

## **Region 9 Pre-SFIREG**

Region 9 held its pre-SFIREG meeting on May 15, 2024, via ZOOM. Representatives from all four Region 9 states were present along with 2 tribes, 1 territory and the EPA.

### **C&T Plan Implementation**

The EPA started off the discussion of the C&T plan implementation and how important it was to include the PSEP Coordinator in communication as the plans move forward. Communication is needed between the SLA, PSEP and the EPA. EPA guidance is not out yet on how the coordination will occur. Changes to the plans can occur through notification – minor changes or through a written modification to the plan. The modifications are along the lines of adding or deleting categories.

AZ – previously the pre-SFIREG meeting was held at the Western Region Pesticide Conference and the PSEP has always been invited to these meetings...there is belief this is going to happen again. The only changes at this point are that it takes time to get all the materials and test developed so the timeline will likely be stretched out.

CA – they will have to make modifications due to some recent legislative changes. They look forward to coordinating with their PSEP.

NV- all their manuals and tests are updated. They use the National aerial manual and the soil and non-soil fumigation manuals, otherwise it is all their own. Information can be found on their website. They have been training like crazy on the new standards. They worked with their PSEP in getting everything updated

HI- they have had some issues with getting people seated on their pesticide advisory committee so their rules can be approved and move forward. They believe they will now have adequate representation to get a quorum to get this done. HI is in the midst of hiring for the PSEP.

### **High Level Episode Reporting**

There was a brief discussion on High Level Episodes and the region is working on getting these all updated in the states and for a bit more uniformity within the region. States were encouraged to review their HLE Policy and make sure they are up to date.

### **Discussion Items**

#### **Lab equipment sensitivity and determination of risks.**

HI brought up the item for discussion as they have gotten new lab equipment and sulfur and copper are commonly found and they are trying to determine if this is background or if there actually was a drift event. Both CA and AZ have had similar discussions in the past but no one has developed a matrix or anything that would help.

#### **Chinese Fumigants**

CA discussed that they were finding Chinese labeled fumigants and CID/FBI/HS/EPA are all engaged in it. These are products that analysis on their safety has not been done here in the US. These are going to

other parts of the country (ME just got a delivery.) so people should be aware. They are burned primarily in MJ greenhouses.

We then moved into the questions that were provided by the SFIREG chair for discussion. People were asked to provide written responses to the chair for presentation to the full SFIREG.

#### **ESA**

CA is taking a long look at this but it seems to follow what they already have in place. UT has a person on staff that was hired to deal with the drought several years back and they are looking into what is available in NV that can be used. HI had a 1-week workshop, EPA folks were in attendance, because they have such a high percentage of the ES. After all the discussions one of the positive outcomes was the BLT will not have entire counties marked out for restrictions...unless it is appropriate. In other words, they are not looking at broad strokes for mapping they want to use real data and be as specific as possible. There is a committee in the EPA working on the BLT, not only for the mapping itself, but how can people be kept up to date on what is on BLT. This is so people don't need to go in daily, weekly, or whatever to see what has changed on BLT. Are their new AIs, have new species been mapped etc.

#### **Dicamba:**

The new dicamba products are not an issue in Region 9.

Chlorpyrifos had been cancelled in CA and HI. EPA just needs to keep providing information as it becomes available so everyone knows what can and cannot be done with these products.

For the label mandated training this had been brought up at POM and concerns over the fees. There were no concerns raised in Region 9. There was more concern about having to take the training initially.

#### **Biostimulants**

Decisions need to be made as to how they are going to be handled. Fine line to walk and hopefully this issue can be clarified considering that in most states, if they make a pesticidal claim they are a pesticide.

#### **Pesticide registration issues:**

Dacthal – big concern as it is widely used and how do you have a risk mitigation measure for a pregnant fieldworker. Hopefully this issue will be resolved quickly.

The meeting lasted approximately one hour and participants were reminded to respond to the questions posed and get them back to Jack at [jpeterson@azda.gov](mailto:jpeterson@azda.gov).

C&T Plan					
California	We did not have any attend, but have in the past and will again. Just a timing issue. See meeting summary.				
Nevada					
Arizona					
ESA	Are the listed programs still in operation to your knowledge?	<p><input type="checkbox"/> Please identify the state agency or other organization that is responsible for monitoring participation or implementation in these programs.</p>	<p><input type="checkbox"/> Does your program have any role in monitoring or implementing these programs?</p>	<p><input type="checkbox"/> How is participation or implementation in these programs monitored or verified?</p>	<p><input type="checkbox"/> Do you have any information on the degree of participation in these programs among crop producers/growers/ranchers in your state, or do you know where such information can be obtained?</p>
California	yes	See highlighted in Excel spreadsheet	no	Not sure. The responsible entity would have more accurate information regarding the monitoring and verification of the implementation.	Please contact the specific entities who have these programs for this information.
Nevada		<p>Conservation districts would be a great start for this, although, they work mostly with herbicides. But, it could be a way for them to get a little bit more grant funding without a ton of upfront work. They could be the middle-man, so to speak, between the federal government and the producers. This would improve reporting, as well as utilize an agency that ranchers already trust. I would imagine that taking reporting to the ground level would be beneficial for everyone. Another example would be counties. I could see, for example, the Douglas County noxious weed department being able to run this program. Utilizing a county would provide benefit because they already have the infrastructure and resources. Nevada's Sagebrush Ecosystem Technical Team (SETT - <a href="https://sagebrusheco.nv.gov/About/SETT/">https://sagebrusheco.nv.gov/About/SETT/</a>) may have room to play a role in this field, as it would benefit sage grouse and wildlife that utilize the sagebrush ecosystem. This would be an additionality to the SETT, so if we were going to really move forward we would most likely enter, or speak to our ranchers about this, after they joined the program. If there is a way to quantify this program, we would be willing to partake.</p>	<p>This kind of goes with the longer answer down below this. Although, we can easily quantify our objectives, staff is not sure how monitoring could be verified in this sense without causing a loss of time and money to whomever is responsible.</p>	no	
Arizona	yes	AZ Dept of Water Resources	no	The specific entities who have these programs would need to provide this information.	no

<p><input type="checkbox"/> Verification of participation or implementation of programs such as this will be important to the effectiveness of the ESA strategy and, potentially, important to the compliance efforts by SLAs.</p>	<p><input type="checkbox"/> How do you anticipate verifying participation in soil and water conservation programs?</p>	<p><input type="checkbox"/> Do you have any recommendations on how to verify participation?</p>	<p><input type="checkbox"/> Does your agency have any information on the efficacy of these programs in preventing pesticides or nutrient from entering surface water?</p>	<p><input type="checkbox"/> One possible approach to this issue is to develop or leverage product stewardship programs.</p>	<p><input type="checkbox"/> Do you participate in any existing product stewardship programs?</p>	<p><input type="checkbox"/> If so, how do you participate? What level of effort is involved (e.g. number of FTEs, etc.)</p>
	<p>Please contact the specific entities who have these programs for this information.</p>	<p>Please contact the specific entities who have these programs for this information.</p>	<p>Please contact the specific entities who have these programs for this information.</p>		<p>No, we do not participate in any product stewardship programs.</p>	
<p>Regarding the SETT, they run a program for habitat. Verification for participation would come from the grower/rancher/farmer entering into the system with whatever agency would be tasked with this program. The only way the SETT could see these programs translate to pesticide use would be to take known habitat preference (seasons, breeding, nesting, etc.), and utilize the ecological site description (ESD) as well as various Habitat Management Areas (HMA) across multiple species to understand where the priority areas would be for ensuring that this treatment would not cross into and negatively affect the species in question. This would be the initial step in the programmatic verification process (after initial contact is made from the proponent) to determine priority areas. As far as monitoring, this could take place during the initial phase of spraying, utilizing spray logs with details that include droplet size, wind direction and speed, method utilized (low spraying preferred) and a details of the mix used. All of those factors would be taken into account to create a plan for future applications.</p>		<p>Encourage them sign up for the program, leaning into the incentives of credits that they can gain for taking care of their land and the ecosystem around it. I think giving out credits to groups or individuals that are already doing something can be a slippery slope. They would have to know the specifics of what is expected of them, with a contract that binds them to this.</p>				
	<p>We will need to form a relationship with NRCS.</p>	<p>A certain level of participation will be verifiable through routine use inspections.</p>	<p>no, this program deals with water usage - volume, efficiency of water usage, reduction in volume used</p>		<p>no</p>	

BLT

o What is your experience with BLTs relative to compliance issues?

o How do you become aware of changes to BLTs that affect pesticide use directions in your state?

o What would be useful to you to keep track of BLT changes and requirements?

We haven't had any problems with compliance with BLT for the single existing BLT Bulletin applicable in California. When Bulletins Live! was originally deployed in 2010, there were no bulletins for California. When Bulletins Live! Two was launched, a bulletin was developed for thiobencarb to be used on rice.

Primarily through EPA's online "Pesticide Update."

As EPA's national partners in advancing endangered species protections, it would be useful for regulatory agencies to be notified more directly and in advance of Bulletin releases to prepare for any logistical and regulatory changes. Advance and direct notice to DPR would allow us to update our database PRESCRIBE with BLT's bulletin updates more efficiently and expediently in real-time with regulatory changes, better supporting applicator access to evolving regulatory requirements. Such advance notification to regulatory entities could perhaps occur through Region 9 contacts or through a regulatory agency email distribution list.

Growers in fourteen California counties grow rice. The bulletin's use instructions for thiobencarb were added to DPR's Appendix D of the Pesticide Use Enforcement Program Standards Compendium Volume 3, Restricted Materials and Permitting that is provided to local county agricultural commissioners, but this addition had little implementational effect because local county agricultural commissioners have required California growers to take an annual training on thiobencarb use since the mid-1990s to minimize seepage and drift. This has been required because thiobencarb is a Restricted Material in California and requires a Restricted Materials Permit.

Thus, when BLT issued the thiobencarb bulletin, there were no changes to California growers' requirements. However, the issuance of proposed new bulletins for malathion, 1,3-D, bromoxynil, prometryn, metolachlor, pyraclonil, and diazinon might present new challenges for compliance and enforcement.

Nevada

Reviewing the website

For a phytopthora ramorum the USDA sends out an update and they highlight the changes from week to week. The distance between updates could be as needed depending on what is updated...but at least weekly or monthly or whatever, even without any updates so people know it is not forgotten. So it is a cumulative document, with just the recent changes highlighted. It is encoded so you have to have the PW to open it...if there would be any security issues.

Arizona