TRINITY COUNTY ENFORCEMENT WORK PLAN

Calendar Years – 2014, 2015, 2016

(Plan Expiration – December 31, 2016)

I. Resources

A. County Resources

- PYs – .40 FTE total for licensed staff
- 1 licensed position, Contracted with Humboldt County (Commissioner) and 1 licensed position (Agricultural Biologist I)
- Workload expected – 4 Restricted Materials permits, 2-5 NOIs, 4-6 inspections. Hexazinone use is a significant local priority because of an existing court injunction and county history. Investigations/complaints - 1 to 2 per year.
- Expected program changes – no reductions or increases expected. The primary inspection priority remains forestry uses; however, non-restricted herbicide use is a significant concern for the community and has increased somewhat with increased yellow starthistle and other weed growth on small ranchettes. Structural applications still need more emphasis.

II. Core Program Activities

A. Restricted Material Permitting

1. **Site Monitoring**
   - Most restricted permits are issued for timberland sites and usually for a three year periods. Restricted material use is seasonal for brush and weed control in plantations for planting releases and pre-harvest treatments. Permit updates are for acreage or site ownership changes. Updated maps are required at the time of permit issuance or amendment.

2. **Hazard Evaluation**
   - Updated maps are required at the time of permit issuance and when permit changes occur.
   - Hazards are evaluated by type and appropriate mitigations are adopted at the time of permit issuance or amendment. For example, a well is identified, noted on the permit map and engineering or flagging tape is required at the site to identify the well in order to create an appropriate buffer prior to application.

3. **Permit Guidance**
   - Restricted materials permits are issued by the Agricultural Biologist and reviewed by the Commissioner. DPR's Policy and Procedures Manual is available and used for guidance when needed.

III. Compliance Monitoring

1. **Priority Investigations**
   - No priority investigations have occurred in the past three years. Procedures developed by DPR and the criteria established in the Cooperative Agreement between CACASA, DPR, and US EPA are followed during such investigations.

2. **Routine Investigations/Complaints**
   - Investigations are conducted and reported to DPR in a timely manner.
   - A complaint log is maintained reporting the date, location, and respondent identity, nature of episode, violations, and resolution of the incident.

3. **Inspections**
   - **Strategy** – Notwithstanding that forest herbicide applications will continue to be an area of significant concern in Trinity County, especially hexazinone applications, another focus will be small grower herbicide work. Structural applications also need some emphasis since seven companies are active in the county.
   - When applications are discovered in the field, inspections will be performed as time permits.

4. **Review process**
   Inspections are reviewed with the enforcement liaison. Deficiencies are addressed as needed.

IV. Enforcement Response

1. **Tracking of violation histories**
   - Because of the small number of restricted materials permits the commissioner is aware of individual permitees' violation histories. The Enforcement Response Policy will be followed to address repeat and/or serious violations.

2. **Review and Decision Process**
   - When appropriate violations are reviewed with the DPR enforcement liaison.
   - If in a specific instance, enforcement action is not appropriate a decision report will be filed for review by DPR staff.

V. Priorities and Other Pesticide Regulatory Activities

A. **Non-fumigant VOC Regulation Compliance (San Joaquin Valley), when regulations are final:** No soil fumigations in Trinity County.

B. **Compliance with Soil Fumigant Phase II Labeling (December 1, 2012):** No soil fumigations in Trinity.

C. **Chloropicrin mitigation measures when implemented by DPR:** This applies to soil fumigation. None in Trinity.

D. **Structural inspection activity of Branch1, 2, and 3 applications:** Will try to inspect all pre-site structural fumigations. Last year (2012), Trinity had three fumigation applications from one company. Focus on different areas of Trinity County for Branch 2 and Branch 3 companies performing structural work. The first year would be Weaverville and Trinity Center, the second year will be down the Hwy 299 corridor west and the third year will be the Southern part of the County.

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.** Does not apply to Trinity County at this time. If asked, Trinity would do so.

F. **Training of county staff on pesticide law and regulation, DPR policy and compendiums:** Humboldt County will send staff to Trinity and/or the Biologist from Trinity will go to Humboldt for training in the pesticide enforcement program.

G. **Compliance with school pesticide use reporting (FAC 13186 and 3CCR 6625):** To stay updated on the new laws and regulations in order to enforce and update the pesticide companies.

H. **For pilot counties, activities related to the Secured Web Access (SAE) illness investigation reporting:** A pilot county does not apply to Trinity.

I. **Compliance with Ground Water Regulations (i.e., participation with DPR's Environmental Monitoring Branch on related studies):** To make sure the pesticide companies are in compliance with the ground water regulations at all times. By ensuring that this happens, staff will hand out up to date regulations during registration and/or send to the companies that are actively working in Trinity County.

J. **Chilean Fruit Air Monitoring (CFAM) and other commodity fumigation focused activities:** This does not apply to Trinity.

K. **Regulatory outreach and education. Describe subject(s) and audience:** Will educate the wineries about sending their monthly summary reports into the Agriculture Department. Trinity will educate the pesticide companies (Ag, Structural) on submitting their Pesticide Use Reports on the AG GIS program.

L. **Review investigations and cases for possible referral to DPR for state action (ENF 09-18)**: Trinity will perform investigations in a timely manner. All investigation actions will be consistent with DPR's guidelines.

M. **Compliance with Non-Ag Surface Water Regulations:** Trinity will address Non-Ag Surface Water Regulations dependent upon product used.

N. **Ensure compliance with recent U.S. EPA approved rodenticide label changes:** Will be ensured by requiring certification and enforcement of use restrictions.

O. **Focused inspections on employers with employees under medical supervision (3 CCR 6728):** At this time there are no companies registered in the County that uses a material that requires an employee to be under medical supervision. If this changed, the County would request copies of the records that state the employee's name, name of the product and the date it was used.

P. **Reporting to DPR, complaints or report of loss related to bee kills associated with an alleged pesticide application(s):** The County would contact DPR if there was complaint and/or a report that a pesticide application was related to bee kills.

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

R. **Other special projects identified by the county agricultural commissioner:** No special projects at this time.

Date: 01/10/2014

Jeff M. Dolf,
Agricultural Commissioner