

# Tribal Advisory Committee Presentation

**Teresa Marks, Chief Deputy Director**  
**Paul Ryan, Tribal Liaison**





# California is a land of many people



with many challenges





# including urban and agricultural pest challenges requiring pesticides to manage





## Department of Pesticide Regulation

*To protect human health and the environment by regulating pesticide sales and use, and by fostering reduced-risk pest management.*

# Our Vision

***A California where pest management is fundamental to a healthy environment. Two beliefs underlie this vision statement:***

- 1. Pest management is essential to a modern society to protect public health, the food supply and enable effective resource management.**
- 2. The people of California are best served by a continuous effort to minimize risks associated with pest management.**



# Protect Human Health





# and the Environment





# Science-Based Regulatory Organization



**Air monitoring in Salinas**



**Human Health Assessment team**



**CDFA lab in Anaheim**



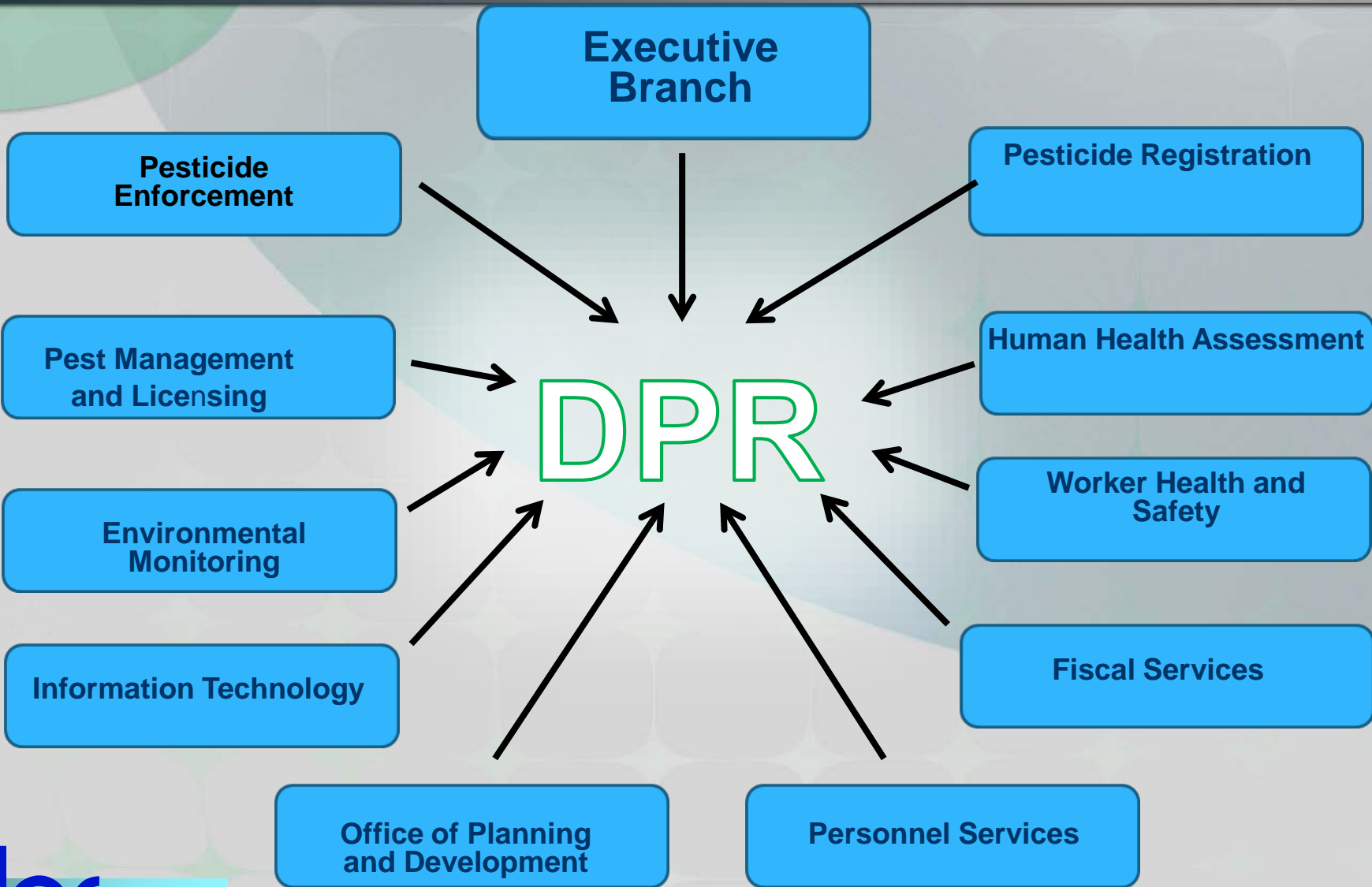
**Field tests in Arbutle**



**Scientists collect runoff from alfalfa fields in Davis**



**Surface water monitoring near Dana Point**





# Worker Health and Safety Branch

- **Exposure monitoring program**
- **Exposure assessment and mitigation**
- **Pesticide illness surveillance**
- **Workplace evaluations / industrial hygiene**

# Registration Branch

- **Registration of pesticide products**
- **Coordinates data evaluations**
- **Prepares public notices**
- **Oversees reevaluation data call-ins**
- **Manages all pesticide data/databases**



# Human Health and Assessment Branch

- **Preparation of risk assessments**
- **Review of toxicology studies:**
  - **New active ingredients**
  - **New products with currently registered active ingredients**
  - **Label amendments on registered products that have a new major uses/sites**

# Pest Management and Licensing Branch

- **Pest Management Analysis and Planning**
- **Pesticide Use Reporting**
- **Licensing and Certification**
- **Endangered Species Project**
- **Reduced-Risk Pest Management**



# Fostering Reduced-Risk Pest Management





# Enforcement Branch

- Enforcement protects all
- Consistent, fair, meaningful
- Urban and agricultural





# Enforcement Branch

- **Marketplace surveillance inspections**
- **Marketplace label inspections**
- **Producer establishment Inspections**
- **Pesticide container recycling**
- **Produce monitoring**

# Pesticide Residue Monitoring Program

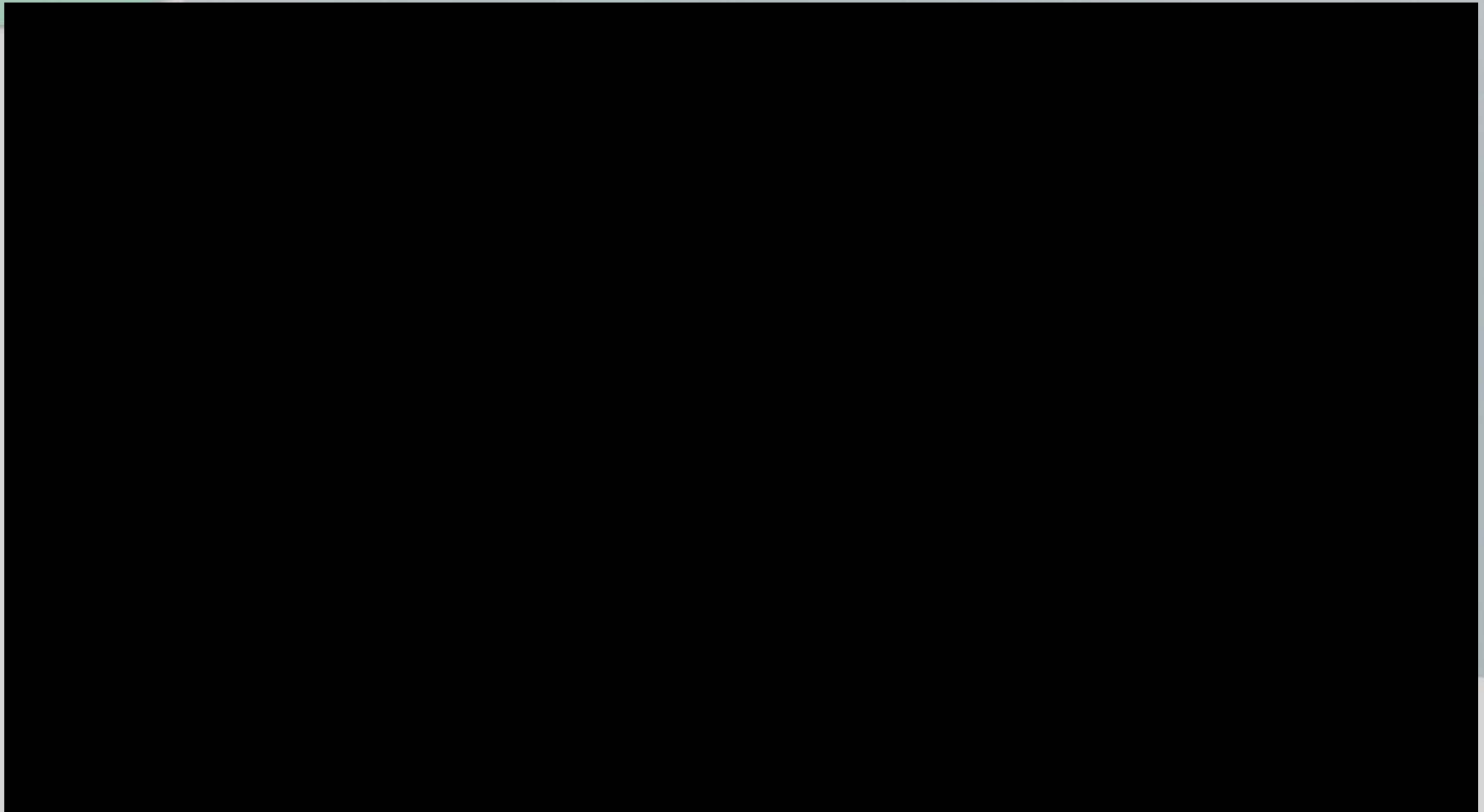
## Samples collected from:

- Wholesale and retail outlets
- Distribution centers of chain supermarkets
- Farmers' markets etc.





# Produce Monitoring Video



# California County Agricultural Commissioners



- Local enforcement by County Agricultural Commissioners and their 400 biologists in the field.
- DPR provides approximately \$27 million per year to CACs for pesticide enforcement and training. They conduct about 17,000 inspections per year.



# Environmental Monitoring Branch

Air  
Ground Water  
Surface Water Monitoring







# Ground Water Protection



## Current monitoring efforts:

- 2,-4-D (Statewide – high use areas)
- Imidacloprid (Fresno and Tulare)
- Rice herbicides – penoxsulam (North Sacramento Valley)
- Well Monitoring Network (Fresno and Tulare)

# Ground Water Protection

## Mitigation efforts:

- Regulations: additional GWPAs
- PCPA hearings: chlorthal-dimethyl (dacthal)
- Near future: imidacloprid





# Surface Water Program

## Current monitoring efforts:

### Urban Watersheds

- ❖ Southern (Orange and LA)
- ❖ Northern (Alameda, Contra Costa, Placer, Sacramento, and Santa Clara)
- ❖ Wastewater (Bay area)

### Agricultural Watersheds

- ❖ Southern (Imperial, Monterey, and Santa Barbara)
- ❖ Northern (Sacramento)

## Current mitigation efforts:

- ❖ Pyrethroids
- ❖ Imidacloprid





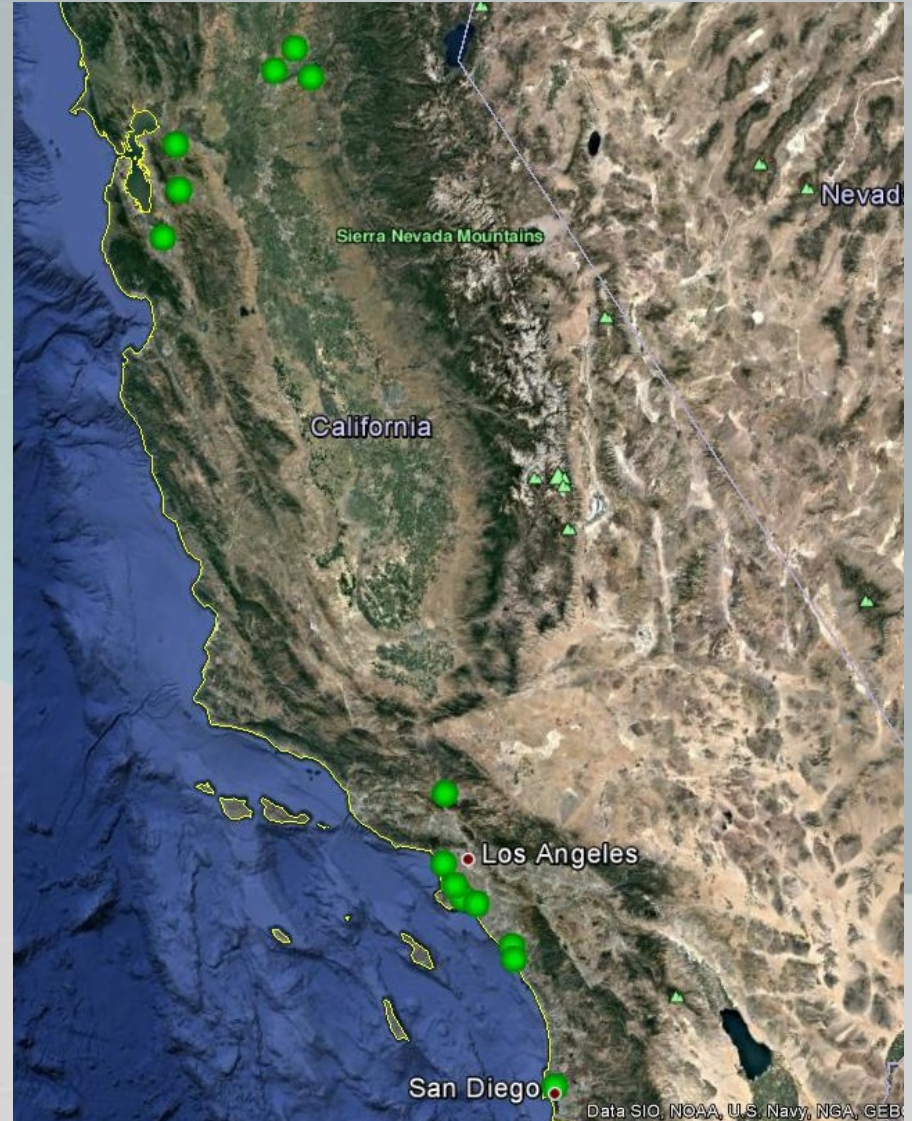
# DPR Urban Monitoring Locations



**Storm drains**



**Receiving water**





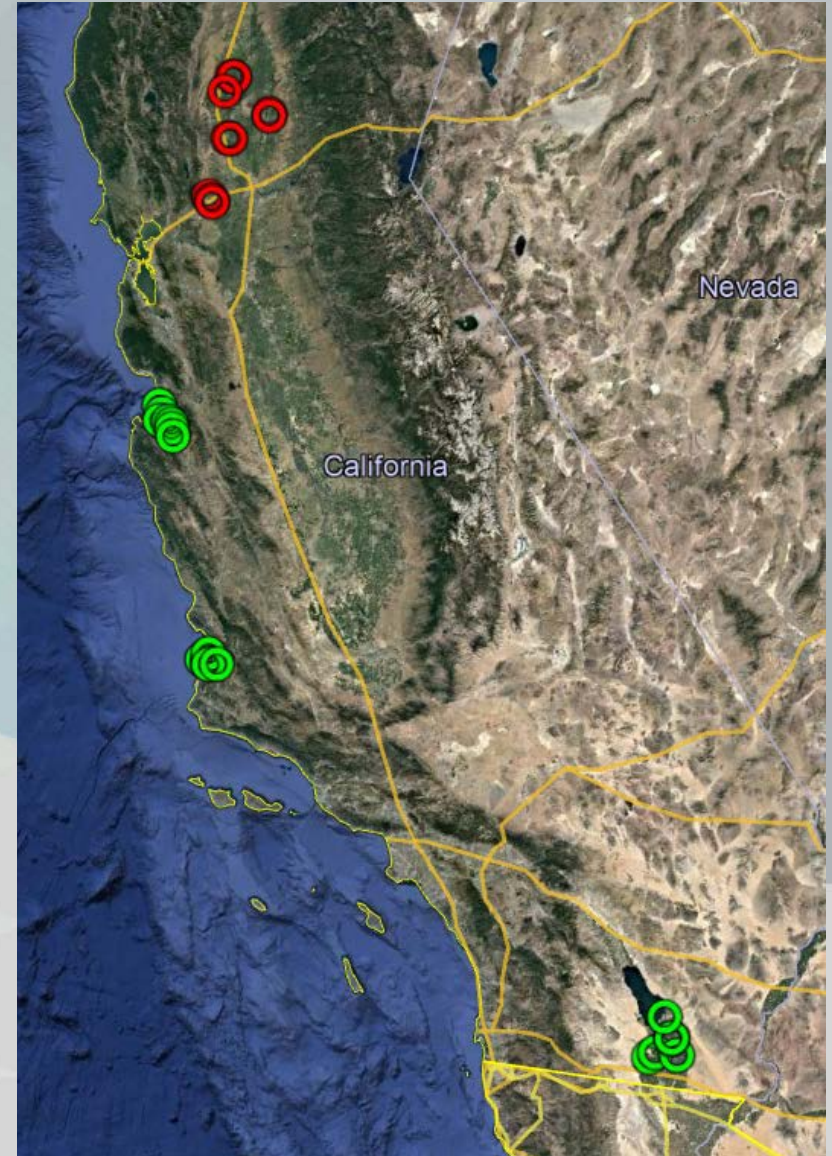
# DPR Agricultural Monitoring Locations

–DPR Scientists monitor agricultural watersheds in:

–Sacramento Valley

–Central Coast

–Imperial County



# Pyrethroid Surface Water Regulations

- **Went into effect in July 2012**
- **Requirements for professional applicators, including landscape maintenance**
- **Non-agricultural use prohibitions and restrictions on**
  - **Application methods**
  - **Location and size of application area**



# New Labels For Fipronil Products

## California Restrictions (EPA approved 4/10/17)

- Do not apply to garage door or driveway
- Do not apply between Nov 1 and Feb 28
- Do not apply more than 4 times per year
- Do not apply bandwidth more than 6 inches up/out from foundation
- Only use 0.03% dilution
- Do not re-apply at intervals less than 60 days

# Product Compliance



**DPR scientists inspect stores statewide looking for unregistered products**



**Pesticide-impregnated items**



**Unregistered products sold online**



# DPR Registration Process Data Review



Acute toxicology  
 Phytotoxicity  
 Environmental fate  
 Product chemistry  
 Chronic toxicology  
 U.S.EPA approved label  
**Volatile emissions**  
 Fish and wildlife  
 Efficacy

### Physical and Chemical Hazards

Do not puncture or incinerate  
 Do not use this product in conduits  
 because of possible shock hazard

### FIRST AID: IF ON SKIN OR CLOTHING

Take off contaminated clothing  
 Rinse skin immediately with  
 Call a poison control center

### IF INHALED:

Move person to fresh air.



# School Integrated Pest Management



**California**  
School & Child Care IPM





# Healthy Schools Act Reporting

DPR wants to improve protections for school children and staff. DPR pesticide data includes:

- Use
- Illness
- Monitoring



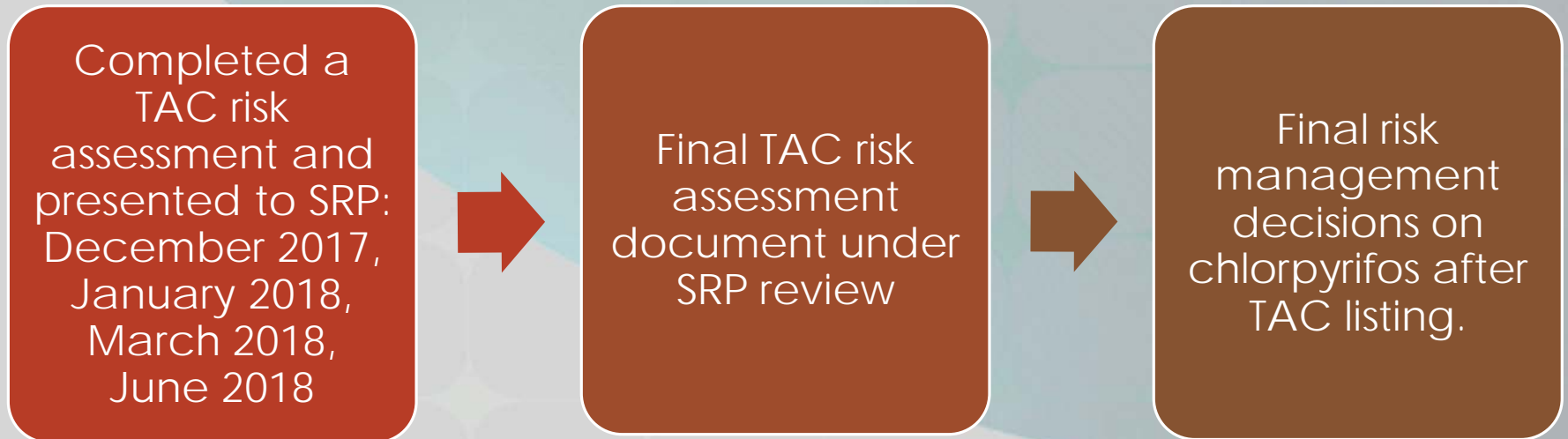


# Priority Issues





# Chlorpyrifos



## **Completed a risk determination document as required**

- Based on maximum application rates and 90<sup>th</sup> percentile residues that cause adverse effects
- Risk determination identified various risks to several crops
- Need to review more submitted studies to develop mitigation measures
- Two years to develop mitigation measures



# Pollinator Protection: MP3

- Outreach events
- New website
- Brochures for growers
- Managed Pollinator Protection Plan MP3

DPR participated in  
apx. 67 outreach efforts  
Including trainings,  
presentations  
and events  
Since 2014



# Cannabis

- ❖ The regulation of cannabis in California is in its infancy stage and will continue to evolve over time.
- ❖ DPR continues to work closely with the CACs, state departments, and other stakeholders to meet its legislative mandates.
- ❖ There are no pesticides specifically registered for use on cannabis or tolerances established for pesticides on cannabis.
- ❖ DPR provides guidance to cannabis cultivators and the Bureau of Cannabis Control



# Sulfuryl Fluoride



# Sulfuryl Fluoride Timeline

- **2006: DPR completed a health risk assessment of potential toxic effects and exposure**
- **2007: DPR listed SF as a toxic air contaminant and established a regulatory target concentration**
- **2010 - 2013: Aeration procedures modified (CAP 1 and CAP 2) to address occupational exposures**
- **2014 - 2018: Evaluate and mitigate potential bystander exposures to infants and children**



# Sulfuryl Fluoride Mitigation

- ❖ DPR's Human Health Assessment Branch reviewed new toxicology data
- ❖ DPR revised the risk management directive: proposed new target 0.41 ppm
- ❖ DPR received new scientific information to address uncertainties on the risk management directive
- ❖ Regulatory target level will be finalized after DPR reviews and evaluates information.

# Research Authorizations

DPR Registration Branch processes research authorizations for pesticides:

- “With the exception of those persons exempted by 3 CCR section 6268 (see below), a written authorization for research must be obtained from the director prior to any experimental, unregistered use of a pesticide.
- “A research authorization (RA) allows a company to gather data on efficacy, phytotoxicity, residue, environmental effects, methods of application, or other field data to support California registration under California use conditions.
- “RAs are limited by federal regulations to 10 acres or less if the product or proposed use is not federally registered (40 CFR, Part 172). If the product and the proposed use are federally registered, there is no limitation set in California law or regulations, prohibiting DPR from issuing a RA for any size test plot.



# Research Authorizations

- In addition to a RA, a person must obtain a federal Experimental Use Permit for use of an unregistered pesticide/use on 10 or more acres.
- Changes have been made to the process over the last decade, that have improved accountability and oversight for RA's

# Research Authorizations

## Increased accountability:

<b>2014 To Present</b>	<b>New and improved database capable of producing accurate information about RAs</b>	
	<b>Increased NOIs from 24hrs to 72hrs to give Counties more advance time to check on trials</b>	
	<b>NOIs are required be sent to DPR at the same time as to Counties</b>	
	<b>Re-designed RA forms</b>	“ Failure to comply with any of the conditions of this authorization pursuant to 3 CCR §§ 6260-6272 could result in revocation of the authorization and an administrative fine up to \$5,000 for each time a condition or regulation is violated (Food and Agricultural Code § 12999.5).”
	<b>Database now flags over due reports</b> (Researcher may be restricted from requesting new RA's)	
	<b>Submission of RAs via email and reduced processing times</b>	



# Research Authorizations

Year	RAs issued	RA Requests	
2014	699	730	
2015	647	680	
2016	640	670	
2017	660	700	
2018	527	550	(through July)
<b>Average</b>	662	695	

# Tribal Liaison Role

- **U.S. Executive Order 12088- does not provide states the authority to require compliance with state regulatory pesticide laws on Tribal lands.**
- **In California, the state delegates the role of pesticide enforcement and investigations to the County Agricultural Commissioner (CAC).**



# Tribal Liaison Role

- **Collaboration.**
- **DPR has an oversight role to make sure that California regulations and Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) are being complied with.**
- **Tribal Liaisons provide the bridge between U.S. EPA and the CAC's.**



# Tribal Liaison Role

- **Communication.**
- **Exchanging and sharing information about concerns or questions about activities that could be occurring in an area where a tribe would have a concern.**
- **Taking this information and contacting the appropriate entity.**





# Tribal Liaison Role

- **Collaboration.**
- **Making sure that requests from tribes are brought to the attention of the individual who has the authority to make the decisions.**





# Tribal Liaison Role

- **Accountability.**
- **Attending meetings.**
- **Follow through on questions that have been asked in these interactions.**



# DPR Tribal Affairs

- **Tribal Policy: Draft**
- **Public comment this summer**
- **Final draft end of year**
- **New DPR Tribal Affairs website**

**DRAFT**  
California Department of  
Pesticide Regulation  
**dpr**

Department of Pesticide Regulation  
**Tribal Consultation Policy**



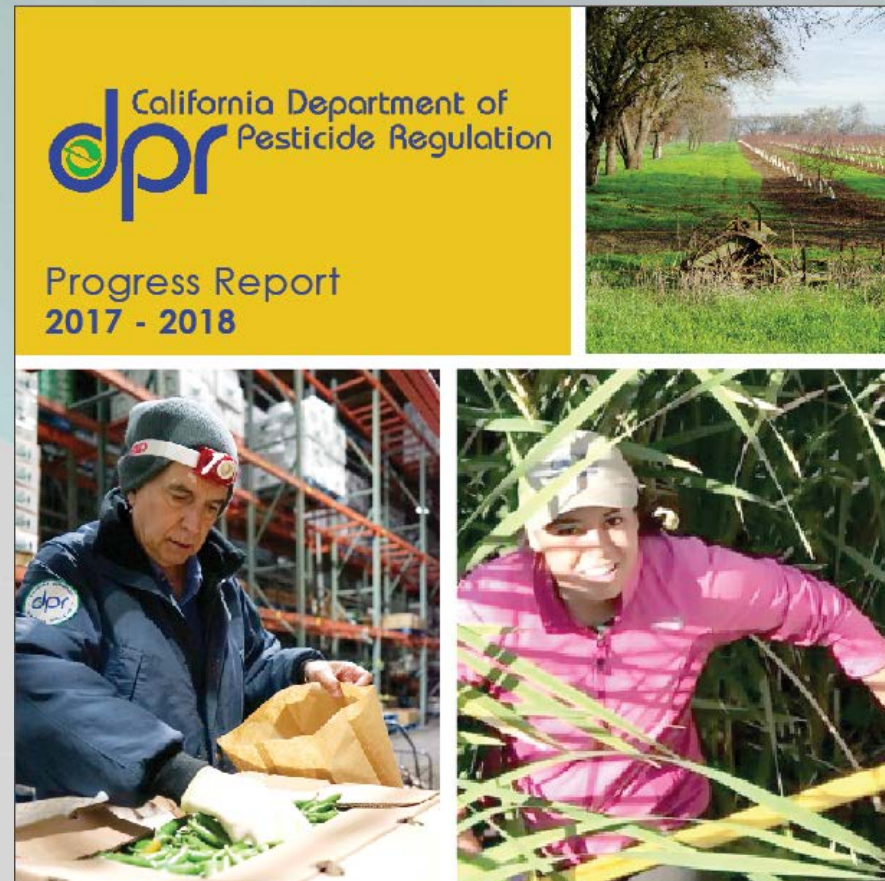
August 2018



# Progress Report

The 2017-2018 *DPR Progress Report* is now available

[www.cdpr.ca.gov](http://www.cdpr.ca.gov)





# CalEPA Tribal Advisory Committee

## Questions?

[www.cdpr.ca.gov](http://www.cdpr.ca.gov)

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***Department of Pesticide Regulation***



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