

AAPCO Endangered Species Workgroup



<https://www.fox13.com/news/2022/09/06/bumble-bees/>; Photo courtesy of Erika Ibarra-Garibay.



Workgroup established in November 2022

Intended to provide forum for improving SLA understanding of the ESA Strategy, SLA questions on ESA Strategy, and providing information to OPP's ESA Strategy Team

Does not supplant SLA or SFIREG comment process

Recruited interested SLA representatives

Includes an industry representative

Has met regularly (approximately monthly)

Gretchen Paluch (Co-Chair)
Iowa Department of Agriculture & Land Stewardship
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Steven Dwinell (Co-Chair)
Vermont Agency of Agriculture, Food and Markets
Steve.Dwinell@vermont.gov

Harris Walters
Florida Department of Agriculture and Consumer Services

Dave Scott
Office of Indiana State Chemist

Craig Romary
Nebraska Department of Agriculture

Nick Sumner
Georgia Department of Agriculture

Industry Representative - Becky Langer
Bayer U.S. LLC

Lukas Wagner
North Dakota Department of Agriculture

Kevin Kern
Michigan Department of Agriculture and Rural
Development

Perry Beale
Washington State Department of Agriculture,
Natural Resources

Kathryn Rifenburg
Oregon Department of Agriculture – Pesticides Program

Kelly Navinsky-Wenzl
Kansas Department of Agriculture

Jan 2023

- 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

Continuing Activities

- Bi-weekly or monthly meetings of WG
 - (20 meetings since 11/22)
- meetings with USEPA ESA Strategy Team – (6 meetings to date)
 - virtual
 - in person
- collection of information for EPA consideration
- development of questions regarding implementation of Strategy
 - enforcement
 - education and training needs
- AAPCO survey of SLAs of enforcement actions related to Enlist labels

Upcoming Activities

- Information gathering for State Level Conservation Programs
- Assist in formation of a third SFIREG Working Group – ESA Implementation
- Information sharing meetings with EPA ESA Team
- Engagement of PSEPs and EPA Regions

State Level Conservation Programs

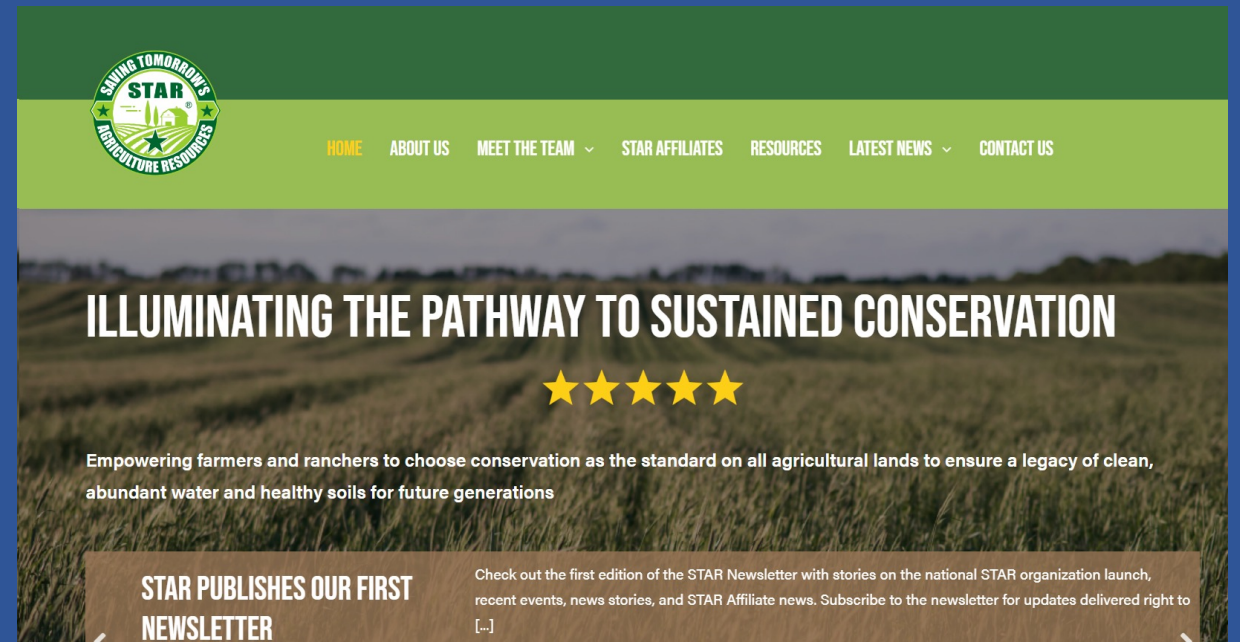
- Many of these programs might meet proposed criteria for programs that achieve goals of IEMs
- Supplemental and compatible with NRCS Practice Standards
- May ease compliance for pesticide applicators
- EPA needs information on these programs to determine if and how to incorporate
- Criteria proposed by USDA/OPMP can be used to evaluate these programs
- SLAs will be asked to provide information as part of pre-SFIREG meetings

State Level Conservation Programs

- Criteria proposed by USDA/OPMP:
 - site-specific guidance tailored to the grower's crop and/or location.
 - reducing or managing runoff or erosion from agricultural fields or other pesticide use sites.
 - technical advice from qualified professionals on which runoff or erosion practices are suitable for the farm as well as guidance or assistance on practice implementation.
 - documentation of program participation, with appropriate protections for participants.
 - verification of implementation of the recommended practices or activities, including follow-up to ensure implementation and maintenance of the runoff/erosion reduction practices.

State Level Conservation Programs

- Minor Crop Farmer Alliance list of State Level Conservation Programs
 - Provided in comments to docket on Herbicide Strategy
 - Identified 53 different SLCPs in 48 states
 - Additional programs likely exist
 - SLAs need to identify programs
 - Quantify their role in verification of implementation
 - Identify agency partners
 - Identify resource needs
 - Identify any efficacy data



Proposed SFIREG Working Committee

- Establish a third Working Committee (WC) to be part of Joint Working Committee (JWC) structure
- This WC will focus on ESA strategy implementation
- Allow POM and EQI to continue to focus on other issues
- Would become effective in July 2024
- AAPCO will ask for nominations

AAPCO Survey of Enlist Herbicide Compliance

- 26 SLAs and 2 Tribes responded
- 7 States reported for cause inspections for violations of label directions for drift management; 45 total incidents
- 1 State reported for cause inspections for violations of label directions for runoff management; 2 incidents

Some comments on compliance problems:

No label mandated record keeping for pertinent factors – weather, application rate, soil type, etc.

Better definition of location of critical habitat

Documenting implementation of mitigation measures, especially cover crops

Thanks

