

# DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT ADVISORY COMMITTEE (PMAC) HANDBOOK

#### PMAC's Role

The <u>Pest Management Advisory Committee (PMAC)</u> is a stakeholder committee established in 1992, pursuant to Food and Agricultural Code Section 12536, that is tasked with assisting the Department of Pesticide Regulation (DPR) in identifying, facilitating, and promoting environmentally sound pest management practices and pest management systems.

The primary responsibility of the PMAC is assisting DPR in evaluating and selecting grants to fund through DPR's <u>Sustainable Pest Management Grants Program</u> (established with the 2026 Solicitation). Prior to the 2026 Solicitation, DPR funded grants through the <u>Alliance Grants Program</u> and the <u>Research Grants Program</u>.

The PMAC is a formally designated decision-making state body. As stated in the <u>PMAC Charter</u>, members are subject to specific, complex, legal requirements relating to conflicts of interest, public perception of bias, and open meeting act requirements in the performance of PMAC duties.

## Important Terms and Definitions

- Integrated Pest Management (IPM): Assembly Bill 2113 (AB 2113), which the California State Legislature passed in July 2024, defines IPM in statue as: "an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment."
- Sustainable Pest Management (SPM): AB 2113, which the California State Legislature

passed in July 2024, defines SPM in statue as: "a holistic, whole system approach applicable to agricultural and other managed ecosystems and urban and rural communities that builds on the concept of integrated pest management to include the wider context of the three sustainability pillars: human health and social equity; environmental protection; and economic vitality."

- Quorum: a majority of voting PMAC members (13 of the 24 members, excluding ex officio members of the PMAC) that must be present at meetings focused on grant proposal application review or decision-making to ensure the decisions and recommendations made at that meeting are valid. Quorum procedures and requirements are set by the Bagley-Keene Open Meeting Act.
- Bagley-Keene Open Meeting Act (Act): the law set forth in California Government Code sections 11120-11132 that requires State boards and commissions to publicly notice their meetings, prepare agendas, accept public testimony, and conduct their meetings in public unless specifically authorized by the Act to meet in closed session. Note: typical PMAC meetings and proceedings are not authorized to be held in closed session and must be conducted in public.

## How Does DPR Conduct Grant Proposal Application Review?

Applicants must meet all of the eligibility requirements set forth in the Solicitation and be able to meet all of the Terms and Conditions appropriate to applicant status as either a University of California/California State University System (UC/CSUS) or non-UC/CSUS applicant. DPR staff will screen proposal applications to ensure that applicants meet all the eligibility requirements. DPR reviewers will then score proposal applications according to the criteria found in the Considerations for Reviewers section of the Solicitation. Through this Considerations for Reviewers section, DPR staff consider alignment with SPM Grants Program priority topic areas, answers submitted in response to the proposal application questions, the scope of work, and the budget narrative to develop scores for each eligible proposal application.

Based on DPR reviewer scores and alignment with SPM Grants Program priority topic areas, DPR's Deputy Director of SPM and Director will select a subset of the proposal applications to be reviewed by the PMAC. This subset of proposal applications will be no more than 25 proposal applications.

PMAC members will receive all eligible proposal applications for consideration along with a summary of DPR's scores and comments; however, the meeting agenda for the PMAC meeting held to review proposal applications will primarily focus on discussion of the identified subset of proposal applications. PMAC will discuss and rank proposal applications during this public PMAC meeting. PMAC members will rank proposal applications according to the criteria found in the **Considerations for Reviewers** section of the Solicitation.

Proposal applications are independently reviewed by DPR staff and the PMAC. The PMAC will make grant funding recommendations to the Director via a consensus-based proposal application ranking process that occurs during a public meeting. DPR staff independently score the proposal applications and provide a staff recommendation to the Director.

The Director considers these separate recommendations and makes the final project award and funding decisions. Applicants whose projects were not selected for funding are provided feedback after awards are announced.

#### The PMAC's Role in Grant Review

A PMAC member's primary role during the grant review cycle is reviewing and ranking proposal applications at proposal application review meetings. A spreadsheet developed from the *Considerations for Reviewers* section of the Solicitation will be created by DPR staff and will be provided along with the eligible proposal applications.

During review, PMAC members should evaluate the specifics of a project's quality relative to the criteria found in the *Considerations for Reviewers* section of the Solicitation, noting merits and concerns about each project. Example merits may include statements such as: "The project has a well-defined target audience that will benefit significantly from this work" or "The economic components of the various tactics that will be employed will be appropriately evaluated." Example concerns may include statements such as: "The experimental plan does not include enough replicates" or "The project team does not have strong experience conducting projects such as this one." It is important to note that PMAC members should evaluate each proposal application based on its own validity and fundability, not in the context of optimizing the spending of available DPR grant funds.

Collectively, PMAC membership is intended to provide a broad view of SPM impact across California. PMAC members should balance the desire for broad, meaningful impact need against project quality, which may at times mean recommending a slightly lower-ranked proposal application with a stronger potential impact across California over a higher-ranked proposal application with a lesser potential statewide impact. This priority-setting role is a strong component of the PMAC's chartered duties.

## General Overview of PMAC Grant Proposal Application Review Meetings

PMAC meetings occur on a quarterly basis and the PMAC grant proposal application review meetings take place annually in March. These meetings typically begin with opening comments from the Chair (DPR's Director) or the Director's Designee and orientation information. DPR will provide high-level context on the subset of proposal applications that connects back to

departmental priorities for the year. Additionally, a presentation may be given with an overview of recent Grants Program activities and funding. A quorum roll-call count is held before grant application review discussions and prior to any decision-making actions; any disclosed member conflicts of interest will be stated for the record at initial roll-call. Meetings will be webcast to the public for viewing via the California Environmental Protection Agency (CalEPA) Public Meeting Live Webcasts website.

A third-party facilitator leads the grant application review discussions. Grant application review discussions begin with a presentation of the proposal applications to be discussed. The list of proposals will be based on DPR staff reviews conducted prior to the meeting. DPR will provide high-level context on the selected proposals relative to departmental priorities for the year. Each grant proposal is then discussed individually, starting with the highest-scoring proposal application from the subset of proposal applications selected by DPR's Deputy Director of SPM and Director. Discussion is intended to focus on merits, concerns, and requested clarifications for each proposal application. There will be time towards the end of the meeting for PMAC members to discuss anything outside of the subset of proposal applications (including other applications).

Once discussion of proposal applications has concluded, PMAC members will rank the proposal applications, keeping in mind the merits and concerns raised by other PMAC members during the discussion. When results of the ranking have been tabulated by DPR staff and presented to the PMAC, the facilitator will ask PMAC members to propose a recommendation to vote on, such as submitting the collective ranking results and all discussion to the Director, and PMAC members perform a roll-call vote.

## General Overview of Other PMAC Meetings

PMAC debrief and brainstorming meetings take place annually in April. A third-party facilitator leads PMAC in a debrief of the grants cycle and brainstorming session of priority topic areas for the upcoming Solicitation. This meeting is intended to provide PMAC the opportunity to share how current cycle went, and provide PMAC the opportunity to give feedback on next Solicitation in terms of priority topic areas.

Project presentations from grantees are given at the PMAC meeting in August. These meetings typically involve three to six presentations. Each presentation will provide information about project goals, objectives, and results. The intent of this meeting is to provide an opportunity for PMAC members to learn more about the projects funded by DPR through prior Solicitations.

PMAC meetings where DPR staff summarize the proposal applications received take place annually in November. During these meetings, DPR staff provide high-level demographics and light analysis of proposal applications. A third-party facilitator leads PMAC in a discussion

focused on providing reflections on the information presented. The intent of this meeting is to provide an additional opportunity for PMAC to provide feedback.

#### **Expectations for PMAC Members**

PMAC members assist DPR in selecting grants for funding and identifying, facilitating, and promoting IPM practices and systems that are designed to minimize risk to public health and the environment. In fulfilling this role, PMAC members are expected to represent California stakeholders for the stakeholder category they are appointed to. Failure to meet the following expectations may result in removal from the PMAC (Cal. Code Regs. Tit. 3, § 6256).

- 1. Every PMAC member will nominate one qualified Alternate candidate from their organization/stakeholder category (an alternate can be affiliated with another organization within the PMAC representative's category) to attend meetings in their absence as necessary due to a conflict of interest (COI) or scheduling conflict. Members will submit Alternate candidate nominations to DPR along with supporting documentation, such as contact information and a résumé/curriculum vitae, prior to formal appointment.
- 2. Alternates are expected to work with the Primary member to ensure all membership responsibilities are fulfilled. If an Alternate is to attend a meeting for which the Primary member has reviewed grant proposal applications, they should be familiar with the merits and concerns identified by the Primary member about each project so they can best represent their organization/stakeholder category during discussions and rankings.
- 3. PMAC members must ensure, to the maximum extent possible, that the member's role and participation in the proposal evaluation process is not compromised by actions or circumstances that create conflicts of interest or potential public perception of bias related to any grant proposal(s). Examples of activities that could lead to COIs or public perception of bias include (but are not limited to):
  - Proposals submitted by the member's employer or department, where the member is an employee of the State, of a local agency, or of the UC.
  - Proposals a member advised on or helped develop.
  - Proposals that would provide funding to the member.
  - Proposals from a member's family.

A PMAC member who has a COI related to any grant proposal will be required to fully recuse from all proposal evaluation and meeting participation. Where a potential public perception of bias exists, a member should abstain from participating in ranking, discussing, or voting on proposals resulting from any solicitation in which they have a noneconomic COI under common law or where there appears to be a potential bias.

When a member must recuse, that member's input to the committee's decision-making process is restricted and the committee is prevented from receiving the full benefit of the member's valued expert participation. In addition, recusals may negatively impact our ability to achieve meeting quorum.

4. PMAC members must formally disclose to DPR any real or potential COI or public perception of bias circumstances related to any grant applications. Disclosure to DPR must occur as soon as possible so that DPR can support PMAC members in ensuring that the appropriate actions are taken relative to the disclosed circumstances. Please review the PMAC charter for further information regarding COI.

When a COI or public perception of bias circumstance exists related to a proposal application, the appropriate action will be full or partial member recusal as follows:

- a. When there is a COI, it is expected that the Primary Member will fully recuse from participation in the proposal application evaluation and PMAC meeting process; if eligible, the Alternate member will serve in the place of the Primary member.
- b. In the rare potential scenario when multiple members have COIs requiring recusal such that quorum is threatened, the DPR's Office of Legal Affairs must be consulted.
- c. When there is a circumstance involving member bias, or potential public perception of bias regarding a specific proposal, the member should partially recuse. In the case of partial recusal, the member may not rank, discuss, or vote on the specific proposal(s) the member is required to recuse from, but is otherwise allowed to participate in the proposal evaluation, ranking, and meeting process, including the final overall recommendation vote.
- d. When a PMAC member is required to disclose a COI or recuse from participation in any way, it must appear in the PMAC's official meeting record, along with the reason for recusal.
- 5. PMAC members should appropriately weigh the impacts of their participation in grant proposals against their ability to meet their obligations as PMAC members to participate in grant review, discussion, and recommendation decision-making. PMAC members are discouraged against taking any actions which would create a COI or give an appearance of bias, causing them to have to fully or partially recuse themselves from participation in the grant proposal process (e.g., advising on a proposal that will be heard by PMAC while serving as a PMAC member; participation in the preparation of, or staffing of, a grant proposal). In order to not give the appearance of being pre-decisional or lobbying outside of a public meeting in violation of the Bagley-Keene Open Meeting Act, PMAC members should refrain from expressing support for specific grant proposals (in verbal communications or through letters of support) until the quarterly PMAC proposal review meetings. Expressions of support in advance of a public meeting may require the PMAC

member to partially recuse themselves from participation in the grant proposal process.

- 6. PMAC members are expected to review proposal applications for the SPM Grants Program in advance of the PMAC grant proposal application review meeting.
- 7. PMAC members must make a reasonable effort to attend quarterly PMAC meetings. If a PMAC member is unable to attend, they must contact DPR staff as soon as possible to let them know they will be absent and if their Alternate will be serving in their place.
  - Member attendance helps ensure that quorum is met, ensures representation of organizational and public interests, and demonstrates respect for the committee's time. Excessive absences, and lack of communication with DPR regarding absences, may lead to the dismissal of a PMAC member at the Chair's discretion. (Cal. Code Regs. Tit. 3, § 6256)
- 8. PMAC members are expected to fully participate for the entirety of scheduled quarterly PMAC meetings to support collective discussion and decision-making and to ensure that the PMAC has the quorum necessary to conduct business or carry out votes.
  - If a PMAC member needs to leave a meeting early, notice must be given to DPR staff as soon as possible, preferably in advance of scheduled meetings. If a member arrives to a decision-making meeting late or must temporarily leave such a meeting with the intent to return before the meeting ends, and the absence results in the member missing more than 1/3 of the proposal application discussions<sup>1</sup>, the member will become ineligible to participate in voting and ranking processes for that meeting. Further, such absences are to be avoided because they can result in the meeting losing the quorum necessary to continue to conduct business or carry out votes.
- 9. The member who answers to the roll call record when the meeting is first convened for any meeting, whether Primary member or Alternate, will be the sole decision-making and representing member for that organization for the entirety of that meeting. No member substitution or change in member attendance is allowed after roll call. Therefore, if the Primary member establishes attendance in roll call, the member's Alternate may not attend and act in any official representative or decision-making capacity—or act as an intermediary to relay information from the meeting—for any portion of that meeting, even if their Primary member leaves early or for an extended temporary period of time. In such cases, if a Primary member cannot participate fully in the meeting and wishes for their organization/stakeholder category to participate fully in the decision-making process,

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<sup>&</sup>lt;sup>1</sup> The number of proposals that constitute 1/3 of the total shall be rounded down to the nearest whole number. For example, a member may miss up to four proposal discussions in a meeting with 14 total proposals before becoming ineligible for voting or ranking.

arrangements must be made for the Alternate to attend the entire meeting in the Primary member's place.

- 10. PMAC members must submit a ranking of the grant proposal applications following discussions, unless they are ineligible to rank due to missing more than 1/3 of the proposal application discussions.
- 11. In accordance with the <u>Bagley-Keene Open Meeting Act</u>, PMAC meetings are open to the public and are on the public record. As such, any meeting or communication amongst a quorum of PMAC members where PMAC matters which are not purely procedural in nature are discussed must be conducted during a public meeting.

The Act expressly prohibits the use of direct communication, personal intermediaries, or technological devices that are employed by a majority of the members of the state body to develop a collective concurrence as to action to be taken on an item by the members of the state body outside of an open meeting. (§ 11122.5(b).) This includes "serial meetings" which are a series of communications, each of which involves less than a quorum of the legislative body, but which taken as a whole, involves a majority of the body's members (e.g., Person A reaches out to a quorum of the members of the PMAC or their representatives on an individual basis to discuss an agenda item or a specific application—courts have found this to constitute a meeting).

In order to avoid the potential for a "serial meeting" to occur, DPR recommends that PMAC members engage judiciously with one another about PMAC matters outside of a public meeting and be selective about the subject of communications as well as the recipient of these communications. Systematic communications through which a quorum of the body acquires information or engages in debate, discussion, lobbying, or any other aspect of the deliberative process, either among themselves or between board members and the staff may violate² the Act. Additionally, comments regarding grant proposals that are sent to DPR after a PMAC grant proposal application review meeting has concluded cannot be considered as part of PMAC's recommendation, as it would violate the Act.

12. Until further notice, all PMAC meetings will be held via teleconferencing to maximize both member attendance and the opportunity for public participation. DPR staff will also host a physical meeting location to provide members of the public a place to hear, observe, and participate in each meeting.

<sup>2</sup> The Act provides for remedies and penalties in situations where violations have allegedly occurred. Depending on the particular circumstances, the decision of the body may be overturned (Gov. Code § 11130.3), violations may be stopped or prevented (Gov. Code § 11130), costs and fees may be awarded (Gov. Code § 11130.5), and in certain situations, there may be criminal misdemeanor penalties imposed as well. (Gov. Code § 11130.7.)

To minimize the logistical and technological challenges related to facilitating member and public participation in a hybrid meeting, it is requested that all PMAC members attend via teleconference, in lieu of the physical meeting location, unless they are unable to meet teleconferencing requirements described below.

All PMAC members must meet the following requirements to comply with Bagley-Keene Open Meeting Act rules for teleconferencing:

- a. All members must be visible on camera for the duration of the meeting when joining by teleconference,
- b. Members who join by teleconference and must go off camera at any point during the meeting must announce for the record that they are doing so and state the circumstances causing the member to not appear on camera,
- c. Members who will join the meeting by teleconference are asked to notify DPR seven days in advance so that this intent can be posted on DPR's website in advance of the meeting as required.

Members joining by teleconference do not need to disclose their teleconference location or make it accessible to the public,

- 13. Inappropriate behavior during meetings, such as engaging in sidebar conversations, disappearing from the meeting, being disrespectful to other members, or not actively participating in the discussion (i.e., multitasking) may be grounds for removal from the PMAC.
- 14. PMAC members are expected to provide DPR staff with updated contact information in a timely fashion. This ensures that members receive communications from DPR without delay.
- 15. If a PMAC member's organizational affiliation changes, or they no longer have a basis for representing their assigned stakeholder category, or if there is a need to resign from the committee, they are expected to notify DPR staff as soon as possible.

Please note that a change in affiliation may make a current member inappropriate for a given PMAC stakeholder representation category. In order for DPR to ensure full stakeholder membership and meet quorum requirements, timely communication of member organizational and stakeholder representation status changes is essential.

### **Expectations for DPR**

- 1. DPR will send all email communications to PMAC members from the <a href="MAC@cdpr.ca.gov">PMAC@cdpr.ca.gov</a> email address.
- 2. DPR will respond to communications from PMAC members within two business days and will notify members if replies are expected to take longer than usual.
- 3. DPR will send out a proposed meeting schedule and Outlook calendar invites near the end of the current year for the following year's meeting schedule.
- 4. DPR will send grant proposal application review materials to PMAC members as soon as the eligibility review has been completed and shall provide members with ample time for review. DPR will also send out a summary of DPR's scores and comments and provide information on the subset of proposal applications selected by DPR's Deputy Director of SPM and Director no later than six weeks prior to a PMAC grant proposal application review meeting.
- 5. DPR will support PMAC members in determining the proper actions that must be taken relative to real or perceived COIs or public perception of bias a member may have tied to proposal applications being reviewed by the PMAC.
- 6. DPR will email PMAC members agendas for upcoming meetings as soon as they are finalized and will send updated agendas containing digital connection information (when applicable) no less than two days prior to scheduled meetings.
- 7. DPR will email PMAC members a packet of documents containing the meeting agenda, a copy of the Act, and relevant PowerPoint presentations prior to scheduled grant proposal application review meetings.
- 8. DPR will notify PMAC members of the Director's final grant funding decisions following a grant proposal application review meeting.

#### **DPR Contact Roster**

General PMAC Inquiries: PMAC@cdpr.ca.gov

PMAC Lead – Matt Fossen, Senior Environmental Scientist (Specialist)

Matt.Fossen@cdpr.ca.gov

PMAC Administrative Coordinator – Hannah Fergason, Staff Services Manager I Hannah.Fergason@cdpr.ca.gov

SPM Grants Program Lead – Jordan Weibel, Senior Environmental Scientist (Specialist) Jordan.Weibel@cdpr.ca.gov

SPM Grants Program Lead – Andy Nguyen, Senior Environmental Scientist (Specialist) Andy.Nguyen@cdpr.ca.gov

Grants Program Manager – Tory Vizenor, Environmental Program Manager I <u>Tory.Vizenor@cdpr.ca.gov</u>

IPM Branch Chief - Vacant, Environmental Program Manager II

Deputy Director of Sustainable Pest Management – Sapna Thottathil Sapna. Thottathil@cdpr.ca.gov

#### Links

PMAC Charter, Member Listing, and Handbook:

https://www.cdpr.ca.gov/report/pmac-charter-member-listing-and-handbook/

**DPR's SPM Grants Program:** 

https://www.cdpr.ca.gov/spm-grants/spm-grants-program/

Bagley-Keene Open Meeting Act Guide 2024:

https://oag.ca.gov/system/files/media/bk-open-meeting-act-guide-2024.pdf