

Spring SFIREG – June 3-4, 2024

EPA Region Report - Report on status of relevant activities of Regional Offices affecting state pesticide regulatory programs

UAVs. Regions reported SLAs are looking for guidance on UAVs as drones are used more and more, specifically by private growers wanting to apply pesticides using drones. It would be beneficial if HQ could share next steps in regard to a plan; FAA appears to be getting more involved in aerial applications with drones as a result of increased use, and most label language does not have specifications regarding applications by drone (e.g. nozzle size, boom length that would result in precision delivery of the pesticide in such a way that it is as efficacious as when applied either by ground or aircraft).

ESA. Regions feel more accurate mapping is needed with respect to endangered species. There is a need for more Bulletins Live 2 training and the suggestion of a one-page infographic breakdown of where we are and where we are going. Also brought up was the need for technical assistance for growers and applicators on any new Endangered Species-related restrictions.

Regions brought up several points regarding communication of ESA species-related restrictions. SLAs, applicators, and growers need to be notified when new Endangered Species-related restrictions are added to the pesticide labels or Bulletins. To be practical, EPA's Bulletins need to be accessible on mobile devices. Regions are asking if there is the possibility of financial assistance for growers to implement mitigation measures and for educators to conduct outreach.

Regarding the question posed by SFIREG about state certification programs that verify sustainability and/or conservation, it appears that some conservation programs are *pro forma* reviews that may not be evaluated critically or in sufficient detail to meet FIFRA's ESA objectives. Similarly, some certifications do not have expiration/renewal provisions after being awarded. Regions see the need for USDA Natural Resources Conservation Service to be involved in the implementation of EPA's ESA strategies.

There were also concerns expressed about transparency with ESA implementation. The SFIREG Joint Working Committees meeting in April was dedicated to ESA training and implementation, but there was no mention of the revised strategies that OPP announced the following day.

EPA Region 10 supports Washington State's effort to catalog the current conservation programs implemented by growers.

Rodenticides. Regions stated that making Rodenticides RUP's may be a big issue with some SLAs. For instance, city maintenance crews use/apply rodenticides and are not certified applicators.

STAG funding cuts. Regions expressed discomfort of receiving final allotments for FY24 so far into the fiscal year. Regions have very limited ability to increase funding amounts to their SLAs and inflation costs need to be considered. Major concerns remain for the PSEPs' cost to create new materials and the extra costs for the SLAs in implementing the C&T Plans.

SLA staffing. This concern has been brought up before by the Regions, but it warrants mentioning again. Turnover at SLAs seems to be at an all-time high. It is not just turnover in inspectors, but there are also a number of SLA managers retiring and with them goes the institutional knowledge. State agencies' budgets are strapped, so backfilling has been taking a long time or is not occurring at all. Many SLA

managers are doing multiple jobs, so adding on the efforts of implementing a new C&T program adds to the issue.

Regions are wondering if there is a possibility of funding an annual training event for FIFRA SLAs as part of a cooperative agreement (following the example of Region 3 SLAs' inspector's workshop and the regional lab workshops in Region 5), or possibly adding a training event on the day before or after an AAPCO or SFIREG meeting, to reduce travel costs.

Enlist. Regional concerns with two recently accepted labels for Enlist® herbicide (2,4-D with/without glyphosate). In particular, the accepted labels, which have language to support compliance with ESA, have runoff mitigation measures that will be difficult to enforce. For example, how does the FIFRA inspector determine who is responsible for compliance when the applicator differs from the owner/land manager? Is the applicator expected to know the soil type at the site and the conservation practices in use? And how does the FIFRA inspector identify these parameters to determine compliance? These labels are now in effect, so these questions are not hypothetical.

Chlorpyrifos. Regions are reporting SLAs are waiting for EPA's rule to revoke all tolerances.

Acephate. Feedback from Regions stated use cancellations will cause issues for numerous SLAs.

Paraquat. Regions received feedback from SLAs on the label-mandated paraquat training. Extension Services (PSEPs) go above and beyond in their trainings, so it's frustrating that industry is charging applicators for their sub-par training.