



California Stormwater Quality Association®

Dedicated to the Advancement of Stormwater Quality Management, Science and Regulation

November 10, 2023

Julie Henderson, Director

California Department of Pesticide Regulation

Via DPR Public Comment Portal: <https://cdpr.commentinput.com/?id=693bMd8pu>

Subject: Comments on Department of Pesticide Regulation Draft 2024-2028 Strategic Plan

Dear Department of Pesticide Regulation:

The California Stormwater Quality Association (CASQA)¹ appreciates the opportunity to provide input on the Department of Pesticide Regulation's (DPR) Draft 2024-2028 Strategic Plan (Draft Strategic Plan).

For decades, the uses of certain pesticides in urban areas – even when applied in compliance with pesticide regulations – have adversely impacted urban water bodies. Currently, several pesticides are present in California urban water bodies at concentrations above aquatic toxicity thresholds.² Our member agencies face substantial costs to comply with pesticides-related Total Maximum Daily Loads (TMDLs), California State Water Board Toxicity Provisions, and additional permit requirements. Meanwhile, local agencies do not have the authority to further restrict or regulate when or how pesticides are used to proactively avoid these impacts and liabilities.³

Consistent with CASQA's [Vision for Sustainable Stormwater Management](#) (Vision),⁴ we strongly support efforts to reduce pesticide pollution, at the source. Minimizing pesticide pollution before it can occur, as opposed to attempting to remove pesticides from the environment, is essential to sustainable stormwater management. True source control (the elimination of a pollutant at its source) and the use of alternative products offers the most effective and economical approach to eliminating pesticides that impair the beneficial uses of California's waterways.

It is from that vantage point that CASQA commends and supports the integration of sustainable pest management (SPM) and urban pesticide uses and concerns in the Draft Strategic Plan.

COMMENT #1: CASQA SUPPORTS DPR'S PLAN FOR GREATER ENGAGEMENT, COLLABORATION, AND TRANSPARENCY

CASQA appreciates that collaboration is a core value in the Draft Strategic Plan. Collaboration is demonstrated throughout the document, with goals for greater engagement and transparency. Similarly, CASQA has identified potential partners, including DPR, whose missions are complementary to achieving CASQA's Vision. As a

¹ CASQA is a nonprofit corporation that advances sustainable stormwater management protective of California water resources. With approximately 2,000 members, our membership is comprised of a diverse range of stormwater quality management organizations and individuals, including cities, counties, special districts, federal agencies, state agencies, ports, universities and school districts, wastewater agencies, water suppliers, industries, and consulting firms throughout the state. Collectively, CASQA represents over 34 million people in California.

² California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)

https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html

³ Local agencies in California have authority over their own use of pesticides but are pre-empted by state law from regulating pesticide use by consumers and businesses.

⁴ CASQA's Vision for Sustainable Stormwater Management, October 2020. Available at:

https://www.casqa.org/wp-content/uploads/2022/10/final_-_vision_for_sustainable_stormwater_management_-_10-07-2020.pdf

collaborative partner, CASQA can provide stormwater-sector expertise and perspective, especially as it relates to the development of a SPM advisory group (Goal 1.1).

Furthermore, we are also encouraged by Goal 1.1 to “enhance and modernize the collection of information and data to improve program policies, procedures, and priorities” as doing so provides transparency to the pesticide regulatory process. Transparency is further established through the development of a SPM Certification program (Goal 1.1) and the issuance of timeline projections for scientific data evaluations (Goal 1.2). We support increased outreach to local urban communities outlined in Goal 3, including:

- Goal 3.1: Broaden opportunities for regular, transparent, and meaningful access to DPR.
- Goal 3.2: Improve information access and data sharing.
- Goal 3.3: Launch a statewide restricted material pesticide application notification system.
- Goal 3.4: Expand language access throughout California in collaboration with federal, state and local partners.

CASQA hopes that this greater engagement, collaboration, and transparency will specifically include stormwater agencies since stormwater agencies may have primary responsibility for the adverse environmental impacts of pesticides in waterways.

COMMENT #2: CASQA SUPPORTS DPR'S COMMITMENT TO DIVERSITY, EQUITY, AND INCLUSION (DEI)

CASQA supports DPR's commitment to Diversity, Equity, and Inclusion (DEI), especially as it relates to Goal 2.1 to increase access to information and data collection. DPR's support of sustainable pest management in disadvantaged communities has the dual effect of reducing pesticide-related health impacts within vulnerable populations and reducing the burden of pesticide run-off on aquatic life. CASQA encourages outreach to occur through local partners, who have established trust and understand community-specific needs, in collaboration with governmental agencies and County Agricultural Commissioners.

COMMENT #3: REVISE GOAL 1.3 TO REFLECT A GROUP-BASED PESTICIDE PRIORITIZATION PROCESS RATHER THAN BY ACTIVE INGREDIENT

CASQA recommends that DPR focus on categories of pesticides by use, rather than individual pesticide active ingredients. Prioritizing pesticides by groups of related products is especially important in the urban context where consumers consider products based on use (“What will take care of my ant problem?”) versus active ingredient. The current wording of Goal 1.3 implies a siloed analysis focused on active ingredient, not on product uses or pest/location use combination.

For example, in California, Argentine ant control is the primary driver for the use of perimeter sprays of pyrethroids.⁵ However, better targeted and more limited areas of applications of pyrethroids and other insecticides--especially in combination with insecticidal baits and non-pesticide techniques that reduce conducive conditions⁶--can achieve the benefits of Argentine ant control in ways that pose less of a threat to water quality than sole reliance on perimeter sprays.⁷ Argentine ant control is an example of a pest control challenge that would greatly benefit from development

⁵ CDPR. 2015. Survey of Pesticide Use by Homeowners in Two California Residential Neighborhoods; CDPR. 2001. Prepared by Wilen, C., UCIPM. Survey of Residential Pesticide Use and Sales in the San Diego Creek Watershed of Orange County, California; CDPR. 2001. Prepared by Flint, M.L., UCIPM. Residential Pesticide Use in California: a report of surveys taken in the Sacramento (Arcade Creek), Stockton (Five-Mile Slough) and San Francisco Bay Areas with Comparisons to the San Diego Creek Watershed of Orange County, California.; Field HC, Evans WE, Hartley R, Hansen LD, Klotz JH. 2007. A survey of the structural ant pests in the southwestern U.S.A. (Hymenoptera: Formicidae). *Sociobiology*.49:1–14.

⁶ Such techniques include exclusion, reduction of harborage, and elimination of food and water sources.

⁷ Rust, M.K. et al. 2012. Ants. Integrated pest management in and around the home. Publication 7411. University of California Division of Agriculture and Natural Resources; University of California Statewide Integrated Pest Management Program, p.6. <https://ipm.ucanr.edu/PDF/PESTNOTES/pnants.pdf>; Greenberg, L. et al. (2017): Argentine ant control around homes: efficacy of treatments

of an "Action Plan" as outlined on pp. 32-33 of the SPM Roadmap. We encourage DPR to move forward with a group-based analysis for pesticide prioritization in the Strategic Plan, as stated in DPR's Sustainable Pest Roadmap (Goal 1.A.i, p. 32):

*"The primary focus for this process and the associated advisory committee would be to advise DPR on prioritization of pesticide products, active ingredients, and **groups of related products within the context of specific product uses or pest/ location use combination**, and on the development of action plans for each priority."*

CASQA Recommendation:

- CASQA encourages DPR to move forward with a use group-based analysis for pesticide prioritization, rather than an individual analysis by active ingredient. As a result, CASQA recommends that Goal 1.3, 2nd, 3rd and 4th Bullets be revised to state:
 - *By 202_, establish a use group-based pesticide prioritization process, informed by a diverse, cross-sector SPM advisory group and consultation, external engagement, and public input, to take expeditious action on risk determinations and to identify and evaluate the availability of alternatives.*
 - *By 202_, begin an annual process of initiating formal mitigation for at least two identified priority pesticides uses.*
 - *By 202_, begin an annual process of completing formal mitigation for at least two identified priority pesticides uses.*

CASQA is encouraged and enthusiastic about the Draft Strategic Plan and its inclusion of urban pest management as a state priority. CASQA appreciates that DPR is moving forward with specific goals as outlined in this Strategic Plan to implement SPM in California.

Thank you for your consideration of our comments. If you have any questions, please contact Victoria Kalkirtz, CASQA's pesticides project lead, at (858) 541-4326 or vkalkirtz@saniego.gov; or contact me at (424) 241-2249 or karen.cowan@casqa.org.

Sincerely,



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CASQA Comments on DPR's Draft 2024-2028 Strategic Plan

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