

TRIBAL PESTICIDE PROGRAM COUNCIL

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September 23, 2024

Brian Anderson
OCSPP-OPP-EFED-IO (7507M)
Environmental Protection Agency
1200 Pennsylvania Avenue, NW, Washington, DC 20460

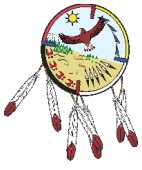
Re: Draft Insecticide Strategy to Reduce Exposure of Federally Listed Endangered and Threatened Species and Designated Critical Habitats from the Use of Conventional Agricultural Insecticides (EPA-HQ-OPP-2024-0299)

Dear Mr. Anderson,

We appreciate the opportunity for the Tribal Pesticide Program (TPPC) to comment on the Draft Insecticide Strategy to Reduce Exposure of Federally Listed Endangered and Threatened Species and Designated Critical Habitats from the Use of Conventional Agricultural Insecticides (EPA-HQ-OPP-2024-0299). The TPPC is a member-based organization with 99 members from 63 Tribes and tribal organizations, whose activities are funded by a cooperative agreement with the EPA. The Council serves as a tribal technical resource, and provides a forum for dialogue between Tribes and the EPA on program and policy development relating to pesticides issues and concerns. Assistance provided to Tribes includes support in building tribal pesticide programs and conducting pesticide education and training, and the preparation of resources for Tribes interested in specialized issues such as Integrated Pest Management and pollinators. Through its interaction with the EPA, the TPPC keeps Tribes informed of developments in the regulation of pesticides and pesticide use, and provides feedback to the EPA on such matters from a tribal perspective. Although the organization always seeks to represent consensus perspectives on any given issue, it is important to note that the views expressed by the TPPC may not be agreed upon by all Tribes. Further, it is important to understand interactions with the organization do not substitute for government-to-government consultation, which can only be achieved through direct communication between the federal government and Indian Tribes.

On behalf of the Tribal Pesticide Program Council (TPPC), I submit these comments on the U.S. Environmental Protection Agency's Draft Insecticide Strategy (pages noted in these comments refer to the draft strategy).

1. The TPPC is concerned to see that this strategy focuses only on agricultural uses (page 9), given that structural and household use of pesticides (including lawn care) can still impact listed species, especially in rural areas where drift or runoff could easily spread pesticides into nearby wild areas that may harbor listed species.



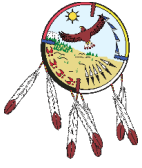
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2. The TPPC appreciates that EPA is taking indirect effects into account in this process (page 9), since insecticides have the potential to indirectly impact many species beyond just their intended targets.
3. EPA may want to consider looking at evapotranspiration as an exposure pathway in addition to spray drift and runoff (Table 5 on page 23), as some Tribes have been finding this to be a significant pathway for some pesticides.¹
4. TPPC members are concerned about the use of honeybee toxicity data to represent listed species when there isn't data available for those species (page 24). Many native bees nest in the ground and therefore may be affected differently than honeybees by particular pesticides. Given that insecticides can persist in soils and there are not a lot of mitigation options for soil, it is important to adequately understand the impacts of pesticides on the actual species of concern, rather than using data from surrogate species which may not respond the same.
5. The TPPC strongly recommends that EPA include toxicity of metabolites as well as the parent compound in their analyses, since in some cases the metabolites can be more toxic than the parent compounds.
6. Similarly, the TPPC would like to see EPA include synergistic effects of multiple pesticides and additives in their analyses. TPPC members have found, for example, ammonium sulfate being added to glyphosate to make it work faster and more effectively, and they are worried that it may change the persistence of the pesticide as well. Other additives may also increase the toxicity of the product. The concern overall is that the actual mixture being applied is no longer what was analyzed in the risk assessment, and therefore the effects may be very different on both target and non-target species.²
7. The TPPC is disappointed that EPA is not considering the potential impacts on birds and mammals that may be eating insecticide-treated seeds in this draft strategy (page 11), given that this could have adverse effects on listed species.
8. Finally, TPPC suggests that EPA should include candidate species which aren't on the T&E list yet in this strategy to ensure they don't become threatened or endangered in the future due to the effects of insecticides.

In conclusion, the TPPC appreciates that EPA takes seriously its responsibility to ensure the pesticides it approves for use in the United States do not cause undue harm to threatened and endangered species, and is taking steps to improve its ability to live up to this responsibility. In addition to their status under the federal Endangered Species Act, many of these species have cultural importance to Tribes around the country as well,

1 The Minnesota Department of Agriculture has found multiple pesticides in rainfall. See their 2023 Water Quality Monitoring Report (<https://www.mda.state.mn.us/pesticide-monitoring-reports>) pages 3-73 through 3-75.

2 See for example Laetz et al., 2008. The Synergistic Toxicity of Pesticide Mixtures: Implications for Risk Assessment and the Conservation of Endangered Pacific Salmon. *Environmental Health Perspectives* 117:3, pages 348-353.



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so the TPPC hopes EPA will consider implementing some of the suggestions made above in its final strategy.

Once again the TPPC appreciates this opportunity to comment on the Draft Insecticide Strategy to Reduce Exposure of Federally Listed Endangered and Threatened Species and Designated Critical Habitats from the Use of Conventional Agricultural Insecticides (EPA-HQ-OPP-2024-0299). If you have any questions, please contact TPPC coordinator Mark Daniels at mark.daniels@nau.edu or 928-523-8897.

Sincerely,

Jasmine Courville
TPPC Chairperson