Understanding Bulletins Live! Two

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Office of Pesticide Programs, US EPA
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EPA Today's Topics

- Introduction
- Why Web Mapping of Endangered Species is Used
- Creation of a Bulletin
- How *Pesticide Use Limitation Areas (PULAs)* are created
- Pesticide Use Limitation Area (PULA) Verses a Bulletin
- Using and Understanding Bulletins Live! Two
- Frequently Asked Questions – General and dicamba
- Contacts

EPA Introduction

- Endangered Species Act (ESA)
  - Intended to protect and promote the recovery of plants and animals in danger of becoming extinct
  - Section 7(a)(2) of the ESA requires federal ("action") agencies to insure that any action they authorize, fund or carry out is not likely to jeopardize the continued existence of a listed species or result in destruction or adverse modification of critical habitat.
  - FIFRA - "action" subject to the consultation provisions of the ESA is the registration of a pesticide.

EPA Introduction (cont.)

- **Endangered Species Protection Program (ESPP)**
  - Helps promote the recovery of listed species
  - Designed to determine whether pesticide use in a certain geographic area may affect any listed species
  - If limitations on pesticide use are necessary to protect listed species in that area, the information is relayed through Endangered Species Protection Bulletins
  - Goal: to carry out responsibilities under FIFRA in compliance with ESA, without placing undue burden on agriculture and other pesticide users

Why Web-based Mapping for Endangered Species Protections is Used

- Accessibility to a variety of Bulletins Live! Two Users
  - State Lead Agencies
  - Pesticide Applicators
  - Others
- Bulletins are an extension of the label!
- Allows for location-specific protections
- Information Bulletins provides includes
  - Location of use limitations
  - Products with limitations
  - Terms of the limitation
  - Does not include identification of species

EPA Creation of a Bulletin

- A determination is made regarding whether or not a Bulletin is needed to protect listed species based on risk assessments and/or input from the Services via consultation.
  - Goal is to identify potential risks from a pesticide's registered use(s) and to identify species/taxa of concern
  - Methods follow EPA's current ESA methodology for assessing risk to listed species
  - Informs mitigation options for listed species where risk cannot be precluded from the application instructions on the label
  - Effects determination may consider timing of application relative to species locations and species biology

How Pesticide Use Limitation Areas (PULAs) are created

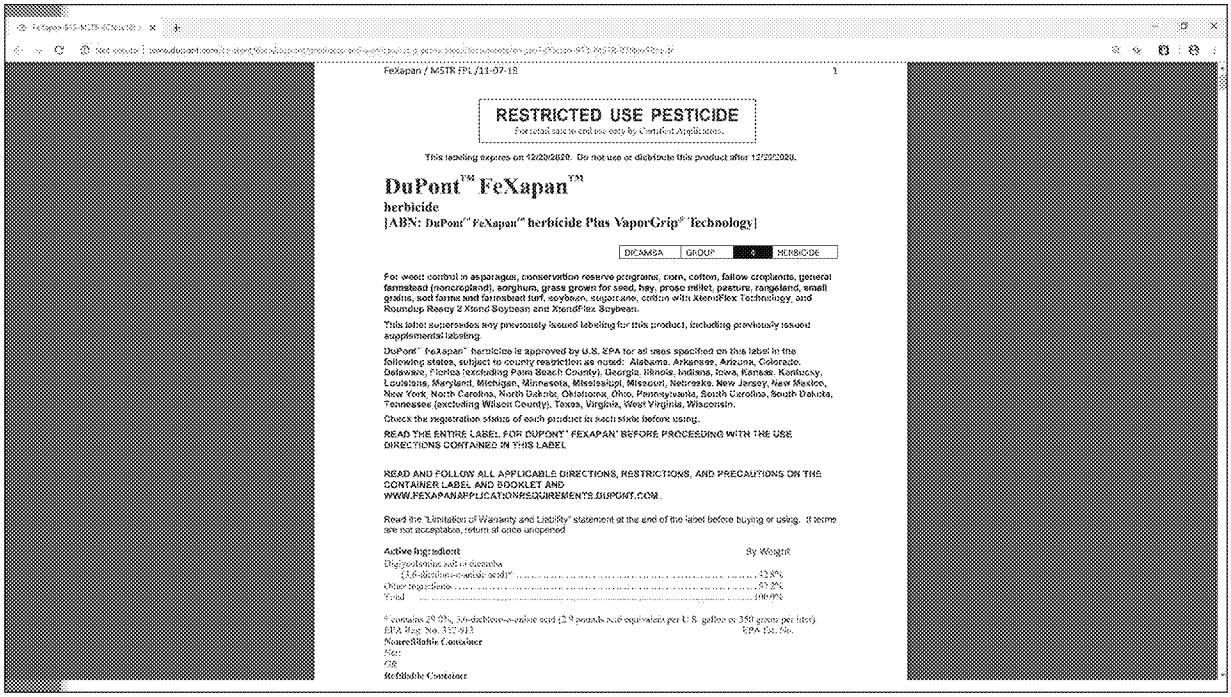
- If species of concern are identified, then a proximity analysis is conducted to determine if listed species are located within the labeled use sites
  - Proximity analysis is an overlay of species ranges with potential use sites and is informed by the risk assessment
  - Evaluates the potential for exposure on the field and from off-site transport
- Spatial Data
  - Species location information is obtained from the US Fish & Wildlife Service and/or National Marine Fisheries Service
  - The data used to generate use sites originates from the USDA Cropland Data Layer (CDL) or dataset deemed appropriate for the analysis

Pesticide Use Limitation Area (PULA) Verses a Bulletin

- Pesticide Use Limitation Area (PULA)- Geographic area where a pesticide limitation specific to listed species applies
- Bulletin – The printed PDF from the Bulletins Live! Two application, provides the limitation information for your application site and month
  - Save this PDF as your record of compliance

Using and Understanding Bulletins Live! Two

- Topics Covered During the Demonstration
  - Using the map application tools
  - Identifying the intended pesticide application area
  - Selecting the application month
  - Refining your search
  - Selecting a PULA
  - Printing a Bulletin
  - Understanding the components of the PDF Bulletin
  - Obligations



RESTRICTED USE PESTICIDE
For retail sale to and use only by Certified Applicators.

This labeling expires on 12/20/2020. Do not use or distribute this product after 12/20/2020.

DuPont™ FeXapan™

herbicide

[ABN: DuPont™ FeXapan™ herbicide Plus VaporGrip® Technology]

DICAMBA	GROUP	4	HERBICIDE

For weed control in asparagus, conservation reserve programs, corn, cotton, fallow croplands, general farmstead (noncropland), sorghum, grass grown for seed, hay, proso millet, pasture, rangeland, small grains, sod farms and farmstead turf, soybean, sugarcane, cotton with XtendFlex Technology, and Roundup Ready 2 Xtend Soybean and XtendFlex Soybean.

This label supersedes any previously issued labeling for this product, including previously issued supplemental labeling.

DuPont™ FeXapan™ herbicide is approved by U.S. EPA for all uses specified on this label in the following states, subject to county restriction as noted: Alabama, Arkansas, Arizona, Colorado, Delaware, Florida (excluding Palm Beach County), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee (excluding Wilson County), Texas, Virginia, West Virginia, Wisconsin.

Check the registration status of each product in each state before using.

READ THE ENTIRE LABEL FOR DUPONT™ FEXAPAN™ BEFORE PROCEEDING WITH THE USE DIRECTIONS CONTAINED IN THIS LABEL.

READ AND FOLLOW ALL APPLICABLE DIRECTIONS, RESTRICTIONS, AND PRECAUTIONS ON THE CONTAINER LABEL AND BOOKLET AND WWW.FEXAPANAPPLICATIONREQUIREMENTS.DUPONT.COM.

Read the "Limitation of Warranty and Liability" statement at the end of the label before buying or using. If terms are not acceptable, return at once unopened.

Active Ingredient	By Weight
Diglycolamine salt of Dicamba (3,6-dichloro-o-anisic acid)*	42.8%
Other Ingredients	57.2%
Total	100.0%

* contains 29.0% 3,6-dichloro-o-anisic acid (2.9 pounds acid equivalent per U.S. gallon or 350 grams per liter).

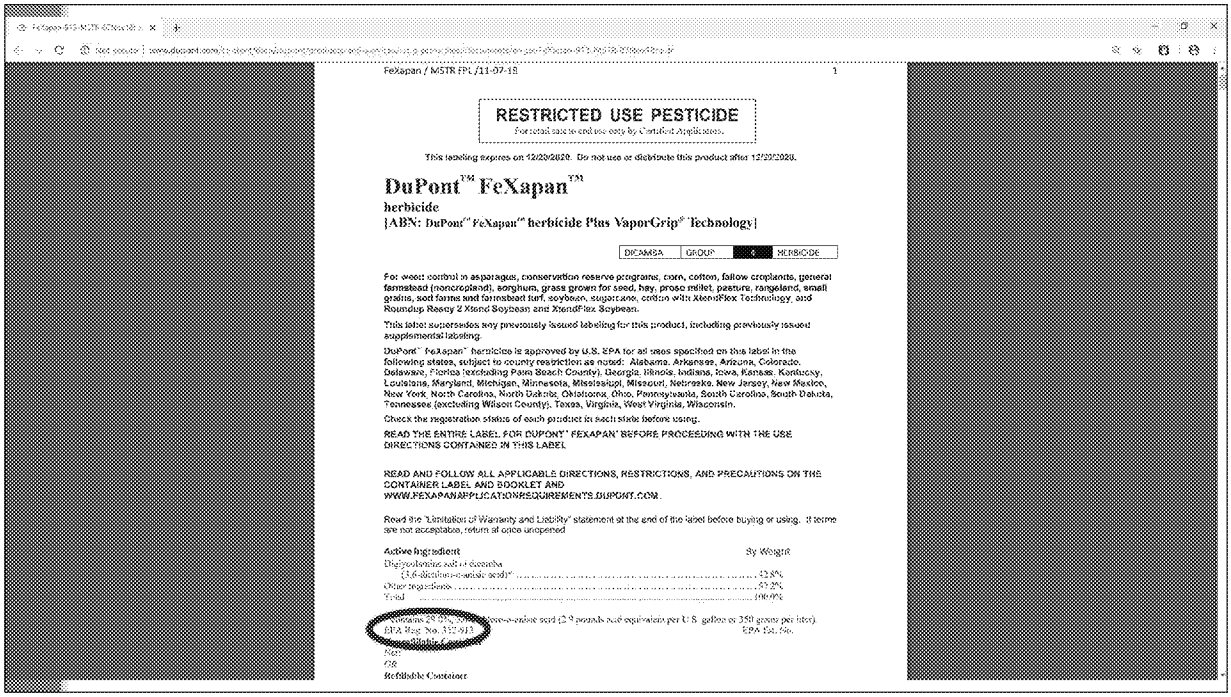
EPA Reg. No. 352-913 EPA Est. No.

Source/Bulk Container

Net:

OR

Refillable Container



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Check the registration status of each product in each state before using.

READ THE ENTIRE LABEL FOR DUPONT™ FEXAPAN™ BEFORE PROCEEDING WITH THE USE DIRECTIONS CONTAINED IN THIS LABEL

READ AND FOLLOW ALL APPLICABLE DIRECTIONS, RESTRICTIONS, AND PRECAUTIONS ON THE CONTAINER LABEL AND BOOKLET AND WWW.FEXAPANAPPLICATIONREQUIREMENTS.DUPONT.COM.

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Active Ingredient	By Weight
Diglycolamine salt of dicamba (3,6-dichloro-o-anisic acid)*	42.8%
Other ingredients	57.2%
Total	100.0%

*Contains 28 [illegible] dichloro-o-anisic acid (2.9 pounds acid equivalent per U.S. gallon or 350 grams per liter).

EPA Reg. No. 352-913 EPA Est. No.

[illegible]

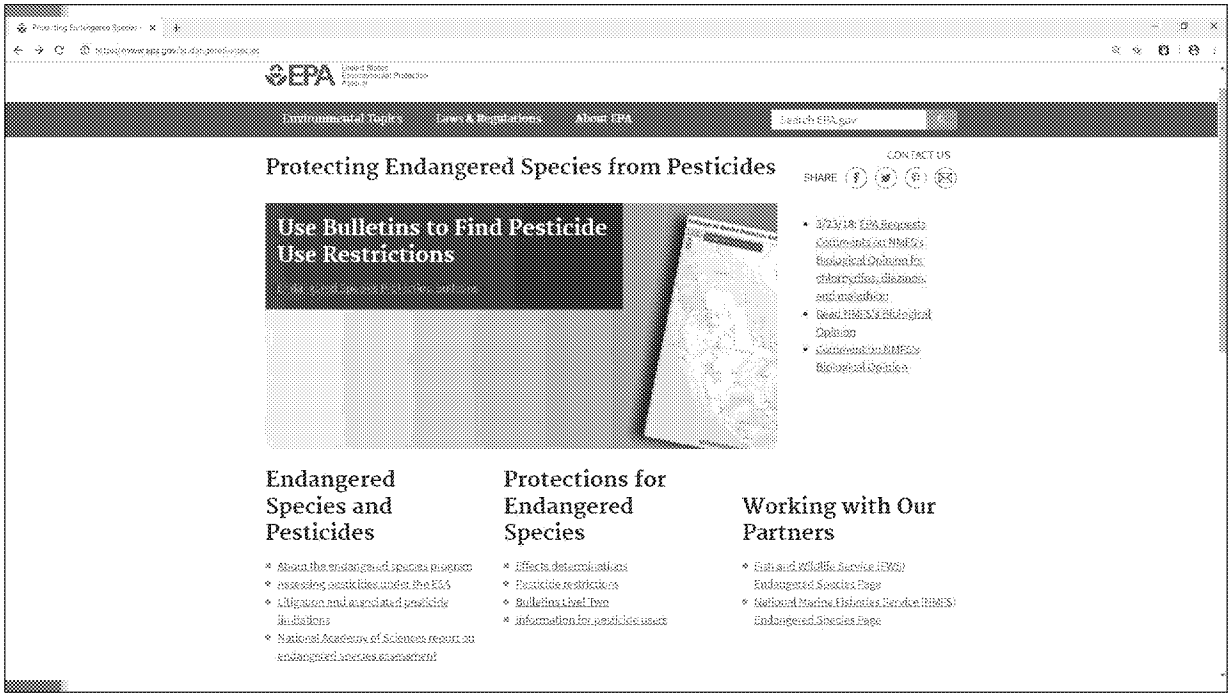
Net

OR

Refillable Container

Using and Understanding Bulletins Live! Two (cont.)

- **Endangered Species Concerns** – Use of this product in a manner inconsistent with its labeling may pose a hazard to endangered or threatened species. When using this product, you must follow the measures contained in the Endangered Species Bulletin for the area in which you are applying the product. To obtain Bulletins, no more than six months before using this product, consult: https://www.epa.gov/endangered-species or call 1-844-447-3813. You must use the Bulletin valid for the month in which you will apply the product.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Environmental Topics
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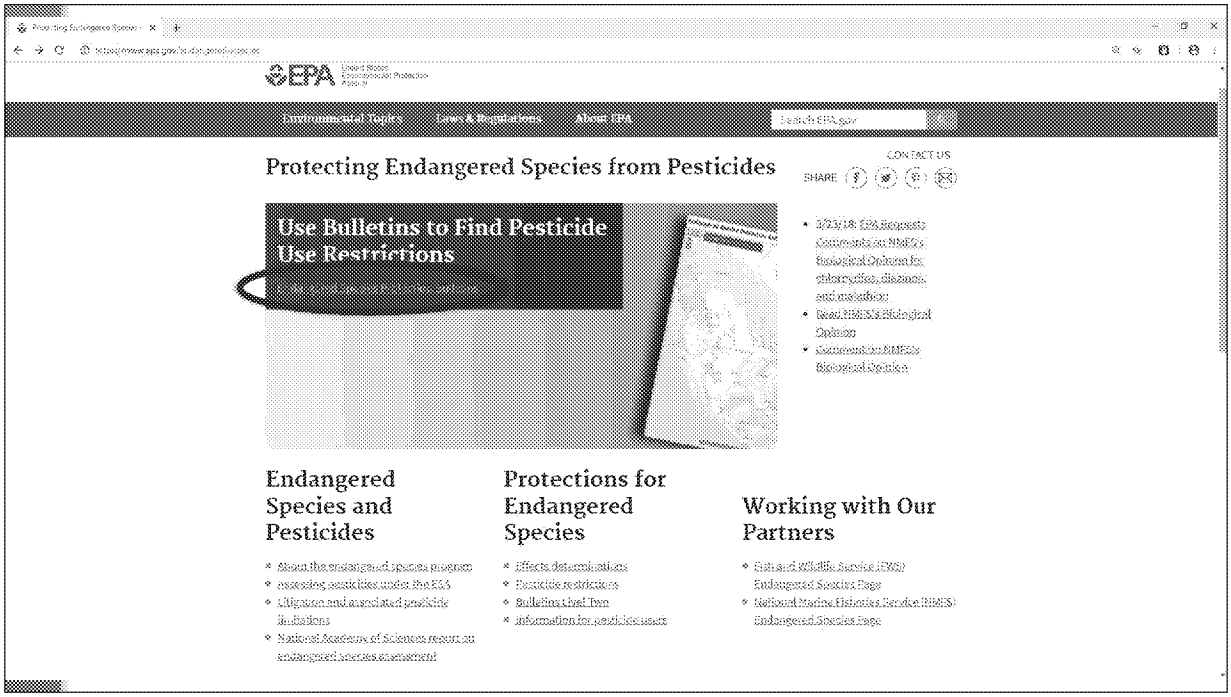
Use Bulletins to Find Pesticide Use Restrictions
3/23/18: EPA Responds to Comments on NMFS's Biological Opinions for chlorpyrifos, diazinon, and malathion
Read NMFS's Biological Opinion
Implementing NMFS's Biological Opinion
Endangered Species and Pesticides
About the endangered species program
Assessing pesticides under the ESA
Litigation and associated pesticide limitations
National Academies of Sciences report on endangered species assessment
Protections for Endangered Species
Effects determinations
Pesticide restrictions
Bulletins Live! Two
Information for pesticide users
Working with Our Partners
Fish and Wildlife Service (FWS) Endangered Species Page
National Marine Fisheries Service (NMFS) Endangered Species Page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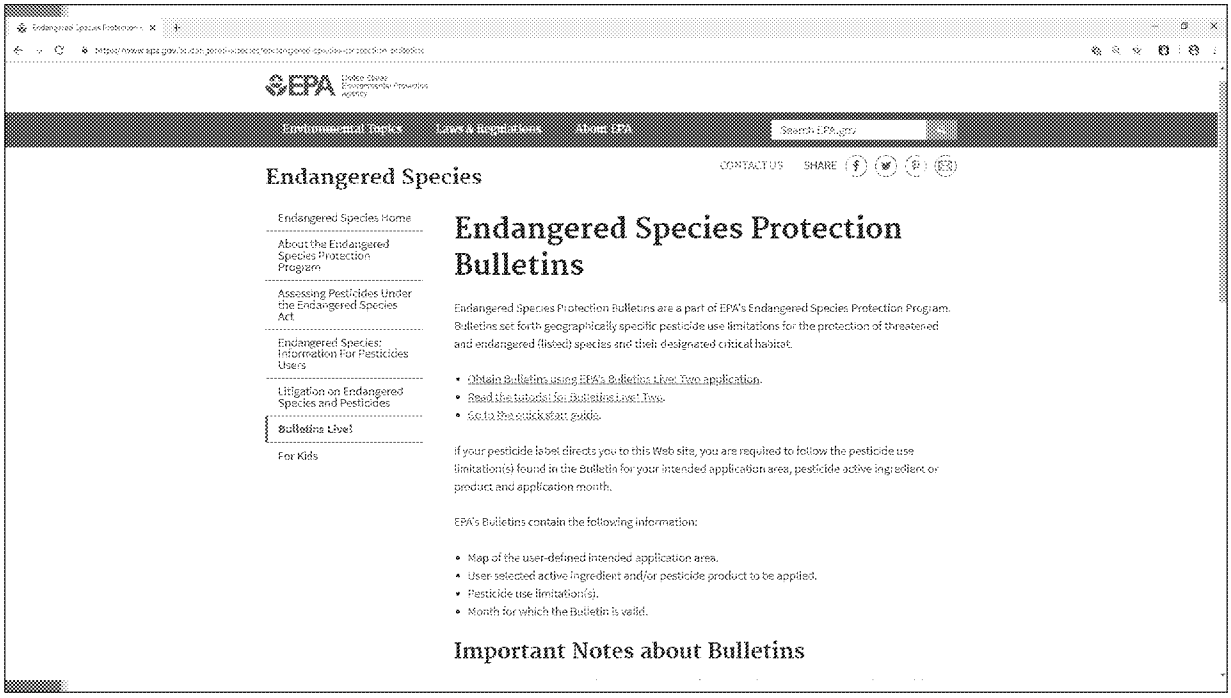
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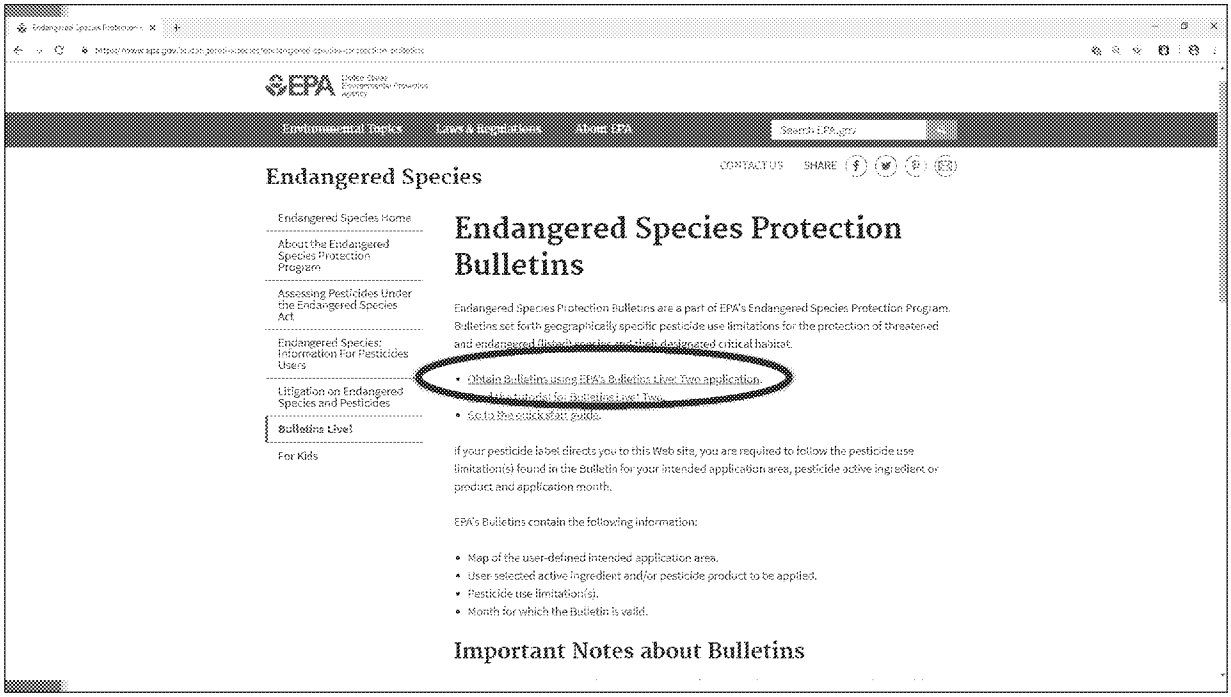
Assessing Pesticides Under the Endangered Species Act
Endangered Species: Information For Pesticides Users
Litigation on Endangered Species and Pesticides
Bulletins Live!
For Kids
Endangered Species Protection Bulletins
Endangered Species Protection Bulletins are a part of EPA's Endangered Species Protection Program. Bulletins set forth geographically specific pesticide use limitations for the protection of threatened and endangered (listed) species and their designated critical habitat.
Obtain Bulletins using EPA's Bulletins Live! Two application.
Read the tutorial for Bulletins Live! Two.
Go to the quickstart guide.
If your pesticide label directs you to this Web site, you are required to follow the pesticide use limitation(s) found in the Bulletin for your intended application area, pesticide active ingredient or product and application month.
EPA's Bulletins contain the following information:
Map of the user-defined intended application area.
User-selected active ingredient and/or pesticide product to be applied.
Pesticide use limitation(s).
Month for which the Bulletin is valid.
Important Notes about Bulletins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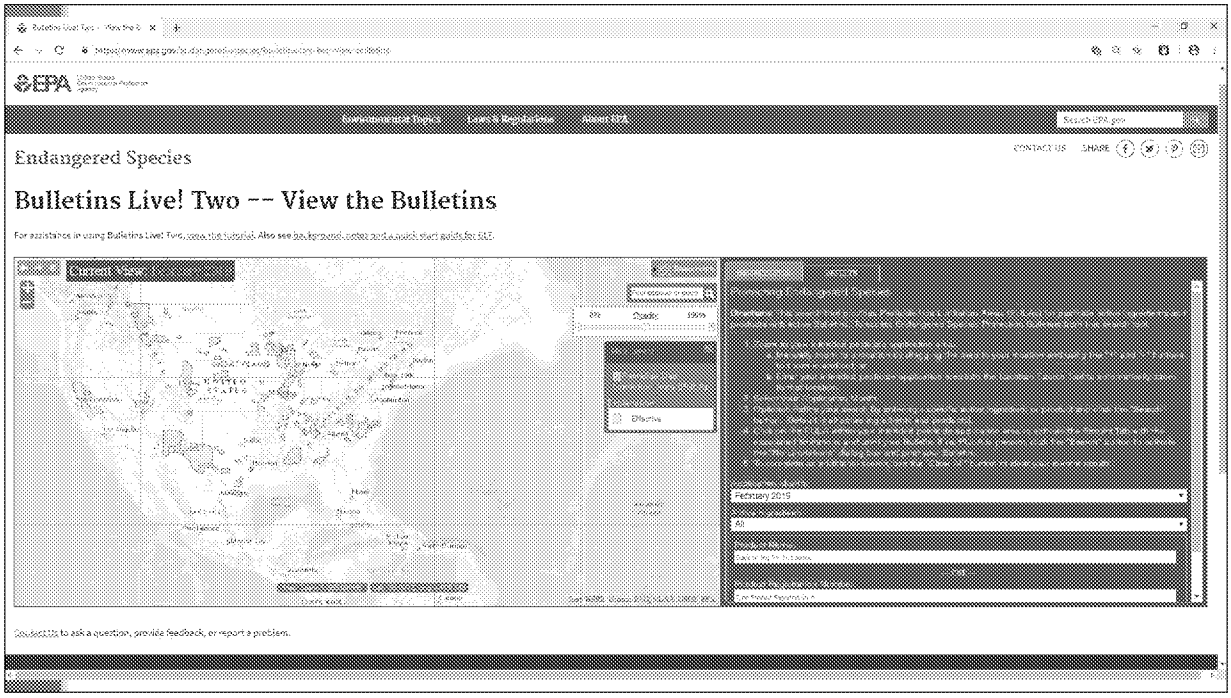
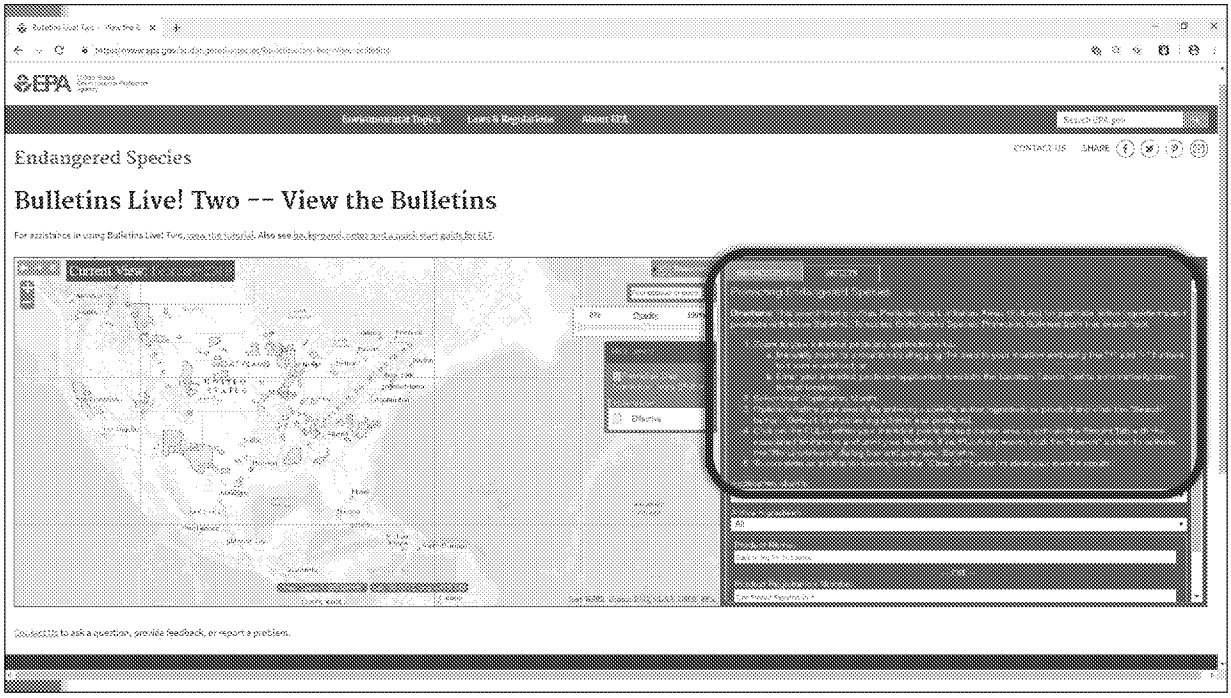

Endangered Species
Bulletins Live! Two -- View the Bulletins
Current View
Effective
February 2019
All
Contact Us to ask a question, provide feedback, or report a problem.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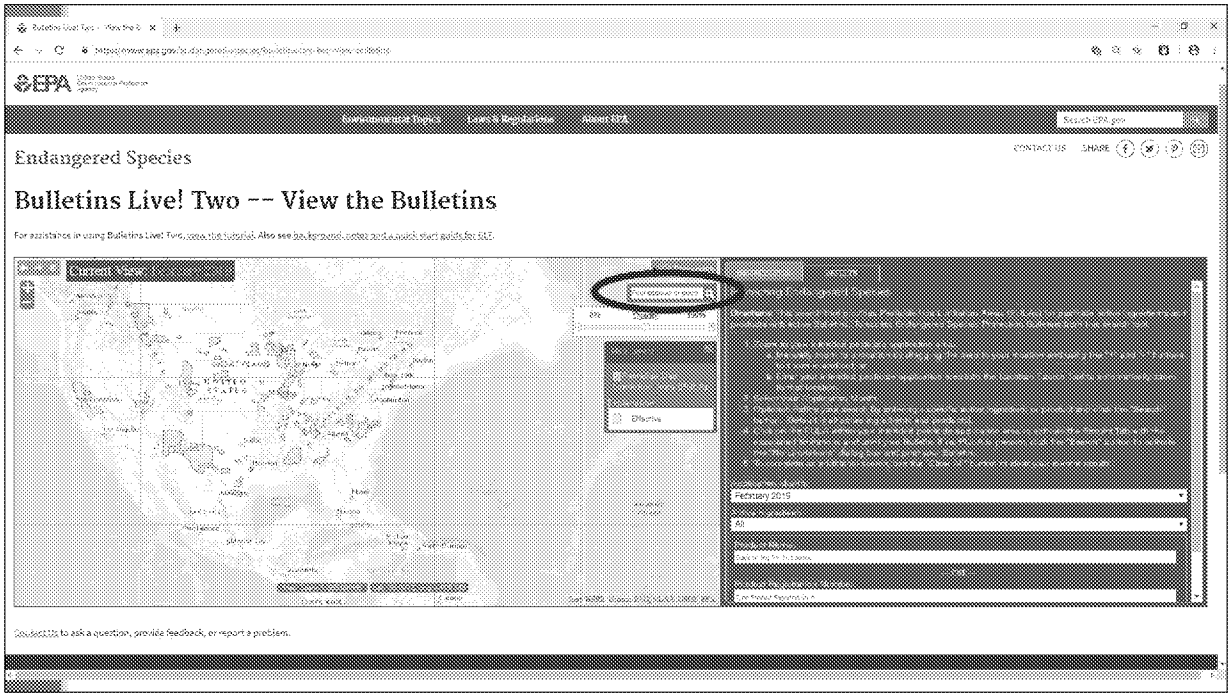
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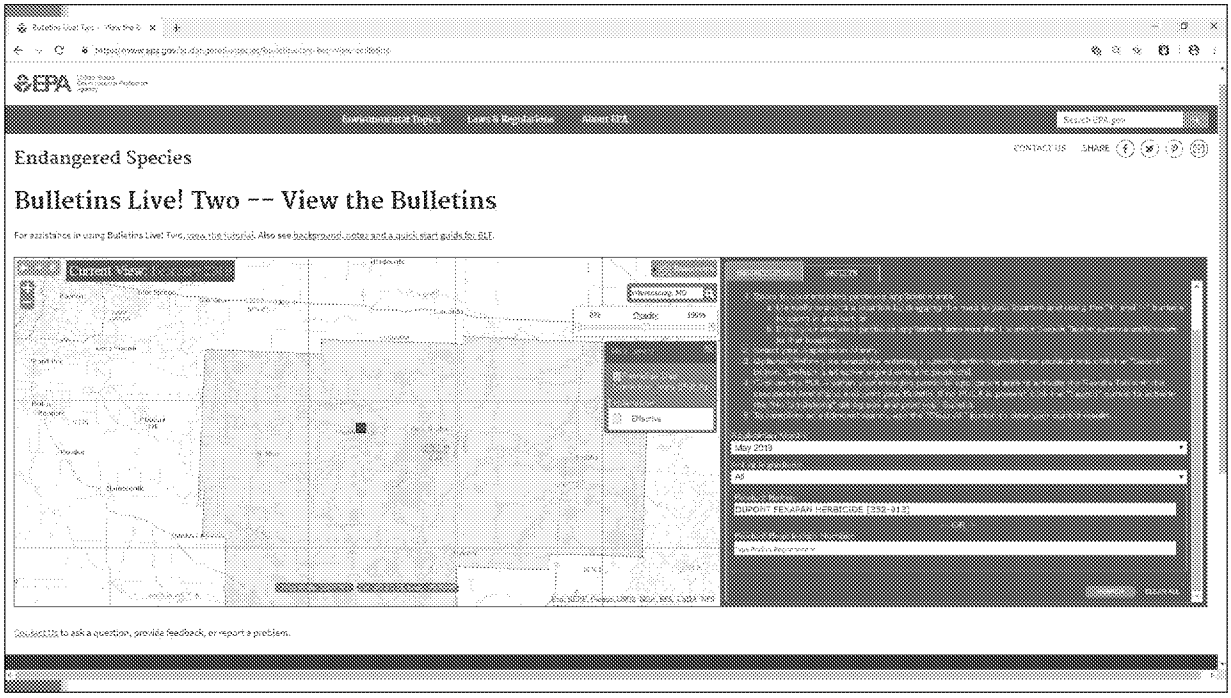
Endangered Species
Bulletins Live! Two -- View the Bulletins
For assistance in using Bulletins Live! Two, view the tutorial. Also see background notes and a quick start guide for BLT.
Current View
Effective
May 2019
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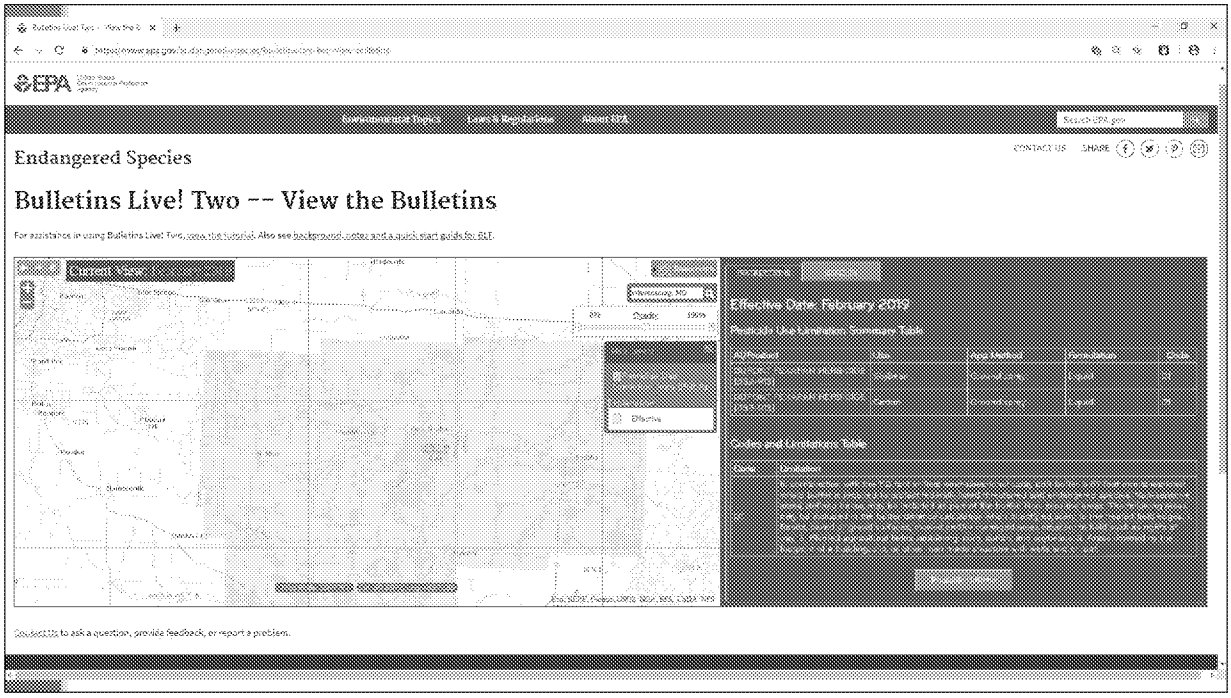
DUPONT FEXAPAN HERBICIDE [252-313]
Contact Us to ask a question, provide feedback, or report a problem.


Endangered Species
Bulletins Live! Two -- View the Bulletins
Current View
Effective Date: February 2019
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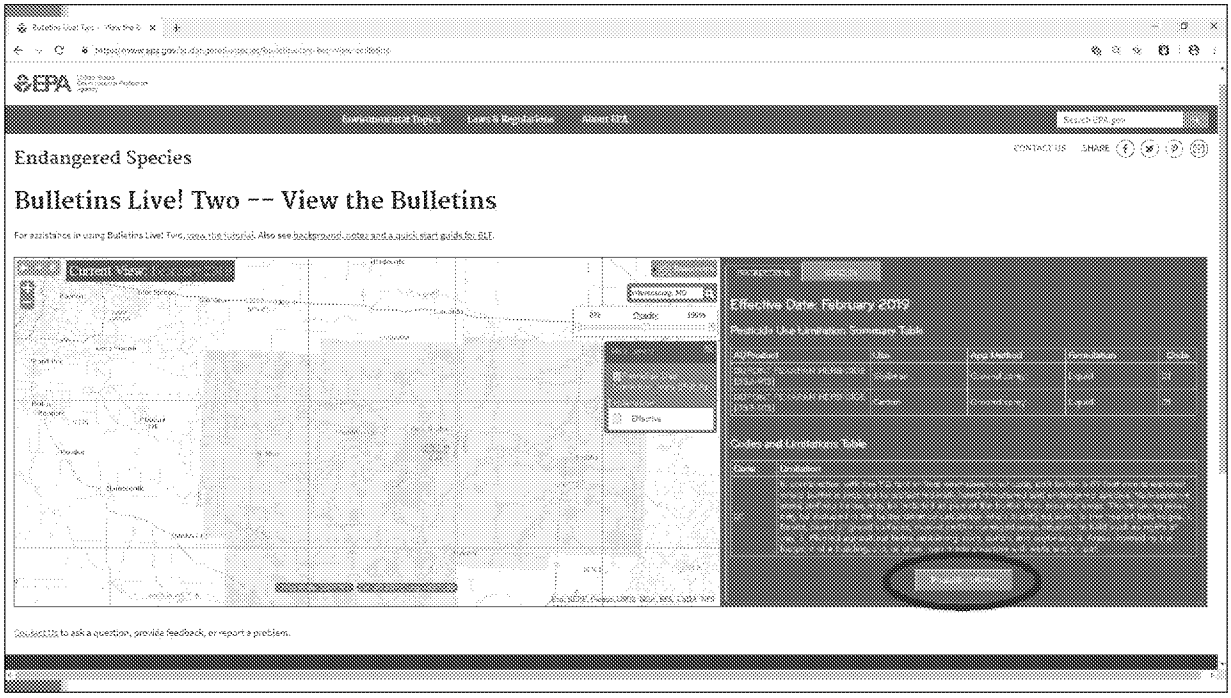
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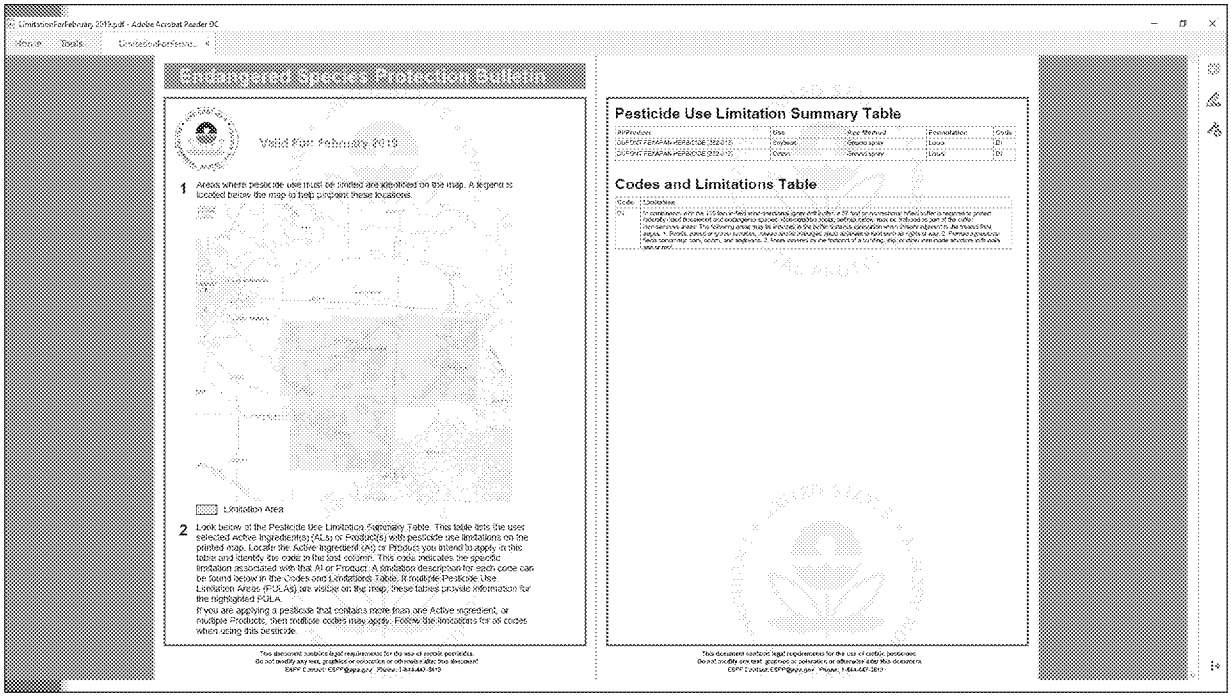
LimitationForFebruary 2019.pdf - Adobe Acrobat Reader DC
Home
Tools
LimitationForFebru...
Endangered Species Protection Bulletin
Valid For February 2019
1 Areas where pesticide use must be limited are identified on the map. A legend is located below the map to help pinpoint these locations.
Limitation Area
2 Look below at the Pesticide Use Limitation Summary Table. This table lists the user selected Active Ingredient(s) (AIs) or Product(s) with pesticide use limitations on the printed map. Locate the Active Ingredient (AI) or Product you intend to apply in this table and identify the code in the last column. This code indicates the specific limitation associated with that AI or Product. A limitation description for each code can be found below in the Codes and Limitations Table. If multiple Pesticide Use Limitation Areas (PULAs) are visible on the map, these tables provide information for the highlighted PULA.
If you are applying a pesticide that contains more than one Active ingredient, or multiple Products, then multiple codes may apply. Follow the limitations for all codes when using this pesticide.
This document contains legal requirements for the use of certain pesticides.
Do not modify any text, graphics or colorants or otherwise alter this document.
ESPP Contact: ESPP@epa.gov Phone: 1-844-447-3813
Pesticide Use Limitation Summary Table
Codes and Limitations Table
This document contains legal requirements for the use of certain pesticides.
Do not modify any text, graphics or colorants or otherwise alter this document.
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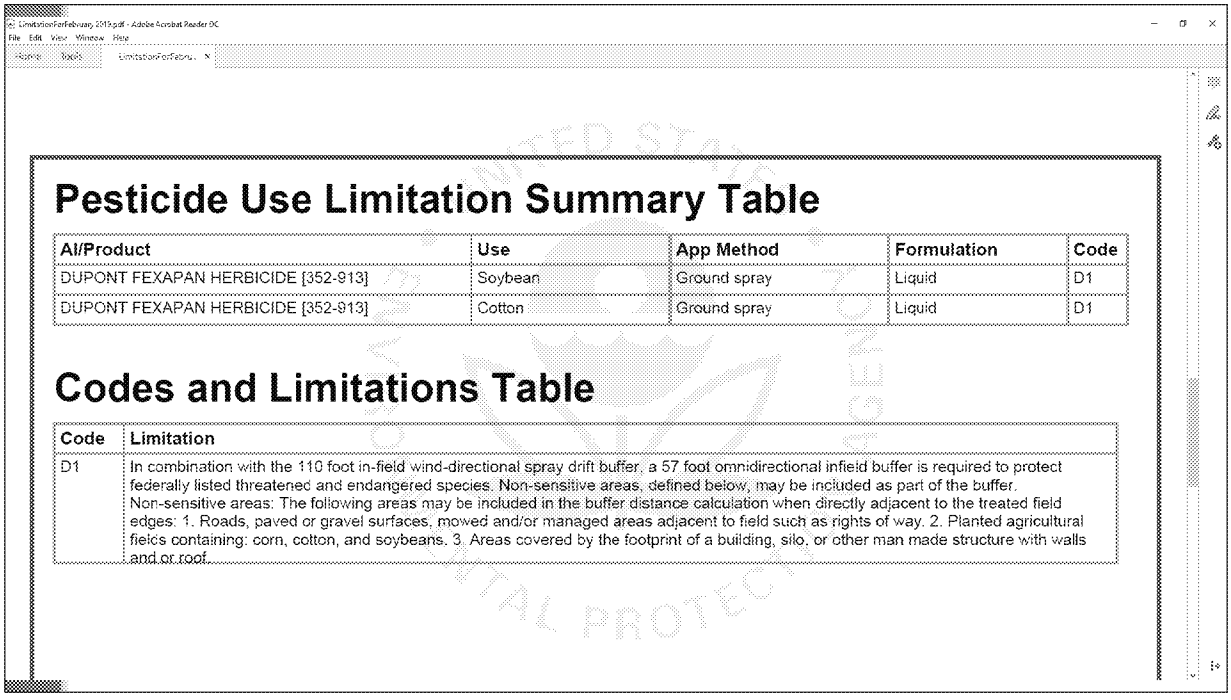


Pesticide Use Limitation Summary Table

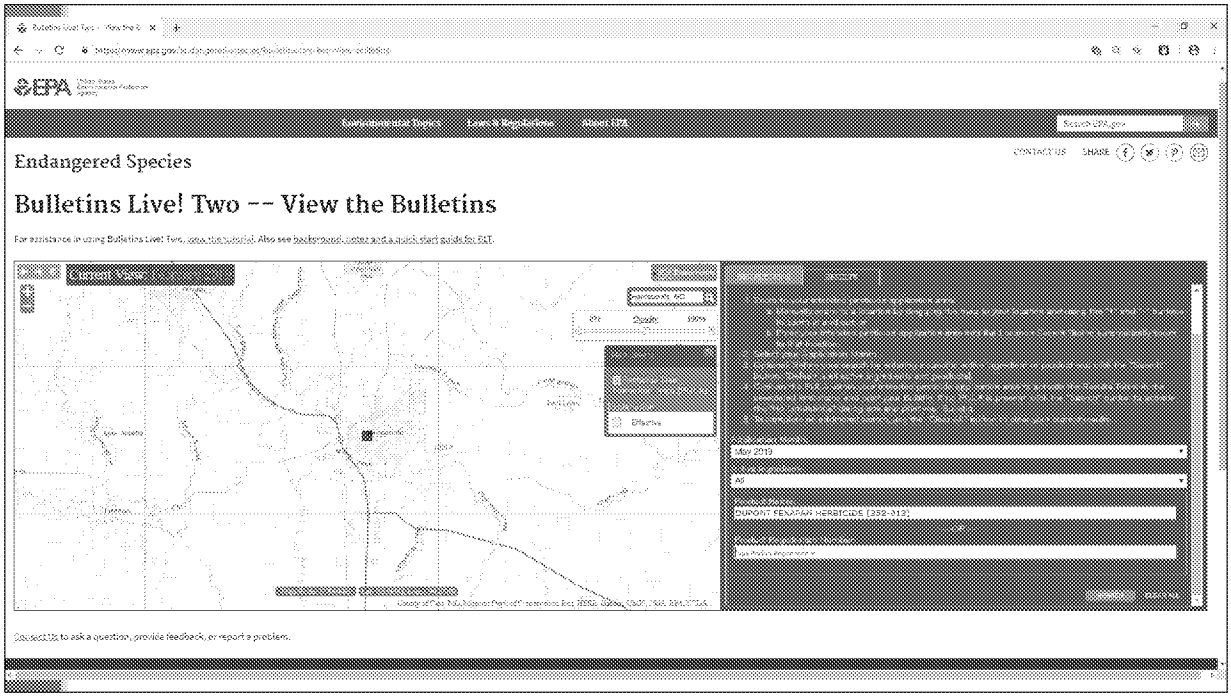
AI/Product	Use	App Method	Formulation	Code
DUPONT FEXAPAN HERBICIDE [352-913]	Soybean	Ground spray	Liquid	D1
DUPONT FEXAPAN HERBICIDE [352-913]	Cotton	Ground spray	Liquid	D1

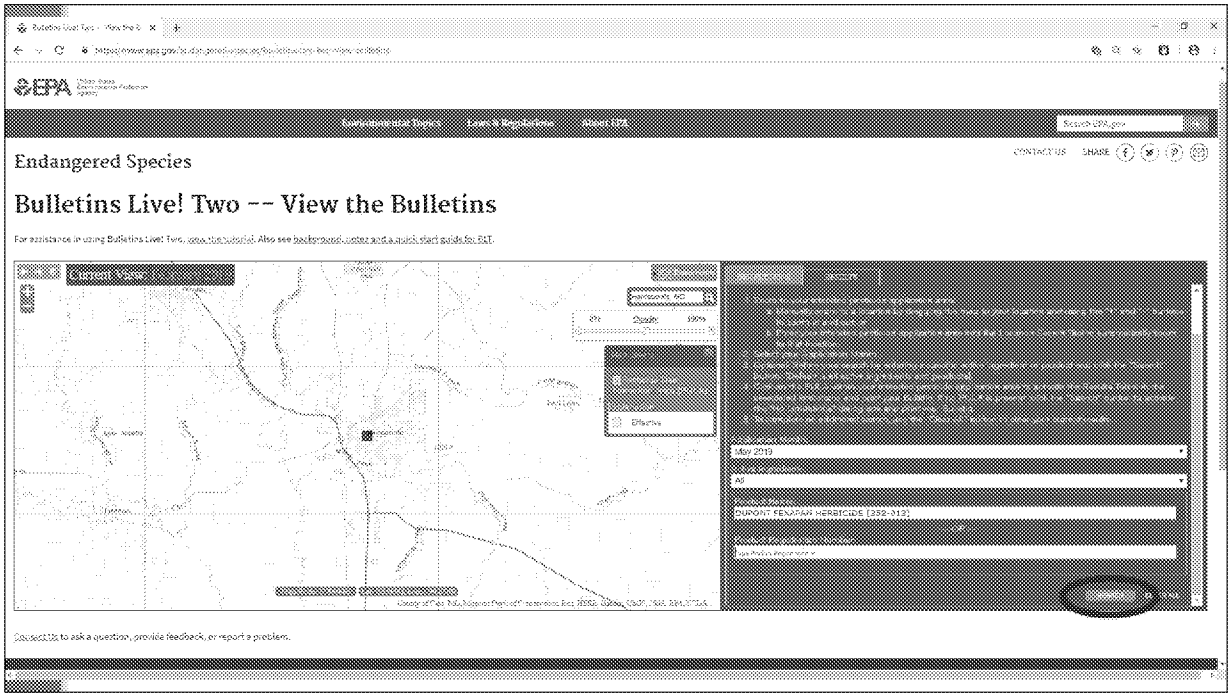
Codes and Limitations Table

Code	Limitation
D1	In combination with the 110 foot in-field wind-directional spray drift buffer, a 57 foot omnidirectional infield buffer is required to protect federally listed threatened and endangered species. Non-sensitive areas, defined below, may be included as part of the buffer. Non-sensitive areas: The following areas may be included in the buffer distance calculation when directly adjacent to the treated field edges: 1. Roads, paved or gravel surfaces, mowed and/or managed areas adjacent to field such as rights of way. 2. Planted agricultural fields containing: corn, cotton, and soybeans. 3. Areas covered by the footprint of a building, silo, or other man made structure with walls and or roof.

Using and Understanding Bulletins Live! Two (cont.)

- *What if there are no Bulletins for my application site and month?*
  - *Save the printable Bulletin documenting that no Pesticide Use Limitation Area (PULA) exist for your application site and month.*


Endangered Species
Bulletins Live! Two -- View the Bulletins
For assistance in using Bulletins Live! Two, view the tutorial. Also see background, notes and a quick start guide for BLT.
Current View
Effective
May 2019
All
DUPONT FENAPAN HERBICIDE [352-312]
Contact Us to ask a question, provide feedback, or report a problem.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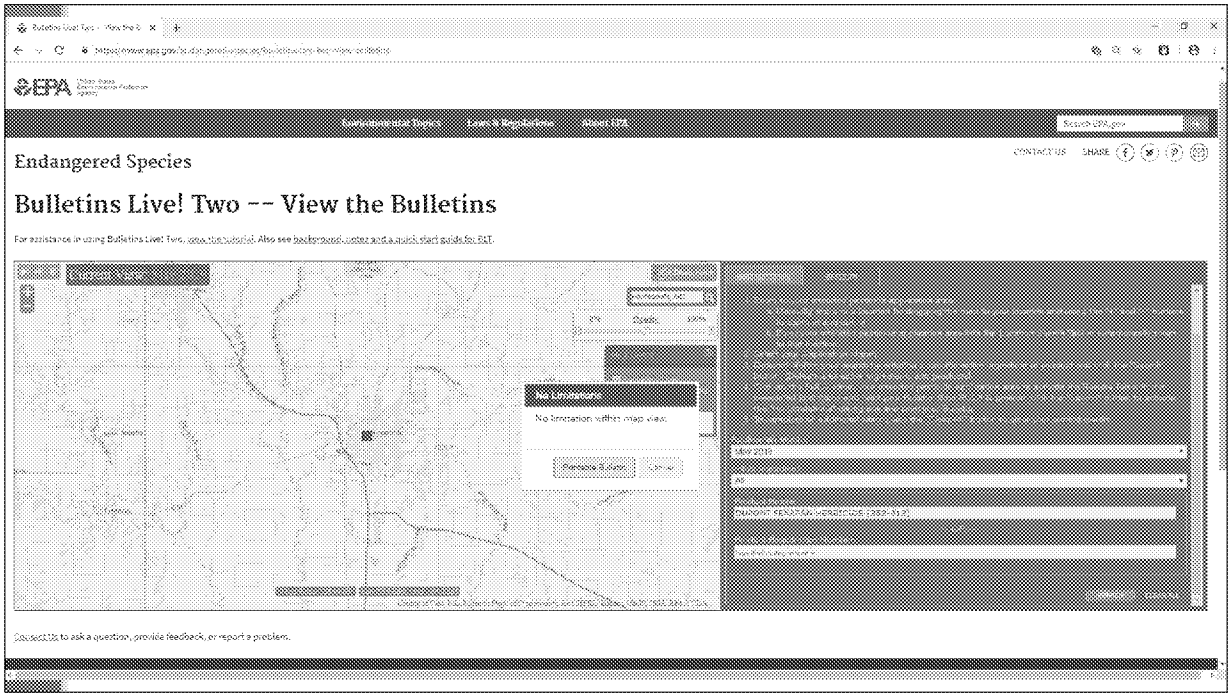
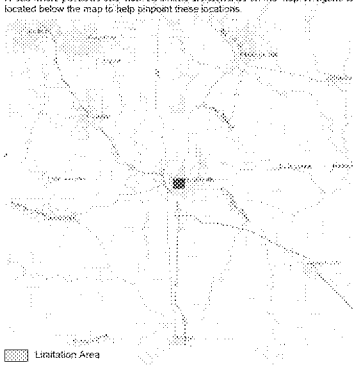

Endangered Species
Bulletins Live! Two -- View the Bulletins
For assistance in using Bulletins Live! Two, view the tutorial. Also see background, notes and a quick start guide for BLT.
No limitation within map view.
Contact Us to ask a question, provide feedback, or report a problem.

Endangered Species Protection Bulletin

Valid For: May 2019

1 Areas where pesticide use must be limited are identified on the map. A legend is located below the map to help pinpoint these locations.



Limitation Area

Currently, no pesticide use limitations exist within the printed map view for the month and year you selected, beyond the instructions specified on the pesticide label. Follow the use instructions on your label.

Ensure that your pesticide application area is within the printed map view. If it is not, follow the directions on the Instructions Tab to ensure that your pesticide application area is captured within the printed map view.

Please check back if you plan to apply your pesticide in an area outside the map view or in a month and year other than the one for which this Bulletin is valid.

This document contains legal requirements for the use of certain pesticides.
Do not modify any text, graphics or alterations or otherwise alter this document.
ESPP Contact: ESPP@epa.gov Phone: 1-844-447-3515

EPA Summary

- Follow the labeling instructions
- If directed, visit the Bulletins Live! Two website to check for any Pesticide Use Limitation Area (PULA) for your application site and month
- Save a copy of the Bulletin for your record of compliance
  - Save a copy documenting if there is no Bulletin too!
- If your application timing or location changes, check BLT again
- Contact the ESPP help desk to resolve any questions you may have

EPA Frequently Asked Questions- General

- *Overview*
  - The ESPP help desk inbox and hotline receives inquires a few times per month on average.
  - More inquiries are received when a new Bulletin is released
  - Some local pesticide regulators or trade groups will bundle questions and send them directly to the point of contact for a specific chemical.
  - Following are some common questions that have been submitted.

EPA Frequently Asked Questions (cont.)

- *What browsers are compatible with Bulletins?*
  - Internet Explorer (any version later than version 9);
  - Google Chrome;
  - Mozilla Firefox; or
  - Safari.
  - Mobile devices (Tablets, Phones, etc.)
    - BLT works on most mobile formats. Not all have been tested. Please share feedback specific to your device and version to the ESPP help desk.

EPA Frequently Asked Questions (cont.)

- *Why can't we see what species the limitation is for?*
  - At the request of the USFWS and NMFS, species identifications were removed to discourage collection of listed species by the public

EPA Frequently Asked Questions (cont.)

- *The search engine on the Bulletins web application doesn't include common trade names for products*
  - EPA relied on the trade names as supplied by the registrant at the time the Bulletin is created.
  - OPP is working to update the names as needed and is exploring ways to improve the search feature.
  - The best way to search is using registration numbers. Registration numbers remain consistent.

EPA Frequently Asked Questions (cont.)

- *Are Bulletins enforceable?*
  - Yes. Bulletins are an extension of the label.
  - Not following the limitation on your Bulletin is a misuse of the pesticide and enforceable under FIFRA
  - If this misuse results in "take" of listed species, the action is also enforceable under the Endangered Species Act by the USFWS and/or NMFS

EPA Frequently Asked Questions (cont.)

- *My state has several listed species, but the limitations on Bulletins don't seem to match, why?*
  - Bulletins rely on range data from USFWS and NMFS, which may differ from local agencies by comparison
  - State listed (not Federally listed) species are not considered
  - Not all species may be at risk and need Bulletins

EPA Frequently Asked Questions (dicamba)

- *The docket for dicamba includes a county list, but it looks different on the Bulletins Live! Two application.*
  - Where available, sub-county species data were used to map the limitation.
    - While a county may be listed as impacted in the docket, it may not be county-wide
  - In some cases, only a very small portion of a county has a PULA.
  - The obligation is to comply with labeling via BLT

EPA Frequently Asked Questions (dicamba)

- *For dicamba Bulletins, would the omnidirectional 57' buffer (use limitation) still apply when no species or habitats are listed on the county Bulletins?*
  - Buffers only apply when the application location and month occur within a PULA.
  - Limitations are only in place where a species or critical habitat and the assessed use site is present. If these conditions were not met, the PULA would not be present and therefore the limitation would not apply

EPA Where to direct questions?

- Endangered Species Protection Program
  - Help desk inbox
    - espp@epa.gov
  - Hotline
    - 1-844-447-3813
    - Your label may have several phone numbers on it. Review it carefully to ensure you are calling the intended one.

EPA Resources

- Bulletins Live! Two
  - https://www.epa.gov/endangered-species/bulletins-live-two-view-bulletins
- Tutorial
  - https://www.epa.gov/endangered-species/bulletins-live-two-blt-tutorial
- Quick Start Guide
  - https://www.epa.gov/endangered-species/endangered-species-protection-bulletins#quick