



Arizona Department of Agriculture

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Region 9 Pre-SFIREG Notes

The Region 9 states met on November 8, 2023, via Zoom. All states were present, we had no territories, the Gila River Indian Community was on as well as Jennifer Weber, Arizona's PSEP person. (We are making this a quarterly event with our next Zoom meeting on March 13.)

We had the packed agenda that Gary provided, so we started with any state specific issues or questions to ensure everyone had the opportunity to cover anything of importance to them that was not on the agenda. The only issue brought was Arizona looking forward to impending budget issues as we move into the next fiscal year.

For the C&T Plans, Katie Wilcoxon from Region 9, gave a quick overview. All plans were approved for the states, territories and tribes. All tribes currently will use state certifications to obtain EPA certification. Gila River also requires a tribal certification based on that. Tribes also have the option of not allowing RUPs on tribal lands. Yurok Tribe in Northern CA has legally opted out. Pesticides cannot be used on Tribal lands in their jurisdiction (certain exceptions for certain GUP uses). EPA is working on a Certification Plan Modification Guidance which is projected to be released to the SLAs for comment and finalized in the Spring 2024. The Modification Guidance will provide directions and a form for SLAs to notify EPA of Plan changes. Some changes will be non-substantive and others may be considered 'significant' and require EPA approval. Until the guidance is issued, she reminded everyone to communicate with R9 about any modifications to the approved state plan. Early communication will help all of us move smoothly forward and avoid delays in implementation.

Following is a brief summary from participants.

- a. Arizona– there is a lot of work to be done upgrading study materials and tests. Doing rule changes now.
- b. California the structural industry is not ready...there will be substantial changes to plan. CA has a separate regulatory agency.
- c. Nevada regulations revised/adopted manual exams updated...training now...mostly in person. There may be significant change – a legislative change allowing individuals to train as a general use pesticide applicator, who engage in pest control activities prior to earning a license. "Pest control" is a broad term, but basically it is putting oneself out there to control, prevent or mitigate pests. It includes mechanical devices.
- d. Hawaii rules done, revised law authorities into law – significant steps to get this done.
- e. GRIC is looking to eliminate the EPA and look at issuing certification based off state certifications without the EPA in the middle.

ESA, Herbicide Strategy BL2

- a. Arizona - BL2 needs to be more user friendly: 1) are there restrictions in a county and if so 2) what AIs/products. Herbicide strategy is very difficult and really so many unknowns and how values will be come

to...too technical for the average Jane or Joe. Extension needs to be brought into this since it is so technical; the education needs are going to be great.

b. California - ESA mitigation measures there will take out millions of production acres. They believe a new comment period is needed relating just to implementation due to the technical nature. Western ag inclusion was not enough even with the variations of examples provided on how you implement. CA has a lot of off sight movement Regional measures. DPR has a lot of environmental data, reduced air speed for aerial, maintenance of equipment for onsite applications. PWC Model? Vegetation buffer zones should be higher.

c. Nevada – Just one species, the sage grouse, is going to affect a very large area. They are concerned with internet issues for the growers and believe that mitigation found on line needs to be more available on labels.

d. Hawaii – They are going to be checking with the Dept. of land to learn how Section 18 and SLN will be impacted by this.

Coop Agreement

Cindy Wire said they have a group that is working on the update and they are given about 18 months to revise. She stated that not much coming up, C&T, pollinators. ESA – pick...vague Juneish next year ... don't anticipate major changes.

Registration Review

a. California – non-ag revaluation of products – making state RUP, RUP – notice of intent to be filed...will overwhelm their system. (not clear understanding by submitter)

b. Nevada – Neonics banned on ornamentals by an Assembly Bill (AB) restricting the purchase or use of neonicotinoid pesticides on plants in the state of Nevada except for commercial agricultural purposes and other specific uses..

SAHFER database (folks were not familiar with what this was.)

PRIA 5 Bilingual Language

a. Arizona – Believes this language may be useful and we hope if issues arise, (not proper language) it can be addressed quickly. Is there a process for this? Dialect may be an issue.

b. California – They have been wanting this for years. Their concern is it going to be understandable to the average worker.

c. Region 9 is doing focus group meetings to get input on how to make Spanish labeling accessible to farmworkers. There will be two in CA, 1 in AZ and NV. These are made up of 10-12 people familiar with the ag worker community. Western Center of Ag – UC Davis facilitating.

Chlorpyrifos

a. Arizona – just curious what is going to occur now with the recent court ruling on EPA not being allowed to cancel.

b. Hawaii – They have had a ban use since 22 done through a legislative change.

Ecommerce

a. Arizona – complaint driven

b. California – find a lot, cannabis is a big issue, - PGR and 25b issues.

c. Nevada – cannabis - 25b, food use, indoors, AI on the list – active ingredient

d. Hawaii – Do not register 25b products, but still look at use- misbranding – report to EPA contact.

Submitted by Jack Peterson, AZ Dept. of Ag, Region 9 SFIREG Representative.