



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Reduction of Exposure of Vulnerable Federally Listed Endangered/Threatened Species from the Use of Conventional Pesticides: U.S. Environmental Protection Agency Action Plan

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The United States Environmental Protection Agency (“EPA”) has issued a September 2024 document titled:

Action Plan to Reduce Exposure of Vulnerable Federally Listed Endangered and Threatened Species from the Use of Conventional Pesticides (“Action Plan”).

The Action Plan was produced by EPA’s Offices of Pesticides Programs and Chemical Safety and Pollution Prevention.

EPA states that the Action Plan is intended to provide:

...a framework for EPA to adopt early, meaningful protections to address potential population-level impacts for federally threatened and endangered (listed) species that EPA identifies as particularly “vulnerable” to pesticides.

Therefore, the stated primary goal is to further the conservation and recovery of listed species by helping alleviate the stressor of pesticide exposure and potential resulted impacts to listed species.

The Action Plan is intended to apply to:

- Non-residential outdoor uses of conventional pesticides within the contiguous United States.
- Agriculture uses.
- Non-agriculture uses.

The Action Plan includes a three-step framework that EPA states will be utilized for vulnerable species when considering Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA”) actions for conventional pesticides.

The Action Plan identifies:

- How EPA finalized the initial list of vulnerable species.

- Approach EPA plans to use to evaluate potential population-level impacts to such listed species and any associated mitigation.
- How EPA plans to expand the approach to additional listed species.

Twenty-seven species are identified in the Action Plan which have been listed by the United States Fish and Wildlife Service as being located in the United States and “vulnerable” species. The Action Plan will be implemented through FIFRA in the registration and registration review process.

EPA of course has a responsibility in implementing FIFRA actions such as pesticide registration to ensure pursuant to the Endangered Species Act, that the pesticide is not likely to jeopardize the continued existence of federally threatened or endangered species or result in the destruction or adverse modification of their designated critical habitat. The agency deems this a significant task, citing tens of thousands of pesticide products and registration amendments for which the agency is required to review potential effects for over 1,700 United States Endangered Species Act listed species.

A copy of the Action Plan can be downloaded [here](#).