

PESTICIDE REVIEW COUNCIL

FLORIDA DEPARTMENT OF AGRICULTURE
AND CONSUMER SERVICES



FACILITATOR'S SUMMARY REPORT OF THE
JANUARY 18, 2011 MEETING

GAINESVILLE, FLORIDA

FACILITATION, MEETING AND PROCESS DESIGN BY



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FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
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SUMMARY REPORT OF THE PESTICIDE REVIEW COUNCIL JANUARY 18, 2011 MEETING

OVERVIEW OF COUNCIL'S KEY ACTIONS

TUESDAY, JANUARY 18, 2011

Opening and Meeting Attendance

The meeting was opened at 9:00 AM, and the following eight (8) Council members were present: Bill Caton (BC), Joe Gaudino (JG) {vice-chair}, Dennis Howard (DH) {secretary}, Brian Katz (BK) {chair}, David Krause (DK), Mel Kyle (MK), Mark R. McLellan (MM), Richard Pfeuffer (RP).

Members Absent: Tim Fitzpatrick and J. Keith Tolson. (Grower position is vacant)

DACS Staff Present

Charlie Clark, Andreas Coveney, Dave Daiker (DD), Tony Dibartolo, Steve Dwinell (SD), Patty Lucas, and Bruce Nicely (BN).

Public Present

See Attachment 3—Meeting Attendance

Meeting Facilitation

The meeting was facilitated by Jeff Blair (JB) from the FCRC Consensus Center at Florida State University. Information at: <http://consensus.fsu.edu/>



Project Webpage

Information on the project, including agenda packets, meeting reports, and related documents may be found in downloadable formats at the project webpage below:

<http://consensus.fsu.edu/PRC/index.html>

Agenda Review and Approval

The Council voted unanimously, 8 - 0 in favor, to approve the agenda as amended*, including the following objectives:

- To Approve Regular Procedural Topics (Agenda, Report, Workplan and Meeting Schedule)
- To Elect Replacement Officers
- To Review and Discuss Results of Workplan Prioritization Exercise
- To Review, Rank, and Engage in Action Planning on Workplan Tasks/Issues
- To Hear Agency (DACs and IFAS) Updates (Legislative, Rules, and Budget)
- To Hear an Update and Discuss NPDES Pesticides Generic Permit Implementation
- ~~• To Hear an Update and Discuss Citrus Pest Management Issues~~
- To Hear an Update and Discuss Soil Fumigant Issues

- To Review and Adopt Proposed Organizational and Procedural Policies and Guidelines
- To Consider Public Comment
- To Consider Council Member's Comments
- To Identify Needed Next Steps, Assignments, and Agenda Items For the Next Meeting

**Agenda Amendments:*

“Citrus Pest Management Issues” was removed from the January agenda since Dr. Michael Rogers was unable to attend due to an emergency. This item will be added to the May 17, 2011 agenda.

Approval of September 16, 2010 Meeting Minutes

The Council voted unanimously, 10 - 0 in favor, to approve the September 16, 2010 Meeting Summary Report as presented/posted.

Review and Approval of Updated Workplan and Meeting Schedule

Following a review of the Workplan, included as pages 12 - 14 of the agenda packet, the Council took the following action:

Council Action:

Motion—The Council voted unanimously, 8 - 0 in favor, to approve the Council's updated Workplan and meeting schedule as amended*.

**Workplan Amendments:*

- “Citrus Pest Management” was added as Task (D. 12)
- “Aldicarb Application Well Setbacks (Task D. 8)” was removed from the Workplan since the product will not be allowed for use at the end of the year.
- “Pesticide Resistance (Task G. 1)” was removed from the “Biological and Alternate Controls to Replace or Reduce Pesticide Use” category (G) since it is already included as a task (Task C. 4) under “Scientific Studies and Funding Priorities and Strategies” category (C).

Approved Meeting Schedule for 2011

January 18, 2011

May 17, 2011

August 2, 2011

(Attachment 2—Council's Updated Workplan)

Replacement of Council Officers Election and Selection Discussion

As a result of Rick Hicks stepping down as the FDEP representative the vice-chair position became vacant. The Council discussed whether they should continue to elect a secretary (third in line for chair) and decided to continue the practice since the Statute requires the position. The Council's policy is annually for the secretary to ascend to the vice-chair's position and for the vice-chair to ascend to the chair's position. Following discussion the Council took the following actions:

Council Actions:

Motion—The Council voted unanimously, 8 - 0 in favor, to elect Joe Gaudino as vice-chair.

Motion—The Council voted unanimously, 8 - 0 in favor, to elect Dennis Howard as secretary.

Summary of Discussion:

- MM: We need to fill grower representative spot ASAP.
- DH: Two names have been submitted by FFB/FFVA and they have gone to the Capital but nothing has been heard.
- JB: The Statute requires that 3 names be submitted. Recommend submitting a third name to avoid a possible delay in the appointment.
- DK: Is there anything else we can do to speed filling that position, given that the Governor will not likely make PRC appointments very quickly with all that is going on politically. Could the nominee(s) gentlemanly agree to informally participate, pending Governor's approval?
- DH: JG's term will also expire and he is seeking reappointment.
- JB: members serve until replaced even if their term is expired.

Workplan Prioritization Exercise Results Discussion

Jeff Blair, Facilitator, reviewed the results of the Council's Workplan Prioritization Exercise with members and answered questions. The Council agreed in concept that the results may reflect member's interests better than the actual mission and function of the PRC, and that the exercise should be conducted again with a focus on mission specific priorities. The Council identified and agreed to a short-list of top priorities that should be ranked separately from the remaining Workplan issues. Following are the ten (10) issues deemed as tier-one (top priority) priorities by the Council:

- Applicator health and safety issues (D. 4)
- Impacts on applicators (F. 2)
- Applicator health effects (C. 2)
- Pesticide effects: human/environment (C. 3)
- NPDES permitting (D. 1)
- Soil fumigation procedures (F. 3)
- Soil fumigation RED documents (D. 6)
- Endangered species—FIFRA (D. 7)
- Spray drift (C. 4)
- Biological/alternate controls to reduce pesticide use (C. 11)

The Council agreed that Workplan tasks should be re-ranked using the Statutory charge, and PRC mission and purpose as the framework and focus for determining priorities. In addition, the ten top-tier issues (listed above) should be ranked separately from the remaining issues. The Facilitator was charged with compiling a new Workplan ranking exercise and providing members with the on-line survey link and completion date by e-mail. In addition, food safety, child nutrition and water quality were described as likely emerging issues.

Summary of Workplan Discussion:

- JG: How will the Workplan integrate new subject matters and issues?
- JB: The Workplan is a living document and will be reviewed and revised at each meeting as needed. The Council can update the Workplan whenever a revision is agreed to.
- DH: The Workplan will be updated based on Council input.
- JB: Please review the Workplan and propose which issues should be added or eliminated.
- MK: Aldicarb issue needs a drop-dead date for remaining on the Workplan since the uses in Florida are being phased out or amended, and this topic will soon be eliminated as an issue. The Council agreed to remove the issue from the Workplan.

- MK: Pesticide Resistance appears twice on the Workplan. Should only be under Issue C., and is not necessary under Issue G. The Council agreed with the change.
- BK: Could there be alternative compounds where there could be resistance?
- MM: The Workplan should help us focus on and decide on what we are going to do as a Council. Interesting that the #1 ranked task is public education, and that is really not part of the Council's main focus. Does everyone agree? Can we re-look at the ranking results in terms of issues that the Council has authority and ability do something about, and rank the issues them in terms of the Council's mission and Statutory charge?
- MK: I also struggled with this and think we should consider the issues relative to our mission and purpose.
- JB: I agree, this is a reasonable framework for determining Workplan issue priorities.
- DH: The exercise is useful. It was interesting that public education was ranked highest, considering that the Florida Statutes relative to the PRC say nothing about education. The PRC is a coordinating body. PRC can educate but serves primarily as a public forum.
- JB: Should the exercise be done again with instructions on ranking relative to the scope and mission of the Council?
- MK: With a new commissioner, input from his office would be helpful as well.
- JG: Can we go through the list and identify the top 5 or 6 issues?
- DH: NPDES and soil fumigation should be ranked the highest. Spray drift should also rank high.
- JG: I recommend biological alternative controls to reduce pesticide use as a top issue
- MK: Will the Council continue to be involved in awarding the stewardship award?
- DH: Unsure for now.
- DH: ESPP could take a turn into the spotlight. Recent actions to sue could bring focus to Florida endangered species.
- JG: Could PRC develop and maintain a website to aid in public education? Could be valuable but raises questions about who oversees it.
- DH: FYI, the PRC minutes and agendas are on the Department's website and the Facilitator's website. FDACS gets no funding (explicitly for the Council) so could be difficult to maintain a special site.
- JB: The FCRC project webpage contains PRC agendas, reports, and background documents. IFAS may be a better venue for public education as this fits squarely within their mission and function.
- DK: Can the Workplan results be adopted as a framework for identifying the priorities of the Council.
- Emerging issues include: food safety, child nutrition and water quality.
- PRC: All agreed and the exercise was adopted unanimously as a framework.

(Attachment 2—Council's Updated Workplan and Workplan Prioritization Exercise Results)

Agency Issues Updates {Legislative, Rules, Budget}

Steve Dwinell, Florida Department of Agriculture and Consumer Services (FDACS), provided Council members with an update regarding FDACS legislative, rule and budgetary issues and answered member questions.

Summary:

FDACS Update by SD: There is a new legislative staff person (Grace Lovett: legislative affairs).

At this point we are not sure which legislative recommendations will be approved for submittal through the Commissioner's office. The budget is the top priority. FDACS was asked to propose a 15% cut starting July 1st. A key issue is the Governor's Executive Order freezing all rulemaking for agencies under the Governor. This action affects NPDES markedly. The Commissioner is being briefed on this issue and may argue to the Governor to allow rulemaking to proceed on this critical issue. The Governor created a

new “Office of Fiscal Accountability and Regulatory Reform” to evaluate rules and they have to approve all rules going forward. The Executive Order will not impact FDACS’ rulemaking since FDACS is not a Governor’s agency. FDACS, however, will develop an internal procedure for evaluating the impact of FDACS rules. The Executive Order potentially impacts around 900 rules that will need to be evaluated before proceeding with rule development.

DH: FDACS’ supplemental fee rule this year will be amended to reflect an updated list of active ingredients. By law, the list of active ingredients has to be updated biennially.

Mark McLellan, University of Florida Institute of Food and Agricultural Sciences (IFAS), provided Council members with an update regarding IFAS administrative and policy issues and answered members’ questions.

Summary:

IFAS update by MM: Not sure of landscape under the new Governor. Base operation funding is down by about 25%, and this is forcing faculty to supplement expenses with external grants. Many faculty carry large burdens (i.e., salaries of other staff) apart from operating expenses. Other than this, IFAS is “watching the tea leaves” and taking a wait and see approach at the moment.

NPDES Pesticides Generic Permit Implementation Update and Discussion

Allen Hubbard, Florida Department of Environmental Protection (FDEP), provided the Council with a PowerPoint Presentation titled “Florida’s Draft Pesticide Generic Permit” and answered member’s questions. Allen provided a status update regarding a “generic permit for pollutant discharges to surface water of the state from the application of pesticides”.

Summary of Presentation and Discussion:

- DEP will be responsible for processing NOI’s and reviewing annual reports.
- Feb. 18, 2011 is the target date for publishing the draft permit in Florida Administrative Weekly (FAW).
- Rather than acreage thresholds, FDEP’s approach is to identify parties that would need to file an NOI (i.e., MCD, WMDs, state and federal agencies).
- FDEP has held 5 workshops on the generic permit throughout the state to educate and gather input.
- Draft permit has been submitted to Region IV EPA on December 23, 2010, and DEP still waiting for EPA’s response.
- DEP is continuing meetings with stakeholders to gather input.
- EPA has sent its final draft of the federal permit for Office of Management and Budget review.
- Recent changes to EPA’s permit will not adversely impact FDEP’s draft permit.
- There are two changes FDEP agrees with: the extension of adverse impact written reporting requirement from 5 days to 30 days, and the extension of the period to file NOI to up to 180 days.
- Other important information includes the Legislature’s recent override of Governor Christ’s veto and will allow for:
 1. Clarity of FDEP’s authority to develop pesticide application permit.
 2. Development of Memoranda of Understanding between impacted agencies.
 3. Temporary exceedance of water quality standards.
- DH and BC expressed their respective agencies gratitude for FDEP’s openness during PGP draft development.

PowerPoint Presentation Text:

Background

- November 2006 USEPA Pesticides Rule: Exemption from NPDES permitting for pesticide application to surface water performed in accordance with FIFRA.
- January 2009 Federal Court of Appeals: Invalidates EPA rule, NPDES permits required by April 2011
- June 2010 EPA Draft Pesticide General Permit (PGP): EPA's final PGP expected February 2011
- April 9, 2011 NPDES authorized States: Must have a state PGP in place covering pesticide application to surface water.

2009-2010 - Interagency Workgroup

- DEP, DACS and FWC
- Agencies worked together extensively to develop a viable Florida PGP
- Numerous meetings in-state, teleconferences and face-to-face meetings with EPA and other states, EPA webinars on permit development
- Five Rule Workshops in October 2010
- Currently - continued cooperative work between agencies to finalize the Florida PGP

Florida PGP Guiding Principles

- Utilize FWC and DACS expertise
- "Don't re-invent the wheel"
- Build on existing programs
- Avoid creating conflicts
- Minimize administrative burden
- Recognize FWC/DACS incorporate IPM
- Recognize FWC/DACS already collect pesticide information

Key Items In Florida's Approach:

- Following EPA's draft GP template, but tailoring to meet Florida's specific needs.
- The GP structured by four pesticide use patterns:
 - Mosquito and Other Flying Insect Pest Control
 - Aquatic Weed and Algae Control
 - Aquatic Nuisance Animal Control
 - Forest Canopy or Other Area Wide Pest Con
- Automatic Permit Coverage
 - Federal regulations provide that in certain instances, a general permit can cover discharges without submission of an NOI, pursuant to 40 CFR 122.28(b)(2)(v)
 - Florida will authorize automatic coverage except for those required to file NOIs
- Who needs to submit an NOI?
- Florida approach
 - Entities that apply the largest amounts of pesticides to waters
 - These are only a limited number of federal and state government entities identified in the permit

<i>Pesticide Use Pattern</i>	<i>Operators Required to Submit NOI</i>
Mosquitoes and Other Flying Insect Pests	Mosquito Control programs and FDACS
Aquatic Weed and Algae Control	FWC, WMD, USACE, US Forestry Service, National Park Service, USFWS
Aquatic Nuisance Animal Control	FWC, WMD, USACE, US Forest Service, National Park Service, USFWS
Forest Canopy or Other Area Wide Pest Control	FDACS, USDA, USACE, US Forest Service, National Park Service, USFWS

Current Events

- December 23, 2010 – FDEP sends Draft Florida PGP to USEPA Region 4 Atlanta for review; Draft PGP includes revisions based on workshop comments
- Now
 - EPA is finalizing its PGP; has given states a heads-up on proposed changes
 - FDEP, DACS, FWC reviewing to determine which EPA changes are appropriate for Florida

More Information

- EPA
www.epa.gov/npdes/pesticides
- DEP
www.dep.state.fl.us/water/wastewater/iw/index.htm
- Contact:
 - Mary K. Smith
 - email: mary.k.smith@dep.state.fl.us
 - phone: (850) 245-8591

Soil Fumigant Update

Dennis Howard, FDACS, provided the Council with a PowerPoint Presentation titled “PRC Soil Fumigant Update” and answered member’s questions. Following question and answers and discussion the Council took the following action:

Council Action:

Motion—The Council voted unanimously, 8 - 0 in favor, for FDACS staff to draft a letter supporting FDACS’ position that EPA should develop a “how to comply manual” for the new soil fumigant requirements before the new labels become effective.

Summary of Presentation and Discussion:

- DH: Summarized FDACS’ review of EPA’s Registration Review labels; 41 labels in Florida; wide-reaching mitigation measures.
- Labels have gone from 5-10 pages to 20-60 pages.
- Time will be needed to develop and implement training to ensure understanding and compliance.
- FDACS recommended that EPA develop a timeline for review and implementation. If timeline slips on the front-end, then the back-end deadlines (i.e., those that affected parties are required to comply with) would also slide correspondingly.

- BN: FDACS is promoting applicator compliance with these new labels. The new labels are currently out there. However, many applicators may have stockpiled older stock of product. BCM believes that older labels in the marketplace will be short-lived.
- The Fumigant Management Plan requirement is likely to have the greatest impact to applicators.
- EPA has developed fact sheets, training materials, tools and templates. Many are available through EPA’s website.
- FDACS participated in Pesticide Inspector Residential Training (PRIT) in 2010, and the trainings will also be conducted in 2011.
- Enforcement of labels will be done with a compliance assistance approach rather than a strict enforcement approach. Compliance assistance will likely be conducted through 2012, with compliance monitoring to follow thereafter.
- DACS is working with IFAS to develop training modules to guide applicators for complying with the new label requirements.
- DK: Will the respirator requirements give any OSHA authority to FDACS?
- No attribution: No. Agricultural operations are exempt from the respirator requirements described by OSHA. FDACS inspectors will only enforce those requirements present on the label.
- The Council voted to develop a letter supporting FDACS’ position that EPA should develop a “how to comply manual” for the new soil fumigant requirements before the new labels become effective.

PowerPoint Presentation Text:

“Update: Soil Fumigant Label Review”

- 2010 a challenge for everyone
 - Sweeping label changes
 - Wide-reaching mitigation measures
 - Ambitious Federal deadlines
 - Involves labels of 41 products in Florida

Florida Primary and Distributor Labels Reviewed						
	Methyl Bromide + Pic	Metam Sodium/Potassium	1, 3-D + Pic	Pic only	Methyl Iodide + Pic	Dazomet
FL Primary	10	6	4	4	2	1
FL Distributor	7	—	4	3	—	—

Implementation Schedule

Risk Management Measure	2010	2011
Good agricultural practices (GAPs)	●	●
Restricted use (new measure for metam sodium/potassium and dazomet only)	●	●
New handler protection including changes to respiratory protection, tarp cutting/removal and worker reentry restrictions	●	●
Fumigant management plans and post application summaries	●/○	●
Buffer zone distances, credits, and posting	—	●
Emergency preparedness measures	—	●
Difficult to evacuate sites	—	●

Notice to state lead agencies	—	●
Safe handling information	●	●
First responder, community outreach and certified applicator training	○	●
Rate reductions and use site limitations	●	●
● Adopt ○ Under Development		

Adequate time is needed to:

- deal with unresolved issues in 2010 labels
- address new issues that may arise with field implementation of 2010 labels
- develop and review registrant and non-registrant training programs
- implement training before new requirements take effect
- allow growers to make informed decisions about fumigation choices in the coming season

Recommendations to EPA

- EPA should set timelines for review and implementation in consultation with states, registrants, user groups, and training program designers.
- If timelines slip on the front end, expectations should shift accordingly on the back end.

Bruce Nicely, FDACS, provided the Council with a PowerPoint Presentation titled “Soil Fumigation and Compliance Issues” and answered member’s questions.

PowerPoint Presentation Text:

Soil Fumigant Label Changes

- EPA is requiring important new safety measures for soil fumigant pesticides to increase protections for agricultural workers and bystanders – people who live, work, or otherwise spend time near fields that are fumigated.
- As new soil fumigant product labels appear in the market place in 2010 and 2011, soil fumigant users will need to comply with these new requirements.

Soil Fumigation and Compliance

- New labeled soil fumigants are currently in the marketplace (December 31, 1010).
 - Inspectors will be conducting marketplace and producer establishment inspections for product label compliance.
 - All soil fumigants are now RUP’s and dealers must maintain sales records for minimum of two years.

Challenges for the Applicator

- Applicators will be faced with many new label requirements when applying soil fumigants:
 - Good Agriculture Practices
 - Fumigant Management Plans
 - Post Application Reports
 - Additional Handler Training and PPE Requirements

- In late 2011...
 - Required Applicator Training by the Registrant
 - Restrictions near difficult to evacuate sites
 - Buffer Zone Requirements
 - Buffer Zone Monitoring

Preparing the Applicator

- DACS along with University of Florida and FFVA have worked together developing training for DACS inspectors and applicators.
- Training modules are being developed by UF that will allow the applicators to go through a step by step review of the 2010 and 2011 label requirements.

EPA' Outreach Materials

- EPA has developed:
 - Fact sheets
 - Presentations
 - Tools and templates
 - Visit . . . www.epa.gov/oppsrrd1/reregistration/soil_fumigants
 - Or search on-line for . . .
 - “soil fumigant implementation”
 - EPA’s Toolbox: http://www.epa.gov/oppsrrd1/reregistration/soil_fumigants/

Preparing the Inspector

- Understanding the Labels:
 - FDACS hosted a national Pesticide Inspector Residential Training (PIRT) last April providing Inspectors training on soil fumigation label changes.
 - FDACS will again host another PIRT in April 2011 with emphasis on the 2011 label changes.

EPA's Guidance for Compliance and Enforcement

- Compliance assistance in 2011-2012. Work with users to help understand labeling and how to comply.
- Compliance monitoring in 2012-2013 to ensure compliance with labeling.
- Response to complaints/Label violations?
- Judgment needed.

Review and Approval of Proposed Council Organizational and Procedural Policies and Guidelines

Jeff Blair, Facilitator, reviewed the proposed Council Organizational and Procedural Policies and Guidelines—included in the agenda packet and posted and distributed prior to the meeting—with the Council and answered member’s questions. Jeff explained that the package of proposed policies and procedures expands, clarifies and provides additional detail on the Council’s existing policies and procedures. Jeff reviewed a document comparing current policies to proposed policies, and following discussion the Council agreed to the following key changes:

- The voting approval threshold changed from a simple majority to a 75% or greater level of support.
- The Secretary’s role changed to reflect that the position’s only function is to serve as third in-line for the chair’s position (all other duties are removed from Secretary’s responsibilities).
- The *Executive Planning Working Group* was eliminated, and planning functions will be conducted as group activities including the annual effectiveness assessment survey and workplan prioritization exercise.

- The Annual Report will be compiled by the facilitator at the direction of staff and not compiled by the chair.
- The vice-chair's role will be to serve as chair when the chair is not present, and to serve as second in-line for the chair's position.

Following questions and answers and discussion the Council took the following action:

Council Action:

Motion—The Council voted unanimously, 8 - 0 in favor, to adopt the package of proposed Council Organizational and Procedural Policies as revised*.

**Council agreed that alternates should be able to vote on substantive discussion issues at the discretion and direction of the appointed member.*

Summary of Presentation and Discussion:

- JB: The voting approval threshold is proposed to change from a simple majority to 75%.
- JB: Quite a few of the proposed changes involve transferring logistical responsibilities to the facilitator including drafting the agenda, meeting summary reports, annual reports, coordinating planning activities, etc.
- MM: You (JB) have done an excellent job in outlining and organizing the proposed changes. The supermajority requirement initially seemed like a high threshold to me but given the history of the PRC, meeting this should not be an issue.
- MM: [Comment on alternate member policy]: The Council should entertain the idea of allowing an alternate to attend in the Council member's stead to ensure stakeholder participation. The Council should also consider whether or not a voting proxy should be granted to an alternate.
- DK: [Comment on alternate member policy]: Would be more comfortable with alternate policy if member is allowed to confer voting authority to their alternate.
- DH: What if you do not have the position filled and therefore there is no alternate? We need to ensure that all stakeholder perspectives are at the table. Should we leave it to the chair to invite a stakeholder to informally sit at the table and provide input?
- DK: Agreed with leaving the decision and authority to the chair.
- JG: If a prospective individual is in nomination, could they be given authority to vote? Statute is not clear on whether this is allowed.
- DD: Will the Council have a policy to determine when "enough is enough" regarding use of an alternate? Members are nominated based on what they can bring to the table, and alternates should not be used by an appointed member on an ongoing basis.
- JB: The Council can use the "Attendance Policy" to effectively deal with this.
- The Council agreed in concept that when a member anticipates resigning from the Council, the member could delay submitting a letter of resignation until a replacement has been recruited. In the meantime, the member could assign an alternate whose name is pending approval by the Governor to participate at meetings in their place.

(Attachment 4—Council's Adopted Procedural Policies and Guidelines)

General Public Comment

Members of the public were provided an opportunity at the end of the meeting for general public comments. The Chair invited members of the public to address the Council. Following are public comments:

No comments were offered by the public.

Council Members Comment(s)

Council members were offered an opportunity to make any additional comments they wished to offer. Following are Council member's comments and relevant answers:

- David Krause: FDOH's Bureau of Environmental Public Health Medicine received 2 NIOSH grants to fund an epidemiologist. Pesticide surveillance and exposure will be a component of the grants. USF is a partner in the NIOSH Fundamentals Program. They offer HazCom training to employers on PPE and respiratory protection.

Assignments

- Link the FCRC project webpage and IFAS webpage to the DACS PRC webpage.
- Report to Council regarding any results of DACS' review of advisory councils.
- Seek to fill grower representative position on the Council.
- Encourage a farmworker representative to attend Council meetings to ensure this stakeholder perspective is included in discussions.

Agenda Items and Assignments for the May 17, 2011 Meeting

- Workplan and meeting schedule updates—Blair
- Workplan prioritization exercise second round results—Blair
- Update on Agency issues (Legislative, Rules, and Budget)—DACs and IFAS
- NPDES Pesticides General Permit implementation)—DACs
- Presentation on Citrus Pest Management: emerging pesticide issues—IFAS
- Staff should consult other agencies to determine whether they have any agenda items for Council consideration)—DACs

Next Meeting Date and Location

May 17, 2011—Gainesville starting at 10:00 AM

Future Meeting Dates and Locations

August 2, 2011 Tallahassee

Adjourn

The Council voted unanimously, 8 – 0 in favor, to adjourn at 1:25 PM.

ATTACHMENT 1

PRC MEETING EVALUATION RESULTS—JANUARY 18, 2011

Average rank using a 0 to 10 scale, where 0 means totally disagree and 10 means totally agree.

1. Please assess the overall meeting and meeting objectives.

9.43 The background information was very useful.

9.57 The agenda packet was very useful.

9.71 The objectives for the meeting were stated at the outset.

9.71 Overall, the objectives of the meeting were fully achieved.

2. Do you agree that each of the following meeting objectives was achieved?

9.57 Workplan Prioritization Exercise Discussion.

9.33 Action Planning on Workplan Tasks/Issues.

9.57 Agency Updates (Legislative, Rules, and Budget).

9.57 NPDES Pesticides Generic Permit Implementation Update and Discussion.

5.00 Citrus Pest Management Issues Presentation and Discussion.

9.29 Soil Fumigant Issues Presentation and Discussion.

9.43 Organizational and Procedural Policies and Guidelines Discussion and Adoption.

3. Please tell us how well the Facilitator helped the participants engage in the meeting.

9.86 The participants followed the direction of the Facilitator.

9.86 The Facilitator made sure the concerns of all participants were heard.

9.86 The Facilitator helped us arrange our time well.

9.83 Participant input was documented accurately in Meeting Notes and Facilitator's Report.

4. Please tell us your level of satisfaction with the meeting?

9.71 Overall, I am very satisfied with the meeting.

9.86 I was very satisfied with the services provided by the Facilitator.

9.86 I am satisfied with the outcome of the meeting.

5. Please tell us how well the next steps were communicated?

9.71 I know what the next steps following this meeting will be.

9.71 I know who is responsible for the next steps.

6. What did you like best about the meeting?

- Work plan discussion.
- The PRC made a recommendation on soil fumigants.
- Time was well used.
- Good participation by all.
- Conducted efficiently.

7. How could the meeting have been improved?

- Better audio-visual coordination.

8. Members General Evaluation Comments.

- Good meeting.

ATTACHMENT 2

COUNCIL’S UPDATED WORKPLAN

(Updated and Approved Unanimously January 18, 2011)

WORKPLAN BY TASK

WORKPLAN BY TASK (A-G)

A. ANNUAL TASKS
487.0615(1)(c) In conducting its meetings, the council shall use accepted rules of procedure. A majority of the members of the council constitutes a quorum for all purposes.
(d) The members of the council shall meet and organize by electing a chair, a vice chair, and a secretary whose terms shall be for 1 year each.
(e) The council shall meet at the call of its chair, at the request of a majority of its members, at the request of the department, or at such time as a public health or environmental emergency arises.
1. Council shall meet three times per year starting with January of each year. Regularly scheduled meetings will held in January, May, and September of each year, and start at 10:00 AM.
2. Council reviews Workplan Prioritization Exercise results annually at the September meeting (Facilitator introduces at the May meeting).
3. Council reviews Effectiveness Assessment Survey results annually at the September meeting (Facilitator introduces at the May meeting).
4. Council rotates chair and vice-chair positions and elects new secretary during each September meeting. New officer positions become effective in October.
5. Council will deliver annual report to the Legislature by November 1 of each year.
B. COUNCIL FUNCTIONALITY—COMMUNICATION, PLANNING, PARTICIPATION, REPRESENTATION, PROCESS, DECISION-MAKING, AND IMPLEMENTATION
1. Council adopted revised procedures, polices, and consensus-building and decision-making procedures at the January 2011 meeting.
2. Council will receive updates on budgetary, legislative (including proposed statutory changes) and rulemaking issues at each meeting.
3. Council will develop, prioritize and maintain a Workplan.

C. SCIENTIFIC STUDIES AND FUNDING PRIORITIES AND STRATEGIES
487.0615(2)(a) Recommend, based upon review of state pesticide program needs, appropriate scientific studies on any registered pesticide when substantive preliminary data indicate that the pesticide could pose an unreasonably adverse effect on the environment or human health. The recommendations may include using available services of state agencies or of the State University System to conduct such scientific studies or may recommend that these agencies seek funding for this purpose. When the council recommends a study, it must support legislative budget requests for funding needed to conduct the study. The council may also conduct scientific studies if specific funding is provided to the department or other governmental agency by the Legislature.
1. Transport and fate of pesticides and their degradates in the environment (e.g., groundwater, surface water, atmospheric, and biological).
2. Health effects to pesticide applicators and people living near where pesticides are applied.
3. Data to evaluate pesticide effects/impacts on human health and the environment.
4. Spray drift.
5. Formulations and adjuvants - including nanotoxicological concerns.
6. Antimicrobials.
7. Emerging pests and diseases.
8. Restricted pesticides: update on usage and usage surveys for Florida.
9. Pesticide resistance: current trends and how to manage.
10. Strategy to secure a funding source for needed scientific studies.
11. Research involving biological and alternate controls to reduce pesticide use.

D. ADVISE AND RECOMMEND ON PESTICIDE USE RESPONSIBILITIES— COMMUNICATION AND COOPERATION BETWEEN AND AMONG RESPONSIBLE AGENCIES AND AFFECTED INTERESTS
487.0615(2)(c) Provide advice or information to appropriate governmental agencies, including the State University System, with respect to those activities related to their responsibilities regarding pesticides.
1. Council will discuss the implementation of DEP NPDES Pesticides Generic Permit (PGP) at each meeting until significant implementation issues are resolved.
2. Coordinate and collaborate with the Florida Coordinating Council on Mosquito Control (FCCMC) and the Pest Control Enforcement Advisory Council (PCEAC).
3. Establish a system that is comprehensive and user friendly for governmental agencies to find or request pesticide related information.
4. Pesticide applicator health and safety issues.
5. Pesticide registration and compliance issues.
6. Implementation of the Soil Fumigation RED requirements.
7. Endangered Species Act implementation for FIFRA regulated products.
8. Genetically modified organisms (GMO).
9. Implementation of revised fumigant labels (training, compliance issues).
10. Implementation of new federal restrictions for arsenical herbicides.
11. Pesticide residue and land use change.
12. Citrus Pest Management

E. ENHANCING COMMUNICATION BETWEEN AND AMONG THE AGENCY, INDUSTRY AND PUBLIC
1. Promoting public education regarding pesticide use, safety, benefits, and risks
2. Coordination role in environmental impact of pesticides: a forum for research/monitoring efforts statewide.
3. Council member review and recommendations regarding submissions for the annual Commissioner Award for Pesticide Stewardship.
4. Council should create a strategy and process to assist stakeholders to identify, prioritize and resolve pesticide issues of concern.
5. Promoting the value of U.S. agriculture.
F. MITIGATION MEASURES TO MANAGE PESTICIDES—ISSUES AND RECOMMENDATIONS
487.0615(2)(b) Make recommendations...to the Commissioner of Agriculture for actions to be taken with respect to the sale or use of a pesticide which the council has reviewed.
(2)(e) Consider, at the request of any member, the development of appropriate advice or recommendations on a pesticide when substantive preliminary data indicate that the pesticide could pose an unreasonably adverse effect on the environment or human health.
(2)(f) Assist the department in the review of registered pesticides which are selected for special review based upon potential environmental or human health effects. This process must include, but need not be limited to, selecting pesticides for special review, providing periodic updates to the council on preliminary findings as a special review progresses, and formulating final recommendations on any pesticide on which a special review has been conducted.
1. Monitoring for pesticides and their degradates in environmentally sensitive areas.
2. Evaluate potential human health impacts on pesticide applicators, farm workers and residents that consume groundwater near areas where pesticides are applied.
3. Soil fumigation procedures and recent federally required re-labeling.
G. BIOLOGICAL AND ALTERNATE CONTROLS TO REPLACE OR REDUCE PESTICIDE USE
487.0615(2)(d) Review biological and alternate controls to replace or reduce the use of pesticides.
1. Research updates regarding biological and alternate controls to reduce pesticide usage.
2. Recommendations for reductions in pesticide applications and usage with alternative methods.
3. Develop a suite of incentives for farmers to switch to alternative controls that are equally viable and also have other benefits (including BMPs and IPM).

WORKPLAN PRIORITIZATION EXERCISE RESULTS 2010

JANUARY 18, 2011

WORKPLAN TOPICS (TASK/TOPIC #)	AVERAGE (5 TO 1)	OVERALL RANKING
Public education (E. 1)	4.36	1
Workplan development/prioritization (B. 3)	4.18	2
Applicator health/safety issues (D. 4)	4.18	2
Impacts on applicators (F. 2)	4.18	2
Applicator health effects (C. 2)	4.09	5
Pesticide effects: human/environment (C. 3)	4.09	5
Research pesticide reduction (G. 2)	3.91	7
Biological/alternate controls to reduce pesticide use (C. 11)	3.82	8
NPDES permitting (D. 1)	3.82	8
Soil fumigation procedures (F. 3)	3.82	8
Pesticides & degradates monitoring (F. 1)	3.73	11
Recommendations for reduction of pesticide use (G. 3)	3.73	11
Emerging pests and diseases (C. 7)	3.64	13
Soil fumigation RED documents (D. 6)	3.64	13
Pesticide Resistance (G. 1)*	3.64	13
Incentives for alternative controls (G. 4)	3.64	13
Pesticides/degradates transport/fate (C. 1)	3.55	17
Strategy to secure a funding source (C. 10)	3.55	17
Coordination with other councils (D. 2)	3.55	17
Revised fumigant labels (D. 10)	3.55	17
Coordination/Forum (E. 2)	3.55	17
Strategy for stakeholders (E. 4)	3.55	17
Pesticide registration/compliance (D. 5)	3.45	23
Endangered species--FIFRA (D. 7)	3.45	23
Pesticide residue/land use change (D. 12)	3.45	23
Spray drift (C. 4)	3.36	26
Promoting value of US Agriculture (E. 5)	3.36	26
Information system (D. 3)	3.18	28
Arsenical herbicides restrictions (D. 11)	3.18	28
Pesticide resistance (C. 9)	3.09	30
Formulations and adjuvants (C. 5)	3.00	31
Antimicrobials (C. 6)	3.00	31
Pesticide stewardship award (E. 3)	3.00	31
Genetically modified organisms (D. 9)	2.91	34
Restricted pesticides usage/surveys (C. 8)	2.82	35
Aldicarb application well setbacks (D. 8)*	2.64	36
Citrus Pest Management (D. 12)**		

*Council agreed to remove issue from the Workplan.

**Council agreed to add issue to the Workplan.

Council Identified Tier-One (Top Priority) Priority Issues

ATTACHMENT 3**MEETING ATTENDANCE—PUBLIC AND AGENCIES**

NAME	AFFILIATION
Mary Harney	Florida Fertilizer and Agrichemical Association (FFAA)
Joshua Craft	Florida Farm Bureau (FFB)
Richard Pont	EPA
Bola Design	IFAS
Alan Hubbard	FDEP
Mary Smith	FDEP
Steve Dwinell	FDACS
Tony DeBartolo	FDACS
Davis Daiker	FDACS
Bruce Nicely	FDACS
Patty Lucas	FDACS
Andreas Coveney	FDACS
Charlie Clark	FDACS

ATTACHMENT 4
COUNCIL'S ADOPTED PROCEDURAL POLICIES AND GUIDELINES
(ADOPTED UNANIMOUSLY JANUARY 18, 2011)

ADOPTED COUNCIL MEETING GUIDELINES

COUNCIL MEMBER'S ROLE

- Prepare for the Meeting. Review documents and background material prior to attending.
- Keep to the agenda and meeting procedural guidelines.
- Take the opportunity to explore possibilities. Offering or exploring an idea does not necessarily imply support for it.
- Listen to understand. Seek a shared understanding even if you don't agree.
- Be focused and concise—balance participation & minimize repetition. Share the airtime.
- Look to the chair/facilitator to be recognized. Please raise your hand to speak.
- Speak one person at a time. Please don't interrupt each other.
- Focus on issues, not personalities. Avoid stereotyping or personal attacks.
- To the extent possible, offer options to address others' concerns, as well as your own.
- Participate fully in discussions, and complete meeting assignments as requested.
- Serve as an accessible liaison, and represent and communicate with member's appointed stakeholder group.

CHAIR'S ROLE

- Provide leadership and guidance to Council members, staff, stakeholders and general public.
- Commit to the consensus-building process.
- Participate directly in the substantive process of seeking agreement on recommendations.
- Focus on the substantive technical aspects of the meeting and each discussion item.
- Ensure a fair process during which all perspectives are considered.
- Enhance the opportunity for consensus building encouraging constructive discussions among the members.
- Maintain neutrality, managing meetings to help maintain the flow.
- Consult with facilitator to resolve any procedural issues.
- For issues that require PRC action: once discussion is complete ask for motion(s) or assign facilitator to handle the motion(s).
- Convene subcommittees and appoint subcommittee members as needed.
- Consult with senior staff and facilitator to design agendas and meeting processes that will be both efficient and effective.

FACILITATOR'S ROLE (FCRC @ FLORIDA STATE UNIVERSITY)

- Design and facilitate a participatory and fair meeting process.
- Provide consensus-building and conflict resolution guidance as needed.
- Enhance the opportunity for consensus building encouraging constructive discussions among the members, and that all perspectives are considered.
- Focus on the procedural aspects of the meeting and each discussion item.
- Assist members to stay focused and on task.
- Assist chair to manage speaking order on discussion issues, allowing chair to focus on substantive aspects of the issue instead of focusing on procedural aspects.
- Prepare and post agenda packets, worksheets and meeting summary reports.

MEMBERS OF THE PUBLIC ROLE

- Respect meeting process and guidelines.
- Provide input during provided comment opportunities.
- Consult and provide input to their representative stakeholder members to enhance the efficacy of the process.

GUIDELINES FOR BRAINSTORMING

- Speak when recognized by the Chair/Facilitator.
- Offer one idea per person without explanation.
- No comments, criticism, or discussion of other's ideas.
- Listen respectfully to other's ideas and opinions.
- Seek understanding and not agreement at this point in the discussion.

THE NAME STACKING PROCESS

- Determines the speaking order.
- Members raise hands to speak. Chair/Facilitator will call on participants in turn.
- Facilitator may interrupt the “stack” (change the speaking order) in order to promote discussion on a specific issue or, to balance participation and allow those who have not spoken on an issue an opportunity to do so before others on the list who have already spoken on the issue.

GUIDELINES FOR REPORTS AND PRESENTATIONS

- Chair/Facilitator introduces presenter.
- Hold all questions until report or presentation is complete, unless invited by the speaker.
- Facilitator stacks names.
- Chair/Facilitator calls on speakers.
- Clarifying questions only. (For discussions, see guidelines below.)

GUIDELINES FOR DISCUSSIONS AND PROPOSALS

- Facilitator guides process.
- Chair focuses on substantive aspects of the discussion.
- Meeting guidelines remain in effect.
- Facilitator stacks names.
- Proposal is presented (no comments or discussion).
- Clarifying questions are taken (no comments or discussion).
- Discussion of proposal (focus on issues, refine proposal, and consensus building).
- Consensus/Acceptability ranking as needed.
- Test for consensus with a motion to approve and a vote (Chair or facilitator asks for motions at chair’s preference).

ACCEPTABILITY RANKING SCALE

During the meetings, members will be asked to develop and rank the acceptability of options, and following discussions and refinements, may be asked to do additional rankings of the options if requested by members and staff. Please be prepared to offer specific refinements or changes to address your reservations. The following scale will be utilized for the ranking exercises:

Acceptability Ranking Scale	4 = <i>acceptable, I agree</i>	3 = <i>acceptable, I agree with minor reservations</i>	2 = <i>not acceptable, I don't agree unless major reservations addressed</i>	1 = <i>not acceptable</i>
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COUNCIL CONSENSUS-BUILDING AND DECISION-MAKING PROCEDURES

The Pesticide Review Council (Council) will seek consensus decisions on particular issues and their package of recommendations to be submitted on a regular basis to the Commissioner of Agriculture and Consumer Services, through the DACS Division of Agricultural Environmental Services.

The Council's Consensus building and decision making process is participatory, on matters of substance, the members jointly strive for agreements which all of the members can accept, support or at least agree not to oppose. In instances where, after vigorously exploring possible ways to enhance the members' support for the final decision on an issue or package of recommendations, and where 100% acceptance or support is not achievable, final decisions of the Council will require at least a 75% favorable vote of all members present and voting. This super majority decision rule underscores the Council's view of the importance of seeking consensus. In the event the Council can not reach consensus (75% in favor) on a decision, a minority report may be requested immediately following the vote, describing the rationales and preferences of those dissenting, to be included in the meeting summary report. The Council will make decisions only when a quorum is present. A quorum shall be constituted by at least 51% of the appointed members being present (simple majority).

The Council will utilize Robert's Rules of Order, as modified by the Council's adopted guidelines and procedures, to make and approve motions; however, the 75% supermajority voting requirement will supercede the normal voting requirements used in Robert's Rules of Order for decision making on substantive motions and amendments to motions. In addition, the Council will utilize their adopted meeting guidelines for conduct during meetings. The Council will make substantive recommendations using their adopted facilitated consensus-building procedures, and will use Robert's Rules of Order only for formal motions once a facilitated discussion is completed.

The presiding Chair and/or Facilitator of the Pesticide Review Council, in general, should use parliamentary procedures set forth in Robert's Rules of Order, as modified by Council's adopted procedural guidelines.

Any voting member may make a motion when a quorum is present, and after a thorough discussion. A second is required to discuss the motion. If a motion is seconded, the Chair/Facilitator opens the floor for discussion. The Chair/Facilitator will recognize members wishing to speak on the motion. The Chair/Facilitator will, if time permits, recognize other participants wishing to speak on the motion.

The Chair/Facilitator may elect or be requested by the member making the motion to take a "straw poll" on the motion. Based on the result, the Chair/Facilitator may table the motion with the agreement of the member moving it, pending further discussion. The member making the motion may accept friendly amendments to the motion. After completing discussion, the Chair/Facilitator will call the discussion to a close and restate the motion, with any friendly amendments, and call for a vote. If the motion receives a 75% favorable vote of the members present and voting it will be approved.

COUNCIL MEETING PROCESS FORMAT GUIDELINES

- Chair/Facilitator introduces each agenda item.
- Proponent/Presenter provides overview, rationale for proposal, and any requested action.
- Clarifying questions from members (something you don't understand). Names stacked.
- Council begins discussion only after all questions are answered.
- General discussion by Council members.
- Facilitator asks if any members of the public wishes to address the Council on the current issue under board/committee consideration
- Facilitator asks for those who wish to speak in favor of the proposal or topic under discussion to offer brief comments, others who wish to speak in favor will be asked to offer new points or simply state agreement with previous speakers.
- The same opportunity and requirements will be offered for those who wish to speak in opposition to the proposal or topic under discussion.
- Facilitator ensures that all views are expressed and similar views are not repeated.
- Facilitator may instruct public to avoid repeating points, and to summarize key points and to submit lengthy prepared statements into the record (instead of reading them).
- Members of the public will be provided one opportunity to comment per discussion agenda item, and may be limited to three (3) minutes.
- Members may, through the chair, ask clarifying questions to members of the public offering comments.
- After public comment, facilitator calls for members' discussion and stacks names of members wishing to speak.
- Members explore all options (pros and cons) prior to making a formal motion.
- Any voting member may make a motion when a quorum is present. Requires a second.
- If a motion is seconded, the facilitator opens the floor for discussion. The Facilitator will recognize members wishing to speak on the motion.
- If the motion involves an option that the public has already commented on, no additional public comment is taken. If the proposed action (motion) is materially different from what was previously discussed, an additional opportunity is provided for public comment, and then the Council votes on the motion.
- Once a motion is on the floor discussion is restricted to Council members except as allowed by the chair for purposes of clarification.
- Council member offers a second (may be seconded for purposes of discussion, and not necessarily due to agreement with the motion).
- Council members may offer friendly amendments and if accepted by maker of the motion, friendly amendment becomes a part of the motion currently under discussion.
- In order to get a "read" on a motion, the Facilitator may elect or be requested by the member making the motion to take a "straw poll" on the motion. Based on the result, the Facilitator may withdraw or table the motion with the agreement of the member moving it, pending further discussion.
- Council members may offer an amendment to the motion: second required, discussion, vote on the amendment only.
- The motion on the table is now the motion as amended (if amendment was approved).
- After completing discussion, the Facilitator will call the discussion to a close and restate the motion, with any friendly amendments or approved amendments, and the chair/facilitator will call for a vote. If the motion receives a 75% or greater favorable vote of the Council members it will be deemed approved.

ADOPTED COUNCIL POLICES

COUNCIL MEETING ATTENDANCE POLICY

Any member of the Pesticide Review Council who fails to attend two consecutive regularly scheduled meetings will be contacted by the Department to determine why the member was not able to attend and if the member still wishes to serve on the Council. If the member cannot demonstrate his or her absence was for good cause, or no longer wishes to serve on the Council, the Department will request the member submit a written resignation from the Council to the Commissioner of Agriculture. If the member refuses to resign, the Council will recommend to the Commissioner of Agriculture the member's appointment be terminated and a new member be appointed as a replacement.

MEETING FREQUENCY POLICY

The PRC shall strive to meet three times per year starting with January of each year. Regularly scheduled meetings will be held in January, May, and September of each year. Additional meetings may be called by the Agency or Council chair as required.

ABSENTEE COUNCIL MEMBER COMMENT POLICY

Any member of the Council who wishes to have their comments/opinions read into the record at a meeting he or she will not be able to attend, may send comments by e-mail or fax to the Facilitator and the Department of Agriculture. The member should identify the agenda item(s) that the comment(s) pertain to. The Facilitator will read the absentee member's comments into the record during the discussion portion of the specific agenda item the member is commenting on, and the member's comments will be included in the Facilitator's meeting summary report. The Council member may only make one comment per agenda item, and each comment will be limited to a maximum of five-hundred (500) words.

ALTERNATE MEMBER POLICY

- In the event Council members can not attend a meeting, they may send an alternate to attend meetings in their absence.
- Council members shall notify DACS and the facilitator by e-mail when they will not be able to attend a meeting, and if an alternate will attend in their place.
- Council members shall provide the name and contact information for their alternates.
- Alternates shall be of the same stakeholder/constituent groups as the appointed members and knowledgeable on the issues.
- Council members shall provide alternates with a copy of the upcoming meeting's agenda and consult with alternates on the substantive discussion issues before the Council.
- Alternates will sit at the table and participate in all substantive discussions.
- Alternates should represent member's views on substantive discussion issues, to the extent possible.
- Alternates shall be allowed to vote on substantive discussion issues at the member's discretion and direction.
- Alternates shall agree to follow all Council procedures as stipulated in the PRC's "Organizational and Procedural Guidelines". The Guidelines may be viewed at the following link: <http://consensus.fsu.edu/PRC/index.html>
- Alternates shall not participate in the discussion of procedural matters such as the yearly effectiveness assessment survey, workplan prioritization exercise, and election of officers.

OFFICER ELECTION POLICY

The Council will elect three officers from within the existing membership, whom will serve in that position for a one-year term. The positions are chair, vice-chair, and secretary. Initially, three officers will be elected, and subsequently a new secretary will be elected at each September meeting, and the previous secretary will accede to the vice-chair position, and the vice-chair will accede to the chair position. An elections committee, chaired by the immediate past Council chair and comprised of 3 members from different interests will recommend nominations to the Council prior to the election of new officers.

SUBCOMMITTEE ORGANIZATION AND PROCEDURES POLICY

- The Council Chair shall convene subcommittees following a consensus vote of the Council.
- Subcommittees are advisory to the Council and shall report at each Council meeting.
- Subcommittees shall follow Council Organizational and Procedural Guidelines for operating meetings and decision making. The Guidelines may be viewed at the following link:
<http://consensus.fsu.edu/PRC/legislation.html>
- Subcommittee chairs and members are appointed by the Council Chair.
- Subcommittees shall have a minimum of one (1) Council member (non-Council members may serve on subcommittees).
- Subcommittee chairs shall recommend members to the Council Chair for appointment.
- Subcommittee chairs shall maintain an updated list of members and provide them to the Council Chair and DACS.
- Subcommittees shall be comprised of a sufficient number of members to ensure representation by relevant affected stakeholder interests.
- Subcommittees require a quorum to conduct business. A majority of members shall constitute a quorum.
- Subcommittee members may designate an alternate to participate in meetings and vote in their absence. The subcommittee chair must be notified and approve alternate selections.

PROTOCOL FOR AGENDA SUBMITTAL AND CONSIDERATION

All agenda items must be submitted by close of business forty-five (45) days prior to the next scheduled Pesticide Review Council meeting.

The Division of Agricultural Environmental Services will review a proposed agenda item for a determination of whether or not the issue falls under the purview and statutory authority of the Pesticide Review Council. The agency will notify the proponent of any negative determination relative to issue being placed on next agenda.

Proposed agenda items meeting the submittal criteria will be noticed in the Florida Administrative Weekly (FAW) in accordance with the noticing requirements of F.S., Chapter 120.

Pesticide Review Council members will receive all proposed agenda items and supporting documentation at least fourteen days prior to the next scheduled Pesticide Review Council meeting.

No new agenda items will be considered at the Council meeting with the exception of those issues raised by the Division of Agricultural Environmental Services that have been determined to require immediate Council action, or by the unanimous (100%) approval of a quorum of the Council through the Chair.

Agenda items that meet submittal criteria and arrive after the established deadline will be placed on the next regularly scheduled Council meeting agenda.

Based on number of agenda items the Chair/Facilitator may allocate a specific amount of time for each agenda item.

Council will not consider action on proposals that have requested other actions such as an administrative hearing or declaratory statement, unless specifically requested by the Division of Agricultural Environmental Services.

The Council by a 75% favorable vote may discuss requested agenda items not meeting submittal criteria requirements but may not take any formal action on the issue until the next Council meeting.

Special meetings may be called by the Division based on urgency and necessity for immediate action.

TELECONFERENCE PARTICIPATION PROCESS

ATTENDANCE

- Facilitator will ask committee members to identify themselves.
- Members will offer their names one at a time. To avoid confusion and to ensure accuracy, please wait until facilitator repeats and confirms a name before offering another.
- Once attendance is complete, the agenda will be reviewed and approved by the committee.
- Committee members should announce if they have to sign-off before the teleconference meeting is complete, to ensure a quorum and an accurate count of votes.

PARTICIPANT ETIQUETTE

- Background noise from participants is picked-up and amplified on the conference leader's phone, especially if you are on a speaker-phone. Please refrain from sidebar conversations.
- Please place your phone on mute, unless you are speaking, to cut down on ambient background noise. Ensure your phone is muted if you leave the phone for any reason. Use the mute function on your personal phone, or the conference muting function per instructions.
- If your line creates a disturbance or has technical difficulties, the teleconference operator may be required to manually mute your line until the problem is resolved.
- Do NOT place your phone on hold (your system's background sound/music will play).

DISCUSSION PROCESS

- Facilitator will introduce discussion item or presenter.
- Presenter will provide overview of issue and recommendation(s) for committee action.
- Hold questions until presentation is complete.
- Once presentation is complete, Facilitator will ask if committee members have clarifying questions on the issue, create a speaker's list*, and call on members in-turn for clarification.
- Members participating via the internet shall indicate their desire to speak by using the "Raise Hand" function on the web screen.
- Facilitator will ask if anyone from the public wishes to discuss the issue or propose alternative options, create a speaker's list*, and call on participants in-turn for discussion.
- Members of the public participating via the internet shall indicate their desire to speak by using the "Raise Hand" function on the web screen.
- Facilitator will ask if any committee member wishes to discuss the issue or propose alternative options, create a speaker's list, and call on members in-turn for discussion.
- Once clarification and discussion is complete, Facilitator will ask if a voting committee member wishes to make a motion on the issue.
- Following a second for the motion, Facilitator will ask if there is any additional discussion.
- If the motion involves an option the public has already provided input on, then the vote is taken following any additional committee discussion; if the proposed action (motion) is materially different from what was previously discussed, an additional opportunity is provided for public comment, and then the committee votes on the motion.

**"Speaker's List" will be compiled from those in attendance, on the web, and participating solely by phone.*