



▶ ESA Update

December 6, 2022

U.S. Environmental Protection Agency



ESA Workplan Update Strategies

Pesticide Types

- ▶ Rodenticides
 - ▶ Conduct a single BE for *all* listed species and designated critical habitats on *all* 11 rodenticides as a group
- ▶ Herbicides
 - ▶ Develop a broad approach to address spray drift and runoff transport from treated fields to minimize exposure to *listed plants* from herbicides to reduce the likelihood of J/AM for listed plants and species that depend on plants
- ▶ Insecticides
 - ▶ Similar to herbicides in goals except focus on animals - initiate this work later in FY23

Pesticide Use

- ▶ Exploring grouping assessments and mitigations for certain pesticide uses
- ▶ Examples
 - ▶ Mosquito adulticides
 - ▶ Residential uses

Regional Strategies

- ▶ Example: Hawaii

ESA Workplan Update Strategies (Cont)

Vulnerable Species

- ▶ Pilot: Develop mitigations for ~25 federally listed species
 - ▶ EPA expects to begin public outreach by mid-2023
- ▶ Expansion Plan (2023)
 - ▶ Consider similarities and differences among species
 - ▶ To what extent do mitigation measures developed for the pilot species apply to other species

Programmatic Consultation

- ▶ EPA and NMFS are exploring a full programmatic consultation for all conventional pesticides and all NMFS species

Off-Sets

- ▶ EPA continues to welcome proposals to incorporate offsets (also known as compensatory mitigation) into pesticide consultations
- ▶ EPA expects to work with the Services to identify species that may be particularly³ amenable to offsets

FIFRA Interim Ecological Mitigation

- Under FIFRA, EPA is placing greater emphasis on addressing ecological risks while considering benefits and impacts of mitigation
 - Reduce risks to all nontarget species identified in a FIFRA risk assessment
 - Reduce exposure to listed species

FIFRA Interim Ecological Mitigation

- ▶ EPA has developed FIFRA Interim Ecological Mitigation measures
 - ▶ Focuses on agricultural crops uses of conventional and biological pesticides
 - ▶ Proposing in registration review, to be adapted to new use registrations
 - ▶ To be adjusted to account for varying risks and benefits of the pesticide
 - ▶ Proposed for inclusion on product labels (not Bulletins)
- ▶ FIFRA Interim Ecological Mitigation measures do not include
 - ▶ Pesticide-specific measures (e.g., application rate reductions)
 - ▶ Listed species-specific mitigation measures being developed for ESA Pilots
 - ▶ Mitigation measures being developed for listed species under Additional ESA Strategies

FIFRA Interim Ecological Mitigation

- ▶ **Surface water protection statements** users would follow when precipitation occurs or (for runoff) is forecasted
- ▶ **Pick list of conservation measures** to reduce runoff or erosion
- ▶ **Spray drift reduction** through droplet size, windspeed, and release height limits
- ▶ **Spray drift buffers** from aquatic habitats and conservation areas
- ▶ **Insect pollinator advisory language**
- ▶ **Treated seed labeling** for products with seed treatment uses and instructions for seed bag tags
 - ▶ Considering proposing additional mitigation to reduce risks to wildlife from pesticide dust-off from treated seed and ingestion of treated seed
- ▶ **Incident reporting guidance**
- ▶ **Bulletins Live! Two system web link and user instructions**

Public Comment Opportunities

- ▶ Registration Review Early ESA Proposed Interim Decisions (PIDs):
 - ▶ Methomyl Revised PID - comment through 12/5/22; docket EPA-HQ-OPP-2010-0751
 - ▶ Rodenticides (4 PIDs) - comment through 2/13/23; FR Notice 87 FR 73297, Nov. 29, 2022
 - ▶ Carbaryl - comment through 2/14/23; docket EPA-HQ-OPP-2010-0230
- ▶ Appendix to ESA workplan update - comment through 1/30/23; docket EPA-HQ-OPP-2022-0908
- ▶ PIDs for DCNA, etofenprox, norflurazon, TM/MBC-upcoming

ESA Workplan - Useful Links

- ▶ EPA ESA Workplan update
 - ▶ [Original Workplan: balancing-wildlife-protection-and-responsible-pesticide-use_final.pdf \(epa.gov\)](#)
 - ▶ [Nov. Update: US EPA - ESA Workplan Update - Nontarget Species Mitigation for Registration Review and Other FIFRA Actions](#)
- ▶ ESA Pilot activities update:
 - ▶ <https://www.epa.gov/endangered-species/epas-workplan-and-progress-toward-better-protections-endangered-species#update>