

FINAL STATEMENT OF REASONS AND PUBLIC REPORT  
DEPARTMENT OF PESTICIDE REGULATION

Title 3. California Code of Regulations  
Adopt Section 6805; Amend Sections 6622, 6624, and 6800; Repeal Section 6804  
Pertaining to the Groundwater Protection List

UPDATE OF THE INITIAL STATEMENT OF REASONS

The Department of Pesticide Regulation (DPR) has adopted Title 3, California Code of Regulations (3 CCR) section 6805, amended sections 6622, 6624, and 6800, and repealed section 6804. In summary, this action updates the list of pesticides that have the potential to pollute groundwater; removes pesticides unlikely to pollute groundwater; replaces the specific numerical values for determining what pesticides have the potential to pollute groundwater with a new multivariate method; specifies which pesticides have had a hearing as described in Food and Agricultural Code (FAC) section 13150(b); and makes aligning changes to operator identification number and pesticide use reporting requirements.

These changes are, in part, authorized by FAC section 13145. The adoption of the new Multivariate Leaching Value (MLV) process in 3 CCR section 6805 is specifically authorized by FAC section 13145(e), which expressly directs DPR to develop a peer reviewed method to determine the potential of a pesticide to pollute groundwater using specific numerical values (SNVs) established pursuant to FAC section 13144. As required by FAC section 13145(e), SNVs were used during the development of the MLV process. SNVs are physicochemical properties that relate to either a pesticide's persistence or mobility in the soil. MLVs also include physicochemical properties related to both persistence and mobility. Even though they are not referenced in the MLV equation established in 3 CCR section 6805, the SNV physiochemical properties listed in the PCPA (water solubility, soil adsorption coefficient (Koc), hydrolysis, aerobic and anaerobic soil metabolism, and field dissipation) were all considered during the development of the MLV process. Using SNVs to develop the MLV process is consistent with the Legislature's intent when it adopted FAC section 13145(e) in 2014, which was to move away from the SNV process for determining a pesticide's potential to pollute and to instead authorize DPR to develop a peer-reviewed multivariate method.

The proposed regulatory action was noticed in the *California Regulatory Notice Register* on May 16, 2025. A Notice of Extension of Written Comment Period was issued, extending the close of the public comment period an additional 15 days. During the public comment period, DPR received 11 comment letters from individuals or organizations on the proposed action. The comments are discussed under the heading "Summary and Response to Comments Received During the 60-Day Comment Period" of this Final Statement of Reasons. Following the 60-day comment period, DPR made nonsubstantive changes without regulatory effect to the regulation text, which are described below under the subheading "Nonsubstantive Changes to the Text of Proposed Regulations Following the 60-Day Comment Period."

**Nonsubstantive Changes to the Text of Proposed Regulations Following the 60-Day Comment Period**

Following the 60-day comment period and prior to submitting this regulatory action to the Office of Administrative Law for review, DPR made nonsubstantive changes to subsection 6800(a) by reordering and alphabetizing the list of active ingredients. These are nonsubstantive changes without regulatory effect to align with the organization of subsections 6800(b) and 6800(c).

#### PUBLIC HEARING

No public hearing was scheduled or held, and none was requested.

#### SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE 60-DAY COMMENT PERIOD

See Attachment A.

#### MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

DPR has determined that the regulatory action does not impose a mandate on local agencies or school districts.

#### ALTERNATIVES DETERMINATION

The Director has determined that no alternative considered by DPR would be more effective in carrying out the purpose for which these regulations are proposed, or would be as effective and less burdensome to affected private persons or businesses than the adopted regulations, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of the law. Updating the GWPL with new pesticides, and removing pesticides that are no longer registered or are not considered a threat to groundwater, ensures that DPR's groundwater monitoring program is focused on registered pesticides that have the greatest potential to pollute groundwater and allows DPR to focus sampling resources on pesticides that are the greatest threats to groundwater, which will provide a benefit to the health and welfare of California residents and the environment.

#### POSTING REQUIREMENT

3 CCR section 6110, states in part that, "The public report shall be posted on the official bulletin board of the Department for 45 days." DPR has posted its Initial Statement of Reasons and Public Report on its official bulletin board, which consists of the Department's Internet Home Page <<http://www.cdpr.ca.gov>>.