

# Requirement to Assess Pesticide Effects on Endangered Species Eliminated in Farm Bill Proposal

By: Lisa J. Bunin, PhD, Director, Organic Advocacy

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With the passage yesterday of the Republican amendments to the 2018 Farm Bill, [H.R. 2](#), in the U.S. House of Representatives' Agriculture Committee, Congress has launched a full-frontal attack on the Endangered Species Act (ESA) and the required pesticide reviews to protect endangered species. According to the [Center for Biological Diversity](#) (CBD), the bill will “completely exempt the use of pesticides from ESA, effectively dooming hundreds of endangered species to extinction and making it legal to kill any endangered species with a pesticide at almost any time.”

The Farm Bill's ESA provision will do away with EPA's legally-mandated scientific consultations with the National Marine Fisheries Service (NMFS) and the Interior Department's Fish and Wildlife Service (FWS), the two main agencies charged with government oversight of species protection. If Congress fails to eliminate this undesirable provision from the Farm Bill, it is viewed as a tragic end to a success story, which began with the enactment of ESA in 1973. The law effectively prevented the extinction of 99 percent of species under its jurisdiction over the past 45 years. Few federal laws have engendered such tangible success with such widespread societal benefits and for so long, affording protections to more than 1,400 species, many of which are on the pathway to recovery.

Attacks on ESA have been a regular occurrence since the inauguration of the 115<sup>th</sup> United States Congress on January 3, 2017. This Congress already has seen at least 63 “legislative attacks seeking to strip federal protections from specific species or undercutting the Endangered Species Act,” according to CBD. Although ESA attacks have occurred at an accelerated rate during this session of Congress, the organization has documented a total of 164 bills introduced into

Congress which have sought to “dismantle critical species protections” between 2010 and 2015. This latest rash of attacks is occurring at a feverish pace, [hidden in proposed legislation](#) such as a recent Federal Aviation Administration (FAA) Bill which would exempt the Federal Emergency Management Agency (FEMA) from ESA requirements. Federal wildlife experts have observed that some of FEMA’s activities are already threatening a variety of salmon species and Puget Sound killer whales with extinction. The exemption of FEMA activities from ESA scientific reviews would only make matters worse.

While Republicans on the House Agriculture Committee claim that the bill adds “common sense reforms” to an “onerous and conflicting” ESA process that needs to be “modernized,” opponents of the Farm Bill provision label it a “poison pill.” Committee Chair, K. Michael Conaway, argues that despite four plus decades of reviewing species-by-species, EPA does not have the resources to continue to do so. He wants to “protect crops” with pesticides and “figure a way to protect species.” But, as Beyond Pesticides has repeatedly demonstrated in its [Daily News](#), the two are not compatible.

The organophosphate insecticides [chlorpyrifos](#), [malathion](#), and [diazinon](#) have put the continued existence of endangered species and their critical habitats at risk, according to a December 2017 [Biological Opinion](#) of the National Marine Fisheries Service (NMFS). That Opinion states that EPA’s proposed registration of pesticides containing any one of these three chemicals is likely to jeopardize the continued existence of 25 to 38 of the 77 listed species and adversely modify 18 to 50 of the 50 designated critical habitats.

Additionally, EPA Administrator, Scott Pruitt, halted the near-complete process of prohibiting all uses of the notoriously noxious, neurotoxic chlorpyrifos, which has been documented to harm farmworkers and cause developmental impairments to children in utero. While a limited, nationwide ban already exists for residential use of chlorpyrifos, Hawaii is considering a permanent prohibition for all uses.

Over [60 agriculture groups](#) signed a letter in January telling House Agriculture Committee leaders that the current ESA review and permitting process is “redundant” and “provides no environmental benefit, but instead imposes additional costs on farms and businesses.” The opposing side vehemently disagrees and attributes the law’s success to its science-driven determinations that defy partisan politics. In a [letter to the National Governors’ Association](#) from over three hundred environmental, community health, and conservation groups, the signers argue that “the Act has been so successful in large part because it requires that science and not short-term political and economic concerns guide decisions about whether species are at risk and how they should be protected and recovered.”

According to CBD experts, “No law has been more important in preventing the extinction of wildlife, including bald eagles, gray whales and the peregrine falcon.” Due to the multiple protections afforded by ESA, many species are enroute to recovery. In addition, essential habitats comprising millions of acres of forests, beaches, and wetlands also have been protected.

Jordan Giaconia, Sierra Club’s federal policy associate for defense says that the ramifications of the Farm Bill proposal are far reaching and views this pesticide-first approach to the Farm Bill as

an “unprecedented attack on the Endangered Species Act.” He laments that “it’s unfortunately not surprising. It falls in line with Scott Pruitt’s efforts to undermine scientifically based environmental protections.”

On the heels of the recent [\*Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services Report\*](#) (IPBES), which warns of the perils of an impending biodiversity crisis if international governments do not change course, as previously reported by [Beyond Pesticides](#), it would be unconscionable for Congress to act with such a blatant disregard for future generations and the ecosystems that support their survival. The IPBES Report unearths the alarming plight faced by two-fifths of the world’s population due to of the worsening of land degradation, declining species biodiversity, and the intensification of climate change. It documents how heightened pesticide use has adversely affected species diversity of both target and [non-target species](#) and has negatively impacted food and water security. This timely report further reinforces the need to protect threatened and endangered species, their habitats, and the ESA.

Write or call your [House Congressional Representative](#) and urge her/him to contest the provision in the Farm Bill that would decimate the ESA’s scientific review of pesticide impacts and severely weaken protections for endangered and threatened species and their habitats.

Sources: [Roll Call](#); [Endangered Species Coalition](#); [Union of Concerned Scientists](#)