



May 15, 2025

The Honorable Dr. Karen Morrison, Director
California Department of Pesticide Regulation (DPR)
1001 I Street
Sacramento, CA 95814
EJACinfo@cdpr.ca.gov

Re: DPR Environmental Justice Advisory Committee

Dear Director Morrison:

On behalf of the Western Plant Health Association (WPH) I am submitting comments regarding the scope of work for DPR's Environmental Justice Advisory Committee (EJAC), which is required under AB 652 and is incorporated into DPR's Sustainable Pest Management (SPM) Roadmap. WPH appreciates the opportunity to share our comments on the EJAC. WPH represents the interests of pesticide and fertilizer manufacturers, biotechnology providers, and agricultural retailers in California, Arizona, and Hawaii.

Pesticides approved for use in California must go through a rigorous scientifically based analysis utilizing some of the most stringent human health and environmental safety standards in the world. In addition, government at all levels take discrete actions to ensure the highest levels of protection for the environment, and human health and safety. California's extensive pesticide regulations are often unknown to the public, so the EJAC's ability and willingness to communicate this information to communities, as well as advising DPR how it can better fulfill this important goal will be key to its success.

Scope of Work

WPH believes that it is important that all stakeholders are heard as part of DPR's development of its SPM Roadmap. We recognize that in many instances, disadvantaged communities have historically not had the opportunity to fully access regulatory agencies with their concerns. WPH therefore recognizes that the EJAC will fill an important role in assuring disadvantaged communities that their perspectives are being heard and considered by DPR.

However, we also believe that the EJAC must also provide the same level of communication that it will provide to DPR, back to the community. It is therefore key to the program that members of the EJAC have an ability to understand and communicate scientific data and accurately communicate that information to their communities if the EJAC is going to be successful. Members must also understand that their role is advisory, and DPR, as with any other form of public input, is not mandated to implement recommendations.

Science driven data forms the fundamental basis for DPR's pesticide procedures including registration, enforcement, pesticide review and evaluation. This scientific evidence also informs all of DPR's decisions regarding potential environmental impacts, human health and safety, and product efficacy. WPH believes that this scientific foundation must remain central to all decisions regarding pesticide registration, reevaluation, and mitigation measures.

In order to assure that the EJAC is provided scientific information in a format that allows them to engage in discussions regarding the regulation of pesticides, we ask that a DPR scientific advisor be present during all EJAC committee meetings to ensure DPR's mandated risk-based assessment approach is accurately shared with EJAC members, and so they can raise questions that can be framed to reflect DPR's scientific mandates. DPR has a legal obligation to evaluate pesticides via a risk-based framework that considers all relevant factors, including within the EJAC. Having a DPR scientific advisor available to provide guidance, information, and instruction on DPR's regulatory requirements will help the EJAC develop more effective and aligned recommendations.

It is of utmost importance that the EJAC's objective remains in focus and not be allowed to drift into areas where it has no authority or cannot serve its intended mission. The EJAC should remain focused on community engagement, educational programming, and environmental justice outreach as mandated by AB 652 and as defined by the SPM Roadmap. It will be vital for all committee members to understand the process by which EJAC recommendations will be considered alongside the work of DPR's science-based committees.

Cross-committee transparency and accountability is important; so it is incumbent upon DPR to clearly define the committee's scope in this area. Direct communication between committees on overlapping issues, along with any resulting actions, should remain the responsibility of agency directors and their staff, not EJAC members. EJAC recommendations related to sister agencies should first be reviewed by DPR staff to confirm they align with statutory authority, budget constraints, and administration priorities. The committee should focus solely on developing recommendations, not on serving as a facilitator for inter-agency discussions.

We recommend that DPR provide the EJAC a sound foundation related to its statutory obligations, including the specific priorities established by the adoption of AB 2113. This will ensure committee members fully understand DPR's complex regulatory framework, enabling them to contribute more effectively. Without this information, the EJAC's recommendations could result in misunderstanding of its mission and frustration by EJAC members.

EJAC Membership and Scoring Criteria

We are concerned that limiting who can nominate candidates for this committee to environmental justice organizations, community groups, or other organizations or entities implementing program work may be overly restrictive. We encourage the department to expand its definition of individuals or organizations who may nominate committee members. This would promote equity in public participation without compromising the committee's composition. This could enhance engagement while fostering greater diversity among committee participants.

We believe this could be especially beneficial regarding the position designated for a socially disadvantaged farmer and rancher. . The individual selected for this seat should be engaged in production agriculture as their primary means of employment to provide essential, current perspectives and input for committee recommendations. Disadvantaged farmers also participate in traditional agricultural organizations, and these organizations could be a useful source for identifying this position.

The membership screening process must include potential committee members disclosing any conflicts of interest and be disqualified if they have received grants or other funding that could compromise their ability to make unbiased recommendations. Committee members should disclose their participation in any public advisory committee to assure there is no conflict of interest to the EJAC mission.

WPH requests clarification to the section that includes a candidate's expertise related to environmental issues, not limited to pesticides. As DPR's statutory authority is specific to pesticides, we believe that candidates must have knowledge of pesticide related issues. While additional environmental experience will be beneficial, the focus of the EJAC is regarding pesticides, and that should be the foundational basis for participants. We request that DPR clarify acceptable types of expertise, and explain how they align with the EJAC mandate.

We appreciate that the policy and regulatory knowledge section mentions that candidate's demonstrate an ability to build trust and work collaboratively with other government entities, and ask that this competence should be broadened to include engagement with fellow committee members, and any other diverse stakeholders.

Draft Charter

As DPR finalizes the EJAC's governance structure, we encourage the selection of a chair or chairs that have strong awareness of DPR's regulatory mandates and risk-based scientific analysis structure. This will allow them to work collaboratively with staff to guide committee deliberations in productive and effective ways.

We recommend implementing both staggered terms, as used by other state agency committees such as the State Water Resources Control Board's SAFER Advisory Group, and term limits, as practiced by the California Air Resources Board's Research Screening Committee. This structure ensures regular introduction of fresh perspectives while maintaining continuity and helps ensure the board fully represents a diverse array of community interests and stakeholders. We encourage DPR to consider issues and questions of equity of access, representation, language, urban and agricultural use, and transparency on committee membership.

We request that more specific details about the process for collecting and integrating public input be incorporated into the charter. Specifically, we would appreciate clarification on how both written and verbal public comments will be actively solicited and meaningfully incorporated into the recommendation process before final proposals are submitted to DPR, and how DPR will incorporate public comment into its decision making process.

Conclusion

WPH agrees that the views of previously under represented communities be incorporated within DPRs processes, and we support efforts to assure their views are included in the regulatory process. We thank you for the opportunity to provide comments on DPR's EJAC formation and ask that DPR consider our recommendations which we believe are in alignment with the goals of a sound EJAC process. WPH would appreciate additional information about how groups not included in the EJAC will be able to participate in the process. We thank you for your consideration of our comments. If you have any questions, please feel free to call on me.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Pinel', with a stylized flourish at the end.

Renee Pinel
President/CEO