

AB 652: Establishing an Environmental Justice Advisory Committee at the Department of Pesticide Regulation

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Summary



The California Department of Pesticide Regulation (DPR) is tasked with protecting ecosystem and human health by regulating the sale and application of pesticides and “fostering reduced-risk pest management.”¹ However, the Department’s decision-making often functions counter to its health-protective mission.

Despite the known environmental injustices of pesticide exposure in California, DPR is not publicly accountable to the communities most affected by its decisions. The establishment of an Environmental Justice Advisory Committee would increase transparency and accountability to these communities.

Background

Pesticides are chemicals used predominantly in agriculture and also urban environments to kill or control pests, such as weeds, diseases, insect pests and other animal pests. The pesticide application rate on California cropland is about 4.5 times the national average.² Exposure to pesticides is linked to acute poisoning and chronic diseases, such as cancer, respiratory disease and developmental disorders in children.³

There are significant racial disparities in exposure to pesticides and associated health impacts. Research by the California Environmental Protection Agency found that pesticides are one of the top two pollutants in California whose impacts are most correlated with race and ethnicity.⁴ Farmworkers and their families in particular

experience high rates of exposure to pesticides because of working and living near pesticide applications, lack of protection at work, low quality housing, and lack of access to supplies needed to clean work clothes.⁵

In California, more than 90% of farmworkers are from Mexico⁶ and about 75% are undocumented.⁷ According to DPR, the top counties in terms of overall volume of pesticides applied are the Central Valley counties of Fresno, Kern and Tulare. All three counties are majority Latinx.⁸

Problem

DPR rarely addresses the concerns of environmental justice communities in their regulations and activities, often adopting the agricultural industry’s recommendations instead.

A recent example includes DPR's proposed regulation on the fumigant pesticide 1,3-D, the third most-used pesticide in California and a known carcinogen that has been banned in 34 countries. DPR recently proposed an exposure limit supported by Dow Chemical, the manufacturer of 1,3-D, ignoring the level recommended by state scientists at the Office of Environmental Health Hazard Assessment (OEHHA), which is 14 times lower. At a recent hearing on the proposed regulation, more than 100 farmworkers and community members urged DPR to adopt OEHHA's recommendation rather than Dow's, yet DPR continues to defend their proposed regulation.

There also is a continuous, revolving door between DPR leadership and the chemical and agribusiness industry, with many past DPR directors and deputy-directors leaving their roles to accept jobs with industry.⁹ For instance, the last director is now employed by pesticide giant Syngenta.¹⁰

Solution: AB 652

There is currently no formalized, public, or consistent way for environmental justice communities to provide feedback or recommendations to DPR, despite the fact that they bear the brunt of pesticide-related health impacts. This bill seeks to create an Environmental Justice Advisory Committee at DPR that would create more transparency and accountability to environmental justice communities.

Similar committees exist at other state agencies and departments, including the California Air Resources Board's Environmental Justice Advisory Committee, the California Department of Food and Agriculture's BIPOC Farmer Advisory Committee, and the Strategic Growth Council's Agricultural Land Equity Task Force. At the federal level, the National Environmental Justice Advisory Council was established to provide advice and recommendations to the U.S. Environmental Protection Agency on how to integrate environmental justice considerations into Agency programs, policies and activities. There is a critical need for DPR to have a similar body given pesticides' links to environmental injustice.

The committee would be composed of members from communities experiencing high pesticide exposure, tasked with guiding and monitoring the activities of the Department. Members would be selected from environmental justice organizations, socially disadvantaged farmers and ranchers, Native American and tribal groups, and farmworker advocates. DPR would conduct formalized reporting to the committee and would be required to abide by its recommendations. This would be an important first step in centering environmental justice in the Department's activities and decisions.

Notes

- 1 California Department of Pesticide Regulation. (2023). <https://www.cdpr.ca.gov/index.htm>.
- 2 Ferguson, R., Dahl, K., & DeLonge, M. (2019). Farmworkers at Risk: The Growing Dangers of Pesticides and Heat. Union of Concerned Scientists. <https://www.ucsusa.org/resources/farmworkers-at-risk>.
- 3 Ha, S. & Cisneros, R. (2023). Environmental influences on agricultural worker health. UC Merced. https://clc.ucmerced.edu/sites/clc.ucmerced.edu/files/page/documents/environmental_influences_on_agricultural_worker_health.pdf.
- 4 Cushing, L., Faust, J., August, L. M., Cendak, R., Wieland, W., & Alexeeff, G. (2015). Racial/ethnic disparities in cumulative environmental health impacts in California: evidence from a statewide environmental justice screening tool (CalEnviroScreen 1.1). *American journal of public health*, 105(11), 2341-2348.
- 5 McCauley, L. A., Lasarev, M. R., Higgins, G., Rothlein, J., Muniz, J., Ebbert, C., & Phillips, J. (2001). Work characteristics and pesticide exposures among migrant agricultural families: a community-based research approach. *Environmental health perspectives*, 109(5), 533-538.
- 6 Aguirre International. (2005). The California Farm Labor Force Overview and Trends from the National Agricultural Workers Survey. <https://www.alrb.ca.gov/wp-content/uploads/sites/196/2018/05/CalifFarmLaborForceNAWS.pdf>.
- 7 UC Merced. (2023). Farmworker Health Study. <https://clc.ucmerced.edu/672elmp01.blackmesh.com/farmworker-health-study>.
- 8 U.S. Census Bureau. <https://www.census.gov/quickfacts/fact/table/tularecountycalifornia,kerncountycalifornia,fresnocountycalifornia/PST045219>.
- 9 Donohue, A & Yeung, B. (2014). California's pesticide chiefs: Where are they now? Center for Investigative Reporting. <https://revealnews.org/article-legacy/californias-pesticide-chiefs-where-are-they-now/>.
- 10 Chase, S. & Wyanta, S. (2021). Syngenta taps Dolcini to lead North American Sustainability, Environmental Affairs. Agripulse. <https://www.agri-pulse.com/articles/16187-dolcini-joins-syngenta-washington-office>.

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