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Frog forces EPA to reassess pesticides

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The Center for Biological Diversity (CBD; San Francisco, CA) has reached an agreement with the US Environmental Protection Agency (EPA) to ban 66 pesticides from California red-legged frog habitat until they can be assessed for harmful impacts on the frog. Last summer, a US district court found the EPA had violated the Endangered Species Act by not considering such risks to the threatened species. The EPA has 3 years to conduct an internal review of each pesticide and formally consult with the US Fish and Wildlife Service.

“We’ve been trying to force the EPA to obey the law and start assessing the impacts of pesticides on endangered species. They’ve completely ignored their requirement to consult with US Fish and Wildlife officials”, says Jeff Miller, CBD spokesperson. The California redlegged frog, which has experienced a 90% decline in population, was listed as threatened in 1996. The 66 pesticides named

in the 2002 lawsuit were identified from EPA’s own environmental impact assessments as having both the potential to contaminate the frog’s habitat and to pose a risk to aquatic organisms.

This is the second major court victory that forces the EPA to reassess their pesticide registrations due to impacts on endangered species. EarthJustice won a similar lawsuit in 2002, designed to protect salmon in Washington, Oregon, and California from 54 similar pesticides. The EPA’s initial response was an as yet unsuccessful attempt to change the rules on pesticide assessments and bypass Fish and Wildlife consultation altogether. Susan Kegley, senior scientist with the Pesticide Action Network North America (San Francisco, CA) says that the EPA doesn’t have the expertise necessary to evaluate habitat quality or biological impact.

“The EPA’s process for assessing these pesticides is completely flawed”, continues Miller. EPA officials test only one pesticide

at a time. Research published earlier this year by UC Berkeley biologist Tyrone Hayes showed that weedkillers, which may not have individual impacts on certain frog species, can become a deadly brew when combined in the field (Environ Health Persp; doi:10.1289/ehp.8051). Hayes agrees that the EPA’s current strategy is ineffective. “The EPA developed a tiered assessment system that, today, would actually cause banned pesticides such as DDT to stay on the market years longer than necessary”, he concludes.