



PPC

PESTICIDE POLICY COALITION

A Coalition Working for Sound Pest Management Policies

February 10, 2025

Mr. Stephen Guertin
Deputy Director for Program Management and Policy
U.S. Fish and Wildlife Service
1849 C Street, NW
Washington, DC 20240

Submitted electronically via Federal eRulemaking Portal

RE: Endangered and Threatened Species: Species Status with Section 4(d) Rule for Monarch Butterfly and Designation of Critical Habitat (FWS-R3-ES-2024-0137)

Dear Deputy Director Guertin,

The PPC represents agriculture, food, fiber, public health, pest management, landscape, environmental, and related industries, including small businesses/entities, which are dependent on the availability of pesticides. Our coalition supports the development and implementation of public policies and laws that utilize the best available science and technology to ensure protection of human health and the environment.

PPC members include national and regional trade associations; commodity, specialty crop, and silviculture organizations; cooperatives; food processors and marketers; pesticide manufacturers, formulators, and distributors; pest and vector-control applicators and operators; research organizations; state departments of agriculture; equipment manufacturers, and other interested stakeholders. The PPC serves as the unifying voice for the review, discussion, development and advocacy on pest management regulation and policy that is based on the best available science.

The public is confronted with increasing pest pressure, resistance management concerns, and disease threats introduced into the United States via trade, weather, and other factors. It is through pest control products, used by farmers, ranchers, public health officials, and other pesticide applicators; and produced by pesticide manufacturers, that we can address and mitigate these threats. These products are essential tools for users to protect not only America's food, fiber, and biofuel; but also, to protect public health from vector-borne disease, safeguard our infrastructure from the damage caused by pests, and mitigate the increasing threat to the environment from invasive species.

The PPC respectfully request that U.S. Fish and Wildlife Service (FWS) extend by 60 days the public comment period for the proposed Section 4(d) rule for the Monarch butterfly and designation of critical habitat (FWS-R3-ES-2024-0137). Given the unprecedented magnitude of this decision and its potential to impact U.S. agriculture, we believe more time to develop substantive responses to the proposal should be afforded. Further, relevant ongoing regulatory developments at the EPA and within the Administration also create compelling justifications for a 60-day public comment period extension.

As mentioned, the proposal to list the Monarch butterfly as threatened under the Endangered Species Act is unprecedented in the more than 50-year history of the statute. The Monarch is a migratory species that over the course of a year can be present in nearly every area of the continental United States, from the Pacific to the Atlantic, from Canada to Mexico. This includes millions acres of U.S. farmland, creating a significant ability to affect agricultural production. If not carefully considered, the disruptive potential of this rulemaking could be tremendous for U.S. agriculture. Given the unprecedented magnitude of this decision, we believe more time for public comment is warranted than the 90 days FWS has afforded to date.

Further, there are regulatory entanglements that FWS should consider which also justify a comment period extension. EPA is currently scheduled to issue its final Insecticide Strategy on or by March 31, 2025, which directly speaks to some of the questions FWS has posed in this proposal regarding the intersection between pesticide use and Monarch conservation. However, if FWS retains its current March 12 deadline, both FWS and the public will lack important information needed to comment on vital elements of this listing proposal.

Additionally, a 60-day comment period extension would be consistent with an executive order (E.O.), *Regulatory Freeze Pending Review*, issued by President Trump on January 20, 2025.¹ In that E.O., the White House directs:

During this 60-day period [following the issuance of the E.O.)... consider opening a comment period to allow interested parties to provide comments about issues of fact, law, and policy raised by the rules postponed under this memorandum, and consider reevaluating pending petitions involving such rules. As appropriate and consistent with applicable law, and where necessary to continue to review these questions of fact, law, and policy, consider further delaying, or publishing for notice and comment, proposed rules further delaying such rules beyond the 60-day period.

The new Administration clearly intended to capture proposed rules under the scope of this E.O. meant to freeze ongoing rulemakings pursuant to review. An extension of the public comment period for the Monarch 4(d) proposal by an additional 60-days would be consistent with both the time stated in the E.O. and its intent to provide the public with further opportunities to comment on matters of fact, law, and policy of this proposal while it is subject to administrative review.

Given the potentially enormous impacts of a Monarch 4(d) threatened listing proposal on U.S. agriculture, and existing regulatory entanglements with relevant EPA pesticide proposals and

¹ Trump, Donald. The White House. January 20, 2025. *Regulatory Freeze Pending Review*.
<https://www.whitehouse.gov/presidential-actions/2025/01/regulatory-freeze-pending-review/>

Executive Office freeze and review of rulemakings, we respectfully request FWS issue a 60-day comment period extension for this proposal.

Thank you for your serious consideration of these comments. If PPC members can be of assistance in any way, or if you have questions, please do not hesitate to contact us at kkunkler@soy.org or (202) 960-3027 and Jeff Blackwood at jblackwood@croplifeamerica.org or (202) 604-3771.

Sincerely,



Kyle Kunkler
Chair, Pesticide Policy Coalition



Jeff Blackwood
Vice Chair, Pesticide Policy Coalition

Pesticide Policy Coalition Members

ADAMA	National Alliance of Forest Owners
Agricultural Retailers Association	National Alliance of Independent Crop Consultants
American Chemistry Council, Biocides Panel	National Association of Landscape Professionals
American Farm Bureau Federation	National Association of State Departments of Agriculture
AmericanHort	National Associations of Wheat Growers
American Mosquito Control Association	National Corn Growers Association
American Mushroom Institute	National Cotton Council
American Seed Trade Association	National Farmers Union
American Soybean Association	National Onion Association
American Sugarbeet Growers Association	National Pest Management Association
American Vanguard	National Potato Council
Association of Equipment Manufacturers	North Dakota Grain Growers Association
BASF Corporation	Northwest Horticultural Council
Bayer Crop Science	RISE
California Citrus Quality Council	Scotts Miracle Gro
California Dried Plum Board	Syngenta Crop Protection
California Farm Bureau	U.S. Apple Association
California Processed Onions Garlic Research Committee	U.S. Beet Sugar Association
California Specialty Crops Council	U.S. Canola Association
Corteva	U.S. Hop Industry Plant Protection Committee
Council of Producers & Distributors of Agrotechnology	USA Rice
CropLife America	Valent U.S.A Corporation
Florida Fruit & Vegetable Association	Washington State Potato Commission
FMC	Western Growers
Golf Course Superintendents Association	Wilbur-Ellis Company
Gowan	
Illinois Corn Growers Association	
Illinois Soybean Association	
International Fresh Produce Association	
ISK Biosciences	
Minor Crop Farmer Alliance	
National Agricultural Aviation Association	