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September 16, 2022

Marietta Echeverria, Acting Director
OPP Docket
Environmental Protection Agency Docket Center (EPA/DC), (28221T),
1200 Pennsylvania Ave. NW.
Washington, DC 20460-0001

RE: Docket No. EPA-HQ-OPP-2010-0889-0597

Dear Ms. Echevarria,

The National Cotton Council (NCC) appreciates the opportunity to comment on the Environmental Protection Agency's July 15th, 2022 document "Sulfoxaflor DRAFT Biological Evaluation: Effects Determination for Endangered and Threatened Species and Designated Critical Habitats." The NCC compliments EPA's continual effort to develop a scientific methodology to address and comply with requirements of the Federal Insecticide, Rodenticide, and Fungicide Act (FIFRA) and the Endangered Species Act (ESA). The NCC appreciates the tremendous improvements that have been made in the past two years to define a methodology assessing the potential threats to endangered and threatened species with the registration of agricultural crop protection products. The NCC looks forward to continual engagement with EPA as well as the Services (Fish and Wildlife Services and National Marine and Fisheries Services) to refine appropriate risk assessments as well as identify land management operations beneficial to the protection of endangered and threatened species.

The NCC is the central organization of the United States cotton industry. Its members include producers, ginner, cottonseed processors and merchandizers, merchants, cooperatives, warehousemen, and textile manufacturers. The industry is concentrated in 17 cotton-producing states stretching from California to Virginia. U.S. cotton producers cultivate between 10 and 14 million acres of cotton with production averaging 12 to 20 million 480-lb bales annually. The downstream manufacturers of cotton apparel and home furnishings are located in virtually every state. Farms and businesses directly involved in the production, distribution and processing of cotton employ more than 115,000 workers and produce direct business revenue of more than \$22 billion. Annual cotton production is valued at more than \$5.5 billion at the farm gate, the point at which the producer markets the crop. Accounting for the ripple effect of cotton through the broader economy, direct and indirect employment surpasses 265,000 workers with economic activity of almost \$75 billion. In addition to the cotton fiber, cottonseed products are used for livestock feed and cottonseed oil is used as an ingredient in food products as well as being a premium cooking oil.

The NCC continues to support the registration of sulfoxaflor and reiterates the critical importance of this crop protection tool to control the extent of damage incurred by pests of

cotton cropping systems. The NCC has submitted numerous studies documenting the substantial losses in research plots with varying levels of control for pests such as the *Lygus* spp. Sulfoxaflor is one of the necessary insecticidal modes of action (MOA) providing sufficient *Lygus* population management. It is imperative that EPA understands that pest species, such as *Lygus*, must be monitored season long and may require multiple applications throughout the production season in order to minimize yield losses. With few insecticidal MOA for *Lygus* population management, each available tool is necessary. The loss of one MOA will dramatically increase the repeated use of alternatives and result in pest populations resistant to available MOA already know to have limited efficacy. The historical data (Figure 1) estimating the U.S. cotton acreage receiving at least one (often multiple) application of insecticide for *Lygus* spp. population suppression/control shows the significance of this destructive pest.

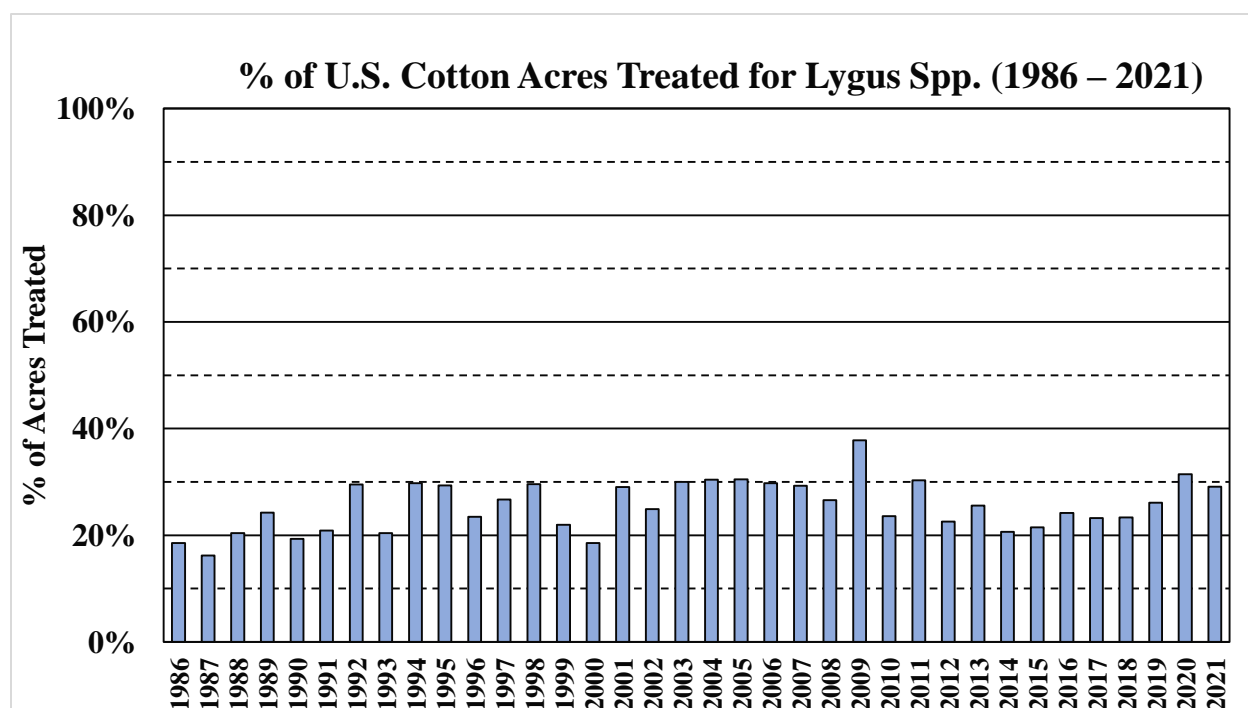


Figure 1. Estimated percent of U.S. Cotton Acreage receiving at least one insecticide treatment targeting *Lygus* species. (Compiled from “Cotton Pest Losses”, 1986 – 2021 by R. Head, M.R. Williams, and D. Cook in Proceeding, Beltwide Cotton Conferences).

Methodology

The NCC compliments EPA’s approach which utilizes various exposure models that have been developed and refined as science continues to evolve our understanding of biological systems. The tiered approach, beginning with an initial – highly conservative – screening assessment at a national level and progressing to more refined examinations of specific-species concerns initially identified, is very appropriate and efficient.

The NCC urges EPA to clearly highlight all, if any, up-front mitigation measures incorporated into the assessment. Similarly, the NCC expresses concerns that producers have already

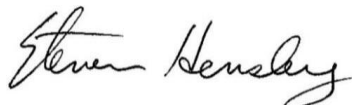
implemented multiple operation and land management practices that are not incorporated into EPA's species-specific assessment. Operation practices such as no-till or reduced till have increased organic debris on field surfaces, thus reducing erosion and increasing water retention. Land practices such as riparian strips, grass waterways, and tile drainage have greatly enhanced the ability of producers to minimize soil erosion and improve water management and filtration. The NCC urges continual engagement with agricultural stakeholders to ensure current farm management practices are adequately represented in determinations of potential risks to endangered species. The NCC urges strong cooperation between the United States Department of Agriculture (USDA) Office of Pest Management Policy (OPMP), EPA, Services, and Natural Resource Conservation Services (NRCS) to acknowledge the multiple operational and land management practices that provide protection and/or enhancements to endangered and threatened species.

The NCC appreciates the EPA's presentation of the BE material and compliments the level of transparency. The NCC would urge EPA to consider an additional table at conclusion that shows a compiled list of all identified "Likely to Adversely Affect" (LAA) along with the associate crop-use resulting in the LAA designation. While NCC believes the data was provided in multiple tables, the NCC would appreciate a combined taxa table reiterating the LAA designations.

The NCC appreciates the opportunity to provide these comments to EPA's document "Sulfoxaflor DRAFT Biological Evaluation: Effects Determination for Endangered and Threatened Species and Designated Critical Habitats." While the NCC may argue the BE is overly conservative and fails to credit multiple practices currently utilized in farming operations, the NCC compliments EPA's progress in the development of a scientific approach fulfilling the ESA section 7(a)(2) obligation. The NCC welcomes the opportunity to work with EPA and others to achieve compliance with ESA, protect – if not enhance – endangered species and their habitat, and ensure the availability of critical crop protection tools necessary to maintain the critical supply of food and fiber to an expanding human population.

Thank you for your consideration of NCC's Comments.

Regards,

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

Steve Hensley
National Cotton Council