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Linda Irokawa-Otani, Regulations Coordinator
Brian Leahy, Director
Department of Pesticide Regulation (DPR)
P.O. Box 4015
Sacramento, CA 95812-4015
Emails: dpr16004@cdpr.ca.gov, brian.leahy@cdpr.ca.gov

RE: Draft regulations for pesticide use near schools

Dear Director Leahy and Coordinator Irokawa-Otani:

We are extremely concerned that DPR's draft regulations for pesticide use near schools and daycare centers do not adequately protect school children or staff from the health threats of highly hazardous drift-prone pesticide applications, because the proposed buffer zones are far too small and apply for only a part of the day. The buffer zones need to be in place 24 hours per day and be at least one-mile wide for all applications.

Santa Cruz for Bernie has serious concerns about heavy agricultural pesticide use near local schools. One in four Monterey County children attend schools within ¼-mile of the heaviest use of highly hazardous pesticides, according to the 2014 Department of Public Health (DPH) study.

Santa Cruz for Bernie is a political action organization with thousands of active members in the Monterey Bay region who are engaged in local community and political issues. We are inspired by Senator Bernie Sanders' vision of a government that truly looks after the interests of the people rather than the profits of the corporations. Addressing environmental violence during his Presidential campaign, Sanders said, "We must stop the unequal exposure of people of color to harmful chemicals, pesticides and other toxins in homes, schools, neighborhoods and workplaces and challenge faulty assumptions in calculating, assessing and managing risks, discriminatory zoning and land-use practices and exclusionary policies."

We are particularly concerned about the disproportionate exposure of Latino school children, a fact documented by the Department of Public Health (DPH) report released in 2014. Latino children are 3.2 times as likely as white children to attend Monterey County schools near the heaviest agricultural pesticide use. This is a civil rights violation that DPR must rectify by decreasing the risk of pesticide exposure at schools across the state. The DPH report also found soil fumigants and other pesticides that are known to cause cancer, reproductive system effects, harm to the brain and nervous system and respiratory effects being used in large quantities within ¼ mile of many California schools. The draft regulations allow for the continuation of these unjust conditions, as the threats from pesticide drift continue long after applications outside the 6 a.m. to 6 p.m. buffer zone period for most applications and 36 hour period for fumigations, and from applications beyond the insufficient ¼-mile buffer zone distance.

DPR should require one-mile protection zones (buffer zones) for pesticides of public health concern between fields where these pesticides are used and schools, childcare centers, school bus stops, and known school routes. Pesticides of public health concern include pesticides that show evidence of causing cancer, reproductive damage, harm to the brain and nervous system, and

asthma and other respiratory problems. Hundreds of thousands, if not millions, of pounds of these hazardous pesticides are currently used annually near schools and daycares in agricultural counties throughout California. Protection zones of ¼ mile are simply not adequate for health protection. The first comprehensive report of drift-related pesticide poisoning conducted by state and federal health departments found that in eleven states (including California), 15% of the people impacted in pesticide drift incidents were over 1 mile from the pesticide application, so 85% would have been protected by a 1-mile buffer zone. Seventy-six percent of the cases occurred at distances over ¼ mile from the application site, so ¼-mile buffer zones would not help in most cases. DPR's own air-monitoring network has shown ¼-mile buffer zones to be inadequate. For example, the air monitor at Shafter High School in Kern County has registered over the last four years average concentrations of the toxic fumigant Telone at 175% of DPR's previous lifetime cancer risk level of concern, which agency risk assessment experts continue to support. This despite ¼-mile buffer zones for schools in Kern County and zero Telone applications within ¼-mile of the school. UC Berkeley and UC Davis studies have linked prenatal brain-harming exposure to organophosphates to pesticide applications up to a mile away.


Second, no-spray protection zones around schools and daycares should be enforced at all times for fumigations, ground air blast, as well as for aircraft applications, because students, teachers and community members are often on school grounds for scheduled events and unscheduled activities when school is not formally in session. Furthermore, pesticides can evaporate off the crop plants for days and even weeks after they are applied, and pesticide contaminated dust can be blown onto school grounds and tracked into classrooms. Eight of the ten pesticides most heavily used within a ¼-mile of schools persist in the environment for more than a week.

Third, buffer zones of 25 feet are far too small for other pesticide application methods such as ground boom tractor applications, especially for more toxic pesticides such as nerve and lung damaging organophosphates and cancer causing pesticides.

Finally, while these are our most urgent and pressing concerns, your department needs to devote significant resources and attention, in collaboration with other agencies and universities, to reducing the use of, and phasing out, the use of soil fumigants and other high toxicity, drift-prone pesticides and helping farmers obtain resources to assist with this transition. Through innovation in agriculture, we can help California farmers adopt cutting-edge practices and tools that keep agriculture prosperous.

We hope with improvements to the draft regulations, you will continue your commitment to the state's children and to the success of our farmers.

Sincerely,



Jeffrey Smedberg, Membership Secretary
Santa Cruz for Bernie
170 Hagemann Avenue, Santa Cruz, CA 95062