

11 September 2003

Cal/EPA - Environmental Justice Program
1001 I Street, 25th Floor
Sacramento, California
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Via fax: (916) 445-6401

Dear Members of the Advisory Committee on Environmental Justice,

Californians for Pesticide Reform (CPR) is a statewide coalition of over 170 public interest and membership organizations working to phase-out use of the most hazardous pesticides, reduce use of all pesticides, promote the public's right-to-know about pesticide use and promote sustainable alternatives. The coalition represents environmental health, environmental justice, children's advocacy, community, labor and public health groups across the state.

We were pleased to see the Advisory Committee's draft Recommendations to the Inter-Agency Working Group on Environmental Justice and urge the committee to maintain the draft's strong language in the final recommendations.

We strongly support the inclusion of the precautionary principle and cumulative impact assessment in the final document.

In addition, the recommendations (on page 27) advocating the separation of risk management and risk assessment responsibilities such that a single BDO not perform both functions on any issue is crucial to protecting communities across California from the potential hazards of pesticide use. Having both these functions under one authority raises potential conflicts of interest. In the case of the Department of Pesticide Regulation, for example, pressure to permit pesticide use while both managing and assessing risk can create significant contradictory pressures on the agency. As pesticide manufacturers and users push for accommodations from the agency, the voices of farmworkers and other disproportionately pesticide-affected groups are likely not to be heard. Additionally, if the risk assessors in the agency find that risk managers have made decisions that jeopardize public health,

there will be great pressure internally not to acknowledge this finding.

We strongly urge CalEPA to retain this language in the final recommendations. It is responsive to input from farmworkers and others during the public comment period, and we greatly appreciate its inclusion in the draft document.

We ask that as CalEPA implements this environmental justice framework with all its BDOs, DPR in particular takes action and moves forward on a concrete work plan. We have submitted comments on DPR's March 2003 draft Environmental Justice Implementation Plan, and strongly urge the Advisory Committee to recommend to both CalEPA and DPR to prioritize its adoption without further delay. We believe that adoption of many of DPR's recommendations—with our comments—are essential to ensuring real environmental justice for the disproportionately impacted on the ground. We would like to emphasize the need for DPR to be a strong advocate for a higher Mill Fee, an adequate proportion of which is allocated toward improvement of the Department's farmworker protection activity.

CPR looks forward to working with individual BDOs as they implement this environmental justice framework in their activities.

Finally, we would like to thank the Advisory Committee for your time and work—including your careful consideration and incorporation of public comments—in developing the draft recommendations.

Sincerely,

David Chatfield
Executive Director