

# Pesticide Reduction Strategies for the Northwest

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# Pesticide Reduction Strategies - Outline



- 1) Update on Regional Pesticide Coordination Committee, an outgrowth of Port Ludlow, June 2002
- 2) Update on the Endangered Species Act/salmon/pesticide court case

# Port Ludlow Strategy Conference



- ⌘ In June, 2002, this Northwest conference convened a special session to set strategies in various priority areas
- ⌘ One was pesticides:
  - ☑ high cost, priority HHW at collection services
  - ☑ high priority for HHW education programs
  - ☑ problem chemicals in the environment
  - ☑ SQG/landscape/ag uses also

# Port Ludlow Strategy Conference - Pesticide work group

- ⌘ Define areas for research and coordination
- ⌘ Pursue product stewardship approaches
- ⌘ Focus on Organophosphate ("OP") products
- ⌘ Define current uses, select targets
- ⌘ Compile lessons learned from previous and current pesticide reduction programs
- ⌘ Identify strategies regionally

# "Port Ludlow" Pesticide Group ('02)

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Core participants represented:

- ⌘ LHWMP (King County & City of Seattle), WA
- ⌘ Thurston County, WA
- ⌘ Oregon DEQ
- ⌘ Metro (Portland, OR)
- ⌘ Washington Toxics Coalition

# “Port Ludlow” Pesticide Group



- ⌘ Short list of brainstormed strategies :
  - ☑ Fee or tax structure
  - ☑ Public disclosure of ingredients
  - ☑ Local or state bans or restrictions
  - ☑ Manufacturer pay/take back
  - ☑ Limiting retail access
- ⌘ Identified need to set priorities among large # of chemicals and products

# Pesticide Policy Forum ('03)

- ⌘ Reviewed King County sales data
- ⌘ Assessed high-selling ingredients against hazard criteria
- ⌘ Came up with three top priorities:
  - ☑ Weed & Feed products (2,4-D, MCP, dicamba)
  - ☑ Organophosphates and carbamates (diazinon, carbaryl)
  - ☑ "Other" - including lindane, one of the last of the organochlorines

# Regional Pesticide Coordination Committee ('04)

- ⌘ Developing strategies for three priority pesticide categories
- ⌘ Intend to assemble a “white paper” with documentation of pesticide concerns
- ⌘ Ongoing coordination of pesticide-reduction programs
- ⌘ Liaison with ESA/pesticide court case

# Regional Pesticide Coordination Committee



Current participants:

- ⌘ LHWMP (King County, City of Seattle), WA
- ⌘ King County, WA (natural yard campaign)
- ⌘ Thurston County, WA
- ⌘ Metro (Portland, OR)
- ⌘ Oregon DEQ
- ⌘ Washington Toxics Coalition
- ⌘ A few consultants

# Salmon/pesticide court case



- ⌘ Plaintiffs: WTC, NCAP, Pacific Coast Federation of Fishermen's Associations, Institute for Fisheries Research (Attorneys: Earthjustice)
- ⌘ Defendant: U.S. EPA (plus "Intervenor-Defendants" American Crop Protection Association, now called CropLife)

# Salmon/pesticide court case



- ⌘ Issue: EPA is in violation of the Endangered Species Act for not addressing the effects of pesticides on listed salmon
- ⌘ Ruling (July, 2002) in U.S. District Court: EPA has violated ESA, must consult with Fisheries Services on 54 pesticides

# Salmon/pesticide court case



- ⌘ Assessment and consultation processes could take years (EPA est. 2007)
- ⌘ Interim injunction granted (August 2003), requiring:
  - ☑ buffer zones (20-yds ground, 100-yds air)
  - ☑ urban-use restrictions
  - ☑ to last “only so long as it takes EPA to fulfill its ... obligations.”

# Salmon/pesticide court case



⌘ Interim injunction clarified (January 2004):

- ☑ buffer zones specified with minor variations
- ☑ buffer zones in effect (as of February)
- ☑ 7 “urban use” pesticides to have mandatory point-of-sale warning (as of April 5th):

**“SALMON HAZARD: This product contains pesticides that may harm salmon or steelhead. Use of this product in urban areas can pollute salmon streams.”**

# Salmon/pesticide court case

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⌘ Urban-use point-of-sale warning required for:

- ☑ 2,4-D -- malathion
- ☑ carbaryl -- triclopyr BEE
- ☑ diazinon -- trifluralin
- ☑ diuron

# Salmon/pesticide court case

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- ⌘ EPA is assessing the listed pesticides and making initial determinations of:
  - ☑ no effect
  - ☑ not likely to adversely affect
  - ☑ likely to adversely affect
- ⌘ US Fish & Wildlife Service and NOAA Fisheries (“the Services”) must concur, then consult on the “likely to” pesticides

# Salmon/pesticide court case



- ⌘ Determinations status (as of 4/5/04):
  - ☑ no effect (all watersheds): 17
  - ☑ no effect (some watersheds): 19
  - ☑ "may effect," but not likely to adversely effect (some watersheds): 16
  - ☑ "may effect," likely to adversely effect (some watersheds): 17
  - ☑ no determinations: 20

# Salmon/pesticide court case



## ⌘ Current status summary:

- ☑ 37 pesticides still being assessed (& thus subject to buffer zones in at least some watersheds)
- ☑ 7 urban-use pesticides required to have point-of-sale warning posted
- ☑ moving target -- will be regularly changing as determinations and consultations occur

# For more information...



## Regional Pesticide Coordination Committee

⌘ c/o Dave Galvin: [dave.galvin@metrokc.gov](mailto:dave.galvin@metrokc.gov)

⌘ Salmon/pesticide court case

☞ <http://agr.wa.gov/PestFert/EnvResources/Lawsuit.htm>

☞ <http://www.oda.state.or.us/pesticide/lawsregs/buffers.html>

☞ <http://www.epa.gov/espp/>