

Agency suing feds over frog pesticide threat

By Dana M. Nichols

SAN ANDREAS - The Center For Biological Diversity this week announced it is filing suit to force federal officials to devise regulations for 64 pesticides that the U.S. Environmental Protection Agency has determined pose a threat to the endangered red-legged frog.

The pesticides include a wide variety of compounds that are important to agriculture in the region or used in home yards and gardens. They include glyphosate, the main ingredient in the herbicide Roundup; permethrin, used as an insect repellent and in topical treatments for scabies; and a variety of agricultural pesticides including 2,4-D, Aldicarb, Atrazine, Diazinon and Malathion.

The pesticides are already regulated by the EPA, and there are temporary restrictions on their use near red-legged frog habitat under the terms of a 2006 settlement of an earlier lawsuit. Two pesticides included in that lawsuit are no longer produced.

That settlement also required the EPA to assess the risk the pesticides pose to the frogs and then for the U.S. Fish and Wildlife Service to consult with the EPA and come up with whatever regulations are needed to protect the frog. The EPA did its part and by 2009 sent its findings to the Fish and Wildlife Service.

The new lawsuit points out that the Fish and Wildlife Service missed its deadlines for finishing the work and seeks a court order to get it done.

Sarah Swenty, a spokeswoman for the Sacramento office of the Fish and Wildlife Service, declined to comment on the case because of the pending lawsuit. "I can tell you that in general we do our best to meet deadlines, but due to limited resources, it is not always possible," Swenty said.

Bruce Blodgett, executive director of the San Joaquin County Farm Bureau, said he doubts the lawsuit will do anything to further restrict pesticides.

"The problem here isn't a safety issue with the pesticides," Blodgett said. "The Fish and Wildlife Service for some reason can't seem to talk to the Environmental Protection Agency when the Environmental Protection Agency registers a chemical."

"This is getting to be an old, old story," Blodgett said. "These are the most safe chemicals that you can possibly get."

Center for Biological Diversity Conservation advocate Jeff Miller, in contrast, said he believes federal officials can and should do more to regulate the pesticides.

"The EPA acknowledges that scores of pesticides may be dangerous to California's rare red-legged frogs, but nothing's been done about it," Miller said in a written statement. "This three-year delay violates the Endangered Species Act and jeopardizes the future of the largest native frog in California."

Learn more

See a list of 66 pesticides the U.S. Environmental Protection Agency has determined pose a danger to California's red-legged frog (two are no longer produced). The website also has links to detailed reports on each of the pesticides.

Go to: epa.gov/espp/litstatus/effects/redleg-frog/