



November 9, 2022

District Staff  
San Joaquin Valley APCD  
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Dear District Staff:

Thank you for the opportunity to provide comments regarding the [2022 Ozone Plan for the San Joaquin Valley](#) for Attainment of the 2015 8-Hour Ozone Standard. The undersigned 16 coalitions and environmental justice organizations represent communities and individuals across the San Joaquin Valley that are highly impacted by the Valley's air quality. These comments focus on pesticides and the approach that the Plan should take to reducing ozone pollution related to pesticides.

Last year, the San Joaquin Valley exceeded the current federal 8-hour ozone standard 101 times. While there has been progress in cleaning the air, the San Joaquin Valley remains embroiled in an ongoing public health crisis. Health problems caused by ozone exposure include headaches, burning eyes, wheezing, coughing, asthma attacks, and heart attacks. Chronic exposure is linked to the development of heart and lung diseases and premature death. It's an ongoing injustice that residents of the San Joaquin Valley must breathe this dirty air.

Pesticide use contributes to the San Joaquin Valley's ozone problem in the summertime as pesticide VOC emissions combine with oxides of nitrate (NOx) to form ozone. In 2020, pesticides applied in the region emitted 16 tons of volatile organic compounds (VOC) per day, which is roughly equivalent to all VOC emissions from the oil and gas industry in the region. And these pesticide emissions have a disparate impact on communities of color. In fact, researchers at the California Environmental Protection Agency found that pesticides were among the top two pollutants with the greatest racial and income disparities in the state<sup>1</sup>.

In the past, the California Air Resources Board (CARB) has recognized the importance of reducing VOCs from pesticides to reduce overall ozone levels in the state. The proposed 2022 SJV State Implementation Plan (SIP) includes VOC reduction goals for other sectors, notably stationary sources and consumer products, but declines to include a quantified VOC emissions reduction target for 1,3-dichloropropene and other pesticides.

There are three main issues that must be addressed by the District:

**1. The SJV SIP must include a quantified and ambitious emissions reduction target for the pesticide 1,3-dichloropropene.**

The draft Plan describes a collaborative effort with the Department of Pesticide Regulation (DPR) to reduce emissions of 1,3-dichloropropene, a reactive organic gas, based on a regulation that DPR is currently drafting. However, the draft Plan indicates

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<sup>1</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4605180/>

that these reductions have not yet been quantified. This contradicts the instructions given by CARB Chair Lianne Randolph at the 22 September CARB Board meeting specifically directing that the reductions must be quantified and that CARB and DPR's technical teams must work together on a mutually agreeable target. The District must include an ambitious reduction target in the Plan.

**2. A process for reducing emissions of other pesticides that contain reactive organic gasses must be initiated.**

DPR currently has regulations designed to limit reactive organic gas emissions from 11 pesticides, with current rulemaking for one of these, 1,3-dichloropropene. The District must work with DPR to strengthen these existing regulations and to regulate additional pesticides. This would implement CARB Chair Randolph's direction to "be helpful and supportive in making progress on issues around pesticides" [CARB Board meeting, 9/22/22].

**3. The District must clarify its authority with respect to pesticide emissions.**

The District must rectify the incomplete and misleading statement on page 3-28 of the draft plan that "DPR is the agency responsible for regulating the sale and use of pesticides in California." The new language should acknowledge CARB's jurisdiction over pesticide Toxic Air Contaminants (TACs) after their pesticidal use, and at a minimum should be consistent with language currently used by CARB in the AB 617 Community Emissions Reduction Program Plan (CERP) for Shafter: "DPR has regulatory authority over pesticides in their pesticidal use. Some pesticides are also classified as TACs and so can be regulated as a TAC, and as smog-forming compounds as they become waste gases outside of their pesticidal use; State law establishes a system of overlapping authorities between pesticide and air regulators to address these complex problems."

We urge you to take this opportunity to reduce exposure to noxious pesticide emissions for the residents of one of the most severely impacted air basins in the nation.

Sincerely,

Angel Garcia, Co-Director, **Californians for Pesticide Reform**

Lupita Sanchez, Community Organizer, **Coalition Advocating for Pesticide Safety - Tulare County**

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

Sarait Martinez, Executive Director, **Centro Binacional para el Desarrollo indigena Oaxaqueño**

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

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

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

Phoebe Seaton and Veronica Garibay, Co-Directors, **Leadership Counsel for Justice and Accountability**

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

Thomas Helme, Coordinator, **California Environmental Justice Coalition**

Daniel O'Connell, PhD, Executive Director, **Central Valley Partnership**

Maricela Mares-Alatorre, Coordinator, **El Pueblo para el Agua y Aire Limpio de Kettleman**

Diana Mireles, Interim President, **Comité Progreso de Lamont**

Anabel Márquez, President, **Comité por un Shafter Mejor**

Lupe Martinez, President, **Delano Guardians**

Kevin Hamilton, CEO, **Central California Asthma Collaborative**