


US EPA ARCHIVE DOCUMENT



# Endangered Species Act Update



Pesticide Program Dialogue Committee  
November 30, 2012

# Topics

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- Public involvement during Registration Review
- National Academy of Sciences review
- Update on the use pilot project

# National Academy of Science Review

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- Review initiated in spring 2011 by EPA, Department of Commerce, Department of Interior, and the U.S. Department of Agriculture
- To review scientific and technical issues related to Ecological Risk Assessment under FIFRA and ESA
- Report in early 2013
- Three public meetings
  - 1<sup>st</sup> meeting on November 3, 2011 – Washington, DC
  - 2<sup>nd</sup> meeting on January 31, 2012 – Seattle, WA
  - 3<sup>rd</sup> meeting on April 4, 2012 – Washington, DC

# National Academy of Science Review

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- Best available scientific data and information
- Sublethal, indirect, and cumulative effects
- Effects of chemical mixtures
- Use of models
- Incorporating uncertainties into the evaluations
- Use of geospatial information and datasets

# Registration Review Process & ESA Consultations

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- EPA has met with the PPDC on multiple occasions to discuss issues related to ESA consultations under Registration Review and process changes needed to address them.
- In August 2012, EPA, the Services, and USDA proposed making several changes to the Registration Review process to increase efficiencies and to address the issue of “obtaining the best information available to inform its preliminary ESA work under Registration Review”

# Registration Review Process & ESA Consultations



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Federal Register / Vol. 77, No. 160 / Friday, August 17, 2012 / Notices

operation of the U.S. electric power supply system under normal and emergency conditions, and any other factors that DOE may consider relevant to the public interest. DOE has determined that the potential impacts from the Route for the Double-Circuit 230-kV Transmission Line are expected to be small, as discussed above.

For the reasons stated above, DOE will issue Presidential Permit PP-224 to authorize ES to construct, operate, maintain, and connect the Energy Sierra Inter U.S. Double-Circuit 230-kV Transmission Line across the U.S. border. Presidential Permit PP-224 will limit the project to a maximum of 400 MW.

Issued in Washington, DC, on August 15, 2012.

Patricia A. Hoffman,  
Assistant Secretary of Energy Electricity,  
Delivery and Energy Reliability.

BY Doc. 2012-20224 Filed 8-16-12; 8:45 am  
BILLING CODE 4910-01-P

## ENVIRONMENTAL PROTECTION AGENCY

(EPA-HQ-OPP-2012-0442)

### Environmental Impacts Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information (202) 564-7144 or <http://www.epa.gov/compliance/opa/>.

Weekly receipt of Environmental Impact Statements filed under 2012 Through 08/10/2012.

Presumptive 40 CFR 1508.9

#### Notice:

Section 301(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <http://www.epa.gov/compliance/opa/sideinfo.html>.

**SUPPLEMENTARY INFORMATION:** Starting October 1, 2012, EPA will not accept paper copies or CDs of EISs for filing purposes; all submissions on or after October 1, 2012, must be made through e-NEPA. While this system eliminates the need to submit paper or CD copies to EPA to meet filing requirements, electronic submission does not change requirements for distribution of EISs for public review and comment. To begin using e-NEPA, you must first register with EPA's electronic reporting site: [https://edoc.epa.gov/epa\\_home.asp](https://edoc.epa.gov/epa_home.asp). EIS No. 20120264, Final EIS, USFS, CA, On Top Hazardous Fuels Reduction

Project, To Disclose the Environmental Effects of a Federal Proposal on National Forest System (NFS) Land, Plumas National Forest, Feather River Ranger District, Plumas, Butte Counties, CA. Review Period Ends: 08/17/2012; Contact: Carol Spitzer 202-524-6209.

EIS No. 20120265, Draft EIS, FHWA, MT, Billings Bypass Improvements, Connecting Interstate 90 (I-90) east of Billings with Old Highway (Old Hwy. 312), Possible USACE Section 10 and 404 Permits, Yellowstone County, MT. Comment Period Ends: 10/01/2012; Contact: Brian Hasselbach 406-441-3908.

EIS No. 20120266, Draft EIS, USFS, CO, Village at Wolf Creek Access Project, Conveyance of Non-Federal Land to the U.S. in Exchange for National Forest System Lands Managed by the Rio Grande National Forest, Mineral County, CO. Comment Period Ends: 10/01/2012; Contact: David Dyer 716-252-6215.

EIS No. 20120267, Draft EIS, USA, VA, Outdoor Research, Development, Test and Evaluation Activities within the Potomac River Test Range and Explosives Experimental Area Complexes, the Mission Area and Special-Use Airspace at Naval Support Facility Dahlgren, Expedition, Dahlgren, VA. Comment Period Ends: 10/01/2012; Contact: Jennifer Boyd 540-453-8695.

#### Amended Notices

EIS No. 20120184, Draft EIS, NDA, 00, Issuing Annual Quotas to the Alaska Eskimo Whaling Commission (AEWC) for a Subsistence Hunt on Bowhead Whales for the Years 2013 through 2017/2018. Comment Period Ends: 08/13/2012; Contact: Ellen Sebastian 407-236-7247; Revision to FR Notice Published: 08/15/2012; Extending Comment Period from 08/14/2012 to 08/13/2012.

EIS No. 20120197, Draft EIS, USFS, ID, Golden Hand No. 1 and No. 2 Lode Mining Claims Project, Kootenai Ranger District, Payette National Forest, Valley and Idaho Counties, ID. Comment Period Ends: 08/13/2012; Contact: Jeff Hunsman 208-638-0434; Revision to FR Notice Published: 08/20/2012; Extending Comments Period from 08/13/2012 to 09/17/2012.

EIS No. 20120263, Final EIS, USFS, CA, Berry Ridge Renewable Transmission Project, Contract, Operate, Maintain, and Upgrade 230-kV Electrical Transmission Lines and Switching Stations, Kern and Los Angeles Counties, CA. Review Period Ends: 09/10/2012; Contact: Justin

Soustrand 426-524-6278(AFS), Lynette Elser 951-697-6223(BLM). Revision to FR Notice Published: 08/10/2012; Review Period ends 09/10/2012. More information on the U.S. Forest Service's appeal process is available at <http://www.fs.fed.us/hotsp/comp/hotspnrtg>.

Dated: July 11, 2012.

Almae Hewett,

Deputy Director, NEPA Compliance Division,  
Office of Federal Activities.

(By Doc. 2012-20218 Filed 8-16-12; 8:45 am)

BILLING CODE 5010-60-0

## ENVIRONMENTAL PROTECTION AGENCY

(EPA-HQ-OPP-2012-0442; FRL-9356-5)

### FIFRA Pesticide Registration Review and ESA Consultation Processes; Proposal Regarding Stakeholder Input; Request for Comment

*Agency:* Environmental Protection Agency (EPA).

*Action:* Notice of availability.

**SUMMARY:** EPA is seeking public comment on a proposal to enhance opportunities for stakeholders to provide input during its review of pesticide registrations under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and associated consultations under Section 7 of the Endangered Species Act (ESA). The proposal was jointly prepared by EPA, the U.S. Department of Agriculture (USDA), the National Marine Fisheries Service (NMFS) in the U.S. Department of Commerce and the Fish and Wildlife Service (FWS) in the U.S. Department of Interior. The proposal describes significant changes to EPA's registration review process which are intended to facilitate ESA pesticide consultations and coordination across those Federal agencies and calls for a greater role for USDA.

**DATES:** Comments must be received on or before October 16, 2012.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2012-0442, by one of the following methods:

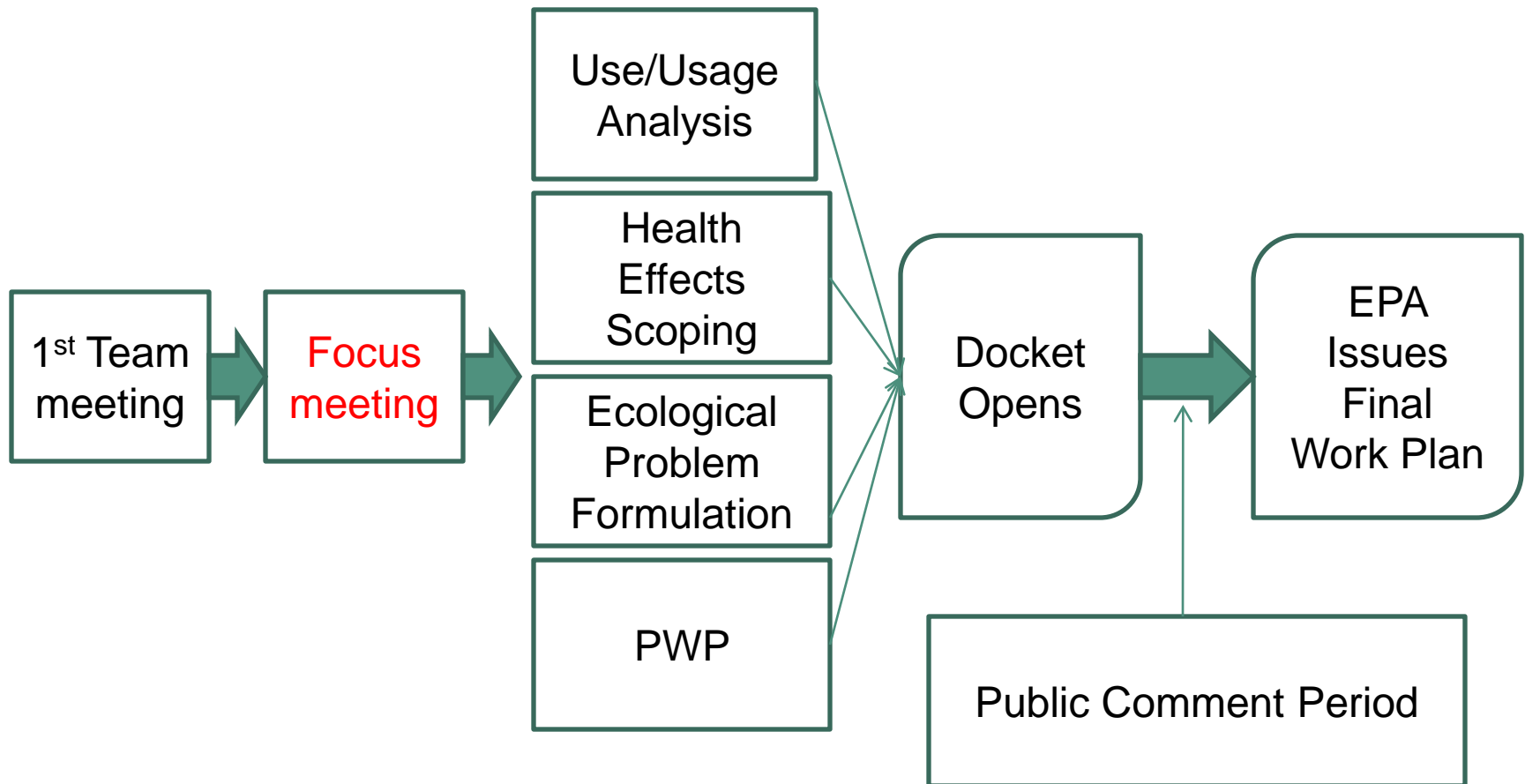
• *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

• Mail: OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), Mail Code: 2022TL, 1200

Approximately 35 comments received

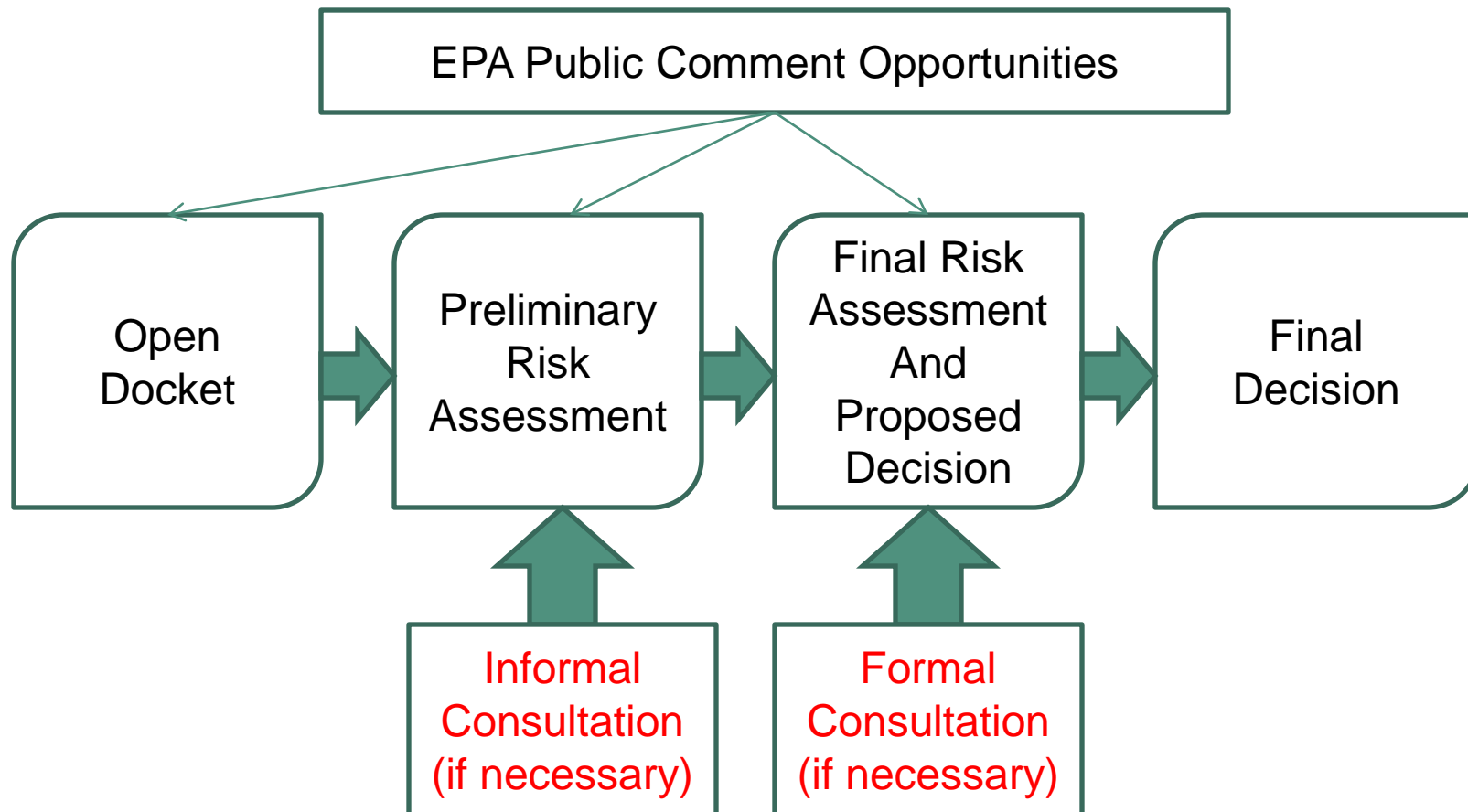
EPA, the Services, and USDA will soon discuss these comments and identify next steps

# Registration Review Process & ESA Consultations - Obtaining the Best Information





# When to Consult During Registration Review



At all stages in the process, the Agency developing the document for public review will manage the public participation process and develop a response to comments document

# Status of Pilot Project

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- Pilot project participants include EPA OPP, NOAA NMFS and USDA OPMP
- Pilot to determine how and what pesticide usage data can be useful for endangered species risk assessment
- Two chemicals piloted (oryzalin and diflubenzuron) using California Department of Pesticide Regulation (CDPR) pesticide usage data
- CDPR usage statistics were summarized by USDA OPMP for diflubenzuron and provided to NOAA NMFS for their consideration
- In addition, EPA provided NOAA NMFS with label use information for diflubenzuron