

MCFA

Minor Crop Farmer Alliance

NEWS RELEASE

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EPA's Endangered Species Act proposals are a big challenge for specialty crops, says MCFA

Washington, D.C. – Specialty crop producers will be hard pressed to comply with new proposals from Environmental Protection Agency (EPA) overhauling how it implements the Endangered Species Act (ESA), warns Minor Crop Farmer Alliance (MCFA) in new comments to the agency.

“Of course growers are in favor of protecting endangered and threatened species and their habitats. But the average specialty crop grower is going to find it challenging to comply with EPA’s ESA plans,” said MCFA Chair Jim Cranney, president of California Citrus Quality Council.

In comments to EPA submitted Feb. 14, MCFA outlined numerous concerns about a proposed update to EPA’s workplan for implementing ESA. The new workplan is a 180-degree change in the agency’s ESA policy, replacing a methodical, slow approach with an “act now, ask questions later” policy, said Cranney, adding that “MCFA is sympathetic to EPA’s dilemma, but the proposed policy presents potential difficulties that growers may have to address if they want to use pesticides.”

EPA is being forced to change its ESA policy after years of lawsuits from environmental activist groups that have effectively paralyzed the agency’s pesticide safety-review program. For example, in September EPA withdrew its interim registration-review decision for glyphosate, so that the agency could consider options for including ESA requirements in its ongoing, routine safety review of the popular herbicide.

However, elements of EPA’s updated ESA workplan will prove challenging to specialty crop producers, reports MCFA. For example, the new workplan proposes extensive mitigation measures to reduce potential for spray drift and pesticide runoff to soil and water, such as no-spray buffer zones, water retention ponds and vegetative ditches. Since the triggers for these mitigations will be low, MCFA reports many specialty-crop growers likely will be required to include some mitigation option(s) as part of their pesticide application programs.

As currently constructed, EPA’s mitigation measures are suited more for major crop production rather than specialty crop production, MCFA told the agency.

“MCFA believes that many of these mitigation measures ... may be more suitable for farmers producing major crops,” MCFA wrote in its comments. For specialty crops, “the average farm is far less than 100 acres. Consequently, many specialty crop producers do not have as much flexibility or economic wherewithal as major commodity producers in terms of reducing planting acreage or installing new systems for producing their crop. Some of [EPA’s] proposed mitigation measures would require wholesale changes to established cropping systems, with substantial adverse economic impacts to the impacted [specialty crop] growers.”

MCFA also cited the potential for EPA's proposal to negatively impact specialty crop food-safety efforts.

"Producers growing specialty crops for human consumption must meet food safety requirements, including taking steps to ensure that produce does not become contaminated with, among other things, microbial pathogens from animals, amphibians and reptiles," said Cranney. "Some of EPA's proposed mitigations could create an environment that attracts animals, amphibians and reptiles into fields, a cause for concern for growers and the public alike."

In addition, MCFA sought to educate EPA about existing specialty-crop industry practices that would negate the need for additional mitigation measures. For example, MCFA informed EPA that off-field pesticide runoff is less of an issue for our industry because specialty crops are typically grown on lands that are essentially flat or with minimal slope – mitigating the potential for pesticide runoff by default.

MCFA also informed EPA that specialty crop growers already follow established conservation best practices to protect bodies of water, and referred EPA to the U.S. Department of Agriculture for extensive data about those existing conservation efforts.

MCFA provided extensive comments on specific components of the agency's proposed updated workplan. MCFA's full comments are posted to MCFA's webpage at www.bit.ly/MinorCropFarmerAlliance.

MCFA plans to work with EPA to suggest mitigation measures that are more appropriate for specialty crop producers, and to refine when mitigation measures must be implemented.

"MCFA believes that working cooperatively with [EPA] represents the best opportunity to achieve the goals of the agency while minimizing the potential disruption to agricultural operations regarding the continued availability of important crop protection chemicals," MCFA wrote EPA.

Informing EPA and other federal agencies charged with implementing ESA about the specialty crop industry, its practices and ESA's impacts has been a longstanding MCFA priority, Cranney said. MCFA is currently planning a workshop for the agencies to explore, for example, how they could use more refined modeling and/or actual grower use data to improve their ESA evaluations, and to help inform them about the potential feasibility of mitigation measures.

Founded in 1991, Minor Crop Farmer Alliance is funded and led entirely by fruit, vegetable, nut, ornamental plant and other specialty crop producer organizations from across the United States. MCFA advocates for sound science in government minor-use pesticide policies, so that growers have access to safe, effective crop protection tools.

MCFA will host its Annual Meeting for members on Feb. 21. To get involved with MCFA, visit www.bit.ly/MinorCropFarmerAlliance.

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