



National Marine Fisheries Service and EPA Action to Protect Salmon Jeopardizes Western U.S. Agriculture

The Situation

As a result of a court decision stemming from a lawsuit related to the failure of federal agencies to comply with required consultation processes required by the Endangered Species Act, NMFS issued a Biological Opinion which was the basis from which EPA made a precedent-setting decision to impose restrictions on the use of three critical crop protection products that will result in essentially prohibiting their use in large areas of Washington, Oregon, California and Idaho. If the decision making process proceeds as-is, agriculture can expect similar restrictions on the use of 34 more active ingredients found in many commonly used products.

Concerns from Agriculture

Agricultural stakeholders are concerned about the EPA restrictions because they were made:

- Without** input from stakeholders in the affected areas regarding agricultural management practices and protective measures already in place.
- Without** adequate consideration of input from experts in the state governments of Washington, Oregon, California and Idaho.
- Without** relying upon the best available scientific data, including readily available real-world data that show current use restrictions for the three products already protect fish because the amounts of products in the water are already below harmful levels.
- Without** considering federally-mandated analysis of the economic impact to agriculture resulting from the restrictions.
- Without** defining clearly the waters that should be protected in terms of actual salmon habitat.
- Without** considering practical implementation of the proposed changes regarding product use and product labeling within the mandated timeframe or allowing growers to adapt alternative Integrated Pest Management practices.

The Core Problem

The most serious deficiency in EPA's announced plan involves expansion of no-use buffer zones near every ditch, drain, canal, and irrigation furrow that might eventually drain from an agricultural field into a salmon habitat. This would result in a practical prohibition of use in the affected areas.

EPA Needs To:

- Define precisely and accurately the actual salmon habitat waters that need to be protected.
- Incorporate input from resources with first hand experience and knowledge.
- Consider economic impact to local agricultural economies and communities.
- Rely upon the best available scientific data
- Create a realistically achievable timeline for compliance for all new restrictions and changes.