



Monterey County Board of Supervisors

Response to the

2019 - 2020 Monterey County Civil Grand Jury

Topic: “Enhancing Public Access to Pesticide Use Information, An Opportunity for the Agricultural Commissioner’s Office”

2019 - 2020 Monterey County Civil Grand Jury Final Report –

Topic: “Enhancing Public Access to Pesticide Use Information, An Opportunity for the Agricultural Commissioner’s Office”

Henry Gonzales, Agricultural Commissioner

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REPORT TITLE: 2019 - 2020 Monterey County Civil Grand Jury Final Report –
“Enhancing Public Access to Pesticide Use Information, An Opportunity for the Agricultural
Commissioner’s Office”

RESPONSE BY: Monterey County Board of Supervisors

RESPONSE TO: Findings F1, F2 and F3

FINDINGS

F1. There is a prevalent and genuine need for residents of Monterey County, and other interest groups, to have access to unbiased, scientifically reviewed information about pesticides.

Response F1:

The Monterey County Agricultural Commissioner’s Office (MCACO) agrees in part with the finding. The MCACO agrees that there is a “genuine” need for residents of Monterey County and other interested groups to have access to unbiased, scientifically reviewed information about pesticides. The MCACO website has “...a vast array of information about the use of pesticides, including links to State Agencies and other relevant sources.”

The MCACO does not agree that there is a “prevalent” need for residents of Monterey County and other interested groups to have access to unbiased, scientifically reviewed information about pesticides. The CGJ report does not provide sufficient information to support that assertion. The MCACO could agree that among self-proclaimed anti-pesticide non-governmental groups there is a prevalent need for access to unbiased, scientifically reviewed information about pesticides.

F2. The scope of MCACO’s mission, resources, and outreach capabilities mean that it can play a central role as a forum for fact-based and authoritative information to the public about pesticide-related facts and issues.

Response F2:

The MCACO agrees in part with the finding. The MCACO agrees that MCACO’s mission means that it can play a central role as a forum for fact-based and authoritative information to the public about pesticide-related facts and issues.

The MCACO disagrees that the MCACO possesses the resources and outreach capabilities to create and maintain a forum for fact-based and authoritative information to the public about pesticide-related facts and issues.

There is no funding within the MCACO budget to create and maintain such a forum. Creating a “simple accessible forum on MCACO website” may be “simple” to create, but it is the time to monitor and maintain the forum that is not reasonable or feasible due to staff resource limitations. Such a forum would necessitate daily monitoring to reply to queries in a timely manner. Although it is likely that many queries would be simple to

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answer, others would require a significant amount of time to reply to. There would also be questions of a highly technical aspect that would require a significant amount of time to answer fully. The expectation of forum users would be of relatively quick and thorough answers. The workload of the MCACO is subject to fluctuations. Although most of the work of the MCACO is seasonal and mostly regular, there are emergencies/disasters and issues that arise unexpectedly that must be investigated and managed. The irregular work could cause lapses in answering even some simple forum inquiries.

Even before COVID-19, the MCACO has at times struggled to complete in a timely manner all its legal mandates and the demands of residents of Monterey County and other individuals and groups. The additional demands of the COVID-19 pandemic on the department have made the recommendation to, "...play a central role as a forum for fact-based and authoritative information to the public about pesticide-related facts and issues." nearly impossible to fulfill. Therefore, the recommendation to perform work beyond the MCACO's legal mandates is not reasonable due to limited staff resources.

The need to protect MCACO staff from COVID-19 has slowed down the workings of the office. Due to COVID-19, MCACO staff have needed to employ the additional protective measures of more frequent handwashing and sanitizing, wearing face coverings, and maintaining social distancing while conducting their work in the field and in the office.

The MCACO staff have engaged in additional COVID-19 activities for the protection of farm workers, such as the collection, inventorying, and distribution of over 500,000 face coverings. It also designed and produced 20,000 informational farm worker COVID-19 cards in Spanish as well other COVID-19 information.

The MCACO also finds the recommendation is not warranted because the MCACO website is a simple and accessible forum that is general-public focused and publicizes relevant pesticide information directly to the Monterey County community.

The information on the MCACO's website is the culmination of decades of pesticide use information and data gathering conducted by current and past staff.

F3. MCACO currently uses social media such as Facebook, but has not availed itself of the ever-expanding range of other outreach opportunities, including other social media outlets. Also underutilized are printed bilingual (English/Spanish) materials that could reach a wider range of the County's different communities.

Response F3:

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The MCACO agrees in part with the finding. The MCACO agrees that the MCACO currently uses social media such as Facebook.

The MCACO does not agree that it has not availed itself of the ever-expanding range of other outreach opportunities, including other social media outlets.

Within the past year, the MCACO has added a Facebook page and a quarterly newsletter to its ever-expanding range of outreach media. The MCACO website, like all county department websites has a “Contact Us” feature where residents of Monterey County and beyond can contact us with their questions and concerns. A recent check of this system received a “New Submission” verification in less than a minute. The comment was received by the MCACO in 36 minutes. The length of time it would take the MCACO to reply to an inquiry would depend on the nature and complexity of the questions as well as on MCACO workload.

MCACO has considered using Twitter. However, after careful consideration MCACO decided not to use Twitter or additional social media outlets at this time due to limited resources. MCACO will continue to evaluate the use and need to have additional social media to communicate with residents of Monterey County and other interested individuals.

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RESPONSE BY: Monterey County Board of Supervisors

RESPONSE TO: Recommendations R1, R2 and R3

RECOMMENDATIONS

R1. Within budget limitations and personnel constraints, MCACO should create a simple, accessible forum on MCACO website that is general-public focused, and that publicizes relevant pesticide information directly to the Monterey County community. This website forum should be bilingual in content (English/Spanish).

This recommendation should be completed within one year of the publication of this report.

Response to R1:

The recommendation is not warranted because the MCACO already has a website and a Facebook page that are simple, accessible forums that are general-public focused and publicize relevant pesticide information directly to the Monterey County community. The information on the MCACO’s website is the culmination of decades of pesticide use information and data gathering conducted by current and past staff.

The recommendation also suggests the MCACO website forum should be bilingual in content (English/Spanish). The MCACO website is bilingual (English/Spanish) and many other languages depending on individual language selection. The language selection button is on the upper right corner of the webpage. Additionally, the MCACO website includes many timely videos and informational documents in Spanish as well as English. The MCACO website also includes some COVID-19 advisory videos in the most common indigenous languages (Triqui and Mixteco) spoken by farm workers in Monterey County.

The recommendation is not reasonable or feasible because the MCACO currently does not have the resources within the budget and available personnel. Even before COVID-19, MCACO has at times struggled to complete in a timely manner all its legal mandates and the demands of residents of Monterey County and other individuals and groups. The additional demands of the COVID-19 pandemic on the department have made this recommendation nearly impossible to fulfill.

However, the MCACO will add the links to the resources identified in the CGJ report as general public pesticide topics. The MCACO will endeavor to locate other similar general public pesticide topics and add these to the website.

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R2. MCACO should expand its use of social media to a more varied range of portals, outlets, media and platforms. These outlets should link to the proposed general public pesticide forum, when active, and also publicize MCACO's rich resources of pesticide information throughout. This expanded outreach should include printed materials and bilingual (English/Spanish) content. This should be completed within one year of the publication of this report.

Response to R2:

The recommendation is not warranted because MCACO already has a website and a Facebook page that are simple, accessible forums that are general-public focused and publicize relevant pesticide information directly to the Monterey County community.

The recommendation is not reasonable or feasible because the MCACO does not have the resources within the budget and available personnel. Even before the COVID-19 pandemic, the MCACO has struggled at times to complete all of its legal mandates and demands of residents of Monterey County and other individuals and groups. The COVID-19 pandemic has made this recommendation nearly impossible to fulfill.

R3. MCACO should prepare its current social media and all expanded outreach channels to support contingency planning and public notifications for any incidents under MCACO's purview that might develop or create public interest or concern. This should be operational within six months of the publication of this report.

Response to R3:

The recommendation is not warranted because the MCACO is part of Monterey County's Office of Emergency Services and has adopted a Continuity of Operations Plan (COOP) that already supports contingency planning and public notifications. The MCACO COOP is designed to provide timely direction, control, and coordination to the Monterey County leadership and other critical customers before, during, and after an event or upon notification of a credible threat. The plan was last updated on March 19, 2020.

The CGJ report correctly identifies the MCACO as part of the Monterey County Hazardous Materials Incident Response organization. In response to an accidental or malicious release of a pesticide, the MCACO serves in an advisory capacity to first responders.

The MCACO already has a website that is a simple, accessible forum that is general-public focused and publicizes relevant pesticide information directly to the Monterey County community. The website is bilingual English/Spanish and in many other languages depending on individual language selection. The language selection button is on the upper right corner of the MCACO webpage. Additionally, the MCACO website includes many timely videos and informational documents in Spanish as well as English. The MCACO website also includes some COVID-19 advisory videos in the most common indigenous languages (Triqui and Mixteco).

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In addition, the MCACO uses its website and Facebook page to notify, guide, and inform the public of emergencies such as the COVID-19 pandemic and any incidents under MCACO's purview that might develop or create public interest or concern.

The recommendation is not reasonable or feasible because the MCACO does not have the resources within the budget and available personnel. Even before the COVID-19 pandemic, the MCACO has struggled at times to complete its legal mandates and demands of residents of Monterey County and other individuals and groups. The COVID-19 pandemic has made this recommendation nearly impossible to fulfill.