



April 5, 2024

Julie Henderson, Director
California Department of Pesticide Regulation

Dear Director Henderson,

Thank you for your [March 18, 2024 response](#) to our [letter dated February 12, 2024](#). Our letter called your attention to a number of recent actions and incidents that demonstrate the Department of Pesticide Regulation's lack of commitment to ensuring that their policies are environmentally just and do not disproportionately burden any group of Californians.

In response to the specific items in your letter:

1. You note that engagement with our group informed the recent BCP for Department funding. However, DPR's funding proposal includes a provision that will make farmworkers, teachers and students ineligible to request permit review, and includes no commitment to completing a single reevaluation - despite years of advocacy by our coalition on that point.

Effective engagement with our group would be demonstrated by:

- Expanded eligibility to request permit review in order to confirm that ag commissioners are complying with state law in the permitting process with regards to consideration of cumulative exposure and safe alternatives.
- A tangible commitment in the mill fee proposal to clear the massive backlog of previously prioritized reevaluations in short order, implement mitigations as indicated, and conduct timely future reevaluations on a regular schedule.

2. We truly appreciate DPR's effort to secure funds for centralized interpretation and translation services, for which we have long advocated. You should be aware, however, that ground truthing over the past two weeks confirms that only 14 out of 55 agricultural commissioner voicemails include information in Spanish, and none mention that

interpretation services are now available. It is particularly shocking that Fresno, Kings, Los Angeles, San Joaquin, San Diego, Santa Cruz and Ventura counties still have English-only voicemails. Community members continue to suffer grievously at the hands of ambivalent, or even hostile, local officials, and DPR still seems unable or unwilling to demand better from them - beyond providing voluntary access to resources that are too often ignored. We continue to warn that language access is necessary but insufficient - people must also be aware of it, and must feel welcome to access it.

Effective engagement with our group would be demonstrated by:

- Information on the language access pilot posted on every CAC homepage and included in bilingual recordings on every CAC voicemail.

3. You state that you are planning to increase in-person EJ meetings, and yet continue to fail to prioritize funding for the EJAC as mandated by AB 652. We agree with the [Legislative Analyst's Office](#) that the Governor's overall directive not to request funding for recently chaptered legislation does not prevent the Department from doing so in this case. DPR's request for new funding provides an opportunity to set the scope of the department's work, especially given that DPR's proposal does include funding for elective EJ activities chosen by the Department.

Effective engagement with our group would be demonstrated by:

- Allocating funding for the EJAC, as proposed by EJ reps, instead of EJ activities of the department's choosing.

4. In regard to the extreme environmental injustice of DPR policies and decisions that leave farmworking communities exposed to unsafe levels of 1,3-dichloropropene and DCPA, your letter references separate conversations to be had with other DPR staff. This is not good enough. We have had those conversations, and so we now know that DPR plans to continue allowing farmworking communities to be exposed to 14 times more 1,3-dichloropropene than the amount deemed safe by OEHHA toxicologists, and will continue to allow existing DCPA stocks to be used with virtually no protections. The US EPA says allowable levels of DCPA are 1,500 times more harmful to developing brains than is considered safe. In Monterey County, where half of California's DCPA use takes place, 29 growers have given notice of their intent to use DCPA within a quarter mile of 65 schools in the current school year. This is a disaster for pregnant teachers, farmworkers and residents, and could be prevented by action from DPR.

Effective engagement with our group would be demonstrated by:

- Adopting a regulatory target for lifetime cancer risk level for 1,3-D of 0.04ppb, as recommended by OEHHA
- Immediately suspending use of existing stockpiles of DCPA.

Because we do not find that environmental justice is being served by our meetings with DPR, we object to the name "Environmental Justice Stakeholders" for our group, and suggest instead the name "Community Stakeholders."

Sincerely,

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