

Modoc County proposes this work plan to provide for the proper, safe, and efficient use of pesticides essential for the production agriculture within Modoc County while also protecting the environment from the harmful effects of pesticides and assuring agricultural handlers and workers of safe working conditions where pesticides are used. The current year is to be used to evaluate our existing program and to develop a comprehensive, baseline work plan for the next two years.

Modoc County comprises over four million acres spanning over 60 miles from north to south. The main agricultural production area is in Tulelake, over sixty miles from the office in Alturas. We have three staff (including the Agricultural Commissioner) licensed to conduct pesticide use enforcement activities, both in Alturas and Tulelake. These inspectors also are responsible for all of the other regulatory programs in agriculture, measurement standards and air pollution.

Given the existing resources, we must adjust our activities in order to implement an effective PUE program.

### **Restricted Materials Permitting**

Permit Evaluation Process: Modoc County Ag Department has limited resources both in the availability of qualified personnel and in data processing. We will permit agricultural pest control by competent and responsible entities by performing and administering the restricted materials process for qualified permittees. The Modoc County Agricultural Commissioner's office will provide for the certification of private applicators for restricted materials permittees and designated agents, as well as the registration of qualified licensees including pest control advisors, dealers, pilots, and applicators.

Site Monitoring Plan Development: Modoc County will develop a local site-monitoring plan that will utilize our knowledge of pesticide hazards, local conditions, cropping and fieldwork patterns and handler, permittee and applicator compliance histories.

This includes sites identified at issuance or amendments of restricted material permits, notice of intents and complaints received. Priorities for site monitoring inspections include but not limited to: areas where pesticide applications pose a potential risk to people, animals and/or the environment, crops, endangered species and habitat, schools, daycare facilities and specific pesticides (e.g., metam sodium, Telone and methyl bromide) .

We will monitor 5% of sites to be treated (as determined either by notices of intent or permitted sites) as required by regulation. High priority will be given to sites that are new to the RMP system, even without a NOI being filed. This will allow us to better use our resources during the busy times of the year.

**Compliance Monitoring Priorities**

In the past, Modoc County has evaluated past compliance activities in order to develop its future work plans. We will work with our Enforcement Branch Liaison to assure that our program meets the director’s essential program elements. In order to optimize limited staff resources, we will need to reevaluate our compliance monitoring activities. Our office will consider staff assignments to better utilize staff.

Comprehensive Inspection Plan Development: Past inspections will be evaluated and used to develop a comprehensive inspection plan for 2015 and subsequent years. Historically, we have conducted inspections on as many applications in the Tulelake area as possible and will continue that practice. We believe the random inspections we have done is adequate to assure compliance on these uses. Given limited insecticide uses in the county and the nature of the insecticides that are used, we will attempt to inspect as many of these applications as possible.

**FY 2010/11 GOALS:**

Application Inspections (Non-Fumigation)	12
Field Worker Safety Inspections	2
Mix/Load Inspections (PCB/Growers)	4 (2/2)
Field Fumigation Monitoring Inspections	3 (as available)
Headquarter/Employee Safety Records Inspections	1
Pest Control Business Record Inspections	1
Pest Control Dealer Record Inspections	1
Agricultural Pest Control Advisor Record Inspections	1
Pre-Application Site Inspections	5% of NOIs received

Investigation Response and Reporting Improvement: We will evaluate our investigation response and reports and will implement program improvements. This includes the timely initiation and completion of non-priority episode investigations. We will begin our investigation of all incidents within 48 hours of receipt with a target of 60 days for completion and submission to DPR.

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:

1. County name;
2. Month;
3. Tracking number or file name;
4. Pesticide(s) involved in the episode;
5. Type of episode;

6. Episode location within the county;
7. If violations were found
8. Date investigation was closed.

Priority episode investigation and reporting: We will adhere to the guidelines that DPR has established for priority investigations.

Development and use of investigation plans: We will use DPR's guidance for conducting investigations.

Thorough report preparation: We will submit reports that meet DPR's criteria for completion and will work with our Enforcement Branch Liaison in to ensure complete reports.

### **Enforcement Response Evaluation**

Modoc County is committed to evaluate our enforcement program and assure it is fair, consistent and enforcement response actions are timely.

We will consider all appropriate enforcement options in our regulatory toolbox. Referral to the state will be considered where appropriate.

We will assure a timely response to prevent lost or compromised evidence and to help tie our action to the violation. Our office will have a target of 60 days for completion of our investigation and taking any enforcement/compliance action within 90 days of completion.

We will respond to all violations with either a compliance or enforcement action as required in the Enforcement Response Regulations. In addition, we will use the action that will most likely ensure future compliance. To do so, we will evaluate each situation, giving due consideration to the circumstances of each incident with violation(s), by identifying the risk (i.e., actual or reasonable possibility of a hazard or effect) and the violation history.

Priorities and Other Pesticide Regulatory Activities

A. Non-Fumigant VOC Regulation Compliance (San Joaquin Valley), when regulations are final:

Does not apply to Modoc County.

B. Compliance with Soil Fumigant Phase II Labeling:

Modoc County Department of Agriculture (MCDA) staff has attended all DPR sponsored training sessions for the Soil Fumigant Training. These applications have always been high priority. MCDA strives to monitor all soil fumigations. MCDA continues to work closely with C DPR, U.S. EPA, registrants and applicators to facilitate the implementation of the 2013 Phase II Soil Fumigant training. There are significant areas of this that are not resolved, difficult to interpret and still may change.

C. Chloropicrin mitigation:

Measures will be implemented when available. In 2014 there were zero applications of Chloropicrin.

D. Structural inspection activity Branches 1, 2 & 3:

There have been very few structural applications made in Modoc County in the past. If the situation arises where structural applications are needed MCDA will perform necessary head quarter and use monitoring inspections.

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:

MCDA has not been asked by any agency to assist with water quality issues but would do so if approached.

F. Staff Training:

The county work plan will be reviewed at regular staff meetings and staff will be focused to address goals. Staff will attend training provided by DPR when practicable.

G. Compliance with pesticide use at schools:

During routine headquarters inspection of pest control businesses, MCDA will identify any pesticide usage at schools and verify compliance with school pesticide use reporting.

H. Secured Access Website (SAW) for pilot counties:

Modoc County has participated in available training for the new website and will proceed with use of the website as needed.

I. Compliance with Ground Water Regulations (i.e., participation with DPR's Environmental Monitoring Branch on related studies):

As with E, above, MCDA has not been approached to do this work, but would do so if requested.

J. Chilean Fruit Air Monitoring (CFAM) and other commodity fumigation focused activities:

Does not apply to Modoc County.

K. Regulatory outreach and education:

Sponsor and participate in two grower meetings each year. Additional training is provided, as needed, to assist growers and pest control businesses to understand and comply with new regulations. Also provide monthly attendance and participations at Farm Bureau, Farm Service Agency and other meetings.

L. Investigative Review:

MCDA meets regularly with the EBL to discuss possible enforcement action, including referral to DPR for state action.

M. Compliance with Non-Ag Surface Water Regulations:

MCDA will incorporate this into the compliance monitoring scheme. Goals for this activity are described above. Surface water regulations will be emphasized at appropriate use monitoring inspections and headquarters inspections.

N. Federal rodenticide regulation compliance:

Will be ensured by requiring certification and enforcement of use restrictions. This is also evolving, as second generation rodenticides are being evaluated by U.S. EPA. Second generation bait requirements will be addressed as applicable.

O. Focused inspections on employers with employees:

At least 15% of all headquarters inspections, as identified by use report data, will be targeted at employers who have employee handlers who handle pesticides of concern (highly toxic and/or organophosphates/carbamates).

P. Reporting to DPR, complaints or report of loss related to bee kills:

MCDA 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. Historically, we have provided review, feedback and local support to State and Federal projects.

