



AGRICULTURAL PEST CONTROL ADVISORY COMMITTEE MEETING MINUTES

March 9, 2016

10:00 PM – 12:00 PM

CalEPA Building, Training Room East and West, First Floor

Members Present (6): Tim Smith- Board of Governors of the California Community College System, Matt Scally-Pest Control Maintenance Gardeners, Glen Foth- Commercial Applicator Certificate Holders, Juli Jensen- California Agricultural Commissioners and Sealers Association, John Erisey (alternate member)- Agricultural Pest Control Advisers, and Lisa Blecker-University of California, Division of Agriculture and Natural Resources.

Department of Pesticide Regulation (DPR) Staff (4), Joe Damiano-Chair of Committee, Laurie Brajkovich, Alex Grewal, and Cynthia Ray

Guests (4): Joyce Basan-California Association of Pest Control Advisers (CAPCA), Ruthann Anderson-California Association of Pest Control Advisers (CAPCA), Terry Gage- California Agricultural Aircraft Association (CAAA), and Rachel Kubiak-Western Plant Health Association (WPHA).

Members Absent (7): Ronald Berg-Pesticide Dealers, Jeanette Heinrichs-General Public, Linda La Vanne-Agricultural Pest Control Advisers, Phil Mullins-Agricultural Pest Control Businesses, Wayne Steele-Registrants, John T. Bushoven- Board of Trustees of the California State University System, and Kenneth J. Oneto- Producers.

I. Introductions and Administrative Topics — Laurie Brajkovich, Licensing & Certification Program Manager, DPR

A. New Pest Management and Licensing Branch Chief

Joe Damiano is the new Branch Chief for DPR's Pest Management and Licensing Branch. Prior to joining DPR, Joe spent the past 14 years of his career working in the County Agricultural Commissioner Offices for Colusa and Nevada counties. His most recent position was the Agricultural Commissioner/Sealer of Weights and Measures for Colusa County. Joe has been involved in an array of important environmental areas including sustainable groundwater, permit conditions, migrant housing, and airport operations. He graduated from the University of California at Davis, with a Bachelor's of Science degree in Viticulture and Plant Science.

B. Review and approval of December 9, 2015 meeting minutes

The minutes from the December 9, 2015 APCAC meeting were approved as written.

C. APCAC member position still open

Dan Gudgel currently is the alternate for the Pest Control Aircraft Pilots APCAC member position. The Pest Control Aircraft Pilots APCAC member position is still vacant. CAAA is planning to submit a candidate to DPR by June.





II. **Licensing Update — Cynthia Ray, Supervising Program Tech III**

Update regarding renewal season:

- The rest of the 2016 examination schedule (until August) has been posted. DPR is trying different cities this year because of the poor attendance in some cities last year. This includes additional Sierra Nevada foothill locations, such as Susanville and Nevada City.
- December 2015 renewals update: staff kept a tally of phone calls, problem letters received (individual and business), and individuals who had to retest because they were short continuing education (CE) hours. Licensing staff spends a significant amount of time returning phones calls and emails which takes away from processing renewal applications.
- The statistics show by November 27th only 30% of individuals and 27% of businesses renewals were received. By December 25th only 57% of individuals and 59% percent of business renewals were received. On January 21st there were 64% for individuals and 66% for businesses and by February 12th there were 87% for individuals and 86% for businesses. The data suggests many are waiting until the last minute turn in their renewals.
- A listserv notice was sent to encourage license holders to get their CE done earlier in the year.
- DPR discussed sending renewal packets earlier in the year (i.e. June) to encourage license holders to turn in their renewal earlier.

III. **DPR Update - Laurie Brajkovich, Licensing & Certification Program Manager, DPR**

Laurie gave a short update about the Federal Worker Protection Standard - DPR is working with the Office of Environmental Health Hazard Assessment to draft revised language to incorporate the U.S. EPA's revisions that were finalized in October 2015 into DPR's regulations. State regulations will need to be in place by January 1, 2017 to match the Federal timeline for rollout. Draft regulations will likely enter the public review/comment phase this spring.

Federal Certification and Training regulations - DPR submitted comments to the draft federal regulations in December 2015. The Federal regulations will likely be finalized in Fall 2016.

Pesticide Use Around School Sites regulations - more than 2,000 pre-regulatory concept comments were received by the Department. Draft regulations are delayed until this summer because of the complexities and because of the number of people it affects. Once the public comment period starts, DPR will schedule at least one or two public hearings.

The Human Health Assessment Branch will present a brown bag seminar on "[How to Evaluate Pesticide Risk](#)" on March 23, 2016. The course, sponsored by DPR, will be taking place in first floor training room CalEPA building. Brown bag seminars were launched in 2012 to educate the public about projects that showcase the Department's mission.





IV. UC IPM Update—Lisa Blecker, UC IPM

A. UC Updates

- a) Recently updated: Fungicide efficacy tables for tree and vine crops
- b) Pest Management Guidelines (PMGs) – Cilantro and Parsley

B. Study Guides and Exams

- a) Publication of The Safe and Effective Use of Pesticides study guide will be released in July 2016
- b) Working on updating QAL/QAC exams so that questions are clearer and more directly related to content in the study guides and knowledge expectations. Currently working on: Residential, Institutional and Industrial, and Demonstration & Research. UC IPM will work on exams for PCA categories in the future.

C. Bee Precaution Pesticide Ratings

- a) Use the bee precaution pesticide rating to make an informed decision about what pesticide to use.
- b) The Bee Precaution Pesticide Rating database combines a thorough literature review, EPA's criteria for adding the bee precautionary statement on pesticide labels, and the authors' expertise to determine a precaution rating for pesticide active ingredients.
- c) Covers insecticides, acaricides, fungicides, bactericides, herbicides, nematocides and others.
- d) The rating (I,II,III) is for honey bees; the database also indicates other wild bee toxicity.
- e) The rating is for the active ingredient and not for specific products; although some ratings do reflect the formulation type (these are indicated, such as bait formulations).

V. PCA Requirements Subcommittee December Meeting recap- Tim Smith Board of Governors of the California Community College System

Discussion items from the APCAC PCA Subcommittee meeting that was held on December 9, 2015 included:

- Discussed the need to provide Cynthia Ray and DPR with assistance in reviewing college courses to meet the PCA requirements and to help streamline processing of new PCA applications. DPR will post a school specific list in the future.
- The committee would like to review online courses to see if they meet the PCA core course requirements. The committee would like to particularly review online IPM courses given by some junior colleges.
- Discussed creating a 'PCA Certificate' program. The certificate would provide approval after completing the core courses. Individual classes would still have to be entered on the application form. However, the purpose of this certificate is to reduce confusion and streamline the application review process to accelerate acceptance to the PCA exam.
- CAPCA offered assistance to networking with the schools and to provide information to students and potential PCAs.





VI. **Maintenance Gardener Electronic Exams Pilot Project Update — Laurie Brajkovich, Licensing & Certification Program Manager, DPR**

Laurie discussed DPR's Maintenance Gardener Electronic Exams Pilot Project. The goals of the project were to investigate the use of electronic exams, increase outreach to maintenance gardeners, encourage the use of available training materials, encourage maintenance gardener businesses to get licensed, and increase knowledge of pesticide use requirements and compliance. Bilingual radio and TV advertisements were done to reach the target audience. The workshops were held during the off-season on Saturdays in both January and February to increase the attendance. The electronic exams were given both in English or Spanish. Everyone had the same exam questions and no prior computer experience was needed. The questions and answers were shuffled to deter cheating. It was found that examinees adapted easily to using the computers. Drawings, pictures and calculator were incorporated into exam making it unnecessary for additional handouts or tools. The result was that individuals finished quicker than when using paper exams. DPR will continue to research how we could move forward with incorporating electronic exams statewide.

VII. **Top 2015 Pesticide Use Violations - Enforcement Branch - Jim Shattuck, Environmental Program Manager, DPR**

Jim provided the top 2015 pesticides use violations. Over 30,000 restricted materials permits were issued by county agricultural commissioners (CAC's) and over 15,000 pesticide use enforcement inspections were conducted in 2015. Of these, over 10,000 were agricultural related. The top violations in 2015 in worker safety inspections were, Title 3 California Code of Regulations section 6761(3CCR 6761) – hazard communication for workers and 3 CCR 6761.1 – application specific information for workers. In agricultural pesticide application inspections, the top violations were 3 CCR 6678 – service container labeling and 3 CCR 6738 – personal protective equipment. The violations most given during field fumigation inspections were (3 CCR 6447.2 that CAC's buffer zones and FAC 12973) for conflict with label/permit conditions. Enforcement options have included Decision Reports, Referral to District Attorney, Compliance Interview, Administrative Civil Penalties (Structural/Agricultural), and Referral to DPR (State Action).

VIII. **Introduction to the Yamaha RMAX Remotely Piloted Helicopter and Review of U.S. Activities- Steve Markofski- Yamaha**

Steve from Yamaha introduced the Yamaha RMAX remotely piloted helicopter and its ability to provide aerial pest control applications. Topics covered included Yamaha's history & milestones, global products, and general product background of the RMAX Remotely piloted helicopter. An overview of basic spray operations, flight pattern, and safety systems were discussed. The development history, performance summary, and RMAX use in Japan were also given. UC Davis is investigating the feasibility and effectiveness of the RMAX unmanned helicopter for agricultural pest control applications. He identified some advantages in using the RMAX, such as the improved safety record compared to conventional manned ground application equipment, improved operational efficiency, no soil compaction, no crop damage, and quality spray deposition.





Brian R. Leahy
Director

Edmund G. Brown Jr.
Governor

IX. Unmanned Aerial Vehicle (UAV) Regulatory Issues - Enforcement Branch - Ken Everett, Environmental Program Manager, DPR

Ken discussed uncertainties regarding these systems and how they are going to be used in pest control operations. DPR is looking at licensing, labeling, worker protection and drift/buffer zones requirements. Presently any UAV use will have to meet DPR's current commercial pilot applicator license requirements in order to operate in California. The Department is waiting to see the final Federal Aviation Administration determination for UAV pilots, and then determine if a statutory change is needed to allow for UAV operations more easily. Currently DPR is coordinating with Ken Giles at UC Davis to conduct drift and exposure studies. DPR's Worker Health and Safety Branch is proposing to conduct studies related to observer/mix loader exposure, equipment movement exposure, and personal protective equipment (PPE) requirements.

X. Closed Systems Regulations- Enforcement Branch - Ken Everett, Environmental Program Manager, DPR

This topic was postponed until the June meeting because time ran out.

XI. Next Agenda and Comments

- Comments-The list of courses approved to meet the PCA core education requirements need to be available on DPR's website for students as soon as possible (Note that DPR plans to post the courses in May once review has been completed).
- Proposed Agenda Item- Unmanned Aerial Vehicle (UAV) Regulatory update (As new information becomes available).

XII. Next Meeting Date and Location— Laurie Brajkovich, Licensing & Certification Program Manager, DPR

Date of next meeting: June 8, 2016

Time: 10:00-12:00

Location: Training Room East and West, First Floor

Questions should be directed to Laurie Brajkovich at (916) 445-9903 or Laurie.Brajkovich@cdpr.ca.gov.

