

FINAL STATEMENT OF REASONS AND PUBLIC REPORT
DEPARTMENT OF PESTICIDE REGULATION

Title 3. California Code of Regulations
Amend Sections 6428, 6434, 6623, 6624, 6690, and 6692
Pertaining to Pesticide Use Near Schoolsites

UPDATE OF THE INITIAL STATEMENT OF REASONS

As authorized by Government Code section 11346.9(d), the Department of Pesticide Regulation (DPR) incorporates by reference the Initial Statement of Reasons (ISOR) prepared for this rulemaking. No changes were made to the proposed regulations nor are any changes necessary to the Initial Statement of Reasons following the public comment period.

The proposed regulatory action was noticed in the *California Regulatory Notice Register* on May 30, 2025. During the public comment period, DPR received comment letters from nine individuals or organizations on the proposed action. The comments are discussed under the heading “Summary and Response to Comments Received During the 45-Day Comment Period” of this Final Statement of Reasons

DPR has amended Title 3, California Code of Regulations (3 CCR) sections 6428, 6434, 6623, 6624, 6690, and 6692. The pesticide regulatory program activities affected by the proposal are those pertaining to pesticide use enforcement. This action incorporates and conforms DPR’s regulations to new requirements established by Assembly Bill (AB) 1864 (Stats. 2024, Ch. 552), which became effective on January 1, 2025, by regulating pesticide applications made for the production of an agricultural commodity within ¼ mile of a schoolsite.

This action requires a separate site identification (site ID) number for the portion of an agricultural field that lies within ¼ mile of a schoolsite. Additionally, for applications made for the production of an agricultural commodity within ¼ mile of a schoolsite:

1. Restricted material permit applications must include the anticipated method of application as specified in 3 CCR section 6691.
2. Notices of intent (NOIs) must include the method of application as specified in 3 CCR section 6691 and the allowable dates and time ranges during which the application can be applied that comply with the date and time restrictions in 3 CCR section 6691.
3. Pesticide use reports (PUR) must include method of application as specified in 3 CCR section 6691.

This action also expands the definition of “schoolsites” to include private schools (kindergarten and grades 1-12) serving six or more pupils effective December 31, 2026.

DPR removed subsection 6624(c)(8) because, as explained in the ISOR, it is not part of this action and was removed for consistency in publishing.

PUBLIC HEARING

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

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE 45-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. This action incorporates and conforms DPR's regulations to new requirements established by AB 1864 by regulating pesticide applications made for the production of an agricultural commodity within ¼ mile of a schoolsite.

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>>.