

## Judge voids rule easing poison review

By Susan Palmer

*The Register-Guard*

Published: Friday, August 25, 2006

---

<http://www.register-guard.com>

---

A judge on Thursday ruled against a Bush administration attempt to streamline its review of the environmental impact of hundreds of pesticides on endangered and threatened species.

The summary judgment from U.S. District Judge John Coughenour in Seattle came in a lawsuit filed two years ago by several environmental groups.

The U.S. Environmental Protection Agency is required by law to periodically review the impact of pesticides approved for use in the United States to make sure they cause no harm to endangered species such as salmon.

While this review process - which applies to thousands of pesticides currently in use - has been required since 1972, the EPA has never done it.

The federal Environmental Protection Act requires the EPA to consult with scientists at the U.S. Department of Fish and Wildlife and at the National Marine Fisheries Service in reviewing the impact of pesticides.

According to the lawsuit, because the agency faced such a backlog of reviews, it came up with a streamlined process to reregister pesticides in a way that cut out consultation with other agencies.

Judge Coughenour found that the EPA's risk assessment process actually would result in harm to species listed as endangered, and noted in his decision a total lack of any evidence of scientific or technical support for the administration's streamlined process.

The Eugene-based Northwest Coalition for Alternatives to Pesticides was one of the plaintiffs in the case, which also included the Center for Biological Diversity, Defenders of Wildlife and the Natural Resources Defense Council. The decision means that the EPA will have to come up with a more comprehensive process in its reregistering of pesticides, said Aimee Code with the Eugene coalition.

"What this has done is, it's given us a blank slate to work with the agencies to create programs that will actually work to protect species from pesticides," she said.

The judge cited documents used as evidence in the lawsuit that revealed a contentious relationship between the EPA and the National Marine Fisheries Service when it came to evaluating pesticides, and his ruling called for the EPA come up with a review effort that would bring the scientists back into the picture.