



# ACPA Newsletter

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## Preparations Continue for 2021 Arkansas Crop Management Conference

By: Craig Shelton, ACMC Program Chairman

“As I reflect back on the battles of the 2020 growing season, I think of herbicide injury in rice, a cool spring where nothing grew, delayed phytotoxicity syndrome, how to keep growers profitable, managing cotton growth/fertility and row rice. Every year holds different challenges and I need the tools to address the unknowns. These are all topics I would like to learn more about at the 2021 ACMC.” The Arkansas Crop Management Conference (ACMC) should be the meeting to share previous years’ learnings and to open our minds to what the future of agriculture is and can be. The ACMC includes the Arkansas Plant Food Association, Arkansas Agricultural Consultants

Association, Arkansas Certified Crop Advisors and the University of Arkansas Division of Agriculture. Continued unity is needed between organizations to provide an enriching conference. The 2021 Arkansas Crop Management Conference will be held virtual eliminating many of the concerns brought up from the 2020 meeting including parking issues, sign-in sheet hold-ups and space limitations. Unfortunately, the social aspect will not be filled with a virtual meeting. This format will allow focus on topics and key speakers needed to effectively grow as leaders in Mid-South agriculture. “A meeting has to be a really good meeting to be better than no meeting.” During the ACMC conference

call on July 28, there was a unanimous vote to hold the meeting virtually. The resulting outcome of the discussion was to arrange between 20-30 CEU’s and to use the virtual format to gain the best speakers and content possible without the limitation of travel. Additionally, efforts are being made to have speaker content available for future reference. These three things, along with the behind-the-scenes work, will result in the success of the 2021 ACMC and its educational value. Please provide topics or speaker suggestions to an ACPA board member or a member of the ACMC planning committee to ensure a personalized experience. The planning meeting will be held Tuesday, August 25, 2020 at 10am.

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## ACPA Function and Officers for 2020

By: Jarrod Hardke, ACPA President

The Arkansas Crop Protection Association has a long history with formation in 1964. ACPA has a vital function in Arkansas agriculture, bringing together agriculture industries with our University faculty to function in a unique way. ACPA has a representative on the Arkansas State Plant Board serving agriculture,

represented by Brad Koen. ACPA also has the program chairman for the Arkansas Crop Management Conference, this year helmed by Craig Shelton. At the January meeting of the ACPA, officers were elected including Jarrod Hardke – President, Craig Shelton – President-Elect, Nick Bateman – Vice President, Jeremy Ross –

Secretary, and Jason Kelley – Treasurer. The Directors on the Board include Derek Clarkson, Ben Thrash, Mallory Everett, Tommy Butts, Jared Fannon, and Stephen Bariola. ACPA also presents scholarships each year with Chairman Jared Fannon leading the effort. ACPA was successful this year in establish-

ing the Ruel Nester Endowed Scholarship at Arkansas State University, named in honor of the former ACPA Director and University of Arkansas soybean agronomist. There are plans to have endowed scholarships at the University of Arkansas in the future.

## Arkansas State Plant Board Update

By: Brad Koen, ACPA Plant Board Representative

Just like all other aspects of our industry, the pandemic has made doing business hard for the Arkansas State Plant Board. We had a virtual board meeting on June 2. The meeting was conducted using the Zoom app. While we were able to get through the meeting, there were a few technical glitches. Once again, dicamba dominated the majority of the meeting. A group of growers filed a petition

to have the dicamba cutoff date extended by 2 weeks. Franklin Fogleman gave a video presentation with supporting testimony for his request. Upon much discussion, a motion was made to deny the petition. The motion passed with a 10-5 vote. After the original petition was denied, there was a motion made to extend the dicamba deadline by 2 weeks and to ask that the process be expedited by

way of an emergency clause. There was some discussion about adding the stipulation that no applications could be made above 80-degree temps, but that language did not make it into the motion. The motion failed with 6 yes votes and 9 no votes. If we would have only known what was coming, we could have saved some time that day. The U.S. Court of Appeals for the Ninth Circuit issued a ruling on

June 3 that vacated the Environmental Protection Agency’s (EPA) approval of low-volatility dicamba products. This ruling specifically addressed the 2018 product registrations that were set to expire in December of this year. The fate of dicamba tolerant crops is yet to be determined for 2021.

## New Bill in Congress Aims to Limit Farmer Access to Crop Protection Products

The following article was extracted from an Ag Council newsletter and I thought we should be aware of potential outcomes. The most comprehensive reform of U.S. pesticide rules in nearly 25 years, new bill would ban organophosphates which harm child brain development and neonicotinoids which lead to pollinator population collapse. U.S. Senator Tom Udall (D-N.M.), ranking member of the Senate Appropriations Subcommittee on Interior, Environment and Related Agencies, and U.S. Representative Joe Neguse (D-Colo.) introduced landmark pesticide reform legislation to prevent the use of toxic pesticides that harm children, farmworkers and consumers in the United States. The Protect America's Children from Toxic Pesticides Act of 2020 (PACTPA) represents the first

comprehensive update since 1996 to the law governing pesticide use in the United States, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

The Protect America's Children from Toxic Pesticides Act of 2020 would ban some of the most damaging pesticides:

- Organophosphate insecticides, which are designed to target the neurological system and have been linked to neurodevelopmental damage in children;

- Neonicotinoid insecticides, which have contributed to pollinator collapse around the world (the European Union and Canada have significantly restricted or banned their use to protect pollinators and other wildlife) and have recently been shown to cause developmental defects, heart deformations, and muscle tremors in unborn children;

- Paraquat, which is one of the

most acutely toxic herbicides in the world, according to the EPA, just "one sip can kill." Science has shown that chronic exposure to paraquat increases risk of developing Parkinson's disease by 200% to 600%. It is already banned in 32 countries, including the European Union

Restore balance to protect ordinary citizens by: Creating a petition process to enable individual citizens to petition the EPA to identify dangerous pesticides so that the EPA would no longer be able to indefinitely allow dangerous pesticides to remain on the market;

Closing dangerous loopholes that have allowed the EPA to issue emergency exemptions and conditional registrations to use pesticides before they have gone through full health and safety review by the agency;

Enabling local communities to

enact protective legislation and other policies without being vetoed or preempted by state law;

Suspending the use of pesticides deemed unsafe by the E.U. or Canada until they are thoroughly reviewed by the EPA.

Provide protections for frontline communities that bear the burden of pesticide exposure by: Requiring employers of farmworkers to report all pesticide-caused injuries to the EPA, with strong penalties for failure to report injuries or retaliating against workers;

Directing the EPA to review pesticide injury reports and work with the pesticide manufacturers to develop better labeling to prevent future injury; Requiring that all pesticide label instructions be written in Spanish.

## U.S Fish and Wildlife Service and National Marine Fisheries Services Seek to Change Definition of Critical Habitat Under Endangered

The U.S. Fish and Wildlife Service (FWS) and National Marine Fisheries Service are seeking to amend the definition of "critical habitat" under the Endangered Species Act (ESA) by further defining the word "habitat," as "the physical places that individuals of a species depend upon to carry out one or more life processes. Habitat includes areas with existing attributes that have the capacity to support individuals of the species." The change is largely in response to a 2018 U.S. Supreme Court decision according to those seeking to update the definition. The move was criticized by certain environmental advocacy groups and praised by other groups concerned about protective measures being placed too broadly and beyond that which is truly critical to the survival of a species that is threatened or endangered. The FWS is currently seeking public comment on its proposed definition. Once

a species is listed under the Endangered Species Act, NOAA Fisheries evaluates and identifies whether any areas meet the definition of critical habitat. Those areas may be designated as critical habitat through a rule-making process. Critical habitat is habitat needed to support recovery of listed species. When a species is listed under the Endangered Species Act, NOAA Fisheries is required to determine whether there are areas that meet the definition of critical habitat. Once critical habitat is designated, other federal agencies consult with NOAA Fisheries to ensure actions they fund, authorize, or undertake are not likely to destroy or adversely modify the critical habitat. Definition of Critical Habitat Critical habitat is defined as, specific areas within the geographical area occupied by the species at the time of listing that contain physical or biological features essential to conservation of the

species and that may require special management considerations or protection; and specific areas outside the geographical area occupied by the species if the agency determines that the area itself is essential for conservation. Critical habitat designation process requires one to designate critical habitat based on the best available scientific data. EPA must also consider the

economic, national security, and other relevant impacts of specifying a particular area as critical habitat. Under the Endangered Species Act, critical habitat designations are to be finalized at the same time that the final listing rule for a species, unless a critical habitat designation is not prudent for the species, or it is not yet determinable.

