Transcript: Understanding Bulletins Live! Two Webinar

Enid Chiu:
Hi, everyone. This is EPA's Office of Pesticide Programs. Can the people on the line hear me?

Multiple Speakers:
Yes.

Enid Chiu:
Perfect. Great. So we're going to get started. And now that I know
that you can hear me, I'm going to kindly ask you to mute all of your lines until we are ready to
have a question and answer discussion.

So my name is Enid Chiu. I am with EPA's Office of Pesticide Programs and today we are here
to have a webinar on understanding Bulletins Live! Two. This is a repeat of the webinar that was
held on February 27th, so if you did attend that last webinar, there is not going to be any new
content here. So feel free to do something else if you would like to.

So the focus of this webinar today is on how the Bulletins Live! System works. And because we
want to stay on topic and focused, we are not particularly going to be discussing enforcement
questions, but focusing more so on how the system works. So please keep that in mind when
you raise your questions later.

On the topic of questions, we're asking you also to hold all your questions until the end. Our
presenter will be discussing many FAQs in his presentation, so it may be addressed at that point.
If you would like to submit questions during the presentation through the chat box, you may do
so as well, since we have someone monitoring those questions.

And another housekeeping thing, you can download the presentation that we will be discussing
today. There is a pod on the left side of your screen that's called "Files." All you need to do
to download the presentation is highlight the presentation name and click on the "Download
Files" button. We are also recording this presentation right now; however, it may take a little bit
of time for the final recording to go through the approval process. So if you need to have this
information immediately, I would definitely recommend you download the presentation there.

And without further ado, we can dive right in to our expert, Steve Lennartz, who is a mapping
scientist here in our Environmental Fate and Effects Division. He is an expert in all things
Bulletins Live! and Steve's going to take it away now. Steve?

Steven Lennartz:
Great. Thank you so much.

So today we're going to go through the understanding of Bulletins Live! Two. We'll start out

with an introduction. We'll go through why web mapping of endangered species is used; discuss the creation of a bulletin; how pesticide use limitation areas, or PULAs, are created; the difference between a pesticide use limitation area versus a bulletin; using and understanding Bulletins Live! Two; frequently asked questions, generally and for dicamba; and contacts.

The backbone of Bulletins is the Endangered Species Act or ESA. The ESA is intended to protect and promote the recovery of plants and animals that are in danger of becoming extinct. The U.S. Fish and Wildlife Service and NOAA's National Marine Fisheries Services, collectively The Services, administer the ESA. Section 7(a)(2) of the ESA requires federal agencies, or action agencies, to ensure that any action they authorize, fund, or carry out will not likely jeopardize the continued existence of any listed species or destroy or adversely modify any critical habitat for those species. Under FIFRA, the action subject to the consultation provisions of the ESA is the registration of a pesticide.

EPA's Endangered Species Protection Program helps promote the recovery of listed species. When I say "listed" species, I'm referring to species listed as threatened or endangered. It is designed to determine whether pesticide use in a certain geographic area may affect any listed species. If it is determined that pesticide use limitation areas are necessary to ensure that legal use of a pesticide will not harm listed species or their critical habitat, EPA may either change the terms of the pesticide registration or establish geographically-specific pesticide use limitations.

When geographically-specific use limitations are necessary they will be reflected in Endangered Species Protection Bulletins, or Bulletins. The goal of the SPP is to carry out our responsibilities under FIFRA in compliance with the Endangered Species Act, without placing unnecessary burdens on agriculture or other pesticide users.

So, why web mapping -- web-based mapping for endangered species protections is used. It offers a greater accessibility to a variety of Bulletins Live! Two users. The state lead agencies, pesticide applicators, others including academia and NGOs. Growers mainly.

Bulletins are an extension of the label. That's something to keep in mind every time we use Bulletins. And it allows for location-specific protections. And when we consider how Bulletins are an extension of the label in allowing for location-specific protections, we can be very, very specific as to where in the country we're talking about. Not just the list of counties, but where within the counties specifically, which would be difficult or cumbersome to put on a label.

Information Bulletins provide includes the location of use limitations, products with limitations, the terms of the limitations, and it does not include the identification of species. We'll talk more about that later.

The creation of a Bulletin. The effects determination is made regarding whether or not a Bulletin is needed to protect listed species based on risk assessment and/or input from the Services via

consultation. The goal is to identify potential risks from a pesticide's registered uses and to identify the species or taxa of concern.

The methods follow EPA's current ESA methodology for assessing risks to a listed species. This informs mitigation options for listed species where risk cannot be precluded from the application instructions on the label. Effects determinations may consider timing of application relative to species location and species biology.

How pesticide use limitation areas, or PULAs, are created. If species of concern are identified, then a proximity analysis is conducted to determine if listed species are located within the labeled use sites. This is classic GIS proximity analysis. What's next to what? In this case, that means where species are in the context of the use site. And where that overlap is, is the PULA.

Now that's informed a little bit further by the effects determination. In this case, the proximity analysis is an overlay of species ranges with potential use sites and is informed by the risk assessment -- evaluates the potential for exposure on the field and from offsite transport.

The data that informs this proximity analysis? Well, the species location information is obtained from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, depending on the species in question. That is the data of record for species. The data used to generate use sites originates from the USDA Cropland Data Layer, CDL, or a dataset deemed appropriate for the analysis.

Pesticide use limitation area, PULA, verses a Bulletin. What's the difference? Well, a pesticide use limitation area, a PULA, is a geographic area where a pesticide limitation specific to the listed species applies. It's sort of a polygon. Where in space are we talking about?

The Bulletin is the printed PDF from Bulletins Live! Two where it provides the limitation information for your application site and month. You save this PDF as a record of your compliance.

Using and understanding Bulletins Live! Two. This is sort of where we walk everybody through the steps in using BLT. The topics covered here are using the map application tools, identifying the intended pesticide application area, selecting the application month, refining your search, selecting a PULA, printing a Bulletin, understanding the components of the PDF Bulletin, and obligations. And these are the same steps that are covered on the tutorial available on the BLT website. And you can -- I'll give the link to that at the end.

So determining whether or not you would need to use Bulletins and the BLT application all starts with the label. And any user needs to read the entire label before proceeding with the use directions contained therein. Labels that contain a section for endangered species concerns are directly applicable here.

And you definitely want to take note of your product's registration number, which I circled here in red. The registration number for DuPont FeXapan is EPA registration number 352-913. Registration numbers are the least ambiguous way to search for a product on BLT.

But let's come back to labels that contain a section for endangered species concerns. In this case it would read, "Use of this product in a manner inconsistent with its labeling may pose a hazard to endangered or threatened species. When using this product, you must follow the measures contained in the Endangered Species Bulletin for the area in which you are applying the product. To obtain Bulletins, no more than six months before using this product, consult www.epa.gov/endangered-species or call 1-844-447-3813. You must use the Bulletin valid for the month in which you will apply the product."

It's important to note here, too, that some labels will list the old URL, which is www.epa.gov/espp, and that URL is still active and will continue to redirect to the one listed on the screen. But if you were to click that link, it would bring you to the Endangered Species Protection Program homepage. And we can kind of click through here to get to the actual application. You can see right under the header there a link that clicks us to the Endangered Species Protection Bulletins page, which has another link that will get us to the application homepage. See, here it is, the homepage from the Bulletins Live! Two application.

Really, what we're asking at this point is to consider where and when you're applying a given product. Where are you applying that product and when? What month will you be applying it?

Now, the homepage looks like a classic map here or a Google Maps. It's got some additional filters on there.

How do you get started? Well, the easiest way to do that is to just read the directions on the right, which is circled in red. These are the, really, quick start method here. And we have more in-depth tutorial and background information that are available in the links here. Let me see if I can use the little pointer thing. Yeah, up here you can see the tutorial link -- oh, here we go -- the tutorial link and also some additional background and quick start information there.

The easiest way is just to start with the blue tab on the right that's circled in red. But as I mentioned, you know, the first part of this equation is where. Where do you want to make the application? Where is your proposed application going to be?

And there is several tools to search for where that application could be. The red circle is illustrating the search engine where you can type in the place you're looking for. You can type in a city, a zip code, county, township section range, or coordinates. I haven't seen, really, many things that this search engine won't return on. It's pretty quick.

Additionally, we have several other tools. Follow the little green arrow. You can see the plus and minus zoom checkboxes. Once you start navigating through the map viewer, you can use the

back and forth tabs, just like on a web browser, to kind of go back and forth between the extents you zoom to. There's also this little earth icon which zooms to the full extent of the country in this case, or the contiguous United States. You can also use the scroll wheel on your mouse, which works pretty good. Or you can do a controlled click and drag with the mouse, which will also zoom to the last checkbox that you chose.

But in this case, for the sake of example, we're going to use the search engine to type in a location. And the location that we're going to use is Warrensburg, Missouri. When we type "Warrensburg, Missouri" into the search engine and click Enter it will zoom to Warrensburg, Missouri.

And that little, sort of, maroon square right in the middle -- here we go -- that little square right there is the return for Warrensburg, Missouri -- where it is. And you can see this pink polygon in the general area of the map viewer; that's a PULA that Warrensburg is located in.

The next part of this is the when. And you can see on the right-hand side under the directions some additional filters. So over here there's a month that you can select and in this example we would be using May 2019. You can stop there and hit search or you can continue to refine what you're searching for. In our case, we're searching for FeXapan and, as I suggested, you can use the registration number box, which for FeXapan -- DuPont FeXapan is 352-913.

Once you've selected which month, the when, and selected what registration number you want, you can then click on the PULA in the map window that your application site would be located within.

Once you click the PULA, you can tell it's been selected, as indicated by the bold, yellow border. And the results tab has been populated based on our original query. You can see on the right, the results tab. We went from the instructions tab -- now the results tab is active. And you can see it's returned some information here based on the Bulletin.

Next, you'll need to save the Bulletin. You can click on the Printable Bulletin button, which is highlighted in the red circle. That will prompt you to save a PDF on your machine. Once you open up the PDF in a PDF viewer, you can see that there's, you know, you have the map view on the first page with the bold yellow, selected PULA there, some additional information as well. And then you have on the second page -- that side, use limitation summary table. We'll take a closer look at that.

You can see that it has the AIs and products, the uses that it's effective for, the application methods, the formulation, and a code. The code is actually internal, the Bulletin system and the length of the product and the limitation language. Down here you can see that code again, length to the limitation language, and the specific instructions that would need to be followed as an extension of the label for this Bulletin.

Continuing with this, "What if there are no Bulletins for my application site and month?" You would still need to save the printable Bulletin documenting that no pesticide use limitation area, or PULA, exists for your application site and month. I'll show you how to do that.

In this case, we're looking at Harrisonville, Missouri. We used the search engine to search for Harrisonville, Missouri. It zoomed us to that extent. The little maroon box in the middle is the search result for Harrisonville. And, as you can see, there is no pink polygon. And, just to kind of reiterate that, you can see there's a legend in the map window and you can see that the pink polygon is for effective PULAs and we don't see any in this map extent.

So what you can do is you can click the search button, highlighted in red, and it will give you a dialog box saying, "No limitations within the map view." From here you can select the button that says "Printable Bulletin" and that will save a PDF Bulletin to your machine, which indicates that "currently, no pesticide use limitations exist within the printed map view for the month and year you selected, beyond the instructions specified on the pesticide label. Follow the use instructions on your label. Ensure that your pesticide application area is within the printed map view. If it is not, follow the directions on the 'Instructions' tab to ensure that your pesticide application area is captured within the printed map view. Please check back if you plan to apply your pesticide in an area outside the map view or in a month and year other than the one for which this Bulletin is valid."

So to summarize, start with following the labeling instructions. If directed, visit Bulletins Live! Two website and check for any pesticide use limitation area, or PULA, for your application site and month. Save a copy of the Bulletin for your record of compliance. Save a copy documenting if there is no Bulletin, too. If your application timing or location changes, check BLT again. Contact the ESPP help desk to resolve any questions you may have.

We have a frequently asked section -- or, excuse me, frequently asked questions section that I'd like to go through, starting with some general questions.

The ESPP help desk has an inbox and hotline which receives inquiries a few times a month on average. You know, when we release a new Bulletin we get an uptick in questions for clarity, which, in the case of the recent Dicamba Bulletin we definitely saw an increase in traffic there. Some local pesticide regulators or trade groups will bundle questions and send them directly to the point of contact for a specific chemical, which we see come in through different routes as well. And following are some common questions that have been submitted, through either the hotline or some of these groups.

We often get asked, "What browsers are compatible with Bulletins?" Internet Explorer, any version later than version nine; Google Chrome, Mozilla Foxfire [sic] -- or Firefox, excuse me -- or Safari. Mobile devices such as tablets or phones. From what we've seen, BLT works

on most mobile formats, but we haven't tested them all. Please share your feedback specific to your device and version to the ESPP help desk. That really helps refine and improve the application over time.

From what I've seen, too, it kind of depends on the size of your screen. If you have a really tiny screen it'll load and you can use all the features on it, but it might not look like it would on your desktop. So we're working to improve that, but we welcome your feedback.

"Why can't we see what species the limitation is for?" At the request of the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, species identifications were removed to discourage collection of listed species by the public.

Enid Chiu:
One second. We're dealing with internet connections. Please bear with us.

Steven Lennartz:
All right, I think we're back up. "The search engine on the Bulletins web application doesn't include common trade names for products." EPA relied on the trade names as supplied by the registrant at the time the Bulletin was created. OPP is working to update the names as needed and is exploring ways to improve the search feature. The best way to search is using registration numbers. Registration numbers remain consistent.

Another question we frequently get is, "Are Bulletins enforceable?" Yes, Bulletins are an extension of the label. Not following the limitation on your Bulletin is a misuse of the pesticide and enforceable under FIFRA. If the misuse results in "take" of listed species, the action is also enforceable under the Endangered Species Act by the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service.

"My state has several listed species, but the limitations on Bulletins don't seem to match. Why?" Bulletins rely on range data from U.S. Fish and Wildlife Service and National Marine Fisheries Service, which may differ from local agencies by comparison. If you recall, earlier in the presentation, we talked about the species range data as the data of record coming from the action agencies. State listed, not federally listed, species are not considered. Not all species may be at risk and need Bulletins. So even though your state might have 10 endangered species, the Bulletin might only be specifically concerned with a subset of that, say, two.

Specifically for dicamba, we've heard about, "The docket for dicamba includes a county list, but it looks different on the Bulletins Live! Two application." Where available, sub-county species data were used to map the limitation. While a county may be listed impacted in the docket, it may not be county-wide. In some cases, only a very small portion of the county has a PULA. So you might see that a county is listed in the docket and then look at the Bulletins Live! Two web application and you might not even notice it being covered by the PULA. But if you zoomed

in closely you could see that maybe a section along the border is included or maybe a small, you know, corridor section is included.

This is sort of the power of using Bulletins Live! Two on the web in that we can visualize exactly where the specific PULA is, as opposed to being county-wide. That's what we were talking about earlier, in that it's an extension of the label and that couldn't be listed on the label easily because it's so spatially explicit. The obligation is to comply with the labeling via Bulletins Live! Two.

Anther dicamba question we get is, "For dicamba Bulletins, would the omnidirectional 57 foot buffer use limitation still apply when no species or habitats are listed on the county Bulletin?"

Buffers only apply when the application location and month occur within a PULA. Limitations are only in place where a species or critical habitat and the assessed use site is present. If these conditions are not met, the PULA would not be present, and therefore, the limitation would not apply. So if you're not in a PULA on BLT, then this would not apply. If you're in the PULA, you would have to follow the limitation instructions.

Where to direct questions? The Endangered Species Protection Program. You can email the help desk inbox, espp@epa.gov. If you call the hotline at 1-844-447-3813. Keep in mind your label may have several phone numbers on it. Review it carefully to ensure that you are calling the intended one. And I'm the person that answers most of that stuff, so nice to meet you.

Finally, some resources. The Bulletins Live! Two application, this is the direct link. Epa.gov/endangered-species/bulletins-live-two-view-bulletins. There's also a tutorial link here and a quick start guide.

And with that, we can take some questions.

Enid Chiu:
All right, thanks Steve. That was an excellent presentation. So at this point now we are open to taking questions. You can either unmute your line and ask over the phone, or you can submit via the chat box and we have someone monitoring that. If you are going to be asking a question, we just ask that you let us know who you are and what agency you're with and that would help us to answer. So, feel free, any questions to ask, we are listening. I see some typing happening in the chat box, so we can patiently wait. But also feel free to hop on the phone as well.

Male Speaker:
Is the 57 foot buffer in addition to the 110 foot buffer?

Dan Rosenblatt:

So, yeah, this is Dan Rosenblatt. So the way that -- the wind directional buffer is generic in nature. That's 110 feet. The 57' omnidirectional applies, so, you know, that's -- you're picking up both the wind direction piece and the other three sides of the field. Anyone else from EPA or OECA want to comment on that? Hopefully that helps.

Brian Anderson:
[unintelligible] to each other.

Steven Lennartz:
So you would take whichever is greater.

Dan Rosenblatt:
Correct, so yeah, with the 110 foot, you just have that in connection to the wind-directional side of the field.

Enid Chiu:
Great. You're welcome, Linda. Linda says, "Thank you, Dan." Any other questions? Feel free to submit on the chat or unmute your line and tell us on the phone.

Last call for questions, either on the chat or on the phone. If you are talking right now, we can't hear you.

George Tuttle:
This is George Tuttle from Washington State. Can you hear me?

Enid Chiu:
Yes, we can.

George Tuttle:
Oh, okay. Great. Thanks. Where on the label will it direct people to Bulletins Live! or will that depend on the label?

Steven Lennartz:
The labels that I've seen have a section that say "endangered species concerns." And if you download the presentation, there's a slide in the introduction section with example language that you would see on a label. And it would have the web URL.

George Tuttle:
Oh, okay.Thank you.

Steven Lennartz:
No problem.

Male Speaker:
Rather than responding to a question in the chat box via chat, as we mentioned before -- the question is, "Will the webinar be posted for review?" You can download it two boxes up from the chat box, under "files." Highlight "BLT SFIREG Webinar 04-10-19.pptx" and, following the clearance process, the recorded webinar should be available.

Enid Chiu:
Yes, and we will let all of you know when that recording becomes available.

Seth Dudley:
Seth Dudley [phonetic sp], Region five. In general, how many species are protected by BLT? And how many pesticides have ES language, endangered species language?

Brian Anderson:
[unintelligible] Brian Anderson. Exact number of species -- we'd have to look. I don't know exactly know. I know for, like, the dicamba assessment, it was all non-monocot species and there were a number of them. There aren't a whole lot of chemicals with Bulletins right now, maybe half a dozen or so, at this time.

So we're still -- there's just so many; we're still in the early stages of having, you know, chemicals and pesticides continue to be getting Bulletins. They're only needed when there's a spatially explicit kind of component to it, so mitigations can be handled, like your more generic data on the label, than those that wouldn't be needed.

Enid Chiu:
Thank you. Any other questions? Last call for questions.

As a reminder, if you do realize you have questions later, there are resources here on this slide about where you can direct them. We're always happy to receive your comments and questions, and we will try to get back to you appropriately.

So with that, if there are no other questions, I think we are finished for today. Thanks again, Steve, for the presentation and for all of our team at EPA; thank you all for participating. We look forward to keeping working with all of you.

Thanks, everyone.

[end of transcript]