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COUNTY OF MENDOCINO
DEPARTMENT OF AGRICULTURE
890 N BUSH STREET
UKIAH, CALIFORNIA 95482

March 1, 2013

Paul Ryan
3210 Beacon Blvd
West Sacramento, CA 95691

Paul,

Enclosed you will find a copy of Mendocino County PUE Work Plan for calendar year 2013-2015.

Sincerely,

Chuck Morse

Chuck Morse
Agricultural Commissioner

Mendocino County Department of Agriculture
Pesticide Use Enforcement
Work Plan
2013 to 2015

I. Restricted Materials Permitting

1. Current Status

- Approximately 47 Restricted Material Permits (RMPs) are issued on a multi-year basis.
- The majority of permits have been converted to operator identification numbers.
- 3 Agricultural Measurement Standards Specialist(AMSS) issue permits.
- AMSS refers to Department of Pesticide Regulations (DPR) "Restricted Materials and Permitting"(Pesticide Use Enforcement (PUE) Program Standards Compendium Vol. #3) as a guide when issuing restricted materials permits.
- All permits are issued using CalAgPermits.
- Permit issuance takes 45 minutes on average.
- An appointment must be scheduled with an AMSS in order to get a new permit or renew an existing permit. This allows for one-on-one communication with the applicant to discuss type of operation: pesticide use, applicator certification, sensitive sites, recommendations, use restrictions and conditions, maps, certified applicators, letter of authorization(if needed), use reporting process and the notice of intent(NOI) process.
- A small percentage of growers fail to renew operator identification number before making a pesticide application.
- Most operator identification numbers are on a multi-year cycle.

- Private applicator exams are administered by a licensed PUE specialist by appointment only.
- Department provides 3 trainings annually to help operators fulfill the continuing education requirement for renewal of their private applicator license.
- Permittees are instructed on options for submitting pesticide use reports and the notice of intent.
- Permittees are encouraged and instructed on how to submit pesticide use reports and notice of intents in CalAgPermits.
- Currently 80% of pesticide use reports are being submitted in CalAgPpermits.

2. Planned Improvements

- Provide training for new staff on permit issuance.
- Continuous training for staff with regard to CalAgPermits.
- Work with pesticide dealers and growers to ensure that operator identification numbers are current prior to purchase and application.
- Department will conduct an annual review of permits and permitting process to identify areas that need improvement.
- Department will provide a training in March 2013 for "public user's" of CalAgPermits
- Correct deficiencies identified during annual review and the DPR performance evaluation.

3. Goals and Projected Deliverables

- The department will strive to assure that the permit review process is thorough, that all pertinent information is collected and documented prior to issuance of permit, and the entire process, including the NOI, assures that restricted material applications are made in a manner that complies with all applicable laws and regulations, while eliminating potential for damage to the environment, the public's health, and those involved in the application.

- Continue efforts to reduce the number of RMPs issued and/or convert them to Operator ID Numbers. By querying each grower, we are able to significantly reduce RMPs to be more in line with actual use.
- Provide growers with assistance on using the CalAgPermit system.

4. Measures of Success

- Complete and accurate permits.
- Reduction in permit issuance time.
- March 2013 CalAgPermit training complete.
- Increase in submissions of pesticide use reports using CalAgPermits.
- Decrease in number of NOIs and permits denied.

II. Compliance Monitoring

1. Current Status

- There were approximately 762 annual restricted materials sites in 2012. Approximately two thirds of the sites are forest/timberland sites.
- Inspections are performed in 7 different geographic regions: Hopland, Ukiah, Anderson Valley, Redwood Valley, Potter Valley, North Coast and South Coast.
- Inspections are performed by the two AMSS.
- 1 AMSS is fluent in Spanish.
- All notices of intent are reviewed by AMSS.
- Pre-application site inspections are performed on all ag-use fumigations and for other applications when it is determined that only an on-site evaluation will allow for appropriate assessment of risk.
- Mendocino averages 15 Ag and 50 structural NOIs per year.

- Pre-application site inspections exceed the 5% required.
- The majority of inspections are done in February through August. This is the primary pesticide application season for apples, pears and wine grapes.
- Inspections are usually performed Monday through Friday during regular business hours. During the peak pesticide application time of late spring/ early summer, early morning inspections (from about 6 to 8 A.M.) are conducted as well. A few weekend inspections are done on ag-use fumigations and other targeted applications and/or operators.
- When selecting a pesticide application to inspect, the AMSS considers several variables: Last time operator was inspected, operators with employee handlers or fieldworkers, type of inspection, pesticide being applied, application/inspection site and operator's compliance history, type of application equipment, proximity to sensitive site.
- Operators that are close to the office are inspected more frequently because of visibility, geographical and time constraints.
- Structural fumigation inspections and record inspections are conducted throughout the year.
- The department has developed 5 synopsis sheets which are intended to provide growers with a quick reference to the requirements for the following:

  Headquarter/Records Inspection

  Production Agriculture Application Inspection

  Non-Production Agricultural Pesticide Application

  Field Worker Safety

  Respiratory Program Summary

- Synopsis sheets are available on website and upon request.

2. Planned Improvement

- Provide training to new staff.
- Discussions with our DPR Enforcement Branch Liaison (EBL) will be used to address statewide goals and concerns and correct deficiencies identified in the DPR Performance Evaluation.

- Inspections will continue to be focused on areas where past inspections have identified increased non-compliances.
- More focus on inspections that may get overlooked due to difficulty getting to application site i.e., locked gates, escort required due to remote location, no way to reasonably monitor site activities.
- Use our resources most effectively for the purpose of protecting the public health and the environment.
- More oversight on inspection completeness and quality control.
- Department will conduct annual review of inspection records in order to identify possible additional inspection areas.

3. Goals and Projected Deliverables

- Provide sufficient compliance monitoring in order to ensure the safety of public, fieldworkers, pesticide handlers and the environment.
- More attention dedicated to structural Branch II&III and maintenance gardener inspections.
- Provide compliance assistance to new pest control businesses.
- Inspection Goals:

• Application Inspections (Non-Fumigation)	15
• Field Worker Safety Inspections	5
• Mix/Load Inspections	7
• Field Fumigation Monitoring Inspections	1
• Headquarter/Employee Safety Records Inspections	15
• Pest Control Business Record Inspections	2
• Pest Control Dealer Record Inspections	1
• Agricultural Pest Control Advisor Record Inspections	5
• Structural Pest Control Inspections	7
• Pre-Application Site Inspections	5% of NOIs

- 25% of Employer Headquarter Inspections will be conducted as "follow-ups" to "use monitoring" (field) inspections where employee safety non- compliances were identified. These follow-up inspections will be initiated within 30 days of the initial use monitoring inspection.

4. Measures of Success
   - New AMSS trained to conduct surveillance and site inspections.
   - Inspection reports indicating improved compliance.
   - Decrease in pesticide illness exposures and drift complaints.
   - Reduction in inspection reports sent back from DPR to county for corrections or missing information.
   - Annual inspection goals met.

II. Enforcement Response

1. Current Status
   - 1 AMSS and the Assistant Commissioner have experience conducting pesticide investigations.
   - All complaints are logged and initiate an immediate response to determine if further investigation is required.
   - High priority is given to investigations involving human exposures and drift incidents.
   - The Ag Commissioner is the only staff member that has experience advocating cases and being a hearing officer.
   - 3 CCR 6128 is applied to all violations.

2. Planned Improvement

   - Coordinate with DPR to assist county with advocacy training for Assistant Commissioner.
   - Arrange for new staff to receive DPR or CAC training related to enforcement and investigations.
   - Assure investigations are completed in a timely manner.

3. Goals and projected deliverables

   - Assure that all investigations are conducted following DPR's "Investigative Procedures Manual" (PUE Program Standards

Compendium Vol. #5) and lab samples are submitted according to DPR protocols.

- Provide the respondent with due process, and be well prepared if a hearing is requested.
- Confer with assigned EBL on cases to assist with achieving appropriate and consistent enforcement response.

4. Measures of success

- Less enforcement actions due to an increase in overall compliance.
- Successful outcomes for the department when enforcement actions are taken.