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November 10, 2023

Director Julie Henderson
California Department of Pesticide Regulation
1001 I Street
Sacramento, CA 95814

Re: DPR Strategic Plan

Dear Director Henderson,

The California Association of Pest Control Advisers (CAPCA) appreciates the opportunity to respond to the draft Strategic Plan to provide guidance and vision for your department over the next five years.

Nearly 4,000 Pest Control Advisers (PCA) are currently licensed by the CDPR – *nearly 3,000 of which are members of CAPCA*. The activities of the Department of Pesticide Regulations have direct bearing on the professionalism, compliance and availability of tools for our members to serve California growers and green spaces well through safe and sustainable use of pesticides.

We want to start by acknowledging that this is a lofty list of goals and activities for the current scope of programs at the Department of Pesticide Regulations to successfully implement within five years. We additionally want to call attention to the Mission Statement which advocates for sustainable pest management (SPM) but does not address the necessary enhancement of licensing and continuing education (CE). CAPCA stresses that without a significant boost in licensing programs and resources, the department is not demonstrating their priority to cultivate competent SPM professionals.

Moreover, the current license renewal system's sustainability is contingent on increased funding. Prolonged renewal periods, lack of CE sponsor audits, and inequitable CE accrual policies erode the perception of the Department's commitment to professional standards. None of these issues or remedies are addressed in the draft strategic plan. *We have some suggestions below that may manage some of these items, however, priorities and funding should be a collaborative discussion moving forward in order that core programs including enforcement and licensing are not negatively impacted by a growing list of expectations and evolving agendas to implement.*

We recognize our past comments have highlighted the disconnect between PCA representatives and active PCAs – with Goal 1, considering CAPCA's broad representation of the majority total number of California's PCAs, a CAPCA appointed PCAs must be included in these advisory groups and processes to truly represent a diverse, cross-sector representation. Furthermore, CAPCA requests that the Department updates its internal policies and definitions to recognize all DPR license and certificate holders as essential stakeholders.

- Goal 1.1 – The PCA is the ideal practitioner to oversee the documentation and advisory work for SPM certifications in the agricultural and urban settings. *In other words, a PCA (with a still to be determined or developed additional category on her license), can serve as the verifier of SPM practice adoption.*
- Goal 1.2 – Considering the legislative initiatives that have been counter to your scientific findings, we encourage that that this goal could be leveraged to promote transparency regarding the Department’s scientific backed approach to evaluation. The Department needs to reinforce its capability to rebut legislation that is driven by non-scientific interests and motivations.
- Goal 1.2 – A streamlined pathway for registration must include a fully electronic communication method between registrant and the Department, as defined in Goal 4.2
- Goal 1.3: As “high-risk” pesticides are phased out, the phasing out must be contingent upon the regulatory approval of effective alternatives before the phase out occurs. The Department’s process of phasing out must be fully transparent, as espoused in the core value of accountability. *De facto pesticide bans are not consistent with an accountable regulatory process.*
- Goal 1.3 and 1.4 – How did the Department arrive at the number of at least two priority pesticides and at the 5% reduction of their annual usage? It appears that these are arbitrary numbers. Considering the Department’s core value of accountability, the Department should explain how these measures are derived from a science-based process or should elaborate on other rationale was utilized.

CAPCA notes the absence of any reference to the forthcoming US EPA Endangered Species Act (ESA) workplans in Goal 2. We assume that the Department will be involved in promulgating and enforcing ESA mitigations. Any mention of ESA, resources to support ESA enforcement, and funding for ESA research and training is noticeably absent from this strategic plan.

- Goal 2.1 – Will the Department collaborate with CAPCA and licensed stakeholders to address pesticide risks to children *on school premises*? *We have routinely noted the disconnect between the rigorous requirements of PCAs and applicators around school grounds but are left perplexed by the leniency of on-campus school activities.*
- Goal 2.2 – What is the mechanism for additional funding for County Agricultural Commissioners on compliance and enforcement, as more complex pesticide restrictions are implemented?

For Goal 3, the Department’s reliance on email listservs for stakeholder communication has proven ineffective. More robust methods are required, as exemplified by the rollout of Certification & Training (C&T) and the upcoming Neonic Mitigations for 2024. *The Department has relied on email communication on C&T since the summer implementation, but stakeholders were busy in the field at that time and are now in November fully grasping the impending implications as they finally have a reprieve post-harvest. In communicating with stakeholders, DPR must consider collaborative outreach along with the delivery vehicles and timing of their communications in order to not only reach stakeholders but to move towards understanding and adoption.*

- Goal 3.1 – CAPCA is concerned that this goal will require extensive resources and will diminish the Department’s ability to deliver tangible results on its Mission and Vision. Unless the Department can increase its outreach and education to licensed stakeholders to undergird the professionalism of the program they oversee, the community outreach and education within this goal could easily drain the resources required for meaningful education to licensed stakeholders to facilitate the stated value of SPM implementation.
- Goal 3.2 – What are the “at least two additional key DPR datasets?” Will publicly available data representative of growers and/or licensees be anonymized in any way?
- Goal 3.4 – Through the most recent PRIA, EPA has announced a timeline to provide uniform translation of pesticide labels in the United States in Spanish as of December 29, 2030. DPR should seek to align their timeline with the efforts (and cost) already underway to make language access labels available. We additionally want to raise some concern over the pathway forward for stakeholder communication once multiple languages for exams and labels are in place. *Will there be an expectation that recommendations and exams for PCAs continue to be in English only given that English will continue to be the reviewed and approved label language in the pesticide evaluation process? Or will the Department seek to validate the translated label as equivalent in legal standing to the English label?*

We are cautiously optimistic about the implications of Goal 4. While we recognize these updates to CE are long overdue, we are concerned about return of value versus the increased costs to licensing and ultimately each licensee to support this process. We ask that the department work thoughtfully with stakeholders to streamline expenses in their pre-development process. **We would like to see DPR take steps to ensure licensing and professionalism remain a priority as the Department expands their goals through this strategic plan.**

- Goal 4.2 – Over the past years, the inefficiency of the licensing department and renewal process has lead to stakeholder timelines for renewal being moved from mid-November back to October with suggestions of September. This is a huge loss of time for stakeholders to gain their continuing education during the typically slower fall and winter season. *Will these efficiency upgrades restore prior timelines to better support the seasonal flow of the industries the license serves? Will the Department work with stakeholders, including CAPCA, to identify key issues during the process to ensure the end product meets licensee needs?*
- Goal 4.2 – Will the cost(s) of this digital transformation be the burden of the regulated entities and stakeholders? Clarity on the overall costs and who will bear the costs of digital transformation is needed.

The Department's cooperative stance and support of third-party integrations for regulatory compliance systems is crucial for developments to licensing. Will the Department become more cooperative and/or foster third-party integrations? For example, CAPCA has co-funded for nearly 30 years a CE tracking database and provided total hours data to DPR annually to support renewals and streamline staff time. We hope that DPR considers this in their approach

to Goal 4 and will consult with CAPCA and other stakeholders who have years of experience as well as established tools to help streamline costs.

As one of your four licensing stakeholders, we invite further dialogue to ensure the successful development, implementation and outreach of key priorities. As the Department aspires to grow its priorities, we hope that it will stay grounded in core purpose to build upon the professionalism of the licensees and industry. We recognize that professionally licensed stakeholders, educated appropriately in key areas of competency, ensure both compliance and innovation as we move forward. CAPCA has a long history of raising this bar of professionalism and want to be included in the solutions that come from these new strategic planning goals.

Thank you in advance for your consideration of the above comments,

A handwritten signature in black ink, appearing to read 'Ruthann Anderson', with a long horizontal flourish extending to the right.

Ruthann Anderson, CAPCA President/CEO