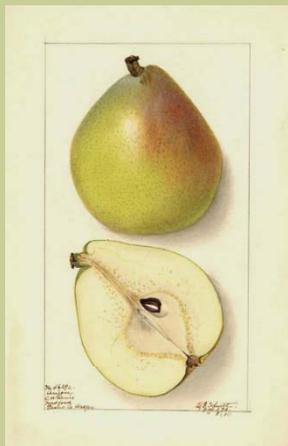


US EPA ARCHIVE DOCUMENT

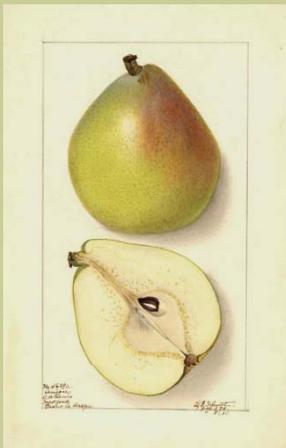


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Salmon Protection and Chemical Regulations

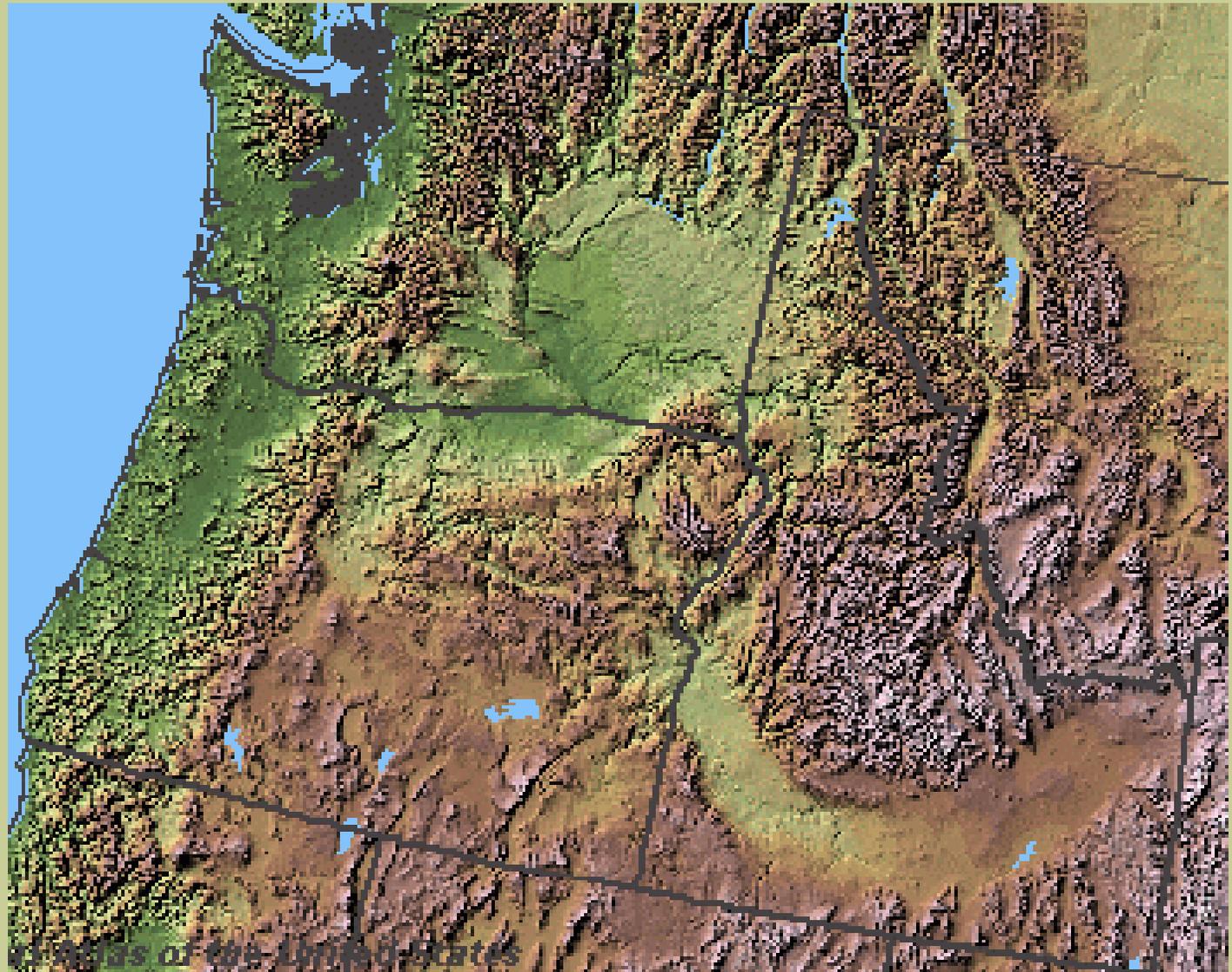
*Mike Willett
Vice President for Scientific Affairs
Northwest Horticultural Council
Yakima, Washington USA*

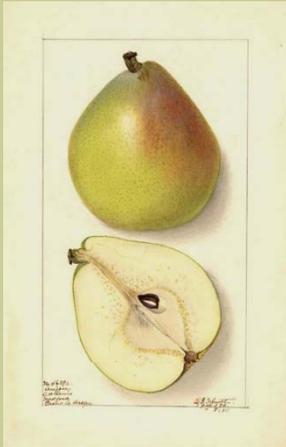
*2010 Annual Meeting of the Washington State Horticultural
Association , Yakima, Washington, Tuesday, December 7*



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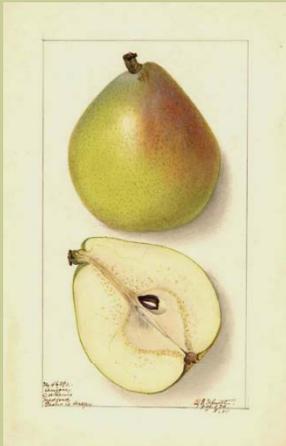
- Salmon as a cultural and political icon
- Wild salmon
- Habitat suitability and access
- Cycles of relative abundance poorly understood





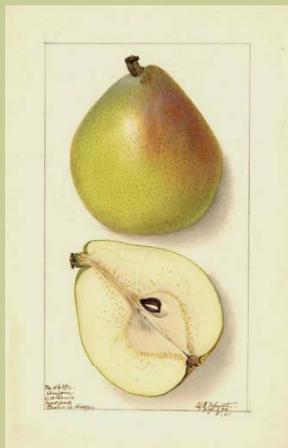
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- Litigation-driven ESA consultation
 - 2002 EPA sued by WA Toxics Coalition et al., for failure to consult on pesticide registration of 54 (37) pesticides that may effect salmon.
 - 2005: Interim buffers established by court order (60 feet by ground; 300 feet by air)
 - 2008 National Marine Fisheries Service sued by environmental organizations for failure to complete consultation. A settlement agreement was reached to complete biological opinions by 2012.



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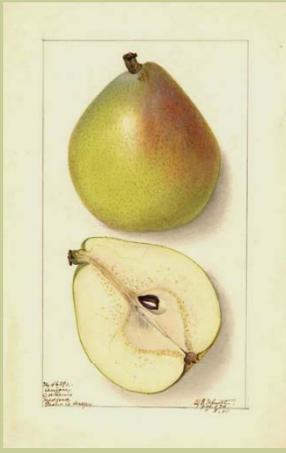
- NMFS has completed three biological opinions
 - Chlorpyrifos, Diazinon and Malathion (November 2008)
 - Carbaryl, Carbofuran and Methomyl (April 2009)
 - 12 organophosphate pesticides (August 2010)
- In April 2009, Dow, Cheminova and MANA filed suit against NMFS challenging the November 2008 biological opinion
 - In April 2010 the above registrants were notified by EPA to make label changes under the BiOp (they declined).



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Required Label Restrictions Can Include:

- Wind speed restrictions-10 mph
- Label changes regarding rates, number of applications, use methods or use sites
- Report fish kills
- Storm event-runoff
- Require surface water monitoring
- Buffers around surface water



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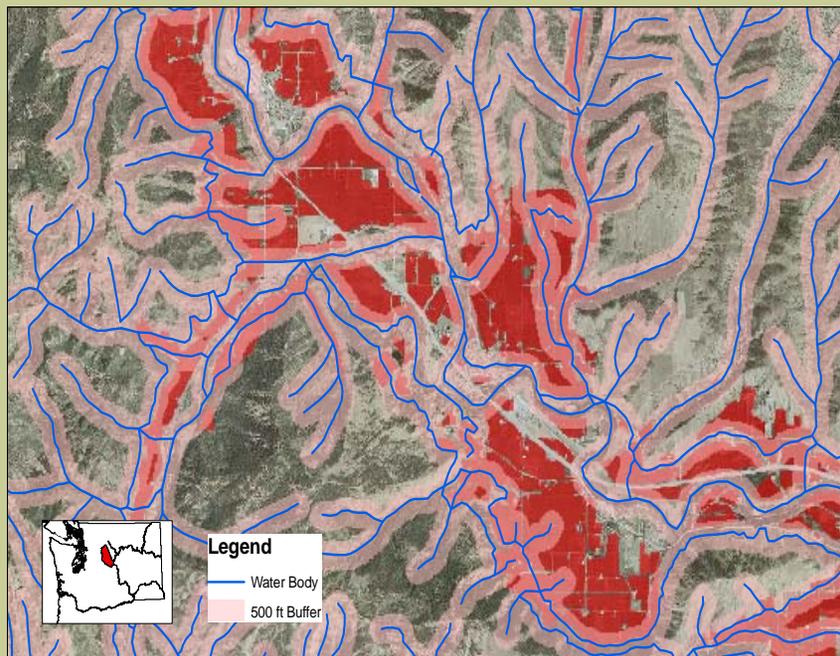
- Use limitations will be applicable to all freshwater, estuarine and near-shore marine habitats



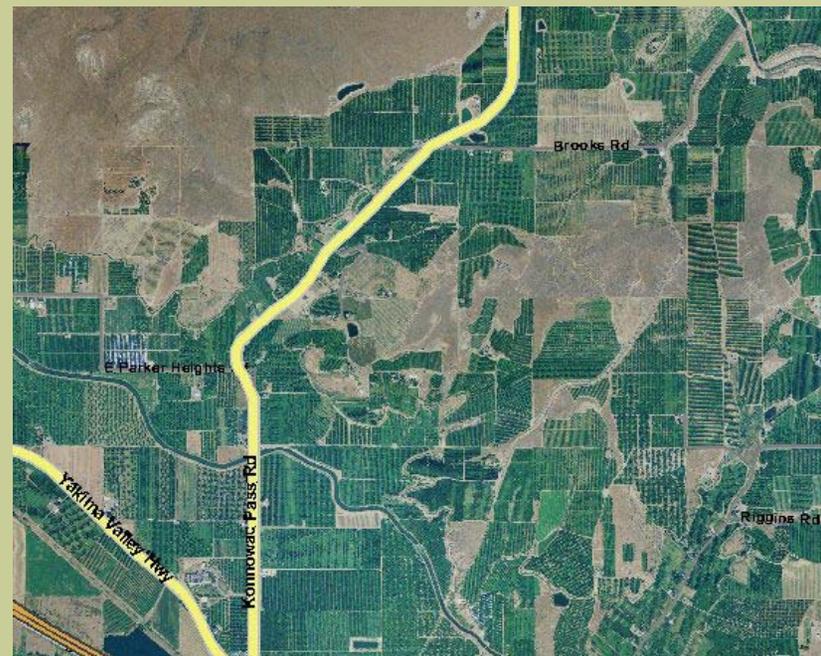
- Freshwater habitats include flowing water and water that may only be temporally connected to flowing water including intermittent streams, off-channel habitats, drainages, ditches and other man-made conveyances that lack salmonid exclusion devices

Buffer Impacts in Arid Fruit Growing Areas of the Pacific Northwest

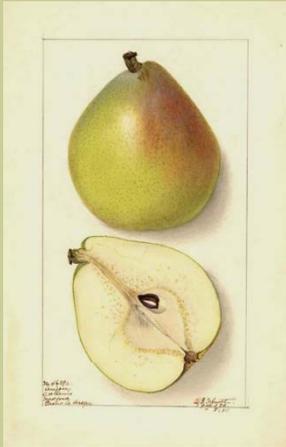
Wenatchee River Valley (near Peshastin)



Yakima River Valley (South of the City of Yakima)



Total Acres of Agriculture in Wenatchee (WRIA 45)	9,104	
Agricultural production affected by 100 ft buffer	917	10%
Agricultural production affected by 500 ft buffer	5,026	55%
Agricultural production affected by 1000 ft buffer	7,712	85%



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- *Most industry reviewers have concerns:*
 - *What bodies of water must be "protected"?*
 - *What labels/use data are being used?*
 - *Tank mixes?*
 - *Water sampling data not used.*
 - *County bulletins-Whose job?*
 - *Who really are the stakeholders?*
 - *Inability to provide on-the ground use data or get questions answered.*



WASHINGTON STATE
**DEPARTMENT OF
AGRICULTURE**



- *The Endangered Species Act and the Impacts to Pesticide Registration and Use*
- *Recommendations for Improving ESA Consultation for Pesticide Registration*
- *<http://agr.wa.gov/>*

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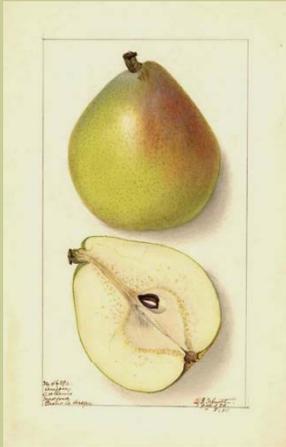


WASHINGTON STATE
**DEPARTMENT OF
AGRICULTURE**

Recommendations

- *EPA and the Services need to establish a collaborative and transparent consultation process for pesticide registration.*
- *The process needs to support opportunities for state and stakeholder participation.*
- *EPA and the Services need to revisit the initial biological opinions to update available environmental data and assess the economic impacts of the proposed risk assessments.*

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- *BiOp response process: Current and future initiatives*
 - *Environmental group and registrant lawsuits continue and are multiplying*
 - *County bulletin petitions (registrants)*
 - *Section 1010 petition (Growers for ESA Transparency)*
 - *CropLife America petitions*
 - *NASDA resolution*
 - *Minor Crop Farmer Alliance and NMFS Workshops.*

Northwest Horticultural Council



Northwest Horticultural Council

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