



PPC

PESTICIDE POLICY COALITION
A Coalition Working for Sound Pest Management Policies

August 18, 2023

Jan Matuszko, Director
Environmental Fate and Effects Division
Office of Pesticide Programs
Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

Submitted via regulations.gov

Re: Docket EPA-HQ-OPP-2023-0365; Draft Herbicide Strategy Framework to Reduce Exposure of Federally Listed Endangered and Threatened Species and Designated Critical Habitats from the Use of Conventional Agricultural Herbicides. Herbicide Strategy Framework Document

Dear Ms. Matuszko:

The Pesticide Policy Coalition (PPC) respectfully submits a request for a 60-day extension to the public comment period on the U.S. Environmental Protection Agency's (EPA or the Agency) July 2023 *Draft Herbicide Strategy Framework to Reduce Exposure of Federally Listed Endangered and Threatened Species and Designated Critical Habitats from the Use of Conventional Agricultural Herbicides (Herbicides Strategy)*.

The PPC represents agriculture, food, fiber, public health, pest management, landscape, environmental, and related industries, including small businesses/entities, which are dependent on the availability of pesticides. Our coalition supports development and implementation of public policies and laws that utilize the best available science and technology in ensuring protection of human health and the environment.

PPC members include national and regional trade associations; commodity, specialty crop, and silviculture organizations; cooperatives; food processors and marketers; pesticide manufacturers, formulators, and distributors; pest and vector-control applicators and operators; research organizations; state departments of agriculture; equipment manufacturers and other interested stakeholders. The PPC serves as the unifying voice for the review, discussion, development and advocacy around pest management regulation and policy.

The public is increasingly confronted with pest pressure and disease threats introduced into the United States via trade, weather, and other factors. It is through pest control products, used by farmers, ranchers, public health officials, and other pesticide applicators; and produced by pesticide manufacturers, that we can address these threats. These products are essential tools for users to protect not only America's food, fiber, and biofuel; but to also protect our public health, infrastructure, and environment.

The PPC agrees that EPA's Office of Pesticide Programs faces a decades-long challenge of meeting its Endangered Species Act (ESA) obligations for the actions taken under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Foundational to this work and to meaningful progress, the draft Herbicide Strategy focuses on developing and implementing early protections for more than 900 federally threatened and endangered species (listed) and designated critical habitat from the potential exposure from the use of conventional herbicides with agricultural uses in the lower 48 states.

The PPC understands and appreciates the work EPA is doing to become compliant under the ESA by incorporating new standards into its regulatory framework. We want to ensure that the agency is fully considering the risk-benefit regulatory paradigm established under FIFRA, which is the primary federal pesticide statute. Because the Herbicide Strategy will be foundational to EPA's approach for addressing ESA under FIFRA, the PPC needs more time to fully understand the details and implications of the Strategy to be able to convey those concerns effectively to the EPA.

In addition to this Herbicide Strategy Framework, EPA released multiple supporting documents including a *Draft Technical Support for Runoff, Erosion, and Spray Drift Mitigation to Protect Non-Target Plants and Wildlife* with supporting information on potential mitigation measures that needs to be fully reviewed.

Finally, in the last several weeks the Agency has announced several concurrent comment periods on important pesticide policy matters that are of interest to the PPC and many other stakeholders. For example, specifically under ESA actions, EPA issued its Vulnerable Species Pilot Program recently with public comment due August 6, 2023. Indeed, for the last several weeks, members of the PPC and other stakeholders have been focused on reviewing that significant program and, in essence, have lost more than two weeks of review time on the Herbicide Strategy. Other current open comment periods that impact PPC members include EPA's proposed ESA settlement agreement (comments due August 16), EPA's bilingual pesticide labeling policy (comments due August 21), U.S. Fish & Wildlife Service's (USFWS) Endangered and Threatened Species: Interagency Cooperation proposal to amend portions of USFWS and National Marine Fisheries Service (NMFS) regulations that implement section 7 of the Endangered Species Act of 1973, as amended (comments due August 21), EPA's cumulative risk assessment (comments due August 30) and other important policy initiatives that impact our members' day-to-day work.

To ensure the Agency receives constructive feedback, an extension is essential. The PPC respectfully requests an extension of 60 days, to allow all stakeholders an opportunity to submit comments on this critically important program. If PPC members can be of assistance in any way,

or if you have questions, please do not hesitate to contact me at shensley@cotton.org or (703) 475-7716.

A handwritten signature in black ink that reads "Steve Hensley". The signature is written in a cursive style with a large, sweeping initial "S".

Sincerely,
Steve Hensley
Chair, Pesticide Policy Coalition