

TRIBAL PESTICIDE PROGRAM COUNCIL

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October 17, 2024

Linsey Walsh
Office of Chemical Safety & Pollution Prevention
Environmental Protection Agency
1200 Pennsylvania Avenue, NW, Washington, DC 20460

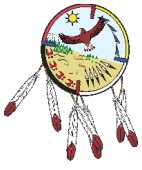
Re: National FY26-29 Federal Insecticide, Fungicide, and Rodenticide Act Cooperative Agreement Guidance

Dear Ms. Walsh,

We appreciate the opportunity for the Tribal Pesticide Program (TPPC) to comment on the National FY26-29 Federal Insecticide, Fungicide, and Rodenticide Act Cooperative Agreement Guidance. 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 National FY26-29 Federal Insecticide, Fungicide, and Rodenticide Act Cooperative Agreement Guidance (pages noted in these comments refer to the Guidance).

1. Overall, TPPC members who provided input want to thank EPA for an excellent revision to the Guidance document, and commend the agency on making the language more concise throughout.
2. With regard to the Required Program Area of Pesticides in Water (page 9), TPPC members are concerned that the focus only on water quality limits the data EPA and their grantees can gather as part of their cooperative agreements to be incorporated into risk assessments and registration reviews. While some Tribes collect data on pesticides in water, others may want to collect data on pesticides in soil, air, fish tissue, in the blood or urine of children whose schools are located near agricultural fields, etc. The Guidance and workplans should allow for a variety of monitoring data to be collected to paint



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a more complete picture of the environmental and human health impacts of pesticides.

3. In the Pick-List Program Area of State & Tribal Coordination and Communication (pages 13-14), TPPC members would like to see the ability to capture basic and often essential communication with a variety of external entities under this item as well, including universities, tribal colleges, IPM centers, etc. Some TPPC member Tribes do a lot of this in the course of their work, but can't count it as output because the communication is not with the state Department of Agriculture.
4. Near the top of page 24 the document states that "Information on high-level incidents is useful to OPP to determine if there are patterns of incidents requiring new risk mitigation, such as label changes or additional regulation," and yet on page 26 it is noted that "High-level incident reports are not formally tracked unless they qualify as Section 27 referrals." TPPC members are curious how patterns can be observed in high-level incidents that do not qualify as Section 27 referrals if they are not formally tracked, and would like clarification on how (if at all) such incidents are tracked by the agency.
5. In Appendix 11 (Reporting and Coordination of High-Level Pesticide Incidents), TPPC members appreciate that EPA specifically called out native bees in the section about pollinator incidents, though they note that many native bees nest in the ground and therefore it may be difficult to observe incidents involving these species.

Once again the TPPC appreciates this opportunity to comment on the National FY26-29 Federal Insecticide, Fungicide, and Rodenticide Act Cooperative Agreement Guidance. 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