

STATE OF CALIFORNIA  
AGRICULTURAL LABOR RELATIONS BOARD

In the Matter of:                     )  
   )  
Regular Board Meeting                 )  
\_\_\_\_\_   )

BOARD MEETING - DAY 2

Location:                                Visalia Convention Center  
   202 East Acequia  
   Visalia, CA 93291

Hybrid via in-person and Zoom

Wednesday, November 15, 2023

Reported by:  
Chris Caplan, CER

APPEARANCESBOARD MEMBERS

Victoria Hassid, Chair

Ralph Lightstone

Cinthia N. Flores

STAFF

Santiago Avila-Gomez, Executive Secretary

Julia L. Montgomery, General Counsel

PANELISTS

Celia Pazos, Assistant Director for Environmental Justice  
and Equity, DPR

Rodrigo Alatraste-Diaz, Associate Specialist, UC Merced  
Community and Labor Center

Rocio Madrigal, Community Outreach Worker, CCEJN

Irene de Barraicua, Director of Policy and Communications,  
Lideres Campesinas

Edgar Aguilar, Managing Director, Promotoras con Alma

Bryce Loewen, Blossom Bluff Orchards

PUBLIC COMMENT

Angel Garcia

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P R O C E E D I N G S

2:07 p.m.

1  
2  
3 CHAIR HASSID: Welcome everyone. The Board is  
4 now reconvening for day two of our two-day Board meeting,  
5 which started yesterday.

6 We did roll call yesterday, so I will just  
7 acknowledge from the Board who here is present. We have  
8 Board Member Broad joining us from Sacramento. Here in  
9 Visalia, we have Board Member Flores, Board Member  
10 Lightstone, and I believe that we may have Board Member  
11 Hall joining us a little bit later today. We will see.

12 Also present today from our staff is our  
13 Executive Secretary Santiago Avila-Gomez, who is our point  
14 person for all technical issues, and I want to extend a  
15 huge thank you to him for helping help us set up.

16 Just a few housekeeping matters.

17 We do have Spanish interpretation both here in  
18 the room as well as on the Zoom.

19 If you're here in the room, please go to the back  
20 and you can pick up one of the headsets. Our wonderful  
21 interpreters from Linguistica are waving their hands for  
22 that.

23 And then if you are on Zoom, please go to the  
24 bottom of your screen, go to the interpretation button and  
25 pick Spanish. If you would like to be on the Spanish

1 channel, I'll take a moment and let Santiago relay that  
2 information as well for the Spanish channel.

3 EXECUTIVE SECRETARY AVILA-GOMEZ: It's handled on  
4 the Spanish -- oh, you're right.

5 (Whereupon instructions are translated from English  
6 into Spanish by Executive Secretary Avila-Gomez.)

7 CHAIR HASSID: Thank you very much, Santiago.

8 We will now start with several business items as  
9 outlined on our agenda, and then we'll head into our  
10 informational panels. Depending on number of speakers, we  
11 will look to take probably a 10-minute break sometime  
12 between 3:00 and 3:30, just to give people room to stretch  
13 their legs and get a breather.

14 We do have limited capability to manage audio  
15 quality of the meeting, so if you're in the audience, we  
16 ask that you please try and keep your voices down. And  
17 then for those participating on Zoom, please have your  
18 device on mute. We'll do our best to ensure that everyone  
19 can hear all of our speakers today. We may have some  
20 technical challenges during the panel, but we are going to  
21 try and troubleshoot those for those participating on our  
22 Zoom.

23 Our first agenda item is the Chair's Report.  
24 Just a couple of items.

25 One, I want to note for those of us that are here

1 in Visalia and in the Valley, we have a Visalia open house  
2 reception at our ALRB office tonight. All are welcome.  
3 The reception is from 5:30 to 7:30 at our address at 1642  
4 West Walnut Avenue. And if you go on any of our social  
5 media handles on Instagram, Facebook, or Twitter, or  
6 LinkedIn, you can see more information. We'd love to meet  
7 you, have you get to know the staff, meet our General  
8 Counsel, our Regional Office staff, and the Board members  
9 and myself here today. So all are welcome. We, a little  
10 less than a year ago, did a major renovation to that  
11 office, and we'd love to show it off and just get to meet  
12 members of the community.

13 I also want to extend deep gratitude to Lali  
14 Moheno and her husband Victor for organizing this  
15 conference and allowing us to use this space here at the  
16 Visalia Convention Center today. We are here a day ahead  
17 of the 20th annual Farmworker Women's Conference, a huge  
18 event -- or 25; is that right, Lucia? Sorry, apologies.  
19 The theme is Fiesta to celebrate this milestone  
20 anniversary.

21 And I'm so excited to be here and get to hear the  
22 presentations along with, I believe, 1,500 other attendees.  
23 So it's a beautiful space. And I'm just so grateful for  
24 the welcome that we got from the organizers. It's really  
25 impressive, so I'm excited to see it tomorrow.

1           And then lastly, I'll note we're excited, the  
2 ALRB is excited once again to participate in the annual  
3 Farmworker Breakfast in El Centro on December 1st. We will  
4 have staff there. And for my colleagues on the Board, our  
5 staff have set up a wish list of items that we can give to  
6 attendees, things like gloves and water bottles and  
7 whatnot. And so I'll be sending a link around so we can  
8 help put some items on that wish list and give them out to  
9 all of our farmworkers who do so much for us in the middle  
10 of the night. It's quite an experience.

11           Next, that concludes the Chair's report.

12           Our next agenda item is the Executive Officer's  
13 Report on Elections, Unfair Labor Practice Complaints, and  
14 Hearings, which will be presented by our Executive Officer  
15 Santiago.

16           EXECUTIVE SECRETARY AVILA-GOMEZ: Thank you. For  
17 today's report, I'll be covering Board actions since our  
18 last public Board meeting. This report was given on  
19 November 1st. Since that day, a series of administrative  
20 orders have been issued, seven to be exact.

21           And by the way, this report, as well as other  
22 documentation, is found on the ALRB's website in the  
23 Meetings tab. You can find past meeting video recordings  
24 as well as the minutes and various reports.

25           For today's report, I'll start with Zabala Farms

1 of Salinas, LLC, and that's ALRB Admin Order Number 2023-  
2 10. That issued on November 3rd.

3 The next is DMB Packing Corp. Doing business as  
4 the DiMare Company. And that's an ALRB Admin Order Number  
5 2023-11 issued on November 3rd.

6 The next, Gerawan Farming, Inc., 2023, ALRB Admin  
7 Order Number 2023-12-P. The P designates the order as a  
8 presidential order, and that issued on November 14th.

9 And the next four orders also issued yesterday,  
10 November 14th, and they all relate to the same issue as the  
11 presidential order, and that was a filing of a motion by  
12 Gerawan Farming relating to bankruptcy proceedings and a  
13 claim for an automatic bankruptcy stay. Again, 2023-12-P  
14 is the presidential order, followed by Gerawan Farming,  
15 Inc., ALRB Admin Order Number 2023-13, Gerawan Farming,  
16 Inc., 2023, ALRB Admin Order Number 2023-14, and UFW ALRB  
17 Admin Order Number 2023-15 relating to the request for an  
18 automatic stay also. And then finally, UFW ALRB Admin  
19 Order Number 2023-16, and as mentioned, it also issued  
20 yesterday.

21 All of those Admin Orders that issued yesterday  
22 are pending before the Board, technically, as they are in  
23 the period for a party to seek reconsideration.

24 And in addition, Norman's Nursery, Inc. is  
25 pending the General Counsel's request for speed

1 enforcement. And Zabala Farms of Salinas is also currently  
2 pending before the Board, wherein the regional director  
3 requested to seek enforcement pursuant to Labor Code  
4 section 1160.8.

5 That concludes my report. I'm happy to answer  
6 any questions about it. Again, the report is found on the  
7 website under the Meetings tab.

8 CHAIR HASSID: Thank you very much, Santiago.  
9 Our next agenda item is the Litigation Report.  
10 We do not have an update today, so we will turn to our  
11 General Counsel's Report with our General Counsel Julie  
12 Montgomery, who will be joining us up here.

13 MS. MONTGOMERY: Good afternoon, everyone. Good  
14 to see everybody here. So I'm going to just do a really  
15 brief report on some of the activities of our General  
16 Counsel staff since our last Board meeting, which was about  
17 a couple of weeks ago.

18 So I don't have any cases to report on, as  
19 everything's still pending and our staff is working hard  
20 completing investigations, prosecuting complaints and the  
21 like, so that work is still ongoing. I don't have  
22 anything, any resolutions to report this time. But I will  
23 talk a little bit just about some of the outreach  
24 activities and what we're doing in the communities in our  
25 different offices and around the state.

1           So just first starting with our Salinas region,  
2 and this is just a few highlights, I have a huge list  
3 of -- is Victoria able to see on my screen here? I have a  
4 long list, and I'm only highlighting a few things for  
5 time's sake.

6           But last week, our staff provided a virtual  
7 Spanish radio interview on Lideres del Futuro, which was  
8 hosted by KBBF Radio in Sonoma County and is broadcast to  
9 the entire region. And that was just on the ALRB and  
10 workers' rights.

11           On November 7th, we also provided a virtual  
12 training to the San Jose District Office of the U.S.  
13 Department of Labor. And I actually got a really nice  
14 email. We got a nice email from them just really  
15 complimenting our staff on that presentation and thanking  
16 us. So it's just a really good collaboration that we have  
17 together with the U.S. Department of Labor. We're training  
18 them, they're training us so that we can become more aware  
19 of what the resources are so that we can make more  
20 effective referrals for farmworkers when they have issues  
21 that can be handled by that agency.

22           We've also been hosting office hours in different  
23 rural communities throughout the state where it's harder  
24 for workers to access us in our offices, so we have an  
25 increased presence out and about in other regions. And

1 Santa Maria is a really great example. We've been hosting  
2 regular office hours at the nonprofit CAUSE over there, and  
3 we have a staff person going there every week.

4 We also did an interview on Raiz Informativa  
5 podcast hosted by Ventura County Farmworker Resource  
6 Program, which is in Oxnard. And I believe our Regional  
7 Director presented on that podcast.

8 And we also provided a virtual Spanish training  
9 to the community-based organization Mujeres en Acción in  
10 Monterey County.

11 And participated -- just yesterday our staff was  
12 at a wage clinic hosted by the California Labor  
13 Commissioner in the City of Santa Maria, which is in Santa  
14 Barbara County, and that was also co-hosted with MICOP,  
15 which is, I think, an Mixteco Indígena, I can't remember  
16 the entire acronym, but it's a Mixteco community-based  
17 organization.

18 And then in the Visalia region, we provided a  
19 training -- we are providing tomorrow a training for a  
20 community-based organization in Coachella called TODEC, and  
21 we're presenting on the ALRB and a lot of rights and  
22 remedies available to workers.

23 And the other week, we also were interviewed on  
24 Valle de la Lengua (phonetic) Program and talked about a  
25 recent settlement that we achieved in a case in the valley

1 involving Sun Pacific Farming.

2           And then tomorrow, we also have staff presenting  
3 at the Farmworker Women's Conference right here where we  
4 are.

5           So that's just a brief overview of some of the  
6 office's work or our regional office's work. And just want  
7 to give a shout out to everyone who is working hard on the  
8 ground and getting word out to our farmworker community to  
9 make sure that people have access to our services and know  
10 that we are available and ready and willing to help when  
11 they have a need, so thank you.

12           CHAIR HASSID: Thank you so much, Julie.

13           Our next agenda item is a joint presentation by  
14 both General Counsel Montgomery as well as my colleague,  
15 Board Member Cinthia Flores. The U.S. Department of Labor  
16 has recently published draft regulations impacting the H-2A  
17 Program and making numerous changes to increase  
18 transparency and worker protection, as well as address  
19 issues with workers' rights.

20           They are in their public comment period, and I  
21 was very pleased that my colleague joined several others on  
22 our staff, as she'll explain, to analyze the comments and  
23 make recommendations, and those comments will be available  
24 soon on USDOL's website. I don't believe they've been  
25 formally submitted yet, but she's here to discuss some of

1 those regulations and our comments on them.

2 I'll turn it over to you.

3 BOARD MEMBER FLORES: Good afternoon. Can folks  
4 hear me online?

5 EXECUTIVE SECRETARY AVILA-GOMEZ: Yes.

6 BOARD MEMBER FLORES: Wonderful. So I just want  
7 to start by saying it's absolutely fantastic to be here in  
8 Visalia with everyone and joining and sharing space.

9 I will be giving a brief overview of the timeline  
10 of when the Department of Labor announced the issuance of  
11 the Notice of Proposed Rulemaking, the window of time for  
12 the comment period, when comment was submitted, and in  
13 particular discuss where the ALRB provided comment.

14 So on September 12, 2023, the U.S. Department of  
15 Labor announced issuance of a Notice of Proposed Rulemaking  
16 entitled Improving Protections for Workers in Temporary  
17 Agriculture Employment in the United States. The proposed  
18 amendments focused on strengthening protections for  
19 temporary agricultural workers and enhancing the Department  
20 of Labor's capabilities to monitor program compliance and  
21 take necessary enforcement actions against program  
22 violators.

23 The Notice of Proposed Rulemaking was published  
24 on September 15th, 2023, and the Department of Labor  
25 invited public comment on their proposed amendments to the

1 federal regulations governing H-2A workers. The California  
2 Labor and Workforce Development Agency, after consulting  
3 with the seven departments, boards, and panels it oversees,  
4 including the ALRB, submitted public comment yesterday. It  
5 will take several days, as the chairperson noted, for the  
6 DLL to review and review the comment before it becomes  
7 publicly available. Once it is processed, the comment will  
8 be available on the rulemaking docket at Regulations.gov.

9           Given the ALRB's expertise in the matter and  
10 recent handling of cases involving H-2A workers, we offered  
11 insight on a number of the proposed amendments.  
12 Specifically, we provided case examples to illustrate the  
13 need for a number of these revisions.

14           We want to highlight those proposed amendments  
15 where we offered our expertise, including our support for  
16 proposed amendments to Section 655.122(1), requiring  
17 disclosure of minimum productivity standards as a condition  
18 of job retention, regardless of whether the employer pays a  
19 piece rate or hourly wage.

20           Our support for proposed amendments to Section  
21 655.22(n), adding a definition of termination for cause for  
22 H-2A workers.

23           Support for proposed amendments to Section  
24 655.135(h), broadening protected activity to include  
25 collective action.

1 Support for proposed amendments to Section  
2 655.135(m), subsection (1), requiring employers to provide  
3 a worker's contact information to a requesting labor  
4 organization.

5 Support for proposed amendments to Section  
6 655.135(m), subsection (2), requiring employers to permit  
7 workers to designate a representative of their choosing to  
8 attend any meeting between the employer and a worker where  
9 the worker reasonably believes that the meeting may lead to  
10 discipline.

11 Support for proposed amendments to Section  
12 655.135(m), subsection (3), prohibiting employers from  
13 engaging in coercive speech to try to prevent workers from  
14 advocating for better working conditions on behalf of  
15 themselves and their co-workers.

16 Support for proposed amendments to Section  
17 655.103, adding the definition for key service providers,  
18 consisting of a non-exhaustive list of examples of the  
19 types of service providers that farmworkers should have  
20 access to. And here we specifically noted the importance  
21 of including community-based organizations as well as  
22 translators or interpreter within that scope as defined as  
23 a key service provider.

24 And our support for proposed amendments to  
25 Section 655.135(n), subsection (1) and (2), recognizing the

1 right of workers residing in employer-provided housing to  
2 invite guests to their living quarters and or common areas  
3 near such housing, subject only to reasonable restrictions  
4 designated to protect worker safety or prevent interference  
5 with other workers' enjoyment of those areas.

6           And so as you can see, these were the proposed  
7 amendments where the ALRB lended [sic] its expertise and  
8 provided comment. We did derive our comments based on case  
9 examples and/or just general application of ALRB precedent.  
10 There are a number of other proposed amendments that the  
11 ALRB did not provide specific comment. These were just the  
12 areas in which we felt that we could lend our expertise and  
13 provide some guidance or to illustrate the need for such  
14 revisions. We're grateful to have worked with the labor  
15 agency on this important matter.

16           Additionally, I'd like to note this was a  
17 fantastic team effort, collaborative effort between the  
18 Board and the General Counsel. It was truly an opportunity  
19 of great importance to me. And I think, you know, we will  
20 be able to more clearly appreciate the impact and breadth  
21 of our comments once they're made public available again at  
22 Regulations.gov.

23           At this moment, I'm going to turn it over to our  
24 General Counsel, Julie Montgomery, who's going to be  
25 providing a little bit more insight as to the collaborative

1 process and how we arrive to providing such comment.

2 MS. MONTGOMERY: Thank you, Member Flores.

3 Yeah, I just want to say that I'm grateful that  
4 the U.S. Department of Labor and others in the federal  
5 government have taken leadership in proposing these  
6 regulatory changes. So, yeah, I think these are really  
7 important protections. As many may know, some may not,  
8 most other states in the U.S. don't have an ALRB or its  
9 equivalent. And so farmworkers, because they're excluded  
10 from the National Labor Relations Act, they don't have the  
11 same protections that farmworkers in California have. So  
12 these regulations do help fill some of that gap up and give  
13 workers more protections.

14 And so I think we at the ALRB are uniquely  
15 positioned to provide our expertise and insight and support  
16 for a lot of these proposed regulations, because we've been  
17 doing it for more than 45 years. And we have the track  
18 record and the knowledge and the case examples to show what  
19 an impact this work can and does have for farmworkers.

20 And so I'll just briefly mention that we did cite  
21 a number of our case examples in cases that we have  
22 successfully brought to illustrate why these regulations  
23 are important and really urging that these regulations be  
24 adopted.

25 So we cited a couple of recent cases for H-2A

1 workers, Mauritson Farms, where workers complained and  
2 weren't called back to work the next season. We got  
3 \$328,000 settlement for them in that case.

4           And then there was another case involving an  
5 employer called Dutton Ranch, where we made a finding that  
6 there were unlawful threats to workers, H-2A workers who  
7 had been complaining about conditions. And we got a good  
8 settlement out of that case. And in addition, a nonprofit  
9 organization, California Rural Legal Assistance, came in  
10 and got several hundred thousand dollars for those workers  
11 as well.

12           So we actually have the cases to show that these  
13 are needs.

14           And, of course, H-2A workers are among the most  
15 vulnerable of farmworkers, given that they're tied to one  
16 employer, they don't have the ability to quit and go  
17 somewhere else if their conditions are substandard.

18           So anyway, with that, I'll just say that it was a  
19 wonderful collaborative process. And I want to give a  
20 shout out to Member Flores, to our Labor Workforce  
21 Development Agency, and also Cal/OSHA and Labor  
22 Commissioner and the Employment Development Department also  
23 collaborated in these comments. And then our attorney in  
24 Salinas, Michael Marsh, also helped draft the comments. So  
25 thanks to all and appreciate the effort.

1 Thank you.

2 CHAIR HASSID: Thank you. Thank you, Julie. And  
3 thank you, Cinthia and the rest of the team that assisted  
4 with putting those together. It was a very comprehensive  
5 document with a lot of detailed feedback that I hope and  
6 think the Department of Labor will find helpful to help  
7 support a lot of their proposals and share our experience  
8 here with ensuring workers have access to these protections  
9 and these rights.

10 Do any of my colleagues have any questions for  
11 Cinthia? Okay.

12 Next on the agenda, we have the Administrative  
13 Services Report. We will not have an Administrative  
14 Services Report today or a legislation or regulatory  
15 update.

16 So we will be going into our informational panel.  
17 And I'll give a few moments if our panelists want to come  
18 and sit up here on my left. Our informational panel is  
19 discussing pesticides in agriculture, with an overview of  
20 the regulatory framework and a discussion of its impact on  
21 farmworkers.

22 This is a panel that I think several of us have  
23 been wanting to do for a long time. I know, speaking at  
24 least for myself, we do have my colleague, Board Member  
25 Lightstone, I know throughout his career has had a lot of

1 experience analyzing these issues and studying these  
2 issues. I, for one, have not had as much. And given my  
3 previous role at DIR, which oversaw Cal/OSHA, all I knew  
4 was that Cal/OSHA didn't have jurisdiction.

5           So I'm excited to learn more about the regulatory  
6 framework and I'm really grateful to the Department of  
7 Pesticide Regulation for joining us today.

8           And we'll pause for just a moment and get  
9 situated and then we'll get started.

10           (Off mic colloquy)

11           CHAIR HASSID: Give me one moment. We're just  
12 getting some technical stuff together and we'll start our  
13 panel shortly.

14           (Pause)

15           (Off mic colloquy)

16           CHAIR HASSID: Okay. Thank you so much,  
17 Santiago. Always kind of learning new systems on the fly,  
18 so appreciate it.

19           I am so pleased to welcome our first panelist,  
20 Celia Pazos, from the California Department of Pesticide  
21 Regulation. Ms. Pazos currently serves as the Assistant  
22 Director for Environmental Justice and Equity and will be  
23 giving us an overview of DPR.

24           Thank you. Take it away.

25           MS. PAZOS: Thank you so much. Hi everyone.

1 I'll try and speak loudly for those in the room, and bear  
2 with me, folks on Zoom. So thank you to members of the  
3 Board. Thank you for having me here today. I'm excited to  
4 be here with you and share a little bit about our  
5 department, the California Department of Pesticide  
6 Regulation.

7           As mentioned, my name is Celia Pazos. I'm the  
8 new Assistant Director for Environmental Justice and  
9 Equity. I joined the department at the end of January this  
10 past year.

11           So just to share a little bit about myself,  
12 before joining DPR, I was a geologist at the Water Board,  
13 and before that I was a staff geologist at an environmental  
14 consulting company, so I've worked on a variety of  
15 environmental remediation projects. My role at the  
16 Department is to lead our Environmental Justice and Equity  
17 Office, which develops and implements programs and  
18 initiatives that advance environmental justice at DPR.

19           So I have a short presentation today, but it  
20 covers a lot, so bear with me. I'm going to start by  
21 sharing an overview of the Department of Pesticide  
22 Regulation, how we regulate pesticides, and go over a few  
23 of our programs that protect people in the environment from  
24 pesticide exposure. I'm also going to talk about the  
25 County Agricultural Commissioners and how we partner with

1 them to enforce pesticide use laws and regulations.  
2 Then, since I do lead the Department's Environmental  
3 Justice and Equity programs, we're going to shift gears a  
4 bit and talk about environmental justice and what that  
5 means for our work.

6 (Off mic colloquy)

7 MS. PAZOS: Okay. Hold on just a second. Thank  
8 you.

9 (Off mic colloquy)

10 MS. PAZOS: We're good? Okay. Thanks everyone.

11 Okay, so I was just saying the presentation is  
12 going to cover a lot, but it's short, so -- yeah, not yet.

13 So since I lead the Department's Environmental  
14 Justice and Equity programs, we're going to shift gears and  
15 talk about environmental justice and what that means for  
16 our work at the department.

17 We'll look at a little bit of data and discuss  
18 how this impacts lived experiences of folks at work and  
19 live in California agricultural communities, particularly  
20 farmworkers.

21 And then we'll discuss our worker health and  
22 safety programs and how environmental justice ties into  
23 that work and some of the steps we're taking to improve  
24 farmworker health and safety. It's likely a primary focus  
25 for folks in the room and for those on the Board.

1           Lastly, we'll talk about sustainable pest  
2 management and the department's goals for eliminating high-  
3 risk pesticides by 2050.

4           So this is the slide, but don't go to it yet.

5           So the Department of Pesticide Regulation is part  
6 of the California Environmental Protection Agency, or  
7 CalEPA. Our other sister agencies are shown on the screen,  
8 they're the Air Resources Board, Office of Environmental  
9 Health Hazard Assessment, Department of Toxics, CalRecycle,  
10 and the Water Boards. DPR partners and coordinates with  
11 these sister agencies and others, including the California  
12 Department of Food and Ag, and the Ag Commissioner's Office  
13 to fulfill our mission.

14          Next slide.

15          So DPR's mission is to protect people and the  
16 environment by regulating pesticides and fostering  
17 sustainable pest management. We achieve this vision  
18 through our various programs.

19          Next slide.

20          DPR has about 400 staff, mainly scientists, who  
21 evaluate pesticides for human and health environmental  
22 impacts. We also have teams that monitor air and water.

23          We have programs dedicated to fostering safer  
24 approach to pest management and programs focused on worker  
25 health and safety that include both regulatory work and

1 outreach to farmworkers and pesticide handlers.

2           Next slide.

3           So there are several entities that are  
4 responsible for carrying out pesticide use regulations. So  
5 first at the federal level, pesticides must be registered  
6 by the US EPA before they're used in the country. Each  
7 state has an agency that works with EPA to enforce  
8 pesticide regulations. In California, that agency is us,  
9 the Department of Pesticide Regulation. And then the  
10 Agricultural Commissioner enforces pesticide laws and  
11 regulations locally. And we'll get into that in a couple  
12 of the next slides.

13           Next slide.

14           So our role is to evaluate pesticide products  
15 before they can be used or sold in California through a  
16 process we call registration. DPR evaluates pesticide  
17 products for human health and environmental impacts to  
18 inform registration decisions. This includes review of  
19 extensive scientific studies on human health and worker  
20 safety.

21           Through this process, we look at all these human  
22 health and environmental impacts and consider and either  
23 refuse registration or register with conditions on use,  
24 including what types of personal protective equipment must  
25 be worn. These conditions are on the label of the product

1 and they are part of the many pesticide use laws and  
2 regulations that must be followed to legally apply them in  
3 California.

4           Next slide.

5           We also conduct a process called continuous  
6 evaluation to review pesticide impacts once the pesticide  
7 is approved for use. We monitor pesticides in the air,  
8 ground, and surface water, and we also collect pesticide  
9 use reports throughout the state, which tells us what  
10 quantity and types of pesticides are used. And then we  
11 track human health incidents related to pesticide use.

12           We develop mitigation measures based on these  
13 assessments. Mitigation can include requiring the use of  
14 tarps for certain pesticides or set back distances before  
15 the pesticide can be applied.

16           Using data that we collect, we also develop  
17 workplace safety regulations to protect farmworkers and  
18 those who work near or with pesticides.

19           Next slide.

20           So as I've mentioned, DPR and the County  
21 Agricultural Commissioner both play a role in enforcing  
22 pesticide use. DPR evaluates all the pesticide products  
23 before registration and sale and creates regulations to  
24 mitigate potential risks. DPR also provides oversight and  
25 guidance to the County Agricultural Commissioners on the

1 enforcement of pesticide laws and regulations.

2           The County Agricultural Commissioner and their  
3 inspectors, they inspect pesticide application sites across  
4 the state, enforce laws and regulations as guided by DPR,  
5 and take actions against violators. They are the local on  
6 the ground enforcers of pesticide use regulations.

7           Next slide.

8           So there are 55 Ag Commissioners for California's  
9 58 counties. They are appointed by their County Board of  
10 Supervisors and work with DPR to enforce pesticide use  
11 laws. Ag Commissioners and their staff conduct  
12 inspections, review local permits for pesticide  
13 applications, and investigate exposure incidents. So if  
14 someone is exposed, the Agriculture Commissioner is  
15 involved.

16           The County Agricultural Commissioners conduct  
17 both planned and surprise inspections. They investigate  
18 all reported incidents, and they also issue Notices of  
19 Violation when laws and regulations are broken. They can  
20 also issue some fines.

21           DPR has authority to take additional enforcement  
22 actions when those pesticide use laws are broken.

23           Next slide.

24           So as promised, we're going to shift gears a  
25 little bit and talk about environmental justice and how it

1 relates to the work of DPR and the Ag Commissioner.

2 Environmental justice is a priority for the Department, and  
3 we're taking steps to mitigate pesticide impacts on  
4 overburdened communities.

5           So the underlying principle of environmental  
6 justice is that people should not be exposed to higher  
7 pollution, including pesticides, because of their race,  
8 immigration status, or income.

9           Meaningful involvement means that people have an  
10 opportunity to participate in the decisions that affect  
11 their lives. It means the public can actually influence  
12 our regulatory decisions, that community concerns will be  
13 considered in our decision-making, and that we will seek  
14 out and facilitate involvement of those affected but who  
15 may face barriers to access.

16           Next slide.

17           So focusing in on the connection to pesticides  
18 and environmental justice, the map on the screen, it's  
19 showing up a little blurry but the map on the screen shows  
20 the combined pesticide use score in CalEnviroScreen.  
21 CalEnviroScreen is a tool developed by our sister agency,  
22 OEHHA. The map shows pesticide use in pounds per square  
23 mile of select high-hazard, high-volatility pesticides.  
24 The darker blue shows the areas of the highest use of these  
25 pesticides, and the white and gray shows the lowest use.

1 So it's no surprise that we see the darker blue colors in  
2 the agricultural areas of California. That's where the  
3 most of these pesticides are used.

4           But we also have data that show farmworkers and  
5 communities near agriculture are at greater risk of  
6 pesticide exposure. We have studies that show exposure to  
7 some pesticides have links to cancer, birth defects, and  
8 respiratory issues. We also have studies that show  
9 pregnant low-income Latina women living in agricultural  
10 communities had pesticide metabolites in their urine up to  
11 two and a half times higher than representative sample of  
12 women. And the study also found that farmworker homes had  
13 pesticide residues not found in low-income urban housing.

14           Next slide.

15           So we can compare this pesticide use data with  
16 other demographic data. According to the U.S. Census  
17 Bureau's American Community Survey, nearly 44 percent of  
18 Californians speak a language other than English at home,  
19 and 9 percent of households are linguistically isolated.  
20 Linguistic isolation are households where all members 14  
21 years of age or older have at least some difficulty  
22 speaking English.

23           The figure on the right, it shows the darker blue  
24 colors with the highest percentage of limited English-  
25 speaking households. And on the left, we have the same

1 pesticide use graphic from the previous slide. Comparing  
2 the two, we see some areas of high pesticide use also have  
3 high linguistic isolation, again in the agricultural areas  
4 of the state.

5           A high degree of linguistic isolation among  
6 members of a community creates a barrier to accessing  
7 health information and public services. It's a barrier to  
8 effective engagement to the regulatory process that impacts  
9 them. People with limited English proficiency are less  
10 likely to have health insurance or regular medical care and  
11 are less likely to receive medical information or advice.

12           Next slide.

13           CHAIR HASSID: Celia, can I ask --

14           MS. PAZOS: Of course.

15           CHAIR HASSID:

16           CHAIR HASSID: -- does that linguistic isolation  
17 factor in literacy rate as well, so if there's a low  
18 literacy rate, do you know?

19           MS. PAZOS: I don't know. The definition I have  
20 is where all members 14 years of age or older have some  
21 difficulty speaking English.

22           CHAIR HASSID: Okay.

23           MS. PAZOS: So I imagine the literacy rate is  
24 backed into other members.

25           CHAIR HASSID: Okay. Sorry to interrupt.

1 MS. PAZOS: No, it's all good.

2 CHAIR HASSID: I was just curious.

3 MS. PAZOS: Thank you for the question.

4 So on the slide now, we're comparing pesticide  
5 use rates with poverty data. So on the right is a map of  
6 California showing percent of population living below the  
7 federal poverty level, again with blue representing the  
8 highest rates. And on the left is the same pesticide use  
9 map. Again, we see some areas with high pesticide use are  
10 also communities with high poverty rates.

11 Poverty is an important social determinant of  
12 health. Numerous studies show that impoverished  
13 populations are more likely to experience adverse health  
14 outcomes when exposed to environmental pollution compared  
15 to wealthier populations. This is because wealth  
16 influences one's living conditions, nutrition, occupation,  
17 and access to health care. These factors combine to create  
18 health disparities in low-income communities.

19 Next slide.

20 So farmworkers and low-income agricultural  
21 communities face multilayered and complex issues that  
22 contribute to environmental health disparities. These  
23 include housing insecurity, pesticide exposure, as we've  
24 discussed in the last couple of slides, workplace  
25 mistreatment, and access to health care. And some of the

1 barriers include language barriers, cultural barriers,  
2 social isolation, and immigration status. Some of the  
3 issues identified by farmworkers are pesticide drift, lack  
4 of field worker training, pesticide notification, language  
5 access, and fear of retaliation when reporting an incident.

6 But DPR is seeking solutions. In the next few  
7 slides, I'll describe the work DPR does to protect  
8 farmworkers and discuss the steps we're taking to mitigate  
9 these health outcomes.

10 Next slide.

11 So how does DPR ensure that workers are safe? We  
12 have a Worker Health and Safety Program. That program  
13 develops mitigation measures such as label changes and  
14 permit conditions before a pesticide can be applied. We  
15 provide outreach and education to farmworkers and their  
16 families. We attend numerous health fairs and community  
17 events. We'll be here at the Farmworker Women's Conference  
18 tomorrow as well. And we provide resources for training  
19 pesticide handlers and field workers.

20 Next slide.

21 DPR conducts pesticide safety training for  
22 farmworkers, including training conducted by growers and  
23 farm labor contractors. DPR is looking to engage  
24 farmworkers to better understand how current safety  
25 training could be more effective, making the training more

1 accessible, culturally relevant, and understandable.

2 Next slide.

3 DPR maintains a statewide pesticide illness  
4 surveillance program to collect data on reported pesticide  
5 illnesses and injuries. As I mentioned, for many reasons,  
6 farmworkers don't always report these incidents. This is  
7 something the department is working to better understand  
8 and improve.

9 Next slide.

10 So based on the data that we do collect, our  
11 actions can include including developing additional  
12 regulations, amending product labels, and working with  
13 County Ag Commissioners to develop and implement permit  
14 conditions that add more restrictions or oversight on the  
15 pesticide use.

16 Next slide.

17 We also recognize that despite these programs,  
18 there are still barriers to access and that farmworkers are  
19 still facing disparate health outcomes and face barriers to  
20 reporting incidents. To address this, in DPR's strategic  
21 plan, we have included several goals to improve language  
22 access, engagement, and collaboration with our partners to  
23 improve worker health and safety. We have also included  
24 goals to increase monitoring to inform mitigation measures.

25 Next slide. There you go.

1           We're also working towards implementing  
2 sustainable pest management. That's a whole-system  
3 approach to reduce the use of high-risk pesticides overall.  
4 DPR recently released a roadmap developed by a cross-sector  
5 work group to recommend actions to accelerate the  
6 transition to sustainable pest management.

7           Next slide.

8           The North Star, our guiding principle, is that  
9 pest management in California will promote human health and  
10 safety, ecosystem resilience, agricultural sustainability,  
11 community well-being, and economic vitality.

12          Next slide.

13          So following this North Star, we aim to achieve  
14 our 2050 goals of eliminating the use of highest-risk  
15 pesticides and adopting sustainable pest management across  
16 California.

17          Next slide.

18          So I covered a lot of different aspects of our  
19 work. We have a lot going on at the department, so to tie  
20 it all together, what's next? How are we moving towards  
21 tying all these pieces together, safer pest management,  
22 increasing environmental justice?

23          So we're working to implement the roadmap, which  
24 includes recommendations to eliminate high-risk pesticides  
25 by 2050. The roadmap includes health and equity as some of

1 the main pillars.

2 We're working to increase staff capacity to  
3 meaningfully engage with impacted communities and  
4 farmworkers so that they can have a role in shaping  
5 programs and policies that impact them.

6 We are expanding language access to ensure  
7 communities are informed and can participate in the  
8 decision-making processes.

9 And we are incorporating equity into our long-  
10 term goals through our strategic plan so communities have a  
11 seat at the table and so that we find solutions to  
12 eliminate health disparities to protect workers.

13 Next slide.

14 So this slide is just my contact information.  
15 Please reach out at any time to me or the department. And  
16 that's it. Thank you. I don't know if we do questions now  
17 if you wanted to questions later, but thank you for your  
18 time, and that's it on my end.

19 CHAIR HASSID: Thank you so much.

20 MS. PAZOS: Of Couse.

21 CHAIR HASSID: I do have -- if you're able to  
22 stick around for questions at the end --

23 MS. PAZOS: Of course.

24 CHAIR HASSID: -- that would be great.

25 MS. PAZOS: Yeah.

1 CHAIR HASSID: I do have one -- a couple related  
2 questions in terms of how the department learns of  
3 pesticide exposure incidents.

4 So do licensees or employers -- and I'm kind of  
5 thinking in a coalition context --

6 MS. PAZOS: Sure.

7 CHAIR HASSID: -- do they have a duty to report  
8 for an exposure, or how do you learn about those incidents?

9 MS. PAZOS: I have support staff here. Jag?

10 CHAIR HASSID: Okay.

11 MS. PAZOS: Jag Sahota is here. It's my  
12 understanding that we learned -- the Department learns of  
13 them through the Pesticide Illness Surveillance Program,  
14 but I'll let Jack add details.

15 MR. SAHOTA: (Off mic.) We have a number of  
16 channels that we get those reports from. Either a  
17 farmworker himself, they can call the local County Ag  
18 Commissioner and then we get that report, or if they go see  
19 a doctor, then the doctor is required to report that  
20 illness to us. So that's another way of us knowing that.  
21 And then we get a lot of other reports from Poison Control  
22 System. We have a contract with them and they deliver some  
23 of those reports to us.

24 Like Celia said, we're trying to get this, the  
25 illness reporting, to us. We want an increase in that. So

1 we're seeking various other channels where we can get that  
2 information. We're trying to get in a contract with the  
3 promotoras organization, where promotoras are the community  
4 health workers that the farmworker community typically  
5 relies on. So we're in the process of establishing a  
6 contract so they would interact with the community and they  
7 would educate them to basically report those illnesses to  
8 us.

9 CHAIR HASSID: Got it. Okay. Thank you.  
10 Thanks, Jag.

11 CHAIR HASSID: Do any of my colleagues have any  
12 questions?

13 BOARD MEMBER LIGHTSTONE: I could ask one?  
14 Just, you talked about there's a plan to phase  
15 out some priority pesticides by 2050. Is there a list of  
16 the priority pesticides or can you describe what they are?

17 MS. PAZOS: I can't. We're still working on  
18 implementing the roadmap --

19 BOARD MEMBER LIGHTSTONE: Oh.

20 MS. PAZOS: -- and that's one of the actions is  
21 to bring together a committee of folks to identify these  
22 pesticides and then we'll work to eliminate them, but it  
23 doesn't exist yet.

24 BOARD MEMBER LIGHTSTONE: Okay. Thanks.

25 MS. PAZOS: Yes.

1 CHAIR HASSID: Cinthia?

2 BOARD MEMBER FLORES: I noted that in the  
3 presentation, language access is a big priority. That's  
4 been a topic of discussion at the ALRB as well.

5 What kind of practices can you share that you  
6 might be implementing or seeking to implement to enhance  
7 language access to information and to create that kind of  
8 connection with folks?

9 MS. PAZOS: Totally. I think at a very basic  
10 level, we're working to expand translation and  
11 interpretation services. So it may seem obvious, but we  
12 are working to improve that. I think there's space to  
13 continue translating all of our documents, all of our  
14 meetings, offering interpretation services where needed.  
15 We also have PSAs, public service announcements in various  
16 languages.

17 But I think what I will note is one of the  
18 focuses that I've identified or that we realize we need to  
19 work on is making our information, our fact sheets, our  
20 website, different materials just easier to understand and  
21 read. We get very caught up in our pesticide jargon and my  
22 presentation was probably full of it too. I'm guilty of it  
23 as well. But I think that's another place that we're  
24 looking to simplify and make the information accessible in  
25 addition to just straightforward language translation.

1           So those are some of the areas that we're working  
2 to improve.

3           CHAIR HASSID: Okay. Thank you so much. And I  
4 can appreciate that. I think all of our communications  
5 professionals are begging us to not let the lawyers write  
6 anything. We need more plain language education.

7           MS. PAZOS: Yeah.

8           CHAIR HASSID: Thank you so much and please stick  
9 around if you're able.

10          MS. PAZOS: Yes.

11          CHAIR HASSID: Our next presenter is a researcher  
12 from the UC Merced Community Labor Center, Rodrigo  
13 Alatrliste-Diaz. He will be discussing his research on  
14 impact of pesticides on farmworker health.

15                 And then, let's see, I don't know if you and  
16 Rodrigo, if you're able to switch seats? That might work  
17 better for our audio quality.

18          MS. PAZOS: The camera is right there.

19          MR. ALATRISTE-DIAZ: Sure. We have a mic here.

20                 (Off mic colloquy)

21          MR. ALATRISTE-DIAZ: So I have a PowerPoint  
22 presentation.

23          EXECUTIVE SECRETARY AVILA-GOMEZ: Let me pull it  
24 up. Was that emailed to us?

25          MR. ALATRISTE-DIAZ: Yeah.

1 EXECUTIVE SECRETARY AVILA-GOMEZ: Okay, let me  
2 pull it up. Thank you.

3 MR. ALATRISTE-DIAZ: I could get started though.  
4 Hi everyone, my name is Rodrigo Alatrister-Diaz.  
5 I'm a researcher with the UC Merced Community and Labor  
6 Center. I want to thank Chairperson Victoria Hasid for the  
7 invitation to share our findings with you, the ALRB and the  
8 public today.

9 I'm super excited to share findings of a two-year  
10 study on the health and well-being of California  
11 farmworkers. I had the privilege of working as a  
12 researcher on this project, along with Ed Flores, Faculty  
13 Director of the UC Merced Community and Labor Center, Paul  
14 Brown, UC Merced Professor of Health Economics, and Ana  
15 Padilla, Executive Director of the UC Merced Community and  
16 Labor Center.

17 Before we share survey results, I'd like to share  
18 a couple of acknowledgments.

19 Next slide, please.

20 Foremost, to thank the California Department of  
21 Public Health for sponsoring this study. We would also  
22 like to acknowledge several other groups and researchers  
23 without whom this study would not have been possible, the  
24 Farmworker Community Advisory Board, Kaweah Delta, Bo  
25 (phonetic) Clinic, researchers from several institutions,

1 and an advisory committee that provided oversight of the  
2 study.

3           So the purpose of this presentation today is to  
4 share findings from our report, specifically about  
5 workplace compliance training among farmworker pesticide  
6 applicators. Today, I will first share a little about the  
7 context of agricultural work in California, the purpose of  
8 the Farmworker Health Study, relevant conceptual framing in  
9 the field of public health, our study's research  
10 methodology, demographics, findings, and recommendations  
11 from the report.

12           Next slide, please.

13           Some important context for this study is that  
14 agricultural workers have historically experienced among  
15 the least work protections in the nation. Early California  
16 industrial agriculture was modeled upon the southern  
17 plantation model, and when modern day worker protections  
18 were established, such as the National Labor Relations Act  
19 or the Fair Labor Standards Act, the only two worker groups  
20 excluded from those protections were agricultural workers  
21 and domestic workers, jobs primarily held by southern black  
22 workers. So to this day, these groups don't have the same  
23 unionization, collective bargaining, or wage in our federal  
24 protections.

25           These exclusions were created to preserve a caste

1 system that now affects largely Latino immigrant -- a  
2 Latino immigrant population that also lacks formal rights  
3 as citizens. And we should have a footnote on our  
4 presentation that the ALRB does uphold some of these  
5 rights.

6           Next slide, please.

7           The primary purpose of our study was to determine  
8 the health of farmworkers in California. The secondary  
9 aims included determining some of the social determinants  
10 of health, such as health care access, health care  
11 coverage, and workforce health and training needs. In this  
12 presentation, I'll share data from our report focusing on  
13 training needs and workers' willingness to report employer  
14 noncompliance.

15           Next slide, please.

16           The concept of social and economic organization  
17 serves as our report's key conceptual framework. The  
18 earliest social science studies showed a relationship  
19 between social position, like race and gender, economic  
20 position, like education and income, and health.

21           W.E.B Du Bois, who pioneered the first social  
22 science study in the U.S., argued that poor health outcomes  
23 were a result of social factors, for example, high  
24 mortality rates among communities of color, like the black  
25 community he studied in Philadelphia, but that economic

1 position played a significant role in such racial  
2 disparities. Du Bois noted that Chicago's back-of-the-yard  
3 neighborhoods comprised mostly of white meatpacking  
4 workers, who were also farmworkers, had higher mortality  
5 rates than black people in Chicago. In short, his study  
6 concluded that race matters to your health, but so does the  
7 quality of your work.

8           Several decades later, literature in the field of  
9 public health coined the term social determinants of health  
10 while making very similar arguments about race, income, and  
11 mortality.

12           Next slide, please.

13           So on this slide we have a representation of the  
14 social determinants of health. Today the term social  
15 determinants of health is foundational in the field of  
16 public health, human services. A couple of examples of  
17 institutions that have incorporated the concept into major  
18 initiatives include the World Health Organization, U.S.  
19 Department of Health and Human Services, and the Center for  
20 Disease Control and Prevention.

21           Next slide, please.

22           So our report is an intervention in the field of  
23 public health because the term social determinants of  
24 health often refers to factors such as housing, the built  
25 environment, or water and soil. To the extent that

1 employment is mentioned, it is usually in the context of  
2 income, for example, increasing employment rates, reducing  
3 work days missed due to workplace injuries, rather than the  
4 quality of work.

5           The Farmworker Health Study is the largest  
6 academic survey on the health and well-being of  
7 agricultural workers. And we supplement the study of  
8 health by asking many key questions on workplace dynamics  
9 that have rarely or never been asked in previous major  
10 studies of farmworker health. Our survey asked questions  
11 about farmworker health, health access, but also about  
12 experiences with farm work and the quality of such work,  
13 such as employer compliance with wage and hour provisions,  
14 workplace health and safety standards, and fear of  
15 retaliation.

16           Next slide, please.

17           We designed our study as a community-engaged  
18 research project. Our Center held its first meeting with a  
19 Farmworker Community Advisory Board comprised of directors  
20 of the state's leading farmworker service organizations.  
21 Twenty-six organizations consisting of community worker and  
22 labor organizations were engaged with the research study  
23 for over two years. The Farmworker CAB provided strategic  
24 input during every step of the study.

25           It is because of our CAB that we had questions

1 related to research survey items such as wage theft, the  
2 California Heat Standard, women's reproductive health, that  
3 are rarely or never asked in public health research on  
4 farmworkers. We would like to thank the following with  
5 whom the study would not have been possible.

6 Next slide, please.

7 This is the Farmworker CAB. Some of the  
8 participants to my left are on that list.

9 Next slide, please. That one's good.

10 MR. ALATRISTE-DIAZ: These are some of the  
11 researchers that contributed to the study.

12 Next slide, please.

13 The data collection team.

14 Next slide, please.

15 Research staff.

16 Next slide.

17 And additional report writing.

18 Next slide.

19 So getting into the research methodology, the  
20 size of the agricultural worker study and its level of  
21 community engagement is unique in the academic literature.  
22 The CAB helped to recruit 1,200 -- or to conduct 1,242 in-  
23 person interviews with farmworkers between August of 2021  
24 and January of 2022. Interviews were two hours in length  
25 in six languages in six of the state's major farm working

1 regions. The survey was carried out in Spanish, English,  
2 Mixteco, Zapotec, Triqui, and Ilocano. In addition, 205  
3 out of the 1,000 and so surveys also completed a medical  
4 survey and provided non-fasting blood draw.

5 Next slide, please.

6 I'll share some findings now, starting with  
7 demographics of our sample and how it compares with  
8 representative data on farmworkers.

9 The Farmworker Health Study is based on a  
10 convenience sample of California agricultural workers.  
11 While not a random sample, the study sample shares many of  
12 the characteristics of the California farmworkers in other  
13 representative studies. The demographics of respondents  
14 are very similar to the characteristics of agricultural  
15 workers in the U.S. Census Bureau's American Community  
16 Survey.

17 So the column on the left is the Farmworker  
18 Health Study results, and the column to the right is the  
19 American Community Survey. You'll notice that our survey  
20 had a larger amount of female farmworkers, indigenous  
21 farmworkers, and foreign-born. And in terms of the greater  
22 participation of women farmworkers and indigenous  
23 farmworkers, that's due to over sampling. We wanted to  
24 ensure that we were able to capture those distinct groups.

25 Next slide, please.

1           Similarly for the geographic distribution, you'll  
2 notice that some of the smaller agricultural communities  
3 like Sonoma were over sampled, as well as Imperial and  
4 Coachella Valley and the lower Central Coast. The sample  
5 size for these communities was larger in case we later  
6 wanted to run statistical tests that require a larger  
7 sample size for higher level of confidence.

8           Next slide, please.

9           This next section is on employer compliance with  
10 pesticide related workplace health and safety standards and  
11 the willingness to report noncompliance among all  
12 farmworkers.

13          Next slide, please.

14          The State of California is responsible for  
15 examining, certifying, and licensing workers who apply  
16 pesticides. Farmworkers who work as pesticide applicators  
17 are routinely exposed to toxic chemicals, such as  
18 pesticides and fumigants, as part of their occupation.

19          Data from our study indicates workers experience  
20 substantial noncompliance with pesticide-related workplace  
21 health and safety standards. In the Farmworker Health  
22 Study, nearly one in ten workers reported applying  
23 pesticides in the past 12 months. Twenty-five percent of  
24 those who worked applying pesticides reported they did not  
25 receive any training on the use of pesticides. Among those

1 who did receive training, 21 reported not understanding the  
2 training. That is to say, as a whole, only 57 percent of  
3 workers who applied pesticides in the past 12 months had  
4 received training on safe use of pesticides in a way they  
5 felt they understood.

6           Next slide, please.

7           When we asked if farmworkers would report  
8 employer noncompliance that they witnessed, only one in  
9 three farmworkers said they would be willing to report  
10 noncompliance. Nearly two thirds -- I'm sorry, nearly two  
11 in three of those persons said they would be unwilling to  
12 file a report due to fear or retaliation such as job loss  
13 or deportation.

14           Next slide, please.

15           Our report ends with several policy  
16 recommendations, but most recommendations are aligned with  
17 shifts in statewide policy and emerging initiatives that  
18 are underway, already underway.

19           Two recommendations to highlight today are we  
20 recommend continuing to invest public resources in  
21 protecting workers' rights. The California Worker Outreach  
22 Project and its two-year extension are an example of such  
23 an investment in worker rights education, and so is  
24 enhancing the state's ability to enforce existing  
25 standards.

1           We recommend investing public resources in  
2 agricultural development that raises industry work  
3 standards. For example, the high-road framework that has  
4 been a blueprint for the state's efforts at economic and  
5 climate resilience is one prominent example of this.

6           The question is how we incentivize the  
7 development of the high road in an industry with so many  
8 workers who already lack many worker protections and one  
9 increasingly affected by rapid demographic change, climate,  
10 and technological change?

11           Thank you for your time and your attention.  
12 Please visit our website for a complete copy of our report.

13           Next slide, please.

14           We have a link there, and I'm happy to take any  
15 questions now or later.

16           CHAIR HASSID: Thank you so much, Rodrigo. I  
17 really appreciate that overview and just thankful to your  
18 work, the work of the team, and the Community Advisory  
19 Board for the studies. I think it's provided a lot of  
20 valuable data for a variety of organizations, including  
21 government entities.

22           I'm just wondering, given your research in this  
23 area, if there were any findings with respect to the  
24 pesticide issues that you found surprising or that you  
25 weren't anticipating?

1 MR. ALATRISTE-DIAZ: Well, I mean, one of the  
2 data, one of the findings is that, and maybe it's more of a  
3 limitation, was that of workers who received training, the  
4 portion that did not, felt that they didn't understand the  
5 training. Because it was such a small number of workers,  
6 something like 18 workers, it was hard to be able to derive  
7 additional information in terms of whether that was due to  
8 language access, or I think language access, you know, was  
9 something that we anticipated would be part of the whether  
10 workers -- the level of comprehension amongst workers. And  
11 so because we didn't have enough data, we weren't able to  
12 analyze that further.

13 CHAIR HASSID: I'll look to see, do any of my  
14 colleagues have any questions for Rodrigo?

15 And then we may have received an indication that  
16 one of our Zoom participants had a question.

17 EXECUTIVE SECRETARY AVILA-GOMEZ: Yeah, sorry,  
18 I'm pulling up the Zoom window and looking.

19 Mr. Garcia, would you like to ask a question? If  
20 so, please unmute yourself and proceed. Hold on, we got an  
21 audio issue.

22 Would you mind turning up, Victoria, can you turn  
23 up the volume on your laptop? Maybe we can pick up.

24 Okay, let's try that one more time, Mr. Garcia.

25 MR. GARCIA: Hello. Can you hear me now?

1 Fabulous. All right.

2           Yeah, so I just want to definitely give kudos to  
3 UC Merced for addressing pesticides in the San Joaquin  
4 Valley. I think that is long overdue. And this type of  
5 research really helps to reveal some of the -- or  
6 contributes to the conversation on the health disparities  
7 of farmworkers overall.

8           And I think that it's also important to recognize  
9 and acknowledge that a lot of the pesticides used is  
10 heavily concentrated, disproportionately concentrated in  
11 regions where there are a lot of farmworker families, and  
12 also bring attention to the fact that it's imperative that  
13 the state, the Department of Pesticide Regulation addresses  
14 head-on real substantive change.

15           And one thing that can be done on the sooner side  
16 of things is to all together create a robust health  
17 protective measure on a pesticide called the 1,3-  
18 dicloropropene, or 1,3-D, and highly encourage them to work  
19 in concert with the Office of Environmental Health Hazard  
20 to really align themselves with the cancer experts at the  
21 state and then put forth an adoption or a draft regulation  
22 that is more along the lines of 0.04 parts per billion as  
23 opposed to the one that they have already announced  
24 previously, which is 0.56 parts per billion. And so  
25 there's a 14 times the difference there of disparities, and

1 so we definitely want to just echo that. When we're  
2 talking about farmworkers, we've got a trailblaze as well  
3 when it comes to adopting or putting forth any sort of  
4 health protection.

5 So kudos to everyone, but just definitely want to  
6 acknowledge UC Merced for your leadership in environmental  
7 justice in addressing that.

8 Thank you.

9 EXECUTIVE SECRETARY AVILA-GOMEZ: Thank you.

10 CHAIR HASSID: Thank you.

11 And do we have anyone else on the Zoom wishing to  
12 make a comment or question?

13 Yeah, Julie, do you mind actually coming up here  
14 or even right here? They'll just get the audio there.

15 MS. MONTGOMERY: Yes, thank you for the  
16 information.

17 Just wondering in terms of outreach or in  
18 conducting presence to workers, if you've encountered  
19 resistance, as I know they get a lot of information from a  
20 lot of different places, and some of it might be  
21 conflicting with what UC Merced would provide; right? And  
22 they're working in an industry where they don't have a  
23 choice but to go to work, and they're going to be around  
24 pesticides, so it's sometimes hard information to hear  
25 about the risks that folks are being exposed to.

1           So just wondering if you encountered some  
2 challenges in that regard and how you seek to address those  
3 to, I guess, do? And what advice you'd have for us in  
4 doing outreach as to how to address some of those  
5 challenges when we're talking to communities?

6           MR. ALATRISTE-DIAZ: Yeah, I think, so in terms  
7 of like public education, we don't yet have a workshop  
8 model. The majority of public education that does occur is  
9 through the California CWOP, Immigrant Worker Outreach  
10 Project. And the learning that we've done in that has  
11 relied on CBOs, community health outreach workers, so it's  
12 kind of reassuring that agencies like DPR and other state  
13 agencies are replicating and do similar work as we do.

14           EXECUTIVE SECRETARY AVILA-GOMEZ: Chair, we lost  
15 sound.

16           (Off mic colloquy)

17           MR. ALATRISTE-DIAZ: Should I respond again?

18           EXECUTIVE SECRETARY AVILA-GOMEZ: I think that's  
19 ideal.

20           MR. ALATRISTE-DIAZ: Okay. Yeah. So again, the  
21 UC Merced Community Labor Center doesn't yet have a  
22 workshop public outreach model, but that the California  
23 Immigrant Worker Outreach Project, which is facilitated by  
24 UC Merced, relies on community-based organizations to  
25 connect with workers, as well as community health outreach

1 workers, and that it's -- I believe CPR mentioned earlier  
2 that there's interest in establishing an outreach component  
3 that also relies on community health outreach workers, so I  
4 think there's overlap and congruence in terms of best  
5 practices.

6           And I think some of my colleagues from CBOs will  
7 also have ideas about how best to engage with our members.

8           Thank you.

9           CHAIR HASSID: Thank you.

10           Okay, we are now going to take a ten-minute break  
11 before we get on to the rest of our presenters, so we will  
12 be back at 3:35, give people a chance to stretch their legs  
13 and get a bite to eat or something.

14           (Off the record at 3:26 p.m.)

15           (On the record at 3:41 p.m.)

16           CHAIR HASSID: Okay. Thank you. We are back to  
17 continue with the rest of the panel.

18           Our next presenter, next we're going to get into  
19 a series of panelists to give farmworker perspectives. Our  
20 next presenter is Rocio Madrigal who is a community  
21 outreach worker with Central California Environmental  
22 Justice Network, CCEJN.

23           Rocio, please go ahead.

24           MS. MADRIGAL: Good afternoon. My name is Rocio  
25 Madrigal. I'm a community organizer for Central California

1 Environmental Justice Network. I especially focus on  
2 informing farmworkers and residents in rural communities  
3 about the risk of pesticides exposure, the regulations that  
4 exist to protect them, and the ways to report incidents to  
5 advocate for their safety. The perspectives I will share  
6 are based on what I have witnessed during my job and the  
7 experiences of my parents, relatives, friends, and  
8 neighbors.

9           You heard that California has stringent rules.  
10 You could imagine these rules are enough to protect  
11 farmworkers, but the reality is that they are not always  
12 protected for a variety of reasons. It's not easy to  
13 submit reports. Farmworkers do not know even the name or  
14 where the ad commissioner is. They don't know where to  
15 submit reports. They don't have and sometimes don't know  
16 how to use technology.

17           It is true that there is a Casper (phonetic) app  
18 where they can submit reports, but the problem is that  
19 while they're working in the fields, they are sometimes not  
20 allowed, forbidden, to use their cell phones, and  
21 retaliated. We had worker A that saw some violations, made  
22 a petition, got signatures, left those papers and her cell  
23 phone at work, and her car was -- the windshield was  
24 broken, and the only things taken was the phone and the  
25 signatures of the people who she had asked to support her

1 in a report she was going to do.

2           People responding to the reports sometimes do not  
3 follow through or respond in a timely manner or with the  
4 right attitude. If it's not timely, the workers feel that  
5 what they are reporting is not of any importance to the  
6 person receiving the report.

7           Worker number two, she submitted a report that  
8 there was -- something had been sprayed in the location  
9 where she was working. The inspector that responded said  
10 to me, personally, "We cannot find the location," and that  
11 is after I had called the AG Commissioner, DPR, Cal/OSHA,  
12 and some office I found online in Sacramento. I know the  
13 exact date, July 7th, because I have some messages that I  
14 keep to remind me that it is not important to them.

15           His biggest obstacle that he said was, "well,  
16 this owner has one square mile of property."

17           "Can you pinpoint the location?" The worker  
18 could not pinpoint the location. I could not pinpoint the  
19 location. And I said, "Well, you have a vehicle. I assume  
20 you have gas, I assume you have air conditioning, and it's  
21 one mile." It broke my heart that that is the reason that  
22 he was not responding or trying harder to find it.

23           Worker number three, another worker called CCEJN  
24 to report that pesticides were being applied in a field  
25 next to the field where she was working. Video was taken

1 for over an hour and 20 minutes. I made a report. CCEJN  
2 sent the report to the inspector at the Fresno AG  
3 Commissioner, but they did not visit the farm where the  
4 incident had happened. They argued that, again, they could  
5 not find the location.

6           When I Nayamin Martinez insisted in a public  
7 meeting for follow up and called an inspector and said that  
8 the farmworker needed help and they needed to respond, she  
9 was called out as making something up in a public meeting.

10           The worker that reported this finally did get to  
11 speak from someone in the ad commissioner's office. The  
12 worker called her, harassed her, and was demanding that she  
13 make the report and give her name and give her cell phone  
14 information. And the worker simply said, "You did not  
15 respond in a timely manner. I don't think me making a  
16 report is going to help anybody at this point." And she  
17 was scolded by the worker.

18           There is more than lack of customer service in  
19 some of our state offices.

20           Lastly, worker number four reported a spray in  
21 the Madera County. CCEJN once again submitted a report.  
22 And I don't know that you know, but the investigation  
23 sometimes takes 6 to 18 months. So we report a possible  
24 drift or a possible spray and the report can take 6 to 18  
25 months.

1           Finally, we received it last week, the answer  
2 from Madera, and it was a short three-page answer. Really  
3 the only investigation was asking the lead contractor, was  
4 anybody sick? The workers were not asked. But if I'm a  
5 contractor, I'm probably going to protect my contracting  
6 agency and I'm not going to report the incident.

7           We mentioned that our doctors are going to help  
8 the DPR with reports. I beg to differ. I have three  
9 farmworkers in Madera that went into a field that had been  
10 sprayed with something. A few days later three out of that  
11 one crew got sick. One of them was diagnosed with  
12 pneumonia acquired in the community. Three people out of  
13 the same crew got sick and went to the ER.

14           Again, because of retaliation they do not want to  
15 make a report. These are small communities where they will  
16 not have work. They will be known as, you know, the  
17 snitch, the tattletale, and this is very real for them.  
18 Retaliation and deportation is extreme fear that prohibits  
19 them and even more so when they call and they're not  
20 answered in a timely manner or they talk to you rudely.

21           I have another example but it is a different  
22 state agency, so I won't mention that one today, but we  
23 have had several since we have been reporting two different  
24 state agencies for about two years now, those that we can  
25 report anonymously, and we hope to have more.

1 Overall, we believe that to fully protect  
2 farmworkers from pesticides we need to ensure that proper  
3 enforcement of the regulations that DPR creates, more  
4 outreach, and appropriate responses from the Ag  
5 Commissioners that are entrusted to do the local  
6 enforcement. We have tried as a CBO to have someone from  
7 the department -- or Ag Commissioner to speak to a group of  
8 about 30 farmworkers on Zoom, making it very convenient for  
9 them. You know, they can do it from the comfort of their  
10 home. We have been denied that request.

11 Before, she did one presentation once, and  
12 because farmworkers had comments and questions, a lot of  
13 them, she said she felt like they were aggressive and that  
14 is the excuse that we're given of why she cannot.

15 Recently, we had Lourdes Cruz present to our Zoom  
16 group. She did a wonderful job. They had lots of  
17 questions and she got lots of answers from them too.

18 I asked Ms. Pazos if she would share one slide.  
19 I don't know if it's possible with the six agencies that  
20 they work with.

21 CHAIR HASSID: Are you looking for the slide from  
22 DPR?

23 MS. MADRIGAL: Yes, from DPR. And the  
24 establishment of other measures that have proven effective  
25 in some counties, like in Kern County where growers notify

1 the farms near their properties when they are doing  
2 pesticide applications. That way there are no crews  
3 working in the neighboring field.

4 Overall, we should be following other pest  
5 management practices that do not rely on chemicals that are  
6 meant to kill. Just because our families are not dying  
7 from one day to the next does not mean they are not dying.

8 I asked if they could put this slide up because  
9 Californians with Pesticide Reform have had a campaign  
10 against Telone and it is cancer causing. And OEHHA that  
11 you see there on the upper right are the scientists that  
12 give the results to DPR to tell them what is safe or  
13 safest, not safe, 0.04 is still parts per million that  
14 cause cancer to the workers and to anybody that lives  
15 around these places that are sprayed. And still in Fresno  
16 County and Kern County, we have the highest levels in the  
17 state and that is not considered an urgency and that's the  
18 problem.

19 We just heard from UC Merced that it was a small  
20 amount of people, but even say if it was 25 percent of the  
21 people handling chemicals or fumigants that do not receive  
22 proper training, 25 percent of hundreds of thousands of  
23 workers is a lot of people because they get sick, they  
24 don't have insurance, and their years as seniors, if they  
25 make it there, are very painful.

1           And I'm sorry, I've taken up too much time.

2 Thank you.

3           CHAIR HASSID: Not at all. First of all, we  
4 really appreciate your presentation. Thank you.

5           And I just want to before seeing if any of my  
6 colleagues have questions, just make a note.

7           One, really appreciate CCEJN being here. And  
8 Rocio kind of referenced it in her presentation, but CCEJN  
9 has been a key member of a community group in the valley  
10 here called Campo (phonetic) that organized about two years  
11 ago to really try and work with state agencies, ALRB being  
12 one of them, to make sure that we are truly serving the  
13 entire state and really reaching out to farmworkers, and  
14 that was their efforts. Their advocacy have been one of  
15 the reasons why we felt it was really important to bring  
16 our Board down to Visalia. And so I just want to applaud  
17 their work there and highlight for their members that they  
18 are advocating strongly and they're being heard.

19           One question I have for you, and it's been a  
20 discussion in some of those meetings, but I'd love to think  
21 about it as, you know, was reflected in the Farmworker  
22 Health Study and as some of the other panelists and you  
23 mentioned, there's a lot of fear about reporting, but  
24 workers, thankfully, trust your organization to share their  
25 stories. And I'm wondering what are some key activities

1 that maybe you have done or best practices that you've  
2 engaged in that have helped build trust? Because I think  
3 that's something that we're always trying to improve upon  
4 because we know that farmworkers in particular don't always  
5 trust government agencies, even those that, like us, our  
6 mission is to help farmworkers.

7 MS. MADRIGAL: I think some of the best practices  
8 is going to their meetings. I know one of our outreach  
9 workers goes to Head Start meetings, parent meetings,  
10 different meetings where you are alongside them learning  
11 the issues, other issues, many other issues that they're  
12 dealing with. And once they see that you care, they also  
13 listen to what you have to say.

14 And just like other things when we learn, you  
15 know, even as academic people, we may not learn something  
16 the first time, we may not understand it, we may not  
17 believe it, but they need to be, continue being told. Just  
18 like I told Cal/OSHA, you want to do PR? Spanish radio.  
19 You want to do, you know, cheap billboards? Fresno County,  
20 Madera County. We're not L.A. They don't cost millions.  
21 So repetitive outreach.

22 And although I applaud DPR for being here  
23 tomorrow, it looks beautiful, the preparations that have  
24 been done for the workers, it's reaching just a few because  
25 when you present in a big room, it does not have the same

1 impact. And we CBOs are ready to do the work. We've been  
2 doing the work.

3 I've been with CCEJN four years. I've handed out  
4 hundreds of DPR materials and talked to them about all the  
5 time and tried to encourage them. But again, their fear is  
6 very real and when they are treated harshly -- I have been  
7 screamed at. I did four heat illness reports and  
8 violations this summer. I was screamed at by a state  
9 employee. And you know, what I tell state agencies is,  
10 "Please record, just like other businesses, record your  
11 calls. Use your technology and you will see how people  
12 calling in are treated if you really want to know."

13 CHAIR HASSID: That's valuable feedback. We've  
14 been talking about doing more training about how to better  
15 engage with the community across agencies, so I think  
16 that's something that I'll be taking back to our group.

17 Do any of my colleagues here have any questions?

18 And then do we have any questions on the Zoom?

19 Pause a moment.

20 EXECUTIVE SECRETARY AVILA-GOMEZ: No.

21 CHAIR HASSID: Okay. All right. Thank you,  
22 Rocio.

23 And then I think we'll ask for you to rotate out  
24 with our next panelist, which is going to be Edgar Aguilar,  
25 the Managing Director for Promotoras con Alma. And as

1 referenced by one of the panelists earlier, Edgar is with  
2 one of the larger statewide promotora organizations, these  
3 health workers, both system workers, and excited to learn  
4 more about your work in this area.

5 MR. AGUILAR: Thank you. Well, I want to thank  
6 the Board for inviting us to share some of our outreach and  
7 education efforts surrounding protecting the rights, the  
8 dignity, and health of farmworkers. We partner with  
9 several state departments in order to bring information to  
10 Promotoras across the state.

11 Promotoras con Alma is a fairly new organization.  
12 We've been around for four years. I've been working with  
13 promotoras for over 15 years. Our Executive Director Chely  
14 Romero has been working with promotoras for over 30 years.  
15 So we have a lot of experience of engaging promotoras in  
16 order for them to do the work they love doing and are so  
17 effective in doing in reaching communities.

18 Through our organization, we provide training.  
19 We provide support to promotoras. We coordinate a  
20 promotora coalition where promotoras can meet each other  
21 and support each other. We learn from them. We learn  
22 about the needs of the community in order for us to better  
23 respond to them, look for allies that will help us respond  
24 to the needs that arise in our communities.

25 Being a promotora, it's not an easy job. Just

1 recently, California released a list of competencies that a  
2 promotora must meet in order to be certified as a  
3 promotora. So a promotora must have, according to the  
4 state, and we've witnessed this, an effective promotora  
5 does possess all these qualities and skills, they must have  
6 communication skills and a personal and relationship  
7 building skills, service coordination, capacity building  
8 skills, advocacy, education skills, facilitation skills.

9           They must be able to evaluate the community and  
10 the individuals they serve. They must have outreach  
11 skills. They must have professional skills in conduct and  
12 have a knowledge base according to whatever topic they are  
13 bringing out to the community.

14           And promotoras must be passionate about the work  
15 they do. They serve different roles. One of the main  
16 roles that they serve is that they're a bridge between  
17 agencies and the community we're trying to serve. But  
18 they're a two-way bridge.

19           And I think this is important to highlight that  
20 although, yes, promotoras can receive training and they go  
21 out and they bring this information out to communities, we  
22 as agencies or state departments must be able to hear the  
23 information they bring back as well. They can inform us  
24 very well about what's going on in the community and how  
25 better serve the people that we're trying to reach.

1 Promotoras are advocates. They're coaches. They  
2 provide social support. They provide many different types  
3 of direct services.

4 So as you could probably tell, I love promotoras.  
5 Promotoras are amazing people.

6 One of the things that I think distinguish  
7 promotoras even more so than other types of workers are not  
8 the skills but the qualities they possess. Promotoras are,  
9 and I've met thousands of them, are compassionate. They  
10 have empathy, they have respect, persevere. They're  
11 creative problem solvers. It's all in order to get the  
12 services or the information that the community needs.

13 But one of the most important qualities of a  
14 promotora is that they belong to the community we're trying  
15 to reach. So we don't have to tell them about the problems  
16 or challenges or opportunities that this community is  
17 facing, they live them every day. They're part of that  
18 community. And because they are part of the community,  
19 they have the respect and trust of that community.

20 So that's why I think that any type of work that  
21 we do where we try to reach community, we must involve  
22 promotoras. We just have to involve them. They're so  
23 effective at reaching community and just they have that  
24 trust that takes a lifetime to earn. They have it already.

25 Promotoras reach the community in many different

1 ways. They use traditional outreach and education  
2 strategies. They make presentations. They go to health  
3 fairs and do tabling events. But they use other strategies  
4 that are not so easy just to implement. A lot of the  
5 education and outreach they conduct happens informally.

6           It's not uncommon to hear, I was at a quinceañera  
7 and, you know, they started talking about this, so I  
8 informed them. I gave them the information that I know  
9 about this topic. I was at a wedding. I was waiting for  
10 my child to be released from school and I heard some  
11 parents talking about this issue and I intervened and gave  
12 them the information that I have. We tell promotoras,  
13 you're not nosy, you're a promotora. She's a promotora;  
14 right? You know, they want to help. They can't help it.

15           One of the strategies that we have found very  
16 successful are charlas caseras, home meetings, where we  
17 train promotoras on a certain topic and then they go out  
18 and they talk to people they know and they ask one person,  
19 you know, would you like to learn more about pesticides,  
20 COVID, diabetes, whatever the topic may be? Yes, I do.  
21 Gather another four or five people and we can go to your  
22 house, meet at your garage, meet in the backyard, meet  
23 anywhere. So this is a safe environment for them to  
24 receive education and training.

25           So charlas caseras, just to give you an example

1 of a success of one project, the charlas caseras, we  
2 held -- trained a total of 77 promotoras through five  
3 workshops and they went out and they provided charlas  
4 caseras one hour long to 987 people. And these were in-  
5 depth conversations.

6           One of the promotoras, which I really love, she  
7 spoke Mixteco. She translated the information to Mixteco  
8 and she delivered this charla in Mixteco in the family's  
9 living room. Another reporter, they went to Denny's and  
10 that's where she gave a training to about five, seven  
11 people. It's a safe environment. They're able to ask  
12 questions because they're talking to friends. They're  
13 talking to a promotora who is also -- they're from the same  
14 neighborhood.

15           So charlas caseras is an amazing strategy that  
16 can reach a lot of people. And again, it's not just  
17 providing information, but just fostering these  
18 relationships.

19           Another project that we worked with OEHHA, they  
20 asked us if we would help them coordinate five workshops,  
21 and these were all virtual workshops. They engaged  
22 promotoras that had a relationship or were working with  
23 farmworkers. So we were able to coordinate five workshops.  
24 There was a total of 160 promotoras that received the  
25 training. And these promotoras went out and they reached

1 3,200 people just in this project. After that, we couldn't  
2 keep track, but they keep on going. They have this in  
3 their toolbox and they're going to use it. They continue  
4 using this information.

5           After that workshop, we asked promotoras again,  
6 what are some of the needs or educational needs,  
7 information resources that are needed for farmworkers? We  
8 started talking to Lucia about this early on, as well, and  
9 we thought we were going to continue talking about  
10 pesticides, but they identified so many other issues that  
11 we ended up developing a series of trainings.

12           The trainings, let me see, I lost my note here.  
13 We worked with EDD, with Cal/OSHA, with OEHHA, with the  
14 Labor Commissioner's Office in order to deliver different  
15 topics, because now it's, yes, okay, we learned about  
16 pesticides, and also we cover pesticides again, but now  
17 they also learned how to report, how to make a report.  
18 They learned about, they were asking about heat protection,  
19 fires. They were asking about what if they don't pay me  
20 the hours that I need or how do I protect myself from  
21 retaliation?

22           Through this series of six workshops, again, 30  
23 promotoras received training. And we had to do another, a  
24 second series, because there was so much interest. This  
25 time there was 27 promotoras that graduated. They

1 participated in all. It was five trainings plus a planning  
2 session at the end, so it was a total of six sessions.

3           So 57 promotoras have gone through all these six  
4 sessions. They've spent -- they received, how many, 12 to  
5 18 hours of training on these different topics. And now  
6 we're in the middle of sending them the material they need  
7 and they have committed to reaching a total of 1,200 people  
8 with information they learned.

9           One of the main goals of this series, yes, it was  
10 to educate promotoras about these different topics, but it  
11 was also to connect them to the different departments that  
12 are in charge of protecting farmworker rights so they could  
13 know, they could put a face to the name of who's supposed  
14 to protect this right, that right, this other right. And  
15 also, that these different department representatives could  
16 hear and learn from promotoras. They could learn the  
17 reality they're facing. They can learn about the needs and  
18 hopefully implement it into your own process, into your  
19 own, into what you serve and what you offer the community.

20           One of the most important things is these  
21 relationships, we talked about fear of reporting a  
22 violation, that's very true. It's very true to  
23 farmworkers. But now one of the ways that we can help in  
24 overcoming that barrier is I'm no longer calling the state,  
25 I'm calling Lucia. You know, I'm calling Lucia to report

1 this violation. I'm calling this promotora who I know, who  
2 I trust, and she's helped me in other ways. I'm calling  
3 Sandra. I'm sure they call Sandra a lot.

4           So not only that, but now when we talk about  
5 pesticides and we tell them, oh, if you see these symptoms,  
6 go to the doctor. Well, it's easy to say, go to the doctor  
7 when you have insurance, you have time off work. But what  
8 if they don't? Then again, the promotora can help them,  
9 you know, get health insurance, get enrolled into Medi-Cal  
10 if they qualify. They can inform them about the sliding  
11 scale, the sliding fee scale from the local health clinic  
12 so they can get healthcare.

13           So it's not just giving them information, but  
14 it's connecting them to all these other resources that  
15 builds that trust, that builds that relationship between  
16 the promotora and, again, the community that we're trying  
17 to serve.

18           As we talked to Promotoras and as they talked to  
19 people in the community, there were certain things that  
20 came up that we thought, we shared this with presenters,  
21 and they adjusted the way they delivered their education.  
22 For example, we saw that a lot of people refer to  
23 pesticides as if they were applying medicine to the plants.  
24 So the presenter then made sure to address that because  
25 that perspective needs to change. You know, this is not

1 medicine, this is harmful to your health, so you need to  
2 protect yourself from this.

3           One of the recommendations was when you get home,  
4 take off your shoes, leave them outside, don't walk inside  
5 with them. This lady said, "If I do that, they won't be  
6 there in the morning. You know, I live in a rough  
7 neighborhood, they're going to steal my shoes if I leave  
8 them outside."

9           So now, you know, how do we troubleshoot it? How  
10 do we have conversations and come up with solutions that  
11 are effective in the community that can be applied to the  
12 reality that our people are living day to day?

13           Another reality is there's many families in one  
14 household. So, you know, it's hard to put into effect some  
15 of the recommendations that are given about protecting our  
16 families from pesticides. So we need to have  
17 conversations, real conversations with community here from  
18 each other, learn from each other, what's my neighbor  
19 doing, what's my comunidad (phonetic) doing, and see what's  
20 really -- what can be applied, what's doable to protect our  
21 families from pesticides or any of the other issues that  
22 arise for farmworkers.

23           I would like to encourage the Board to continue  
24 collaborating with promotora groups. Our promotora group  
25 is not the only one in the state. There's many promotora

1 groups and many of them do amazing work. Continue  
2 supporting your staff to work with us, to provide training  
3 to our promotoras, to provide that link between promotoras  
4 and the staff, to have these, to foster relationships, not  
5 just, this is the 1-800 number that you're going to call,  
6 but call Lucia, call Veronica. That makes a world of a  
7 difference when you're trying to serve the Latino  
8 community.

9           And also listen to what promotoras are bringing  
10 back. If they make a recommendation or they make an  
11 observation, you know, value that information that you're  
12 hearing from them and try to implement it, I mean, into the  
13 procedures that you have in place to serve the community,  
14 the promotoras that we are also trying to serve.

15           Funding is always an issue; right? But if  
16 there's any funding available for outreach education,  
17 consider providing it to promotoras, to promotora groups.  
18 They are very effective in reaching community. And I can  
19 tell you, there's a love for community among promotoras  
20 that I have not seen in other workers or in other job  
21 classifications.

22           So again, you know, thank you for giving us the  
23 opportunity to share some of these work and just the  
24 highlight, the great work that promotoras do in every  
25 Latino community.

1           CHAIR HASSID: Thank you so much. That was so  
2 informative. I had a couple of questions. One you touched  
3 on.

4           In terms of compensation, when someone has become  
5 a certified promotora, is it through like county health  
6 organizations or employers or what are common ways that  
7 they can be compensated, if they are, for this work?

8           MR. AGUILAR: Up to this point, it's only been  
9 grant funding. Grant funding is the only way to really  
10 support promotora work. Medi-Cal has made some changes  
11 through their certification process, but -- so you can be  
12 reimbursed for some of the work that promotoras do as long  
13 as it's part of this list of Medi-Cal reimbursable  
14 services.

15           So even with the changes that have been made to  
16 Medi-Cal, it's very likely that this type of education that  
17 we're talking about right now, pesticides, Cal/OSHA,  
18 reporting, all this stuff, it probably won't be covered.  
19 It won't be covered through Medi-Cal reimbursement.

20           CHAIR HASSID: Thank you.

21           Do any of my colleagues have questions?

22           Cinthia?

23           BOARD MEMBER FLORES: Thank you so much for the  
24 presentation.

25           I was wondering for what you might consider the

1 success of the charlas caseras, to what you might attribute  
2 that success in terms of reaching folks or even the normal  
3 communications?

4 And I think one of the things that stands out to  
5 me is that you're meeting community where they're at --

6 MR. AGUILAR: Yeah.

7 BOARD MEMBER FLORES: -- right, whether it's in  
8 the comfort of their own home or their day-to-day life.  
9 And so I'm just curious to hear your perspective on what  
10 makes those outreach or reaching out strategies so  
11 impactful?

12 MR. AGUILAR: Like how do we measure success  
13 or --

14 BOARD MEMBER FLORES: Yes, or what do you think  
15 you would -- what do you attribute the success of these  
16 outreach methodologies to?

17 MR. AGUILAR: The relationships. It's the  
18 relationships the promotoras have with community they're  
19 serving. It's not a stranger that you're talking to. It's  
20 the lady that you've seen walk her child to school for the  
21 past five years, so it's not a stranger that's reaching out  
22 to you. Maybe you haven't engaged in conversation, but now  
23 she's part of the neighborhood that you live in.

24 And, yes, it's meeting people where they're at,  
25 so it makes it a lot safer. Instead of inviting them, you

1 know, come to a meeting that's going to be held here, we'll  
2 come to your home and your living room, and you invite your  
3 friends. You invite people that you trust and we'll give  
4 this presentation.

5 So it is those relationships.

6 CHAIR HASSID: Thank you.

7 Do we have any questions on the Zoom?

8 EXECUTIVE SECRETARY AVILA-GOMEZ: None in the  
9 queue, but --

10 CHAIR HASSID: Okay.

11 EXECUTIVE SECRETARY AVILA-GOMEZ: -- wait to see  
12 here if any hands go up.

13 CHAIR HASSID: Thank you so much, Edgar.

14 MR. AGUILAR: Thank you. Thank you.

15 CHAIR HASSID: Our next presenter is Irene de  
16 Barraicua from Lideres Campesinas.

17 Irene, you can come up here.

18 MS. DE BARRAICUA: All right.

19 UNIDENTIFIED FEMALE: (Speaking Spanish.)

20 MR. AGUILAR: She says she has a question for me.

21 CHAIR HASSID: Oh. Oh, I'm sorry. We have a  
22 question from somebody.

23 (Off mic colloquy)

24 (Conversation in Spanish between Mr. Aguilar and an  
25 Unidentified Female is not transcribed.)

1           CHAIR HASSID: I really appreciate that feedback  
2 because we've talked about the importance of making sure  
3 people can come into our offices, as well as making sure we  
4 have staff that go into areas where we may not directly  
5 have an office, but we need to do more and also partner  
6 with other organizations and have staff available at times  
7 when workers can go in the evenings, on the weekend, and in  
8 areas where workers are, like Cinthia said, meeting workers  
9 where they're at.

10           There's a lot more to do but trying to help, one,  
11 educate our staff so that when workers have a question if  
12 it's about pesticides, we know how to help get them to the  
13 Ag Commissioner or to DPR or to a health clinic or to  
14 promotora, and then also help guide them there. But  
15 there's a lot more work to do.

16           All right. Irene Lideres Campesinas.

17           MS. DE BARRAICUA: All right. Thank you,  
18 Victoria. I don't know if we have the presentation that we  
19 could bring up?

20           EXECUTIVE SECRETARY AVILA-GOMEZ: Yeah. Which  
21 one is it?

22           MS. DE BARRAICUA: Okay. So thank you again for  
23 the invitation. My name is Irene, or Irene. I'm with  
24 Lideres Campesinas. I work as Director of Policy and  
25 Communications. And I'm accompanied here with my team. We

1 have Claudia Quezada, our Environmental Justice  
2 Coordinator, and Irlanda Ramirez from -- our Tulare  
3 Organizer, so gracias, compañeras.

4           So I'm going to give a little overview of Lideres  
5 Campesinas as a community-based organization. We work  
6 statewide, and so a lot of times people don't really know  
7 what the certain community based organizations might do;  
8 right? A lot of times when I say I'm with Lideres  
9 Campesinas, there's a long explanation behind that. So  
10 we're going to just talk a little bit about our work,  
11 especially in regards to pesticides and the safety of  
12 farmworkers.

13           So the mission of Lideres Campesinas is to  
14 strengthen the leadership of farmworker women and girls so  
15 that they can be agents of economic, social, and political  
16 change and ensure their human rights.

17           And we could move on to the next slide, please.

18           Okay, so like I mentioned, we are statewide. I  
19 mean, there's a lot of ground that we still need to cover  
20 as you can see on the map there, but we go as far north to  
21 Sonoma Napa, and we're in the Yolo, Colusa, Sacramento  
22 region and then the Central Coast, Monterey, Santa Barbara,  
23 Santa Maria, San Luis Obispo areas, as well as Ventura, and  
24 then the whole Central Valley, and then Imperial and  
25 Coachella. That's as far south as we go. And so we are

1 organized in 17 different regions of the state.

2 And we can move to the next.

3 So the strength of this network of women  
4 farmworker leaders has really, you know, shown its  
5 strength, its impact throughout the last 30 years of its  
6 existence, over 30 years of advocating for women's rights  
7 and rights, and whether it be labor rights, violence  
8 against women, health issues, environmental justice and  
9 various other issues, right, related to farmworkers, rural  
10 communities and the inequities that exist.

11 And a lot of this also involves technical  
12 assistance. So working with different agencies and  
13 universities helping gather surveys for research. It's  
14 just part of what Lideres Campesinas does is being that  
15 bridge in the community.

16 And so we could move to the next slide.

17 This is just a little overview of some of the  
18 achievements in relation to pesticides. And I'll talk more  
19 about the most recent ones. Our involvement, participation  
20 of our executive director in the Sustainable Pest  
21 Management Workgroup that was over three years of work, and  
22 I know Celia mentioned this work of creating a roadmap.  
23 And this is because of the ban of chlorpyrifos in 2020.  
24 And so really creating that roadmap for alternatives to  
25 that pesticide, dangerous pesticide; right? So we were

1 part of that work group.

2           We've also, throughout the pandemic, we were very  
3 much involved in advocating for the banning of  
4 organophosphates at the national level, as well as  
5 statewide, chemicals like Roundup.

6           And then also the Pesticide Alert Pilot Program.  
7 We really helped inform community, gather community to be  
8 able to give feedback on this pilot program of the  
9 Pesticide Alert System, and really working through a lot of  
10 the conflicts and controversies that were involved in that;  
11 right? Because we want to make sure, obviously, when there  
12 are these alert systems, that they are intentional, that  
13 they're actually doing what's intended; right? Not putting  
14 our communities in danger and the workers especially.

15           And our recent participation is one that I've  
16 been involved in is the CAC Community Engagement Workgroup  
17 with the California Department of Pesticide Regulation.  
18 And that really helped put together some good resources and  
19 establish better relationships with Ag Commissioners is the  
20 purpose of that and really being able to navigate and  
21 streamline these complaints when they occur. As we've  
22 noticed, there's, you know, a lot of stalling. There's  
23 just a lot of confusion as to how to report these different  
24 exposures to pesticides. And so this group, I really have  
25 hope that the progress is going to improve the situation,

1 especially the relationships with community Ag  
2 Commissioners.

3 And we can move to the next one, please.

4 And so another thing that Lideres Campesinas has  
5 done throughout the last, you know, many years is trying to  
6 build these relationships with community -- or sorry,  
7 County Ag Commissioners. Sometimes that's a difficult  
8 task, especially when you're out there protesting things  
9 and really going against some of the things that these Ag  
10 Commissioners are in favor of; right? So that's happened  
11 to us in different regions. But yet we've really made  
12 progress in other regions.

13 And here is an image of Kern. This was just  
14 actually last week. And so getting together with our Ag  
15 Commissioners is very important, and informing them; right?  
16 Letting them know that we're here to help them to be that  
17 bridge to the community and work together.

18 And we can move to the next slide.

19 What we learned through COVID-19, the pandemic,  
20 was the importance of having something concrete. And so  
21 what we helped create were these advisories in different  
22 regions, and we really advocated for these to be done. You  
23 know, we would learn from one county and advocate, for  
24 instance, in Sonoma for them to also create one, or in Kern  
25 County, to create an advisory to protect workers from

1 COVID-19. And so something like this really being, I  
2 guess, sort of consistent throughout the state is something  
3 that we would love to see in regards to pesticides  
4 advisories and whatnot.

5 And you can move to the next slide.

6 Something that we did as well during the pandemic  
7 was partnering with local clinicians; right? We all know  
8 that the pandemic showed us, more than anything has lately,  
9 that everyone deserves healthcare. That one person's  
10 health is going to affect the others; right? And so we're  
11 definitely, you know, always pushing for health care for  
12 all, especially our essential workers.

13 So what we had to do is really take clinicians  
14 out to the field. And we want to continue doing this work  
15 in terms of all the other longstanding issues, not, you  
16 know, just related to COVID-19, but pesticide exposure, so  
17 many illnesses that farmworkers, you know, have and they're  
18 undiagnosed because of the lack of healthcare. We also see  
19 that being, you know, reflected in the statistics with the  
20 UC Merced Health Study. Over half of farmworkers are  
21 uninsured.

22 And so really making sure that we get farmworkers  
23 out there -- I mean, sorry, clinicians out there into the  
24 field, making sure that farmworkers know their rights to be  
25 educated, that doctors know the impact of pesticides, the

1 signs of pesticides, because oftentimes they do turn a  
2 blind eye when workers go into the clinics or the hospitals  
3 complaining about pesticide exposure. And I know that  
4 during the pandemic we gathered with the California Rural  
5 Legal, CRLA, it's a foundation, with strike teams,  
6 including ALRB, and it was a shock to -- our biggest  
7 attendee there was Dolores Huerta. You know, she has a  
8 strong voice and always has for many years, and it was  
9 mentioned that we were being turned -- doctors were being  
10 turned away from educating farmworkers.

11           And something resulted from that, which is  
12 beautiful today, and it's also a reflection of systems  
13 change, is the CWOP Program, that's the California -- or  
14 COVID Worker Outreach Project. And today that's something  
15 that we're going to continue pushing for is to actually be  
16 able to have intentional education in the fields, in the  
17 worksite, which we know counts as part of the illness  
18 prevention program. And so continuing those efforts is  
19 what we're going to, you know, be focused on.

20           And you can go on to the next slide, please.

21           And so this is just some of -- you know, some  
22 more efforts on the side of advocating and building these  
23 relationships with different agencies, trying to be that  
24 bridge and navigating people into the complaint systems for  
25 various agencies.

1           We're also working towards improving our food  
2 system; right? We know that corporations, the way that  
3 this huge food system is working these days, it invites  
4 exploitation of workers and an extreme use of pesticides.  
5 And so really focusing on a smaller scale farm system is  
6 another thing that we're focused on.

7           And we can move to the next slide.

8           And this is just an example of one of our  
9 projects, the People, Parks, and Power, really learning how  
10 to access certain lands that exist so that we can engage  
11 more with the small immigrant farmers that actually do farm  
12 organically. And so we try to focus on solutions as well  
13 as the problem; right? And this is one of these solutions  
14 is really helping small farmers have access to land, grow  
15 their food, and be able to be their own bosses and operate  
16 their own farms.

17           We can move to the next slide, please.

18           So this is just an example of some of the  
19 research that we've taken part in. You'll see the first  
20 slide of -- or the image of the UC Merced Health Study, the  
21 CHAMACOS Study, which was a longitudinal study of pregnant  
22 women in Monterey County. We're part of the advisory Board  
23 for that. And that's under UC Berkeley, Brenda Eskenazi.  
24 And it studied the impact of pesticides on pregnant women  
25 and their children. And then Watered Down Justice is

1 another great one. So these are good, you know, reports to  
2 look up. And we worked on all of these.

3 And we can move to the next slide.

4 So another way of lifting our voice is through  
5 the media; right? We consider that a form of bringing  
6 awareness. This, you know, is various different stories.  
7 Some of them are regarding some litigation that we've been  
8 involved in, holding the EPA accountable. You know, as we  
9 do work together with them, we also want to hold them  
10 accountable, and this is at the national level, and it's  
11 due to the dangerous endocrine disrupting pesticides. And  
12 so we've been still at work with that, making sure that  
13 those are banned. And then just the different stories and  
14 effects of making sure that people are aware of what  
15 happens, right, with farmworkers.

16 And also important that we know that we have to  
17 preserve our labor force. Because many of them, somebody  
18 mentioned they flee to Mexico because that's where people  
19 can get their health taken care of or addressed. And so we  
20 want to definitely preserve our workforce too.

21 And we can move to the next slide.

22 And so lifting our voices in the community. We  
23 do activism throughout the state, decorating satchels. We  
24 call it the Moralitos campaign, and just with different  
25 messages about pesticide dangers and whatnot. And also,

1 you know, any kind of demonstrations that we can take part  
2 in, we will definitely work with our allies, community-  
3 based organization partners, to get messages across.

4 So we can move to the next slide.

5 And just an example, I know Celia, we got to meet  
6 virtually, and so it's nice to see her today in person. We  
7 were a part of this workgroup where this resource page,  
8 one-pager, was created. And that's a great resource for  
9 farmworkers to be able to get more information about how to  
10 contact their County Ag Commissioners and how to make any  
11 complaints related to pesticide exposure.

12 And then the other one is just something that  
13 Lideres Campesinas created to bring awareness. And so  
14 that's another way is making sure we get the information  
15 out there to the community; right?

16 So we can move to the next slide.

17 And that's some of our team in Santa Maria. And  
18 thank you. We have some information on the next slide too.

19 CHAIR HASSID: Thank you so much, Irene.

20 One question I have for you is just given the  
21 current landscape and some of your work that your  
22 organization did in the Sustainable Pest Management Plan,  
23 what do you think is kind of the biggest challenge  
24 currently with farmworkers as it relates to pesticide? Is  
25 it education? Is it getting better relationships with Ag

1 Commissioners? I mean, I'm sure it could list off some  
2 things.

3 MS. DE BARRAICUA: Well, the most dangerous thing  
4 is just that these pesticides are still being used; right?  
5 And they exist and there's really no way to get away from  
6 them, you know, the residue is always there. Like we just  
7 recently had some forums with vineyard workers and they  
8 talked about the residue of pesticides. It could even be  
9 like the sulfur or the pesticides, but they are constantly  
10 exposed even if it's several hours after the spraying.

11 And so I think, I mean, one thing I would love to  
12 see definitely is like more government -- or government  
13 subsidies for organic farming; right? And hopefully we can  
14 work on some policy related to that. But I think just not  
15 using these dangerous pesticides and finding the  
16 alternatives and consulting the professional organic  
17 growers or even immigrant small farmers that have  
18 traditional ways of farming, or just making sure that for  
19 now, right, these rules are really being followed because  
20 we hear about time, you know, rules that are supposed to be  
21 followed, but at the same time we also are hearing  
22 testimonies of people that they're actually spraying during  
23 the work time, right, and so --

24 CHAIR HASSID: Thank you.

25 Do any of my colleagues have any questions for

1 Irene? Okay.

2 We're going to go to last, but not least -- thank  
3 you, Irene, so much.

4 MS. DE BARRAICUA: Okay. Thank you.

5 CHAIR HASSID: I'm so glad that this worked out.

6 MS. DE BARRAICUA: Yes. Thank you.

7 CHAIR HASSID: Irene's been zipping all over the  
8 state.

9 Our next presenter is Bryce Loewen from Blossom  
10 Bluff Orchards. He is a member of the California Certified  
11 Organic Farmer Organization and he grows organic tree  
12 fruits in California.

13 And, Bryce, I'll turn it over to you. Thank you  
14 for joining. Thank you for being so patient with us.

15 MR. LOEWEN: Oh, my pleasure, yeah. Thank you  
16 for having me. I'm honored to be a representative for  
17 organic farmers.

18 I'll start off by saying, ours is a relatively,  
19 well, I think a very unique farming operation. We're on  
20 the small side, 78 acres of mostly tree fruit. Our newest  
21 experiment is zucchini -- I'm sorry, kiwi vines, so we have  
22 a couple of acres of kiwi. And the rest of the farm is  
23 dedicated to primarily summer fruit, peaches, plums,  
24 nectarines, apricots. And then we have fall fruits that  
25 we're producing right now, a couple of types of persimmon,

1 pomegranates, and the kiwi. And then we roll into citrus  
2 very shortly here and that ideally carries us through  
3 spring.

4           So in a kind of ideal weather and everything else  
5 situation, we have something in production virtually year  
6 round. So that's not the norm, you know, for agriculture  
7 in general in the Central Valley but, you know, it's what  
8 we do and it seems to be working so far.

9           But, yeah, just to give a brief history on the  
10 farm. I'm fourth generation. The farm is family-owned.  
11 My parents and my sister and I are equal owners of the  
12 farm. My whole family, including my two young sons, live  
13 on the farm. Within that 78-acre footprint, we have our  
14 own houses. We're not all in one big house or anything  
15 like that. But due to the way that the property was  
16 acquired over the years, you know, small farms, 30-acre,  
17 50-acre blocks were pretty normal not that long ago. And  
18 so over the generations our farm has acquired neighboring  
19 parcels that had small houses on them and that's the way it  
20 is now.

21           So, you know, the fact of the matter is that we  
22 live in the environment that we're producing our  
23 agriculture on. And that definitely informs the way that  
24 we choose to farm. And it's an aspect of the organic  
25 argument that is often neglected, in my opinion. People,

1 when they debate, you know, organic versus chemical, I say  
2 chemical, conventional, whatever, culture, the main kind of  
3 topics of debate are, you know, cost, efficiency, the  
4 health quality of the product itself, whether or not it's  
5 healthier to eat organic fruit or conventional fruit.

6           The thing that is often not spoken about is what  
7 about the people that live and or work on the property.  
8 And that's a huge factor. And it's in our case, at least,  
9 it's the main factor for why we chose to farm organically.  
10 There's plenty of large entity organic farms or farming  
11 operations, you know, mega farms that are thousands of  
12 acres that are able to do organically. I expect that their  
13 motivation is not necessarily primarily that, but the fact  
14 of the matter is it can be done and it is done  
15 successfully.

16           So, I mean, whether or not pesticides are  
17 necessary, in my mind, that question has been answered,  
18 they're not, you know, or at least not the harsh chemical  
19 pesticides that have been traditionally used for almost 100  
20 years now. There's certainly biological and organic  
21 options out there that are extremely effective and that  
22 don't, you know, endanger the health of the people that are  
23 applying them or that are working, you know, on that  
24 property that they're being sprayed on.

25           So, you know, it's been, you know, kind of an

1 obvious solution in my mind for quite a while, you know,  
2 that we can eliminate the use of these chemicals. There's  
3 some very big, very deep pockets that are, you know,  
4 lobbying against that idea. Chemical agriculture is  
5 controlled by -- or, well, supplied by some extremely, you  
6 know, powerful entities.

7           And so education is a factor, you know, getting  
8 people -- for us even. My dad, when he took over the farm,  
9 my grandfather farmed in a more traditional, more  
10 conventional way before my folks got involved with the  
11 farming, and transitioning from conventional to organic was  
12 pretty scary because there wasn't a whole lot of support at  
13 the time. There wasn't a lot of other people doing it in  
14 our area. And when it was talked about, it was kind of  
15 considered to be a huge risk.

16           So having to, you know, just kind of face that  
17 fear and try it out potentially meant putting the farm in  
18 jeopardy or our livelihood in jeopardy, but he did it, you  
19 know, they did it. My folks did it anyways and found that,  
20 yeah, no, it's doable, you know, it's possible.

21           CHAIR HASSID: Roughly what time period was that  
22 transition?

23           MR. LOEWEN: So --

24           CHAIR HASSID: Like the late '80s or '90s?

25           MR. LOEWEN: That was the late '80s, '90s when

1 chemicals were largely cut from the farm. We were  
2 certified organic in 2006. There was a period of time  
3 before that that we belonged to an organization called  
4 California Clean Growers that was created, actually is  
5 still in existence, I believe, but was created by a  
6 neighbor farm friend of ours, Paul Buxman, who you all  
7 might be familiar with, I'm not sure.

8           But, yeah, for the first span there, kind of  
9 because of that fear, largely the fear was not so much  
10 pests as fungus. Brown rot is a huge issue. And that's  
11 still, you know, in my opinion, something that really needs  
12 to be -- there could be a lot more done on the biological  
13 side to try to come up with products that are more  
14 effective against fungus. That would be great for organic  
15 farmers.

16           We're making it work with what's available. But  
17 some years, like this year, for instance, was really tough  
18 because of how wet it was this spring. And so that  
19 affected the summer crops, even after the rains, and  
20 because of blossom blight and other things, you know,  
21 things that occurred when it was really wet out there. So  
22 if there were more tools, you know, more organic tools to  
23 combat fungus, it would make it easier to sell the idea to  
24 more conventional farms, I think.

25           But from a pest standpoint, I mean, that's the

1 stuff that's really affecting people's health. And  
2 pesticides -- we've got some extremely effective biological  
3 methods. I mean, pests are not a big problem for us. We  
4 use pheromones, we use dormant sprays, which are even, you  
5 know, standard with conventional farming during the off  
6 season that basically, you know, coat the trees with oil  
7 and suffocate anything that might be living on them. And  
8 there's a number of biological options for pest control  
9 that are very effective. They're not any more expensive,  
10 in my understanding.

11           And, you know, I'm speaking, of course, from a  
12 position of I know what I know, and that's the tree fruit  
13 and now the kiwi business. So vegetable farming, that's a  
14 whole other thing to me. I'm sure there are complications  
15 there that I don't know about. But as far as the type of  
16 agriculture we're doing, I think, you know, pesticides are  
17 something that should have been kind of eliminated in a  
18 large scale by now.

19           Yeah, please.

20           CHAIR HASSID: Do you find that it gives, being  
21 organic gives you a certain market advantage or whether it  
22 be your products act the actual market or in terms of  
23 another type of business advantage in terms of how you  
24 recruit your workforce? You mentioned you are small --

25           MR. LOEWEN: Yeah.

1 CHAIR HASSID: -- but you do have --

2 MR. LOEWEN: Yeah. No, I --

3 CHAIR HASSID: -- about 20 employees, I think.

4 MR. LOEWEN: On both counts, yes. In fact, here  
5 again, ours is a weird model, but we do our own  
6 distribution. We've tried to make this business as  
7 complicated as possible for ourselves. So we grow the  
8 fruits and then we sell the fruit, as well, and we  
9 distribute it ourselves. So, I mean, it's a lot. But  
10 having a quality organic product -- and, I mean, it's in  
11 demand everywhere. We tend -- you know, we set our stake  
12 in the Bay Area when we got into the organic game, and so  
13 that's primarily where we sell our fruit.

14 But we do sell some locally here too. You know,  
15 we sell at a farmer's market in Fresno, and we have a  
16 couple of store accounts and restaurant accounts in Fresno  
17 that we deliver to regularly during the summer. And, yeah,  
18 I mean as long as you're producing quality products, you  
19 know, that's the key, being organic absolutely is a selling  
20 point. You know, that's what people are looking for. So  
21 on that front, yes, definitely on the market front there's  
22 demand. There's only an increase in demand over the past  
23 20 years. And I expect it's going to continue that way.

24 From a worker comfort standpoint, our farm is --  
25 because of the kind of bizarre way that we operate, we have

1 150-ish varieties of different kinds of fruit on a, you  
2 know, relatively small footprint. So that means that  
3 things are pretty erratic. And keeping up with keeping the  
4 weeds down, you know, and getting everything easy to  
5 maneuver through is a challenge. And we do our best, but  
6 it can be -- there are times when, you know, our workers  
7 are like not real happy with the height of the weeds  
8 because, you know, on the early mornings they're getting  
9 their pants wet and they don't like it, so we try to do our  
10 best to stay ahead of that.

11           That said, they stick around, you know, and they  
12 seem to like working for us, I think largely because they  
13 know that they're safe breathing the air that they're  
14 working in and dealing with the soil that they're working  
15 in.

16           So I mean, yeah, I'm kind of, you know, I'm kind  
17 of often surprised how -- not often surprised, but I think  
18 we're a good employer to work for. I think we treat people  
19 well. But beyond that, the conditions are weird and they  
20 seem to roll with it, I think, because they appreciate, you  
21 know, a little bit of what there is.

22           And another thing that we have to do is because  
23 of the many varieties we have, we'll say, you know, you  
24 start the day here, next, you know, after break you're  
25 going to be on the other side of the farm, so you have to

1 move everything over there. It's not a real cookie cutter  
2 type of job like it is in a lot of ag. You know, you got  
3 20 acres of this peach, so you start here and by the time  
4 you're done, you're done.

5 But I don't know, I mean, for whatever reason,  
6 we're able to keep people happy and they keep coming back,  
7 so it seems to be working.

8 CHAIR HASSID: Great. And then one thing I'm  
9 wondering if you can touch on, I know there are different  
10 state and federal programs that provide the industry in  
11 general with technical assistance or subsidies or kind of  
12 funding for various projects. Is there anything that your  
13 business is able to take advantage of that helps support  
14 organic farming and or kind of using more sustainable pest  
15 management practices?

16 MR. LOEWEN: You know, I don't know that we've  
17 taken -- I don't know that we've had the opportunity to  
18 take advantage of many organic-specific programs. We have  
19 had had grants that have helped us upgrade our irrigation  
20 system, which is great, and develop our -- some of our ag  
21 wells that need work. There's the tractor -- cash for  
22 clunkers type of program for tractors that we've taken  
23 advantage of. And that's all very much, you know,  
24 necessary and appreciated. There isn't a whole lot of  
25 organic-specific grants out there that I'm aware of. And

1 that would be great.

2           You know, anything to -- and another thing about  
3 organic farming, because of the nature of the beast, we  
4 need more labor then, and that's one of the reasons a lot  
5 of folks don't want to do it is it's you got to hire more  
6 people because there's more physical work to be done. I  
7 think that's a great thing because that, you know, means  
8 that we're creating jobs and that's nice. If there's a way  
9 to subsidize some of that labor cost, that would be  
10 awesome, but I don't, you know, kind of --

11           CHAIR HASSID: I don't know if I have any other  
12 questions.

13           Do my colleagues have any questions?

14           And then I'll look and see, I know we're kind of  
15 losing some folks on the Zoom, but checking in to see if  
16 anyone else from our Zoom has any questions?

17           And then I'll look out in the room to see if  
18 anyone wants -- since I was remiss in doing that before.

19 Okay.

20           Thank you. Thank you so much --

21           MR. LOEWEN: My pleasure.

22           CHAIR HASSID: --- for your participation.

23           BOARD MEMBER LIGHTSTONE: Thank you.

24           CHAIR HASSID: And thank you to all of our  
25 panelists --

1 EXECUTIVE SECRETARY AVILA-GOMEZ: Thank you.

2 CHAIR HASSID: -- as well. Really appreciate it.

3 And with that, as I mentioned earlier, our  
4 reception is at our Visalia office, and I believe we're  
5 going to put up the flyer, from 5:30 to 7:30. All are  
6 welcome. There'll be light refreshments and food there, as  
7 well, and you can meet and talk to some of our staff.

8 And that concludes our meeting. Thank you.

9 (The Board adjourned at 4:56 p.m.)

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## CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



December 15, 2023

MARTHA L. NELSON, CERT\*\*36