



National Association of State Departments of Agriculture
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August 29, 2023

Jan Matuszko, Director
Environmental Fate and Effects Division
Office of Pesticide Programs
Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

Submitted via regulations.gov

Re: Docket EPA-HQ-OPP-2023-0365; Draft Herbicide Strategy Framework to Reduce Exposure of Federally Listed Endangered and Threatened Species and Designated Critical Habitats from the Use of Conventional Agricultural Herbicides. Herbicide Strategy Framework Document

Dear Ms. Matuszko:

The National Association of State Departments of Agriculture (NASDA) respectfully requests a 60-day extension to the public comment period on the U.S. Environmental Protection Agency's (EPA) *Draft Herbicide Strategy Framework to Reduce Exposure of Federally Listed Endangered and Threatened Species and Designated Critical Habitats from the Use of Conventional Agricultural Herbicides (Herbicide Strategy)*.

NASDA represents the commissioners, secretaries, and directors of the state departments of agriculture in all 50 states and 4 U.S. territories. State departments of agriculture are responsible for a wide range of programs, with conservation and environmental protection among our chief responsibilities. In 43 states, the state departments of agriculture are co-regulators with EPA and are responsible for administering, implementing, and enforcing the production, labeling, distribution, sale, use, and disposal of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

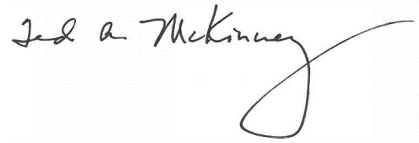
As co-regulators, NASDA acknowledges the agency has challenges with implementing timely and effective strategies that protect listed species in a way that is both practical for pesticide users to implement and protective of species, particularly as litigation pressures escalate. With increasing economic and environmental pressures, it is more important than ever to ensure farmers and other pesticide user groups maintain access to safe and effective products. The ability of the agency to execute a robust pesticide registration, registration review, and, when applicable, an Endangered Species Act (ESA) consultation process based on the best available science is a critical step in achieving this goal. While NASDA appreciates the agency's effort to come into compliance with ESA, we remain troubled by numerous elements of the proposed vulnerable species pilot and the underlying FIFRA/ESA workplan.

Given the importance of the Herbicide Strategy to the EPA's work to address ESA obligations under FIFRA, and the large volume of accompanying support documents, NASDA needs more time to understand the proposed strategy to provide thoughtful input. This need for additional time is further exacerbated due to concurrent comment periods related to important pesticide policy that the EPA has announced, including multiple weeks of overlap with the Vulnerable Species Pilot Program. The current

comment period does not allow for the development of meaningful input that the Agency can use to best determine next steps.

It is for these reasons that NASDA requests a 60-day extension to the public comment period. Should you have any questions, please contact Josie Montoney-Crawford, Manager of Public Policy, at josie.montoney-crawford@nasda.org. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, reading "Ted a McKinney". The signature is written in a cursive style with a large, sweeping loop at the end. It is positioned over a light gray grid background.

Ted McKinney
Chief Executive Officer
NASDA