

October 20, 2023

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

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

Dear Director Matuszko:

I appreciate the opportunity to provide comment on the 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 (EPA-HQ-OPP-2023-0365). I submit these comments from the perspective of Iowa farmers and the Iowa agriculture community, and as a partner with EPA in the regulation of pesticide use in the State of Iowa.

Iowa is a long-time national leader in agricultural production, ranking first in corn and second in soybean production in 2022. I am also proud to say that Iowa is a national leader in the adoption of conservation practices that protect and improve our rich natural resources. Over the last half century, and especially over the past decade, the State of Iowa has made significant investments in conservation programs that have resulted in the installation of practices that improve water quality, prevent soil erosion and enhance soil health.

While I appreciate the work the Environmental Protection Agency (EPA) has done to comply with the Endangered Species Act, while also trying to ensure continued access to tools that farmers rely on to protect their crops, the proposed draft strategy for herbicides is overly complex. The draft strategy would be incredibly burdensome to farmers and other pesticide applicators and would be challenging for regulators, including the Iowa Department of Agriculture and Land Stewardship, to enforce.

Additionally, I question the strategy of mandating conservation practices, as part of the mitigation menu, in order to be granted the privilege to use certain products. Iowa has seen tremendous interest and participation in our conservation programs, which are voluntary, non-regulatory, and which are proven to be successful at reducing the amount of nutrients that ultimately make their way into the Gulf of Mexico – a goal we share with the EPA. I fear that

this new regulatory approach will have a chilling effect on the positive relationship and trust that we have built with Iowa farmers. We do not want to lose the momentum and progress that we have built at a time when we are scaling up and accelerating our state efforts to get more practices on the ground.

Finally, EPA must consider the economic impact that the proposed strategy will have on farmers, agribusinesses, and states. Impacted stakeholders are likely to see significant costs both monetarily and in terms of time required to comply with the new regulations. EPA should conduct an economic analysis to determine these costs and better understand how this decision will impact applicators and regulatory officials tasked with enforcing the changes.

I strongly encourage EPA to take its time developing a final strategy and not rush through the process. EPA must be thorough in listening to and understanding the costs, challenges and concerns of farmers and the agriculture community and commit to finding balanced and workable solutions prior to implementing any strategy.

Thank you for your attention and consideration as you move forward. If I can offer any assistance, please don't hesitate to contact my office.

Sincerely,

A handwritten signature in black ink that reads "Mike Naig". The signature is written in a cursive, flowing style.

Mike Naig
Iowa Secretary of Agriculture