



May 15, 2020

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Martha Sánchez, Environmental Justice Liaison  
Department of Pesticide Regulation  
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Sacramento, CA 95812-4015

**SUBJECT: Environmental justice requires access to data**

Dear Mr. Dolcini and Ms. Sánchez:

We are writing to request your help in ensuring timely, convenient access to DPR data.

Environmental justice requires that DPR's external stakeholders be able to review data promptly, while the data are most relevant to current conditions. And environmental justice requires that DPR present its data conveniently, to help external stakeholders determine which records are most relevant. Unfortunately, in recent years DPR's public website has been allowed to neglect both timeliness and convenience.

**Timeliness**

Regarding timeliness, it is especially noteworthy that for **Pesticide Use Report (PUR) data**, the most recent data available online currently are from 2017:

<https://calpip.cdpr.ca.gov/year.cfm>

This 3-year gap between monitoring and availability greatly reduces the usefulness to external stakeholders of the online PUR data. We recognize that DPR must give County Agricultural Commissioners sufficient time to submit PUR data, and then must subject the data to rigorous quality control. Nonetheless, in our opinion, a three-year delay unacceptably impacts environmental justice.

Additional examples of substantial delays in making data available include:

- **Most recent food residue report** currently is for the year **2018**:  
<https://www.cdpr.ca.gov/docs/enforce/residue/resi2018/rsfr2018.htm>
- **Most recent VOC report** is for the year **2017**; the 2018 report is still a draft:  
[https://www.cdpr.ca.gov/docs/emon/vocs/vocproj/voc\\_data\\_analysis.htm](https://www.cdpr.ca.gov/docs/emon/vocs/vocproj/voc_data_analysis.htm)
- **Most recent Pesticide Illness Surveillance data** currently are for the year **2016**:  
[https://apps.cdpr.ca.gov/calpiq/calpiq\\_input.cfm](https://apps.cdpr.ca.gov/calpiq/calpiq_input.cfm)

- **Most recent Enforcement statistics for individual counties** currently are for the year **2016**:

<https://apps.cdpr.ca.gov/docs/county/statistics/index.cfm>

A partial exception is that counties' Administrative Penalty Actions are posted through the year 2019: <https://www.cdpr.ca.gov/docs/enforce/admnacts/cvlpnlty.htm>

On the positive side, we are especially grateful to DPR's Surface Water Program for consistently striving to make its monitoring data available promptly:

<https://www.cdpr.ca.gov/docs/emon/surfwttr/surfcont.htm>

And in the past few years, the Air Monitoring Program also has been doing a good job regarding timeliness. At present, many air-monitoring results already are available from 2019:

[https://www.cdpr.ca.gov/docs/emon/airinit/air\\_monitoring\\_reports.htm](https://www.cdpr.ca.gov/docs/emon/airinit/air_monitoring_reports.htm)

### **Convenience and transparency**

In recent years, DPR has reduced its online archives of certain reports and documents, and switched to the much-less-convenient approach of making them available only via public records request. Whether intended or not, this change hampers public review, thereby impacting environmental justice.

We recognize that agencies such as DPR are constrained by legal requirements to make websites accessible. Though we are not experts on the technical details, we recognize that perhaps certain older DPR documents are not accessible to automated screen readers, making it difficult to post those documents online. Even if that is the case, we urge DPR to post at least an annotated list of older documents or data that are available via public records request. Data that are not archived online are effectively invisible to most external stakeholders. We also note with concern that many recent documents that would be accessible to automated screen readers are no longer posted.

Some examples of limited or non-existent online archives include:

- **Presentations made at Pesticide Registration and Evaluation Committee (PREC) meetings** are no longer posted online, nor is any list of available presentations posted: <https://www.cdpr.ca.gov/docs/dept/prec/precsummary.htm>

Until very recently, nearly all PREC presentations were conveniently posted as PDFs on that same web page. Now, the web page merely states, "Presentations are available to the public upon request." The website does not provide any list of available presentations.

- **Annual "Volatile Organic Compound Emissions Inventory Report"** is only posted for the most recent two years: [https://www.cdpr.ca.gov/docs/emon/vocs/vocproj/voc\\_data\\_analysis.htm](https://www.cdpr.ca.gov/docs/emon/vocs/vocproj/voc_data_analysis.htm)
- **County Administrative Penalty Actions** are only posted for the most recent few years (oldest records are from 2017): <https://www.cdpr.ca.gov/docs/enforce/admnacts/cvlpnlty.htm>

- **Toxicological summaries** have been completely removed from the website. This is a big loss because for the majority of pesticides which do not have a completed risk characterization these summaries were the only way to check whether all the required studies for long-term health effects had been completed and what the basic findings of these studies are.

On the positive side, DPR staff typically are helpful and prompt when responding to public records requests. However, public records requests are a poor substitute for transparent online archives. Environmental justice requires that DPR present its data conveniently, to help external stakeholders determine which records are most relevant.

We urge you to work with relevant DPR programs to make the timeliness and convenience of data access a priority for DPR.

Thank you in advance for your assistance.

Yours sincerely,



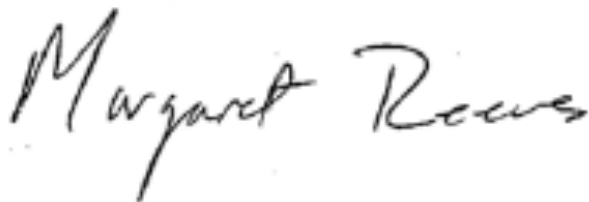
Anne Katten, California Rural Legal Assistance Foundation



Sarah Aird and Jane Sellen, Californians for Pesticide Reform



Caroline Cox, Center for Environmental Health



Margaret Reeves, Pesticide Action Network

cc: Yana Garcia, Deputy Secretary for Environmental Justice, Tribal Affairs and Border Relations, CalEPA