

# MONTEREY COUNTY

## BOARD OF SUPERVISORS

WENDY ROOT ASKEW, SUPERVISOR – FOURTH DISTRICT  
2616 FIRST AVENUE, MARINA, CA 93933  
EMAIL: [askewwr@co.monterey.ca.us](mailto:askewwr@co.monterey.ca.us) PHONE: (831) 883-7570

---



**Sent via email to: [dpr22005@cdpr.ca.gov](mailto:dpr22005@cdpr.ca.gov)**

January 10, 2023

Julie Henderson, Director  
CA Dept. of Pesticide Regulation  
1001 I Street  
Sacramento, CA 95814

### **Re: Concerns with 1,3D Rule**

Dear Director Henderson:

I write today to express my concerns with the Department of Pesticide Regulations (DPR) rule related to the cancer-causing 1,3-dichloropropene (1,3-D) and implore your agency to redesign said rule.

Monterey County's Fourth Supervisorial District includes the cities of Marina, Seaside, Sand City and Del Rey Oaks, as well as portions of the City of Salinas and the unincorporated community of East Garrison. The Fourth District is also home to numerous students and staff of California State University Monterey Bay, Monterey Peninsula College, and the UC Santa Cruz MBEST facility.

DPR's draft rule is designed to keep 1,3-D air concentrations below an average of 0.56 parts per billion (ppb); however, the California Office of Environmental Health Hazard Assessment (OEHHA) safe harbor level for cancer, which converts to 0.04ppb, is 14 times lower. All parts of the 1,3-D rule must target the level OEHHA toxicologists have determined is safe.

The proposed restrictions on how 1,3-D is applied will not be enough to protect the health of Californians and doing away with the Township use cap – potentially allowing for historically high amounts – will only compound the problem. The current cap of 136,000 pounds per Township is far too high, as all the current pesticide air monitors have registered an annual average of at least 2.5 times the OEHHA safe harbor level. The Township cap must be strengthened, not eliminated.

You can't have two sets of sciences: one for non-agricultural communities and a weaker one for majority Latino agricultural communities. That is environmental racism. Further, it is an environmental injustice that DPR has not included farmer workers in its 1,3-D rule proposal. Farmworkers who work in neighboring or nearby fumigated fields need protections in this rule and must be protected in its revision.

Again, I call on you to redesign your rule for cancer-causing 1,3-dichloropropene (1,3-D) to follow the official Prop 65 safe harbor level established OEHHA of 3.7 micrograms per day, as opposed to your current 50 micrograms per day for which the manufacturer Dow Chemical advocated.

Thank you for your consideration,



Wendy Root Askew, Supervisor  
Fourth District, County of Monterey

cc: Richard Ordonez, Acting Agriculture Commissioner, County of Monterey  
Californians for Pesticide Reform  
Safe Ag Safe Schools