



# COUNTY OF SISKIYOU Department of Agriculture

525 SOUTH FOOTHILL DRIVE • YREKA, CALIFORNIA 96097-3036 • (530) 841-4025 • FAX (530) 842-6690

**PATRICK J. GRIFFIN**

AGRICULTURAL COMMISSIONER  
WEIGHTS AND MEASURES

AIR POLLUTION CONTROL OFFICER  
ANIMAL CONTROL OFFICER

## **SISKIYOU COUNTY DEPARTMENT OF AGRICULTURE PESTICIDE USE ENFORCEMENT PROGRAM PLAN Years 2014, 2015, 2016**

### **INTRODUCTION**

Limited resources will require the Siskiyou County Department of Agriculture (the Department) to prioritize activities based on risk assessment with the three core program elements incorporated into the pesticide use enforcement program plan. The Department will continue to do an annual evaluation of inspections and investigations. The Department reserves the right to make changes in the work plan, necessary to achieve our goals and objectives within current and future constraints.

### **PESTICIDE USE ENFORCEMENT PROGRAM PLAN GOALS:**

Siskiyou County will maintain a viable system of restricted materials permitting, compliance monitoring, and enforcement response that is of mutual benefit to the agricultural community, the environment, and the public, while continuing to abide by pesticide use laws and regulations. The Department will promote an atmosphere of respect and understanding that will benefit both the public and permittees.

### **PESTICIDE USE ENFORCEMENT PROGRAM PLAN CHALLENGES AND RESOURCES:**

The Department has limited resources in staffing, data processing and funding. One pesticide use enforcement (PUE) Inspector, with pesticide program management responsibilities is in the Yreka office and the other is in the Tulelake satellite office, on the east side of the county (100 miles from the main office). The inspectors in charge of PUE work also have other agricultural program responsibilities. Each office has a ¾ time inspector for permit evaluation and issuance, which limits the inspector's ability to be in the field conducting site and pre-application site monitoring activities. In addition, increases in nursery production have redirected much of the available inspection time toward enforcing field fumigation regulation changes.

Siskiyou County is a large county with four valleys (Scott Valley, Shasta Valley, Butte Valley and the Klamath Basin), where much of the farming and ranching is located. Each valley is surrounded by rugged mountain ranges and one may encounter inclement weather and adverse driving conditions making travel difficult and time consuming.

Siskiyou County is not the only county that has budget deficits, but it is a problem that hinders our ability to fulfill all agriculture, weights & measures and PUE program responsibilities. The

Department's budget is currently impaired by cuts affecting training, travel (including rising fuel costs) and equipment maintenance. Despite these adverse circumstances, the Department will continue to provide a quality pesticide program that complies with the requirements of the California Environmental Quality Act (CEQA).

### **RESTRICTED MATERIALS PERMITTING PLAN:**

#### **Permit Evaluation:**

Restricted materials permits are evaluated for potentially sensitive areas near pesticide application sites. Examples of sensitive areas include, but are not limited to: residences, schools, parks, sensitive crops, Groundwater Protection Areas (GPA), wildlife and listed endangered species. When addressing listed endangered species, the inspectors assist permittees to make use of DPR's website and recommended mitigation measures, as appropriate. This includes informing permittees about DPR's Pesticide Regulation's Endangered Species Custom Real-time Internet Bulletin Engine (PRESCRIBE).

Siskiyou County has a number of GPAs. The amount of "6800(a) pesticides" applied in the entire county is minimal. Each permit is evaluated, at the time of issuance, to determine if any of the "6800(a) pesticides" will be applied to land within the GPAs. The permittees are informed of the GPAs, and if they intend to apply "6800(a) pesticides", mitigation measures (one or more of the measures outlined in the Code of Regulations) are discussed and the permits are conditioned accordingly. Here, again, PRESCRIBE is utilized in order to help permittees make informed decisions regarding mitigation measures in GPAs.

The Department implemented the new Statewide CalAgPermits program in the fall of 2011. Conversion to the new program has been extremely labor intensive, especially with data requirements in the Tulelake office and slow CalAgPermits processing time, in general. The new program is still evolving, and until such time that CalAgPermits can provide the detailed pesticide use reports required by our Federal Leased Land contracts, the Tulelake office will continue to use the DOS based RMPP program to provide that data. The remaining areas of the county have been converted to the new program. As the CalAgPermits program continues to develop to meet the needs of staff, it is expected that permit and use report processing time requirements will decrease, leading to greater efficiency throughout the rest of the PUE program.

Since pesticide handlers are those most likely to experience pesticide exposure, The Department has identified this group as high risk. Siskiyou County issues many permits (small farms, small businesses, schools, parks, recreation areas and the general public) where the owner/operator/manager is responsible for various tasks including pesticide applications. Individual contact (during permit issuance and on-site inspections) and continuing education (Annual Pest Management Seminars in Yreka and Tulelake) have been the most efficient means of information dissemination.

Continuing education seminars provide an excellent opportunity to maximize resource utilization and reach many pesticide applicators. With the cooperation of several local businesses and professional organizations, Siskiyou County has been providing high quality continuing education programs. This cooperation allows us to offer the seminars free of charge to attendees.

The seminars provide current, pertinent information specific to our region, including new laws and regulations, presented by high-quality speakers, which has generated a steady increase in meeting attendance. The meetings also provide another opportunity for individual contact with local growers and license holders.

Employee safety, including the use of personal protective equipment (PPE), is a high priority. Required employee training ensures adequate knowledge of safe working conditions for both field workers and pesticide handlers/applicators. The Department conducts periodic inspections of employer training records to provide oversight of the employee training process. Training opportunities for employers include meetings to issue/amend restricted material permits and operator IDs, annual registration of license holders, annual grower/applicator meetings in Yreka and Tulelake, monthly meetings in Tulelake, and on site education during pesticide use inspections. In addition, pesticide safety information is provided through youth contact (agricultural days, classroom visits) and general public contact (county fair, newspaper, radio, county weed tour, etc.). Comprehensive training of employers and employees results in safer pesticide applications, fewer incidents of non-compliance and fewer complaints from the public.

### **Site Monitoring Plan:**

The Department will maintain a high response level to sensitive areas (at least 5% pre-application site inspections to fulfill CEQA equivalency requirements). This includes sites identified at issuance or amendments of restricted material permits, notices of intent and complaints received. Priorities for site monitoring inspections include, but are not limited to: areas where pesticide applications pose a potential risk to people, animals and/or the environment, crops, listed endangered species and habitat, schools, parks, and planned use of specific pesticides (Vapam, Telone, Methyl Bromide, Chloropicrin). The U.S. Fish and Wildlife Klamath Basin National Wildlife Refuge, in Tulelake, currently contracts with the Department for pesticide regulation enforcement on the leased land, and therefore, is maintained as a priority site, by the Department. Mitigation measures are implemented, as needed.

### **COMPLIANCE MONITORING:**

#### **Compliance Monitoring Plan:**

The site monitoring plan sets the stage for compliance monitoring. Sensitive sites identified in the site monitoring plan will be a priority when planning for use monitoring inspections. Effective and comprehensive compliance monitoring is a priority in Siskiyou County. The Department realizes that it is essential to assure the safety of pesticide handlers, fieldworkers, the public, and the environment. The compliance monitoring plan includes pesticide use and records inspections, episode and complaint investigations and surveillance. Structural, industrial, business, home owner and other non-agricultural application inspections are conducted, when possible, for their potential impact to sensitive areas. Structural, industrial, business, home owner and non-agricultural sites are the areas where a majority of pesticide complaints, incidents (including anti-microbial) and investigations originate. Non-compliances, not corrected at the

time of inspection, and violations will receive timely inspection priority for follow-up compliance and enforcement actions.

### **Comprehensive Inspection Plan:**

The Department will continue to conduct random inspections throughout Siskiyou County (including sensitive sites that have been previously identified). Many of the pesticides used in Siskiyou County are non-restricted. However, due to their potential toxicity to various sensitive sites, compliance monitoring is needed to help assure safe and legal use of these products. Inspectors must be familiar with pest management practices to know when specific pests are being targeted with pesticides that do not require a notice of intent. Surveillance often leads to opportunities for inspections which help to assure pesticide use compliance.

The Department provides inspector training to ensure a uniform enforcement process consistent with State guidelines. Cooperative (oversight) inspections with the DPR Enforcement Branch Liaison reinforce inspection practices and procedures. The Pesticide Use Enforcement Program Standards Compendium is the primary reference tool for inspectors.

### **Episode Investigation and Complaint Response Plan:**

The Department will conduct investigations, and complete and submit reports in a timely, accurate and thorough manner. Investigations, for the rare priority episode in Siskiyou County, will be initiated within two working days of notification. Preliminary update reports will be submitted to DPR within 15 days of the original notification and completed priority investigation reports will be submitted within 60 days. Non-priority investigations will be given appropriate, timely attention and will be submitted to DPR within 120 days.

Investigations will follow the Enforcement Response Plan and Pesticide Use Enforcement Program Standards Compendium. Each investigation will follow the same initial steps that include, but are not limited to: interview the complainant and/or the injured and determine whether a violation has occurred. If a violation has occurred, then we will identify and locate the violator and collect and organize the evidence to prove his/her culpability for the violation. A thorough report will be prepared considering all the evidence and information gathered during the course of the investigation.

The Siskiyou County Agriculture Department will maintain an Incident/Complaint log, which will be made readily available to our assigned Enforcement Branch Liaison. The log will include the following:

1. County name
2. Month of the incident/complaint
3. Tracking number or file name
4. Pesticide(s) used
5. Type of episode
6. Location of the episode, within the County
7. Violations, if any

8. Date the investigation was closed

**ANNUAL GOALS:**

Application Inspections (Non-Fumigation)	50
Field Worker Safety Inspections	10
Mix/Load Inspections	15
Field Fumigation Monitoring Inspections	25
Headquarter/Employee Safety Records Inspections	6
Pest Control Business Record Inspections	2
Pest Control Dealer Record Inspections	2
Agricultural Pest Control Advisor Record Inspections	1
Pre-Application Site Inspections	5% of NOI's

**ENFORCEMENT RESPONSE:**

The Department is committed to assuring enforcement response to violations is fair, consistent and timely. The enforcement staff works to encourage all pesticide users to comply with the law through education, inspections and enforcement actions.

The Department will continue to identify repeat violators and non-compliance situations. The Department will also explore why non-compliances occurred, by identifying risk, violation history, pesticide episode occurrence, pesticide use activities, and develop a corrective plan with goals to measure the success for each situation and episode. Education and progressive discipline makes sustainable compliance more achievable.

The Department considers all appropriate enforcement options consistent with Enforcement Regulations. The circumstances and significance of the situation, including progressive discipline, especially with repeat violators, is considered in each case. We will consult with our assigned Enforcement Branch Liaison as appropriate. When all options available to the County have been exhausted, the case will be referred to the Department of Pesticide Regulation.

**ADDITIONAL PESTICIDE PROGRAMS IN SISKIYOU COUNTY:**

**Agricultural Pesticide Container Recycling:**

Western Siskiyou County will continue to participate in a pesticide container recycling program made possible by funding from the National Agricultural Container Recycling Council. Many permittees and pest control businesses have taken advantage of the program which provides an alternative (also cost savings) to the land fill and promotes proper container handling and disposal. The containers are stored in a small storage building which is locked and fully enclosed for safe storage of the triple rinsed pesticide containers. The containers are shredded and transported off site by the recycler. In addition to the program being utilized in western Siskiyou

County, the pesticide applicators in eastern Siskiyou County return their empty, triple rinsed, pesticide containers to the dealer, where the products were purchased, for storage and recycling.

**Pesticide Use in the Tulelake Area:**

Pesticides are applied on over 17, 000 acres of “U.S. Fish and Wildlife leased-lands” within the Tulelake and Lower Klamath National Wildlife Refuges. The Siskiyou County Agricultural Commissioner's office has an advisory role in the development of Pesticide Use Proposals (PUPs) which regulate the application of agricultural-use pesticides. Cooperative pesticide use and monitoring agreements between the U.S. Fish and Wildlife Service, the U.S. Bureau of Reclamation and the Department insure the continued utilization of this resource for the future and promote a safer environment for wildlife.