

AAPCO Endangered Species Workgroup



Goal of the workgroup is to build engagement opportunities for AAPCO membership on ESA topics with impacts on pesticide regulatory programs.

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- AAPCO ESA Workgroup Summary, prepared for SLAs looking to comment on the proposed mitigation language in the EPA's "Appendix to ESA Workplan Update".
 - Support information exchange related to aspects of USDA NRCS conservation practices

June 2023

- Interim Ecological Measures Questionnaire and Response Summary provided to EPA

August 2023

- Workgroup Feedback on DRIFT: Wind Directional Buffers & Buffers to Aquatic/Conservation Areas

Interim Ecological Measures – Questionnaire and Response Summary

- State and/or county level (or other sub-divisions) programs involved with tracking or implementation of soil and water conservation practices.
- Statistics on the extent of implementation of these practices, or which practices are most widely implemented.
- Program incentives for implementation of soil and water conservation practices other than those available through the NRCS.
- NRCS practice “Pest Management Conservation System – code 595” use or implementation
- Existing programs that include education for producers about soil and water conservation practices.
 - Entities that currently participate in the selection and implementation of soil and water conservation measures.
- Information on the effectiveness of soil and water conservation measures for reducing soil erosion or surface water run-off that are being implemented.
- Information on the effectiveness of practices that reduce off site movement of pesticides from soil movement or surface water run-off.
- Regulations or monitors of offsite movement of nutrients or pesticides from tile drains in agricultural operations.
- State-specific requirements for prevention of off-site movement of pesticides through drift or run-off other than those established on pesticide labels.

DRIFT: Wind Directional Buffers & Buffers to Aquatic/Conservation Areas

- If the structure of label language is to shift more to a picklist or adjustable list of requirements, will there be establishment of a practice or design standard to accompany the intended mitigation practice?
 - Coordination with state certification and enforcement programs is essential for mitigations to be implemented. Enforcement programs would benefit from performance standards that can assess whether a practice or design standard was applied. In addition, there would be need to evaluate and update protocols of how to conduct pesticide use investigations if there are new Use Directions.
- Record-keeping requirements may be helpful for applicators to navigate picklists or adjustable list requirements on the pesticide label. This would also support state enforcement programs conducting inspections/investigations of pesticide use. (Incidents are often reported after the application.) Record-keeping could be required on the pesticide label.
- Given the number of pesticide products that would carry revised drift language, have there been efforts to engage applicators organizations on the practicality of new aerial and ground boom drift requirements?
 - National Agricultural Aviation Association and state/regional climatologists regarding drift language.
- Best Management Practices on pesticide labels— are these enforceable (advisory or voluntary) and is there regional specificity in practice?

Upcoming Topics

- Continued review of the Herbicide Strategy
- State survey of labeling – picklist for runoff management
- Better understand the evolving topic of ‘offsets’ under the ESA workplan and settlement agreement
- Education and outreach to applicators and growers

SLA engagement needs

- Impacts will begin in 2024
- Prepare to comment on Insecticide, Rodenticide, Fungicide Strategies
- Begin assessment of impacts on extension and training needs for:
 - Pesticide end users
 - Extension Service
 - NRCS and Technical Service Providers
- Cooperative Agreement needs to be modified to incorporate these impacts
- Provide feedback to EPA Regions and EPA HQ on substantial needs to provide support for training and enforcement
- Incorporate ESA in PIRT and PREP planning