

# Office of Pesticide Programs and the ESA



## Protecting Endangered Species

November 2008



# Overall Objectives

- Full compliance with ESA
- Efficient use of resources
- Effective, quality decisions



# Overall goals

- Protection of listed species from potential effects of pesticides
- While minimizing burden on agricultural production and other pesticide users



# Process

- Assess potential risks to listed species during course of overall ecological risk assessment for registration review
- Consult with Services on determinations that a pesticide may affect a listed species



# Why use registration review?

- Decisions address potential risk to all listed species
- Provides pesticide users with certainty
- Takes advantage of existing public participation processes
- Provides broadest protection

# Chronological by Action





# Litigation

- California red-legged frog
  - 55 pesticides (ongoing)
  
- San Francisco Bay area
  - 43 pesticide active ingredients (in settlement discussions)
  - 11 listed species
  - Various taxa including
    - Fish
    - Birds
    - Salamanders
    - Mammals
    - Insects

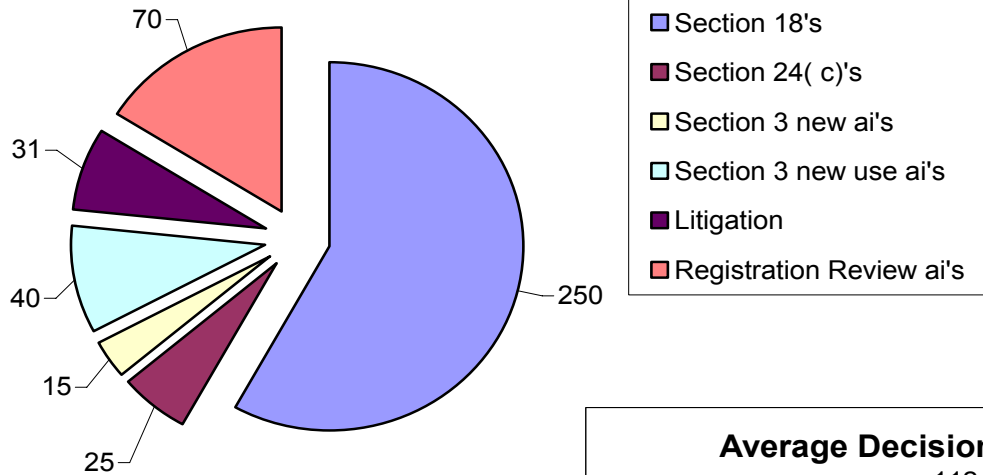


## Litigation (cont.)

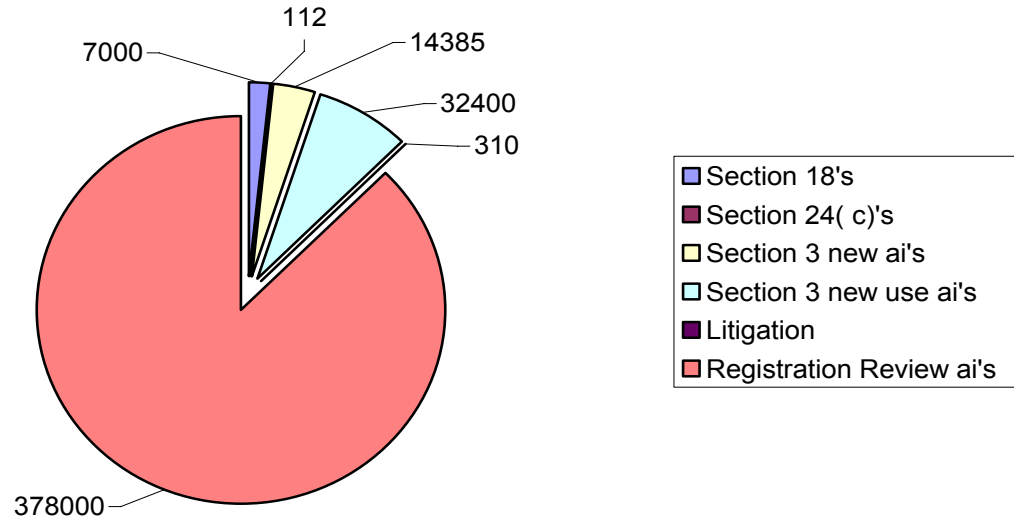
- 60 day NOI relative to ethoprop, methidathion, methamidophos and oxydemeton-methyl
  - Both FIFRA and ESA claims
- 60 day NOI relative to failure to consult on endosulfan
- 60 day NOI relative to failure to consult on diazinon



### Average Actions Per Year by Type of Action



### Average Decision Points Per Year by Type of Action



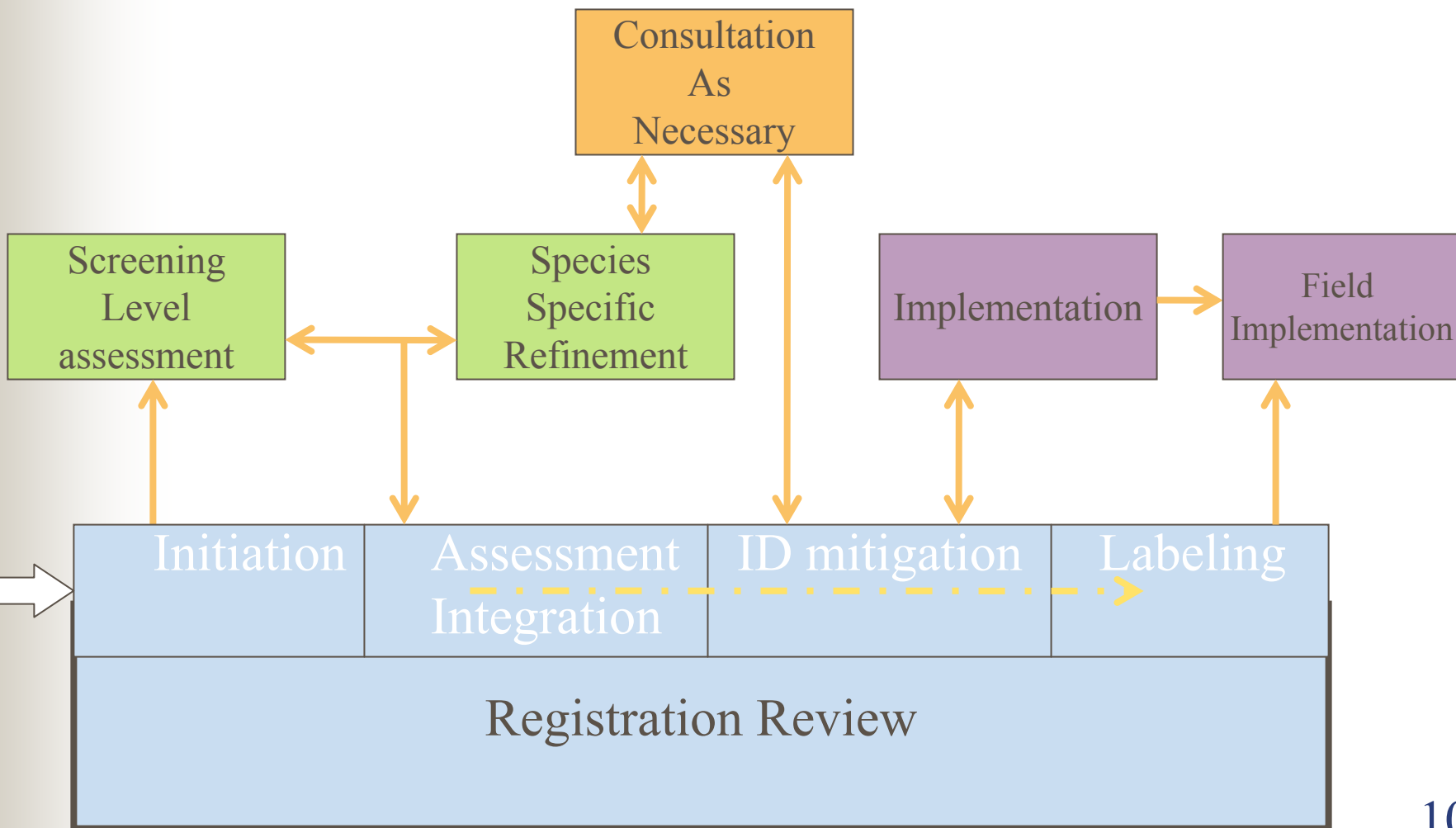
Derived using example scenarios. Actual # of decision points may vary based on number of taxa potentially affected and geographic scope of use sites.

# ES stages in relation to registration review

ASSESSMENT

CONSULTATION

IMPLEMENTATION





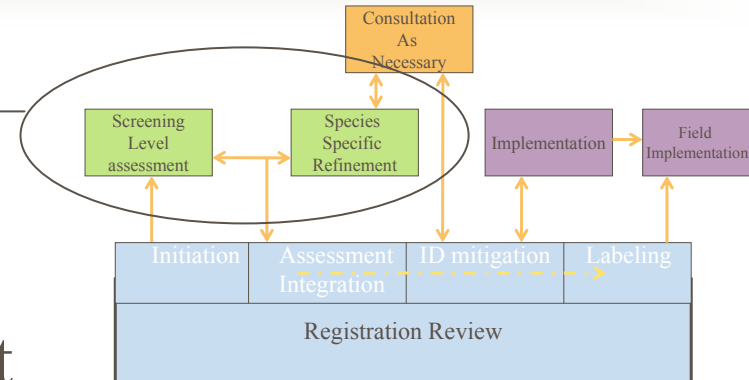
# Making it work

- Efficient processes
- Useful tools
- Effective information gathering and management

# Assessment

## ■ Efficiency

- Template development
- Internal peer review committee
- Considering intensity of Overview Document
- Discussions with registrants of two early Reg. Review cases to help define possible roles

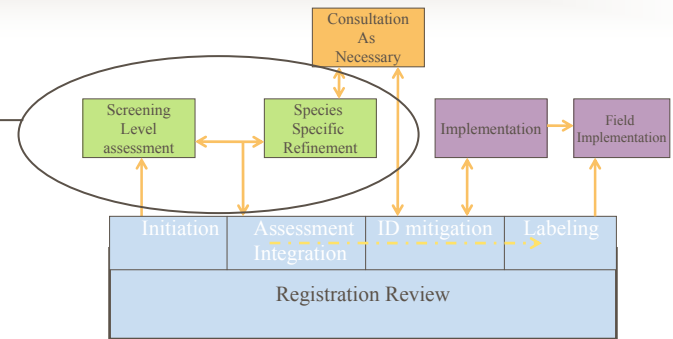


# Assessment

## ■ Tools

- Tools for defining terrestrial and aquatic action area
- Refined models to determine risk to different taxa
- Spatial framework for PRZM/EXAMS scenario modeling

ASSESSMENT    CONSULTATION    IMPLEMENTATION

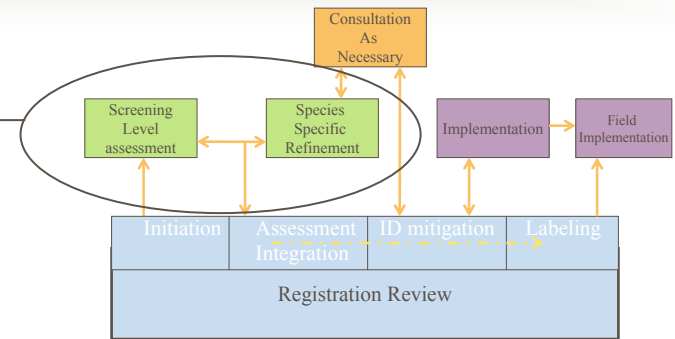


# Assessment

## Information gathering and management

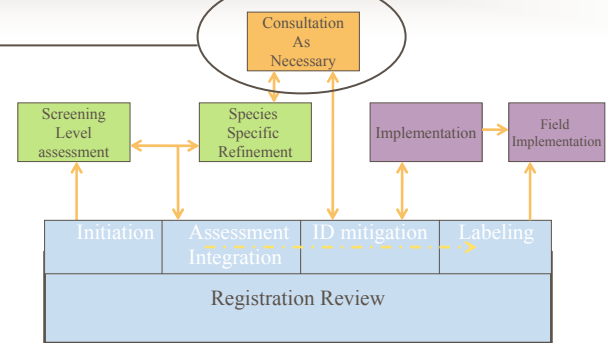
- OPP/OEI collaboration on ~1 TB hub of national geospatial data used by OPP
- Developing tracking system for ES actions including status and timelines
- ~ \$1m last year to conduct requirements analysis and now beginning discussions with others re: building knowledge repository

ASSESSMENT      CONSULTATION      IMPLEMENTATION



# Consultation

ASSESSMENT      CONSULTATION      IMPLEMENTATION



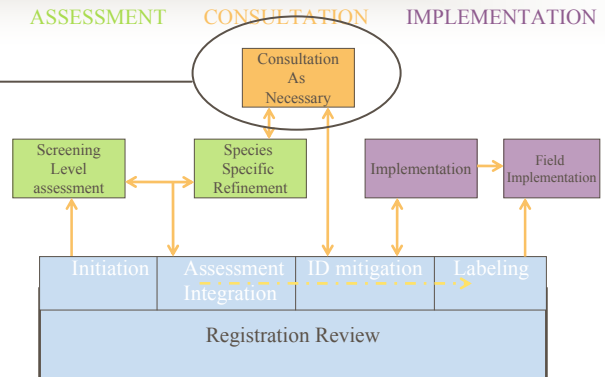
## ■ Efficiency

### ■ Week long Services/EPA workshop

- Learned about organizational structures and resources and how these influence workflow
- Identified several areas of EPA's assessments where some changes would assist Services in their reviews

### ■ Observers at week long kaizen session among Services and EPAs Office of Water to identify process enhancements

# Consultation



## ■ Tools

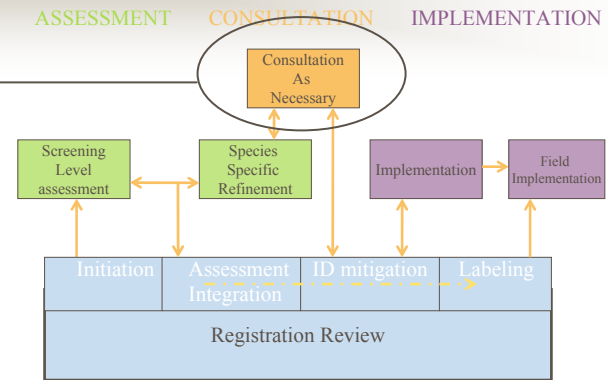
- Routine interaction at various management levels to keep processes moving and resolve process issues



# Consultation

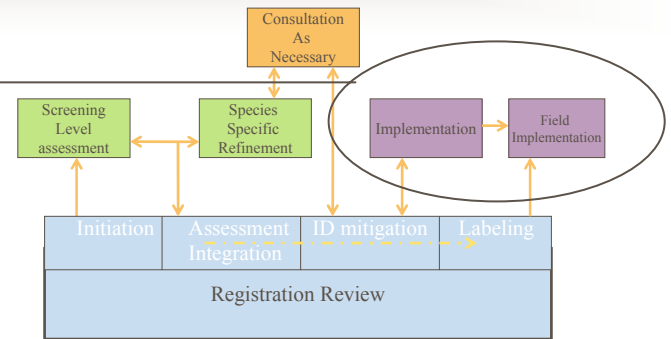
## ■ Information gathering and management

- FWS building web-based “mapper” that will contain critical habitat locations and species location information at a county level and links to relevant documentation (in process)
- Could ultimately assist in assessments and make consultation more efficient



# Implementation

ASSESSMENT    CONSULTATION    IMPLEMENTATION



## ■ Efficiency

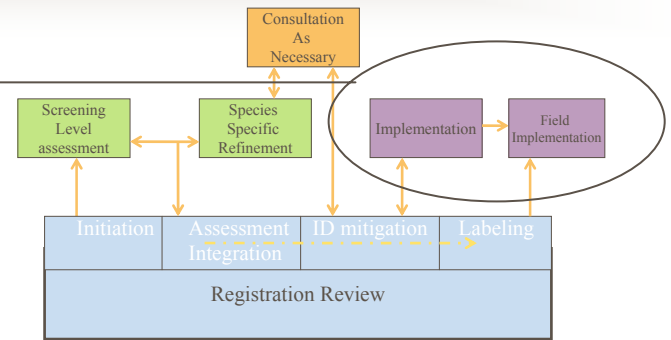
- Using Registration Review takes advantage of public participation in risk assessment and finalizing any needed use limitations
- Electronic system to relay use limitations (Bulletins Live!)
  - allows semi-automated creation of bulletins
  - Provides for QA review prior to “publication” to the web

# Implementation

## ■ Tools

- Bulletins Live! system
- States and EPA Regional offices briefed on field implementation
- Training presentation developed for States and Regions to use with growers

ASSESSMENT    CONSULTATION    IMPLEMENTATION

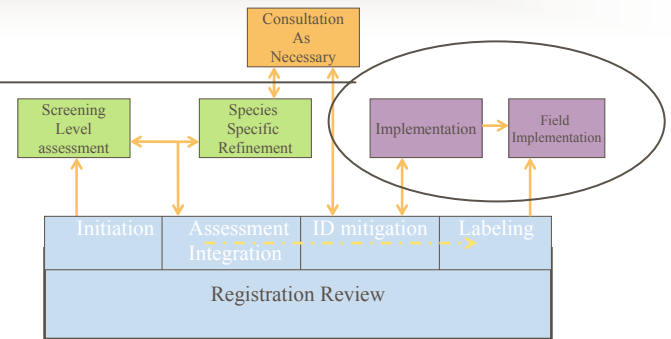


# Implementation

## Information gathering and management

- Bulletin program tracks every iteration of a Bulletin
- Password protected access that allows retrieval of historic bulletins for enforcement purposes.
- Allows users to directly write to EPA relative to issues with the system, enhancement recommendations, etc.

ASSESSMENT      CONSULTATION      IMPLEMENTATION





# Next priorities ?

## ■ Assessment process

- Identify methods to decrease intensity represented by Overview Document process while maintaining scientifically robust assessments
- Continue to seek ways to obtain national scale species information routinely and reliably

## ■ Consultation process

- Assist Services in identifying ways to undertake and complete consultations on the schedule we are anticipating requesting consultation

## ■ Implementation process

- We are ready to go – need to identify and implement mitigation where appropriate



Questions?

Input?