



**BOARD OF SUPERVISORS
COUNTY OF VENTURA**
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Board of Supervisors
County of Ventura
800 S. Victoria Avenue
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SUBJECT: Recommendation of Supervisor Bennett and Supervisor Zaragoza to provide policy direction to the Agricultural Commissioner

RECOMMENDATIONS:

It is recommended that the Board of Supervisors direct the Agricultural Commissioner to:

1. Annually identify and submit to the Board of Supervisors, any tests funded or directed by government agencies that the Commissioner is aware of that measure potential pesticide impacts on Ventura County's public health.
2. Identify which of those tests the Commissioner believes should be regularly monitor by the Commissioner.
3. Regularly monitor those tests that the Board of Supervisors directs the Commissioner to monitor.
4. Promptly report to the Board of Supervisors when one of those test exceeds the published state standard that has been established.

DISCUSSION:

Recently the Board of Supervisors was informed that the state standard was exceeded for air impacts from the application of a pesticide (1,3D) in a township in our county. The report indicated that the test showed the state one year standard was exceeded for three years in a row, 2011, 2012 and 2013.

The statement was made that, if one knew what they were looking for, these results could have been found by researching various websites. However, neither the Oxnard Union High School District, nor the Board of Supervisors was informed that the state standard was being exceeded until the last few months.

During those three years of exceedance, 2011, 2012 and 2013 the State of California's Department of Pesticide Research (DPR) was allowing an exception to the annual limits placed on the application of that pesticide in that township.

A test in January of 2012 indicated that in 2011 the state standard was exceeded. DPR received that test in the spring of 2013 and made an official report of the exceedance in June of 2013. DPR did not end the policy of the banking exception until 2014.

When asked at our last Board meeting if our Agricultural Commissioner informed the school of the test results that showed an exceedance of the standard he responded he was not aware of the test results during that three year period of time.

During the past few months there has been increased investigation at the state level by members of the public about this issue. A year and a half after the official report of June 2013 and three years after the original test, DPR sent a notice to the school district in January of 2015 that they had suspended the banking exception policy effective 2014.

The notice offered conflicting statements about whether the standards had been exceeded and certainly did not meet the standards we believe the public deserves for proper notification or to give the public confidence in the regulators' actions. Whether even this delayed notification would have been sent without the recent increase in public attention is something we are likely to never know with certainty.

The Board of Supervisors, the school district and the general public should have known promptly that the 2011 test results were higher than the standard. Appropriate policy modification could have been initiated sooner. Instead, the state one year standard was exceeded for three years in a row with no meaningful notification to responsible parties in Ventura County until questions were raised.

To decrease the likelihood of this happening again, the Board of Supervisors should require the Agricultural Commissioner to take the recommended steps above. This will increase the probability that appropriate actions will not be delayed.

This action may also help reinforce the message that the Agricultural Commissioner and the State DPR must continue to work diligently to provide transparent, effective regulation that earns the regulators the trust of the public.

We recognize that the Board of Supervisors cannot dictate to the Agricultural Commissioner what regulations he must impose. However, after discussions with our County Counsel, we have been informed that we do have the authority to direct him to notify the Board in a manner consistent with the recommendations above.

Cordially,



Steve Bennett
Supervisor, First District



John Zaragoza
Supervisor, Fifth District