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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 10 1993

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

MEMORANDUM

SUBJECT: Considerations for the Aleutian Canada Goose Under Section 18 Use of Vinclozolin on Snap Beans in Oregon

FROM: Anthony F. Maciorowski, Chief
Ecological Effects Branch
Environmental Fate and Effects Division (H7507C)

TO: Rebecca Cool, PM 41
Registration Support Branch
Registration Division (H7507C)

In an effort to clarify the risk that the Aleutian Canada Goose may incur from the use of vinclozolin on snap beans in Oregon, EEB contacted several employees of the USFWS in Oregon. Opinions as to the possible exposure varied. Ken Durbin believed that there was no great concern as crop residues would probably be cleared by the fall. Maura Naughton, however, indicated that the geese are increasingly feeding on items other than range grass. Since the birds are feeding on beans and waste grain in California, she expected the same would occur in Oregon. Maura Naughton and Roy Lowe (also of USFWS in Oregon) indicated that the wintering populations of geese are found in Columbia, Multenomah, Yamhill, Washington, Polk, Maria, Benton, Lane, Douglas, Lynn, Tillamoke (which hosts a subpopulation that only winters there), Lincoln, Coos, and Curry counties. Along the Coos and Curry line where there is a river and the Willamut valley are major migration areas. Ronilan applications to beans grown in any of the above counties may exceed the level of concern (LOC). Ms. Naughton was unable to offer an opinion on the proposed mitigation measures and recommended that Dennis Woolington of the USFWS be called. Mr. Woolington could not be reached by 6/9/93.

In a memo dated May 17, 1993, EEB outlined several ways to mitigate the risk to the geese. These measures were rejected, and an alternative method was suggested - an early August cutoff date for applications. No applications of vinclozolin would occur 7-weeks prior to the arrival of the geese (vinclozolin has a 3-7 week half-life). Although the 7-week cutoff date will certainly reduce the amount of exposure, EEB lacks information to definitively say that the mitigation measures would change a potential "may affect" situation. Calculations indicate that approximately 114 days between the last application of vinclozolin and when the geese arrive would be necessary to reduce expected residues below the LOC. Informal consultation with the USFWS has not resulted in information that changes our opinion at this time.

Based upon the information that EEB has at this time, the proposed use of vinclozolin on snap beans in Oregon poses a potential risk to the Aleutian Canada Goose. Restricting use in the aforementioned counties would eliminate the exposure and the risk to the geese. Beyond that, additional informal or formal consultation with USFWS should be initiated to clarify and characterize this risk.

cc: Paul Schuda

[32] From: Pat Critchlow at DCOPP12 6/1/93 8:46AM (1007 bytes: 8 ln)
To: Douglas Urban at DCOPP1
Subject: My previous message re vinclozolin - Aleutian Canada Goose
---------- Forwarded ----------
From: Pat Critchlow at DCOPP12 5/25/93 3:31PM (801 bytes: 8 ln)
To: Anthony Maciorowski at DCOPP1
Receipt Requested
Subject: My previous message re vinclozolin - Aleutian Canada Goose
---------- Message Contents ----------

Libby reminded me that your memo had indicated you would be satisfied with ground application up to the time of the return of the goose; it was the aerial application you wanted prohibited within the 7-week period. Thus, we would be looking for a 7-week cutoff for aerial application with ground application allowed for the entire period until goose return. All of this without the need for consultation with FWS, please. Thanks again. Pat.

NO

[31] From: Pat Critchlow at DCOPP12 6/1/93 8:45AM (2430 bytes: 27 ln)
To: Douglas Urban at DCOPP1
Subject: Sec. 18 for Vinclozolin/snap beans/Oregon - Aleutian Goose
---------- Forwarded ----------
From: Pat Critchlow at DCOPP12 5/25/93 2:16PM (2224 bytes: 27 ln)
To: Anthony Maciorowski at DCOPP1
Receipt Requested
Subject: Sec. 18 for Vinclozolin/snap beans/Oregon - Aleutian Goose
---------- Message Contents ----------

We have an urgent situation with the subject request for a sec. 18 emergency exemption since the use season is already underway. Please refer to your memo of May 17, 1993 to Rebecca Cool, PM 41 -- she is on leave this week and I am acting for her. Your memo discusses concerns about the Aleutian Canada Goose and the potential for adverse effects from exposure to vinclozolin because of the chemical's 3- to 7-week terrestrial half-life. We have talked to the state people and they prefer a 7-week (early August) cutoff date for applications, rather than the alternatives discussed in your memo, e.g., prohibiting aerial application or removing crop residues before the geese return about October 1. As your memo now reads, OGC is concerned about the statement that "Informal consultation with [FWS] should be initiated ..."; they will not concur without the FWS consultation -- the time for that would kill this exemption altogether. We think OGC (and we) will be satisfied with a statement from you/EEB to the effect that, with the observance of a 7-week pre-goose return (I think they are expected to return about October 1 or soon thereafter), a consultation with FWS is not needed. This exemption has been issued for a number of years without untoward incident to our knowledge, so a 7-week cutoff should be very protective of the goose. Could you please send something in writing soon so we can alleviate OGC's concerns? Thanks for your help on this matter. Call me at 308-7066 or Libby Pemberton at 308-8326, if you need to discuss this. Pat.

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In 1992 EEB reviewed a request for a Section 18 for the use of vinclozolin on snap beans in Oregon. EEB indicated that the federally endangered Aleutian Canada Goose might be at risk from this use based on data from avian reproduction studies and vinclozolin's persistence in the environment (3 to 7 weeks). The avian reproduction studies did not fulfill guideline requirements, but demonstrated adverse reproductive effects.

Some risk is mitigated as the timing of applications should limit the birds' exposure: The geese will likely leave in April for their wintering grounds, returning around October. Vinclozolin applications will likely occur between May and September. Some overlap is possible, however, as the chemical has a three to seven week terrestrial half-life.

To further mitigate hazard to the Aleutian goose, aerial applications could be removed from the label, thereby reducing drift to adjacent vegetation. Further, the crop residues could be removed before the geese returned. Informal consultation with the United States Fish and Wildlife Service should be initiated to discuss the extent of the risk if the above measures are taken.

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WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

APR 29 1993

MEMORANDUM

SUBJECT: Endangered Species Considerations for Section 18 use of Vinclozolin on Snap Beans in Oregon

FROM: Larry Turner, Project Manager
Endangered Species Protection Program, EEB

TO: Anthony F. Maciorowski, Chief
Ecological Effects Branch

I have looked over the subject review with respect to endangered species considerations. The reviewer noted the only species of concern to be the Aleutian Canada Goose, which leaves the treatment area in April, before treatment occurs, and returns in October, after treatments have ended. The concern for the goose is based upon uncertainty, since the reproductive effects data and persistence considerations are somewhat shaky, but cannot be refined based upon the existing data.

A solution to the potential problem would be to have all of the crop residues removed from the field by the time the geese arrive in the fall. This procedure should remove any pesticide residues of concern so that the geese would not be exposed. Some possible residues may remain on adjacent vegetation, but considering the fate and toxicity data, effects on the geese, should they ingest the adjacent vegetation after they return should be exceedingly low.

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