Pesticides and the Endangered Species Act

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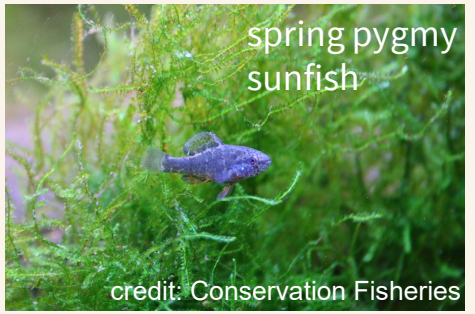
whooping crane, USFWS

Why Are We Here?

“Nothing is more priceless and more worthy of preservation than the rich array of animal life with which our country has been blessed”

- President Richard Nixon on signing the Endangered Species Act on December 28, 1973

- With the passage of the Endangered Species Act, we as a society, decided that we would go to any length to save wildlife from extinction. It is our responsibility
- More than 99% of the species under its care have been saved or are on the road to recovery
- There is really only one design flaw – it needs to be implemented!



Why Are We Here?

- For the past 50 years, EPA has been approving pesticides in violation of federal law. A law that nearly every single other industry is held to
- Species face many threats, not just pesticides. But the science is telling us that pesticides are having a negative impact on many species – and that must be addressed
- There are two valid perspectives here that must be acknowledged: pesticide users and ESA-listed species

What is the Goal?

- The goal is to eliminate the risk of species going extinct due to pesticides and to minimize harm to individuals of those species – that means strong, targeted mitigations

- How to best do that is still a work in progress. What's clear is that it's impossible to appropriately target mitigations with range maps that are subpar

- Using overly-broad range maps to target mitigations instills a lack of trust in the process and will ultimately work to undermine conservation goals – we need better maps for many species

Valley Elderberry Longhorn Beetle

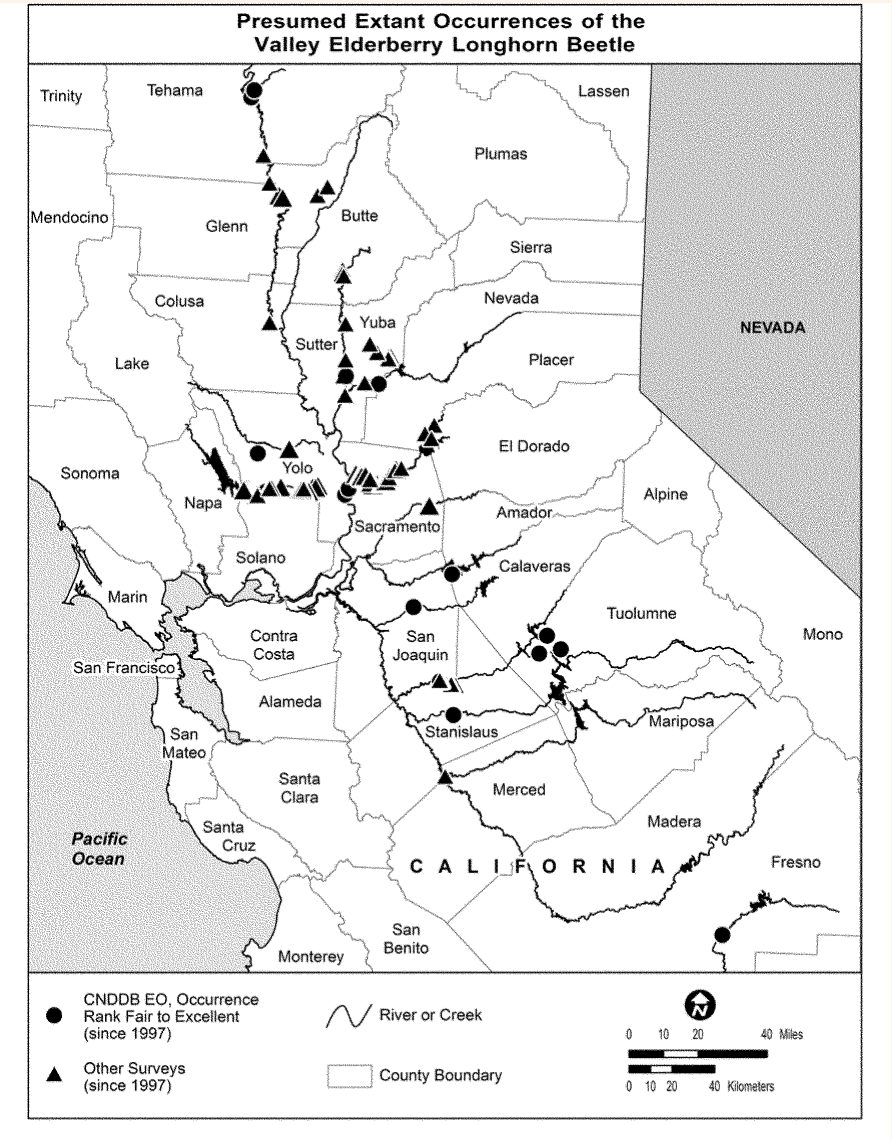
- Valley Elderberry Longhorn Beetle in California's Central Valley was subject of the EPA's methomyl pilot
- We will use it as example for how Pesticide Use Limitation Areas ("PULAs") can be improved to protect known areas of occupancy

First Review Range and Critical Habitat

- Range is often the *first* – but not the *last* – step in defining a PULA
- Updated "refined range" maps may still not always work in the context of PULAs
  - VELB's "refined range" still covers most of the Central Valley, even though the beetle is *primarily* a riparian obligate
- Critical Habitat will often – but not always – target all known areas of occupancy
  - For example, VELB recieved critical habitat in 1980, which today does not encompass any known occupied sites

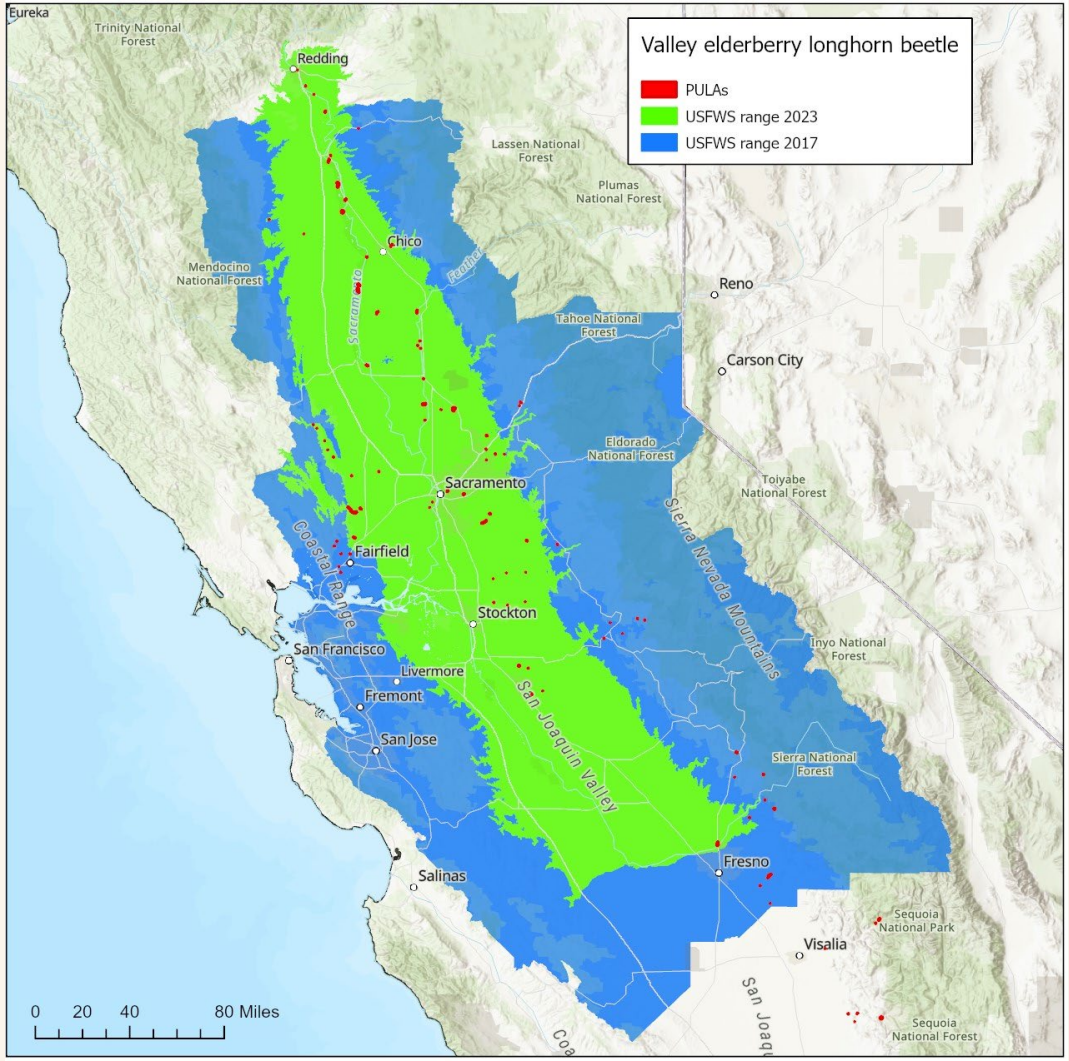
Review Additional Info: Published Species Information

- 5-Year Reviews, Recovery Plans, and Species Status Assessments often have mapping or narrative information on known areas of occupancy
- In the case of the VELB, the 2014 5-Year Review includes a map of presumed extant occurences along with narrative descriptions of priority river systems
- FWS also provides additional information on average beetle range from exit holes and distances between “local clumps”



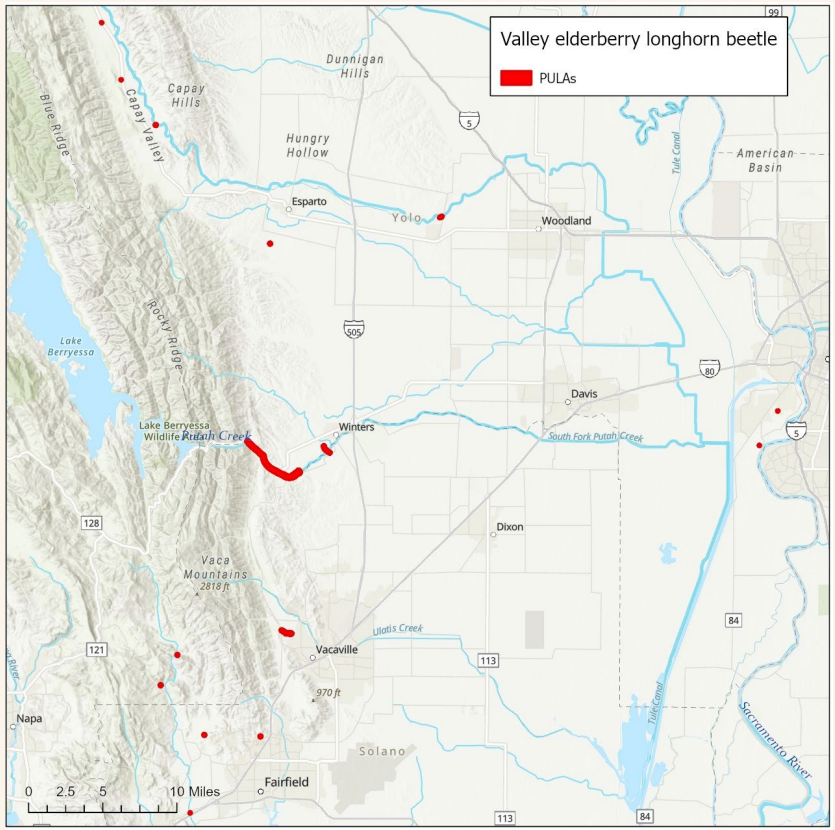
Review Additional Info: Additional Datasets (if needed)

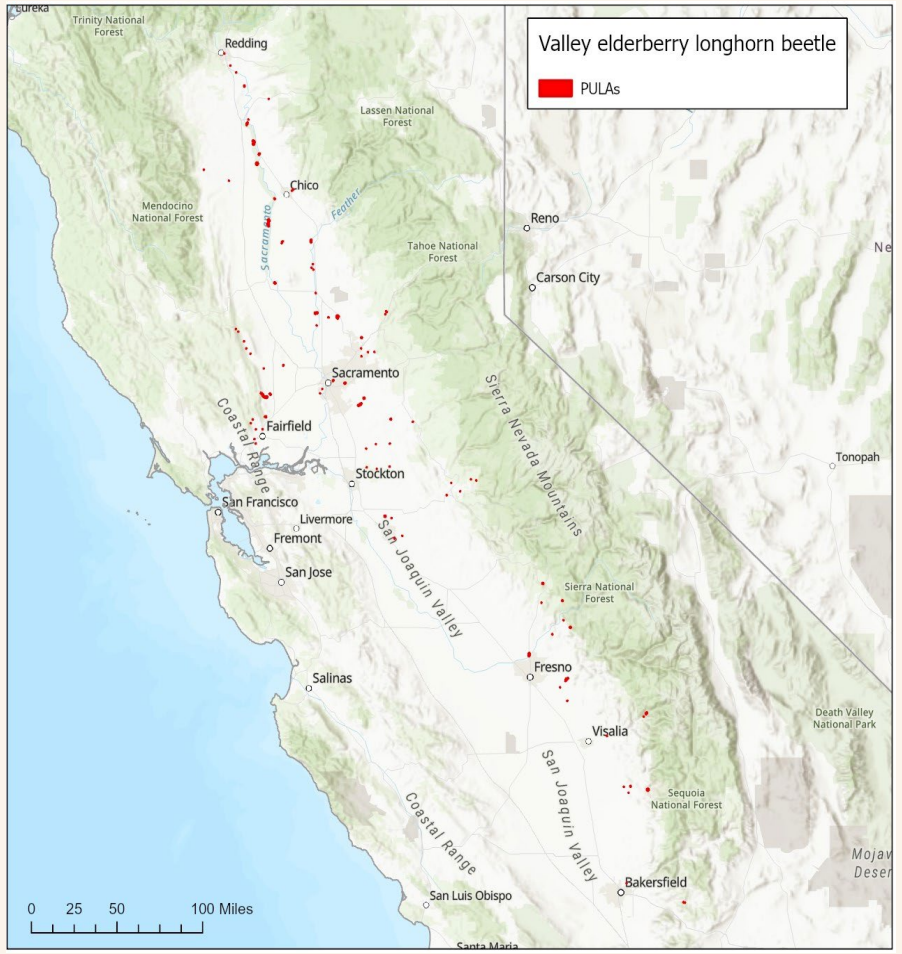
- California Natural Diversity Database is cited by FWS in its 5-Year Review as justification for its map of extant occurences, meaning it should be used to update known areas of occupancy
- Data provided by FWS on VELB range from exit holes and distance between local clumps may be used to identify potential buffers needed to define the extent of PULAs
- The resulting proposed PULA is much more targeted and still protective of VELB



Valley Elderberry Longhorn Beetle PULA

- PULA should avoid areas of known VELB occupancy with an appropriate buffer
- While targetted, there are still clear areas in need of protection
- Maps could be easily updated and adapted through *Bulletins Live* if new populations are identified, and could include additional potential recovery areas

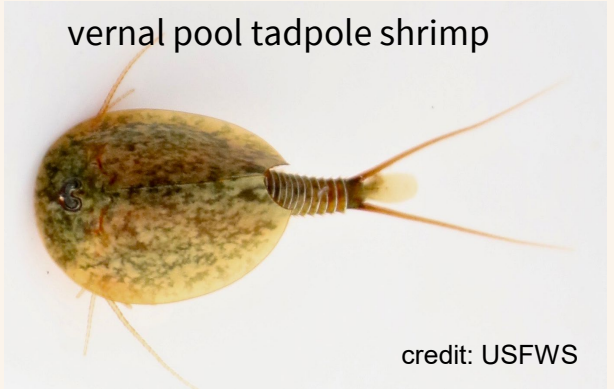




Let's Get to Work

- Our focus right now is coming to the table with ideas to make this process work better for everyone while ***still being adequately protective of species in a manner consistent with the conservatism built into the ESA***

- For this to work, all stakeholders need to come to the table with ideas to achieve better OUTCOMES. That requires 100% transparency and a genuine desire to see this work



Implementation

- Without implementation, all of these strategies and pilots aren't worth the paper they're printed on. Labels need to be changed equitably and quickly
- We reiterate our position that the EPA's Label Improvement Program is the best mechanism to implement these label changes – avoid the messiness of registration review
- Implementation is not going to impact all pesticide users. Many won't be impacted at all, but a small percentage of pesticide users will be impacted and have to change how they operate – USDA can play a key role in helping these growers get the help/support they need