

Re: Dismissal procedures for Kern County Agricultural Commissioner Glenn Fankhauser



June 22, 2021

Director Val Dolcini
California Department of Pesticide Regulation
Via email: val.dolcini@cdpr.ca.gov

Dear Director Dolcini,

We, the undersigned nineteen (19) environmental health and justice organizations, community groups and coalitions, write to you in continued support of the AB 617 Shafter Community Steering Committee, and call on you to immediately begin proceedings pursuant to Section 2181 of the Food and Agriculture Code to convene a hearing to consider the dismissal of the Kern County Agricultural Commissioner (CAC) Glenn Fankhauser.

We previously wrote a [letter](#) to you and Secretary Blumenfeld on January 29, 2021, thanking you for your leadership in honoring the promise of a pesticide notification pilot program for the town of Shafter in their Community Emissions Reduction Plan, adopted by CARB on February 13, 2020. We applauded the residents of Shafter for successfully advocating for a program to increase transparency regarding planned pesticide applications in and around their town. In the letter, we also said:

We are baffled and appalled by the adamant refusal of the Kern CAC to implement the notification pilot, and disappointed by the support he has received from industry groups vested in the status quo and determined not to let the public know what they are doing... We reject industry's attempt to elevate their profits over the health and well-being of the farmworker communities in which they operate, with the apparent blessing of public servants such as the CAC, who are charged with protecting the public good.

Since we sent that letter, however, no progress has been made toward implementation of the Shafter pilot pesticide notification program. Disappointingly, DPR has not followed through on the order sent to Mr. Fankhauser in a letter dated December 17, 2020, and instead has allowed the CAC's defiance to continue unchallenged and unchecked. Mr. Fankhauser appears to believe that he can continue to ignore a lawful order by the state, under whose direction and supervision he works, with no consequences. Meanwhile, the residents of Shafter, who have worked for years for the simple right to know about planned chemical spray in their town, go ignored and unheard.

Future AB 617 communities selected for development of Community Emissions Reduction Plans now know that the promises made to them by the state can be overruled by a single local official bent on preserving the right of industry to operate in secret.

We are watching. The residents of California's most polluted towns are watching. Industry and its enablers in local government are watching. Will the state step up to protect its most vulnerable residents? Or will industry get its wish, and be allowed to continue to use hazardous, drift-prone chemical pesticides in secret and free from public scrutiny?

We urge you to decisively assert your undoubted authority and immediately convene a hearing under Food and Agricultural Code Section 2181 to consider dismissing Commissioner Fankhauser on the grounds of neglect of duty and misconduct in office. Failure to take this step toward accountability for the rogue actions of an appointed county official, as provided under state law, will send a powerful signal to the state's agricultural commissioners that they do not in fact work under DPR's direction and supervision, and that defiance is an effective strategy that will go unchallenged.

Sincerely,

Sarah Aird and Jane Sellen, Co-Directors, **Californians for Pesticide Reform**

Dr. Ann Lopez, Executive Director, **Center for Farmworker Families**

Caroline Farrell, Executive Director, **Center on Race, Poverty & the Environment**

Kevin Hamilton, Executive Director, **Central California Asthma Collaborative**

Nayamin Martinez, Executive Director, **Central California Environmental Justice Network**

Maricela Morales, Executive Director, **Central Coast Alliance United for a Sustainable Environment (CAUSE)**

Catherine Garoupa White, Executive Director, **Central Valley Air Quality Coalition**

Sarait Martinez, Executive Director, **Centro Binacional para el Desarrollo Indigena Oaxaqueño (CBDIO)**

Maria Reyes, Committee President, **Coalition Advocating for Pesticide Safety – Tulare County**

Jose Mireles, President, **Comité Progresos de Lamont**

Estela Escoto, President, **Committee for a Better Arvin**

Lendri Purcell, President, **Families Advocating for Chemical and Toxics Safety (FACTS)**

Julia Jordan, Policy Coordinator, **Leadership Counsel for Justice and Accountability**

Lourdes Herrera, Executive Director, **Madera Coalition for Community Justice**

Eduardo Sainz, National Field Director, **Mi Familia Vota**

Cesar Lara, Executive Director, **Monterey Bay Central Labor Council**

Hektor Calderon, Coordinator, **Safe Ag Safe Schools**

Megan Kaun, Co-Founder/Co-Director, **Sonoma Safe Agriculture Safe Schools**

Bianca Lopez, Co-Founder, **Valley Improvement Projects**

CC:

Governor Gavin Newsom, governor@governor.ca.gov

Jared Blumenfeld, CalEPA, jared.blumenfeld@calepa.ca.gov

Richard Corey, CARB, richard.corey@arb.ca.gov

Julie Henderson, CalEPA, julie.henderson@calepa.ca.gov

Yana Garcia, CalEPA, yana.garcia@calepa.ca.gov

Christine Hironaka, Office of the Governor, christine.hironaka@gov.ca.gov

Linda Lye, CalEPA, linda.lye@calepa.ca.gov

Assemblymember Cristina Garcia, assemblymember.garcia@assembly.ca.gov

Lawrence Lingbloom, Lawrence.Lingbloom@asm.ca.gov

Cathy L. Prout, Mayor of Shafter, cprout@shafter.com

Chad Givens, Shafter City Council, cgivens@shafter.com

Gilbert T. Alvarado, Shafter City Council, galvarado@shafter.com

Pete Espinosa, Shafter City Council, pespinoza@shafter.com

Cesar Lopez, Shafter City Council, clopez@shafter.com

Phillip Peters, Chair, Kern County Board of Supervisors, district1@kerncounty.com

Zack Scrivner, Kern County Board of Supervisors, district2@kerncounty.com

Mike Maggard, Kern County Board of Supervisors, district3@kerncounty.com

David Couch, Kern County Board of Supervisors, district4@kerncounty.com

Leticia Perez, Kern County Board of Supervisors, district5@kerncounty.com