



November 10, 2023

The Honorable Julie Henderson, Director  
California Department of Pesticide Regulation  
1001 I Street, P.O. Box 4015  
Sacramento, CA 95812

**Re: Draft 2024-2028 Strategic Plan Update**

Dear Director Henderson:

On behalf of the Western Plant Health Association (WPH), I am submitting the following comments regarding the Department of Pesticide Regulation's (DPR) draft 2024-2028 strategic plan. DPR's ability to assure safe and sustainable pest control products and systems that protect the public, crops, and the environment is of great importance to our members. WPH appreciates DPR's efforts to develop the draft strategic plan and we thank DPR for this opportunity to comment. WPH represents the interests of pesticide and fertilizer manufacturers, agricultural biotechnology providers, and agricultural retailers in California, Arizona, and Hawaii.

WPH notes the expansion of DPR mission statement to include substantial increases in activities to assure that communities are protected from environmental or human health impacts from pesticides, and to increase community participation in this process. While we appreciate DPR's commitment to assure and validate these safeguards, we are concerned that DPR's five-year commitment to these activities doesn't include identified funding mechanisms beyond mill tax or increased registration fees. We believe it is unfair to current fee payers for programs to be expanded beyond their current structure without identifying funding mechanisms to provide for expansion. In fairness, if DPR needs to expand activities to more Californians, then more Californians should contribute to those activities.

WPH recognizes that for the Sustainable Pest Management (SPM) Roadmap to be successful, its many components must be prioritized for implementation. WPH strongly believes that without a realistic prioritization of goals within the strategic plan, the SPM Roadmap will ultimately be unsuccessful. WPH is contributing these comments in the hope that our comments will identify areas that must be prioritized for the overall success of SPM.

**Goal 1: Increase Access to Safe, Effective, Sustainable Pest Management**

Paramount to this goal is the registration of efficacious, cost-effective, sustainable alternative products. WPH continues to be concerned that non-science-based perceptions of what a more sustainable product is will continue to delay products registrations. WPH again maintains that all

products in the registration queue are more sustainable tools and should be given equal attention in the registration queue.

We ask that as part of Goal 1, DPR provide a clear definition of “high risk” pesticide. WPH greatly appreciates DPRs written commitment in the draft strategic plan to science-based assessments and decisions. However, without clarification of this term, stakeholders will engage with conflicting expectations of what this means and frustration regarding outcomes.

**Goal 1.1: Develop partnerships and collaborations for implementing SPM.**

WPH appreciates DPRs intention to establish a new, diverse, cross-sector SPM Advisory Committee. As stated in our oral comments, we ask that this Advisory Committee be a true cross section of stakeholders, including a cross-section of registrants, not just representatives of one chemical class of registrants, as well as a cross-section of farmers and community representatives.

WPH does not support the expenditure of resources on the development of a SPM certification by DPR. There are already multiple private and public entities that provide certifications for sustainable systems including organic, regenerative, IPM and other systems. We believe that marketplace factors will drive the development of SPM certifications as needed. Rather than DPR competing with private organizations who already can efficiently develop certifications, we recommend that DPR continue to focus on identifying “sustainable systems and practices” rather than creating redundant certifications.

**Goal 1.2: Improve timeliness and transparency of science-based evaluation and registration of pesticide products.**

WPH applauds DPRs efforts to increase the timeliness of product registrations through departmental reorganization and the Cal-PEST registration system. Unfortunately, until these changes are implemented it is impossible to determine if DPR is successfully implementing a system that serves all registrants. Additionally, fundamental to improvements in the registration system is the ability to assess registration timelines for user sectors. Until DPR releases timelines specific to agricultural products versus home-use products it is impossible to ascertain the success of this goal. Again, if this process is not improved, SPM will not be successful.

**Goal 1.3: Develop and implement a prioritization process for reviewing, identifying, and evaluating high-risk pesticides, and alternatives and mitigation measures for those high-risk pesticides.**

DPRs commitment to science-based evaluations is vital to the implementation of this goal. We question if this goal can be fully implemented in a five-year timeframe when incorporating products, active ingredients, and groups of similar products, and pest and location uses.

DPR identifies a cross-section SPM advisory group for Goal 1.3. WPH asks for clarification as to whether this is the same advisory group identified in Goal 1.1, or a separate advisory group? For Goal 1.3 to be successful, science-based determinations should be the basis for actions in the prioritization process. While public input should be encouraged, decisions should be based on science. DPR should continue to develop a system that better explains to the public how

decisions reflect their concerns. DPR should not shortcut determinations or actions to satisfy artificially established deadlines.

WPH believes that DPR committing to the annual initiation and completion of formal mitigation for at least two pesticides is unattainable for this strategic plan. As a science-based agency, new scientific information should serve as the impetus and the basis for mitigation. If DPR seeks to maintain integrity in their science-based process as a core value, this proposal should be removed. Instead, we suggest that this becomes part of DPR's longer-term SPM Roadmap and not part of a five-year strategic plan.

We also believe that if DPR continues to include this section in its strategic plan, it should include funding mechanisms for implementation and completion. Expansion of evaluations and expedited timelines to specifically address increased interest by the public should include public funding, or a clear identification by DPR of how they are incorporating these costs into their commitment to these processes. WPH does not oppose greater transparency with the public, however, we believe the public should help support these initiatives with general funds.

**Goal 1.4: Facilitate and support SPM technical assistance and innovation in pest management in collaboration with all interested stakeholders.**

WPH does not believe that DPR utilizing resources on technical assistance to the public best serves this goal. Assistance on adoption of IPM and SPM systems is best managed through trusted allies like University Extension, University IPM programs and Agricultural Commissioners. University Extension programs benefited from more than a \$30 million increase in funding last year. We believe that rather than expending DPR resources, DPR should instead work with other stakeholders who work annually to assure IPM training and education services. By doing so, DPR would further strengthen relationships with UC IPM and stakeholders.

WPH recommends that DPR eliminate the proposal for a 5% annual use reduction target for priority pesticides. The proposal is clearly premature for this strategic plan. How does DPR intend to meet this goal within the next five years? DPR has not established a timeline to meet requirements that it has admitted would need to be in place prior to recommendations for reductions in product availability or use. It is unclear how DPR set the 5% reduction goal. We believe it is inappropriate for DPR to establish what appears to be an arbitrary reduction goal when prioritization definitions, identification, and assessment mechanisms haven't been identified in the strategic plan.

**Goal 2: Track, Evaluate, and Enforce Safe Pesticide Use**

WPH recognizes that monitoring and evaluation programs already exist within DPR. Prior to advocating for additional programs, DPR should identify and explain current monitoring and evaluation programs and why they require expansion. DPR should also include a clear cost estimate for its current programs and estimates of needed revenues for requested increases so stakeholders and decision makers can make informed decisions on increases.

**Goal 2.1: Enhance and modernize DPR's collection of information and data to improve program policies, procedures, and priorities.**

As previously stated, all aspects of this goal are already in place in California under the authority of DPR, as well as in collaboration with its sister agencies. DPR and Cal-EPA already utilize monitoring and assessment protocols that are the most conservative in the country and often in the world. In addition, DPR and Cal-EPA do not restrict its assessment requirements to those established by US-EPA, but adopt when it deems appropriate, standards established by the European Union or other entities. Before prioritizing this section, we believe DPR should identify its current programs, so they are better understood by the public.

**Goal 2.2: Enhance DPR’s statewide regulatory capacity in partnership with the County Agricultural Commissioners (CACs).**

WPH supports a strong pesticide use enforcement program in concert with local CACs. WPH also supports efforts to better inform farm workers on their rights regarding pesticide safety and indicators on potential risk.

WPH does not oppose assessments of the Healthy Schools Act or regulations governing pesticide use near schools. However, the role of schools themselves in distributing, or choosing not to distribute use information should be assessed, not just DPRs regulation. It should also be recognized that California has the most robust pesticide use regulations around schools in the country. These regulations limit methods and timing of applications, which products may be applied by whom and how are parents and schools notified.

**Goal 2.3: Enhance statewide enforcement of pesticide sales in California.**

WPH supports DPRs intention to address the issues associated with online sales and e-commerce in the distribution, use and sale of pesticidal products. With the decline of brick-and-mortar stores that supply home use products, and California’s continued reductions in available products, e-commerce continues to become a larger source for product sales. DPR should increase its monitoring and audits of e-commerce systems to assure compliance for the sale of California registered products and full payment of mill assessment. We believe this will be a fully self-funded action by DPR.

**Goal 2.4: Improve worker safety by increasing awareness and reducing potential for pesticide exposure.**

While we agree that DPR should continually be evaluating if worker safety protocols are adequate, we remind DPR that California already has the most restrictive worker safety regulations in the country and exceeds US-EPA regulations. Goal 2.4 infers that additional requirements are needed, WPH believes it would be more constructive to amend the goal to “Assess and when needed improve worker safety...” In identifying worker safety awareness, we ask that DPR include voluntary programs provided by all stakeholders and not just those mandated by regulation or worker advocacy groups.

**Goal 3: Foster Engagement, Collaboration and Transparency**

WPH supports transparency which will allow greater access and understanding of DPR programs from which to increase outreach and collaboration efforts.

#### **Goal 4: Promote Excellence and Innovation**

WPH supports efforts to increase workplace efficiency and satisfaction. WPH recommends that DPR incorporate along with initiatives to increase workplace satisfaction, systems that measure accountability in workplace and remote settings. WPH has been contacted by some parties that response time to questions and calls are trending in a negative direction. We appreciate efforts to increase work processing timelines but remind DPR that accountability in response times to calls, especially when promoting remote work systems should be included.

As stated earlier, the implementation of Cal-PEST has been identified as a major step by DPR to implement Goal 4.2. As reported by DPR, Goal 4.2 should be implemented during 2024, and as reported by DPR, full implementation by 2025.

WPH appreciates this opportunity to comment on DPRs strategic plan. WPH supports strong DPR regulatory programs, but again asks that DPR and other decision makers recognize that if additional regulatory programs to protect human health and the environment for communities are envisioned, additional funding sources that reflect this vision be included in a strategic plan. We thank you for your consideration of our comments and recommendations. If you have any questions, please feel free to contact me at [reneep@healthyplants.org](mailto:reneep@healthyplants.org).

Sincerely,



Renee Pinel  
President/CEO