



**PESTICIDE REGISTRATION
AND EVALUATION COMMITTEE (PREC)
Meeting Minutes – July 19, 2024**

Committee Members/Alternates in Attendance:

Edgar Vidrio – Department of Public Health (CDPH)
Fabiola Estrada – U.S. Environmental Protection Agency (EPA), Region 9
Garrett Keating – Department of Industrial Relations (DIR)
Heather Williams – Department of Resources Recycling and Recovery (CalRecycle)
Jaime Rudd – Department of Fish and Wildlife (DFW)
Katherine Sutherland-Ashley – Office of Environmental Health Hazard Assessment (OEHHA)
Fatemeh Ganjisaffar – California Department of Food and Agriculture (CDFA)
Lisa McCann – State Water Resources Control Board (SWRCB)
Stan Armstrong – Air Resources Board (ARB)
Mai Ngo – Department of Toxic Substances Control (DTSC)
Matt Hengel – University of California (UC), Davis, IR-4 Program and Environmental Toxicology
Stephen Scheer – CA Agricultural Commissioners and Sealers Association (CACASA)
Tom Ineichen – Structural Pest Control Board (SPCB)
Francie Bishop for Tulio Macedo – Department of Pesticide Regulation (DPR)

Visitors in Attendance:

Note: Only attendees who identified themselves using their full name are listed below

Alyssa Nagai
Amy Ritter - Waterborne
Ann Tinnes
Anne Katten – California Rural Legal Assistance Foundation
Becky Langer – Bayer Crop Science
Bianca Lopez – Valley Improvement Project
Catherine Dodd
Christabelle Paranthu
Cristina Gutierrez – Californians for Pesticide Reform (CPR)
Dillon Gabbert
Donna Bishel
Dr. Oscar Perez
Emily Saad – Exponent
Grecia Orozco
James Nakashima – Office of Environmental Health Hazard Assessment (OEHHA)
Jane Sellen – Californians for Pesticide Reform (CPR)
Jeremiah Wilson – CSI
Jesus Verduzco
Laura Ramirez

Marcia Trostle
Margaret Reeves
Mark Weller
Michael Zeiss
Rual Garcia
Ryan Pessah
Stephanie Hughes
Teresa Gomez
Vanessa Forsythe

DPR Staff in Attendance:

Alyssa Freeman – Pesticide Registration Branch
Andrew Turcotte – Pesticide Registration Branch
Atefeh Nik – Human Health Assessment Branch
Brenna McNabb – Pesticide Registration Branch
Elana Varner – Pesticide Registration Branch
JT Teerlink – Pesticide Programs Division
Laurie Brajkovich – Pesticide Registration and Evaluation
Nan Singhasemanon - Pesticide Programs Division Monitoring and Mitigation
Polo Moreno – Integrated Pest Management Branch
Taylor Whitehill – Pesticide Registration Branch

1. Introductions and Committee Business – Francie Bishop for Tulio Macedo, Chair, DPR

- a. Approximately fifty (50) people attended the meeting.
- b. In relation to DPR Regulation Number 23-003 Statewide Notification of Agricultural Use of Restricted Materials: On July 2, DPR issued a Notice of Modifications to Text proposing modifications to the originally proposed text of section 6434 in title 3 of the California Code of Regulations. DPR is currently accepting written comments relevant to the modifications through August 1, 2024. DPR also scheduled three hearings to receive oral or written comments regarding the proposed modifications. The first hearing was held on July 12 in Turlock and the second hearing was held virtually on July 15. The last hearing will be held on July 23 in Shafter.
- c. Regarding DPR 2401e Licensing and Certification Fees: July 15, DPR issued a Notice of Proposed Emergency Action. DPR proposes to amend license and certificate application, renewal, and exam fees in sections 6502 and 6505 in title 3 of the California Code of Regulations. DPR intends to submit this proposed emergency action to the Office of Administrative Law (“OAL”) for review on July 23, 2024, at which time a five-day public comment period will begin that closes on July 28, 2024. Upon filing, OAL will have ten calendar days within which to review and make a decision on the proposed emergency rule.

If approved, OAL will file the regulations with the Secretary of State, and the emergency regulations will become effective on August 5, 2024.

2. Reporting, Risk Assessment, Reevaluation, and Mitigation – Jennifer (JT) Teerlink, DPR

Providing an update on risk assessments and mitigation with high level overview of some of the related elements that have been a part of the budget process this year and a recent audit by the California State Auditor. Starting with terminology, continuous evaluation is a process that the Department of Pesticide Regulation (DPR) goes through of registered pesticides and includes the ongoing review of scientific research and data collected through DPR programs and the investigations conducted by county agricultural commissioners. Continuous evaluation relies heavily on data and scientific studies that are generated by many of our partner agencies.

DPR actions to assess risk can include a risk assessment which can be broad or narrow in focus to identify and quantify pesticide related risks. Reevaluation is a specific tool used to investigate a pesticide that may have caused or is likely to cause a significant adverse impact on people or the environment. Risk assessment and reevaluation are not necessarily a linear process. Sometimes a risk assessment can trigger a reevaluation or vice versa. A reevaluation could trigger a risk assessment. Mitigation addressing those risks may be a result of either of these or can occur in parallel.

When risks are identified, DPR can take immediate action to regulate the pesticide, adopt mitigation measures, or work to change the label requirements to reduce the potential for exposure. Just as risk assessment and reevaluation may not be linear, we also may determine that more data is necessary to evaluate the risks to inform mitigation measures. The measures can be expanding training for pesticide applicators to reduce potential incidents, and this could be focused training conducted by DPR or in partnership with growers, or Spray Safe program with county agricultural commissioners. And labels can be examined for misinterpretation. DPR can work with United States Environmental Protection Agency (US EPA) and pesticide manufacturers to update label requirements. For example, DPR could look at how a pesticide can be applied, the necessary personal protective equipment, or restricted entry intervals. DPR can propose and adopt regulations establishing a specific sale or use requirement or designate a pesticide as a restricted use material. If a significant adverse impact is identified and no mitigation is possible and the process to identify that no mitigation is possible but can take time, DPR can cancel the product's registration meaning it can no longer be used in California. [A DPR fact sheet](https://cdpr.ca.gov/docs/dept/factshts/continuous_evaluation.pdf) <cdpr.ca.gov/docs/dept/factshts/continuous_evaluation.pdf> has been created to summarize these actions.

The 2024 California state budget proposed in January included 117 new positions and \$34 million to advance the department's work and mission. The crafting of the budget change proposal (BCP) represents the incredible work done throughout the department and where the department is critically understaffed. In June 2024, the governor signed the 2024/2025 state budget. DPR's proposed budget change was approved contingent on the passage of AB 2113,

which was signed on July 2nd this year. Due to the timing of these two events, it is expected that there will be actions to align the final budget with the final language of AB 2113. This investment reflects the importance and quality of DPR's work and mission to protect human health and the environment by fostering sustainable pest management and regulating pesticides. It also requires that DPR delivers the results outlined in the newly adopted legislation. This also aligns with the governor's budget proposal and the priorities outlined in DPR's draft strategic plan that was released earlier this year.

Some of the elements of the budget are most directly linked to continuous evaluation and mitigation as well as registration. There is a three-year phase in for the plan. For the registration of alternative pesticides, there are 31.2 positions coming into support innovative alternatives, and 11 positions for research and adoption. DPR has 11.2 positions to support advances in pesticide monitoring and data evaluation. In addition, we have ongoing investments in digital software that will allow us to compare electronic labels and support the shift to CalPEST, ecosystem monitoring, Integrated Pest Management (IPM) and Sustainable Pest Management (SPM) demonstration projects.

AB 2113 has certain reporting metrics. By May 1, 2025, there will be annual timeline requirements. Over the past few years DPR has been revamping specific elements in the timeline notice, including the number of days on average that it took to complete an application and the average number of days that the application spent in intake and in each stage of scientific evaluation. The improved data collection that the upcoming electronic registration system CalPEST collects supports DPR's ability to increase transparency. The next reporting requirement by January 1, 2025, will be posting estimated time to complete existing reevaluations. And to annually report actions to identify and evaluate potential adverse effects of pesticides, and to develop mitigation measures to address those effects including projected timelines. By July 1, 2026, identify actions to improve efficiency of the internal processes for reevaluating pesticides.

The [Pesticide Registration Process Audit](https://auditor.ca.gov/reports/2023-128/) < auditor.ca.gov/reports/2023-128/> was posted July 2, 2024. The recommendations were largely in alignment with current efforts and elements in AB 2113. The recommendations outlined in the audit include developing measurable standards for registration timelines. Another recommendation was to ensure CalPEST sufficiently addresses current tracking system's limitations. By July 2025, develop a policy to assess registration related staffing needs on at least an annual basis. By January 2025, formalize guidance for annually selecting companies to audit. And finally, to develop procedure for tracking completion of the required training for new regulatory scientists.

One type of risk assessment is the human health assessment. DPR has completed a draft for Imidacloprid human health assessment. The formal scientific reviews by US EPA and Office of Environmental Health Hazard Assessment (OEHHA) are complete and have come back with comments. DPR anticipates finalizing the assessment by January 1, 2025. This coincides with language in a bill from last year's legislation, that required to complete a human health risk assessment on an additional four neonics by January 1, 2025. Draft assessments are anticipated

January 1, 2025 for non-agricultural neonics: acetamiprid, clothianidin, dinotefuran, and thiamethoxam. Currently there is an ongoing human health assessment draft for Linuron. For Paraquat, DPR is working through scientific assessment of a number of studies that were submitted in Fall 2022 and additional studies in Fall 2023 as a part of the annual renewal process.

For environmental assessments, there are elements in AB 363, for non-agriculture neonics (Imidacloprid, acetamiprid, clothianidin, dinotefuran, and thiamethoxam). Risk assessments for aquatic organisms by July 1, 2025, and pollinators by July 1, 2027. DPR teams have been working on second generation anti-coagulant rodenticides and open reevaluation. In late 2023, DPR opened a reevaluation for a first-generation anti-coagulant rodenticide Diphacinone. And similarly to the human health assessment, DPR teams are also looking at the environmental impacts of paraquat.

For reevaluations, DPR had a large regulatory package that went into effect January 1st of this year for the broad neonic reevaluation. As a result, DPR was able to close the neonicotinoid reevaluation in March 2024, and simultaneously opened a reevaluation that was focused on non-ag neonics. Current reevaluations which have been open for a number of years, such as cyfluthrin, will have anticipated timelines to close existing reevaluations posted by January 1, 2025. An update on Chloropicrin, DPR is utilizing the best scientific tools available to ensure that the reevaluation is closed as swiftly as possible along with second generation anticoagulant rodenticides and diazinon, as well as the non-ag neonics.

Some additional elements related to reevaluation from AB 2113. By 2025 there is a requirement to initiate a reevaluation for at least one pesticide each year. And by 2029, that increases to at least two pesticides each year. If there is a potential adverse effect identified, a requirement to adopt mitigation within 24 months. If unable to adopt mitigation within 24 months, it cannot exceed an additional 6 months, as well as listed reasons the requirement was not met. DPR will also annually report on actions to identify and evaluate potential adverse effects, and to develop mitigation measures to address those effects including projected timelines. By July 1, 2026, identify actions to improve efficiency of internal processes for reevaluating pesticides.

A major effort for mitigation for DPR has been 1,3-Dichloropropene. Residential bystander mitigation is complete, and regulations went into effect January 1, 2024. Occupational bystander mitigation is continuing with joint and mutual work with OEHHA, and recently have received OEHHA's revised recommendations last month. The mitigation development via rulemaking processes is ongoing. Occupational mitigation to address acute exposures to tarp cutters and removers is in progress. Continuing with mitigations for Diquat, the team has issued a completion memo in October 2023. For sulfuryl fluoride the US EPA early mitigation proposal has been reviewed to protect residents for structural fumigation and DPR has approved revised labels in June 2024, as well as conducting modeling on residential bystander risks from structural fumigation. There have been ongoing efforts on acephate, the acute occupational bystander risk mitigation was complete in June 2024. Highlighting a few other, Tribufos has a mitigation status memo that was completed in January 2024. The status memo looks at proposed decisions by US

EPA to determine if the mitigation put in place are sufficient to satisfy California's assessment and in cases where it is not, then an optional memo is developed to address any additional concerns. The optional memo was completed in March 2024 for Tribufos. The effort to look at the US EPA's interim decisions for Simazine and propagate are both in progress. There are some monitoring studies that support mitigation work, phosphine monitoring study to support scoping is ongoing. Soil fumigant monitoring studies are ongoing that look at a number of pesticides, such as chloropicrin, 1,3-D, Methyl Isothiocyanate (MITC).

Pesticide prioritization process is being created to have a data driven approach to prioritize department actions and focus resources on the greatest needs. It is also important to have the opportunity to engage with stakeholders to ensure the whole picture is captured. And include an analysis of feasible alternatives, critical uses, and technology that might be available for a particular pest issue. Human health prioritization process is under final management review prior to external scientific review. With the broader pesticide prioritization process being developed, there will be public workshops once more details are worked out. The department's work to continuously evaluate registered pesticides and work towards mitigation, when necessary, will be central to the pesticide prioritization process.

DPR is looking to implement AB 2113 as well as the audit recommendations and of course continue to develop the pesticide prioritization process. DPR definitely sees the need for transparency and for timelines to be associated with department actions. The internal efforts and directing resources has really formed the basis of the January 10th budget proposal.

Committee Comment

None to report.

Public Comment

Catherine Dodd asked if only questions are permitted? Should we make our comments into questions. PREC support team member answered that in the interest of time of our presenters, we prioritize questions over comments as stated in our agenda. The PREC is not the place to collect comments for any open comment periods. We encourage commenters to submit through the posted relevant public comment periods and directly to identified locations. For example, email inboxes to specific regulatory actions.

Mark Weller asked what is the status of chlorthal dimethyl/DCPA mitigation/cancellation? JT Teerlink responded that this particular action on mitigation is being led by US EPA and so they've been in the formal process of determining if the risks identified are mitigatable, along with working with the registrant. DPR remains in touch with the US EPA as they work through that process. There are no official or additional information on this process at this time. But happy to catch you up on past conversations on this topic if there is need, feel free to reach out.

James Nakashima asked in the Q&A box, Regarding the soil fumigations studies that JT mentioned - are those field studies and could we hear more about them in upcoming PREC meetings? Maybe something on study design or preliminary findings? Nan Singhasemanon responded that yes, we can see about developing something on these studies for a future PREC.

Vanessa Forsythe asked what are priorities for mitigation? JT Teerlink responded that the question is extremely broad. With the pesticide prioritization process, DPR is looking for a place where we can have conversations about these priorities that engage the public and engages experts, so that DPR can be more transparent about the work towards priorities for mitigation.

Stephanie Hughes asked about any update available for fipronil mitigation? JT Teerlink responded that there is not a current update, but points towards the report that DPR will be putting out on the ongoing actions.

Bianca Lopez asked the recently chaptered AB 2113 requires DPR to initiate one new risk assessment per year and to mitigate within two years of completion of a risk assessment. Will DPR commit to immediately mitigating the many pesticides with a completed risk assessment that have not yet been mitigated? JT Teerlink responded first with clarification that the language in AB 2113 requires one new reevaluation per year and then two new evaluations per year starting in 2029. JT continued to make the distinction between risk assessment and reevaluation which is the language in AB 2113. The risk assessments are certainly places that the mitigation team is looking to mitigate and, in some places, close out if it is determined that the risks have been addressed through actions by US EPA.

Emily Saad asked as the department works to meet the registration and reevaluation timelines identified in AB 2113, do you anticipate that stakeholders will be engaged to help further bolster all of that work that the department has been doing internally to improve inefficiencies and consistency that you mentioned? JT Teerlink responded that we did not focus a lot on registration today, but there are registration specific timelines that are in AB 2113. Yes, we will be engaging on the registration side to make sure that not only DPR is doing everything as efficiently as possible in house, but looking for opportunities and insight from registrants on things that don't go smoothly on stakeholder's end. JT also noted that there was a [California Notice](https://cdpr.ca.gov/docs/registration/canot/2024/ca2024-10.pdf) <cdpr.ca.gov/docs/registration/canot/2024/ca2024-10.pdf> where US EPA has agreed in places where we find a use on label that we wouldn't necessarily register, we've smoothed out the process so that registrants can remove from the label and it can go through US EPA more quickly. We are looking to engage with stakeholders on how to work through more effectively.

Margaret Reeves asked what is the current status of the process of establishing the Priority Pesticide Advisory Committee? JT Teerlink answered that she is happy to discuss offline, and that a public workshop will be held when everything is in place.

Mark Weller asked is there a current prioritization list for reevaluations of pesticides? JT Teerlink responded that there is not. The department is looking forward to the pesticide prioritization process. Reevaluation, mitigation, and risk assessment are not linear. The

prioritization process will emphasize places where a risk assessment is necessary because the risk is not quantified, where data is necessary to quantify the risks in the reevaluation pathway. And then mitigation will be taking actions to address the risks identified. This will help separate out the two processes and be clearer and more transparent on what is needed as a regulatory agency. The engagement and questions are appreciated.

Jane Sellen of Californians for Pesticide Reform (CPR) wanted to speak on behalf of the CPR coalition and all Californians to make a heartfelt appeal to the members of the PREC to take your oversight responsibility seriously. This is the only publicly noticed, regularly scheduled, publicly accessible forum at DPR. You are the only people in the state with the power to hold DPR accountable to ask hard questions, and to control the agenda. In the past the PREC has taken this role seriously and previous risk assessment prioritization lists were developed because PREC asked for them. Since 2021, we've repeatedly called on the PREC to hold DPR accountable for the lack of progress on this critical task. We've documented the pace of risk assessments just 18 in 13 years. Only seven mitigations, more than 80 pesticides were designated by DPR as high priority in 2011. Ten pesticides ranked as the top ten in 2014, and none of the ten have had a risk assessment. There's no record of that any of them have even started. DPR set a goal in its SPM roadmap of phasing our priority pesticides by 2050. We don't know how they're going to select these pesticides when, so few have even had a risk assessment. JT mentioned the new risk assessment obligations in AB 2113, which also gave DPR a 40% mill fee increase. The bill adds a layer of legislative oversight for risk assessment and obligates DPR to start but not finish one new risk assessment per year and then mitigate within two years of a completed risk assessment. Jane Sellen added that in 2013, a statutory trailer budget bill obligated DPR to start five new risk assessments per year beginning in 2014. If I have a question, it's how come DPR has not done that? And the PREC has not asked the question, why not? Thanks to a CPR sponsored bill last year, DPR is now under statutory obligation to implement an environmental justice advisory committee, which will provide another level of much needed scrutiny. But for now, the PREC is all we have and the public needs you to take this responsibility seriously. This isn't an informational seminar; this is for public accountability and we're all depending on you. So, another question will the PREC do this? I'll send my comments in writing along with links to all our letters that we've been sending since 2021. Thank you. JT Teerlink thanked Jane for the comments. JT wanted to emphasize one point, that the language in AB 2113 requires reevaluation.

3. Bulletins Live! Two: EPA's database as linked with DPR's PRESCRIBE database – Polo Moreno, DPR

Recent developments for Environmental Protection Agency (EPA) Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) enforceable bulletins and their link with Department of Pesticide Regulation (DPR) Pesticide Regulation's Endangered Species Custom Real-time Internet Bulletin Engine (PRESCRIBE) database was presented. Last year the Endangered Species Act (ESA) turned 50 years, and so did the EPA. Over the years there has been a lot of

interaction between DPR Endangered Species program and the EPA to develop protective measures that provide species protection. As the program was developed over the years, a few species were chosen to address, initially with rodenticides and then as the program expanded more pesticide groups were added.

Under the ESA the registration of a pesticide by EPA is an action equivalent to building a pipeline, a dam, urban development, etc. All actions must be evaluated for their potential to affect or jeopardize endangered species, their habitat or both. EPA must assess potential risks or impacts and consult with the U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS), together they are referred to as The Services, to obtain mitigation measures. The Services issue a biological opinion, the document provides some guidance for mitigation or restoration, depending on the level of impact that the project may have for the endangered species. Mitigation can take form of nationwide restrictions on the general pesticide product label or geographic specific restrictions located in their Endangered Species Protection Bulletins.

In 2005, EPA implemented the web-based system originally named Bulletins Live! After a series of problems with registrants challenging the use limitations for Salmonid protection, the system was replaced with Bulletins Live! Two (BLT). By 2014, EPA contacted DPR for collaborative work in the development of a Bulletin for thionecarb on rice. DPR already had permit conditions for thionecarb as part of their Pesticide Use Enforcement Standards Compendium and agreed to provide such conditions for the first BLT bulletin in California in 2014. EPA continues using Bulletins Live! Two to provide protections for listed species and to minimize pesticide product label changes.

EPA's Bulletins contain the following information, a map of the user-defined intended application area. In the application the user is able to type in a place name or a zip code or zoom in to an area on the map to define the area. The user can then select the product intended for use and registration number. Once the active ingredient and/or pesticide product to be applied is chosen, then pesticide formulations and use limitations are shown. And there is a six-month validity period for the Bulletin and the user is able to select a particular time.

To access [Bulletins Live! Two](https://www.epa.gov/endangered-species/endangered-species-protection-bulletins) < [epa.gov/endangered-species/endangered-species-protection-bulletins](https://www.epa.gov/endangered-species/endangered-species-protection-bulletins) > be prepared to have the EPA's registration number for the pesticide that is intended to be used. The user enters or selects the required information and proceeds through the inquiry. The EPA issues The Services' biological opinions on the inquiries for different products. A document created before biological opinion, is the draft of biological evaluation which contains the consultations and information issued during evaluation. In 2022 there were different products that were issued final biological opinions or interim measures of protection of the species, which started the development of bulletins to post to the website. This was part of a negotiation with the plaintiffs of a previous litigation, the Center for Biological Diversity back in 2015. This helped create a list of the products that would be prioritized for evaluation and then posted for biological opinions. The creation of the list reduced a massive list of pesticides down to eight total.

In 2022 and 2023, EPA completed consultation with the Services and initiated development of enforceable bulletins for the following 3 products in California: malathion, 1,3 dichloropropene (1,3-D) or Telone, and diazinon. Also under development, bulletins for bromoxynil, prometryn, metolchlor, pyraclonil, and granular chlorpyrifos. PRESCRIBE is an advisory application and is not enforceable. PRESCRIBE now includes a link to EPA's Bulletins Live! Two website just before the query section where an applicator selects the pesticide products to use. If the pesticide is included in EPA's list, then the applicator should follow the link to Bulletins Live! Two for specific requirements. The Bulletins are FIFRA enforceable.

DPR's Endangered Species Program focus is to address any pesticide or endangered species issues resulting from the use of rodenticides, insecticides, herbicides, and fungicides. The program was implemented under Endangered Species Act (ESA) section 7(a)(1) – Local Plans: develop Pesticide Use Limitations to prevent effects on endangered species or their habitat. Both state and federally-listed species are protected under the program.

Pesticide use limitation are the result of collaborative work from species' experts, growers, applicators, county agricultural commissioners (CAC), state and local agencies, advocacy groups, and other organizations in public meetings held throughout California. DPR's pesticide use limitations have served to help protect endangered species while U.S. EPA consults with U.S Fish and Wildlife Service or the National Marine Fisheries Service, after it was determined that a pesticide is "likely to adversely affect" a species, its habitat or both. Methods of application, restrictions, or prohibitions that apply to any given Active Ingredient (AI) considering the proximity of an application to Endangered Species habitat, AI's Activity Category, and its Hazard Class to that species. The use limitations attempt to protect endangered species from harm due to pesticide use while allowing lawful pest control. The use limitations developed by DPR's Endangered Species Program and distributed through the PRESCRIBE database are advisory and not enforceable.

Once EPA completes its consultation on a particular pesticide and species (or group of species), the Services issue a Biological Opinion with a series of recommendations known as "Reasonable and Prudent Alternatives" (RPAs) and "Reasonable and Prudent Measures" (RPMs) for species protection. EPA implements the RPAs and RPMs verbatim or with certain modifications via the BLT bulletins, which become an extension to the pesticide label. The resulting EPA bulletin is then enforceable through FIFRA, superseding pesticide use limitations only for the corresponding pesticide and species combination in DPR's PRESCRIBE. EPA relies on USFWS and NMFS for information on the biology and location of listed species. The [Endangered Species Habitat Data Sources](https://ecos.fws.gov/ecp/) <ecos.fws.gov/ecp/> data includes species ranges and designated critical habitat. The species ranges represent anywhere an individual species could be found based on the best available information at the time of delineation. Critical habitat represents specific habitat areas essential to conservation and continued existence of a listed species. Habitat location data precision is variable.

DPR's main Endangered Species data source is California Department of Fish and Wildlife's (CDFW) [Natural Diversity Database \(NDDB\)](https://wildlife.ca.gov/Data/CNDDDB) <wildlife.ca.gov/Data/CNDDDB> The NDDB is

the most comprehensive database of observed species and their habitats in California. Habitat information for Salmon and Steelhead provided by USFWS. To be used in PRESCRIBE, GIS shapefile data are converted to the Public Land Survey System's County, Township, Range, Section system. The resulting data have a precision of 1 mile square. In California there are over 4,000 Townships, most containing 36 sections (mile-squares). Each section has a unique C/T/R/S coordinate code. These coordinates allow us to locate the species habitats with a square mile precision. The same coordinate system is used for Pesticide Use Reports.

[PRESCRIBE](http://cdpr.ca.gov/docs/es/precint.htm) <cdpr.ca.gov/docs/es/precint.htm> is an online database application available on the DPR website. Once the application is opened, the first information needed is the county where the pesticide will be applied. The next screen will ask for the township and sections included in the application area. If there is any endangered species habitat located in the area selected, the next screen will show the species located and information on that species. According to the pesticide to be applied, steps to protect the species are outlined.

Draft Herbicide Strategy- EPA developed the proposed mitigation options for conventional agricultural herbicides to reduce pesticide transport via spray drift and runoff/erosion that could result in exposure to listed plants and to listed animals that depend on plants. The draft Herbicide Strategy describes an efficient approach to determining the need for, the level of, and geographic extent of early mitigations for listed species from agricultural uses of conventional herbicides. The proposed mitigations reflect mitigation measures that can be readily implemented by growers and identified by pesticide applicators and are structured to provide flexibility for growers to choose mitigation that work best for their situation while still ensuring protections for listed species.

Insecticide Strategy – similar to Herbicide Strategy, the Insecticide Strategy is designed to identify early mitigations before the EPA completes effects determinations to reduce potential impacts to federally endangered and threatened species and their designated critical habitat from the agricultural use of conventional insecticides while helping to ensure the continued availability of these important pesticide tools. The draft Insecticide Strategy will be posted for public comment by July 2024.

Draft Biological Evaluation of 11 Rodenticides- EPA Assessment of the rodenticides chlorophacinone, diphacinone, and its sodium salt warfarin and its sodium salt, brodifacoum, bromadiolone, difenacoum, difethialone, bromethalin, cholecalciferol, strychnine, and zinc phosphide concluded that use of these pesticides may pose a likelihood of mortality to non-target mammals and birds that may consume treated bait (“primary consumers”). Many rodenticides also may pose a risk to animals that prey upon or scavenge animals that have consumed bait (e.g. birds of prey and carnivorous mammals or “secondary consumers”). This will initiate consultation with USFWS and depending on the resulting Biological Opinion, possibly additional BLT Bulletins.

Committee Comment

Krista Hoffman asked about the PRESCRIBE database and whether it could have more information added to it that could make it even more useful for applicators? Krista clarified that in the example in the presentation, the area selected did not show red-legged frog population in the particular area, and there is a red-legged frog bulletin? Or is the stipulated injunction that restricts use of any herbicide or it's something like 66 herbicide active ingredients, which is most of them that are commonly applied in regulated red-legged frog habitat or aquatic habitat that is associated with red-legged frog critical habitat. In searches, there are no restrictions that pop up in areas that should have red-legged frog habitat. Polo Moreno responded that it is part of the salmonid injunction in the bay area. Agencies can only inform the public in presentations and outreach, not enforce. It can only be enforced by citizen lawsuits. Krista responded to clarify, DPR can provide information only about the existence of the species but cannot enforce. And commented that PRESCRIBE would be the perfect place for this information. Polo responded that he would be willing to present any time for CDFW on the updates.

Public Comment

An anonymous question from the Q&A box, asked do these protections also include protection to the human species? Polo Moreno responded that no, these pertain to endangered species in particular.

Another question from the Q&A box, why does my CAC deny access to AI in the PUR I request, if they have the information? Polo Moreno responded he did not know and does not have access to that information.

Catherine Dodd from Families Advocating for Chemical and Toxic Safety wanted to comment on concern for children health who are being exposed to known carcinogens in pesticides that have not been reevaluated in 20 years, as there is for the red-legged frogs and other endangered species. Catherine went on to discuss the supreme court decision for Chevron, that relies on legislators to prioritize science, and legislators are greatly influenced by industry. Catherine went on to discuss her experience with glycosphate. And asked when will you act like scientists and not bureaucrats? Polo Moreno responded that he is not involved at that level to make any decisions.

4. Agenda Items for Next Meeting

List any agenda items for next meeting requested by committee. Should be written out similar to committee comments with full name and a brief summary of the request.

The next meeting is scheduled for November 15, 2024 at 10:00 a.m. This meeting will be held virtually on the Zoom platform and broadcast live on the [CALEPA webcast page](https://video.calepa.ca.gov/).
<video.calepa.ca.gov/>

5. Adjourn