LAKE COUNTY ENFORCEMENT WORK PLAN
January 1, 2016 thru December 31, 2018

County Resources

- The Agricultural Biologist Inspector works in the Pesticide Use Enforcement Program (PUE) 80% of the time.
- The Agricultural Commissioner works in the PUE program 20% of the time.
- To accomplish the core enforcement program workload, it would require another staff person to spend 50% of their time on the PUE program.
- No additional licensed staff is currently trained to perform the PUE program.

A. Restricted Materials Permitting

Permit Evaluation

- Approximately 70 restricted materials permits are issued annually.
- Permits are issued for 2, 4-D, paraquat (Gramoxone), strychnine, 1-3-dicloropropene (Telone), zinc phosphide, aluminum phosphide, carbaryl, chlorpyrifos. The most commonly used restricted materials are 2, 4-D, strychnine, and paraquat.
- Permits are only approved and issued by the Agricultural Biologist Inspector/PUE (97%) and the Agricultural Commissioner (3%).
- New permit sites are screened for potential environmental hazards that may result in permit denials.
- Permittees are informed of the requirements to pass the private applicator certification examination prior to the issuance of a Restricted Material Permit (RMP).
- The county administers the private applicator certification examination. Permittees are encouraged to call the office to schedule an appointment before they take the examination due to staffing availability. However, the examinations can be proctored at any time during the workday pending staff availability. It takes about two hours for the examination process (exam administration, grading and certificate issuance).
- Current private applicator certificate holders are expected to accumulate the required hours to renew their private applicator certification card or they must take the re-certification examination. The Agricultural Commissioner's office tracks the continuing education hours for all certificate holders, provided we receive the information. The information we receive is required to be on a document generated from an accredited source.
- Permittees are encouraged to make an appointment prior to the issuance of a permit due to staffing availability and certification requirements. However, if a licensed

inspector is available, a permit could be issued without an appointment. Permit issuance may take up to one hour.

- During the issuance of the permit, we examine the properties that are adjacent to the permittee's property to determine if there would be any potential adverse environmental impacts or health effects for restricted materials applied. The following resources are used to do this:
    - Review of our GIS-generated county map.
    - Discussion of applicable pesticide laws and regulations.
    - Knowledge of the local area (i.e. pesticide complaints and sensitive areas).
- Permits are entered into the Statewide CalAg Permit Program and printed out for a signature. If the computer is not working, we will issue a permit using form PR ENF125. It will be entered in the computer at a later date and reissued to the permittee.
- Permits are issued to the operator of the property or their authorized representative (an employee, farm management firm, or Pest Control Advisor (PCA)). Non-ag permits can be issued to a Pest Control Business (PCB).
- A letter of authorization is required for issuance to someone other than the operator of the property.
- As authorized under the Food and Agricultural Code section 14007, permits are valid for one to three years based on the permittee's license or certificate expiration date and compliance history. All permits expire on December 31 of their final year. Some permits are valid for up to two years based on their Qualified Applicator License (QAL) or Qualified Applicator Certificate (QAC) expiration date. Licensee information is entered into the CalAg permit system. One-year permits are issued to permittees that have a poor compliance record.
- Permits are denied if the applicant does not hold a valid license/certificate or the pesticide is too hazardous to be used because of the adjacent environment. Permit denials are documented.
- All agricultural permits are site specific and maps are required.
- Sites are identified by an eight digit alphanumeric system. The first five digits and letters identify the location(s) on the map and the last three digits are a portion of the permit number.
- Sensitive areas such as residences, schools, nursing homes, creeks, etc. are identified on the maps.
- County permit conditions, e.g., Notice of Intent (NOI), phenoxy herbicides and Gramoxone are incorporated into the permit.
- The following handouts are reviewed with the permittee at the time of issuance:
    - Instructions on completing the Pesticide Use Report (if needed).
    - Pesticide Safety Information Series (PSIS) A or N (upon request)

- For permit amendments, a notation is made on the permit for small changes while larger more significant changes require the permittee to sign and date the amendment.
- Permit/certification renewals usually occur from late December through March.
- A pesticide enforcement newsletter is mailed to every Restricted Permittee, Operator ID holder and Private Applicator Certificate holder in November. A portion of this newsletter addresses permit/certification issues.
- There are two scheduled continuing education/training sessions in December where permit/certification issues are addressed.
- For renewals, prior year permit files are reviewed for Pesticide Use Report (PUR) issues and inspections to determine any potential problem areas.

Strengths

- Currently, there is a low level of ag-urban interface issues.
- There is a low level of cropping pattern problems.
- Historically, there have been few to no instances of permit denials due to potential adverse environmental impacts.
- We use GIS maps to improve mapping accuracy.
- We issue a pesticide enforcement newsletter that incorporates permit topics.
- We have two continuing education/training sessions each year that discuss permit topics.

Weaknesses

- Learning the CalAg permit system is very time consuming for new staff.
- Since permits can be issued for up to three years, changes in the permit sometimes are not reflected. For example, changes in qualified personnel (QAL, QAC, PAC) or permanent crops that are removed or planted.

Corrective Actions

- Lake County will continue to review the permits to insure the following:
    - Any changes in qualified personnel are recorded on the permit.
    - There are current letters of authorization for ranch managers.
    - There are current private applicator certificates in grower files.
    - Contact and mailing information is accurate.
    - All compliance and enforcement actions for the last three years are included in the permit file.
    - Compliance problems since the last permit was issued are discussed with the applicant prior to issuing the new permit.

Goals or Objectives

- Assure that the evaluation process for restricted materials permit applications are thorough and consideration is given to all aspects of risk assessment through the use of updates and improvements to the permit information necessary to make sound determinations on potential adverse effects.

Deliverables

- At our annual continuing education meetings and in our newsletter, we will emphasize the need to inform our office of any changes in the permit. In addition, when we process PURs and if we notice an increase in the maximum acres, we will ask the permittee to verify that the increased acreage is correct. Changes in qualified personnel will be noted during headquarter inspections. We will also advise the permittee that if we are not kept informed of any significant changes, we may go back to one-year permits.
- Prior to the permit issuance season, staff will review every permittee's file beforehand. This will determine, in advance, any problems prior to them coming in for their renewal.

Measure Success

- At the end of each calendar year, permits that are expiring will be accurate in regard to critical information such as ranch managers, site acreage, and site maps.
- By December 15th of each year, a licensed staff member will review every permit that expires at the end of the year for the level of pesticide use reporting compliance.

Site Monitoring Plan Development

- There are approximately 387 annual sites.
- There were 65 NOIs received in FY 2012/2013, 48 NOIs received in FY 2013/2014 and 52 NOIs received in FY 2014/2015.
- 24-hour NOIs are required except for emergencies which can only be approved by licensed staff.
- NOIs are accepted by telephone, fax, or in person and are monitored between 8 am and 5 pm, Monday through Friday.
- NOIs for weekends and holidays must be received by 3 pm of the previous business day.
- After hours, the NOIs are picked up by voicemail. No NOIs are picked up by staff on the weekends and holidays.
- A licensed staff member reviews all NOIs as they are submitted and before entering them into the NOI log to assure consistency with the permit and to insure that it contains the required information.
- The majority of NOIs are for the following restricted materials/crops:

    - Gramoxone for grapes and pears, received February through July.
    - 2, 4-D for grapes, pears, oats and pastureland, received from January through March.
    - Strychnine for various crops, received throughout the year.
    - Zinc phosphide is used sparingly in various crops, received from April through October.
    - Fumigants like Telone are used once or twice per year by nursery growers.
- NOIs are reviewed by an Inspector or the Agricultural Commissioner.
- Sites to evaluate are based on:
    - Local conditions
    - Applications near residences
    - Environmental conditions with respect to cropping patterns and natural environments nearby
    - Hazard of pesticide use by crop
    - Compliance histories
    - Employee handlers
    - Previous denials
- Pre-application site inspections are performed on at least 5% of all NOIs submitted and as resources allow.
- All nonagricultural permits are required to submit an NOI prior to using a restricted material. There is at least one inspection during the year of these sites. This usually occurs shortly after they receive a permit.

Strengths

- There are minimal changes to adjacent environments of sites to be monitored.
- When NOIs are submitted, we check that they are complete and consistent with the permit.
- If a proposed application involves a PCA recommendation, we check to see that the PCA is registered with the county when a pre-application site inspection is conducted upon receiving a NOI.
- For those applications where a recommendation has been made, we review the recommendations as part of a pre-application site inspection.
- At least 5% of the NOIs are pre-sited and 100% of field fumigations are pre-sited. 100% of all restricted material applications adjacent to the Big Valley Rancheria are pre-sited.

Weaknesses

- A majority of NOIs are reviewed, however, due to staffing shortages, multi-tasking during the growing season, and multiple program workloads, a small portion of the NOIs may not be reviewed prior to the application.

Corrective Actions

- Growers will continue to be informed that weekend and holiday NOIs are to be turned in by 3:00 pm on Friday. This will be done through the annual newsletter and grower classes. Growers that don't follow this protocol will be contacted immediately.

Goal or Objective

- Assure that site-monitoring for restricted material use is effective, preventative, and comprehensive, taking into consideration the following risk factors:
    - Pesticide hazards associated with:

      2, 4-D

      Paraquat

      Chlorpyrifos

      Strychnine, Zinc phosphide and Aluminum phosphide

      Telone
    - Local conditions

      New residential developments within the ag-urban interface
    - Cropping patterns
    - Compliance Histories

      Employee handlers

      Permittee

      Pest Control Advisors

Deliverables

- To have licensed staff review all received NOIs to assure NOIs are complete and consistent with the permit.
- To check that the PCA is registered with the county.
- To continue to review the recommendation when performing a pre-application site inspection.
- To continue to do at least 5% pre-application site inspections of NOIs received.
- To continue to do 100% pre-application site inspections involving field fumigations and applications of restricted pesticides adjacent to the Big Valley Rancheria.

Measure Success

- At the end of each calendar year, be able to show that there were at least 5% pre-application site inspections of the NOIs received.
- At the end of each calendar year, be able to show that there were 100% pre-application site inspections in regards to field fumigations and applications of restricted pesticides adjacent to the Big Valley Rancheria.
- At the end of calendar year, be able to show that the NOIs were complete and consistent with the permit.
- At the end of each month, staff will record when the PUR was submitted following an NOI submittal.

B. Compliance Monitoring

Comprehensive Inspection Plan

- Inspections are performed by the Agricultural Biologist Inspector/PUE (90%) and the Agricultural Commissioner (10%).
- Ideally, the goal is to inspect every pear, wine grape, and walnut permittee with employees one time per year. Follow-up inspections would be performed if there were any non-compliances that were not corrected at the time of the inspection. Most non-compliances that are corrected at the time of the inspection include a lack of PPE, eyewash, or decontamination facilities at the site. Ideally, the follow-up inspections would be performed within that same growing season.
- Application inspections are performed between 5:00 am and 5:00 pm, Monday through Friday (some Saturdays). Between November and April, inspections usually take place from 8:00 am to 5:00 pm. Between May and October, most inspections take place from 5:00 am to 11:00 am. The Agricultural Biologist Inspector/PUE occasionally performs inspections on Saturdays. The only inspections that the applicator is notified in advance are areas with large tracks of land and locked gates (i.e. Forest applications).
- Most applications take place in pear and walnut orchards and vineyards. When planning application and field worker safety inspections, we primarily concentrate in the Big Valley, Scotts Valley, Upper Lake and Lower Lake areas. Other areas that we look for inspections are Clearlake and Middletown.
- Generally, wine grape inspections occur from February through July. Most inspection activity takes place from April through July. These inspections can occur throughout the county. However, the majority of acres can be found along the Highway 29, 53, and 20 corridors.
- Generally, pear inspections occur from February through July. Most inspections take place from March through June. These inspections are concentrated in the Big Valley, Scotts Valley, and Upper Lake areas.

- Generally, walnut inspections occur from June through August. Pesticide applications are erratic and it's not uncommon to have no applications during the year. Most of the acreage is in the Big Valley, Upper Lake and Clearlake areas.
- Targeted inspections are prioritized by the following:
    - Applicator compliance history
    - Employee handlers
    - The proximity to sensitive areas
    - The length of time since the previous inspection
    - The use of restricted materials (especially organophosphates)
    - The potential for environmental or human hazards as it applies to the pesticide's toxicity level
    - 100% of the field fumigations are inspected
- Field worker safety inspections usually take place between May and June.
- Headquarter inspections may be scheduled at any time of the year. "Compliance Assistance Inspections" are done for permittees that have never been inspected and those who have a poor compliance history. An official inspection would be conducted within one year of the compliance inspection. Headquarter inspections are conducted on each permittee with employees who handle pesticides every two to three years. However, if there are numerous non-compliances, these inspections are performed annually. Follow-up inspections are done within one month of non-compliances that could not be corrected at the time of the inspection.
- Grower/PCB headquarter inspections are prioritized as follows:
    - Restricted pesticides are used and employees are involved in the applications.
    - Non-restricted pesticides are used but the pesticides have signal words of danger or warning and employees are involved with the applications.
    - Non-restricted pesticides are used and the pesticides are in the "caution" category and employees are applying them.
    - Owner operator applications.
    - 25% of the headquarter inspections are part of a follow up to an application and/or mix/load inspection where non-compliances were found.
- Pesticide dealer, pest control business, and pest control advisor audits can take place at any time of the year. These are done on an annual basis. Follow-up inspections are done within one month of any non-compliances that could not be corrected at the time of the inspection.
- Structural fumigation inspections are done on every Structural Pest Control Business (SPCB) at least once per year.
- Branch 2 and Branch 3 structural inspections are done if there is available staffing and if they can be seen working. These inspections are usually scheduled.

- As time permits, surveillance for maintenance gardener activities will be done. Inspections on these companies can usually be done in urban areas from March through June.
- To insure the proper level of compliance in pesticide use reporting, every December we review our grower files to determine if there was possible under reporting or no reports during the growing season. Following this review, we audit local pesticide dealer records to see if any pesticides were purchased during the year. If so, a compliance letter is sent and the growers are asked to send in any PURs or sign a statement that they did not use any pesticides that growing season.
- To insure the proper level of compliance in pesticide use reporting for pest control businesses, pest control operators, restricted permittees and OP ID holders, we track their PURs on a monthly basis.
- To assist growers in compliance with the pesticide laws and regulations, we publish and mail to each grower a pesticide enforcement newsletter. In addition, we have two grower meetings per year where pesticide laws and regulations are discussed. There is a discussion about the non-compliances that were encountered that year. We also review their level of compliance when they obtain their pesticide permit.
- The registration of the Fruit Doctor compressed SO_2 gas as a federally restricted material in September 2008 necessitates that wineries comply with regulations regarding the purchase and use of the product. Wineries need an Op ID and a certified applicator (qualified applicator certificate or qualified applicator license). The office will continue to provide guidance to wineries on obtaining a QAC or QAL with the category "P" for SO_2 use.
- We will continue to assess grower and PCB compliance with the respiratory protection regulations and the regulatory requirements for use of sulfur dioxide (SO_2) by wineries for sanitation of wine barrels and corks. Outreach regarding necessary respirator program evaluation and record keeping requirements, as well as the SO_2 issue, will be directed through continuing education classes via the newsletter, grower, and winery organizations.
- The recent U.S. EPA approved rodenticide label changes necessitates that growers comply with regulations regarding the purchase and use of these products.
- Growers need an Op ID and must be a certified applicator (QAL, QAC or PAC) to purchase/use the Diphacinone bait sold by the Agricultural Commissioner's office. Individuals are certified by the Agricultural Commissioner using the form PR-ENF-116 with certification being valid for one year.
- Permittees with Aluminum Phosphide on their restricted materials permit are informed of the label changes and the updated permit condition that addresses the requirement of a fumigant management plan.

The following is a summary of the inspections performed in FY 2012/2013:

- There were a total of 14 application inspections; 8 had no non-compliances and 6 had non-compliances. This is a compliance level of 57%. However, comparing compliances to non-compliances, there were 423compliances and 25 non-compliances. This is a compliance level of 94%. The application problem areas include the following:

  FAC section 12973 – Labeling, PPE (1)
  3CCR section 6738 – Regulations, PPE (4)
  3CCR section 6726 – Emergency medical care posting (4)
  3CCR section 6678 – Service container labeling (3)
  3CCR section 6734 – Decontamination facility (3)
  3CCR section 6734c – Eyewash immediately available (1)
  FAC section 11732 – PCB & equipment registered (4)
  FAC section 11701 – PCB licensed (1)
  3CCR section 6724 – Handlers trained (1)
  3CCR section 6742 – Safe equipment (1)
  3CCR section 6670 – Containers secured/attended (1)
  3CCR section 6682 – Proper pesticide transport (1)

- There were a total of 6 mix/load inspections; 6 had no non-compliances. This is a compliance level of 100%.
- There were a total of 2 field fumigation inspections; 2 had no non-compliances. This is a compliance level of 100%.
- There were a total of 1 field worker safety inspections which had non-compliances. Comparing compliances to non-compliances, there were 11 compliances and 2 non-compliances. This is a compliance level of 85%. The field worker problem areas include the following:

  3CCR section 6761 – Hazard communication A-9 (1)
  3CCR section 6761.1 – Application specific information display (1)

- There were a total of 8 grower headquarter inspections. 8 had no non-compliances. This is a compliance level of 100%.
- There were a total of 3 agricultural pest control business headquarter inspections. 3 had no non-compliances. This is a compliance level of 100%.
- There were a total of 1 structural pest control business headquarter inspections, which had no non-compliances. This is a compliance level of 100%.
- There were a total of 3 agricultural pest control business records and storage inspections. 3 had no non-compliances. This is a compliance level of 100%.
- There was a total of 1 structural pest control business records and storage inspection, which had no non-compliances. This is a compliance level of 100%.
- There were a total of 10 pre-site application inspections. 10 had no non-compliances. This is a compliance level of 100%.

The following is a summary of the inspections performed in FY 2013/2014:

- There were a total of 15 application inspections; 12 had no non-compliances and 3 had non-compliances. This is a compliance level of 80%. However, comparing compliances to non-compliances, there were 474 compliances and 6 non-compliances. This is a compliance level of 99%. The application problem areas include the following:

  3CCR section 6738 – Regulations, PPE (1)
  3CCR section 6726 – Emergency medical care posting (2)
  3CCR section 6734 – Decontamination facility (2)
  3CCR section 6676 – Containers labeled/closures (1)

- There were a total of 4 mix/load inspections; 4 had no non-compliances. This is a compliance level of 100%.
- There were a total of 2 field fumigation inspections; 2 had no non-compliances. This is a compliance level of 100%.
- There were a total of 3 grower headquarter inspections. 3 had no non-compliances. This is a compliance level of 100%.
- There were a total of 2 agricultural pest control business headquarter inspections. 2 had no non-compliances. This is a compliance level of 100%.
- There were a total of 2 structural pest control business headquarter inspections. 2 had no non-compliances. This is a compliance level of 100%.
- There were a total of 2 agricultural pest control business records and storage inspections. 2 had no non-compliances. This is a compliance level of 100%.
- There were a total of 2 structural pest control business records and storage inspection. 2 had no non-compliances. This is a compliance level of 100%.
- There were a total of 10 pre-site application inspections. 10 had no non-compliances. This is a compliance level of 100%.

The following is a summary of the inspections performed in FY 2014/2015:

- There were a total of 10 application inspections; 10 had no non-compliances. This is a compliance level of 100%.
- There was a total of 1 field fumigation inspection, which had no non-compliances. This is a compliance level of 100%.
- There were a total of 2 field worker safety inspections; 1 had no non-compliances and 1 had non-compliances. Comparing compliances to non-compliances, there were 25 compliances and 1 non-compliance. This is a compliance level of 96%. The field worker problem areas include the following:

  3CCR section 6761 – Hazard communication A-9 (1)

- There was a total of 1 structural application inspection, which had no non-compliances. This is a compliance level of 100%.

- There was a total of 1 field fumigation inspection, which had no non-compliances. This is a compliance level of 100%.
- There were a total of 2 grower headquarter inspections; 2 had no non-compliances. This is a compliance level of 100%.
- There was a total of 1 agricultural pest control business headquarter inspection, which had no non-compliances. This is a compliance level of 100%.
- There was a total of 1 agricultural pest control business records and storage inspection, which had no non-compliances. This is a compliance level of 100%.
- There were a total of 26 pre-site application inspections. 26 had no non-compliances. This is a compliance level of 100%.
- There was a total of 1 pesticide dealer inspection, which had no non-compliances. This is a compliance level of 100%.
- There were a total of 3 pest control advisor inspections; 3 had no non-compliances. This is a compliance level of 100%.

Strengths

- The experience of the staff performing enforcement allows for an intimate familiarity with pesticide usage and cropping patterns in the county.
- A targeted inspection plan that allows us to concentrate on problem areas.
- The frequency inspection schedules allow for effective identification and enforcement action of non-compliances.
- The centralized locations of pears in the county helps us reduce the travel time and allows for more inspections.
- The measures used to ensure that the PURs are submitted for pesticide use allows us to be at the 90% to 95% compliance level.
- The use of grower meetings, newsletters, and review of compliance levels when permits are renewed reduces the number of non-compliances.

Weaknesses

- In FY 2012/2013, there were 2 application inspections involving restricted pesticides. There were 65 NOIs filed by 11 different permittees that fiscal year. Of the 65 NOIs filed 57% were filed by a single permittee. In FY 2013/2014, there were 3 application inspections involving restricted pesticides. There were 48 NOIs filed by 14 different permittees that fiscal year. Of the 48 NOIs filed that year 25% were filed by a single permittee. In FY 2014/2015, there were 6 application inspections involving restricted pesticides. There were 52 NOIs filed by 12 different permittees that fiscal year. Of the 52 NOIs filed that year 38% were filed by a single permittee.

- Due to the limited staff and the necessity to multi-task in multiple programs during the peak time of pesticide applications and field worker activity, the following pesticide enforcement activities were impacted:
    - The number of agricultural use inspections desired was not performed.
    - There were few inspections on maintenance gardeners.
    - There were few branch 2 and 3 structural inspections in the field.
    - There were limited inspections on the weekends.
    - The number of field worker safety inspections was reduced.
    - Some vineyards may not have been inspected due to accessibility and travel time.

Corrective Actions

- Prioritize inspections on growers/pest control operators that had non-compliances in FY 2012/2013, FY 2013/2014 and FY 2014/2015 to eventually increase the compliance level.
- Target restricted pesticides for application/mix and load inspections.

Goals or Objectives

- Assure that compliance monitoring is effective and comprehensive, ensuring the safety of pesticide handlers, fieldworkers, the public, and the environment through the use of an inspection strategy that has a measurable effect on compliance improvement.

Deliverables

- Continue to follow the Enforcement Response Regulations when taking enforcement action.
- Continue to increase the number of application inspections involving restricted pesticides.
- Maintain the frequency of grower headquarter inspections and pesticide dealer, PCA, and PCB audits.
- Maintain targeted inspections for situations where violations have occurred in the past or have the potential to occur. Applications near the Big Valley Rancheria are considered to be a high priority.
- Continue to monitor all orchard (air-blast) sprayer-applied restricted material applications made by Adobe Creek Orchards on site KV08P030 due to past spray drift complaints made by the Big Valley Rancheria.
- Increase targeted inspections when necessary for repeat violations.
- Perform the following Inspections:

    - 20 Application inspections
    - 10 Mix/load inspections
    - 5 Field worker safety inspections
    - 10 Grower headquarter and safety inspections
    - 5 Pest control business headquarter and safety inspections
    - 5 Pest control business records and storage inspections
    - 1 Dealer inspection
    - 3 Pest control advisor inspections
    - Field fumigations when notification is received
    - Structural fumigations when notification is received
- Continue to have two grower meetings per year and publish a pesticide newsletter addressing pesticide laws and regulations.
- Continue to review the grower files at the end of the year to ensure that the PURs are being submitted.
- Successful completion of these deliverables should eventually reduce the number of non-compliances.

Measuring Success

- Compare the number of inspections in FY 2015/2016 to FY 2016/2017 to FY 2017/2018.
- Compare the compliance rates of inspections in FY 2015/2016 to FY 2016/2017to 2017/2018.
- Compare the follow-up level in FY 2015/2016 to FY 2016/2017 to 2017/2018.

Investigation Response and Reporting Improvement

- Pesticide-related investigations are conducted by the Agricultural Biologist Inspector/PUE (90%) and the Agricultural Commissioner (10%).
- When received, they are assigned to the Agricultural Biologist Inspector/PUE or the Agricultural Commissioner.
- All complaints or incidents that may be related to pesticides are responded to and the results are documented on complaint forms or investigative reports.
- All investigations and complaint reports are reviewed and approved by the Agricultural Commissioner once completed.
- Before an investigation is started, plans are made on how to proceed. These plans usually include the following:
    - A list of elements is created for each possible violation.

    - A list of persons who need to be interviewed is made.
    - A list of the type of samples and/or other evidence necessary to prove particular elements of each possible violation is made.
    - A list of probable follow-up inspection activities is made.
    - A brief summary describing possible violations, current findings, planned activities, and a list of people who may need to be provided with periodic updates. This summary would be done if it was a priority episode investigation.
    - Reference to Pesticide Use Enforcement Program Standards Volume #5, *Investigation Procedures*.
- Priority investigations are initiated within two working days and a preliminary update is submitted to DPR within 15 days. The DPR Enforcement Branch Liaison is notified as required and consulted as needed.
- Almost all investigations are completed within 120 days unless it takes a longer than normal time for the CDFA laboratory to process the samples or the principal witnesses are unavailable to interview.
- In FY 2012/2013, there were 4 investigations/complaints:
    - There were 3 non-priority investigations.
    - There was 1 complaint.
- In FY 2013/2014, there were 7 investigations/complaints:
    - There were 6 non-priority investigations.
    - There was 1 complaint.
- In FY 2014/2015, there were 11 investigations/complaints:
    - There were 9 non-priority investigations
    - There were 2 complaints
- All the investigations were completed within the DPR time frame.
- All the investigations were complete and none were returned for lack of additional information or supporting documentation.

Strengths

- All the investigations were completed within the DPR time frame.
- Our investigative response and reporting has resulted in the following:
    - Was effective in providing awareness for worker health and safety issues.
    - Was conclusive in explaining why or how the episode occurred.
    - Allowed us to take appropriate enforcement action when casual violations were discovered.

- Allowed us to take preventative measures at the applicator/business/local program level.

Weaknesses

- None at this time.

Corrective Actions

- None at this time.

Goal or Objective

- Maintain implementation strategy of current investigative response with regard to timely initiation and completion of all priority and non-priority investigations.
- Maintain implementation strategy of current investigative response with regard to use of existing violation analysis and high quality in investigative thoroughness and report accuracy.

Deliverables

- Investigations are initiated and completed in the established time frame.
- Investigation reports that are accurate and complete.
- Investigative sampling is done according to DPR's sampling procedure guidelines.
- We will make available to our assigned Enforcement Branch Liaison a log that covers episode investigations not already reported or tracked as a priority episode investigation or pesticide illness. The log will include the following information:
    - County name;
    - Month;
    - Tracking number or file name;
    - Pesticide(s) involved in the episode;
    - Type of episode;
    - Episode location within the county;
    - If violations were found;
    - Date investigation was closed.

Measure of Success

- At the end of FY 2015/2016, FY 2016/2017 and FY 2017/2018, the investigations will be reviewed to determine if some were returned or were incomplete.

C. Enforcement Response

Enforcement Response Evaluation

- All actions are discussed with the Agricultural Commissioner prior to implementation.
- Compliance actions are prepared by the Agricultural Biologist Inspector/PUE.
- Enforcement actions are prepared by the Agricultural Biologist Inspector/PUE.
- All actions are reviewed and signed by the Agricultural Commissioner.
- The pesticide enforcement response regulations are followed to determine the most appropriate action when violations are identified.
- For civil penalty actions, the fine guidelines in CCR Section 6130 are followed.
- All NOPAs provide respondents with detailed information on alleged violations, proposed fine level, and their right for an opportunity to be heard.
- A Pesticide Enforcement/Compliance Action Summary is prepared for every action taken and submitted to Department of Pesticide Regulation headquarters when the case is opened and again when closed.
- Copies of inspection reports and actions are maintained in OID/permit or PCB files.

Strengths

- Limited chain of command within this office allows for timely review and approval of actions taken.
- Maintaining copies of reports and actions within individual files allows for review of the violator's history and selection of the most appropriate action for the violation(s).
- The use of compliance and enforcement actions as tools to improve compliance. Lake County follows the Pesticide Enforcement Response Regulations when making enforcement decisions.

Weaknesses

- Enforcement actions usually occur several months following an inspection due to the Agricultural Biologist Inspector/PUE multiple program workloads.

Goal or Objective

- Provide a swift, consistent and fair response to non-compliances that results in future compliance by the respondent while working to maintain the respect of the regulated industry as well as maintaining the integrity of this office.

Deliverables

- Follow the Pesticide Enforcement Response Regulations when making enforcement decisions.

Measure Success

- At the end of FY 2015/2016, 2016/2017 and 2017/2018, review the enforcement actions taken by identifying the non-compliances that were noted in the inspections and investigations and compare them to the Pesticide Enforcement Response Regulations.

PRIORITIES AND OTHER PESTICIDE REGULATORY ACTIVITIES

A. Non-Fumigant VOC Regulation Compliance (San Joaquin Valley), when regulations are final: *Does not apply to Lake County.*

B. Compliance with Soil Fumigant Phase II Labeling: *Some of our staff have attended DPR sponsored training sessions for Soil Fumigant Training. New staff working in the PUE program will attend training sessions as they become available. Lake CAC strives to monitor all soil fumigations and conduct pre-application site inspections.*

C. Chloropicrin mitigation: *Measures will be implemented when available. There is limited use in Lake County. Use will be addressed as applicable.*

D. Structural inspection activity of Branch 1, 2 and 3 applications: *Lake County has few Branch 1 applications and performs at least one inspection for each operator every year. Lake CAC strives to inspect every non-ag restricted material applicator once a year. Lake CAC will continue to focus on operators for Branch 2 and Branch 3, performing a headquarters or use monitoring inspection annually.*

E. Efforts to work collaboratively with the State Regional Water Quality Board and DPR Environmental Monitoring Branch regarding applications of diazinon, chlorpyrifos and diuron near water bodies: *Lake County has not been asked by any agency to assist with water quality issues, but would do so if asked.*

F. Staff Training: *Staff will attend all trainings provided by DPR when practicable.*

G. Compliance with pesticide use at schools: *During routine headquarters inspection of pest control businesses, Lake County will identify any pesticide usage at schools and verify compliance with school pesticide use reporting and employee handler training requirements.*

H. Secured Web Access (SAW) for pilot counties: *We use SAW to retrieve and send pesticide illnesses which are assigned to us by CDPR.*

I. Compliance with Ground Water Regulations (i.e., participation with DP's Environmental Monitoring Branch on related studies): *Lake County has not been approached to participate in this work, but would do so if requested. We will continue to educate growers about restrictions regarding pesticide use near wells.*

J. Chilean Fruit Air Monitoring (CFAM) and other commodity fumigation focused activities: *Does not apply to Lake County*.

K. Regulatory outreach and education: *Sponsor and participate in two grower meetings each year. Continue to provide an annual newsletter with regulatory updates to permit holders. Also, provide regulatory updates at PCA, Farm Bureau and other meetings in the county when requested*.

L. Investigative Review: *Work with our county EBL to discuss possible enforcement action, including referral to DPR for state action.*

M. Compliance with Non-Ag Surface Water Regulations: *Surface water regulations will be emphasized during use monitoring inspections and headquarter inspections.*

N. Federal rodenticide regulation compliance: *Second generation bait requirements will be addressed as applicable.*

O. Focused inspections on employers with employees: *When headquarter inspections are scheduled, growers with employees receive more focus.*

P. DPR reporting for report of loss related to bee kills*: Lake County will continue to maintain a log of complaints and track those regarding bee losses that may be associated with pesticide applications.*

Q. Collaboration with DPR in addressing U.S. EPA activities or requests: *Should this arise, we will coordinate our efforts with DPR and U.S. EPA.*

R. Other: *Lake County will provide information to Cannabis growers regarding the process in obtaining an Operator ID. When an Operator ID is issued Cannabis growers will receive informational DPR documents and training on pesticide use reporting.*