

WASHINGTON REPORT

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2014 Farm Bill Becomes Law

After more than two years of negotiating and two extensions of the 2008 Farm Bill, the President signed a new Farm Bill into law on Feb. 7. Led by the “Four Principals” - Agriculture Committee Chairs Senator Debbie Stabenow (MI) and Congressman Frank Lucas (OK), and Ranking Members Senator Thad Cochran (MS) and Congressman Collin Peterson (MN), the new law is largely seen as a victory for research, education, and extension. Most notably, the Research Title of the Farm Bill creates a new nonprofit foundation, the Foundation for Food and Agriculture Research (FFAR), that is intended to complement--not replace--USDA's research, education, extension, and economics activities conducted mainly by the National Institute of Food and Agriculture (NIFA), the Agricultural Research Service (ARS), and the Economic Research Service (ERS).

FFAR is modeled after existing Foundations that were established to leverage private funding such as the Foundation for the National Institutes of Health and the National Fish and Wildlife Foundation. FFAR will have \$200 million in mandatory funding as a match to solicit private donations for additional research on plant health; animal health; food safety and nutrition; renewable energy, natural resources and environment; agricultural and food security; technology; and agricultural economics and rural communities. FFAR will be led by a Board of Directors comprised of 15 members, of which 8 will be recommended by the National Science Foundation and 7 by industry. All 15 members will be appointed by the Secretary of Agriculture and 4 other ex-officio Agency scientists. This public-private partnership represented by FFAR could be very beneficial for advancing weed management research and innovation.

Another highlight from the Research Title in the new farm bill is that it provides \$80 million per year for the Specialty Crop Research Initiative (SCRI) and \$20 million per year for the Organic Agriculture Research and Extension Initiative (OREI). These programs have been stranded without funding since 2012. The new funding levels are significant increases for both programs compared to the 2008 Farm Bill levels. In addition, the new funding that is authorized for SCRI is permanent funding.

Unfortunately, there were a couple issues that didn't go quite the way we would have liked them too. One was a House provision that will require non-governmental organizations and private research institutions to provide a 100% match on all competitive research grants. However, the land grant universities are exempt from this matching funds requirement.

The biggest disappointment is that Sen. Stabenow did not allow inclusion of the National Pollutant Discharge Elimination System (NPDES) fix language that was in the House version of the Farm Bill. There was strong bipartisan support for this language in both houses of Congress that would have clarified Congress's intent for the regulation of pesticides applied to or near water. As you know, pesticides are regulated through

FIFRA, including sites to which pesticides can be applied. However in 2009, a three judge U.S. Circuit Court panel ruled that pesticide applications to or near waters required additional processing under the Clean Water Act, NPDES permits. These permits impose additional resource and liability burdens on small businesses, farms, municipalities, state agencies, and federal agencies. The National and Regional Weed Science Societies have supported a legislative fix for this issue since the Circuit Court ruling and will continue to support efforts to resolve this issue going forward.

Last but not least, I wanted to put in a reminder about the noxious weed control provision in the Commodity Title that has been in effect since the 2002 Farm Bill. In order for farmers to receive payments under the Commodity Title, the farmers shall agree ---- “to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary.” The provision is part of the “Producer Agreements” section that also discusses conservation compliance for Highly Erodible Land and Wetland Conservation. The Farm Service Agency (FSA) and the Natural Resources Conservation Service (NRCS) have primary responsibility for enforcing these requirements. Having to “effectively control noxious weeds” and maintain conservation compliance is a pretty fair tradeoff, in my opinion, for the taxpayer subsidies that cover about 60 percent of the cost of each crop insurance premium.

Jacobs-Young Named New ARS-Administrator

On Feb. 24, Dr. Chavonda Jacobs-Young was named Administrator for the USDA Agricultural Research Service (ARS) by USDA’s Chief Scientist, Dr. Cathy Woteki. Dr. Jacobs-Young recently served as ARS Associate Administrator for National Programs, where she led the Office of National Programs which manages the research objectives of the Agency. Prior to moving into her role at ARS, she served as the Director of the Office of the Chief Scientist at USDA as well serving as the Acting Director for USDA-NIFA.

Dr. Jacobs-Young is a native of Georgia. She holds M.S. and Ph.D. degrees in Wood and Paper Science and a B.S. degree in Pulp and Paper Science and Technology from North Carolina State University. She also is a graduate of American University's Executive Leadership in Public Policy Implementation Program.

EPA Seeks Comments on Draft Guidance Documents for Evaluating Spray Drift

EPA announced the availability of two draft guidance documents for public comment. These documents describe how off-site spray drift will be evaluated for ecological and human health risk assessments for pesticides. The January 29, 2014, Federal Register Notice specifically seeks public input on approaches that include:

- a policy for conducting human health risk assessments associated with the potential for exposure from off-site drift during pesticide applications and
- an updated method for estimating environmental exposures associated with spray drift.

The 60-day public comment period will close on March 31, 2014. For details and to submit comments, please go to: <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPP-2013-0676-0001>

EPA Seeks Comments on New Worker Protection Standards

New proposed rules meant to safeguard farm workers from pesticide exposure were announced Feb. 20 by EPA. The proposed regulations are the first updating of its Worker Protection Standard (WPS) in 20 years. Proposed changes to the WPS include:

- Increased frequency of mandatory trainings (from once every five years to annually) to inform farm workers about the protections they are afforded under the law, including restrictions on entering pesticide-treated fields and surrounding areas, decontamination supplies, access to information and use of personal protective equipment. Expanded trainings will include instructions to reduce take-home exposure from pesticides on work clothing and other safety topics.
- Expanded mandatory posting of no-entry signs for the most hazardous pesticides; the signs prohibit entry into pesticide-treated fields until residues decline to a safe level.
- First time-ever minimum age requirement: Children under 16 will be prohibited from handling pesticides, with an exemption for family farms.
- No-entry buffer areas surrounding pesticide-treated fields will protect workers and others from exposure from pesticide overspray and fumes.
- Measures to improve the states' ability to enforce compliance including requiring employers to keep records of application-specific pesticide information as well as farm worker training and early-entry notification for two years.
- Personal Protection Equipment (respirator use) must be consistent with the Occupational Safety & Health Administration standards for ensuring respirators are providing protection, including fit test, medical evaluation, and training.
- Make available to farm workers or their advocates (including medical personnel) information specific to the pesticide application, including the pesticide label and Safety Data Sheets.
- Additional changes make the rule more practical and easier to comply with for farmers.
- Continues the exemptions for family farms.

For details and to submit comments, please go to:

<http://www.epa.gov/oppfead1/safety/workers/proposed/index.html>

Drought Forecasting Program Reauthorized

The House and Senate expeditiously passed legislation and the President signed into law (P.L. 113-86) a measure that reauthorizes the National Oceanic and Atmospheric Administration's system for monitoring and forecasting droughts nationwide. P.L. 113-86 authorizes \$13.5 million for the National Integrated Drought Information System each year from fiscal 2014 through 2018. The program was authorized at \$16 million in fiscal 2012, which is when its funding expired. The measure specifies which agencies should be consulted for the National Integrated Drought Information System's forecasts. It also would require the system to monitor the effects of droughts, including on water supplies

and soil moisture, and to coordinate federal, state, regional, public, private and academic early-warning research.

Secretary Vilsack Announces Seven Regional Climate Hubs

On Feb. 5, USDA Secretary Vilsack announced the creation of the first ever Regional Hubs for Risk Adaptation and Mitigation to Climate Change at seven locations around the country. "Climate Hubs" will address increasing risks such as fires, invasive pests, devastating floods, and crippling droughts on a regional basis, aiming to translate science and research into information to farmers, ranchers, and forest landowners on ways to adapt and adjust their resource management. Vilsack said "USDA's Climate Hubs are part of our broad commitment to developing the next generation of climate solutions, so that our agricultural leaders have the modern technologies and tools they need to adapt and succeed in the face of a changing climate."

The Hubs will provide outreach and information to producers on ways to mitigate risks; public education about the risks climate change poses to agriculture, ranchlands and forests; regional climate risk and vulnerability assessments; and centers of climate forecast data and information. They will also link a broad network of partners participating in climate risk adaptation and mitigation, including universities; non-governmental organizations; federal agencies such as the Department of Interior and the National Oceanic and Atmospheric Administration; Native Nations and organizations; state departments of environment and agriculture; research centers; farm groups and more.

The Hubs were chosen through a competitive process among USDA facilities. In addition to the seven Hubs, USDA is designating three Subsidiary Hubs ("Sub Hubs") that will function within the Southeast, Midwest, and Southwest. The Sub Hubs will support the Hub within their region and focus on a narrow and unique set of issues relative to what will be going on in the rest of the Hub. The Southwest Sub Hub, located in Davis, California, will focus on specialty crops and Southwest forests, the Southeast Sub Hub will address issues important to the Caribbean, and the Midwest Sub Hub will address climate change and Lake State forests.

The following locations have been selected to serve as their region's center of climate change information and outreach to mitigate risks to the agricultural sector:

- **Midwest:** National Laboratory for Agriculture and the Environment, Agricultural Research Service, Ames, Iowa
- Midwest Sub-Hub in Houghton, Mich.
- **Northeast:** Northern Research Station, Forest Service, Durham, N.H.
- **Southeast:** Southern Research Station, Forest Service, Raleigh N.C.
- Southeast Sub-Hub in Rio Piedras, Puerto Rico
- **Northern Plains:** National Resources Center, Agricultural Research Service, Fort Collins, Colo.
- **Southern Plains:** Grazinglands Research Lab, Agricultural Research Service, El Reno, Okla.

- **Pacific Northwest:** Pacific Northwest Research Station, Forest Service, Corvallis, Ore.
- **Southwest:** Rangeland Management Unit/Jornada Experimental Range, Agricultural Research Service, Las Cruces, N.M.
- Southwest Sub-hub in Davis, Calif.

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