

WASHINGTON UPDATE

By Lee Van Wychen

April 2010

Doubling Campaign for USDA Agricultural and Food Research Initiative (AFRI)

The National and Regional Weed Science Societies have joined in an effort with other agricultural research organizations to double the USDA Agricultural and Food Research Initiative (AFRI) competitive grants program over the next 5 years. Funding was \$193 million in FY 2008 and \$201 million in FY 2009. Our agriculture research coalition was pushing Congress for \$250 million in FY 2010 (exclusive of any Section 406 Program funding), with a goal of \$500 million in total funding by FY 2015. The FY 2010 ag appropriations bill was passed last fall with \$262 million for AFRI.

The FY 2011 budget, released on February 1, targets AFRI for \$429 million. Great! However, \$45.15 million of that increase comes from the Section 406 Integrated Programs being “zeroed out”. The National and Regional Weed Science Societies strongly oppose this budget maneuver. The Section 406 programs include \$4.1 million in funding for the Regional Pest Management Centers, \$5 million for the Organic Transitions Program, \$1.4 million for the Crops at Risk from FQPA Implementation and \$4.4 million for the FQPA at Risk Mitigation Program for Major Food Crop Systems.

USDA Releases RFA’s for AFRI Competitive Grants

On March 22, USDA released the request for applications (RFA’s) for AFRI and represents a major departure from previous USDA competitive funding. For 2010, \$262 million is available through AFRI, \$61 million more than last year. No less than 30 percent of this will fund integrated projects that have research, education, and extension components.

There are six AFRI RFAs: one Foundational Program RFA and five RFAs targeted at addressing five “challenge” areas. The RFAs support a variety of project sizes and types. The five RFAs in the challenge areas include funding for **large, multi-disciplinary, multi-million dollar** projects called Coordinated Agricultural Projects (CAPs) that are broad in scope. There will be a seventh RFA supporting pre- and post-doctoral fellowships that has not yet been released.

For a **comprehensive chart** of the program areas, program area contacts, and deadlines for **letters of intent** and the final **application deadline**, please go to:

http://www.csrees.usda.gov/funding/afri/afri_program_deadline_dates.html#foundprog

The [Foundational Program RFA](#) makes \$64 million available to fund research-only projects in program areas that existed in the previous iteration of AFRI and that correspond to congressionally-designated priorities written into the farm bill. These programs previously received the bulk of the program funding, so many of the earlier programs that evolved over the past several decades have **now been ended** as separate priorities, given the decrease in dollars available. This includes the \$4.6 million biology of weedy invasive species program. The members of the National and Regional Weed Science Societies have voiced their extreme dissatisfaction with this since this was the **ONLY** program that has supported weed science

work. Many of the other agricultural science disciplines had multiple program areas supported in the old NRI and under the new AFRI structure, at least maintain their disciplines' identity.

The [Climate Change RFA](#) makes \$55 million available to fund integrated, research, education, and extension projects that seek to reduce agricultural use of energy, nitrogen, and water, and that increase carbon sequestration. The RFA includes funding for a Climate Change Mitigation and Adaptation in Agriculture. Specific priorities include developing or improving models and technologies for climate mitigation or adaptation to forecast and control weed, pest, disease, and invasive species outbreaks brought about by climate variability and long-term climate change.

The [Bioenergy RFA](#) makes \$40 million available to fund Regional Bioenergy CAPs and research grants to help meet the goal of 36 billion gallons/year of biofuels by 2022. The Regional Bioenergy CAPs will support the development of regional systems of bioenergy production that reduce dependence on foreign oil; have net positive social, environmental, and rural economic impacts; and are integrated with current agricultural systems. For biofuel feedstock production systems, they are looking for RFA's that will identify management practices that minimize water usage, and nutrient, pesticide, and herbicide inputs.

The [Global Food Security RFA](#) makes \$19 million available to fund integrated, research, education, and extension projects that improve food availability and food accessibility, focusing on research that addresses production challenges and that supports the development of sustainable food systems. The FAO estimates that **more than 40 percent** of current crop production among the ten leading food crops is lost to pests and diseases annually. And a majority of that is **due to weeds!** However, this entire program area leaves much to be desired and completely falls short of supporting any practical research that will ensure global food security by economically managing weeds.

The [Food Safety RFA](#) makes \$20 million available to fund integrated, research, education, and extension projects that seek to improve food safety through the development and implementation of detection technologies, traceability systems, and other strategies, and through increasing the number of food safety scientists. The RFA focuses on particular pathogens and viruses, and includes research on multiple scales of production and processing.

The [Childhood Obesity RFA](#) makes \$25 million available to fund integrated, research, education, and extension projects that contribute to reducing the prevalence of obesity among children and teens. The RFA seeks to fund proposals that generate new knowledge, develop effective behavioral and environmental interventions, bring to scale effective interventions and assess their impacts, and increase the number of researchers, educators, and practitioners trained to address the problem of obesity.

The webcast by Dr. Beachy regarding the AFRI RFA's can be viewed at <http://www.nifa.usda.gov/newsroom/webcast.html>

Herbicide Resistance Management Policy -WSSA members Bill Vencill, Carol Mallory-Smith, Bill Johnson, Nilda Burgos, Ted Webster, Bob Nichols, John Soteres, and Mike Owen have been working on a "state of the science" review paper on the development of herbicide-resistant weeds and weed shifts that are linked to the introduction of GE herbicide-tolerant corn,

soybeans, wheat, rice, cotton, alfalfa and switchgrass. The goal is publish the review paper via “open access” in *Weed Science* by **Sept. 2010**.

The WSSA continues to work with EPA and industry stakeholders involved in a sound herbicide resistance management program. There is general agreement with the usefulness of mode of action labeling and the critical need for the WSSA education materials including an economic message. Dr. David Shaw, WSSA Past-President, has given presentations to EPA, CropLife America, and the National Association of Conservation Districts where he discussed results after 3 years from the 6-state benchmark study that has shown that net returns on fields managed according to recommended best practices are equal to or greater than the returns on those where glyphosate is used alone. WSSA recommendations include focused educational efforts that target all appropriate groups including media, growers, dealers/distributors, and consultants. We need to convey a consistent, accurate message about managing herbicide resistance and it must be urgent.

Clean Water Act (CWA) National Pollutant Discharge Elimination System Permits (NPDES)

The WSSA wants to ensure that FIFRA remains the preeminent federal law for pesticide regulation that protects both people and the environment. The extensive research and science-based risk assessments required by FIFRA should not be jeopardized by political agendas. In January 2009, the 6th Circuit Court ruled that EPA’s rule exempting pesticides from CWA permits was not a reasonable interpretation of the CWA since the terms “chemical waste” and “biological materials” unambiguously include aquatic pesticides. The National and Regional Weed Science Societies along with many other stakeholders (including USDA Secretary Vilsack, and House and Senate Ag Committees) asked EPA to petition for a full 6th Circuit court rehearing because it was EPA’s rule that was vacated by the court. When that did not happen, industry petitioned the full 6th Circuit Court to rehear the case, while in the meantime, EPA only asked for 2 year stay in the 6th Circuit decision in order have time to implement National Pollutant Discharge Elimination System (NPDES) permits for pesticides applied “in, over, or near water”. The industry (Crop Life, National Cotton Council, etc...) appeal to the full 6th Circuit Court was denied last summer. Industry then petitioned the Supreme Court to hear the case, but as expected, the Supreme Court decided not to hear the appeal at this time.

EPA has until **April 9, 2011** to implement NPDES permits for all pesticides applied in, over, or near water. EPA plans to release NPDES general permit draft language for public comment by **May 2010**. This will be a very short comment period, likely **no more than 45 days**. Comments will be incorporated into final permit language that will be released to the states in December 2010. States will be required to do their own permitting (except for AK, ID, MA, NM, OK and VT which don’t have EPA authority to do so). State general permits must be approved by EPA prior to **April 9, 2011**

My biggest concern is that exposure to nuisance claims, litigation and onerous fines would prevent/inhibit weed managers from carrying out an appropriate weed management program. In discussions with EPA last week, pesticide applicators could be fined up to \$32,000/ day for violating the terms of the NPDES permit and \$11,000/day for simple record keeping violations. Depending on how EPA drafts language pertaining to “adverse incidents”, weed managers could be in for real surprises come April 2011. I’ll need all your help in reviewing the NPDES permit language once it’s published in the Federal Register in May. Stay tuned.

Spray Drift Labeling. EPA has proposed new language for FIFRA labels which poses many problems. Vague language such as “could cause” or “may cause” adverse effects does not belong on a pesticide label because it is NOT in accordance with the FIFRA risk-based standard of ‘no unreasonable adverse effects’ and it forces state regulators into the role of risk assessor to determine what ‘may or could’ cause an effect, which they are not trained to do and is EPA’s role. EPA’s guidance on how to enforce the proposed drift label language sets an unachievable zero drift standard and sets the stage for frivolous lawsuits and enforcement actions. For example, a headache that is untreated or even verified by a medical professional, may be the basis for an enforcement action or lawsuit, particularly when a farmer’s neighbor has a predetermined reason or history of conflict with the farmer. On March 3rd, I submitted comments on behalf of the WSSA, the American Phytopathological Society and the Entomology Society of America Plant-Insect Section in response to the Federal Register notice regarding EPA’s proposed new regulations for pesticide drift labeling and drift labeling interpretation. Together these three societies represent a healthy fraction of all agricultural research and extension efforts on pest management.

Atrazine Re-Evaluation in 2010

Atrazine was re-registered in 2006 after a 3 year review of over 6,000 studies on atrazine. EPA concluded that “no harm that would result to the general U.S. population, infants, children or other...consumers” from atrazine use. However, the new EPA administration wants to review atrazine again, based on questionable data from a study generated by a researcher with a track record of letting his “activism” generate his data. The results from this study have not been able to be reproduced by other scientists. Its unfortunate that this researcher will not share his raw data with EPA, but feels compelled to publish his studies “via press releases” coordinated by agenda-driven environmental groups. We strongly urge EPA to base their conclusions about the future use of atrazine on research that can stand up to scientific rigor and thoroughness.

Senator Reid Introduces Invasive Species Emergency Response Fund Act

In March, Senate Majority Leader Harry Reid introduced S. 3063, the Invasive Species Emergency Response Fund Act. The bill is co-sponsored by Sens. Begich (AK), Bennet (CO), Bennett (UT), Feinstein (CA), Merkley (OR), Murkowski (AK), and Wyden (OR). The companion bill in the House, HR 4782 was introduced by Rep. Don Young (AK) and co-sponsored by Shelley Berkley (NV). The purpose of the bill is to encourage partnerships among Federal and State agencies, Indian tribes, academic institutions, and public and private stakeholders to: (1) prevent against the introduction and spread of harmful invasive species; (2) protect, enhance, restore, and manage a variety of habitats for native plants, fish, and wildlife; and (3) establish early detection and rapid response capabilities to combat incipient harmful invasive species. The bill authorizes \$80 million per year for 2011-2015 through federal loans, of which at least 25% of the loan must be repaid in 10yrs. However, “In-Kind Repayment” will be accepted for maintenance, remediation, prevention, alteration, repair, improvement, or restoration activities.

House Passes Bill to Expand Research on Harmful Algal Blooms

In March, the House of Representatives passed legislation that would expand research on harmful algal blooms and hypoxia in U.S. marine and fresh waters. The Harmful Algal Blooms and Hypoxia Research and Control Amendments Act of 2009 (HR 3650), sponsored by Representative Brian Baird (D-WA), passed by voice vote after falling two votes shy of passage under the 2/3's majority needed under suspension of House rules. If enacted, the bill would double authorizations for harmful algal blooms and hypoxia research programs at the National Oceanic and Atmospheric Administration (NOAA) and the Environmental Protection Agency (EPA), up to \$41 million a year. The legislation would also require NOAA to oversee the development of regional research and action plans for addressing these poor water quality events. The Senate is currently considering similar legislation (S. 952), which was approved by the Senate Commerce Committee last year.

Lee Van Wychen, Ph.D.
Director of Science Policy
The National and Regional Weed Science Societies
900 2nd St. NE, Suite 205
Washington, DC 20002
Lee.VanWychen@WSSA.net
202-746-4686