

## Attachment B – Summary and Response to Comments Received During the 30-Day Comment Period

On November 3, 2023, the Department of Pesticide Regulation (DPR) issued a Notice of Proposed Regulatory Action and held a 70-day comment period from November 3, 2023 to January 12, 2024 on this proposed regulatory action. On July 2, 2024, DPR issued a Notice of Modifications to the originally proposed text and held a 30-day comment period from July 2, 2024 through August 1, 2024 to receive comments pertaining to those modifications. During the 30-day comment period, DPR received comments that are outside of the scope of the proposed modifications or that duplicate comments received during the initial 70-day comment period. In this Attachment B, DPR will only provide responses to comments that are directed at the modifications proposed during the 30-day comment period.

### Section 6434(d)

No.	Comment/Response	Commenter
1	<p><b>This coalition generally supports the proposed modifications that provide clarity to growers regarding the required timeframes for submitting notice of intent (NOI) information to DPR depending on the type of pesticide being applied (e.g., fumigant pesticides applied to soil).</b></p> <p><i>DPR acknowledges this comment.</i></p>	6
2	<p><b>We support modifications that provide greater clarity for when NOI information will be required. We are concerned that the 48-hour notice for soil-applied fumigants is unnecessary and will create confusion. DPR has explained at recent public hearings that restricted use products (RUPs), including fumigants, are thoroughly evaluated prior to registration approval. Precautionary mitigations are mandated at the federal, state, and county level when needed in relation to the use of all RUPs. As a result, we do not believe that an additional 24-hour notification for fumigants, built on top of the already planned 24-hour notification for RUPs is warranted. In addition, as has been expressed previously, the application of a pesticide is based on a variety of factors including weather, atmospheric, or pest conditions which change on an ongoing basis. We are concerned that these changing conditions will result, when utilized in a 48-hour notification framework, in unintended confusion in communities as notifications are issued, cancelled, and then reissued, potentially multiple times over a 48-hour period. If DPR’s intent is to simply issue the notifications, but not the cancellations, then DPR will not only confuse the public with multiple notifications in the same application grid, but create fear of excessive applications as community members will be unaware that applications were cancelled.</b></p>	71, T63, T83

	<p><i>DPR assumes this comment is referring to restricted material pesticides and not restricted use pesticides (RUPs), which are classified by the United States Environmental Protection Agency (U.S. EPA) and are not the basis for inclusion in DPR’s notification system. As outlined in the Initial Statement of Reasons (ISOR), DPR is proposing to require select NOI information for intended soil fumigation applications of restricted material pesticides to be submitted to DPR a minimum of 48 hours prior to the intended start of an application. As outlined in the Notice of Modifications, following the 70-day comment period, DPR amended the proposed regulatory text to clarify that there are two distinct time requirements for when select NOI information must be submitted to DPR and for when DPR must make the select NOI information publicly available – 48 hours for intended soil fumigant applications that require a permit and 24 hours for all other intended applications that require a permit. This timing is consistent with current NOI submission practices. The pesticide notification system (SprayDays California) will state that the pesticide applications are “intended” or “planned” applications and that they may not occur on the intended date or even at all. SprayDays California will also expressly state that applicators have up to four days following the intended application date to start the pesticide application to address unexpected weather variability or other factors that may affect the ability to perform safe and effective pest control. Additionally, SprayDays California will include information about California’s pesticide regulatory requirements, including information on DPR’s scientific-based registration and mitigation-development processes, to provide context to the specific NOI restricted material application information that DPR will make publicly available.</i></p>	
3	<p><b>Timeframes to submit NOI to County Agricultural Commissioners (CAC) should remain as they are in current practice.</b></p> <p><i>As outlined in the ISOR, DPR is proposing to require that NOIs be submitted to the CAC a minimum of 48 hours prior to the intended start of a soil fumigation and 24 hours prior to the intended start of all other restricted material applications requiring a permit. This timing is consistent with current NOI submission time practices. While DPR modified the proposed regulation text following the 70-day comment period to clarify that there are two distinct time requirements for when an NOI must be submitted to the CAC – 48 hours for intended soil fumigant applications that require a permit and 24 hours for all other intended applications that require a permit, DPR did not change the proposed timing requirements for when NOIs must be submitted to CACs. Also, see response to comment number (no.) 2.</i></p>	A593-A654, 106, 117, 132, 133, 134, 231, T64
4	<p><b>Timeframes to submit NOI to CACs should remain as originally proposed of 24 hours.</b></p>	A1180-A1190, T110

	<p><i>If this comment is requesting that all NOIs, including NOIs for soil fumigations, be submitted a minimum of 24 hours prior to the start of the intended application, see response to comment no. 2. If this comment is requesting that NOIs for all restricted material applications requiring a permit that are not soil fumigations be submitted 24 hours prior to the intended start time, which is consistent with the proposed regulatory text, DPR acknowledges this comment.</i></p>	
5	<p>According to current regulations, all NOIs must be filed within 24 hours of the start of the potential treatment. These NOIs are submitted to the CalAgPermits system, managed by CACs. After submission, CACs review and approve permits, impose mitigations and applicators may begin within 24 hours and take up to 4 days. We support a 24-hour notification, at a maximum, to interested parties, but only if it results in no change to the NOI submission requirements.</p> <p><i>As outlined in the ISOR, DPR is proposing to require that NOIs be submitted to the CAC a minimum of 48 hours prior to the intended start of a soil fumigation and 24 hours prior to the intended start of all other restricted material applications requiring a permit. This timing is consistent with current NOI submission time practices. While DPR modified the proposed regulation text following the 70-day comment period to clarify that there are two distinct time requirements for when an NOI must be submitted to the CAC – 48 hours for intended soil fumigant applications and 24 hours for all other intended applications that require a permit, DPR did not change the proposed timing requirements for when NOIs must be submitted to CACs. Under the existing definition of “time specific” in 3 CCR section 6000, applicators have four days from the intended start date to begin an application. See response to comment no. 2 regarding the timing for submitting NOIs for soil fumigations.</i></p>	135
6	<p>Per Title 3, California Code of Regulation (CCR) section 6434, Notice of Intent (NOI): We acknowledge and value the continued inclusion of a 24-hour notice period for non-soil fumigant pesticides and understand the requirement of a 48-hour notification for soil fumigants. We believe it is imperative to continue these same timeframes. A 24-hour NOI and a 48-hour NOI provide critical flexibility in order to maintain time sensitive pesticide applications. Applications can be unexpectedly impacted by weather, employee availability, equipment issues, or other local conditions.</p> <p><i>DPR acknowledges this comment.</i></p>	15
7	<p>In the peak spraying season, there are days when a 24 hour notice of spraying is not feasible. For example, if we notice an infestation of mealy bug, we would make an immediate determination to spray, thus unable to provide a 24 hour notice.</p>	9

	<p><i>As outlined in the ISOR, DPR is proposing to require that NOIs be submitted to the CAC a minimum of 48 hours prior to the intended start of a soil fumigation and 24 hours prior to the intended start of all other restricted material applications requiring a permit. This timing is consistent with current NOI submission time practices. While DPR modified the proposed regulation text following the 70-day comment period to clarify that there are two distinct time requirements for when an NOI must be submitted to the CAC – 48 hours for intended soil fumigant applications and 24 hours for all other intended applications that require a permit, DPR did not change the proposed timing requirements for when NOIs must be submitted to CACs. As outlined in the ISOR, proposed 3 CCR section 6434(f) authorizes the CAC to grant an exemption from the time requirements to submit an NOI to the CAC and select NOI information to DPR if the CAC determines that due to the nature of the commodity or pest problem safe and effective pest control cannot be attained.</i></p>	
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Section 6434(g)

No.	Comment/Response	Commenter
1A	<p><b>We support the proposed 30-day extension of the effective date of the proposed regulations to provide sufficient time for DPR to address potential “technological issues” with the electronic notification system, which seem likely given that the current version is untested at scale.</b></p> <p><i>DPR acknowledges this comment.</i></p>	6, 115
2A	<p><b>We are concerned that the additional information required by the proposed modifications moves the notification system one step closer to identification and targeting of individual growers prior to intended application of restricted use materials, regardless of whether those applications actually occur, and regardless of growers’ compliance with applicable regulations and permit conditions. While we appreciate that DPR may not intend for the system to be misused in this manner, it is important to recognize the potential for such misuse, which has been demonstrated in counties with similar systems, and DPR should be prepared to take any action that may be necessary to protect growers acting in good faith and operating within the confines of applicable statutory and regulatory requirements. We believe the new requirement to disclose product names and active ingredients, coupled with information on the number of acres treated, allows those that would misuse the notification system to draw inferences regarding the exact location of the proposed application and by extension, the responsible grower. In the absence of context regarding mitigation measures required to protect potentially exposed individuals, and how those measures reduce potential health</b></p>	6, 23

and ecological risks - especially risks associated with off-site exposures - this additional information could be used as the basis for organized efforts to obstruct legal applications of restricted materials. We remain concerned that such actions would place grower owners, employees, and members of the public at greater risk of harm, without providing any additional public health benefit. Beyond the potential for physical harm, misuse of the system to share personal information with the public will likely result in increased baseless appeals of NOIs, thereby postponing essential applications. This sequence of events may lead to significant crop loss, further pest outbreaks, more frequent legal reviews by DPR and slower response times. The provisions of AB 2113 (Garcia, Chapter 60, Statutes of 2024) that allow for any “interested person” to appeal an NOI will surely increase the probability of these outcomes. We also ask the Department to consider potential state liability for releasing sensitive personal information. For all of these reasons, we encourage DPR to resist pressure to continue down the path of requiring additional information that spotlights specific locations and growers.

*Currently the public lacks regular, readily available and ongoing information about upcoming restricted material applications before they occur. This regulatory action is intended to make select NOI information for restricted material applications for the production of an agricultural commodity that is already public information, publicly available in a more equitable, accessible, and timely manner to increase transparency regarding the use of restricted materials in California. Pesticide product name, active ingredient, and approximate acres treated are currently required to be submitted on the NOI form. Additionally, the pesticide product registration number (which can be used to identify the pesticide product name and active ingredient) as well as approximate acres treated were included on the initially proposed regulatory text. Making select NOI information that is already public information available to the public in a timelier manner pursuant to this regulatory action is not intended nor expected to affect property operators’ ability to make lawful pesticide applications or to affect the timing of pesticide applications. DPR is not aware of any delays to pesticide applications resulting from the 2022 notification pilot projects or the 2023-24 notification beta test.*

*The pesticide notification system (SprayDays California) will include information about California’s pesticide regulatory system and requirements and how they protect people and the environment from potential pesticide exposure. This information will provide context to the specific NOI information that DPR will make publicly available. SprayDays California will also include a “Community Health Tips” page, which is intended to be a resource for people to learn about what to do if they are exposed to a*

	<p><i>pesticide, how to report pesticide incidents, and where to find health and safety information on specific active ingredients through the National Pesticide Information Center and best practices for farmworkers and others living or working near pesticide applications. It will also include contact information for the National Pesticide Information Center, and how to get in touch with the local CAC Office and DPR. It will also expressly inform the public to avoid approaching any pesticide application or other agricultural operations for their safety and the safety of others.</i></p>	
3A	<p><b>The proposed requirement to disclose additional details, such as product names, active ingredients, and acres treated, has been at the forefront of our concerns and opens the potential to identify individual growers before they apply restricted use materials. This identification could expose growers and farmworkers to targeted harassment, even when they comply with all regulations. DPR addressed this concern during public hearings and explained there would be an evaluation of the system, and if excessive protesting and harassment occurred, the program would undergo substantial changes. While the NOI system is to receive a yearly evaluation and three-year report, there does not seem to be clear markers to identify whether the program is successful, only indicators that it is harming growers. For these reasons, we encourage DPR to protect the sensitive information of growers before the misuse of the notification occurs, not after.</b></p> <p><i>See response to comment no. 2A regarding providing product names, active ingredients, and acres treated to the public. This proposed regulatory action, which makes already public information available to the public in a timelier manner, is not to intended nor expected to affect property operators' ability to make lawful pesticide applications or to affect the timing of pesticide applications. Contrary to what is stated in this comment, DPR will consider any impact the statewide electronic notification system has on the operation of the restricted material permitting system and restricted material applications during its annual and comprehensive reviews of the system. See also response to comment no. 1B regarding evaluating the system.</i></p>	61, 115
4A	<p><b>DPR added specification that besides the product brand name, the active ingredient will be identified. However, recipients of notification will still have to look it up and decipher information in highly technical form and/or specialized format, often incomprehensible even to those with a science background.</b></p> <p><i>This regulatory action is intended to make select NOI information for restricted material applications for the production of an agricultural commodity that is already public information, publicly available in a more equitable, accessible, and timely manner to increase transparency regarding the use of restricted</i></p>	38

	<p><i>materials in California. As stated in the Notice of Modifications, providing the product name and the active ingredient will inform the public about what pesticides will be applied near areas of interest and will allow the public to obtain additional information about the pesticide or chemical should they desire. The pesticide notification system (SprayDays California) will include information about California’s pesticide regulatory system and requirements and how they protect people and the environment from potential pesticide exposure. This information will provide context to the specific NOI information that DPR will make publicly available. SprayDays California will also include a “Community Health Tips” page, which is intended to be a resource for people to learn about what to do if they are exposed to a pesticide, how to report pesticide incidents, and where to find health and safety information on specific active ingredients through the National Pesticide Information Center and best practices for farmworkers and others living or working near pesticide applications. It will also include contact information for the National Pesticide Information Center, and how to get in touch with the local CAC Office and DPR.</i></p>	
5A	<p><b>We are unsure of DPR’s intention of providing product names as part of the Pesticide Application Notification System. We are concerned that simply releasing product names will not provide useful information to the public. Unless DPR includes factual information about the product, including the safeguards required by DPR so the public can make informed decisions, then we don’t believe that the release of this information is appropriate or beneficial.</b></p> <p><i>As stated in the Notice of Modifications, amending 3 CCR section 6434(g) to require DPR to make the pesticide product name publicly available is in response to public comments requesting to receive the pesticide product name(s) and active ingredient(s) for intended applications. Providing the pesticide product name will inform the public about what pesticides will be applied near areas of interest and will allow the public to obtain additional information about the pesticide if desired. The pesticide notification system (SprayDays California) will include information about California’s pesticide regulatory system and requirements and how they protect people and the environment from potential pesticide exposure. This information will provide context to the specific NOI information that DPR will make publicly available. SprayDays California will also include a “Community Health Tips” page, which is intended to be a resource for people to learn about what to do if they are exposed to a pesticide, how to report pesticide incidents, and where to find health and safety information on specific active ingredients through the National Pesticide Information Center and best practices for farmworkers and others living or working near pesticide applications. It will also include contact information for the National Pesticide Information Center, and how to get in touch with the local CAC Office, and DPR.</i></p>	71

6A	<p><b>We strongly support inclusion of the pesticide product names and all active ingredients, because some people are more familiar with commercial names and others know the chemical names.</b></p> <p><i>DPR acknowledges this comment.</i></p>	22, T78, T126, T148
7A	<p><b>Please disclose chemicals, including EPA registration number or name, or type of chemicals being used nearby.</b></p> <p><i>As outlined in the Notice of Modifications, DPR amended 3 CCR section 6434(g) to require DPR to provide the public with the pesticide product name(s), in addition to the registration number(s) for all intended applications that are reported to DPR under sections 6434(d) and (e)(1). See response to comment no. 12C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period” regarding “type” of chemical.</i></p>	48, 32, 87, 116, 144, 148, 196, 202, T33, T120, T130, T137, T145, T158, T162, T163, T166, T167, T172, T181
8A	<p><b>First responders and medical personnel need immediate access to names of these chemicals, and where and how they were applied when patients report symptoms and/or significant exposures.</b></p> <p><i>Proposed 3 CCR section 6434(g) requires DPR to provide the public the method of application for all intended applications that are reported to DPR under sections 6434(d) and (e)(1). As outlined in the Notice of Modifications, DPR amended 3 CCR section 6434(g) to additionally require DPR to provide the public with the pesticide product name(s) and active ingredient for all intended applications that are reported to DPR. See response to comment no. 1D in in Attachment A – Summary and Response to Comments Received during the 70-day Comment Period regarding locations of application.</i></p>	65, 116

Section 6434(h)

No.	Comment/Response	Commenter
1B	<p><b>We are concerned about how DPR has framed the public engagement process regarding the potential need for notification system “improvements.” The proposed modifications specifically require that DPR consult with, and receive feedback from, the DPR Environmental Justice Advisory Committee and the State Board of Food and Agriculture on: 1) annual status updates of the system and the process of making information about intended applications available to the public, and changes to the current system and process, and 2) a comprehensive three-year report reviewing the entire system and process, “including improvements made to the system, over time.” These proposed changes inappropriately elevate the concerns and priorities of the identified stakeholders over all</b></p>	6, 60, 115



	<p>other stakeholders. We question the necessity of identifying these groups in the regulation, since they would have the same opportunity to participate in the system review process as any other stakeholder. Moreover, it is inappropriate to direct input from one subset of stakeholders intended for DPR through a separate agency (the California Department of Food and Agriculture) and a governing board made up of gubernatorial appointees. However, if DPR chooses to retain these specific consultation requirements, then it should expand the current list to include other stakeholder groups with relevant experience and expertise, such as the Agricultural Pest Control Advisory Committee or the Office of Pesticide Consultation and Analysis.</p> <p><i>Amended 3 CCR section 6434(h) requires DPR to issue an annual status update and receive annual feedback on the notification system until DPR issues a report on the system three years after the regulation goes into effect. DPR is required to accept public comment on each annual status update for a minimum of 30 days in addition to presenting the status update to and receiving feedback from DPR’s Environmental Justice Advisory Committee (EJAC) and the State Board of Food and Agriculture. Three years after the regulation goes into effect, DPR is required to issue a comprehensive report on the system and accept public comment on the comprehensive report for a minimum of 45 days. Additionally, DPR must present its comprehensive report to and receive feedback from DPR’s EJAC and the State Board of Food and Agriculture. As stated in the Notice of Modification, the requirement to annually receive feedback from DPR’s EJAC, the State Board of Food and Agriculture, and the public will allow all stakeholders an opportunity to provide feedback on the system and participate in the system review. DPR is proposing to require that DPR specifically receive feedback from and present the status updates and comprehensive three-year report to DPR’s EJAC and the State Board of Food and Agriculture to provide different public forums for multiple stakeholder groups to provide feedback and participate in the system review. The proposed regulation does not require any stakeholders to provide feedback through a specific public forum as stakeholders may provide public comment directly to DPR during the public comment period. DPR will consider all feedback received, and the manner in which DPR receives feedback – via public comment period or through DPR’s EJAC or the State Board of Food and Agriculture – does not impact DPR’s consideration of, or weight given to, the comment. Through this process, DPR may receive feedback on the need to present its annual status update and/or comprehensive report to additional forums.</i></p>	
2B	<p>These proposed changes appear to contemplate periodic course corrections within the three-year timeframe for system and process review, but there is no language in the proposed regulations describing the process for such periodic updates. We expect that any adjustments to the notification</p>	6

	<p>mechanisms, content, or process that depart in any way from the requirements in the final regulations would need to be implemented through subsequent amendments to the regulations, which would entail a formal rulemaking process. We ask that DPR confirm our interpretation in its responses to public comments on the proposed regulations and propose additional language in a 15-day notice describing the process for updating the regulations.</p> <p><i>DPR may improve or amend its system and process for providing specific NOI information to the public in the future. Any regulatory changes will require a formal rulemaking in accordance with the Administrative Procedure Act (APA).</i></p>	
3B	<p>We reaffirm our belief that property owners, applicators and CACs must be consulted in the evaluation process, along with representatives of farmworkers and residents. It is important to receive feedback from all parties involved to craft the most effective system.</p> <p><i>Amended 3 CCR section 6434(h) requires DPR to issue an annual status update and receive annual feedback on the notification system until DPR issues a report on the system three years after the regulation goes into effect. DPR is required to accept public comment on each annual status update for a minimum of 30 days in addition to presenting the status update to and receiving feedback from DPR's EJAC and the State Board of Food and Agriculture. Three years after the regulation goes into effect, DPR is required to issue a comprehensive report on the system and accept public comment on the comprehensive report for a minimum of 45 days. Additionally, DPR must present its comprehensive report to and receive feedback from DPR's EJAC and the State Board of Food and Agriculture. DPR is proposing to require that DPR specifically receive feedback from and present the status updates and comprehensive report to DPR's EJAC and the State Board of Food and Agriculture to provide different public forums for multiple stakeholder groups to provide feedback and participate in the system review. The public comment periods will allow all parties, including CACs, property owners, applicators, farmworkers, and residents to provide comment and feedback on the system to DPR.</i></p>	21
4B	<p>DPR's willingness to expand the evaluation process is appreciated. The two bodies tasked with assisting in evaluation, CDFA's board and the EJAC, have potential to present a spectrum of interests. The list of stakeholders which DPR includes in describing changes to the regulation is refreshingly inclusive. CDFA appears well position to represent the interests of growers, especially the larger ones, and is a body of long-standing, preceding the existence of DPR, and even CalEPA. DPR's EJAC has yet to be formed, with the funding, timing process and composition as yet uncertain. As a newly constituted committee, the EJAC will have a big job mustering a perhaps</p>	38

	<p>more diverse group of stakeholders to participate in the notification project, provide reviews, and give suggestions for improvement, while simultaneously developing a working process and sense of cohesion. And as the recent hearing has demonstrated, it's not a matter of one person, one vote. Those who want more complete information have to lobby much harder than those who want to withhold it.</p> <p><i>Amended 3 CCR section 6434(h) requires DPR to receive feedback from and present its annual status update and its comprehensive report to DPR's EJAC and the State Board of Food and Agriculture to provide different public forums for multiple stakeholder groups to provide feedback and participate in the system review. Food and Agricultural Code section 11519 requires DPR to convene the EJAC by January 1, 2026. Therefore, DPR's EJAC will be convened by the time DPR must issue and present its first annual status update. However, amended 3 CCR section 6434(h) also requires DPR to accept public comment on its annual status update and comprehensive report for 30 days and 45 days, respectively. The public comment period will allow all parties to provide feedback on the system to DPR. DPR will consider all feedback received, and the manner in which DPR receives feedback – via public comment period or through DPR's EJAC or the State Board of Food and Agriculture – does not impact DPR's consideration of, or weight given to, the comment.</i></p>	
5B	<p><b>I request that DPR establish an annual review committee in their state notification system.</b></p> <p><i>Based on comments received during the 70-day comment period, DPR amended 3 CCR section 6434(h) to require DPR to issue an annual status update and receive annual feedback on the notification system until DPR issues a report on the system three years after the regulation goes into effect. DPR is required to accept public comment on each annual status update for a minimum of 30 days in addition to presenting the status update to and receiving feedback from DPR's EJAC and the State Board of Food and Agriculture. Three years after the regulation goes into effect, DPR is required to issue a comprehensive report on the system and accept public comment on the comprehensive report for a minimum of 45 days. Additionally, DPR must present its comprehensive report to and receive feedback from DPR's EJAC and the State Board of Food and Agriculture. As stated in the Notice of Modification, the requirement to annually receive feedback from DPR's EJAC, the State Board of Food and Agriculture, and the public will allow all stakeholders an opportunity to provide feedback on the system and participate in the system review. DPR is proposing to require that DPR specifically receive feedback from and present the status updates and comprehensive three-year report to DPR's EJAC and the State Board of Food and Agriculture to provide different public forums for multiple stakeholder groups to</i></p>	27, 39, 53, 56, 59, 113

	<i>provide feedback and participate in the system review. It would be duplicative and unnecessary to establish an annual review committee as, under the modified regulation text, all interested persons will be able to provide feedback to DPR during the public comment periods for the annual status update and the three-year comprehensive report as well as by providing comment through DPR's EJAC and/or the State Board of Food and Agriculture.</i>	
6B	<p><b>I believe an annual review of the Pesticide Application System is a good idea, but not all parties have been invited to the review. There should be a group of people that report from the application side. What is working for them in the field and how it translates into the paperwork side. They could come from the Farm Bureau in each district or a committee formed by recommendations from the Farm Bureau.</b></p> <p><i>Proposed 3 CCR section 6434(h) requires DPR to issue an annual status update and receive annual feedback on the notification system until DPR issues a report on the system three years after the regulation goes into effect. DPR is required to accept public comment on each annual status update for a minimum of 30 days in addition to presenting the status update to and receiving feedback from DPR's EJAC and the State Board of Food and Agriculture. Three years after the regulation goes into effect, DPR is required to issue a comprehensive report on the system and accept public comment on the comprehensive report for a minimum of 45 days. Additionally, DPR must present its comprehensive report to and receive feedback from DPR's EJAC and the State Board of Food and Agriculture. DPR is proposing to require that DPR specifically receive feedback from and present the status update to DPR's EJAC and the State Board of Food and Agriculture to provide public forums for multiple stakeholder groups to provide feedback and participate in the system review. The public comment period will allow all parties, including pesticide applicators, to provide feedback on the system to DPR including on what is working for applicators and how it is impacting applicators' paperwork. DPR will consider all feedback received, and the manner in which DPR receives feedback – via public comment period or through DPR's EJAC or the State Board of Food and Agriculture – does not impact DPR's consideration of, or weight given to, the comment.</i></p>	94
7B	<b>We agree that DPR should look back and evaluate the program over time. However, as mentioned previously, since DPR cannot quantify human health or environmental impacts of the regulation, DPR should consider metrics that are quantifiable to evaluate the program, costs, and public benefit. We respectfully request evaluation of impacts to agricultural businesses and changes to reduce impacts.</b>	111

	<p><i>Currently the public lacks regular, readily available and ongoing information about upcoming restricted material applications before they occur. This regulatory action is intended to make select NOI information for restricted material applications for the production of an agricultural commodity that is already public information, publicly available in a more equitable, accessible, and timely manner to increase transparency regarding the use of restricted materials in California. DPR agrees that regular evaluation of its system and process for making select NOI information publicly available during the first three years of the system is appropriate. Amended 3 CCR section 6434(h) requires DPR to issue an annual status update and receive annual feedback on the notification system until DPR issues a report on the system three years after the regulation goes into effect. Three years after the regulation goes into effect, DPR is required to issue a comprehensive report on the system. DPR must present its annual reports and its comprehensive report to and receive feedback from DPR’s EJAC and the State Board of Food and Agriculture and DPR must accept public comment on its annual reports and its three-year comprehensive report. As stated in the Notice of Modification, the requirement to annually receive feedback from DPR’s EJAC, the State Board of Food and Agriculture, and the public will allow all stakeholders an opportunity to provide feedback on the system and participate in the system review, including providing information to DPR regarding impacts to agricultural businesses. DPR will consider all feedback received, and the manner in which DPR receives feedback – via public comment period or through DPR’s EJAC or the State Board of Food and Agriculture – does not impact DPR’s consideration of, or weight given to, the comment. The rest of this comment is outside the scope of the modifications proposed during the 30-day comment period.</i></p>	
8B	<p><b>We support the proposed modifications that specifically require that DPR provide updates and receive feedback from identified stakeholder groups. We acknowledge the intent of DPR to consult with, and receive feedback from, the DPR Environmental Justice Advisory Committee and the CDEFA State Board of Food and Agriculture. We appreciate DPR including an agricultural entity to receive updates on the system. However, we ask that the Office of Pesticide Consultation and Analysis Advisory Board be included to receive DPR’s updates. The OPCA Advisory Board consists of farm group representatives who interact more directly with farmers on an ongoing basis. We believe this group will be better suited to evaluate agricultural impacts from the Pesticide Application Notification System. The OPCA Advisory Board could then provide to the State Board of Food and Agriculture an agricultural assessment of the System. Again, while we support the State Board of Food and Agriculture’s involvement, we think it is unrealistic, from a time and resource standpoint, for the State Board of Food and Agriculture to engage in the kind of review the OPCA Advisory Board could provide.</b></p>	71

	<p><i>Proposed 3 CCR section 6434(h) requires DPR to issue an annual status update and receive annual feedback on the notification system until DPR issues a report on the system three years after the regulation goes into effect. DPR is required to accept public comment on each annual status update for a minimum of 30 days in addition to presenting the status update to and receiving feedback from DPR's EJAC and the State Board of Food and Agriculture. Three years after the regulation goes into effect, DPR is required to issue a comprehensive report on the system and accept public comment on the comprehensive report for a minimum of 45 days. Additionally, DPR must present its comprehensive report to and receive feedback from DPR's EJAC and the State Board of Food and Agriculture. The public comment period will allow all parties, including agricultural representatives, to provide feedback on the system to DPR including providing information on agricultural impacts from the system.</i></p>	
9B	<p><b>We appreciate the inclusion of a review process to ensure that the notification program is working as intended.</b></p> <p><i>DPR acknowledges this comment.</i></p>	22, T78
10B	<p><b>DPR should include a commitment to make needed changes to the regulation based on feedback of the annual community advisory panel.</b></p> <p><i>See response to comment no. 2E in in Attachment A – Summary and Response to Comments Received during the 70-day Comment Period.</i></p>	27, 39, 53, 56, 59
11B	<p><b>DPR should establish groups as part of the notification system. These groups must be focused on the public right to know and health, not the convenience of industry. Permanent Community Advisory Panel composed of impacted community residents to oversee the program and a Health Advisory Panel of medical professionals to review the health risk information that is provided during the notification process.</b></p> <p><i>See response to comment no. 6E in in Attachment A – Summary and Response to Comments Received during the 70-day Comment Period.</i></p>	116

Definition of “Time Specific”

No.	Comment/Response	Commenter(s)
1C	<p><b>There needs to be flexibility and relief in the regulations as it pertains to dates and times. If we submit a NOI for an operation in 2 or 3 days’ time, but the climate or weather do not support that application, that NOI should be valid until the work is completed, or at a minimum for 5 working days. We do not have the capacity to constantly submit NOIs as we navigate the weather (of which we have zero control). Making some slight adjustments or added flexibility to the NOI process or timeline would fit the realities of farming outdoors in California.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, under the existing definition of “time specific” in California Code of Regulations, title 3 (3 CCR), section 6000, applicators have four days from the intended start date to begin an application. This provides flexibility should there be unexpected weather variability. Proposed subsection 6434(f) also provides timing flexibility for safe and effective pest control.</i></p>	58

Scope of Notice of Intent Requirement

No.	Comment/Response	Commenter(s)
1D	<p><b>Notification should be limited to pesticide products that are already subject to NOI.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment number (no.) 3 in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	A593-A654, A1180-A1190, 68, 106, 117, 132, 133, 134, 231, T64
2D	<p><b>DPR has singled out the agricultural use of RUPs for public notification. Structural and regulatory pest control, fumigation, landscape maintenance, industrial, wild land parks, playgrounds, and public lands should be included in notification.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 7, 8, and 10 in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	23, 112, 122, T45
3D	<p><b>Notifications must be for all agricultural use pesticides or all pesticides, not just restricted materials.</b></p>	116, 179

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 4 in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	
4D	<p><b>It is imperative to emphasize that these proposed regulations apply only to California-restricted material use as defined in 3 CCR section 6400 and only for the production of an agricultural commodity. We are concerned that these regulations could cause confusion in communities and will increase unnecessary calls to the local CAC’s office due to a lack of understanding between not only federally restricted versus state restricted materials, but more crucially, restricted materials versus non-restricted materials and restricted materials that require a permit. We ask that every effort be made to clarify and emphasize to communities that DPR strictly controls the use of restricted materials (RM) in California. DPR should clarify, through outreach and education, the controls that they have in place to regulate Restricted Materials. These controls include, but are not limited to: A RM can only be sold to end users by pest control dealers licensed by DPR; Everyone who supervises the use of a RM is required to be a certified private or commercial applicator; A RM permit shall be obtained prior to the possession or use of a RM (with few exceptions); and a NOI is required to be submitted to the local CAC prior to making an agricultural application of a RM requiring a permit.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 3 in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	15, 119, T83, T110
5D	<p><b>We suggest an exemption from the reporting requirements for certain pesticide formulations or application methods such as baits, granular products, or spot treatments. These products do not result in spray drift and generally have limited routes of exposure when used according to label instructions. Exempting these products would reduce the administrative burden and consider a scientifically motivated, risk-based approach.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 5 in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	20
6D	<b>We do have a concern particular to almonds and that is the definition of “production agriculture” when it comes to stockpiles. While the regulation is planned to only apply to RUPs used in production agriculture, that line is gray in the case of fumigation of stockpiles. Freshly harvested almonds are stockpiled awaiting hulling/shelling, that is placed in a pile and covered with a tarp. To stop insect</b>	5



	<p>damage coming in from the field, particularly critical with the new pest, <i>Carpophilus truncatus</i>, but also to arrest Navel Orangeworm damage, the stockpiles are typically fumigated under a tarp. Where those stockpiles are located varies: in some cases, the nuts are stockpiled on a grower's land; in some cases the nuts are transported for stockpiling to the huller/sheller who does not grow any almonds themselves; and in many cases a huller/sheller is stockpiling nuts grown on their own land will also stockpiling nuts from other growers. For these post-harvest uses of fumigations, since they can occur daily or every several days during the harvesting period, the NOI from the CAC is often for a month. It sounds like if the nuts are stockpiled on the grower's own land, then it would be considered a part of production agriculture and fall under the prior notification rule, but if purely a huller sheller then it is industrial and outside of the rule. But as noted above in many cases it is mixed and even if a grower is stockpiling on their own land, then the NOI may be for a period longer than 4 days. Our recommendation is that any fumigation of stockpiles be considered a post-harvest activity, beyond the scope of production agriculture regardless of where the stockpiles occur.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, consistent with Food and Agricultural Code 11408 and 3 CCR section 6000's definitions of "agricultural commodity" and "industrial use", post-harvest commodity restricted material applications that occur on a farm are considered the production of an agricultural commodity. Also, see response to comment no. 11 in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	
7D	<p>The list of chemicals is way too short. It doesn't include a lot of highly hazardous chemicals widely used in California.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 4 in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	T148

Undue Hardship

No.	Comment/Response	Commenter(s)
1E	The language of the regulation appears fraught with potential loopholes, manifest in fudge phrases like "undue hardship" and "as soon as practicable". These loopholes portend a lack of timeliness in	38

	<p>reporting, and also to the prejudicial use of discretionary authority of the CACs, a topic of on-going concern.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, assuming this comment is referring to the language in proposed section 6434(e), see response to comment no. 3B in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	
2E	<p>I believe I would speak to the concerns of many farmers in the very rural north eastern corner of the state. To be required to and dependent on electronically filed anything is a stretch. The technology infrastructure is not of consistent nature. With our Internet and wireless technology, most times it works but there are times that it does not. I feel that to enact this regulation could cause undue hardship on many farmers who do not have access to the latest technology and expose them to unnecessary liability if their electronically filed NOI does not file completely and successfully.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, proposed section 6434(e) authorizes CACs to grant an undue hardship exemption from the requirement that an NOI be submitted electronically.</i></p>	109

Information Provided to the Public

No.	Comment/Response	Commenter(s)
1F	<p>Please tell us when (including dates and times) they are going to spray pesticides.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see responses to comment nos. 2C and 21C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	8, 33, 47, 52, 124, 151, 182, 184, 185, 187, 192, 209, 225, T42, T72, T114, T121, T124, T125, T163, T172, T183
2F	<p>I agree that it is very reasonable for notification to include active ingredients, permit and county number, application date range, and relevant label information but should not include, method of application, acres applied, or exact location. Farmers and applicators who would be subject to</p>	A702-A1169, 61, 112, 115, 119, T89

	<p>notification are reasonably concerned that applicator specific information could be found by activists to motivate protest events, on-farm trespass, and could encourage significant appeals of NOIs, leading to possible crop loss, and pest outbreaks. If DPR cannot scientifically validate what health protective behavior should result following notification, and if there is no difference in health impacts between an immediate neighbor and one mile away, then the risk of identifying site of application is too great. We encourage the regulations not specify acreage covered as we believe that though there is no inclusion of address, in rural areas specifically, applicator specific information can be found. We also encourage DPR to consider the complications that may arise for the CAC’s Office, who will be responsible for dealing with concerns from all stakeholder groups.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1C and 3D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	
3F	<p>We shared our concerns regarding the possibility of a notification leading to an unintended identification of the site-specific location of an application. Such site-specific information may lead to the potential harm of an operator and/or their employees, violation of their privacy, or trespass upon their private property or businesses. Therefore, we are continuing to request that reconsideration be made on including acreage to be treated, as this may be a means of identifying site specific areas. We suggest that acreage ranges be utilized instead to provide information on the size and scope of the application, without giving exact acreage. The proposed regulations provide for the privacy of the public accessing the information, and similar consideration should be considered for protecting the privacy of property operators and their employees that work and reside at these locations.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	A655-A701, 15, 135, 230
4F	<p>We strongly support inclusion of acres treated in the notification, because with larger applications there is more pesticide available to drift.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR acknowledges this comment.</i></p>	22, T78, T126
5F	<p>Public notifications should only include what information is absolutely necessary: product applied, intended date and time of application, and general geographical location (base, meridian, township,</p>	A593-A654, A1180-A1190,

	<p>range, and section). Personal identifying information, such as acreage treated or exact location, should not be included—this is critical to the safety of growers, applicators, and employees.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1C and 3D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	106, 117, 132-134, 231, T64
6F	<p>Please include who is applying the pesticide, such as pesticide applicator or farm owner or company.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 10C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	101, 116, T121, T168
7F	<p>Without proper context, NOIs are likely to be confusing to the public and will not add additional safety benefits. Detailed information about the pesticide's intended use, the targeted pest, and the precautions taken to minimize exposure are essential to understand the rationale behind the applications and to determine any potential risk from application. Without this information, the NOIs, and the additional information proposed for inclusion in the NOIs, offer no information for the evaluation of risk from a specific pesticide application.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 8C, 11C, 16C and 18C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	20
8F	<p>The publication of private information, which can be used to identify specific use sites, should be absolutely avoided as this could impede individual privacy and lead to the identification and targeting of growers and applicators during legal applications of restricted materials. Protecting the privacy of individuals and businesses is crucial to avoid any potential misuse of this information which if abused could lead to not only physical threats to growers and applicators, but creates additional opportunities for unnecessary appeals, leading to crop loss and potential liability.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1C and 3D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	20, 135
9F	<p>DPR appears only willing to provide generic information on safety measures and on reporting possible exposure. Missing is information about acute symptoms, potential long-term effects, and</p>	38, 49, 50

	<p>cumulative and combined impacts of exposure to multiple chemicals, including adjuvants, which are not required to be named by the manufacturer. And this is just for a very truncated list of only the chemicals currently identified as restricted based on their risks to human and environmental health. There remain many other highly hazardous chemicals in wide use in California which are not reportable under the current system.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 6C, 11C, 16C, 18C, and 6 in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	
10F	<p>Include information on the quantity (pounds of restricted materials [active ingredients]) scheduled to be sprayed on the proposed site. In many cases, the pesticide use report does, after the fact, include the pounds of pesticide that were applied, which I believe they do break it down by active ingredients and inactive ingredients. If that is the case, that means that information is available and it's public information if it's on the CDPR pesticide use report system.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 13C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	62, T163, T164, T172
11F	<p>DPR should consider a 24 hour hot-line for information access. Additional information on health concerns and follow up with pesticide exposures are needed beyond first aid measures provided on product labeling. Beyond Poison Control links to Safety Data Sheets and the National Poison Data System should be provided.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 19C, 9C, 11C and 18C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	65, 116
12F	<p>We oppose the release of exact addresses of application sites and the names of businesses who apply RUP products. This information should remain in the custody of CACs who oversee applications and safeguard all segments of the public. California has taken tremendous steps to assure that members of the public’s names and addresses are not commonly accessible to protect community member’s privacy. We believe that this same right should be applied to farms and businesses who have a right to have their privacy protected. We thank DPR for their consideration of the need to protect the privacy of all stakeholders impacted by the Pesticide Application Notification System.</p>	71

	<p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1C, 3D and 10C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	
13F	<p><b>We need more specific information regarding fumigations and pesticides. We need to be informed of the secondhand effects as we are exposed to many. We need to know more about ingredients about pesticides and how we can prevent illness. More needs to be done to insure we get the correct information.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 6C, 9C, 11C, 16C and 18C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	49, T74, T167
14F	<p><b>Include a glossary of terms where other folks can understand when you are using words and terminology that are for scientists as yourself, for the lay person in the community, they need to know what they are up against. They need to know what contamination is like, what is drift? We don't talk about drift, but drift is very important to understand when we're talking about pesticides. One mile radius is not enough to understand the ramifications. Not only just with our humans, our plants that we consume later on, our animals that are out there that we consume later on and we need to be aware of the ramifications. We need to know the process or the information that's being disseminated as far as how these diseases or contamination can be affecting our bodies. What are the signs that we need to look for if we are not cognizant of that information, that information is held void and we ourselves are exposed to more and more chemicals. We don't have enough buffer zones. We need to know what kind of a nozzle they're using, what's the dilution? The volatility of pesticides foments with higher temperatures and that's something we're not even talking about. We need to include that information.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, the pesticide notification system (SprayDays California) will include information about California’s pesticide regulatory system and requirements and how they protect people and the environment from potential pesticide exposure. This information will provide context to the specific NOI information that DPR will make publicly available. SprayDays California will also include a “Community Health Tips” page, which is intended to be a resource for people to learn about what to do if they are exposed to a pesticide, how to report pesticide incidents, and where to find health and safety</i></p>	T85

	<i>information on specific active ingredients through the National Pesticide Information Center and best practices for farmworkers and others living or working near pesticide applications. It will also include contact information for the National Pesticide Information Center, and how to get in touch with the local CAC Office and DPR.</i>	
15F	<p><b>I am very concerned about the intended application or the proposed application. We need follow up in this notification system. You must include what actually happened or else we will continue to be in the dark.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	T99
16F	<p><b>I demand that the notification system include every single detail in the NOI.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 43C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	T99
17F	<p><b>The information that we're asking for is included in the permit, including a map that could be used to identify sensitive areas and yet it has been removed from the notification. Workers and residents of agricultural communities deserve to know where pesticides are being applied. They need to know the crop, address, and contact information.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see responses to comment nos. 10D, 1D and 10C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	T148
18F	<p><b>Please add the manufacturer, inactive ingredients, volume and method being applied. Because we want to know the combined effects, potentially. Pipe in please the wind data that's available through the weather system or apps such as Windy, so that -- also add in time, start and stop for the application and alert based on exact location.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see responses to comment nos. 7C, 8C, 13C, 21C, 27C, 42C and 1D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	T162
19F	<b>Provide the pesticide label.</b>	T168

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 8C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	
20F	<b>I just would like to make sure that we give people as much information as possible.</b>  <i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. DPR acknowledges this comment.</i>	T182
21F	<b>I would not leave out inert or inactive ingredients.</b>  <i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i>	T183
22F	<b>We have a right to know how we are being exposed.</b>  <i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i>	T183

Providing Information to the Public

<b>No.</b>	<b>Comment/Response</b>	<b>Commenter(s)</b>
1G	<b>In the statement of reasons, it is mentioned that people in test communities wanted to know about applications near schools and homes. If that is the case, DPR should consider limiting the notification requirement to those areas within a certain distance of homes or schools by placing a distance from schools, homes, etc., in the proposed regulations. I have been involved in the forestry sector over my career (which is considered agricultural production). Most forest land in the state that is in production is well removed from schools and homes yet would still be required to take part in this notification system. For what purpose?</b>  <i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1K and 8K in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	24
2G	<b>Notification should be limited to only those who are immediately adjacent to the proposed application and not open to just anyone who so desires.</b>	A655-A701, 19, 94, 135, 230



	<p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1K in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	
3G	<p>We believe that the grower specific information should remain private, or at a minimum, available only to the public in the immediate surrounding community. The actions and applications we perform are based on science, experience and issues we have in our growing operations. We believe in being good neighbors within our community, and there needs to be some level of communication. Statewide broadcasting of private information in the modern world of news cycles and social media, messaging can be construed based on individual interpretation and that is a huge fear among many farming families. Is it possible to consider an “opt in” system for the public that lives, works or attends school in a particular geographical area that could potentially be impacted by the applications. There is a risk to providing application data to the numerous groups in our State who unfortunately hold a negative perception of agriculture and farmers in our State. Limiting the application data and details would also offer some security and safety to the farmers and employees who are responsible for the applications.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 10C, 1K, 8K and 10K in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	58
4G	<p>CDPR is proposing to allow anyone who wants to be notified access to “anonymously” search for and/or be notified on any pesticide application where they can provide an address. We find this to be unwarranted, and frankly unjustified. If someone does not live at that address or is not impacted by the potential pesticide application within that area, what is the purpose of the notification? We are very concerned this proposal will be a mechanism used to disrupt, possibly even stop, pesticide applications without justification or even any possible exposure to the pesticide application. As evidenced by the pilot project in Monterey County, where more than 60% of the people signed up to receive notifications live outside of the state of California (far outside of any possible impact zone), and multiple pesticide applications have been temporarily stopped due to appeals by anti-pesticide activists, the notification system proposed by CDPR will ultimately cause statewide panic, and widespread delays in necessary pesticide applications. Without scientifically supported justification, we simply do not support unlimited notification and also adamantly oppose this provision. If a notification system is implemented it is imperative that it is strictly limited to only those actually and physically potentially subject to exposure.</p>	17, 69, T77

	<p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 3K, 1K and 6L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	
5G	<p><b>Our biggest concern is that repeated notifications of potential pesticide applications can lead to greater public confusion and fear around safety. Access to pending applications outside of a 1-mile radius serves no public or individual benefit, but rather instigates unnecessary fear, or apathy from repeated notifications that could be hundreds or thousands of miles away.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1K in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	112, T45
6G	<p><b>We continue to encourage DPR to carefully consider the concern about non-regional individuals or organizations accessing notification information which should be available to address local questions or concerns. The “use” of system data is a consistent concern expressed by agricultural stakeholders for the legal, regulated and approved use of restricted materials. The specific purpose of the proposed amended regulation was identified within the ISOR as, “increasing public interest in obtaining equitable and routine access to information on agricultural pesticide applications prior to the applications occurring.” Allowing individuals (with address verification) from a local area to sign-up for notifications in their area versus a publicly available statewide website accessed by an individual (California/non-California based) aligns, and does not conflict, with the intent of regulation.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1K and 10K in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	19
7G	<p><b>To ask for the NOI to be a 24-hour time is not enough considering when we are talking about Central Valley or in the agricultural areas where news does not travel the same way. We don't have the same forms of communication, and we know also that unfortunately the anti-immigrant sentiment is felt very much, especially when they don't consider language, culture barriers and also socioeconomic barriers. The CAC may get the information electronically, but we should be more innovative and creative in making sure that all community members have access to this information.</b></p>	T171

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see responses to comment nos. 5A, 1H and 12H in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	
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Location

No.	Comment/Response	Commenter(s)
1H	<p><b>Providing only the square mile in which a planned application is located is inadequate and cannot be justified, given that the exact location is known by the CACs in advance and can easily be made public. Farmworker communities, including those involved in the various pilot notification programs, have repeatedly called for exact location information so that they can better protect their families from highly hazardous pesticide drift. The threat of harm is more severe if the application is in the field behind your home or across the street from your child’s school, than if it’s a mile away or at the distant corner of the Public Land Survey section. DPR has not wavered from its claim that it cannot provide the exact application location in its proposed regulation for a pesticide notification system because this information is not standardized. DPR has the authority to require standardized reporting and has a multi-million-dollar notification budget to do so. There is no justification for continuing to withhold this information. Scientific research confirms that within a mile, the threat of exposure to many pesticides tends to increase the closer one lives to pesticide application sites. A recent meta-review that assessed six studies noted: “All [six studies] found that the greater the distance [from the pesticide application], the lower the levels in pesticide concentrations in dust, outdoor and indoor air.” The exact location of pesticide applications is essential information in allowing for individuals and communities to respond appropriately to protect their health from drifting pesticides. DPR has access to that information and must provide it in the pesticide notification system.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	A1-A592, 1-4, 7, 8, 10- 12, 14, 22, 25-27, 30-32, 34, 35, 37-43, 45, 47, 48, 52, 53, 56, 59, 65-67, 70, 72-86, 87, 93, 96, 101, 102, 105, 107, 113, 114, 116, 120- 131, 138, 142- 147, 152, 154- 221, 223-229, T1-T6, T11- T13, T15, T16, T19-T32, T36- T41, T43, T50, T53, T55-T62, T68-T71, T75, T76, T78-T82, T84, T87, T88, T91-T99, T102-T109, T111-T120, T122-T147, T149-T161,

		T163, T166, T168, T169, T172, T174, T176-T186, T188-T191
2H	<p><b>Notifications must include the field location (using addresses) along with a link to a map.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1D and 10D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	116, T121
3H	<p><b>The proposed regulations provide communities with the base, meridian, township, range, and sections of the area to be treated. Despite this, some commentators have requested the exact location of the application site. We encourage DPR to maintain the currently proposed location information. First, the DPR proposal provides for a standardized location description throughout the state. The current location information specifies a one square mile area that aligns with the existing Public Land Survey System. This allows DPR to provide consistent location information throughout the state. Second, providing the exact location could negatively impact public health and safety, as individuals may show up at an application site to protest or otherwise interfere with the application, creating potential hazards that would cause the delay of the application and divert valuable CAC resources to address the protesters’ actions. In addition, the timing of applications can be time sensitive, and delay could increase burdens on CAC staff and decrease the benefits of the application to growers. While many residents have stated that they do not intend to protest, since the information is public others may use the information with intent to disrupt an application. For example, protesters caused a delay during one of the pilots. Finally, growers expressed privacy concerns related to providing the exact location. These issues were noted by the UC Davis Center for Regional Change in its analysis of the pilot projects for notification system.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 3D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	18, 21, 71, 89, 111, T63, T110
4H	<p><b>We heard, from a number of individuals, as part of comments received in the virtual meeting that the “exact location” of application in the statewide notification is needed for community protection within the statewide notification system. We appreciate and advocate for transparency, but recognize a</b></p>	19, 51, T83

	<p><b>public safety need to protect privacy and safety as part of the notification system. By focusing on critical details of the application, the community can concentrate on essential information.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 3D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	
5H	<p><b>The proposed system will require standardized electronic submission of all NOI information for use in the state’s notification system. DPR should standardize exact application location as part of that new requirement.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	22, 27, 39, 59, 73, 116, T18, T152
6H	<p><b>If DPR continues to refuse to require NOIs to include standardized application location information, at the very least the non-standardized location must be included in the notification system such as the site ID number, the address of the site, or other location description.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	22, T152
7H	<p><b>I am not interested in the exact location.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR acknowledges this comment.</i></p>	99
8H	<p><b>Provide the exact location where these dangerous chemicals will be applied, not 24 or 48 hours in advance, but 72 hours or more.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see responses to comment nos. 5A and 1D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	T170, T184

Economic/Fiscal Impact

No.	Comment/ <i>Response</i>	Commenter(s)
11	<p><b>We are concerned about the ongoing staff and financial resources that will be required at the state and local levels to implement the existing system, provide system updates, and respond to the proposed consultation requirements. Additional and ongoing costs should be borne by the State General Fund through budget change proposals rather than at the expense of DPR’s tax and fee payers. We would also caution that a public notification system of this scale, without proper context regarding how the public should interpret a notice, will likely be met with a hyperbolic public response. CACs will be the first point of contact for label interpretations, public inquiries and expressions of concern, and confusion about notification requirements and system functionality. The resources they will need to expend to respond to these, and other issues, will mean less resources for use enforcement, education, pest detection and community engagement.</b></p> <p><i>See response to comment nos. 1F, 4F and 8F in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	6, 23, 104, 231
21	<p><b>The economic impact associated to individual growers and CACs for increased public interest in pesticide applications (appeals, education, application times, holds) is not adequately quantified. Increased costs can negatively impact public services (CACs) and private entities (farm operations).</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1F and 4F in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	19
31	<p><b>This new notification system appears to be based on responses received from people living in a couple of small farming communities in the Central Valley that are surrounded by intensive agriculture production including the use of restricted-use pesticides. Yet the state is proposing to implement this notification system statewide, impacting thousands of landowners involved in agricultural production, no matter how close their land is to homes, schools, towns, etc. The economic costs will be borne by the landowners alone.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR evaluated and considered the economic and fiscal impact of this proposed regulatory action. (See Economic Impact Statement (STD 399); C DPR, 2023.)</i></p>	24

4I	<p><b>I do not support this measure. It imposes undue harm (from the public towards the growers) and adds an economic burden from the State to waste money on a system that very few individuals will use. I believe this tool will be used more from media reporters and activist groups.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1F and 3D in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	98
5I	<p><b>How will these changes affect a small individual farm? How will these changes affect a corporate farm? Can you make these changes proportionate as to not discourage small farmers in CA?</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR evaluated and considered the economic impact of this proposed regulatory action to the agricultural industry, including to small farmers and ranchers. (See Economic Impact Statement (STD 399); C DPR, 2023.)</i></p>	104
6I	<p><b>As mentioned in DPR's ISOR, the CAC's permitting process of restricted material pesticides is a CEQA certified regulatory program, recognizing that agriculture is a major and essential component of California's economy, and permits must often be issued on short notice. In a meta-analysis of food demand studies, researchers projected that global food demand will increase between 35% in 2010 to 56% in 2050. California is a large provider of food throughout the world with an estimated market value of \$59 billion. The proposed regulation has the risk of hindering the state's goals of a strong agricultural economy, growing food and fiber which necessitates protecting resources from pests in a timely manner. We respectfully request DPR consider and include the adverse economic impacts of expected protests to pesticide applications and account for CAC and DPR resources needed to resolve associated permit appeal situations, on a regular basis, within DPR's fiscal impacts.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 7F in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	111
7I	<p><b>In reference to ‘Spray Days California’ I would like to add my comment. California agriculture is our gift to the world. The farmers are hardworking, responsible land stewards and they do not spray pesticides unnecessarily. It’s an expensive necessity and nobody wants to do it...but that’s how we feed so many people. The media has made farming very difficult because they paint us as ‘gleefully spraying pesticides whenever and wherever we feel like it. In Ventura County, our primary summer</b></p>	57

	<p>target crop is avocados. Last year our company was not able to spray a lot of our customers for thrips for various reasons. Most of the growers that did not get sprayed had 30%-40% crop loss due to thrip damage. The point is pesticides are a valuable tool in order to produce our avocados. Every year it becomes more difficult us to farm. Many of our farmers are giving up. I understand the spot that the public and the media has put DPR in. Please do the best you can to help us farm-responsibly. We do not want to ruin California Agriculture.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	
8I	<p>I am a small family farmer, and this is just going to be putting another burden on my operation potentially cause harm to my crops because of the timing to get the notification done. More than that it's unnecessary. We already have to pass test and do monthly reporting of all chemicals used. Advance notification is just adding of burden that's not necessary. Setting up another infrastructure to get this information and transmit, it is also an additional cost, and all the taxpayers, which is unnecessary and absorbed by those who purchase our goods making food even more expensive than it is now.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 4F in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	88

Effective Date

No.	Comment/Response	Commenter(s)
1J	<p>The planned implementation timeline of 2024 is not acceptable. DPR can require CACs to publicly post NOIs to use Restricted Material pesticides now, with no need for regulation.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	116
2J	<p>We'd like to see the project to take effect as soon as possible.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 3P in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	T172



General

No.	Comment/Response	Commenter(s)
1K	<p><b>NOI paperwork must be submitted at least 24 hours before the intended pesticide application, 48 for fumigants. Per the regulation, that form must be reviewed and approved by the CAC and submitted electronically by either the permittee or the CAC. It is then posted to the notification system also electronically, in truncated form, by DPR. Is there a time machine involved? How can all three operations happen simultaneously? Where is the time allotted for the CAC to evaluate whether there are less toxic options available, and weigh the many variables (weather, wind speed, workers in neighboring fields, etc.) that influence the likelihood of adverse events?</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, as outlined in the Initial Statement of Reasons (ISOR), this regulatory action is intended to increase the transparency of intended restricted material applications for the production of an agricultural commodity in California by making select information that is already required to be submitted on an NOI and that is already public information, publicly available in a more timely, accessible and equitable manner. This regulatory action requires agricultural use NOIs to be electronically submitted via CalAgPermits, which will automatically electronically transmit the NOI to the appropriate CAC and the select NOI information for NOIs for the production of an agricultural commodity to DPR. The pesticide notification system (SprayDays California), the web-based statewide electronic notification system that will make select information about restricted material applications for the production of an agricultural commodity publicly available, will be integrated with CalAgPermits so that the select NOI information submitted to DPR will automatically be made publicly available on SprayDays California in accordance with proposed 3 CCR section 6434(g). The select NOI information that DPR is required to make publicly available is for “intended” or “planned” applications and SprayDays California will explicitly state that the applications are “intended” or “planned” and that they require CAC approval before they can commence.</i></p>	38, T148
2K	<p><b>Please implement a pesticide application notification system with proper buffers and ample notification.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	11, T168
3K	<p><b>I don't agree with this pesticide notification project because these pesticides will just bring more sickness for young kids like me and for other people who have asthma as well. It is too dangerous to bring in more insects and pesticides for many reasons. There is a lot of elderly people working in the</b></p>	13

	<p>fields to earn money to support their families and they breathe a lot of these chemicals and dirt from the outside and that could bring so much illness, infections and bacteria because they are outside all day.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR has a robust pesticide regulatory program, which includes its restricted material permitting program, that is designed to protect public health and the environment while providing for safe, legal pesticide applications.</i></p>	
4K	<p>Commenters suggested DPR needs to explain the pesticide registration process and how application rates, buffer zones, and allowed uses are determined to prevent exposure to workers, residents, and innocent bystanders. Such a program should equip community members with the resources to understand the pesticide registration process and how mitigations on pesticide labels are designed to ensure safety. This education can help demystify pesticide use and reassure the public that rigorous safety standards are in place when the products are used in accordance with label instructions. Additionally, recommend that DPR look to what the Pest Management Regulatory Authority of Canada has done in terms of communicating to the public about the pesticide regulatory processes. They provide plain language explanations of the risk assessment and enforcement processes.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1J in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	A655-A701, 5, 20, 135, 230, T63, T77, T165
5K	<p>I oppose the proposed Pesticide Notification System being proposed by CDPR.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR acknowledges this comment.</i></p>	A655-A701, 29, 135, 230
6K	<p>I prefer to reduce to absolutely the minimum necessary or eliminate or phase out the use of all pesticides.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	90, 121
7K	<p>The wiser long-term solution is to invest in educating the public and providing yard by yard-based solutions for homeowners and businesses like pheromones to attract mosquitos to traps you set up, using plants in the yard that mosquitos avoid, or using essential oil-based repellents.</p>	90

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i>	
8K	<b>I do not approve of aerial spraying of any kind for chemicals, insects, or any miscellaneous known or unknown particulates.</b>  <i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i>	95
9K	<b>I urge you to reconsider moving forward with this. This proposed process is far in excess of the already functional and safe process in place. I find that this does nothing to improve the safe use of pesticides and opens the gates to radicals that have no understanding of the safeguards already in place. Informing obstructionists does nothing to promote conversation or pest education. There are other means of transparency that DPR should be engaging in. As the lead agency, why not focus on educating the general public about how pest management is done safely? If DPR cannot remove the target from the legitimate producers back, then this needs to be rethought. Please allow the trained professionals and their regulators do the quality work they have been doing.</b>  <i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1J in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	108
10K	<b>We request this proposed regulation help satisfy the public notification requirements for pesticides regulated under Proposition 65. Designing DPR's notification system to also comply with Proposition 65 will create efficiencies and lessen duplicative public warnings, reducing over notification and confusion.</b>  <i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 27J in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	111
11K	<b>Farming communities have been particularly at risk due to aerial spraying, so regulations are needed to control such applications.</b>  <i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR has a robust pesticide regulatory program, which includes its restricted material permitting program, that is designed to protect public health and the environment while providing for safe, legal pesticide applications.</i>	123
12K	<b>Do what you can immediately to turn all farms near schools and neighborhoods into organic farms.</b>	126

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i>	
13K	<p><b>Members of the agricultural community are highly regulated, and the public is able to use many products around their home with no requirement for safety. They should be required to follow the same guidelines as us for their own and others protection.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. DPR has a robust pesticide regulatory program, which includes its regulation of home use pesticide products, that is designed to protect public health and the environment while providing for safe, legal pesticide applications.</i></p>	134
14K	<p><b>We appreciate the exemptions that can be made by the Commissioner to the time requirements outlined in subsections (c), (d), and (e). Production agriculture can be impacted by things which growers cannot, such as weather. The exemptions allow growers to work with county Commissioners to address those situations on a case-by-case basis. We respect our Commissioners and trust their training and understanding of production agriculture to assess situations that would require an exemption from the NOI.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR acknowledges this comment.</i></p>	119
15K	<p><b>It is essential to recognize that there is a robust risk assessment process through DPR and Federally under the Federal Insecticide, Fungicide, and Rodenticide Act. These processes evaluate the safety of pesticides when they are used according to the label instructions. The risk assessments ensure that pesticide products pose minimal risk to human health and the environment when used properly and consider safety precautions such as re-entry intervals, drift control, and other routes of exposure. It is also important to note that NOIs do not account for compliance with regulations or adherence to pesticide label instructions. The mere submission of an NOI does not infer that the pesticide application is unsafe; therefore, these types of notifications can lead to a fundamental misunderstanding by the public of their safety risk. Therefore, the focus should also be on ensuring strict compliance with existing regulations and label instructions.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	20
16K	<b>We believe DPR has a fundamental duty to protect ag employees and their family's sensitive information, while upholding transparency, human and environmental protection. We also encourage</b>	112

	<p>dedicating additional state and county resources to be spent on enforcing the buffer zones that are currently in place and focusing on educational opportunities rather than managing a new unnecessary specific system.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1J in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	
17K	<p>3 CCR 6432(b)(2) allows for the CAC to condition a restricted material permit with the requirement of notice prior to an agricultural use pesticide application. This regulation allows for the CAC to condition a permit with a notification process to those who would like to be notified of pesticide applications conducted by a particular grower. Because of this caveat already written in code, global site-specific information is unnecessary at the state regulatory level.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, as outlined in the ISOR, this regulatory action is intended to make select NOI information that is already public information and already required to be submitted to the local CAC, publicly available in a more equitable, accessible and more timely manner.</i></p>	110
18K	<p>Protest pesticide use.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	T35
19K	<p>Advocate for regulation of chemical, but pesticide-free planet.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	T51
20K	<p>How many more years do we have to wait to get relief from pesticides.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	T65
21K	<p>After the beta notification project that took place in Culter-Rossi and Terra Bella, individuals said they did not get notified enough and that the beta took place during a time of the year when spraying was low.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, in 2022, CACs in four counties volunteered to partner with DPR to conduct local pilot projects.</i></p>	T24

	<i>These pilot projects were to inform the development and design of the statewide pesticide application notification system.</i>	
22K	<p><b>We encourage dedicating additional state and county resources on additional safety enforcement and not to managing the system and concerns.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1F in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	T89
23K	<p><b>We would like to see more monitors being set up and more restrictive rules on the growers.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	T172
24K	<p><b>Notification systems and effective systems are necessary for people who work in the field, the schools and the residents so they can take the necessary steps to reduce their risk. Transparency in the use of pesticides is active responsibility and respect towards our communities. Together we can ensure that our communities be protected and that our workers, our farm workers, can carry out their work with safety in mind. Priorities needs to be transparency always.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. DPR acknowledges this comment.</i></p>	222, T187
25K	<p><b>I admit and I agree with the comments that have been made and I want you to know how you can get in touch with the information. There are many ways that are available and it's too much to want to make the system report this to you. You have the information on hand, you can look at labels, you can look at other SDSs. There's other information that you can look up on your own. Don't overload the system that is working.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see responses to comment nos. 8C and 9C in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	T173
26K	<p><b>If we submit an application and there's something wrong with it or conditions exist that would not make it favorable or could explain, DPR or the Ag commissioner would never allow it to happen. Those protections are put in place and need to be considered. With that in mind, the question to be asked is what is success on this? Because all those protections are put in place. How are people going to be satisfied with what the outcome is if we're already doing this?</b></p>	T77

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, as outlined in the ISOR, this regulatory action is intended to make select NOI information that is already public information and already required to be submitted to the local CAC, publicly available in a more equitable, accessible and more timely manner.</i>	
27K	<b>We appreciate, and we continue to support DPR's efforts to bring real factual education to the public on the registration and use of pesticides in California.</b>  <i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. DPR acknowledges this comment.</i>	T83
28K	<b>Pesticide use is harming people.</b>  <i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, as noted in the ISOR, DPR has a robust pesticide regulatory program, which includes its restricted material permitting program, that is designed to protect public health and the environment while providing for safe, legal pesticide applications.</i>	T73, T109, T101

General – Impacts

No.	Comment/Response	Commenter(s)
1L	<b>We have already seen an increase in RM permit challenges and community concerns on other pesticide use enforcement program activities, which we believe is not the intent of this new program. We anticipate the public inquiring about pesticide safety and risk analysis, which is the responsibility of DPR, not the local CAC. Such inquiries, although important, are concerning as they have the potential to increase staff workload and diminish the time spent in pesticide use enforcement program activities. These activities include time performing NOI reviews and field inspections to ensure pesticide use compliance for the safety, health and welfare of the environment and communities we serve. We strongly recommended that DPR is proactive about its outreach and education efforts to inform communities that RMs like non-restricted materials are legally registered for use and have undergone risk assessment evaluation by U.S. EPA and DPR for potential harm to human health and the environment to ensure safe and effective use. As previously mentioned, the use of a RM requires a permit and submittal of a NOI before the material can be applied increasing its oversight to ensure compliance with additional label or regulatory restrictions.</b>	15

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 3 in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	
2L	<p><b>Because of the high probability that advanced notice will trigger appeals of NOIs, stall otherwise safe applications by properly certified applications, and interfere with timely agricultural operations, the Department should prepare for these administrative burdens, particularly on counties, act quickly to protect the right to farm, and prepare for extended liability for crop loss. What will CDPR do in case an application is appealed and delayed unnecessarily?</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1L and 1F in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	A593-A701, 106, 117, 132-135, 231, T64
3L	<p><b>We are deeply concerned with this proposal and the potential abuse of the system and overarching impact it may have on the agricultural industry’s ability to conduct its day-to-day business. We adamantly oppose this proposal as currently set forth, as we feel strongly that CDPR and EPA have already built in the necessary protections in the application of pesticides, and where necessary, have already imposed notification requirements to those who might be impacted.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR acknowledges this comment.</i></p>	17, 69, 97
4L	<p><b>We respectfully request DPR consider alternatives that would improve public understanding of pesticide applications, the regulatory processes, and protections provided to the public when pesticides are applied.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 7L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	111
5L	<p><b>The agriculture industry is inundated with requirements and restrictions, all of which are important for consumer/applicator protection, but also burdensome to implement in a very hectic and busy time period. It would seem that some type of compromise would be preferable.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	9



6L	<p>We understand that local farmers throughout the state, ensure the pest notification practices currently in place are there to protect our community, workers, farms and the environment. We also know that in California the federal, state and local oversight of pesticide use enforcement is stricter and more regulated than anywhere in the United States. Any new processes and regulations to the existing notification system will create anxiety and uncertainty for our farmers, workers and local residents. Developing unnecessary requirements will generate fear that the existing system is unsafe to farming communities. A disruption to the delicate agriculture timeline will likely damage farming operations resulting in a negative economic impact.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	16, 44, 63
7L	<p>We know from experience that some members of the public intend to misuse the notification system, to identify growers or applicators for bullying and harassment with the intent of disrupting or stopping pesticide applications. Since the notification process will put growers and applicators at risk for this type of behavior, we strongly recommend that CDPR include a mechanism in the notification regulations to both protect the identities of the growers and applicators to help minimize the potential for them to be harassed in their activities, as well as implement measures to discourage abuse such as establishing fines for disrupting lawful applications.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 2L and 8L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	18
8L	<p>Redundancy of the notification system with currently existing notification processes takes resources away from other necessary areas of pesticide regulation, such as registration, re-evaluation, and enforcement.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR assessed and considered the fiscal and economic impacts of this proposed regulatory action in its Economic and Fiscal Analysis memo. (See CDPR, 2023.)</i></p>	23
9L	<p>As the system is currently designed, the notifications create confusion and panic for notification recipients as the notices do not explain the purpose of the notification as it pertains to protection of their health and safety. Furthermore, the notifications do not indicate what steps or actions the public would need to take after receiving a notification.</p>	23

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 3L and 2N in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	
10L	<p>The system reinforces the public’s mistrust of safe and regulated pest management by implying the need for a notification to prompt the public to take measures to protect their health and safety. As designed, the system creates confusion regarding the safety of the pesticides that DPR evaluates and registers. This undermines DPR’s scientific review and authority, as well as the effectiveness of DPR’s certification and training program for pesticide applicators.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 3L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	23
11L	<p>In my forestry experience, the people that would be reading the posted notices would more likely be living in cities many miles from the actual application (maybe even out of state). Their purpose in gaining this information would not be out of concern for their home or their children's school, but rather to harass or otherwise try to disrupt the lawful application of a restricted-use pesticide that is occurring miles from them or the nearest homes or schools. Has DPR considered this?</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1L and 1K in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	24
12L	<p>Placing our private chemical application intentions on the web—to folks whom may not live anywhere close to our application site is completely against our privacy needs. Furthermore, such notice will likely attract those members of our nation whom are completely opposed to the legal use of farm chemicals to our application sites. Such attraction will likely expose more citizens to our chemical application operations. How can this be helpful??</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1L and 1K in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	28
13L	<p>Providing this sort of private information to anyone will allow those with social agendas to control our plant protection applications with rationale that simply is without merit. Such delays will place our crops at risk. The provided information will unnecessarily scare neighbors in the vicinity and</p>	29

	<p>elevate fears of those not directly involved by providing an avenue for outsiders to attack the science that currently directs and leads CDPR's decisions. Stringent control systems are already in place and these proposed changes do not provide more protection.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 3L and 5L in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	
14L	<p>We are concerned with the notification system as proposed. We understand providing information to the public on acres, type of material and location may seem helpful, yet it will in turn increase the level of mistrust and fear amongst community members as they do not understand the precautions growers take nor the process the materials have been through to ensure their safety. This will ultimately increase the number of calls to the local CAC office and delay treatment to the impacted crop, potentially resulting in entire crop loss.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1L and 3L in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	51
15L	<p>In regard to DPR proposed notification system I would urge you to reconsider this well-intentioned but misguided proposal. You are about to unleash a storm of protest and mis information targeted at AG which is already reeling from over regulation all the while it is being forced to compete with unregulated foreign producers. Your proposed notification system is going to unleash the crazies on what is left of California Agriculture. For what purpose? To eliminate materials that we all depend on to keep the cost of producing our food reasonable. Please do not do this</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	36
16L	<p>We are concerned with the long-term repercussions to this NOI system, as releasing personal information to the public is likely to result in a surge of unfounded appeals against NOIs, delaying essential pesticide applications. This delay can cause significant crop loss, further pest outbreaks, increased legal reviews, and slower response times from DPR. The provisions allow any individual to appeal against an NOI which heightens the likelihood of these negative outcomes. Excessive appeals, as well as many other complications, will be addressed by the CAC first, and will impose an undue administrative burden at our local level. The proposed regulations will require the CAC's office staff to allocate more time on in-office permit reviews, pesticide use report entries, the 24-hour deadline to</p>	60, 115

	<p>submit reports once received, and an increase in public record requests. Restricted Materials Permit reviews would require more licensed staff and would take inspectors out of the field to conduct this work that they normally do not do. The importance of the current pesticide use enforcement program is in the field time of enforcing current regulations, educating applicators and pesticide handlers, and helping to ensure the safe and effective use of legal, registered pesticides. Increasing the CAC’s office workload with paperwork that requires quick turnaround times, is not going to strengthen the program. The intent to notify nearby community members so that they can make decisions on where they want to be when a pesticide is being applied is their personal decision, but they should not be able to appeal prior to an application. The growers who are applying the pesticide have already gone through extensive training, consultation with a PCA, and have followed all regulatory requirements in order to apply a pesticide at a particular point in time on a particular crop. It is a process that includes prior analysis and reporting, not a random decision. If a grower does not go through this proper protocol, the enforcement component of the CAC’s department is the appropriate process to investigate and correct violations of use. This system is already working well. If the public has issues with an application that they think was incorrectly applied, then they are allowed to file a report. But to hinder an essential application based on fear that will cause larger issues is not a reason to create this overreaching system.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 13L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	
17L	<p>Currently there is a mechanism in place for the applicators that inadvertently drift on another crop or spray someone in a field. There should also be a consequence mechanism for this program. If someone enters a field during an application to try to disrupt the application, then that person(s) should be subject to fines and enforcement actions by the CAC. The law should treat all players equally. A person entering a field while an application is being made with an airplane compromises the safety of that pilot. A pilot cannot land safely with a load. To land he would have to dump the load, causing a greater hazard in a different area, and then land. There are enough deaths of Ag pilots every year, (so far this year 10 in the US). For one more death to be caused by someone deliberately entering a field to disrupt the application is unconscionable.</p>	68, T52

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 2L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	
18L	<p>The notification system must also protect the grower and allow them to continue their normal operations given the challenges they face already working within the existing regulatory framework.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 2L and 4L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	91, 92
19L	<p>I find this regulation introduces more redundancy into the required reporting and notification systems already available to the public. Public information requests can be submitted to any Agricultural Commissioner’s Office in the state for a wide range of information. Fumigation notifications and setbacks are required.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1M and 7M in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	103
20L	<p>There is a real risk that well-intended public notifications will be abused to disrupt agricultural operations and hinder production of healthful California fresh foods. In light of recent changes to FAC 14009, notifications of fully compliant, safe applications can be used by protestors to appeal the restricted materials permit, physically disrupt intended field treatments, and harass agricultural workers and growers to halt applications. This tactic has occurred during previous notification pilots and led to significant delay, inefficiencies, and no appreciable benefits. Associated disruptions in agriculture treatments causes major delays as agricultural crews and equipment have to be moved and rescheduled.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 11L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	111, 137
21L	<p>It is important to note that non-soil fumigations require the same permits and NOIs as in-field pesticide applications referenced in the proposed regulations. Currently, CACs mandate NOIs for non-soil fumigations at least 24 hours in advance, and in some counties, 48 hours in advance. These fumigations are essential for pest control during the processing, importation, and exportation of</p>	118

	<p>agricultural products. The proposed regulations in §6434(c)(2) would create a duplication of existing regulations, resulting in unnecessary costs and potential confusion. We believe these regulations would not only be redundant but could also lead to unintended consequences. For example, §6434(c)(2) includes all pesticides requiring a permit, and with the recent classification of Diphacinone as a Restricted Use Product (RUP), including all non-agricultural uses such as right of way applications, there is a risk of overloading counties with NOIs for this active ingredient. Our understanding is that structural fumigation performed under a Branch 1 License from the Structural Pest Control Board using Sulfuryl Fluoride (trade name Vikane) would not be subject to these regulations. However, counties already require NOIs for these applications, independent of the proposed regulations, and have done so for years. we believe that the proposed regulations are duplicative and do not effectively achieve their intended purpose. Therefore, we urge that the proposed language be reconsidered and not implemented as currently written</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, assuming this comment is referring to restricted material pesticides and not restricted use pesticides (RUPs), which are classified by the U.S. EPA and are not the basis for inclusion in this notification system, as stated in the ISOR, currently the public lacks regular, readily available, and ongoing information about upcoming restricted material applications before they occur. This regulatory action is intended is to increase the transparency of intended restricted material applications made for the production of an agricultural commodity in California. This regulatory action does not apply to non-agricultural use restricted material applications, including any structural fumigations performed under a Branch 1 License from the Structural Pest Control Board.</i></p>	
22L	<p>The use of such regulation is not a benefit to those who are unaware of applications happening around them but an annoyance. We already have the toughest laws in the states.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 3L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	132
23L	<p>The proposed Advance Pesticide Notification System would place more unnecessary, draconian and expensive regulations to the already excessive rules, regulations and fees California farmers are burdened with. We urge CDPR not to approve the Proposed Advance Pesticide Notification System. If approved this would be another severe blow to an already struggling California industry.</p>	136

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 12L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	
24L	<p><b>Being a part of this industry, I have seen how people weaponize and villainize pesticides for the benefit of fear mongering and pushing forward unrealistic agendas. Please consider greatly minimizing the scope of this system, especially alerts for applications within a mile. There will be people or groups willing to interfere with the applications.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1L and 1K in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	103
25L	<p><b>This regulation strikes me as one more of by a thousand cuts, which we are really good at in California, and so just simple economics says if we keep doing this, we're going to export our jobs and our farms and produce to areas of the world cheaper and easier to grow the food, enjoy. Central and South America, Asia, Vietnam, places like that, and that would just be a tragedy, the loss of jobs, the loss of farm work, and the loss of the care for the land. I would never, ever, ever want to see any harm come to the people that I get to work alongside with. I know that every other farmer feels this way nor my customers, the people who buy the food that we grow together, nor my neighbors nor the environment.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 12L in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	T90
26L	<p><b>Clear and established guidelines between DPR and CACs need to be established in regard to the permit process for restricted materials, specifically as it relates to appeals. With the implementation of a statewide notification system, the potential for increased appeals and holds of pesticide use associated with these appeals, can have significant impact on agricultural operations.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	19

General - Necessity

No.	Comment/Response	Commenter(s)
1M	<p><b>I have confidence in the federal, state and local oversight of pesticide use enforcement. Considering these rules and regulations, I do not believe that statewide notification is necessary in anticipation of pesticide applications. With DPR's current communication methods and information accessibility for the public (e.g., notification and permitting requirements and publicly available pesticide application records), the pesticide notification system is duplicative and not necessary.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1M in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	A593-A654, A1170-A1179, 137, 231
2M	<p><b>I am opposed to the proposed regulation to send notification to everyone. There are plenty of existing safeguards in place that protect the public. This is an unnecessary proposal that actually endangers farm workers and the public. If people show up to observe a chemical application that are not familiar with the area and the buffer zones, there could be chaos and misunderstanding of what is actually happening. This could cause farm workers and farmers to be exposed to elements that they would normally be accustomed to handling. Farmers are already required to notify sensitive areas of an application. This new requirement serves no purpose.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 6M in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	46, T89
3M	<p><b>This proposed regulation lacks scientific justification. DPR has not scientifically identified a human health or environmental impact this regulation is solving for, nor shown that the regulation will improve human health or protect the environment. Unfortunately, this regulation is based on unvalidated reasoning, acknowledging in the initial statement of reasons (ISOR) "(t)here is no information available to quantify these potential human health and environmental impacts." We respectfully request DPR continue its long and successful history of making science based regulatory improvements to human health and the environment where improvements can be measured.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 3G in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	111



4M	<p><b>I think that this is unnecessary, but if you want to put this information out there, you're just creating a regulatory help for the agriculture commissioners, come join me out in the field. You'll see nobody's getting sick.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1M in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	T165
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General - Purpose

No.	Comment/Response	Commenter(s)
1N	<p><b>DPR needs to make it clearer that the prior notification regulation addresses an effort to improve transparency to the public but that it is not about addressing safety. Safety is addressed through the risk assessment and enforcement processes. And given that a notice of intent covers an up to 4-day window for the possible application of a restricted use pesticide (RUP), it cannot be used to manage safety. Many, including ourselves, assumed this regulation was about improving safety. The corollary to this regulation being about transparency is that it therefore does not make sense to know the specific location of the application and that a 1-mile section is adequate for transparency purposes.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 3G and 1J in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	5

General – Notification

No.	Comment/Response	Commenter(s)
1O	<p><b>We want notification now/want to be notified when these poisons are going to be applied.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 3P and 21C in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	139, 148, 178, T42, T107
2O	<p><b>Notify all communities.</b></p>	T8, T74, T105

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR acknowledges this comment.</i>	
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General – Notification System Design

No.	Comment/Response	Commenter(s)
1P	<p>We appreciate DPR sharing the beta version of the proposed notification system called "SprayDays" however we are concerned that the name chosen does not accurately reflect how many pesticides are applied. Misleading the public to believe all restricted material pesticides are "sprayed" near them perpetuates false information about the various application methods that have been developed over the decades to protect human health and the environment. We respectfully request DPR rename the notification system to prevent public misinformation and reduce fears surrounding pesticides applied near them.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. The pesticide notification system (SprayDays California) is how DPR intends to make the specific NOI information that is submitted to DPR publicly available.</i></p>	21, 61, 111
2P	<p>I am dissatisfied with the name "Spray Days." These are restricted chemicals, many of which are carcinogenic, and the name downplays the severity and need for safety concerns. The term "days" misrepresents the year-round use of pesticides. I suggest renaming it to the "Pesticide Notification System" to better reflect the program and avoid confusion.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. The pesticide notification system (SprayDays California) is how DPR intends to make the specific NOI information that is submitted to DPR publicly available.</i></p>	32, 42, 47, 70, T96
3P	<p>The use of the term "Spray Days" sounds very reminiscent of a term used in the Eastern US called "Farming Days" which are days that farmers can or cannot farm and work their ground. Growers do not necessarily have the ability to wait for a "Spray Day" in many situations. Weather conditions, such as moisture and wind speed, are taken into account with every application. It is conceivable that a crop could be lost while waiting for a "Spray Day."</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. The pesticide notification system (SprayDays California) is how DPR intends to make the specific NOI information that is submitted to DPR publicly available.</i></p>	61

4P	<p><b>Why'd you pick SprayDays? There's other names.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. The pesticide notification system (SprayDays California) is how DPR intends to make the specific NOI information that is submitted to DPR publicly available.</i></p>	T115
5P	<p><b>We want to be notified about pesticides and exact location by text/text message alert system.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 29C and 1H in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	55, 144, 149, 224
6P	<p><b>Alerts must be provided by email and/or text at least 72 hours in advance of the planned application, in English and the languages most commonly spoken in California's farmworker communities.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1H, 5A and 12H in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	116
7P	<p><b>The notification must be in person! It cannot be placed on a website!</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1H in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	128
8P	<p><b>Why isn't DPR going to these fields and giving information to the farm workers? The ones working where these pesticides are being sprayed?</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1H in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	T95
9P	<p><b>Consider eliminating the barrier of texts and email signups through an online portal by allowing people to sign up through a text signup. So texting may be pesticides to a certain number, right? This is important because people need to know again the exact application to report a wrongful pesticide application.</b></p>	T121

	<i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1H in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i>	
10P	<p><b>This system won't help potential victims if they do not have access to a computer or a phone.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, DPR is committed to engaging with stakeholders on ways to improve the system, including additional formats in which to disseminate notification information. Based on comments received, DPR modified 3 CCR section 6434(h) to provide for an annual public comment period following DPR’s issuance of an annual status update until DPR issues a draft report three years after the regulation goes into effect. Through this requirement, DPR will continue to review and improve its system and process as appropriate.</i></p>	129
11P	<p><b>The exact location of the pesticide application, the date, and the time must be in a format that is accessible to everyone who is potentially at risk.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 1D, 2C, 21C and 1H in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	64
12P	<p><b>I am happy to hear that DPR will be looking into integrating new languages into the system, making it more accessible for all community members. Looking forward to seeing that be represented based on demographics. Additionally, if the system included an audio message in languages of impacted communities, such as Mixtec, Zapotec, Purépecha, Triqui, Tagalog, etc., the information would be much more accessible.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see responses to comment nos. 12H and 14H in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	35, 42, 47, 70, 87, 107, 223, T16, T18
13P	<b>These systems need to be accessible for people who speak different languages, Spanish, Mixteco, indigenous languages, among other languages and as was observed a while ago that they're working on a website. English and Spanish aren't the only languages. Add other native languages so that many understand the dangers of how pesticides are. Additionally, most of the community that's out there working come from Southern Mexico, Oaxaca, Guerrero. They speak their native language and don't</b>	T95, T132, T143, T146, T172, T73

	<p>know how to read or write. They barely can say their name in Spanish. A lot of people can't have access to the information, even if it's on a website, because of the language problem.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 12H in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	
14P	<p>I ask that you have text to voice, I think it's called TTS or TTV, so that our impacted community be able to access this information. Many people are illiterate, and they don't know how to read. They don't know how to write in Spanish, and they don't read or write in their own native dialect.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see responses to comment nos. 12H and 14H in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	223, T132
15P	<p>There was strong consensus by the Board that the proposed statewide pesticide notification system needs to be refined and updated prior to public release and use because of the potential distribution of inaccurate and incomplete data. It is important for California to provide a "first in the nation" system that is respected by the public and agricultural community. We need to get the system "right" before implementation. The current system iteration does not account or reconcile that not every NOI equates to an application. Notifications are provided to users in multiple non-use scenarios, including, but not limited to:</p> <ul style="list-style-type: none"> <li>• NOIs that are not acted upon for various reasons (i.e. weather)</li> <li>• Multiple subscriber notifications for the same NOIs when farmers are delayed in application and new NOIs are needed</li> <li>• NOIs that are modified or rejected</li> </ul> <p>Further, primary integration of the CAC's system and SprayDays notification system is needed to provide a two-way feed of NOI information to further minimize inaccurate and incomplete information.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 17C in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	19
16P	<p>Your website is horrible to try to navigate around and find information. I'm a web designer, so it's not like I'm a newbie to computers. You need to keep it simple.</p>	89

	<p><i>DPR assumes this comment is referring to the pesticide notification system (SprayDays California) website. This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, SprayDays California will include a web-based visual map that will allow the public to anonymously search and zoom in on locations of interest, such as a home or school, throughout California to see information about any intended applications to the level of one-square mile section. SprayDays California also will allow an individual to sign-up to receive email and/or text message notifications of intended restricted material applications for up to ten different addresses of interest, such as a home or school, so a person could receive notifications for intended applications occurring in the one-square mile section the address is located and all adjacent one-square mile sections. SprayDays California will have a mobile format so that the information will be accessible on a smartphone.</i></p>	
17P	<p>After the beta notification project that took place in Culter-Rossi and Terra Bella, individuals said the website was difficult to navigate because of the format on the mobile device. It looked like it was formatted more for desktop.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, the pesticide notification system (SprayDays California) will include a web-based visual map that will allow the public to anonymously search and zoom in on locations of interest, such as a home or school, throughout California to see information about any intended applications to the level of one-square mile section. SprayDays California also will allow an individual to sign-up to receive email and/or text message notifications of intended restricted material applications for up to ten different addresses of interest, such as a home or school, so a person could receive notifications for intended applications occurring in the one-square mile section the address is located and all adjacent one-square mile sections. SprayDays California will have a mobile format so that the information will be accessible on a smartphone.</i></p>	T24
18P	<p>I respectfully request that as part of signing up for notifications, each person is made to watch a video informing them of the already strenuous regulatory process that controls what materials are approved, how they can be applied and what reporting is required. There must be an education piece that supports the public's request for notification.</p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 23H in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	92

19P	<p><b>Clarification on all the details and how this system will work needs to be finalized before the system goes online. Please do not implement program without a clear path of how this will work.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 2P in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.” Additionally, DPR has created a pesticide notification system (SprayDays California) and the regulations currently specify the information to be provided by DPR through SprayDays California. This system will be evaluated and if any changes are needed to specify how these regulations work, DPR will conduct a rulemaking in accordance with the APA.</i></p>	94
20P	<p><b>How do we implement these new requirements efficiently so that they can be completed with little additional disruption to the end user? Simple UI, fast website, email reminders etc. This will make the program less costly to DPR in the long run. (Website speed is a problem for school notifications currently).</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 2P and 1F in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	104
21P	<p><b>This system must be web-based, easy-to-use and accurate with a map showing all planned applications of agricultural pesticides in the state, without the need to register, sign up, enter an address, or share personal information. Notifications cannot be limited to people living in certain geographic boundaries. Families may want to monitor pesticide applications near relatives and children may attend school a long distance from where they live. There cannot be any restrictions on alerting.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment no. 1H in Attachment A titled “Summary and Response to Comments Received During the 70-Day Comment Period.”</i></p>	116
22P	<p><b>Signs should be posted to let people know what type of pesticide it is in case there are people running around the fields.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	197

23P	<p><b>A tracking app enhances safety by providing real-time information, monitoring exposure, and ensuring compliance with safety protocols and will also let the public know what areas they should be wary of and take more precaution.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period.</i></p>	T122, T125
24P	<p><b>We would like to see real time [everything that's filled out on the form for a permit], on the applications being done.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. As outlined in the ISOR, this regulatory action is intended to increase the transparency of intended restricted material applications for the production of an agricultural commodity in California by making select information that is already required to be submitted on an NOI and that is already public information, publicly available in a more timely, accessible and equitable manner.</i></p>	T172
25P	<p><b>DPR must consider a system that will allow farm workers and the contractors that employ them, the ability to know the sites where these will be applied several days in advance to plan their work and to be able to access this information for more than 10 sites.</b></p> <p><i>This comment is outside of the scope of the modifications proposed during the 30-day comment period. However, see response to comment nos. 5A, 1D and 1H in Attachment A titled "Summary and Response to Comments Received During the 70-Day Comment Period."</i></p>	T170
26P	<p><b>We encourage DPR to coordinate with CDFA and CACs in developing enhanced guidance related to implementation of the statewide pesticide notification system.</b></p> <p><i>The regulations currently specify the information to be provided by DPR through the pesticide notification system (SprayDays California), and if changes are needed, DPR will conduct a rulemaking in accordance with the APA.</i></p>	19