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California State Senate

SENATOR
HANNAH-BETH JACKSON
NINETEENTH SENATE DISTRICT



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LEGISLATIVE AUDIT

April 9, 2015

Brian R. Leahy
Director, California Department of Pesticide Regulation
1001 I Street, P.O. Box 4015
Sacramento, CA 95812-4015

Re: Workshop to Develop Regulation Concepts for Field Fumigation Notifications

Dear Director Leahy:

Since my days as an Assemblymember, I have been concerned with pesticide applications near schools, homes, parks, and workplaces. Today regulation for field fumigation notifications is dangerously inadequate in helping neighboring communities protect their health.

My district includes Ventura County, which has the most number of schools and students within a quarter-mile of where some of the most potentially harmful pesticides are used—more than any other county in the state. We are now learning that pesticides applied to strawberry fields near a high school in my district with 2,100 students are being utilized at even higher levels than originally acceptable in 2002. In this incident, it became evident that the safety controls required for using a particular fumigant are failing, putting the health of our youth and their teachers at risk. This is not acceptable.

I respectfully urge the Department of Pesticide Regulation (DPR) to bolster its current regulation for field fumigation notifications to better protect public health. If state air monitoring shows increased levels of fumigants in the air, DPR must ensure that local decision makers and residents be notified immediately.



DPR must ensure that advance notifications are provided in places within a reasonable vicinity to where fumigants and other pesticides are utilized. These notifications must be written, bilingual, and generally accessible to the community. Furthermore, I strongly recommend that instead of placing the burden on residents to seasonally seek out these notifications—the current methyl bromide policy in place—the department develop a process that guarantees residents receive these notifications automatically. Specific information about the fumigant(s) used—including immediate symptoms of exposure and chronic health risks—should accompany contact information for county agricultural commissioners as well as an explanation of the state's pesticide drift emergency medical reimbursement process.

Finally, it is critical that DPR provide additional notifications for students, parents, patients, and employees in particularly sensitive populations such as schools and hospitals. The Department should work with these institutions, especially schools, so that they are equipped to effectively distribute these health and safety notifications.

These are just a few of the important ways in which we can ensure that these potentially dangerous pesticides are used responsibly. It is my hope and expectation that DPR will meet its mandate to protect public health and at the same time meet the agricultural community's needs.

Respectfully Submitted,

A handwritten signature in black ink, reading "Hannah-Beth Jackson", with a long horizontal line extending to the right from the end of the name.

HANNAH-BETH JACKSON
Senator, 19th District

CC: Matt Rodriguez, California Secretary for Environmental Protection



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From the Desk of **STEVE BENNETT**
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April 8, 2015

Brian R. Leahy, Director
California Department of Pesticide Regulation
1001 I Street, P.O. Box 4015
Sacramento, CA

Re: Scoping Hearing April 9, 2015, Pesticide Fumigant Notification

Dear Director Leahy:

As the County Supervisor representing the Ventura County's First District, I am greatly concerned with protecting public health and improving the public's ability to access timely and accurate information about pesticide use in our community. I urge you to include the following measures in the new fumigant notification rules:

- All appropriate schools, homes, hospitals and other sensitive sites should be notified before each fumigant application.
- Appropriate written, bilingual notification is needed at least one week in advance for all places where people live, work, study and play within one mile from agricultural fields.
- If state air monitoring shows increased levels of fumigants in the air above the recommended target levels, the County Board of Supervisors must be notified immediately.
- State officials must create a plan to transition to safer products.

Thank you for your consideration of the provisions above. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Steve Bennett".

Steve Bennett
Supervisor, First District