Workshop on Concepts to Address Pesticide Use Near Schools

May-June 2015
Agenda

• Welcome, introductions, and agenda review
• Meeting purpose and opening remarks
• Background and current requirements
• Regulation concepts
• Key interests and ideas
• Closing remarks
Meeting purpose and opening remarks
Opening remarks – process

May 28 – July 31, 2015
Public workshops and informal comment

December 2015 (approximate)
DPR proposes regulation for formal comment

February 2016 (approximate)
Public hearings on proposed regulation

December 2016 (approximate)
Final regulation submitted to OAL for review

April 2017 (approximate)
Regulation becomes effective
Background – overview of the regulation of pesticide sales and continuous evaluation

• U.S. EPA and DPR evaluate studies on toxicity, environmental effects, chemistry, and other pesticide characteristics

• U.S. EPA and DPR register a pesticide (approve for sale) if the studies are valid and use is not anticipated to result in unacceptable risk

• After registration, DPR continues to evaluate and mitigate potential health and environmental risk of pesticides

• DPR’s evaluation indicates that the risk to schoolchildren is low in most cases
Background – overview of the regulation of pesticide use

• Growers and applicators must comply with up to three sets of requirements
  – U.S. EPA label requirements
  – DPR regulations
  – County agricultural commissioner requirements

• DPR designates pesticides with potential health or environmental hazards as restricted materials
  – Applications must be made or supervised by a certified applicator
  – A permit must be obtained from the county agricultural commissioner before purchase and use
  – Commissioner must evaluate application site and date, and approve, deny, or condition permit
Examples of current requirements – Healthy Schools Act

• Requirements for pesticides applied at schools
  – Notification
  – Posting
  – Reporting
  – Prohibits products with conditional, experimental use, and interim registrations
  – Integrated pest management (IPM) plan and training by 7/1/16
Examples of current requirements – fumigants (most products)

Buffer zone for residences and businesses, with variable distance depending on method, rate, acres

Fumigation is prohibited if an occupied school is within 660 ft or 1320 ft of fumigation for 36 hrs after fumigation

660 ft (1/8 mi) if <300 ft buffer
1320 ft (1/4 mi) if >300 ft buffer
Examples of current requirements – San Bernardino County regulations for commercial ag applications

• Applicator must notify ag commissioner at least 24 hours prior to application

• All aerial applications are prohibited within 1320 feet (1/4 mile)

• Certain other applications are prohibited within 1320 feet (1/4 mile), such as:
  – Products with a DANGER-POISON signal word, or
  – With an orchard airblast sprayer, and
  – Within 1 hour before, during, or 2 hours after classroom instruction
    – But, some exceptions

• Other counties have requirements for restricted materials
Questions?

- Presentation and other information are available on DPR’s website:
  - www.cdpr.ca.gov
  - “Quick Links” tab
  - Link to “Regulations”
  - Link to “Regulations Under Development”
Regulation concepts

- Increased communication through notification to schools
  - Of intended application of certain pesticides, and
  - Made when school is in session, and
  - Within a certain proximity to a school

- Reduced risk of exposure by additional restrictions on applications
  - Of certain pesticides, and
  - Made using specific application methods, and
  - Within a certain proximity to a school

- Discussion with stakeholders – school administrators, agriculture, community
Input on Notification

1) Do you currently follow voluntary or mandatory notification requirements for pesticide applications made around schools?
   a. If so, what are the requirements?
   b. Any issues or concerns about following these requirements?

2) What should DPR consider when developing a regulation that may include notification requirements for pesticide applications made near schools?
   a. Should DPR require notification for certain types of pesticides or application methods?
   b. What distance should DPR consider for pesticide applications scheduled near school grounds to trigger notification?
   c. What time periods should DPR consider to trigger notification for pesticide applications made near schools?

3) If notification is required, how and when should you provide notification?
   a. What communication tool(s) should be used to notify school administrators?
   b. What are the impacts/concerns of providing notification?
Input on Pesticide Application Restrictions

1) Do you currently follow voluntary or mandatory restrictions for pesticide applications made around schools?
   a. If so, what are the requirements?
   b. Any issues or concerns about following these requirements?

2) What should DPR consider when developing a regulation that may include restrictions on pesticide applications near schools?
   a. Should DPR restrict the time when applications may occur?
   b. Should DPR restrict certain types of pesticides or application methods?
   c. Should DPR set a distance from the school grounds where applications are not allowed or restricted during certain time periods?

3) Do you have any issues or concerns about coordinating or managing pesticide application restrictions with school administrators, county agricultural commissioners, or pest control businesses?

4) Are there any other impacts to your farming operations that you would like to express?
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 28 – July 31, 2015</td>
<td>Public workshops and informal comment</td>
</tr>
<tr>
<td>December 2015 (approximate)</td>
<td>DPR proposes regulation for formal comment</td>
</tr>
<tr>
<td>February 2016 (approximate)</td>
<td>Public hearings on proposed regulation</td>
</tr>
<tr>
<td>December 2016 (approximate)</td>
<td>Final regulation submitted to OAL for review</td>
</tr>
<tr>
<td>April 2017 (approximate)</td>
<td>Regulation becomes effective</td>
</tr>
</tbody>
</table>
Additional information and submitting comments

- Presentation and other information will be available on DPR’s website:
  - www.cdpr.ca.gov
  - “Quick Links” tab
  - Link to “Regulations”
  - Link to “Regulations Under Development”

- Submit comments in writing by July 31 to

  George Farnsworth
  Department of Pesticide Regulation
  PO Box 4015
  Sacramento, CA 95812-4015
  George.Farnsworth@cdpr.ca.gov