

June 21, 2021

Governor Gavin Newsom  
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Sacramento, CA 95814

CalEPA Secretary Jared Blumenfeld  
California Environmental Protection Agency  
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Via email: [Governor@Governor.ca.gov](mailto:Governor@Governor.ca.gov), [Jared.Blumenfeld@calepa.ca.gov](mailto:Jared.Blumenfeld@calepa.ca.gov), [Val.Dolcini@cdpr.ca.gov](mailto:Val.Dolcini@cdpr.ca.gov)

**Re: Scientist Support for Public Access to Notices of Intent to Apply Pesticides**

Dear Governor Newsom, Secretary Blumenfeld and Director Dolcini:

We write as scientists to thank you for your ongoing efforts to provide Californians with the right to know about applications of hazardous pesticides. We urge you to act now to make this information widely available in a timely way.

California has led the nation in terms of right to know laws about pesticides. California's pesticide use reporting system for the last three decades has provided Californians with important information that is not available in other states. However, it has an important flaw. Currently, the most recent data available is 2018 data and it is rare that the system is less than two years behind. Most significantly, no information is provided to the public about pesticide applications until after they have occurred. As a result, it is currently not possible for most Californians to take public health measures to avert exposures. This is a missed opportunity for preventive action.

Under California law, applications of certain hazardous pesticides must receive a permit from their county, and applicators must provide the county with advance notice of pesticide applications. Your effort to make this information (Notices of Intent or NOIs) publicly available prior to applications occurring is a crucial step forward in providing Californians with the information they need in order to protect themselves and their loved ones. This information will also be of great help to health professionals who otherwise may find it difficult to diagnose and treat pesticide poisonings.

One of the most concerning families of pesticides used in California is soil fumigants. Some are widely applied in California agriculture: over 12 million pounds of 1,3-dichloropropene were used in

2018 along with over 8 million pounds of potassium N-methyldithiocarbamate, over 7 million pounds of chloropicrin, and over 3 million pounds of metam sodium.

These fumigants pose significant health hazards. Both 1,3-dichloropropene and metam sodium are identified as carcinogens by the Office of Environmental Health Hazard Assessment (OEHHA). Metam sodium and potassium N-methyldithiocarbamate cause reproductive harm according to OEHHA. The Department of Pesticide Regulation has identified chloropicrin and 1,3-dichloropropene as Toxic Air Contaminants. Chloropicrin was used in warfare as a nerve agent in the early 1900's. Now it is injected into soil and widely used to protect strawberries and other high-volume crops. It is highly volatile, contaminating the air after applications, from hours to weeks. Chloropicrin is immediately dangerous to life and health at levels as low as 2 parts per million and can cause long term neurologic damage. At lower exposure levels, it still poses a risk to eyes, skin, and the respiratory tract.

Fumigant applications in California require Notices of Intent. Making these Notices publicly available would give California communities the information they need to protect themselves from soil fumigants and other hazardous pesticides.

There is also a strong environmental justice concern about pesticide use in California, because many agricultural communities are primarily low income and Hispanic/Latinx. Based on OEHHA's CalEnviroScreen data, about 50% of the census tracts in California where pesticide use exceeds 1000 pounds per year have populations that are majority Hispanic/Latinx. Giving these communities the right to know about pesticide applications would be an important step in maintaining California's leadership regarding environmental justice.

We urge you to move quickly to make pesticide Notices of Intent publicly available prior to applications of hazardous pesticides.

Sincerely,  
(affiliations given for identification purposes only)

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