

AAPCO Endangered Species Act (ESA) Work Group Report

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The AAPCO Endangered Species Act (ESA) Work Group was recently convened to more closely follow the evolving issues related to the ESA and its future impacts on pesticide regulatory programs. A call for participants was put out during the December SFIREG meeting and through the AAPCO listerv in January. The eight workgroup members and one industry representative offer perspectives and expertise from the northeast, southeast, north central, midwest, and pacific northwest regions of the US. One of the earliest efforts by the workgroup was to support AAPCO membership looking to comment on the Appendix to the USEPA ESA Workplan Update. The workgroup assembled and distributed a series of tables and questions on the label mitigation measures proposed in the updated workplan appendix. A listing was included therein to engage and assist AAPCO membership in planning current and near-term public comment opportunities including:

- The proposed mitigation language in the Appendix to the ESA Workplan Update: Proposed Label Language for Public Comment – Comments due by February, 14, 2023
- The PIDs for dicloran (DCNA), etofenprox, norflurazon, and the thiophanate-methyl/carbendazim (TM/MBC) that will include some of the
- FIFRA Interim Ecological Mitigation measures, issued December 23, 2022 – March 8, 2023
- The ESA registration review pilots for methomyl, carbaryl, rodenticides, and certain neonicotinoids that will include early ESA mitigation for certain species – comment period to be specified when the results of the registration review for these pesticides are published,
- EPA vulnerable species pilot – sometime in 2024
- EPA strategies for herbicides – Spring 2024
- EPA strategies for rodenticides - November 2023

As of the date of this report the workgroup has held one meeting and will continue to meet biweekly going forward. Workgroup members are particularly interested in building future opportunities for AAPCO membership to engage in a regular dialogue with EPA, SFIREG, industry and other relevant regulatory agencies involved in pesticide program impacts from the endangered species act. Some core areas of emphasis identified by the workgroup include pesticide label language, enforceability of new mitigation measures including the 'picklist' and bulletins live, stewardship efforts and applicator training, as well as state surveys and other relevant data sources. These areas are being developed into a series of questions from the workgroup to begin engagement with EPA.