

# AAPCO Annual Meeting

2025 NASDA Update

Patrick Wade

Director, Public Policy



# NASDA Public Policy Team

- Senior Director, RJ Karney
  - Farm Bill, Marketing & International Trade
- Director, Becky Garrison Warfel
  - Food Systems & Nutrition
- Associate Director, Logan Moss
  - Animal Agriculture, Natural Resources & Environment
- Director, Patrick Wade
  - Plant Agriculture & Pesticide Regulations, Rural Development and Financial Security



# NASDA and AAPCO

- State Perspectives, National Voice, Global Impact
- Your priorities are a key part of those state perspectives
- Monthly calls with AAPCO leadership

# 2025 Policy Priority: Pesticide Regulations

- *Engage with EPA to ensure science-based standards and state input are incorporated in both the design and implementation of key regulatory initiatives (primarily the ESA Workplan).*

# 2025 Policy Priority: Pesticide Regulations

## PESTICIDE REGULATIONS

Predictable, enforceable, science-based pesticide regulatory frameworks are essential to achieving food security, protecting impacts to the environment and endangered species, and meeting agricultural sustainability goals. NASDA encourages the U.S. EPA to use the best available science and adhere to FIFRA's risk-benefit mandate when registering new pesticide products and re-registering existing pesticide products.

With respect to the Endangered Species Act Workplan, NASDA encourages the EPA to develop a risk-based compliance strategy that meaningfully incorporates concerns raised by state departments of agriculture about its current enforceability challenges.



Scan to learn more about NASDA's pesticide regulations policy work.

**NASDA**



## BACKGROUND

**ESA AND ENDANGERED SPECIES ACT BACKGROUND**  
Under the Federal Insecticide, Fungicide, and Rodenticide Act, the EPA is required to assess a wide variety of potential health and environmental effects when considering a pesticide product for registration or re-registration. Under EPA's Endangered Species Protection Program, the Agency must also evaluate if the pesticide "may affect" a listed species or designated critical habitat, as determined by the U.S. Fish & Wildlife Service under the Endangered Species Act. If so, a lengthy and intensive consultation process between EPA and U.S. Fish and Wildlife Service is triggered.

EPA has struggled to keep up with its increasingly demanding ESA workload for years. Consequently, EPA has faced significant, often draconian, legal challenges alleging that the EPA has failed to comply with its FIFRA obligations with respect to ESA. In 2022, in response to these challenges, EPA published "Balancing Wildlife Protection and Responsible Pesticide Use," known as the ESA Workplan.

The ESA Workplan constitutes EPA's efforts to develop a systematic, holistic approach to bringing its pesticide regulations under ESA-FIFRA compliance. To date, under the ESA Workplan, EPA has published a final Herbicide Strategy, a draft Insecticide Strategy, a final Rodenticide Biological Evaluation, and a final Vulnerable Species Pilot Project. A draft Fungicide Strategy is also expected in 2025.

## NASDA INVOLVEMENT

In 43 states and Puerto Rico, the state department of agriculture is a co-regulatory partner with EPA and is responsible for administering, implementing and enforcing the production, labeling, distribution, sale, use and disposal of pesticides under FIFRA.

As co-regulators, NASDA represents a uniquely critical perspective in the pesticide regulatory space. Our priorities and recommendations are grounded in a commitment to developing regulatory policies that are science-based, transparent and enforceable.

## PESTICIDE REGULATIONS



## REGULATORY ACTION

NASDA is grateful for the significant time and energy EPA has dedicated to bringing its pesticide regulations into ESA-FIFRA compliance and we respect the difficulty of designing a novel and holistic approach to achieve this goal.

Nevertheless, as identified in submitted public comments on the draft versions of the published strategies, NASDA respectfully concurring that the proposed registration measures are overly restrictive and lack transparency. Compliance will be prohibitively costly for growers, reasonable enforcement will be unworkable for state lead agencies, and there are insufficient resources for training and education, among many other issues.

- [NASDA Comments on Draft Herbicide Strategy](#)
- [NASDA Comments on Draft Insecticide Strategy](#)
- [NASDA Comments on Draft Vulnerable Listed Species Pilot Project](#)

## NASDA POLICY

Pesticides are an essential component within many agricultural and horticultural crop production systems that result in the production of a safe, abundant and affordable food supply. Pesticides are also critical tools in a variety of public health activities. NASDA supports the scientifically-sound development, review, registration and re-registration of crop protection technologies and uses to enable growers to produce our nation's food, fiber and fuel. In situations where requirements of other environmental statutes overlap with FIFRA, NASDA supports incorporating those requirements into the FIFRA registration process in a science-based, transparent manner that allows for the complete examination of the risks and benefits of the proposed action.

NASDA believes EPA and U.S. Fish and Wildlife Service must establish a collaborative, transparent and streamlined consultation process for pesticide registrations. The process should include clearly communicated criteria between EPA and U.S. Fish and Wildlife Service, be based on the best available science and eliminate any duplicative steps. Any decisions made between the agencies should not place unreasonable requirements on registrants and farmers and should include adequate time for implementation and robust opportunities for input from state departments of agriculture and other stakeholders.

*Scan to learn more about NASDA's pesticide regulations policy work.*



 **NASDA**

January 2025

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# 2025 Policy Priority: Pesticide Regulations

- Elevate SLA input on ESA Workplan:
  - Design and enforceability of mitigation measures
  - Label accessibility
  - Resources, training, and education
- Maintain commitment to regulatory framework that incorporates best available science and adheres to FIFRA's risk-benefit mandate

# 2025 Winter Policy Conference



# 2025 Winter Policy Conference



Plant Agriculture & Pesticide Regulations Committee

**Chair:** Director Chris Chinn (MO)

**Vice-Chair:** Director Chanel Tewalt (ID)

# 2025 Winter Policy Conference

**Subject of Policy Amendment 17:**

Endangered Species Act Consultation Process for Pesticide Registration and Use

**Section Number or Title to be Amended:**

Policy 7.8 Threatened and Endangered Species

**Submitted by:**

Commissioner Doug Goehring, North Dakota

**Text of Policy Amendment:**

As EPA implements the different ESA strategies, NASDA supports robust, cost-effective mitigation options for growers. NASDA encourages assistance and resources from USDA to help growers comply with ESA requirements on pesticide use, including updating conservation practice standards to account for new technologies and innovations.

**Adopted: February 26, 2025**



# 2025 Winter Policy Conference



- NASDA Board and Staff met with Four Corners and House Agriculture Appropriations Subcommittee
- Presented 2025 Policy Priorities and discussed emerging issues

# Looking Ahead

- Farm Bill
  - Regulatory reform
- Appropriations
  - Reconciliation
  - Cooperative Agreements
- EPA
  - Staff and funding challenges
  - Elevate states' input
- Application Exclusion Zone
- MAHA Engagement



# Pesticide Inspector Residential Training

Inaugural Training – Decatur, GA | February 3-6, 2025

## In Summary:

- Engaged 24 inspectors from 20 states plus 2 tribal participants and 2 EPA staff (Region 2 and Headquarters)
- Opportunity to hear from EPA representatives, industry speakers, and state staff on core concepts, current issues, and approaches to effective regulation
- 100% of participants would recommend this course to others in their organization, with 86% saying it was extremely useful for their roles
- Participants appreciated the years of knowledge provided by a variety of speakers from across the sector and country, claiming what was learned in the course would help them better handle certain situations, access available resources, and improve efficiency in state inspections as they further develop their careers

# Questions?

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