

ATTACHMENT A
SUMMARY AND RESPONSE TO COMMENTS RECEIVED
DURING 45-DAY COMMENT PERIOD

The Department of Pesticide Regulation (DPR) received nine comment letters in response to its proposal to incorporate and conform DPR's existing pesticide use near schoolsites regulations (3 CCR sections 6690-6692) to the requirements established by Assembly Bill (AB) 1864 (Stats. 2024, Ch. 552). The comment letters were received from:

- 1) Angel Garcia and Mark Weller, Californians for Pesticide Reform
- 2) A Coalition of Agricultural Organizations (comment letter signed by the presidents or managers of the African American Farmers of California, American Pistachio Growers, California Agricultural Aircraft Association, California Association of Pest Control Advisers, California Cotton Ginners & Growers Association, Western Tree Nut Association, California Date Commission, California Fresh Fruit Association, California Strawberry Commission, Grower-Shipper Association of Central California, Nisei Farmers League, and Western Plant Health Association)
- 3) Mike Stanghellini, TriCal Group of Companies (TSS)
- 4) Jay Feldman, Max Sano, and Aditi Avinash, Beyond Pesticides
- 5) Belen Contreras
- 6) Kevin Patrick Sullivan
- 7) Krista Tavares, Pest Control Advisor in Fresno County
- 8) Nick Johnson
- 9) Shawn Athayasay

DPR would like to thank stakeholders for participating in this process and taking time to provide feedback. Below is a summary of the individual comments and DPR's responses regarding topics raised in these comment letters.

1) Angel Garcia and Mark Weller, Californians for Pesticide Reform

Comment no. 1:

We welcome and strongly support the commonsense [sic] fixes to the schools regulation mandated by AB 1864 and now incorporated in the proposed regulation. These changes will eliminate most issues with enforceability and extend protection to the roughly 8% of children in California attending private schools.

Response: DPR acknowledges the support offered by this comment.

Comment no. 2:

DPR addressed application start times in a prior rulemaking, effective March 2024, so it was not part of this rulemaking. However, we are disturbed it took DPR ten months, until January 2025, to update their PUR submittal form and CalAgPermits system to reflect this change. Furthermore, growers are still not required to use the updated forms but are being allowed additional time to comply. This is obviously unacceptable. DPR's lack of urgency to comply or to require compliance on that issue leads us to demand that the current proposed regulations

include firmer commitments on implementation and enforcement of changes in reporting requirements.

Response: *The amendments in this rulemaking will become effective January 1, 2026, with the exception of the portion relating to private schools, which will become effective December 31, 2026, consistent with the date in AB 1864. DPR is working with the County Agricultural Commissioners (CACs) and industry partners to be able to implement and enforce the changes outlined in this rulemaking and set forth by AB 1864 by the designated effective dates.*

Comment no. 3:

We are also concerned that the provision to add private school students to the existing protections will not take effect until December 31, 2026, the very last day allowable under AB 1864, and two full years after AB 1864 took effect. We see no reason why this provision cannot be implemented in the same timeframe as the remainder of the regulation's provisions, on January 1, 2026. One year of continued exposure for children in private and parochial schools may seem minor, but in developmental terms, a year of exposure to hazardous pesticides can be catastrophic for a growing child. We urge you to act with all haste to implement the spirit and letter of AB 1864 in full.

Response: *The December 31, 2026 effective date for the provision to add private schools to the pesticide use near schools requirements is consistent with AB 1864 and was selected to allow time for the approximately 3,000 private schoolsites to be identified and have their boundaries mapped by the CAC and to provide time for the CAC to provide outreach and education to schoolsites. The pesticide use near schoolsite application restrictions are based on the distance from the application to the schoolsite property edge. While the California Department of Education maintains a database of California private schools, the location of each private school is identified only by the street address and a single latitude and longitude point. The December 31, 2026 effective date is necessary to allow sufficient time to determine and digitize the boundaries for each private school, identify newly affected growers, and outreach to those property operators and private school administrators.*

Comment no. 4:

The Department should consider increasing the required buffer zone around school sites for ground applications from 25 feet to 100 feet or more for restricted high toxicity pesticides such as paraquat or highly volatile pesticide products.

Response: *This comment is outside the scope of this rulemaking and the requirements mandated by AB 1864.*

2) A Coalition of Agricultural Organizations

Comment no. 5:

Section 6623, proposed paragraph (a)(2) states "The operator of the property may designate areas beyond ¼ mile of a schoolsite under a site identification number subject to the requirements of section 6623(a)(1). All portions of a field designated under this site identification number,

including any portions that may be greater than a ¼ mile from the schoolsite, shall be subject to the requirements of sections 6690-6692.”

The notice of proposed regulatory action, on page 2, states “Additionally, the proposed action will require a separate site ID number for the portion of an agricultural field that lies within ¼ mile of a schoolsite, allow the operator of a property to voluntarily include portions of a field that are greater than ¼ mile from a schoolsite within that separate site ID number, and, if applicable, require CACs to indicate on the permit or form whether a site ID number is subject to the requirements in 3 CCR sections 6690-6692.”

Based on our review of AB 1864, the legislation does not specify that portions of agricultural fields located more than ¼ mile from school sites could or should be included in this regulatory requirement. Although DPR characterizes this inclusion as “voluntary” in its notice, this distinction is not explicitly stated in the proposed regulatory text itself, creating potential for misinterpretation and regulatory overreach that exceeds the law's intended scope.

We request DPR amend the proposed regulatory text to remove reference to portions of a field greater than ¼ mile from the schoolsite being subject to the requirements of sections 6690-6692 to be consistent with the regulatory framework envisioned in AB 1864,

Response: DPR disagrees with the assertion that the provision outlined in section 6623(a)(2) is not voluntary, and that DPR’s rulemaking is inconsistent with the regulatory framework envisioned in AB 1864. First, section 6623(a)(2) states that “The operator of the property **may** designate areas beyond ¼ mile of a schoolsite” expressly and clearly stating that this designation is discretionary. Secondly, the Legislature intended AB 1864 to strengthen enforcement of pesticide regulations in school zones. Both agricultural fields and schoolsite properties can be irregularly shaped and the proportion of a field that is within ¼ mile from a schoolsite is highly variable.

Rigidly requiring property operators to split up a field may not be practical, could be cost-prohibitive, or may place an undue burden on the agricultural industry. It may also pose challenges for compliance assessment and enforcement by CACs and DPR. The proposed approach allows growers the flexibility to use separate site IDs when feasible or to choose the option to use a single site ID for the entire growing area, with the understanding that the entire growing area then must comply with sections 6690-6692.

Comment no. 6:

The proposed regulatory text of sections 6428(1), 6434(b)(6)(A), 6434(b)(10)(A) 6623(a)(1), 6624(c)(5)(A), 6690, and 6692(a) refers to “production of an agricultural commodity within ¼ mile of a schoolsite” or “production of an agricultural commodity within ¼ mile of schoolsites.”

Based on our review of AB 1864, Food and Agricultural Code section 13189.2 subsections (a), (b) and (c) and (d) all use the term “lies within” rather than “within”. Replacing the phrase “lies within” with the phrase “within” may result in varying legal interpretations. We request additional information regarding DPR's rationale for proposing this change in the draft.

Response: *The proposed use of the term “within” is consistent with the existing language used throughout the Pesticide Use Near Schools site regulations (3 CCR sections 6690-6692). DPR disagrees with the comment that there is a substantive difference between the terms “within” and “lies within.”*

Comment no. 7:

AB 1864 extends the use restrictions and notification requirements for agricultural pesticides to apply to private K-12 schools with six pupils or more. We are not aware at this time that DPR or County Agricultural Commissioners have access to any list of private school sites that meet these requirements and certainly not in a GIS format that would allow for implementation of this law.

Commissioners draw the ¼ mile radius now for public schools using a GIS layer. Without specific information related to location of private schools that are included in this regulatory requirement, farmers and state/local officials will be on their own accord to estimate proper ¼ mile radii to implement AB 1864.

We request that DPR make available, on a quarterly basis, a GIS map identifying private schools that meet these pupil thresholds. We suggest DPR coordinate with the Department of Education to identify private schools that are included in this regulatory requirement, so that County Agricultural Commissioners have the information they need to communicate this information to pesticide applicators, property operators and the public.

Response: *As indicated in the response to comment no.3, the California Department of Education maintains the database of California private schools and Food and Agricultural Code (FAC) section 13189.4 requires DPR and CACs to use this database to determine the location of private schools serving K-12 pupils with an enrollment of 6 or more. DPR acknowledges that additional work is needed over the next year to identify the boundaries for all the private schools in the Department of Education database. The 2025-26 California State Budget provided DPR with general fund money to develop the necessary GIS data to identify the physical locations of approximately 3,000 applicable private schools in California. Currently for public schoolsites and child day care facilities are identified on a GIS map available at <https://www.calschoolnotify.org/>. In the lead-up to private schools being included in sections 6690-6692, the GIS map will be updated to include those private schools to make growers aware and ensure compliance with the requirements.*

Comment no. 8:

In cases where a private school is absent from the GIS mapping system provided to growers, resulting in no notification being given, growers and applicators should be absolved from liability.

Response: *AB 1864 mandates that the definition of “schools site” in the Pesticide Use Near Schools site regulations includes any property used for a private school offering or conducting instruction at the kindergarten, elementary, or secondary level with an enrollment of six or more pupils that has filed an affidavit pursuant to Education Code section 33190. The Pesticide Use Near Schools site regulatory requirements would not apply to any properties that do not meet the definition of a “schools site.” FAC section 13189.4(b) also provides that “An operator of property*

or applicator who uses the information or maps described in subdivision (a) for purposes of complying with the ...regulations implementing this chapter, shall not be considered in violation of those requirements if the information or maps used by the operator or applicator were inaccurate or out of date and the operator's or applicator's actions that would otherwise be considered in violation of those requirements are solely the result of using the inaccurate or out-of-date information or maps." Also, see response to comment no. 7.

3) Mike Stanghellini, TSS

Comment no. 9:

Expanding the definition of schoolsite to include private schools poses a challenge to identify these schools due to a lack of a centralized, verifiable registry. This is primarily why private schools were not incorporated into the original schoolsite regulation (DPR-16-004). The most robust list of private schools on the California Department of Education (CDE) website comes from private schools that have submitted a Private School Affidavit, which is unverified and outdated. CDE acknowledges that the "information filed in the Affidavit is not verified by the CDE and the CDE takes no position as to its accuracy". It is updated only once annually, and schools may close mid-year without notification.

While this may be the best source the state has, this also presents legal uncertainty and a high compliance burden for businesses that strive to adhere strictly to pesticide use regulations. To strengthen this regulation, we additionally support DPR and CACs verifying and incorporating private school locations subject to AB 1864 within CalSchoolNotify and CalAgPermits so businesses have greater certainty in locating private schools for improved compliance.

Response: *The proposed amendments are consistent with and necessary to comply with the requirements established by AB 1864. The annual filing period for filing the Private School Affidavit with the Department of Education is October 1 through 15, although new schools may file the form anytime between August 1 to June 30. The information provided to DPR and CACs under FAC section 13189.4 by the December 31, 2026 effective date for private schools should be accurate for the current school year. As previously mentioned in the responses to Comments no. 3 and 7, DPR will be working with the CACs on developing robust and current private school location data.*

Comment no. 10:

DPR's evaluation of toxicity and exposure indicate that the risk to children from agricultural pesticides applied near schools is low for most pesticides (Vidrio, et al. 2014a; Vidrio, et al. 2014b). Current mitigation measures on pesticide applications already reduce risk to low levels and there has not been an incident in years. The proposed expansion is not science or risk-based.

Response: *The proposed amendments are consistent with and necessary to comply with the requirements established by AB 1864.*

Comment no. 11:

The original schoolsite regulation (DPR-16-004) was justified not on documented incidents or health risks, but on the logistical challenge of evacuating large public school facilities in the

event of a pesticide incident—despite DPR acknowledging that the risk of pesticide exposure was low. This justification does not apply to many private schools, particularly small schools with few students. These are not "hard-to-evacuate" sites. Including them under the same stringent rules designed for large public campuses extends the regulation beyond its intended basis.

Response: *The proposed amendments are consistent with and necessary to comply with the requirements established by AB 1864. Further, as stated in the Initial Statement of Reasons for DPR 16-004, DPR proceeded with the pesticide use near schoolsite regulations due to “concerns about the risks associated with pesticide use at or near schools and child day care facilities [which] have persisted through the years due to children’s potentially increased sensitivity and exposure” and that “there may be disproportionate impacts to children when unintended drift occurs.” AB 1864 and this rulemaking action are consistent with the intent of DPR 16-004.*

In the Initial Statement of Reasons for DPR 16-004, DPR noted the ¼ mile distance restriction is similar to the restrictions on some soil fumigation labels which prohibit closer applications around schools and other difficult to evacuate sites.

Comment no. 12:

The inclusion of private schools as regulated "schoolsites" will increase the number of areas subject to restricted pesticide application times—particularly the requirement to avoid application during weekday school hours. As a result, more growers and applicators will be forced to conduct applications over weekends, creating a highly compressed and competitive timeframe for legal and safe applications.

This shift poses real-world operational and economic challenges. Applicators often have limited equipment, crews, and weather windows to treat the soil effectively. Changes in soil conditions, temperature, or wind patterns may already necessitate rescheduling, and now the addition of private schools further restricts flexibility. These constraints can:

- Delay treatments, disrupting crop timing and increasing the risk of pest damage.
- Reduce pesticide efficacy if not applied during the optimum window.
- Increase costs, as applicators rush to coordinate crews and equipment in a tighter timeframe.

DPR should acknowledge these logistical pressures while ensuring schoolsite identification is clear, accurate, and reliable.

Response: *DPR appreciates the comment and acknowledges these potential issues. However, DPR is mandated by AB 1864 to expand the definition of “schoolsites” under the pesticide use near schoolsites regulations to include private schools. As the proposed action is required by statute, any resulting economic impact to businesses operating in the state are the result of AB 1864 as opposed to from these regulations*

Comment no. 13:

As previously mentioned, we strongly support the CACs and DPR verify the locations of private schools who have filed an affidavit with CDE and are within the scope of AB 1864. Verified

private schools should be integrated into CalSchoolNotify and CalAgPermits which are regularly used by applicators and growers.

Response: *Currently for public schoolsites and child day care facilities, the Schoolsite Administrator (e.g., principal or designated representative) can log into the website at <<https://www.calschoolnotify.org/>>. Accessing this website allows the Schoolsite Administrator to update school boundaries and provide contact information to receive the notifications required under section 6692. In the lead-up to private schools being included in sections 6690-6692, DPR and CACs will conduct outreach to encourage private schools to sign up with their local CAC's office to access the CalSchoolNotify website. This will allow private Schoolsite Administrators an opportunity to make any needed corrections to their information and schoolsite boundaries. Similar to existing practices for public schoolsites and child day care facilities, after submission, schoolsite boundaries are reviewed and accepted by CAC staff.*

Comment no. 14:

Pest control businesses and growers should not be held liable for violations related to private schools that are not verified, not mapped in CalSchoolNotify and CalAgPermits, or no longer in operation. This approach would be the most efficient way to provide clear and consistent requirements to those subject to this regulation, aligning DPR's stated goals of improving compliance.

While we recognize DPR's obligation to implement AB 1864, we urge the Department to adopt a practical and enforceable approach. Without this critical safeguard, the regulation imposes unreasonable risk and liability on pest control operators and growers who are uncertain whether a nearby building qualifies as a regulated private schoolsite.

Response: *See response to Comments no. 8 and 13 above.*

4. Beyond Pesticides

Comment no. 15:

We urge the state of California, in developing final regulatory action for Pesticide Use Near Schoolsites, to adopt a broad government-wide strategy that moves the state toward 100 percent organic regenerative agriculture and land management systems by 2030.

Response: *This comment is outside the scope of this rulemaking and the requirements mandated by AB 1864.*

Comment no. 16:

We urge that the following amendment be adopted to support alternative food production systems that do not rely on toxic substances, since the U.S. Environmental Protection Agency does not currently consider the availability of nonchemical, organic, or sustainable alternative land management practices in conducting its pesticide registration review process:

DPR, when reviewing Pesticide Use Reports, Notices of Intent, and Restricted Material Permit Applications, as well as any other associated documents related to this proposed regulatory

action, DPR consider recommending the use of one of the following as an alternative in a future spraying event:

1. A nonchemical alternative for pest management;
2. Pesticides exempt from registration under FIFRA Section 25(b) and listed in 40 C.F.R. § 152.25(f)(1) and (2), as amended; or
3. A substance that is derived from mineral, plant, or animal matter and does not undergo a “synthetic” process as defined in the Organic Foods Production Act, 7 U.S.C. § 6502(21), as the same may be amended from time to time.

Response: *This comment is outside the scope of this rulemaking and the requirements mandated by AB 1864.*

Comment no. 17:

The issue of knowing exactly where and when a pesticide application is occurring is critical to public safety for communities living near or around spray zones, particularly in the California context where a significant quantity of the toxic fumigant 1,3D (Telone) is sprayed, in some instances for dozens of acres in one logged application; for instance, as of April 1, 2025, there were three restricted material pesticide applications planned on approximately 24.2 acres of farmland in Tulare County—all Telone.

There are several additional components about which DPR will likely face questions from the public, including (i) the notification system’s omission of general use pesticides, despite known health risks, and (ii) whether SprayDays applies to nonagricultural pesticide applications (e.g., mosquito spraying, structural/indoor use, privately-owned public land, private homes, homeowner associations (HOAs), etc.). Concerns of lackluster public participation and privacy concerns have also emerged, as evidenced in a review of several of the pilot notification systems in Stanislaus, Riverside, Santa Cruz, Ventura, and Tulare counties, reported by The Modesto Bee in February 2024.

Response: *This comment is outside the scope of this rulemaking and the requirements mandated by AB 1864.*

Comment no. 18:

Given California’s stated goal of transitioning 10 percent farmland to organic certification by 2030 and 20 percent by 2045, we recommend that DPR join the efforts led by California Department of Food and Agriculture and California Department of Natural Resources to reevaluate the proposed targets and develop strategies for continuous improvement.

Response: *This comment is outside the scope of this rulemaking and the requirements mandated by AB 1864.*

Comment no. 19:

Californian communities are particularly at risk, including farmworker and fenceline communities. The public health impacts of ongoing pesticide exposure are a global phenomenon among chemical-intensive agricultural markets, as documented in numerous peer-reviewed

studies. There are additional deleterious health effects linked to pesticide exposure, including chronic kidney disease, impairment of reproductive health and contributor to early menopause and abnormal or early puberty, among other factors.

Response: *This comment is outside the scope of this rulemaking and the requirements mandated by AB 1864.*

Comment no. 20:

At a time of cascading and intersecting public health, biodiversity, and climate crises, we must stop the use of toxic petrochemical-based pesticides that are found to cause harm. At the same time, we must also move forward an approach that incentivizes sustainable practices that do not necessitate toxic chemicals to meet pest management goals. Our recommendations above serve as a critical opportunity for California to advance a holistic vision for preserving and enhancing biological diversity, health, and climate resilience for communities across the state.

We would be happy to work with the Department of Pesticide Regulation and relevant agencies to achieve broader health and sustainability goals as they relate to this and related regulatory actions going forward. With the adoption of this specific regulatory action, we urge California to act in the context of eliminating damaging pesticides that can be replaced by practices and materials compatible with the environment and public safety.

Response: *This comment is outside the scope of this rulemaking and the requirements mandated by AB 1864.*

5. Belen Contreras

Comment no. 21:

I urge DPR to expand the ¼ mile buffer zone to 1 mile.

Response: *This comment is outside the scope of this rulemaking and the requirements mandated by AB 1864.*

Comment no. 22:

I urge DPR to ban the most toxic pesticides, such as chloropicrin and 1,3-Dichloropropene (1,3-D), near schools entirely.

Response: *This comment is outside the scope of this rulemaking and the requirements mandated by AB 1864.*

Comment no. 23:

I urge DPR to provide real-time notifications to schools and parents so they get advance warning (not just state agencies) when pesticides are applied nearby.

Response: *This comment is outside the scope of this rulemaking and the requirements mandated by AB 1864.*

Under DPR's Statewide Notification System, <https://spraydays.cdpr.ca.gov/>, users can view an interactive map online or sign up for email or text message notifications before scheduled applications of pesticides which are restricted materials requiring a permit and that are being used for the production of an agricultural commodity.

Comment no. 24:

In section 6434(b)(10)(A), the wording on 'allowable dates and times' is vague. Farmers need clear guidelines to avoid accidental violations.

Response: The wording “allowable dates and times” is consistent with the language in AB 1864. The proposed language in 3 CCR section 6434(b)(10)(A) references the applicable date and time restrictions for pesticide applications near schoolsites as specified in 3 CCR section 6691. Specifically, it requires the NOI to list the allowable dates and time ranges during which the application can be applied that comply with the date and time restrictions in section 6691. Section 6691 states that pesticide application restrictions apply Monday through Friday, during the hours of 6:00 a.m. to 6:00 p.m.

Also, subsection 6691(f) provides for a written agreement between 1) the operator of the property, 2) the principal or child day care facility administrator, and 3) the CAC, to provide flexibility to tailor enforceable restrictions based upon local conditions. These agreements may shift the time to include after-school or weekend events or address other situations where the school or daycare may not operate during the “standard” days and times listed above. The intent of 6434(b)(10)(A) is for the operator of the property, who is responsible for submitting the NOI to the CAC, to confirm what allowable dates and times are for the application on that specific site at that specific time.

6. Kevin Patrick Sullivan

Comment no. 25:

I strongly support Assembly Bill AB 1864 Stats 2024, CH. 552. It is vital that we protect our children from being exposed to dangerous chemicals and toxins, that will be in the soil, water and wind after spraying by agriculture companies with properties near Schools

Response: DPR acknowledges the support offered by this comment.

7. Krista Tavares

Comment no. 26:

Increased Administrative Burden: The requirement for separate site identification numbers for portions of fields within ¼ mile of a school site will create an enormous administrative burden. Growers and PCAs will need to invest considerable time and resources in mapping and re-registering affected areas, leading to increased costs and reduced efficiency.

Operational Complexity: Managing different parts of the same field under separate site IDs will complicate operations, potentially leading to errors in record-keeping and application. This

complexity may result in unintended non-compliance and increased liability risks for growers and PCAs.

Response: *The proposed amendments are consistent with and necessary to comply with the requirements established by AB 1864. Additionally, 3 CCR section 6623(a)(2) allows an operator of the property to voluntarily designate areas beyond ¼ mile of a school site under a site identification number subject to the requirements of section 6623(a)(1). See response to Comment no. 5 above.*

Comment no. 27:

RMP Applications: The additional requirement to include anticipated methods of application in permit applications adds another layer of paperwork without clear benefits. Agricultural practices often require flexibility in application methods based on changing conditions, making this requirement impractical and potentially limiting necessary pest control options.

Response: *The proposed amendments are consistent with and necessary for DPR to comply with AB 1864. DPR is working with CACs and the CalAgPermits developer to reduce or minimize any administrative burden experienced by growers and applicators due to this requirement.*

Comment no. 28:

Notices of Intent (NOIs): The expanded NOI requirements, including specific application methods and allowable dates and time ranges, will significantly increase the administrative workload for PCAs and growers. This level of detail in advance planning may not always be feasible due to the dynamic nature of agricultural pest management.

Pesticide Use Reports (PUR): Adding method of application to PURs creates redundant reporting, as this information is already captured in other documentation. This duplication of effort increases the paperwork burden without providing additional protection or value.

Response: *The proposed amendments are consistent with and necessary for DPR to comply with AB 1864. DPR acknowledges this comment. However, several of the 'methods' outlined in 3 CCR section 6691 are related to the use of specific equipment types (e.g., spray boom vs. airblast sprayer vs. soil injection) or pesticide formulations (e.g., dust or powders). DPR is working with CACs to develop a solution which will minimize the administrative workload for PCAs, growers, applicators, and CACs while meeting the intent of AB 1864.*

Comment no. 29:

The cumulative effect of these new requirements will be a substantial increase in time spent on management and pest control activities, increasing the cost of production and thus increasing the cost of food to the consumer which will negatively impact low income & disadvantaged communities.

The additional costs associated with compliance, including potential investments in new software or systems to manage the increased complexity, will place a significant economic burden on growers, particularly small and medium-sized operations.

Response: DPR acknowledges that there may be an increase in time spent on administrative compliance-related tasks. However, the proposed amendments are consistent with and necessary for DPR to comply with AB 1864. As the proposed action is required by statute, any resulting economic impact to businesses operating in the state are the result of AB 1864 as opposed to from these regulations

Comment no. 30:

The restrictions on application times and methods near school sites may limit the ability of growers and PCAs to respond promptly to pest outbreaks, potentially leading to crop losses and increased pest pressure.

Response: DPR disagrees with this comment. The pesticide use near schoolsites restrictions have been in place since 2018 and DPR is not aware of crop losses or increased pest pressure due to the restrictions in sections 6690-6692.

Comment no. 31:

The proposed regulations appear to add layers of bureaucracy without clear evidence that they will enhance the protection of school sites beyond existing measures.

Response: The proposed amendments are consistent with and necessary for DPR to comply with the requirements established by AB 1864.

8. Nick Johnson

Comment no. 32:

I think having the school zone portion as a different site number is a very good idea. However, I think requiring a RMP and NOI are excessive. I worry about the NOI, especially because school zone jobs can be difficult to schedule on their own, and the county office does not have a good turn around to time for approving NOIs.

Response: The proposed changes do not require the operator of the property to obtain additional RMPs or NOIs beyond existing permitting requirements.

9. Shawn Athayasay

Comment no. 33:

It does not make sense to break a field site into a circular pattern, as that is not how fields can be driven. Growers should have the option to maintain their rectangular site as a single entity, provided they commit to farming the entire area as a school site. If they chose this, then any applications performed on the portion of the field outside the designated school circle would be subject to the same requirements as those within the circle. This requirement imposes additional reporting burdens for what is essentially a single field, adding unnecessary costs for growers. An additional document could be incorporated into the OIN, requiring the signature of the Property Operator or their Agent, alongside the existing front page, to make the requirement more explicit.

Response: DPR acknowledges and agrees with this comment. See the detailed response to Comment no. 5 above. Section 6623(a) paragraphs (1) and (2) provide growers flexibility to use separate site IDs when feasible or to choose the option to use a single site ID for the entire growing area, with the understanding that the entire growing area must comply with the regulations applicable to the area within $\frac{1}{4}$ mile of a schoolsite.

CACs may create and utilize the document suggested in this comment and attach it to the RMP or operator identification number (OIN); however, the language of section 6623 should make such documentation unnecessary. Once the regulations are effective, if part of a site ID falls within the $\frac{1}{4}$ mile distance from a schoolsite, the application method restrictions in section 6691 will apply to the entire site, unless the site is split as provided for in 6623(a)(1).

Comment no. 34:

Commissioners also face additional fiscal burdens. Revising the maps will require county inspectors to invest hundreds of hours, all to meet a regulatory mandate that is more procedural than practical.

Response: DPR acknowledges and appreciates this comment. The proposed amendments are consistent with and necessary for DPR to comply with the requirements established by AB 1864. As the proposed action is required by statute, DPR has determined that any resulting fiscal impacts are the result of AB 1864 as opposed to these regulations. DPR establishes an annual work plan with the CACs, which already requires the CACs to conduct pesticide use inspections and investigations and to enforce California pesticide use laws and regulations.

Comment no. 35:

Splitting the sites will not prevent applicators from making errors or failing to comply with timing and equipment regulations. By increasing awareness and providing clear guidance, DPR can foster understanding and encourage adherence to regulations.

Response: DPR acknowledges and appreciates this comment. DPR agrees that increasing awareness and providing clear guidance is critical to ensuring safe pesticide use in California. DPR is committed to working with CACs to develop and present outreach materials to growers, PCAs, and pest control businesses to foster adherence to the regulations.