all areas deemed vulnerable to contamination

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Full Use Reporting Begins

- **1990**
 - Department expands decades-old use reporting program by requiring full reporting of all agricultural pesticide use

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California Environmental Protection Agency

- Cal/EPA brings together all major environmental agencies under one roof:
 - Pesticide Regulation
 - Toxic Substances Control
 - Air Resources Board
 - Water Resources Control Board
 - Integrated Waste Management Board
 - Office of Environmental Health Hazard Assessment

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Cal/EPA Goals

- ❑ Set priorities based on greatest risk
- ❑ Use best, most consistent science
- ❑ Enforce the law fairly and uniformly
- ❑ Open up the regulatory process
- ❑ View environmental protection and economic progress as complementary goals
- ❑ Focus on pollution prevention

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Department of Pesticide Regulation

- ❑ Until 1991, the state's pesticide regulatory program was part of the state Department of Food and Agriculture
- ❑ 1991: DPR is given departmental status, as part of the new California Environmental Protection Agency

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DPR Today

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Department of Pesticide Regulation

- DPR has the nation's most comprehensive pesticide regulatory program
- DPR's mission:
 - To protect human health and the environment by regulating pesticide sales and use and by fostering reduced-risk pest management

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DPR's Legal Mandates

- ❑ Ensure proper, safe, and efficient pesticide use ... for public health and safety
- ❑ Protect the environment
- ❑ Assure product quality and truth-in-labeling
- ❑ Assure safe pesticide workplace
- ❑ Assure competent users
- ❑ Encourage reduced-risk pest management systems

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DPR Relationship to Other Agencies

- ❑ Water - joint jurisdiction with Water Board
- ❑ Air - primacy over pesticides in air except for certain stationary sources and VOCs from consumer products
- ❑ Disposal - joint jurisdiction but largely defers to DTSC
- ❑ Worker protection and illnesses - OEHHA
- ❑ Risk assessment - OEHHA and ARB
- ❑ CalOSHA - workplace standards

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DPR Program and Staffing

- ❑ \$56 million budget, about 360 Employees, including more than 30 toxicologists and more than 50 environmental scientists, including risk assessors and modelers
- ❑ Enforcement augmented by 325 inspector biologists working for agricultural commissioners in all 58 counties

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An Integrated Network of Programs

- ❑ Product evaluation and registration, including risk assessment
- ❑ Environmental monitoring
- ❑ Licensing and permitting
- ❑ Use enforcement
- ❑ Residue monitoring
- ❑ Workplace safety
- ❑ Reducing pest management risks

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DPR: A Science-based Program

- ❑ DPR charged with analyzing pesticide data and mitigating adverse effects
- ❑ With an extensive, science-based regulatory program, California:
 - Routinely evaluates toxicology and other data as a requirement for pesticide registration
 - Does comprehensive risk assessments, including assessment of dietary risk
 - Monitors residues in water, air, food and occupational settings (foliage)

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California Pesticide Use Today

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California Today: The #1 Agricultural State

- In 2004, agriculture worth about \$32 billion at farm gate
- Nearly 1/3 of CA's 100 million acres devoted to agriculture
 - Our 85,500 farms are 4% of the nation's total but produce 13% of farm receipts
- 350+ "crops," mostly dairy, fruit, flowers, vegetables and nuts
 - More than half of U.S. Production

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The Numbers

- Number of registered pesticide products in California:
 - 1935: 3,500
 - 1945: 7,136
 - 1950: 9,070
 - 1957: 11,904
 - 2005: 10,800

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The Numbers

- Pesticide active ingredients sold in California annually:
 - About 600 - 650 million pounds (includes chlorine & other sanitizers, and home-and-garden)

- Pesticides reported used annually (not all pesticides subject to use reporting):
 - About 160 to 180 million pounds in agriculture
 - Another 10 to 15 million pounds for structural pest control, landscape maintenance, mosquito abatement, other

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DPR EJ Background

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EJ Defined

- State law defines environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.”

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Cal/EPA Mandate

- State Law also mandates broad responsibilities for Cal/EPA and BDOs to incorporate EJ goals into policies and programs.
- Cal/EPA developed a model EJ mission statement and an intra-agency EJ strategy “to guide [the] BDOs in the development of BDO-specific EJ objectives and work plans, with specific and measurable targets adapted to BDO-specific responsibilities and priorities.”

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Previous EJ Effort

- ❑ In 2003, DPR released a draft EJ plan for public comment and revised it accordingly.
- ❑ In mid-2004, DPR “listening sessions” around the State to get additional public comment on the plan and on other EJ concerns.
- ❑ Attendees voiced concerns that the plan had been drafted with insufficient public participation.
- ❑ DPR put aside the revised draft in 11/04 and committed to a process with public participation as an integral element.

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Starting Again

- ❑ DPR formed this informal advisory workgroup of 19 persons representing EJ and community organizations, farmworker representatives, government agencies, and regulated industries.

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EJ Project Goal, Roles, Timeline

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Project Goal

- The project's goal is to:
 - Develop and articulate stakeholder recommendations,
 - Assist DPR in developing a working draft of an EJ strategy and implementation plan,
 - In accordance with legislative mandate and directives from the Cal/EPA.

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EJ Work Group Role

- The role of this workgroup is to:
 - Provide initial input to DPR staff as they develop working drafts of a new EJ strategy and implementation plan.
 - By drawing from—or be informed by—Cal/EPA’s intra-agency EJ strategy and the recommendations of CEJAC
 - Integrating the EJ strategy and implementation plan with DPR’s operational goals and priorities.

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DPR and Contractor Roles

- DPR will “chair” the workgroup meetings
- Provide background information and project scope boundaries
- The Contractors will:
 - Guide and facilitate each meeting
 - Provide meeting agendas, documentation and logistic support
 - Assist the workgroup in formulating recommendations for strategic policies and implementation objectives
 - Assist the workgroup in prioritizing and drafting recommendations

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Timeline

- ❑ Goal to complete EJ strategy and implementation plan by June 30, 2007
- ❑ Working drafts developed by DPR from recommendations by workgroup and other stakeholders will be discussed at statewide workshops early next year
- ❑ To allow time for this public input, draft recommendations should be developed by January-February 2007

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Questions and Discussion

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