U.S. Environmental Protection Agency (EPA)
Farm, Ranch, and Rural Communities Advisory Committee (FRRCC)
Meeting Summary
September 10 - 11, 2020
Virtual Meeting

Contents

I. Participants

FRRCC Members (31 out of 32)**:** Mr. Michael J. Aerts, Mr. Barry Berg, Ms. Emily Broad Leib, Cmr. Don Brown, Mr. Jamie Burr, Mr. Phillip H. Chavez, Mr. John R. H. Collison, Mr. William (Bill) Couser, Mr. Michael Crowder, Mr. Matthew Freund, Ms. Sharon Furches, Dr. Jeffrey Gore, Mr. David Graybill, Mr. Alex P. Johns, Mr. Jimmy W. Kinder, Ms. Jeanette L. Lombardo, Ms. Lauren C. Lurkins (Vice Chair), Mr. Nicholas McCarthy, Mr. Jesse McCurry, Mr. William Thomas (Tom) McDonald (Chair), Mr. Jay Ivan Olsen, Mr. Christopher L. Pettit, Mr. William R. Pracht, Dr. Graciela I. Ramírez-Toro, Dr. Charles R. Santerre, Dr. Beth C. Sauerhaft, Mr. Stacy Wayne Smith, Mr. Davie Shane Stephens, Sec. Jeff M. Witte, Ms. Amy V. C. Wolfe, Mr. James E. Zook

EPA Speakers: Andrew Wheeler, EPA Administrator**;** Carrie Vicenta Meadows, Agriculture Advisor to the EPA Administrator; Anne (Idsal) Austin, Principal Deputy Assistant Administrator, EPA Office of Air and Radiation; Dr. Bruce Rodan, Associate Director for Science, EPA Office of Research and Development; Susan Bodine, Assistant Administrator, EPA Office of Enforcement and Compliance Assurance; Peter Wright, Assistant Administrator; EPA Office of Land and Emergency Management; Dave Ross, Assistant Administrator, EPA Office of Water; Alexandra Dapolito Dunn, Assistant Administrator, Office of Chemical Safety and Pollution Prevention; Hema Subramanian, Senior Advisor (Agriculture), FRRCC Designated Federal Officer

Other EPA Event Staff: Megan Striegel, Emily Selia, Rebecca Perrin, Jini Ryan, Ryan Rodgers, Roland Filiault, Brian Taylor

Attendees:
Janita Aguirre, Anne Austin, Sara Ayres, John Bell, Anastasia Bodnar, Dayne M. Bradley, Alicia Brown, Glenn Carpenter, Ruth Cassilly, Julie Chao, Teung Chin, Christine Chinn, Allison Crittenden, Steve Davies, Aline DeLucia, Robin Dunkins, Chelsea Durant, Shirley Fan, Katherine Flahive, Michael Formica, Jan Fritz, Travis Grant, Richard Gupton, Angela Hackel, Connor Hamburg, Mary-Thomas Hart, Pat Havens, Steve Hensley, Douglas Jones, David Kluesner, Allison Kolberg, Sheryl Kunickis, Trey Lam, Berkley Lane, David LaRoss, Peter Lopez, Josh McCafferty, Jesse McCurry, Amy Miller-Bowen, Drew Mogler, Eamon Monahan, Clayton Myers, Robert Nyman, Susan Park, Nicholas Peak, Marla Peek, Crystal Penman, Tiffany Rivera, Randall Rush, Corey Scott, Kelly Shenk, Charles Shinn, Beth Soltani, Sharmin Syed, Caitlain Thompson, Brian Top, Ben Weinheimer, Steven Winnett, Scott Yager, Joseph Ziobro

II. Meeting Overview

On September 10 and 11, 2020, EPA hosted the first public meeting of the new membership of the FRRCC which was appointed in June of 2020. The meeting was entirely virtual; there was no in-person gathering for this meeting.

On September 10th, the Committee was welcomed by Carrie Vicenta Meadows, the Agriculture Advisor to the EPA Administrator and received the Charge topics about which the EPA Administrator would like the Committee to provide advice to the Agency. The Committee then received an introduction to several of EPA's agriculture-relevant Program Offices and Leadership, who answered questions from the Committee after each of their presentations. The Committee voted to pass By-laws for its operations, and then held an initial discussion about the Charges before adjourning.

On September 11th, EPA discussed plans to hold a second meeting of the FRRCC before the end of the year and potentially set up a SharePoint site for Members to use for documents if still of interest. The Chair led the Committee through brainstorming about its potential workplans for addressing the Charge topics. EPA Administrator Andrew Wheeler also addressed the Committee and answered questions from Members about the Charge topics.

There were no requests for oral public comments for this meeting; however, written comments to the Committee could be submitted to FRRCC@epa.gov during or following the meeting.

The meeting broadcast was split into four parts. Recordings of the proceedings are available at the following links:

1. 9/10/2020 FRRCC Meeting, Part 1 (11:00 am - 3:00 pm EDT)
2. 9/10/2020 FRRCC Meeting, Part 2 (3:30 pm – 4:30 pm EDT)
3. 9/11/2020 FRRCC Meeting, Part 3 (11:00 am – approximately 2:00 pm EDT)
4. 9/11/2020 FRRCC Meeting, Part 4 (approximately 2:00 pm EDT – 3:00 pm EDT)

III. EPA Presentations

A. Introduction of Charge Topics and Remarks by the Administrator's Office

Carrie Vicenta Meadows, Agriculture Advisor to the Administrator, presented the FRRCC with two charge topics from the EPA Administrator on 9/10/2020 *(see full Charge Topics document in the final meeting materials posted on the FRRCC website for details)*. EPA is requesting that the Committee develop a workplan during the Fall of 2020 to address the charge topics and provide EPA a summary report of its activities, actions, and recommendations (as available) by the end of each chartered calendar year.

- "Creating a Holistic Pesticide Program for the Future" - The questions asked included: How can EPA reduce barriers for American agriculture to continue to feed the world with less resources through innovations in crop protection? How can we better communicate with the American public and our international trading partners about EPA's holistic approach to pesticide management and improve the availability of information about our science-based process? How does encouraging and facilitating technologies and practices like new active ingredients, plant incorporated protectants, biotechnology, and integrated pest management advance this mission?

- "Supporting Inter-agency Environmental Benchmarks with Interagency Partners" - The questions asked included: How can EPA facilitate the development of new technologies, practices, or market-based approaches to advance environmental goals around nutrient pollution, water reuse, and food loss and waste? How can EPA coordinate with other agencies to better measure data and information regarding proactive measures that production agriculture and rural communities take; utilize or coordinate data from state, local, or federal level partners; leverage existing EPA programs; and support agriculture's and rural America's efforts in these areas?

Members asked how EPA wants the Committee to address the Charge questions. Will the Committee have time to read the charges and provide follow-up questions? Is there any priority order for the charges? EPA responded that the Committee will have time to deliberate on how it will address the charges. Traditionally the Committee has responded in a report back to the Administrator.

The Committee will hear from EPA speakers in Day 1 of this meeting; will discuss how they want to address the charge questions during Day 2 of this meeting; and EPA can invite speakers to the next meeting whom the Committee feels can provide additional expertise. The Administrator will also be available during Day 2 to answer the Committee's questions. EPA did not intend for the questions to be too specific as to hamstring the ability of Committee to provide recommendation but intended them to be specific enough to make sure the Administrator received useable advice as to his priorities. The Committee's work could generate other points/issues that EPA did not think of. The Committee has time to think about these questions and EPA can help identify resources that the Committee needs.

A Member asked if EPA is going to comment on the Udall-Neguse bill introduced in Congress last month related to FIFRA. EPA responded that the Agency does not comment on pending legislation but can provide technical advice if requested.

A Member asked what "holistic pesticide program" means. EPA responded that producers are driven by regulations and consumer demand. EPA wants to know how to better communicate with the public about how we reach pesticide registration decisions, given an acknowledgement that there is a lack of understanding about the process and safety of products, which can create trade barriers.

A Member asked if the Committee think about these questions from the lens of field-to-fork or production agriculture? EPA responded that the Committee can decide from which lens to address the questions. EPA encourages the Committee to look at the questions through the lens of boosting transparency of Agency decisions, the costs and benefits of technologies, and cooperative federalism. EPA is interested in Community based solutions and connections to the Administrator's priorities.

A Member asked if the Committee look at food loss and waste through the lens of COVID-19, or a long-term lens. EPA responded that the food loss and waste topic is a long-term question, even though there have been disruptions due to the pandemic. However, there are aspects that have been brought to light due to the pandemic, and lessons learned that should be considered.

Andrew Wheeler, EPA Administrator addressed the FRRCC on 9/11/2020:

- The Administrator provided remarks about the future of EPA his priorities for 2021 and a second term. The Administrator also provided further context about the Charge Topics, which relate to two of his priorities for a second term and responded to some questions.
- Both charge topics recognize the importance of innovation.
- The first charge pertains to a goal of creating a holistic approach to pesticides. The Agency wants to provide tools to farmers, but also wants to make sure products are safe for people and the environment, and better accounts for costs and benefits of innovation.
    - The Agency expects to have decreased reliance on animal testing, increased efforts to safeguard pollinators, and improved Endangered Species Act consultations in coming years.
    - EPA need help framing its program to reassure the American public about the scientific underpinnings that go into registration of pesticides.
- Regarding the second charge, meeting the demands for water pertaining to water reuse and nutrients in the 21st century is one of the Administrator's priorities and one of the benchmarks of the second charge.
- EPA has made strides to reducing runoff in the Chesapeake Bay, the Great Lakes, and the Everglades. We need to figure out what pilot programs have worked and implement those across the country.
    - In the press: The State of Maryland and others are suing EPA over efforts in Pennsylvania and New York. We prefer to work cooperatively with agricultural partners.
- Food waste must be decreased in landfills from an environmental perspective as well as to serve the needs of people in need.

A Member asked how EPA will use recommendations from the Committee. The Administrator responded that he sees this Committee as a "two-way street". The Committee is not limited to just the questions we asked, but we ask that the Committee keep to the broader aspect of the charges versus focusing too much on all the issues implicated. Open-ended on where the Committee wants to go. The Agency will provide feedback to the Committee.

A Member asked what public trust in EPA's science-based process looks like to the Administrator, and how do you know you've arrived at it. The Administrator responded that this is an ongoing goal or

process and mentioned a comparison to what the Agency is doing related to risk communication. There is a lot of room to grow, there may never be a finalization to this goal, but hopefully there will be milestones or concrete actions/successes along the way. This would be a mindset change. The Administrator would like to get advice from the Committee on how EPA could define these goals.

A Member asked if some charge topics require and sooner prioritization over others. The Administrator responded that both charge questions are equally important there may be short term successes and long-term goals for both. For the 2nd term, there is a third priority goal on community engagement, which relates to rural communities, and the fifth priority relates to states on permitting. The Agency wants to work with states to speed up their decision-making process.

B. Introduction of EPA Program Offices and Leadership

(Note: The links below are being provided as follow-up to the remarks in the meeting (in many cases, per the request of Members). Recordings of these sessions is available on the FRRCC website for those interested in the full remarks.)

Dr. Bruce Rodan, Associate Director for Science, provided an overview about EPA's Office of Research and Development (ORD) on September 10, 2020, and discussed some of ORD's relevant programs and initiatives including:

- Strategic Research Plans
- Research to support states
- EPA's and USDA's Next Gen Fertilizer Challenges
- Research and grants related to Harmful Algal Blooms (HABs)
- Small Systems Monthly Webinar Series
- Research and grants related to Per-and Polyfluoroalkyl Substances (PFAS)
- Food loss and waste: sponsoring grants, a report and peer review on the lifecycle costs, and companion report on addressing those impacts.

A Member asked if EPA has worked with the National Water Alliance on PFAS related to firefighting foam (issue in rural areas due to wildfires). EPA responded that the Agency works with WERF and WEF. EPA is also looking into whether moving into buildings can protect people wildfire smoke.

A Member asked what the mechanism is through which ORD shares information with states and EPA regional offices and commented that a challenge for industry is that states may only have access to old data. EPA responded that ORD conducts applied outreach and engages with Environmental Council of the States, Association of State and Territorial Heath Officials, and air associations to continue to build this. ORD is including state scientists into planning, the work EPA will do this year, and how to expand this into ORD's round 4 planning cycle with state and tribal scientists. They want to find opportunities to increase outreach with states and tribes.

A Member asked if ORD works on pesticides issues, and if EPA does work independent outside the companies that submit data. EPA responded that most pesticides data comes into EPA's Office of Pesticide Programs (OPP) through FIFRA. But ORD supports OPP's research needs on topics like toxicity, high throughput means, children's exposure to pesticides for example, and looking for ways to use better testing without or with less animals.

Anne (Idsal) Austin, Principal Deputy Assistant Administrator, provided an overview about EPA's EPA Office of Air and Radiation (OAR) on 9/10/2020, and discussed some of OAR's relevant programs and initiatives including:

- National Air Quality: Status and Trends of Key Air Pollutants
- National Ambient Air Quality Standards
- Particulate Matter Standards
- Ozone Air Quality Standards
- State Implementation Plans
- Safer Affordable Fuel-Efficient Vehicles Final Rule
- Oil and Natural Gas Industry Regulations
- New Source Review Permitting
- Benefit-cost analysis in rulemaking
- Clean Air Act Title V Operating Permit Program
- National Air Emissions Monitoring Study related to animal feeding operations
- EPA MOU with USDA and participation in USDA's Agricultural Air Quality Task Force
- EPA-USDA AgSTAR Biogas Recovery Program

A Committee Member asked how the fires in California, Colorado, etc. affect NAAQS and the states' ability to adhere to those standards. EPA responded that the agency has been using exceptional event exemptions authorities related to these events because they are not planned emissions. EPA is working with the U.S. Forest Service on wildland wildfire and prescribed fire management.

Susan Bodine, Assistant Administrator, provided an overview of EPA's Office of Enforcement and Compliance Assurance (OECA) on 9/10/2020, and discussed some of OECA's relevant programs and initiatives including:

- EPA's National Agriculture Center
- Good Laboratory Practices Inspections for ensuring the quality and integrity of test data submitted to the Agency under Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and Toxic Substances Control Act (TSCA)
- Coordination with Customs and Border Patrol on imports/exports of pesticides
- National Compliance Initiatives
- Clean Air Act Section 112(r) Risk Management Plan Rule
- Oil Spills Prevention and Preparedness regulations
- Information for Food Processing Sector
- Memorandum on Enhancing Effective Partnerships Between the EPA and the States in Civil Enforcement and Compliance Assurance Work
- COVID-19 Enforcement and Compliance Resources

A Committee Member asked if there are any compliance actions related to food waste EPA engages in. EPA responded that the Agency does not regulate solid waste; EPA only sets standards for landfills and coal ash. EPA recognizes there are issues related food waste, but there would need to be a violation of Clean Air Act, Clean Water Act, or Resource Conservation and Recovery Act to trigger regulation.

A Committee Member commented that in 2007, the FRRCC asked for inspector training and there was lengthy discussion on concerns about CAFOs being a national priority at the time (which is no longer the case). Recommendations from the FRRCC at the time were taken into consideration.

A Committee Member commented on looking forward to air issues coming up in the FRRCC because they matter for animal agriculture and renewable fuel industries.

Peter Wright, Assistant Administrator, provided an overview of EPA's Office of Land and Emergency Management (OLEM) on 9/10/2020, and discussed some of OLEM's relevant programs and initiatives including:

- Sustainable Management of Food
  - Winning on Reducing Food Waste Federal Interagency Strategy
  - Grants for anaerobic digestion for food waste
  - Excess Food Opportunities Map
  - Recycling and Sustainable Management of Food During the Coronavirus (COVID-19) Public Health Emergency
- CERCLA and EPCRA Reporting Requirements for Air Releases of Hazardous Substances from Animal Waste at Farms
- Spill Prevention, Control, and Countermeasure (SPCC) – requires farms and other facilities to develop, maintain, and implement an oil spill prevention plan.
  - https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/self-certification-farm-spcc-plans
  - https://www.epa.gov/sites/production/files/2015-06/documents/final_wrrda_fact_sheet_4-24-15.pdf
  - https://www.epa.gov/sites/production/files/2016-02/documents/wrrda_farm_study_2015-06-30.pdf
- Resource Conservation and Recovery Act (RCRA): Regulations exclude manure and crop residues when they are returned to fields as fertilizers or soil conditioners (40 CFR 257.1(c)(1)), but they could still be subject to regulation if they meet the statutory definition of solid waste—if applied in excess of agronomic rates.
  - RCRA applicability to manure used as fertilizer

A Member commented that a challenge faced by those attempting to conduct research and development around innovation and technologies is that regulations do not allow for testing. Are there any exemptions or special programs that allow for testing innovative technologies? EPA responded that there potentially are for the waste aspect of certain R&D projects. Suggest reaching out to the applicable Region.

A Member asked about the definition of food waste. EPA responded that food waste does not have a regulatory definition.

Dave Ross, Assistant Administrator, provided an overview of EPA's Office of Water (OW) on 9/10/2020, and discussed some of OW's relevant programs and initiatives including:

- Nutrients efforts
  - Water quality trading and other market-based approaches
- Navigable Waters Protection Rule
- National Water Reuse Action Plan
- Water Infrastructure Finance and Innovation Act Program
- Water Infrastructure and Resiliency Finance Center

A Member commented about groundwater regulations in California and nitrate contamination, and the need for embracing innovations and understanding the role of price points. EPA responded about how the Agency has been trying to make water reuse acceptable in the national dialogue through the Water Reuse Action Plan, as well as coordinating with the Department of Energy on the Water Security Grand Challenge and USDA regarding package systems that can be deployed in smaller rural systems. Price points and perception of risk are challenges.

A Member commented about obtaining local input about how we can promote better transparency and interstate/regional communication, and suggested the EPA should hold more meetings like a February HABs conference in Kansas which had a diverse attendance from researchers, watershed coordinators, states, and federal agencies who discussed their work and had breakout sessions. EPA responded with interest in knowing how EPA can institutionalize listening at the local level (like at the HABs meeting, and in obtaining help from the Committee in getting beyond problem identification and having the FRRCC develop visionary leadership ideas/suggestions for EPA.

Alexandra Dapolito Dunn, Assistant Administrator, provided an overview of EPA's Office of Chemical Safety and Pollution Prevention (OCSPP) on 9/10/2020, and discussed some of OCSPP's relevant programs and initiatives including:

- EPA Pesticide Registration Program and Risk Assessments
  - Pesticide Science and Assessing Pesticide Risks
  - Pesticide Residues in Food
  - Glyphosate
- EPA Office of Pesticide Programs (OPP) is seeing growth in biopesticides
- Biotechnology
- Proposed Rule on Plant-Incorporated Protectants (PIPs)
- Efforts to Reduce Use of Animals in Chemical Testing
- Pollinator protection
- Endangered Species
- EPA Office of Pesticide Program's Pesticide Program Dialogue Committee
- Registration of Disinfectants for Use Against SARS-COV-2 (COVID-19)

A Committee Member asked if EPA has clearly defined authority to regulate the new technologies like CRISPR/Cas9. EPA responded that the new PIPs rule is technology neutral. The focus is instead on the outcome versus the tool, to ensure the longevity of the rule.

IV. Key Committee Discussion and Actions

A. Committee Free form/Brainstorming Discussions of Charge Topics

The following is a summary of further comments, general discussion, and questions posed by the FRRCC about the Charge Topics. The Chair proposed that three ad hoc workgroups be established for the Committee to discuss the Charge topics of: 1) pesticides, 2) water quality and quantity, and 3) food waste. Members will be able to identify their areas of interest for the workgroups. The Chair requested that workgroups to get together once or twice before next full meeting of the FRRCC to identify what additional information they need/want from EPA to work on the charge, and the smaller workgroups could bring their work and recommendations back to the full Committee. The Chair suggested that the

Committee could discuss each Charge topic and structure their comments under the themes of "EPA should… (about the topic)" and "What Information Does the Committee Need (about the topic)?" The information below summarizes the brainstorm ideas and questions of the Committee into four categories general discussion; pesticides; water quality/quantity; and food waste and loss.

General Discussion:

- Committee can look at how EPA can breakdown how to best communicate with public.
- Air quality should be discussed by the Committee.
- An example of successful EPA collaboration is the Animal Agriculture Discussion Group (AADG).
- Geographic variations are broad on some topics especially (like water).
- Thinking about cooperative federalism, what mechanisms are in place (or need to be put in place) for the EPA regional offices and state environmental agencies to be aware of new research findings?
- Interested in discussing the assumptions and underpinnings of two EPA proposed areas: asking for ideas to create a toolbox to reach all kinds of farms, ranches and rural communities, and to identify barriers to the implementation of a pesticide program that should reach all. EPA lists two examples of possible challenges to the approach but those are top to bottom ideas. It also assumes a conscious resistance from these communities to the innovations or regulations. The FRRCC has to examine these underpinnings reasons from the bottom up. The FRRCC must consider the portion of the population that lives in small or very small communities in low income areas, where there is very little participation in government and very little investment from government, because these populations might not have the resources (human, economical or technological) to participate, and sometime they fall under the radar. In many of these communities, regulations are goals and investment into regulations and technology not an option. Also, they might not have the human resources or capacity for to improvement. The FRRCC's recommendations should include analysis about such populations.

General Questions:

- How will recommendations/reports from the Committee will be used by EPA? Another member responded that, in the past, the FRRCC had access to the Administrator to report out on past recommendations, and that historically the Administrator has listened to recommendations.
- How will the process go? How long they should work on the topics? How should the Committee prioritize the charge topics? Another Member responded that EPA provided broad and general topics, and it will be up to the Committee to determine what the most important information is that EPA needs to hear from agriculture related to these topics. In the past, each ad hoc workgroup worked on a charge, and they worked with EPA leadership to narrow the focus.
- How will EPA weigh comments from divergent viewpoints (e.g., NGOs that are anti-pesticide registrations, etc.)?
- Beyond EPA ORD's grants, what data is available to the Committee and what can they use to inform their decisions? ORD work crosses over all the major topics.
- Can the Committee refine scope/focus to tackle, are there regions EPA would like to focus on?
- What data is available at EPA to better inform the Committee's work on these charges?

Creating a Holistic Pesticide Program for the Future Discussion:

- Draft a layman's version of the science-based approval process/rules/regs and risk assessments
- Think about what agencies can do to support innovative approaches – both in terms of development and uptake.

- Evaluate the barriers which inhibit new innovative approaches for the control of pests and diseases in agriculture.
- Continue face-to-face onsite visits when possible to fully understand local needs for pesticide labeling.
- Partner with university and extension system to hold twilight meetings with farmers.
- Include farmer feedback into the registration process to reflect experiences and concerns of end user.
- Move faster to get regulations re-vamped to keep up with innovation so it doesn't slow down the implementation of innovation. Applicable to state codes as well.
- Layman's information compiled to describe this holistic pesticide program.
- Utilize partner organizations and voluntary conservation measures/cost share programs for landowners to reduce the negative effects of pesticides as part of a holistic program.
- Use real world data.
- Need confidence in regulatory system. It is in our collective interest that we are all treated as stakeholders. Assessments need to use the best available information when considering registrations and new uses. That means using real-world data whenever available. Growers continually want safer products that are more targeted to the pests we encounter with reduced impact to our environment. That can only happen through innovation. When our regulatory system is attacked by groups that see fault and risk everywhere while ignoring the benefits, then sorghum growers won't have access to those innovations. We believe the less arbitrary the inputs are into assessments the more defensible they will be and why we want to see real-world data used more extensively, while appreciating the need for safety factors to be included.
- Streamline the IR-4 evaluation process, especially for minor crop uses. The cost of approval has led to separate evaluations through the IR4 process for non-labeled crop uses.
- Look ahead in anticipation – e.g., hemp product approvals.
- Clarify assumptions, underpinnings and data used to verify that the plan is built in an inclusive way.
- Give EPA employees actual experience in on farm spraying (use of pesticides) to improve their ability to understand the sticking points of reaching a holistic program. Maybe farmers open their farms to help train.
- Pesticides and the registration processes are complex. Change how reach out to the public so they understand dosages etc. Figure out how to re-establish trust.
- Outreach program to educate the public on where they can get the information/provide the information. Difficult to find info on EPA website.
- Ensure uniform messaging across agencies (i.e. ESA, animal testing). If not uniform, then have a clear explanation of why.
- Promote U.S. approval processes versus international process.
- Assess consumer opinions of the EPA's regulatory process.
- Be active in 'defending' and educating the public on previous approvals that are part of ongoing lawsuits.
- Communicate FIFRA or regulatory processes for approval of pest control. What impacts pesticides have on the environment and food safety vs. the benefits? Communicate how the stewardship of the pesticides is carried out.
- Communicate the technical efficiencies and economic usefulness of the registration and reevaluation processes.
- Ensure uniform messaging across agencies on animal testing, pollinators and ESA and if it's not uniform, it should be clear why, what the differences are.

- Inform the public about the environmental impacts of pesticides in layman's terms. What are the (good and bad) of pesticides? More focus on what is going to be affected. Not speaking in terms of the label like toxicity and residual time, etc. Speaking directly to inadvertently cause death of birds, bees or fish.
- List of partner organizations and cost share practices that can play a role in a holistic pesticide program.
- Be able to access the scientific steps used to develop the label so it can be properly defended.
- A full outline of necessary studies and requirements are available. However, the need exists for 1) better information on the adoption of the agro-ecological farming practices agriculture uses, and 2) the economic and environmental benefits that are ultimately realized by the consumer sector.

Creating a Holistic Pesticide Program for the Future Questions/Information Needs:

- Advocacy groups can trample on decisions EPA makes. Assume that EPA must consider how they will get sued over their decisions. FRRCC can maybe give good recommendations on how to communicate with consumers, but EPA may not be able to address them because litigation may take priority over communication. How is priority given to communicating risk versus detractors' feedback on products?
- How does EPA know when public trust is achieved? What does success look like to EPA? On the converse, what is EPA seeing or hearing that creates an impression that there is a lack of public trust?
- The FRRCC may need a "FIFRA 101" about the EPA registration and reregistration process to advise EPA on how the public can understand the process.
- Have EPA's methods of evaluation of pesticides changed over the last 30 years?
- What is the pesticide approval process?
- Clarification of the role of the company registering the product vs. EPA staff. Where does product info come from? What is the oversight role of EPA?
- What capacity is available in terms of funding or resources for such incentives?
- Better understand the oversight process and its impact on small to mid-sized entities that have the capacity to develop innovative solutions to control pests and diseases in ag.
- What are the impacts/challenges facing farmers in particular?
- What is the timeline of EISs? How has the timeline changed (grown increasingly)? How does the timeline affect ESA decisions and agricultural goals?
- Provide definition of what "holistic" means to EPA.
- Definition of "pesticides".
- Learn more about the new ESA method referenced in EPA remarks.
- Where does product information/data come from? What is EPA's oversight role?
- What is the role of the company registering the product vs the role of EPA staff for each registration?
- How does USDA and USEPA work together on pollinators/pesticides, as referenced in the charge?
- What has the messaging been across the gov't/administration regarding ESA?
- What are the existing pesticide regulation communications plans/strategies in place for both the public and our international trading partners?
- How does EPA define "public trust"?
- What is the role of politics in the process?
- Information and definition of the population to be impacted. It looks like that information used in the questions is top down information, what information is available from bottom up?

- How does EPA define and evaluate trust or what does public trust in the system look like?
- What is EPA currently doing to educate the consumers?
- How can EPA help support those programs that mitigate negative pesticide effects?

Benchmarks with Interagency Partners: Water Quality and Quantity Discussion:

- FRRCC may need to divide the water workgroup into smaller workgroups.
- FRRCC should not get so bogged down in the details and water topics are where that can happen.
- Interest in FRRCC unpacking the data charge question and EPA AA Dave Ross' comments about the Hypoxia Task Force.
- Work closely with state agencies and extension to help inform suburban residents of potential impacts of lawn fertilizer.
- Utilize state agency resources to address specific issues. There is a Water Management Working Group with Kentucky Farm Bureau that has met since 2014. So much valuable information, discussion, and preparation for drought issues, etc.
- Need a funding/financing mechanisms for private entities. Sometimes private companies work in coordination with public entities that can be cost-prohibitive to address needs.
- Cities sometimes help finance private projects.
- Review how federal (one size fits all) approach lets local problems, needs, and opportunities fall through the cracks.
- Evaluate geographic and environmental differences before developing any blanket policies.
- Provide for flexibility in water quantity and quality rules/regulations on a Region by Region basis.
- Assess consumer opinions of EPA's regulatory process to provide a safe and plentiful water supply.
- Partner with Tribal governments on water quality/use and reuse issues.
- Evaluate the success of the water infrastructure funding program to reach rural communities and examine limitations of those sectors to benefit.
- Recognize/address the prioritization of funds that has tended to benefit certain types of projects (large systems versus rural systems.) There needs to be a recognition that funds for rural development and those types of innovative structure pieces have different components attached to them than wastewater facilities.
- There needs to be some sort of facilitator or coordinator for financing and innovation so entities can tap into programs and resources. At times entities don't have the technical knowledge needed for proposals, etc. Access to funds is difficult.
- Work in conjunction with USDA to issue grants through the non-profit sector to help address the water workforce recruitment and training needs in rural America.
- Help make water infrastructure related work seem progressive, Fact/science-based marketing.
- Facilitate use of and help demonstrate the business case for bringing PE and other investment funds to infrastructure modernization and workforce development and recruitment.
- Stress the importance of clean water. Look for new innovative solutions to improving water quality starting with work at the local level. Create a needed paradigm shift in creative ways to reduce pollution sources. Standardize modeling software for everyone so results can be analyzed over a large scale. Regionalization of like areas with similar issues to clarify and simplify water quality and quantity goals.
- Work with regional and local groups to develop meaningful solutions for different areas and environmental conditions.
- Establish a more focused interagency alignment with FDA, for combatting nutrients in surface waters and the microbial contaminants those nutrients often carry.

- Continue to identify problem areas in our waterways/water sources.
- Work with sister agencies on water quality standards.
- Partner with sister agencies and other organizations to support voluntary conservation measures for both water quality and quantity. There are hundreds of practices that would qualify, but examples include vegetative filter strips, conservation tillage, off-site cattle watering, etc.
- Better communication between various stakeholders and agencies about information/resources available regarding conservation practices.
- Work with producers to encourage innovation around practices that benefit water quality instead of reverting to longstanding NRCS practice standards.
- Collaborate with USDA/NRCS to support improved water quality for farms that receive farm bill support, both from conservation program funding and as part of conservation compliance
- Get out on farms/ranches to proactively talk with farmers/ranchers to see what practices they're implementing and understand barriers to implementation. It shouldn't be OECA having these conversations.
- Continue work across the water sub-cabinet to connect as much as possible. The Navigable Waters Protection Rule implementation by EPA is important, but even more so with the US Army Corp of Engineers Districts. EPA should facilitate that implementation in farm country to help on consistent and clear interpretation.
- See if there are opportunities to collaborate with USDA or FDA (or subcontracted state agencies). Conduct on-farm food safety assessments under the Food Safety Modernization Act. There a chance to gather information and/or share information and resources to farmers during those visits.
- Extend Cooperative Research and Development Agreements (CRADA) to commodity groups for research needs and as avenue to develop key production indicators that tie into water quality goals.
- Develop guidance on how the Maui decision applies to agriculture
- Gather data on nutrient runoff/fertilizer efficiency for specific fertilizers and in specific regions.
- Provide incentives to farmers to increase testing of soil before applying fertilizers and other inputs, and to provide a more appropriate amount, and should provide incentives for demonstrated reduction of application of inputs. Partner with sister agencies.
- Review data and trends for correlations in how certain policies impact other water quality issues, and consider the effects (e.g., reductions in atmospheric sulfur deposition has resulted in farmers adding sulfur to fields, etc.)
- Look at and understand the difference between eastern vs western water rights law (riparian vs prior appropriations) and how it impacts both water quality and water quantity.
- Develop a lay person's explanation of who has responsibility for water quality and quantity throughout the country as it varies from state to state. Also, impact of water law on these issues.
- More science on how nutrient components carry/transfer microbial contaminants to surface waters.
- An accurate inventory of water sources, research cost effective treatments to produce usable water.

Environmental Benchmarks with Interagency Partners: Water Quality and Quantity Questions and Information Needs:

- How in-depth should the FRRCC get into the various water topics proposed? For example, could talk about the broad reasons why digesters aren't implemented more widely but getting into the details may not be helpful.
- Should FRRCC look at water trading? It was a "hot topic" several years ago. Can FRRCC be involved in this discussion?

- What does EPA mean by, "How can we better measure and track data?" and, "How can we better utilize or coordinate data from state, local, or federal and partners?" Which data is being referred to in the charge? Water quality/quantity, food loss? Need more clarification from EPA on this question.
- What is EPA's definition of resilient and sustainable 21st century water economy? What does EPA mean by a water economy?
- Does EPA provide guidance to state/local waterbody authorities on water quality and quantity? Or are state/local agencies acting autonomously?
- What information is EPA currently gathering from local, state and federal partners, as well as ag and rural communities? How can FRRCC help break down the massive amount of information for EPA from our communities so they better understand and document the resources committed, actions taken on the land, improvements to water?
- What is preventing EPA from two-way sharing/accessing local, state, regional, federal data? Are MOUs needed or is it more than that?
- Has there been harmonization of data collected, data analysis methodology and KPIs related to water quality/quantity at all levels of government – fed, state, local?
- What are the barriers to large scale adoption of water quality/quantity trading? FRRCC can think about opportunities for EPA to mitigate barriers.
- What issues (from the regulatory point of view) have limited rural communities' ability to benefit?
- What is the role of EPA in ag workforce issues? Example: FFA identified an aging pilot workforce, then worked with some schools to facilitate rigorous and faster training (hours) requirements.
- Does EPA work with colleges and universities (with emphasis perhaps on land grants, HBCU, etc) to help develop curricula or weigh in proactively on future skills needs?
- What are current and 10 year down-the-road predicted water infrastructure workforce needs? Are they geographically diverse? Is it simply an aging workforce challenge?
- List of agencies and organizations that help landowners implement conservation programs to mitigate and supplement water quality and quantity issues.
- How does the agency view holistically coordinating with other agencies so there is balance and not prohibitive for producers or contradictory?
- What are the barriers to potable water throughout the country and how many locations are facing lack of access to sufficient potable water?
- All EPA assessment information on water and how EPA manipulates it to determine policies.
- What are the agricultural implications of PFAS contamination?
- Accurate mapping information for installation of crop irrigation systems. If the maps are not accurate and up to date, the cost increases significantly.
- Does/how does water law impact water quantity infrastructure needs and funding?

Environmental Benchmarks with Interagency Partners: Food Loss and Waste Feedback:

- Food processing byproducts and food waste can go to feeding animals instead of to landfills, but it must be managed right to make it a steady stream over time.
- Fruit growers are trying to get consumers to buy different grades of fruit. Consumer acceptance is a challenge, must address management issues around food waste.
- One large struggle is logistics. Where the food waste is located is not where animals are. This is also an issue on the fertilizer side of things. This all comes down to logistics and economics. Very interesting, but too far away from what ranchers and farms do on the farms.
- A couple of Members commented about working with schools to source fresh foods for their school lunches and reduce food waste. Logistics were challenging in one state.

- Create formal definitions for "food waste" and "food loss" that relate to the definitions for these terms that are used internationally, i.e., through the World Resources Institute.
- Define food waste based on the different sources and the problem to be solved.
- Update RCRA regulations to define "solid waste" as including "food waste" so that food waste is better tracked and regulated.
- Characterize food waste going to landfills to help identify beneficial uses.
- Provide real world support and technical assistance for treatment options.
- Cross-government/industry study of food loss and waste issue and development of strategy and action plan for a more resilient food system.
- Work with other agencies to further educate the consumers on food waste. Consumer use and demand drives all other components.
- Participate in cross government actions with ag/food/beverage industry to think about the vulnerabilities to the food system which have been exposed by COVID pandemic and develop a strategy and action plan for building a more resilient food system.
- Work with USDA/FDA and national restaurant association to figure out options to portion "control" or moderation. I.e., in many restaurants the dishes are one size fits all. A collaborative campaign might drive towards options around serving sizes and thus less waste; more portion sharing – i.e., why do we get charged for sharing a dish when we're reducing waste? Why is there only a huge portion option in diners that works for some but is way too much for others?
- Build a system to track food recovery across agencies – allowing federal agencies to self- report on food waste and donation as part of the Food Donation Act of 2008 which encourages agencies to donate extra food but does not require it and currently has no reporting requirements. This can allow federal agencies to become models for food donation and recovery.
- Issue a resource like "Food Too Good to Waste" for farms.
- Stabilize the commodity markets (as we learned with COVID). Growers of all sizes need tools to better evaluate and forecast the market opportunities for crops. Not a perfect science.
- Modify regulatory barriers influencing the food supply chain.
- Think of innovative ways to combat the increased volume of food waste materials by working with states to come up with ideas for community waste disposal and landfills to incentivize consumer reductions. Needs to be done across the board from top to bottom to work in capitalist society.
- Assess EPA regulatory processes that would decrease food waste.
- Date labeling – strategies for using food for communities in need before expired.
- Review the claims of food waste and loss, so each area can be quantified before trying to address the issue. Outdated product in frozen form is totally different than fresh produce that cannot be sold.
- Continue with consumer education, facilitate public/private partnerships that invest in waste treatment infrastructure, increase waste diversion from the retail and commercial sector, USDA should assist with food collection for redistribution. Angel Investors need to research into high values uses for food waste. Look at what is being done around the world. Australia is doing some amazing things.
- Barrier to gleaning (whether from fields or retail) – i.e., Good Samaritan law – make it regulatory protection for food sharing thus reducing liability.
- On its own or in collaboration with USDA and FDA, develop guidance on food safety for food donations, for farmers and food producers (i.e., how does FSMA intersect with gleaning activities)?
- Create a version of the "Food Too Good to Waste" toolkit directed to farmers (the original EPA one is for households).
- Provide education and training for farmers and other stakeholders on opportunities to use food scraps as feed for animals, and to conduct on farm composting.

- Provide funding for development of food waste reduction plans in rural areas (as there is now some funding for urban areas included in the last farm bill in the Compost and Food Waste Reduction pilot programs under the Urban Agriculture office).
- Continue to build the EPA Excess Opportunities Map to identify areas with limited resources and to provide funding, technical assistance, or other resources to areas that the map identifies as being under-resourced.
- Provide funding to farmers to help them manage food recovery operations, either alone or in concert with other nearby farmers.
- Continue coordinating with other agencies, NGO's, states, public schools, and other institutional users to evaluate methods to reduce waste.
- Revamp school lunches. The top 5 wasted foods: bread, milk, potatoes, cheese, apples.
- Share economic benefits info from food waste diversion from landfills. Compile economic data.
- Think about its role in registration of crop protection/pesticide products. Do products that help protect food as it is grown in the field get any bonus points in terms of minimizing food loss/waste?
- Find all the different organizations that have interest in this issue and bring them together so we can have a coordinated effort to solve the problem.
- Develop information and modify regulatory barriers on ways for farms, manufacturers and consumer-facing businesses to rescue surplus food that would otherwise go to waste. And, develop information on redirecting wasted food (via ex. Council Food Waste Collections) that would then provide those products to animal operations, composting operations, etc.
- Look at how resources can be directed to rural communities
- Food date labels – best used by or has gone bad by…should be uniform and reflect what the implications are. I.e., yogurt can be safely consumed long after a product date has passed.
- An inventory of food regulations across states about reusing leftovers from institutional food service. Logistics and infrastructure also impede use (it is easier to throw than to repackage into single use containers and freeze for later use in schools, etc.).

Environmental Benchmarks with Interagency Partners: Food Loss and Waste Questions and Information Needs:

- FRRCC could benefit with more definition about the goals and the target reduction of waste streams.
- Can FRRCC get information from hunger task forces at other agencies to educate this group? Food waste comes with a lot of garbage where they can't separate.
- What is food waste?
- AA Peter Wright referred to tonnage - does that includes just food or also packaging, etc.?
- What is the current interagency strategy on food waste?
- Provide a progress report on the "Winning on Reducing Food Waste" national strategy
- Definitions of food waste and loss, alignment with other countries' definitions; relationship with definition of solid waste under RCRA
- What activities has EPA has been involved in so far?
- How does EPA want to improve existing efforts?
- If given the latitude, additional resources and/or regulatory freedom, how would EPA staff improve the existing food waste efforts?
- Get EPA Sustainable Materials Management team presentation on current/past efforts on food waste.
- Get information on the 2020 interagency strategy for minimizing food loss and waste.
- What actions EPA has taken since the announcement of the Food Waste Reduction Goal?

- Information about the impacts of COVID-19 on food waste in different sectors: Has it increased? By how much? In which sectors?
- Information about how COVID-19 has impacted food recovery and reuse operations.
- What are the impacts of the food waste in health, solid waste management, etc.?
- The beef cattle industry, for example, utilizes byproducts as feed. What are some ways other industries are utilizing things that would otherwise end up as waste?
- Where does food loss occur, in the field, processing, retail or consumer? Where is the waste in the U.S. supply chain? (Data from ReFED exists.) How can EPA reduce those losses?
- Where the data on the food waste percentages come from?
- On the tonnage reported, does it include packaging or just food? Need information on if the food waste amounts include the plastic, cardboard, paper etc. Furtherwithfood.org has information on food waste but packaging may not be included in the tonnage estimate. There is a 4-page table.
- What are the reasons for post-harvest and post-consumer waste? Which of these can we better forecast for and thus avoided/mitigated?
- Need information on incentives/models for driving down waste in the interest of generating revenue as a by/co-product instead of waste (e.g., tipping fees).
- Regional/state examples/variations
- Can EPA help facilitate sharing/compiling of relevant economic case studies (e.g., in Europe)?
- Need more information on safety issues in compost created with food scraps.
- If landfills charge higher rates, hauling companies would have to charge higher rates to dump. In order to be competitive with one another the hauling companies could give incentives based on charges for trash pick-up based on volume or weight. Consumers may be more apt to compost or something else to reduce their footprint. What influence does EPA have on Landfills?

B. Committee Planning

On Day 2, the Committee discussed how it plans to proceed with deliberating on the Charge topics and develop a workplan. The Chair led the Committee through a discussion to structure initial recommendations and information needs pertaining to the Charge topics. The Chair also asked members to initially indicate which ad hoc workgroup(s) they would like to join pesticides, water, or food waste (rosters to be finalized after the meeting and submitted to EPA).

- The workgroups are planning to meet 1-2 times informally to further develop workplans and compile questions and requests for EPA before the next meeting, which the Chair suggested could be at the end of October or early November.
- There is interest in being able to hold a breakout session for each topic.
- Some members are fine to travel, but others have concerns traveling/won't be able to travel but are willing to travel virtually.

C. Other Actions and General Discussion by the Committee

On September 10th, the Chair motioned for a vote on the Committee's adoption of By-laws submitted by EPA. The motion was seconded by Amy Wolfe and passed by unanimous voice vote with no discussion.

On September 11th, the Chair asked the Committee for feedback regarding the following three questions:

1. **The virtual meeting process – what worked well or not so well?**
   - A few Members commented that they liked the virtual meeting, platform, and how it was run, given no other choice due to COVID-19. But they raised drawbacks, e.g., hesitancy to chime in because there is no visual aspect, missing of body language, missing the opportunity to get to know each other more.
   - Everything takes longer in remote setting, but we make the meeting shorter because people get drained. Need questions in advance to help alleviate it.
   - Appreciated that leadership gave updates on their work yesterday.

2. **General reaction and comments on the charge and process and structure put together?**
   - A couple of Members expressed support for breaking the Committee into three workgroups to address the Charges. A couple of Members thought water should be broken into two subgroups. A Member asked how they will get the workgroups started and what the time frame is? The Chair responded that they will get rosters together over next couple of weeks, identify Chairs for each workgroup, and reach back out. The workgroups would meet once or twice before the end of October to mainly identify information needs—i.e., presenters or documents to share.
   - In response to concerns about the workgroups becoming too large and/or discussion of limiting to under 17 Members, EPA responded that there is no capacity limit on ad hoc workgroups. 17 Members would reach quorum of full Committee in terms of size, which just indicates that public participation/notice would be required for meetings/proceedings. Workgroups could be further divided about sub-topics if of interest.
   - There was a question regarding if the charge can change in an administration? The Committee is chartered for 2 years but subject to resources. The charges are set and typically the Committee proceeds in their work, but it is subject to changes that could happen.
   - Thinks water is really broken into 2 items, but 3 group subcommittees sound good.
   - Wants to be involved in other topics because there are so many people who are interested in water topic. Maybe that topic is treated differently, and it gets more time in the larger session.
   - Should the water quantity and water quality?
   - Maybe split water group further: water reuse, nutrient and water finance.
   - Some water quality and quantity topics overlap so need to look at expertise of the Committee members.
   - Part of the water group could focus on on-farm resources needed for production ag (crop and livestock) vs quantity or quality.
   - Don't think should divide water too early until have further discussion. Topics seem broad but may naturally focus.
   - Technical clarification ad hoc workgroups can be any size, but once have quorum then it requires DFO presence and other requirements are triggered.
   - How can they bring in experts on topics outside the group to be part of the discussion? One requirement is that chairs must be Committee members, but other people can be outside the Committee.
   - Chair should move around people if they think that works best with their expertise.
   - The charge has many assumptions for example assumes people don't understand. May need to reassess or give consideration that rural communities may think differently.

- Restore trust - will need to have info on the assumptions. Maybe assumption is true for part of the population but not all of it. Maybe EPA's assumption is not correct. We need to consider the audience of whom the charge would apply too.
- Pesticides, water reuse and nutrients are the top topics of what producers are worried about. And they are worried about EPA will do. Thinks the topics are completely on point.

3. Any policy areas the Committee should consider addressing?

- Carcass disposal - It has to be done correctly or can spread disease and need to protect air and water quality. When we have high mortalities, each option has its own challenges.
- Climate change should be a part of every conversation, but unsure how to approach—would need to know how it relates to EPA.
- Importance of atrazine to sorghum growers
- Ethanol
- Pesticides – EPA should assure that all processes for approval are consistent (not the case in fuel for clean air testing of autos). What are the different parameters for a GMO crop versus a treatment solution for the same pest in a crop? EPA should point out the environmental benefits of a GMO application versus treatment procedure and vice versa. What does it take to change protocol for approval if necessary, and how much time is added to the length of time for approval?
- Urban agriculture has become even more important during COVID-19, as we saw a collapse of food service sector. There was a place for local food supplies to fill the gap. EPA has a Brownfields program that deals with agriculture—perhaps an item for the food waste workgroup.
- Crossroads between different agencies and thought about how we address water.

V. Meeting Materials, Reference

- FRRCC September 10-11, 2020 Meeting Agenda
- FRRCC Member Biographies (September 2020)
- FRRCC Bylaws
- FRRCC 2020 Charge Topics

Recordings of the broadcasted meeting are also available on the FRRCC website for this meeting's materials at: www.epa.gov/faca/frrcc-meeting-materials-september-2020

FRRCC website: www.epa.gov/faca/frrcc

VI. Chair Certification of Meeting Summary

I, William Thomas McDonald, Chair of the Farm, Ranch and Rural Communities Committee, certify that this is the final meeting summary for the public meeting held on September 10-11, 2020, and it accurately reflects the discussions and decisions of the meeting.

Tom McDonald Digitally signed by Tom McDonald Date: 2020.12.02 12:37:04 -06'00'

William Thomas McDonald, FRRCC Chair

12/02/2020

Date

DISCLAIMER: The Farm, Ranch and Rural Community Committee is a chartered federal advisory committee, operating under the Federal Advisory Committee Act (FACA; 5 U.S., App. 2). The committee provides advice to Administrator of the U.S. Environmental Protection Agency on specific topics of unique relevance to agriculture as identified by the Agriculture Advisor to the Administrator, in such a way as to provide thoughtful advice and useful insights to the Agency as it crafts environmental policies and programs that affect and engage agriculture and rural communities. The findings and recommendations of the Committee do not represent the views of Agency, and this document does not represent information approved or disseminated by EPA.