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SELECT COMMITTEE ON INTELLIGENCE

March 30, 2015

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
Mail Code: 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator McCarthy,

We write to learn more about the steps the Environmental Protection Agency (EPA) is taking to protect pollinator health. Given the importance of pollinators, we would like to ensure the EPA is working closely with all stakeholders, is investigating the entire range of possible factors that impact pollinator health, and will follow all administrative requirements before completing any potential rulemakings.

As you know, pollinators play an irreplaceable role in the world's food security. Pollinators are vital to most fruit, vegetable, and nut production and they play a role in nearly $30 billion dollars in economic activity within the United States each year. In recent years, questions have arisen about pollinator health and populations. Certainly these are serious questions that require a comprehensive, science-based investigation so that we can be sure of the steps needed to continue our food production systems, avoid significant negative economic impacts, and protect the environment.

As EPA is investigating potential impacts on pollinator health, we urge the EPA to closely collaborate with the U.S. Department of Agriculture, members of the White House Pollinator Health Task Force, grower organizations, and stakeholders in prioritizing resources to first use the best science-based research available to understand the overall state of pollinator health in the U.S. We want to be sure that EPA engages grower organizations and other stakeholders most affected by any regulatory review. Those directly engaged are likely to best know the impact of potential agency actions.

In creating the Pollinator Health Task Force last June, President Obama recognized that there is a complex array of factors associated with pollinator health, and focused on conducting greater research and analysis to better understand the variety of factors that influence pollinators. Experts in the field cite multiple possible stressors that are contributing to variability in beehive counts and pollinator populations, including mites, pathogens, genetics, and loss of habitat or forage areas. We ask EPA to take care to investigate all the likely impacts on pollinator health before taking regulatory actions.

Should EPA determine it is necessary for the agency to take further regulatory actions, we urge the agency to follow all of its administrative requirements, particularly as it relates to the use and

registration of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act. We have concerns about reports that the agency may be planning to regulate some pesticides, particularly neonicotinoid products, without a sufficient understanding of all the environmental stressors facing pollinators. Neonicotinoid products are an important component of modern agriculture techniques, which have helped American farmers increase productivity, improve cost-competitiveness and continue to produce safe, nutritious food for the world. If EPA does move forward with regulatory actions regarding pesticides, we ask that you work within the existing pesticide regulatory framework, which has helped the agency to regulate in a sound, science-based manner.

Regarding EPA's potential actions designed to improve pollinator health, would you please provide answers to the following questions:

- Has EPA or its partner agencies researched the impact of the varroa mite on pollinator health? If so, how does that agency calculate the impact of the mite on hive counts?
- Most data for hive counts, both domestic and international, show variability predating the use of neonicotinoids in the U.S. and Europe. Does the EPA have data that conflict with this? If so, will you please provide it?
- Last fall the EPA released a study on the benefits of neonicotinoid seed treatments in soybean production. Did EPA conduct similar analyses of the efficacy of seed treatment in other crops? If so, what were the criteria used to select these crops, and were these studies publicly released?
- The soybean report relied on acreage and price data from the US Department of Agriculture's National Agricultural Statistics Service. Did EPA draw on other USDA data – including seed treatment usage rates and efficacy – in conducting its analysis? If so, what information did USDA provide?
- The soybean study relies heavily on "EPA Proprietary Data." Is comparable publicly available data available? Did EPA seek information from registrants, seed companies or producers?
- How will the soybean study be used in EPA regulatory decisions?
- When EPA is considering product registrations or re-registrations, how often is EPA-initiated research used versus data submitted by the registrant?
- On July 17, 2014, the US Fish and Wildlife Service (USFWS) announced that it was banning the use of neonicotinoids on USFWS lands. Was EPA consulted by the Service regarding its decision? What guidance did EPA offer?
- In October 2014, the Council on Environmental Quality (CEQ) issued guidance on the use of neonicotinoids and plant materials treated with this class of chemistry on certain federal properties. Was EPA consulted about this action? What guidance did EPA offer?

As an estimated one-third of all food and beverages are made possible by pollination, if there was a significant decline in pollinator populations, it would have a serious impact on our diets, economy, and environment. Scientists agree there is a complex set of factors that are impacting pollinator populations and any agency actions could have a significant impact on modern production agriculture. Therefore, it is essential that EPA works closely with all stakeholders and partner agencies, investigates the entire range of possible impacts on pollinator health, and follows all administrative requirements before completing any potential rulemakings.

We thank you in advance for your responses to our questions, and we look forward to working with you to promote pollinator health in a sound, science-based manner.

Sincerely,

Senator Roy Blunt

Senator Joe Donnelly

Senator Pat Roberts

Senator Mike Crapo

Senator John Boozman

Senator David Perdue

Senator Deb Fischer

Senator James M. Inhofe

Senator Thad Cochran

Senator Thom Tillis

Senator Roger Wicker

Senator Richard Burr