

**WASHINGTON STATE COMMISSION ON PESTICIDE REGISTRATION**

**MINUTES (APPROVED)**

September 11, 2002

WSU Station – Mt. Vernon, WA

Chair Herb Teas, Presiding

**CALL TO ORDER AND INTRODUCTIONS at 10:00**

Commissioners in attendance: Herb Teas, Ann George, Bill Green, Ben Barstow, Bryan Sakuma, Ted Maxwell, Kurt Volker, Ron Angel, Doug Muse, Bob Berger

Staff in attendance: Alan Schreiber, Cindy Hayes, Casey Meyer

Guests: Sandra Ristow

**NO QUORUM PRESENT AT CALL TO ORDER.**

**PUBLIC COMMENT**

Chair Teas asked for public comment. There were no comments.

**MINUTES**

The proposed minutes of the July 19<sup>th</sup> meeting were presented, chair Teas asked for comments. No comments were noted. It was moved to the consent calendar due to lack of quorum.

**FINANCIAL REPORT**

Schreiber discussed the financial report presented by WSU \$585,606.59.

Second column from right went over each year's actual allocation received. Forward allocating. \$928,826.00, received minus allocation, arrived at \$585,606.59. Addressing line items under funds committed for research and what each includes. Bear in mind we are in forward allocate, encouraged to do so amount for project is the 585,000 plus up to 25,000 on top of that. Question by Ann George regarding committed previous funds and how they are subtracted to equal current spending pattern. At next meeting, we will begin the project funding. Alan Schreiber, Donna, Tucson, Don Holbrook teleconference regarding funding available, we should have some money returning to WSCPR because of noncompliant issues with current program holders. Sandra Ristow feels current fiscal policy will remain in tact, forward allocation accepted means.

**ADMINISTRATIVE REPORT**

Alan spoke briefly about Donna's departure. A combined position should be filled quickly. The pool of applicants is excellent and the new hire should be on board by the end of the month.

The Pest Tour was good. The tour questionnaire went out, not many have been returned as of today. Schreiber is hoping for a larger return. In review of the questionnaires received to date the lowest marks were in the information provided to the ag/chem industry, room accommodations, length of tour and composition of participants. Most other topics rated highly. Overall, Administrator Schreiber is very pleased with the questionnaire outcome.

The budget workup for the tour has not been completed. In previous years the costs were paid for by WSCPR, WSU, contributions and sponsorships. At this time it looks like very little will come out of WSCPR account.

A brief discussion about tour events followed. There were some suggestions about alternating years on east/west side. It was also suggested that the Commission might explore a change of style, possibly creating a Legislative tour.

At this time Commissioner Doug Muse arrived and made a quorum.

An idea was presented for four one-day focus tours on legislators and staff, by combining counties using a different format than the tour. During these tours it would be important to have local representatives serve as liaison to emphasize local issues and concerns with WSCPR having secondary importance. It might be beneficial to update the Washington Minor Crop handbook instead of tour addressing Washington Agriculture. Ann George stated that there is a need to evaluate potential of outcome. The idea is to showcase local efforts and individuals with legislators. The ideas would be to have local support and promotion of WSCPR efforts and the benefits recognized to the legislator's areas. They bring in local attendance and follow up for attendance. The Commission, as a group, thought that each of these ideas sounded positive. Administrator Schreiber asked for direction. Administrator Schreiber asked Brian Sakuma how he perceived the West side tours. Schreiber asked if a larger one is needed and any other ideas or comments. Bryan stated that as long as there is something to showcase this side it would be fine. Ann George suggested having a one day tour each year and every two years have large tours. The perception that agriculture only exists on the east side needs to be dispelled. Chair Teas stated that the board needed to decide on next year's tour effort. Commissioner Volker stated that the Commission needs to hold a small Executive Committee session to look closer at these issues before we make a decision. The board decided that the Executive Committee needed to have a meeting by teleconference as quickly as possible. Commissioner Green suggested that the tour participants be polled for their input, what would they like to see. Administrator Schreiber agreed, but stated that there is little response from people we want to participate that haven't in the past. It was stated that there is a need of input from folks that have direct impact for legislative persons.

The RFP has been mailed out and responses are beginning to trickle in. There is still some misunderstanding about what indirect costs are and how they are taken out of grant funds. WSU has been working with UC Davis to address these issues. Administrator Schreiber stated that the reason UC Davis is trying to include these items in the proposal is because of the current budget cuts and trying to make up some funds. This is now at the Attorney General's office so he can point out the contract obligations and requirements regarding indirect costs. Commissioner Volker suggested that a successful grant proposal be attached to the electronic version. We need example of successful proposals on web site.

**Nominations:** At the last meeting Ron Angel suggested nominating Terry Whitworth for the applicator seat. There may be other nominations to follow. Doug Muse representing the vegetable seed industry is stepping down. Commissioner Muse is a founding member of WSCPR. Several entities should be submitting nominations. Kurt Volker's term is expiring; he is willing to be reappointed. Chuck Masters would also accept reappointment. Dan Robinson has been nominated by food processor group. Administrator Schreiber feels he will be an excellent appointment as he has a diversified processor background with potato and other vegetables.

Included in the packet is the WSU travel expense reimbursement schedule. For the commissioner's convenience, they can look up cost associated with travel and meal reimbursement.

At this time the board returned to the minutes. Commissioner Sakuma asked for an explanation of the 3 percent. The math doesn't work out. Administrator Schreiber stated that WSU has a unique way of arriving at the total, and when you apply this formula it does work. A motion was made to approve the minutes as presented. The second was by Kurt Volker. Motion carried.

**Legislative Report:** At this time the Alan discussed the beginning content of the draft.

It will include a discussion on the criteria and guidelines used to determine projects funded. There will be detail of WSCPR association with WSU as the fiscal agent, IR-4 and other agencies and Universities that have benefited from funding as well as foreign projects. The appendix will include a list of entities that

have received funds with the dollar amount of assistance by institution. Also included in the appendix will be the number of 24-C and 18's and Section 3's.

At this time Commissioner Berger arrived.

A suggestion was made to use a pie chart to show the commodity groups that have received the funding. It should also address the amount of money spent on projects versus administrative costs. Administrator Schreiber stated that the numbers will correlate with the number of times a project has been funded. The crops may be minor nationally but considered a major Washington crop. They fit the same criteria coincidentally.

It was suggested that the wording be changed so the reader realizes the impact for Washington State. Commissioner Green stated that there should be language referencing the RCW as well as the Enabling Legislation. The preamble for 15.92.605 should be quoted. It will address environmental protection by talking about spartina, looking at all the ways WSCPR has supported this effort. Funding six different projects as well as other work directly associated with the control of this pest. Kim Patton will assist in completing this area. The human health aspect will be addressed with Dan Ball and Joe Yenish as they are helping growers deal with the loss of field burning as a farming practice. Commissioner Berger thought this was still an issue because human health has triggered this direction. Commissioner Green stated that this is a direct product used as less invasive to human health. Commissioner George asked what other projects dealing with human health can address. Administrator Schreiber suggested carbamate insecticides as an alternative. The commissioners felt this issue had been well addressed and the burning ban and alternatives better showcased current trends. Economic impact will be addressed by describing the vital role WSCPR has played since its inception with the funding of eleven (11) projects at the first meeting of the Commission. Six had come to fruition by the next year. The total economic impact seen in Washington State is approximately \$750,000,000.00. This is a measure of direct immediate impact. This is just the numbers for the State of Washington, it does not include any impact on Oregon or Idaho. This also does not include Section 24's. Discuss the impact of Section 18 on hops. A second crop will be brussel sprout seeds. Development of IPM programs and discussion of new mandate. This might include IPM in the schools, mating disruption of tree fruit or the potato IPM project. Several Commissioners felt the IPM in schools is a current issue. Commissioner Berger suggested tying in the legislation that applies. In the area of Food Safety, Commissioner Muse felt that addressing food chemistry, nutraceuticals. Commissioner George suggested an approach that encompasses risk reduction in general addressing environmental safety, worker safety, food safety, etc. Administrator Schreiber thought that a direct tie back to projects that are designated as EPA projects would cover this area. Commissioner George continued the discussion suggesting that actual active ingredients be mentioned as associated with the mandate toward reduced risk chemistries as opposed to food safety. Administrator Schreiber will look at both registered as well as those pending registration to quantify a percentage. It was determined that the focus should not be on the reduced risk for single crop application, recognizing that if it is done for one, it is a positive step or effect on the general good. Commissioner Berger recognized the importance of reduced risk aspect of IPM Programs, Applicator Safety etc.

Administrator wants to discuss regional cooperation using mating disruption in cranberry, dimethoate in dry pea, green pea for Washington, Oregon and Idaho.

Page 16 has no topic at this time some of the area's to look at would be organic, bio control or a map of the state showing where crops are located that have received assistance from the commission. Commissioner Muse asked that we exercise caution because of the sensitivity of the location of the crops versus the assistance received. Commissioner George discussed the importance to highlight the amount of work because of the importance in Legislative discussion. This issue is highly desirable to showcase. Administrator Schreiber will contact Alec McErlich and Washington Tilth. Commissioner George thought that a map would be good as a wrap up to show growing areas etc. Administrator Schreiber continued with the description of the Pesticide Notification Network and the tour. Commissioner Berger felt that reference to FEQL was necessary. The concluding statement will be the final page. Commissioner Volker asked Bill if this is the same format used for their report. Commissioner Green said that it is very nice scientific report, not necessarily understood by the legislators. He would like to suggest

a change of order, putting the accomplishments first then the grants and use more commonly understood language. Commissioner Maxwell agreed with concept in general terms. Commissioner Green felt that the best interest would be served if the legislators could take this home to show to constituents so they can show how they supported this effort and the positive effect on their area. It is suggested that the report start with an executive summary. Commissioner Green's agency opposed the re-registration of "old" chemicals somehow the report should show the shift from old to new, or a combination thereof that has been facilitated by WSCPR. Portray WSCPR as facilitating change. Show why old mandate is necessary to maintain, carbaryl on oysters, and how new mandate is being effectively used, Commissioner Green suggested that pictorials not just represent pretty food, use pictures of bad food. Commissioner Berger suggested that the Commission's role in triggering the new mandate should be on the introduction.

Commissioner Barstow suggested that the new mandate be placed first because of its broader urban appeal with the old second. Using pest management to change the paradigm.

There is a printing quote from Dominion Printing. The quote is based on 20 pages, glossy, double sided with pictures and print. Historically the Commission has had 2,000 copies printed.

The reports need to be available approximately one month before the legislative session. The copy needs to be to the printer before Thanksgiving. The final draft will be available at the October meeting. It was suggested that the administrative staff check out web printing for prices. We need more than one quote.

Lindsay DuToit from the WSU Mt. Vernon Station, gave a brief presentation on the history of the station and the research she is involved in.

Break for Lunch.

Reopen 12:45

Commissioner Teas presented service plaques to Ron Angel and Doug Muse. Doug is a founding member of WSCPR. Commissioner Muse took a moment to thank the Commissioners, he has enjoyed his tenure and is glad of WSCPR's many successes.

**Budget Fiscal Policy & Procedures** – Commissioner Green will edit as required during the discussion.

Base funding to commission needs to read with non-inclusive language. Shall include, but not be limited to, or similar language.

Project funding – change to approximately equal portions.

2- 1 expands to include groups not organized under RCW as stated in 2-1. Example: Use any Washington based pest management user group.

2-4 delete "bid", add Commission will assist in identifying appropriate research staff.

3-1 Change deemed ineligible to non-compliant, for resubmission purposes.

3-3 Fiscal year not appropriate, crop studies to include one year crop cycle. Project year, and subsequent or follow up studies.

3-6 remove strike out and underline. Remove "resubmitted proposals do not have to make a presentation to the Commission". Add "Commission may waive presentation, but may require attendance at meeting to address questions".

3-7 Should read: Proposals responding to a specific pest management emergency. Define "emergency". Add second party to ask questions to administrator one, chair 2<sup>nd</sup>?

4-2 Use “may” instead of “can”.

4-4 Tracking of non commission funding. It is the responsibility of WSCPR to track. WSCPR record the matching funds and we require the user group/researcher to confirm and track funding.

Addition of “indirect cost” clause.

Role of Commissioners

1-1 Correct typo to read administrator. Strike last sentence. Change to work with growers to provide Governors office.

1-2 More definitive on “expired”. Change “shall” to “may”

Administrator needs to send out letters of attendance. Notices to go out in January.

Commissioner Muse addressed the Secretary position. Is there a need to qualify this position. Not necessarily, the administrator can be called upon to fill in when necessary

2-5 Change “Any commission” to any “Commissioner”.

3-1

JANUARY REQUEST FOR QUALIFICATIONS FOR ADMINSTRATOR.

3-2 Expand agriculture to pest management industry.

3-3 Add public records officer as duty. Oversee the dissemination of commission funds. Maintain list and track status of project. ALAN ADD TO THIS LIST. Website.

Email the MMOA to Bill Green.

4-3 Change discussion to no action.

4-5 Change record of projects to periodically distributed.

Do we need to mention MOA or MOU? The commission shall review and codify MOA each year.

5-2 change “Executive Committee” to “Chair”.

Addition of indirect costs

**Visioning Session:** Led by Ann George

Discussion of change of name, enabling legislation and tour direction. Administrator Schreiber asked if WSCPR should be giving more guidance to folks as to what we want to fund. Commissioner Teas stated that they need to identify the problem, not career path. Commissioner George stated that the proposals need to come from user groups this seems to be working and research is involved based on recommendations. Administrator Schreiber said there had been very little critical feedback on commission course and operation.

Third party registration had been suspended with Tracy’s departure. Administrator Schreiber would like to pursue this on his own. Georgia has set up similar registration, but it won’t apply to Washington. It is set up as a separate entity in Georgia. There is a cost of approximately \$100,000.00 to start third party registration in Washington State. Alan will meet with Georgia representatives in Florida when attending IR-4 meeting. Commissioner Teas asked Commissioner Volker what his company position was on third

party registration. Commissioner Volker thought they would be very supportive, but need controls. Administrator Schreiber stated that performance liability is not removed from company. Liability issues for crop failure seems to be the problem. Administrator Schreiber sees the commission's role as giving seed money to have another entity propose and administer with oversight and assistance from the commission. With the Commission's role declining, third party registration becomes self sufficient. Administrator Schreiber will try to have a proposal for the Commission at the next meeting. Commissioner Muse asked how this would help the grower. Administrator Schreiber explained that this would allow small groups/growers to facilitate non-label use of product not willing to be held by commodity groups.

Commissioner Volker cautioned Administrator Schreiber to be aware of possible conflict of interest to administer WSCPR and third party registration.

Administrator Schreiber will address legislature to discuss name change, as long as it doesn't change the mandate, using Washington State Pest Management Commission as a possible name change. In 1999 a decision was made to have our funding part of the base funding for WSU. This gives WSCPR a cushion or umbrella so we don't get cuts. Since that time WSU has cut our budget based on their cuts. Should we ask legislature to have funding level restored? The general concession of the Commission is that we should proceed with discussions with WSU regarding funding, then proceed if necessary to develop budgetary relationship with WSDA. We need to confirm that if we do this and go back to original intent of being base budget and still have WSU our fiscal agent. Budget note was used to change line item to base. This should not require legislative action, just a proviso. Legislative act and omnibus may have different dollar amounts. Administration needs to find out the ramifications of what would happen if the Department of Agriculture became the fiscal agent. Commissioner Berger feels WSCPR has very strong legislative support at this time. This issue may need to be brought up in the Legislative budget committee. A discussion on being in the Governor's budget versus sponsored (possibly by Kelli Linville). Administrator Schreiber asked for a general consensus of what the Commissions interest is in restoring funding. Commissioner Berger asked what ramifications might develop if WSCPR removed itself from the stewardship of WSU. Per request of Chair Teas administrative staff should initiate discussion of change of administration of a program that is not part of their base funded program from WSU to Department of Agriculture. Administrator Schreiber explained that this might increase the funding back to full level. Also, the level of process would be less restrictive through Department of Agriculture. Although it may make general funding more vulnerable, they could strike it out, but not likely. Sandra Ristow, WSU liaison, seems to think the funding trend of WSU will follow the state's decline in agriculture. Commissioner Volker feels it is in the best interest of the Commission to pursue the name change, funding restoration and alternative fiscal agents. Commissioner George asked the administration/commissioners to look closely at the services we receive, audit costs and other items we currently benefit from with WSU while exploring the other options. Commissioner Berger also wanted us to review the agreement with WSU to determine notification process required if we change fiscal agents. Administrator Schreiber stated it was 30 days. Commissioner Berger thought the reason we had the fiscal contract with WSU is because they received the bulk of funding from the Commission. A large part of the accounting is after the proposals funded. Compare services provided through WSU versus Department of Agriculture. Commodity Commissions are by rule others by statute. Power of statutory is greater than rule. Grower assessment versus state funded money.

Other issues to consider and review are: Who gives money to non-WSU recipients? How much would WSDA charge and can the Commission become responsible to manage contracts and make payments. (1 to 2 invoices per contract) How might this affect our ability to forward allocate? If you are in the Agriculture budget money not spent will be returned if in the capital budget appropriations you retain funds indefinitely.

Commissioner Volker made a motion to have the executive committee seek the proper method to reinstate the full funding and have WSDA become the fiscal agent. The motion was seconded by Commissioner Muse.

A motion to amend original motion from having WSDA become fiscal agent to explore benefits/feasibility of change of fiscal agent between WSU/USDA. Amendment of first motion seconded by Commissioner Muse. Amended motion carried.

Commissioner Berger made a motion to explore the impact of name change to reflect new mandate. A second by Doug Muse. Motion carried. Commissioner Green asked to have someone present name change for draft legislation.

**New Business:** Commissioner Teas asked that the meeting in October begin at 10:00 a.m. for business and start after lunch for funding.

Notebooks, t-shirts and hats are available from the tour. Chair Teas suggested special recognition of best proposal presented. Possibly a cash reward. An objective way to determine this would be to use the scoring criteria and take the top three and vote on one. Commissioner Volker expressed concern that this may cause ill feelings.

Commissioner Barstow suggested genetics (seed) research might be a route to explore for the purposes of visioning for the commission. Commissioner George said that a close look at the current level of funding versus the level of funding needed to carry out broader vision should be approached to address feasibility of expanding (needs analysis). Commissioner Green stated he would be willing to address a needs analysis.

Commissioner Muse requested that the quality assurance program remain a priority with WSCPR. Final report may not co-inside with outcome of research. Commissioner George stated that if this is important it needs to be addressed in the budget cuts. The Commission will take this under advisement PROJECT FOLLOWUP.

Meeting Adjourned