

**STATE OF CALIFORNIA**  
**Budget Change Proposal - Cover Sheet**  
 DF-46 (REV 10/20)

<b>Fiscal Year</b> 2021-22	<b>Business Unit</b> 3930	<b>Department</b> Department of Pesticide Regulation	<b>Priority No.</b> Click or tap here to enter text.
<b>Budget Request Name</b> 3930-031-BCP-2021-MR		<b>Program</b> 3540-Pesticide Programs	<b>Subprogram</b> Monitoring and Surveillance Enforcement

**Budget Request Description**  
 Pesticide Notification Network

**Budget Request Summary**

The Department of Pesticide Regulation (DPR) is requesting \$10 million General Fund in 2021-22 for planning and initial development costs for a statewide Pesticide Notification Network. These resources will provide funding for procuring the vendors to assist DPR in Stages 2 - 4 of the Project Approval Lifecycle (PAL), Department of Technology oversight, a System Integration vendor, and resources for temporary help. This will protect the health of pesticide-impacted communities and provide equitable access to important information about pesticide use.

<b>Requires Legislation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Code Section(s) to be Added/Amended/Repealed</b> Click or tap here to enter text.	
<b>Does this BCP contain information technology (IT) components?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, departmental Chief Information Officer must sign.</i>	<b>Department CIO</b> Mike Wanser	<b>Date</b> 5/14/2021

**For IT requests, specify the project number, the most recent project approval document (FSR, SPR, S1BA, S2AA, S3SD, S4PRA), and the approval date.**

**Project No.** 3930-014                      S1BA  
**Approval Date:** 5/12/2021

**If proposal affects another department, does other department concur with proposal?**  Yes  No  
*Attach comments of affected department, signed and dated by the department director or designee.*

<b>Prepared By</b> Clint Williams	<b>Date</b> 5/14/2021	<b>Reviewed By</b> Maria Bueb	<b>Date</b> 5/14/2021
<b>Department Director</b> Val Dolcini	<b>Date</b> 5/14/2021	<b>Agency Secretary</b> Jared Blumenfeld	<b>Date</b> 5/14/2021

**Department of Finance Use Only**

**Additional Review:**  Capital Outlay  ITCU  FSCU  OSAE  Dept. of Technology

<b>PPBA</b> Krystal Acierito	<b>Date submitted to the Legislature</b> 5/14/2021
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## Analysis of Problem

### A. Budget Request Summary

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The Department of Pesticide Regulation (DPR) is requesting \$10 million General Fund in 2021-22 for planning and initial development costs for a statewide Pesticide Notification Network. These resources will provide funding for procuring the vendors to assist DPR in Stages 2 - 4 of the Project Approval Lifecycle (PAL), Department of Technology oversight, a System Integration vendor, and resources for temporary help. This will protect the health of pesticide-impacted communities and provide equitable access to important information about pesticide use.

### B. Background/History

California has the most robust state pesticide regulatory program in the nation. DPR regulates pesticide sales and use in California to protect human health and the environment and fosters integrated pest management. Local county agricultural commissioners (CACs) and DPR jointly enforce pesticide use laws to ensure individual pesticide applications are made safely and effectively. Despite DPR and CAC efforts, pesticide drift and offsite movement of pesticides sometimes occur. Certain agricultural application techniques, such as fumigations, are generally more susceptible to offsite movement.

Pesticides designated as restricted materials (such as fumigants) are deemed to have a higher potential to cause harm to public health, farm workers, domestic animals, honeybees, the environment, wildlife, or other crops as compared to other pesticides. With certain exceptions, restricted materials may be purchased and used only by or under the supervision of a certified commercial or private applicator under a permit issued by the local CAC. California requires permits for restricted materials in advance so that the local CACs can assess the potential effects of the proposed application on health and the environment. Permits are time- and site-specific, and include use practices to reduce adverse effects. The CACs may approve permits, deny permits, or condition permits on implementing mitigation measures or feasible alternatives to reduce risk.

At least 24 hours before using a restricted material pesticide, the property operator must submit a Notice of Intent (NOI) to the local CAC. Information required in the NOI is specified in regulation and includes details about location and crop treated, pesticides to be applied, and any environmental conditions that may have changed since permit issuance. This allows CACs an opportunity to assess safety and environmental impacts in advance of the pesticide application. The CACs may also monitor and, if necessary, impose additional conditions on the use of the restricted material pesticides. The NOI may be provided to the CAC online through the county-owned CalAgPermits System, or via phone, fax, email, mail, or in person.

While restricted material permits and NOIs are public documents and available for review upon request, the public does not receive advance notification of applications. Only Kern County and Monterey County have programs to provide advance notification of pesticide applications to select nearby entities (to nearby growers in Kern, and to nearby schools in Monterey). No county provides regular advance notification of pesticide applications to the general public.

### C. State Level Consideration

DPR's mission is to protect human health and the environment by regulating pesticide sales and use and by fostering reduced-risk pest management. To protect and enhance the health of California residents, the state's policies are accelerating the transition away from harmful pesticides while supporting a strong agricultural economy that provides nutritious food. Collaboration among communities, workers, growers, and government, and increased

adoption of integrated pest management practices, are critical to this shift. The Pesticide Notification Network aligns with the following departmental strategic goals as laid out in its 2018 Strategic Plan:

- Protect People and the Environment
  - Provides timely access to information regarding pesticide applications so that the public can take common-sense precautions, such as closing windows or bringing children inside, to protect themselves from the possibility of drift from a nearby application.
- Ensure Environmental Justice
  - Provides equitable access to information regarding pesticide applications, which will largely benefit communities in agricultural areas that face a significant pollution burden from pesticide use and are frequently vulnerable socioeconomically as indexed in CalEnviroScreen.
- Continuously Improving Performance, Accountability, and Organizational Effectiveness
  - Provides public transparency and equitable access into the pesticide regulatory process with sufficient opportunity to address concerns with CACs, improving accountability while minimizing impacts on the agricultural industry.
- Communication and Outreach
  - Addresses the public's "right to know" when applications of restricted materials are occurring in their communities.

#### **D. Justification**

Developing and subsequently implementing a community Pesticide Notification Network statewide will enhance public transparency of and provide consistent and equitable access to information regarding local restricted material pesticide applications; will result in improved public health outcomes in pesticide-impacted communities; and will assist CACs and DPR in enforcement of pesticide use regulations. A statewide system for notification will allow for consistency across counties, allowing growers, farmworkers, and community residents to use a single system to submit and track applications. The development of that system through a public process will provide an opportunity for all stakeholders to provide input into its design. In addition, the state's funding of the development of a statewide system will minimize the impact on local resources.

*Public Health and Government Transparency.* Providing fair and advance public notice of restricted material applications can provide an additional layer of public health protection for local communities by empowering individuals to take common-sense precautions to reduce their potential pesticide exposure, such as closing windows or moving outdoor events inside. Notification also provides more equitable access to information about pesticide use in local communities, allowing for greater transparency and public participation. Additionally, information about nearby restricted material applications will be readily available for emergency responders and medical personnel in the event of a pesticide exposure incident.

*Equity and Environmental Justice.* Providing fair access to all Californians about restricted material pesticide use in their communities promotes principles of equity and environmental justice, as the Pesticide Notification Network will largely benefit communities that rank high in CalEnviroScreen for having significant pollution and socioeconomic burdens.

This proposal will fund development of a statewide notification system that supports the upcoming, associated regulation package and public participation process. DPR intends to adopt statewide regulations requiring advance public notification of restricted material applications, and will be hosting a series of focus group meetings, webinars and public workshops in the summer and fall of 2021 to solicit feedback.

In support of this effort, DPR requests \$10 million General Fund to complete the PAL process and begin the initial development for this project. These resources will jump-start the project development to allow for concurrent development alongside the regulatory framework. This request includes the following resources to support contract services during all stages of the Project Approval Lifecycle, initial development of the Pesticide Notification Network, and associated Department of Technology (CDT) oversight costs:

- Planning Vendor (\$1.3 million) – The planning vendor will assist DPR in analyzing feasible alternatives, developing mid-level and detailed requirements, and assisting with Solution Development. The contractor will assist with assessing the existing pesticide use and reporting business processes of DPR, the growers, and the CACs; conducting Market Research on similar notification systems; developing Mid-level Solution Requirements, analyzing the results of Request for Information responses from the vendor community, and developing a project timeline.
- Independent Verification and Validation (\$1.3 million) – This vendor will provide independent analysis of every aspect of the project to ensure that the system developed by the System Integrator vendor meets business needs and the requirements.
- System Integrator (\$2.8 million) – DPR requests this funding to procure the services of a vendor to begin the development of the statewide Pesticide Notification Network. The system development will be informed by the PAL Stages 2-4.
- Licensing and Hosting (\$0.5 million) – DPR requests this funding to support licensing and hosting of the system as it is being developed.
- CDT Oversight (\$1.6 million) – DPR requests funding for CDT oversight costs associated with the project planning.
- Temporary Help Staff (\$2.5 million) – DPR requests funding for an estimated five (5.0) temporary help staff to support the development of the statewide Pesticide Notification Network. Temporary help will be used in two areas: (1) Enforcement—to provide subject matter expertise on Enforcement Program operations for project development, assist with data analysis, and coordinate with internal and external stakeholders; and (2) Information Technology—to assist in the planning, procurement, and development of the statewide Pesticide Notification Network, including project management, project development, and business analysis.

## **E. Outcomes and Accountability**

This proposal will fund the PAL planning and initial development portions of the statewide Pesticide Notification Network. By following the formal PAL planning processes, DPR will decrease project implementation risk and improve the probability of project success in delivering a system that meets the user's needs.

Through successful completion of the PAL process, DPR will complete the following:

- Analyze all feasible project alternatives
- Develop solution and procurement planning
- Confirm project readiness and receive approval
- Engage with system integrator vendor and develop initial statewide Pesticide Notification Network

**Projected Outcomes**

<b>Workload Measure</b>	<b>CY</b>	<b>2021-22 BY</b>	<b>2022-23 BY+1</b>	<b>2023-24 BY+2</b>
Project Approval Lifecycle (Stage 2) Activities		<ul style="list-style-type: none"> <li>Assess Existing Business Processes</li> <li>Develop Mid-level Solution Requirements</li> <li>Hold focus group meetings, webinars and public workshops</li> </ul>	<ul style="list-style-type: none"> <li>Develop Request for Information to analyze feasible alternatives</li> <li>Recommend Solution Develop Staffing Strategy and Project Timeline</li> </ul>	
Project Approval Lifecycle (Stage 3) Activities			<ul style="list-style-type: none"> <li>Develop Detailed Solution Requirements</li> </ul>	<ul style="list-style-type: none"> <li>Develop Statement of Work for solicitation of system integration vendor and support contracts</li> <li>Obtain approval to move into PAL Stage 4</li> </ul>
Project Approval Lifecycle (Stage 4) Activities				<ul style="list-style-type: none"> <li>Release Solicitation and Select Vendor</li> <li>Baseline Project Cost and Schedule</li> </ul>
System Development				<ul style="list-style-type: none"> <li>Launch Project Development</li> </ul>

**F. Analysis of All Feasible Alternatives**

**Alternative #1:** Approve DPR's request of \$10 million General Fund one-time in 2021-22 to carry out all stages of the PAL and initial development for the Pesticide Notification Network.

**Pros:** Provides the public with advance notification of restricted material applications in a timely fashion concurrently with the development of a regulatory framework.

**Cons:** This alternative would require one-time expenditures from the General Fund.

**Alternative #2:** Provide \$1.7 million General Fund one-time in 2021-22 to carry out PAL planning phase Stage 2 for the Pesticide Notification Network.

**Pros:** This alternative would require less expenditures from the General Fund, and would allow DPR to begin the planning stage of the Pesticide Notification Network.

**Cons:** This alternative would delay DPR's full implementation of the Pesticide Notification Network.

**Alternative #3:** No Action

**Pros:** This alternative would not require any additional resources.

**Cons:** DPR would not be able to conduct the planning phases of the PAL nor any implementation for the NOI project, and as a result, would be unable to provide the public with advance notification of restricted material applications statewide.

## **G. Implementation Plan**

July 2021 – December 2021

- Recruit and hire temporary help staff
- Procure planning vendor
- Hold focus group meetings, webinars and public workshops

January 2022 – December 2022

- Stage 2 – Begin and conduct Alternatives Analysis

January 2023 – September 2023

- Submit Stage 2 – Alternative Analysis to CDT
- Stage 3 – Solution Development

August 2023 – December 2023

- Submit Stage 3 – Solution Development to CDT
- Stage 4 – Release Solicitation and select vendor

January 2024

- Award contract to system integrator and launch project development

## **H. Supplemental Information**

DPR requests an extended three-year encumbrance period until June 30, 2024 to allow the department to complete the PAL process and begin the initial development for this project.

## **I. Recommendation**

DPR recommends the approval of Alternative #1.

# BCP Fiscal Detail Sheet

BCP Title: Pesticide Notification Network

BR Name: 3930-031-BCP-2021-MR

Budget Request Summary

## Personal Services

Personal Services	FY20-21 Current Year	FY21-22 Budget Year	FY22-23 BY+1	FY23-24 BY+2	FY24-25 BY+3	FY25-26 BY+4
Salaries and Wages Earnings - Temporary Help	0	1,427	0	0	0	0
<b>Total Salaries and Wages</b>	<b>\$0</b>	<b>\$1,427</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Total Staff Benefits	0	832	0	0	0	0
<b>Total Personal Services</b>	<b>\$0</b>	<b>\$2,259</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## Operating Expenses and Equipment

Operating Expenses and Equipment	FY20-21 Current Year	FY21-22 Budget Year	FY22-23 BY+1	FY23-24 BY+2	FY24-25 BY+3	FY25-26 BY+4
5301 - General Expense	0	30	0	0	0	0
5302 - Printing	0	15	0	0	0	0
5304 - Communications	0	30	0	0	0	0
5320 - Travel: In-State	0	30	0	0	0	0
5322 - Training	0	15	0	0	0	0
5324 - Facilities Operation	0	180	0	0	0	0
5340 - Consulting and Professional Services - External	0	5,311	0	0	0	0
5344 - Consolidated Data Centers	0	1,600	0	0	0	0
5346 - Information Technology	0	530	0	0	0	0
<b>Total Operating Expenses and Equipment</b>	<b>\$0</b>	<b>\$7,741</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## Total Budget Request

Total Budget Request	FY20-21 Current Year	FY21-22 Budget Year	FY22-23 BY+1	FY23-24 BY+2	FY24-25 BY+3	FY25-26 BY+4
<b>Total Budget Request</b>	<b>\$0</b>	<b>\$10,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## Fund Summary

### Fund Source

Fund Source	FY20-21 Current Year	FY21-22 Budget Year	FY22-23 BY+1	FY23-24 BY+2	FY24-25 BY+3	FY25-26 BY+4
State Operations - 0001 - General Fund	0	10,000	0	0	0	0
<b>Total State Operations Expenditures</b>	<b>\$0</b>	<b>\$10,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Total All Funds</b>	<b>\$0</b>	<b>\$10,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## Program Summary

### Program Funding

Program Funding	FY20-21 Current Year	FY21-22 Budget Year	FY22-23 BY+1	FY23-24 BY+2	FY24-25 BY+3	FY25-26 BY+4
3540046 - Monitoring and Surveillance	0	2,503	0	0	0	0
3540082 - Enforcement	0	7,497	0	0	0	0
<b>Total All Programs</b>	<b>\$0</b>	<b>\$10,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## Personal Services Details

### Staff Benefits

Staff Benefits	FY20-21 Current Year	FY21-22 Budget Year	FY22-23 BY+1	FY23-24 BY+2	FY24-25 BY+3	FY25-26 BY+4
5150900 - Staff Benefits - Other	0	832	0	0	0	0
<b>Total Staff Benefits</b>	<b>\$0</b>	<b>\$832</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

### Total Personal Services

Total Personal Services	FY20-21 Current Year	FY21-22 Budget Year	FY22-23 BY+1	FY23-24 BY+2	FY24-25 BY+3	FY25-26 BY+4
<b>Total Personal Services</b>	<b>\$0</b>	<b>\$832</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>