



Department of Pesticide Regulation



Brian R. Leahy
Director

Attachment 3

Edmund G. Brown Jr.
Governor

RECEIVED
County of Monterey

AUG 9 - 2018

Ag Commissioner's Office
Administration

August 7, 2018

Mr. Henry Gonzales
Monterey County Agricultural
Commissioner
1428 Abbott Street
Salinas, California 93901

Dear Mr. Gonzales:

Thank you for your recent letter addressing Monterey County's concerns regarding the 2018 mill disbursement. As I understand, Monterey County did not submit complete Pesticide Regulatory Activities Monthly Report (PRAMR) information for its annual sites leading to erroneously underreported mill numbers for 2018. During the same timeframe, Fresno County overreported its number for annual sites resulting in overpayment to Fresno County. You are requesting the Department of Pesticide Regulation (DPR) account for your error and provide you with additional reimbursement.

DPR is legally obligated to reimburse work reported by the county agricultural commissioners (CACs) by April 1 of each year. (Cal.Code of Regulation, tit. 3, § 6393.) Due to this strict legal deadline, DPR sends reminders at least three times per year by e-mail to all CACs and deputies to review, correct, or amend PRAMR data if it is necessary. This year, DPR contacted CACs, including the Monterey CAC, in October and November of 2017 and January of 2018 to verify work performed during fiscal year 2016/2017 (July 1, 2016-June 30, 2017) (copies enclosed).

Despite DPR's repeated reminders to all counties of the need to provide accurate reporting, it is my understanding that Monterey County did not complete the PRAMR report line for annual sites accurately. Therefore, Monterey County underreported its mill numbers.

Consistent with its legal deadline, DPR made the 2018 mill disbursement by April 1, 2018. Since the mill monies for the year have been disbursed, DPR has no authority or mechanism to provide additional funds to counties; as a result, DPR cannot provide additional funds to correct Monterey County's inaccurate reporting.

You reference Fresno County's correction of its 2018 mill disbursement as well as Enforcement Letter 2002-030 to support your request. Neither example is applicable. As you know, Fresno County corrected its reporting error by transferring the overpayment of the 2018 mill money directly to the California Agricultural Commissioners and Sealers Association (CACASA). With the return of Fresno County's overreported mill monies, and with concurrence with your



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Association, CACASA will distribute \$1,067,454.87 to the counties consistent with DPR's 2018 mill disbursement. As a result of the additional funds, Monterey County will receive \$66,734.78.

As provided in Enforcement Letter 2002-030, DPR and CACASA addressed errors made in fiscal year 2000/2001. The errors corrected at that time were due to technical problems with the database, and not county reporting errors as in this case. This correction was also made prior to utilizing the current disbursement method and criteria which changed in 2006. Additionally, the corrections were applied prospectively, not retroactively, as you are requesting.

In closing, DPR would be happy to participate in a discussion on the definition of "site" for purposes of calculating section 6393(b)(7). DPR is committed to work with CACASA to find different ways to improve the collection and review of PRAMR data for future mill disbursement in order to avoid errors.

If you have any further questions or concerns, please contact Ms. Leslie Ford, Chief of the Fiscal, Audits and Business Services Branch at 916-445-1522 or <Leslie.Ford@cdpr.ca.gov>.

Sincerely,

A handwritten signature in blue ink that reads "Brian R. Leahy". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brian R. Leahy
Director
916-445-4000

Enclosures

cc: See next page.

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cc: Mr. Luis Alejo, Monterey County Board of Supervisors, District 1 (w/Enclosures)
Mr. John M. Phillips, Monterey County Board of Supervisors, District 2 (w/Enclosures)
Mr. Simon Salinas, Monterey County Board of Supervisors, District 3 (w/Enclosures)
Ms. Jane Parker, Monterey County Board of Supervisors, District 4 (w/Enclosures)
Ms. Mary Adams, Monterey County Board of Supervisors, District 5 (w/Enclosures)
Mr. Lew Bauman, Monterey County Administrative Officer (w/Enclosures)

Mr. Ruben Arroyo, CACASA President (w/Enclosures)
Mr. Tim Pelican, CACASA President-Elect (w/Enclosures)
Mr. Joe Deviney, CACASA Vice President, Agriculture (w/Enclosures)
Mr. Paul Kjos, CACASA Vice President, Weights and Measures (w/Enclosures)
Ms. Stevie McNeill, CACASA Treasurer (w/Enclosures)
Ms. Lisa Herbert, CACASA Secretary (w/Enclosures)
Mr. Martin Settevendemie, CACASA Immediate Past President (w/Enclosures)
Mr. David Robinson, Chair, CACASA Subcommittee on Mill (w/Enclosures)
Ms. Sandy Elles, CACASA Executive Director (w/Enclosures)

Mr. Matthew Rodriquez, Secretary for Environmental Protection (w/Enclosures)
California Environmental Protection Agency

Mr. Jesse Cuevas, DPR Assistant Director (w/Enclosures)
Ms. Anise Severns, DPR Assistant Director (w/Enclosures)
Mr. Rudy Artau, DPR Chief Information Officer (w/Enclosures)
Mr. Daniel Rubin, DPR Acting Chief Counsel (w/Enclosures)
Ms. Donna Marciano, DPR Enforcement Branch Chief (w/Enclosures)
Ms. Leslie Ford, DPR Fiscal, Audits and Business Services Branch Chief (w/Enclosures)
Mr. Joey Marade, DPR Agricultural Commissioner Liaison (w/Enclosures)

From: Benson, Scott@CDPR
To: [CDPR-CAC](#); [CDPR-CAC Pesticide Deputies](#)
Cc: [Marciano, Donna@CDPR](#); [Ogawa, Joshua@CDPR](#); [James, Robert@CDPR](#); [Everett, Ken@CDPR](#); [Guerra, Louie@CDPR](#); [Motakef, Jahan@CDPR](#); [Byerly, Peggy@CDPR](#); [Bhuiyan, Kamrul@CDPR](#); [Bloodworth, Megan@CDPR](#); [Bueno, Jose@CDPR](#); [Elhawary, Ahmed@CDPR](#); [Garcia, Alfonso@CDPR](#); [Bastura, Sidney@CDPR](#); [Lagman, Alex@CDPR](#); [Leon, Frankie@CDPR](#); [Martin, Brandi@CDPR](#); [Perez, Fidel@CDPR](#); [Ryan, Paul@CDPR](#); [Scott, Alicia@CDPR](#); [Strider, Richard@CDPR](#) ** Deleted 10/9/2017; [Thompson, Amanda@CDPR](#); [Whitley, Dennis@CDPR](#); [Wilson, Valerie@CDPR](#); [Yee, Catherine@CDPR](#)
Subject: 2016/17 PRAMR Draft Summary
Date: Friday, October 27, 2017 12:01:28 PM
Attachments: [2016-17 PRAMR Draft Summary.xlsx](#)

Good afternoon,

Attached is the FY 2016/17 PRAMR Draft Summary for your review. The attachment reflects PRAMR data from July 2016 to June 2017.

Due to the transition to CalPEATS, the fiscal year 2016/17 PRAMR data has been compiled from hard-copy PRAMRs submitted to DPR and also from pesticide enforcement activities conducted in CalPEATS. To clearly identify the source of the PRAMR info in the attached spreadsheet, a "P" or a "C" has been placed over each monthly column; a "P" denotes PRAMR and a "C" denotes CalPEATS. If you used CalPEATS to report PRAMR activities, please make sure that the manual data entry fields are completed and that the months are "closed" in the CalPEATS Monthly Activities module.

If you need to revise a hard-copy 2016/17 PRAMR submitted to DPR, please write or type Amended on the top of the report and highlight the areas you are correcting or revising. If you have hard-copy inspections to submit, those need to accompany the proper monthly PRAMR. Inspections conducted within CalPEATS do not need to be sent to DPR.

Feel free to contact me with any questions. Thank you.

Scott Benson

Department of Pesticide Regulation

Enforcement Branch

916-322-7269

From: Benson, Scott@CDPR
To: CDPR-CAC; CDPR-CAC Pesticide Deputies
Cc: Marciano, Donna@CDPR; Ogawa, Joshua@CDPR; James, Robert@CDPR; Everett, Ken@CDPR; Guerra, Louie@CDPR; Motakef, Jahan@CDPR; Byerly, Peggy@CDPR; Bhuiyan, Kamrul@CDPR; Bueno, Jose@CDPR; Elhawary, Ahmed@CDPR; Garcia, Alfonso@CDPR; Bastura, Sidney@CDPR; Lagman, Alex@CDPR; Leon, Frankie@CDPR; Martin, Brandi@CDPR; Martinez, Misael@CDPR; Pearson, Darien@CDPR; Perez, Fidel@CDPR; Ryan, Paul@CDPR; Scott, Alicia@CDPR; Whitley, Dennis@CDPR; Wilson, Valerie@CDPR; Yee, Catherine@CDPR
Subject: 2016-17 PRAMR Draft Summary
Date: Tuesday, November 14, 2017 10:50:42 AM
Attachments: [2016-17 PRAMR Draft Summary.xlsx](#)

Good afternoon,

Attached is the FY 2016/2017 PRAMR Draft Summary for your review. The attachment reflects PRAMR data from July 2016 to June 2017.

Due to the transition to CalPEATS, the fiscal year 2016/17 PRAMR data has been compiled from hard-copy PRAMRs submitted to DPR and also from pesticide enforcement activities conducted in CalPEATS. To clearly identify the source of the PRAMR info in the attached spreadsheet, a "P" or a "C" has been placed over each monthly column; a "P" denotes PRAMR and a "C" denotes CalPEATS.

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If you need to revise a hard-copy 2016/17 PRAMR submitted to DPR, please write or type Amended on the top of the report and highlight the areas you are correcting or revising. If you have hard-copy inspections to submit, those need to accompany the proper monthly PRAMR. Inspections conducted within CalPEATS do not need to be sent to DPR.

I apologize if this email is a duplicate. I am resending this information due to a large number of CAC staff not receiving my original email on October 27.

Feel free to contact me with any questions. Thank you.

Scott Benson
Department of Pesticide Regulation
Enforcement Branch
916-322-7269

From: Benson, Scott@CDPR
To: [CDPR-CAC](#); [CDPR-CAC Pesticide Deputies](#)
Cc: Marciano, Donna@CDPR; Ogawa, Joshua@CDPR; James, Robert@CDPR; Everett, Ken@CDPR; Guerra, Louie@CDPR; Motakef, Jahan@CDPR; Bastura, Sidney@CDPR; Bhuiyan, Kamrul@CDPR; Bueno, Jose@CDPR; Elhawary, Ahmed@CDPR; Garcia, Alfonso@CDPR; Lagman, Alex@CDPR; Leon, Frankie@CDPR; Martin, Brandi@CDPR; Martinez, Misael@CDPR; Pearson, Darien@CDPR; Perez, Fidel@CDPR; Ryan, Paul@CDPR; Scott, Alicia@CDPR; Whitley, Dennis@CDPR; Wilson, Valerie@CDPR; Yee, Catherine@CDPR
Subject: 2016-17 PRAMR Draft Final Summary
Date: Thursday, January 04, 2018 9:33:46 AM
Attachments: [2016-17 PRAMR Draft Final Summary .xlsx](#)

Good morning,

Attached is the FY 2016/2017 PRAMR Draft Final Summary for your review. The attachment reflects PRAMR data from July 2016 to June 2017.

Due to the transition to CalPEATS, the fiscal year 2016/17 PRAMR data has been compiled from hard-copy PRAMRs submitted to DPR and also from pesticide enforcement activities conducted in CalPEATS. To clearly identify the source of the PRAMR info in the attached spreadsheet, a "P" or a "C" has been placed over each monthly column; a "P" denotes PRAMR and a "C" denotes CalPEATS. If you used CalPEATS to report PRAMR activities, please make sure the manual data entry fields are completed and that the months are "closed" in the CalPEATS Monthly Activities module.

If you need to revise a hard-copy 2016/17 PRAMR submitted to DPR, please write or type "Amended" on the top of the report and highlight the areas you are correcting or revising. All revisions to the 2016/17 PRAMR data must be received by January 31, 2018.

Feel free to contact me with any questions. Thank you.

Scott Benson

Department of Pesticide Regulation

Enforcement Branch

916-322-7269