
Proposed Joint Counterpart Regulations for Consultations Under Endangered Species Act

April 14, 2004
Gary Frazer
Assistant Director for Endangered Species
US Fish and Wildlife Service
4401 North Fairfax Drive, Room 420
Arlington, VA 22203

Dear Sir,

I am contacting you in regard to the proposed joint counterpart regulations for consultations under the Endangered Species Act that were published in the January 30, 2004, Federal Register. I am submitting the following comments on behalf of the five IPM Center State Liaisons for Alaska, Idaho, Montana, Utah, and Washington. The purpose of this letter is to lend our support to the efforts of the US Fish and Wildlife Service, NOAA Fisheries, and EPA with respect to these counterpart regulations for consultation on FIFRA actions. As professionals actively involved in pesticide issues within this five-state region, we can assure you that the protection of threatened and endangered species is very much a concern shared by regulators and members of the region's agricultural community alike.

The availability of effective pest control measures plays a significant role in the success of agriculture within our region. The alternative approaches to ESA consultations proposed in the joint counterpart regulations will provide for an efficient use of resources that is, at the same time, protective of listed species and/or critical habitat.

We applaud your efforts to allow EPA to make Not Likely to Adversely Affect (NLAA) determinations without additional consultation with the US Fish and Wildlife Service and NOAA Fisheries. We believe that the existing ecological risk assessment process utilized by EPA is sufficiently protective of threatened and endangered species. To insist on additional consultations for these NLAA determinations would hamper efforts to reregister existing pest control products as well as slow the registration of newer, environmentally safer chemistries.

In addition, the three new methods proposed for interagency cooperation can do nothing but streamline the consultation process. The provisions for information exchange and for assigning Service Representatives for effects determinations should greatly improve the process. Measures such as these improve the efficiency of the effects determination process and in the end benefit agriculture within our region.

In short we wholeheartedly support the proposed joint counterpart Endangered Species Act consultation regulations.

Sincerely,
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