

Data Quality Record for Long-Term Performance Goals

Long-Term Performance Goal Text: By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species for new active ingredients in 90% of the risk assessments supporting pesticide registration decisions compared to the FY 2020 baseline of 50%.

Corresponding Annual Performance Goal: Percentage of risk assessments supporting pesticide registration decisions for new active ingredients that consider the effects determinations or protections for federally threatened and endangered species.

Goal Number/Objective: Goal 7/Objective 7.1

NPM Lead: Office of Chemical Safety and Pollution Prevention (OCSPP), Office of Pesticide Programs (OPP)

1a. Purpose of Long-Term Performance Goal:

The intent of this long-term performance goal (LTPG) is to track EPA's progress in incorporating Endangered Species Act (ESA) determinations into its regulatory decision-making process. The ESA requires that the actions of federal agencies do not jeopardize the continued existence of federally threatened or endangered species or destroy or adversely modify their critical habitat. Other than determinations of "no effects" (mostly for biopesticides), EPA has not routinely incorporated ESA effects determinations into its regulatory decisions due to the lengthy process of ESA consultation with the "Services" (U.S. Fish and Wildlife Service and National Marine Fisheries Service). A positive trend in percent of ecological risk assessments for new active ingredient registration decisions that incorporate ESA effects determinations will indicate overall success in EPA meeting its obligations under the ESA. To support this effort, EPA released its first-ever comprehensive workplan which establishes four overall strategies and dozens of actions to address the challenge of protecting endangered species from pesticides.¹

1b. Performance Measure Term Definitions:

Federally threatened and endangered species: Species and their designated critical habitats that are currently listed by either National Marine Fisheries Service or U.S. Fish and Wildlife Service as endangered or threatened and those that are proposed for listing.

New Active Ingredient: Pesticide substance that currently has no active U.S. registrations being considered for registration approval by the EPA's Office of Pesticide Programs.

Risk Assessment: The EPA's evaluation of potential ecological risks resulting from the labeled use of a pesticide.

Registration Decision: The EPA's decision to register a new active ingredient and under what conditions (if any). The registration decision may include additional risk reduction measures to protect human health and the environment.

¹ [EPA Announces Plan to Protect Endangered Species and Support Sustainable Agriculture](#)

Effects Determinations: OPP's risk assessments specific to endangered species.

1c. Unit of Measure:

The percentage of risk assessments.

2a. Data Source:

- Primary (original) Source(s) of Data and Name(s) of Relevant Information System(s): The source of the data is EPA's internal tracking database.
- Entity That Reports Data to the System: Each division in OPP that is responsible for conducting ecological risk assessment supporting new active ingredient registrations will track the number of ecological risk assessment for new active ingredient decisions that considered ESA protections. This will be compared to the overall number of ecological risk assessments conducted in that time period in support of new active ingredient decisions.
- Frequency and Timing at Which Primary Data are Reported to EPA: Progress toward strategic target is reported quarterly.
- Smallest Unit for Which Data are Collected: Number of new active ingredient ecological risk assessment decisions completed by OPP, including biopesticides, conventional pesticides, and antimicrobial pesticides will serve as the denominator. The numerator will be the number of completed new active ingredient ecological risk assessments that consider risks to federally threatened or endangered species or their critical habitats.

2b. Data needed for interpretation of (calculated) Performance Result:

- Baseline: EPA historically has considered endangered species in its risk assessments supporting new pesticide registration decisions when the action would have "no effect" on listed species, which serves as the historical baseline. Moving to routinely include risks to listed species in the initial pesticide registration application for a new active ingredient will serve as the predicted increase over time. Historically, EPA has not incorporated ESA determinations into its regulatory decisions other than determinations of "no effects" (mostly for biopesticides), due to the lengthy process of ESA consultation with the "Services" (U.S. Fish and Wildlife Service and National Marine Fisheries Service). EPA will more routinely incorporate ESA effects determinations into its regulatory decisions and ensure protection for listed species earlier in the consultation process through label mitigation. The FY 2020 baseline year included a relatively higher percentage of determinations of "no effects" for biopesticide new active ingredient registration decisions in relation to overall new active ingredient registration decisions. Biopesticide determinations of "no effects" are estimated to apply to 70-80 percent of new active ingredient registration decisions in any given fiscal year; the remainder includes conventional pesticides, antimicrobial pesticides, and biopesticides for which determinations of "no effects" cannot be made.
- Tracking Progress: The data will be compiled into a tracking spreadsheet quarterly and reviewed by senior management.
- Universe: Typically, OPP completes approximately 15 to 35 new active ingredient evaluations per year. The number of new active ingredients evaluated each year fluctuates depending on the number of applications received and applicable PRIA timeframes for those actions. The completion of ecological risk assessments conducted in support of these regulatory determinations tracks closely with the regulatory decision itself.

3. Calculation Methodology:

As described in **Section 1c**, the metric is a percentage that is calculated using two values. The number of new active ingredient risk assessments conducted by OPP, including biopesticides, conventional pesticides, and antimicrobial pesticides will serve as the denominator. The numerator will be the number of those new active ingredient risk assessments that consider risks to federally threatened or endangered species or their critical habitats. New active ingredient applications that are rejected or withdrawn prior to conduct of the risk assessment will not be counted.

4. Quality Assurance/Quality Controls:

Divisional management will confirm/verify accuracy of the tracking spreadsheet. Results will be reviewed by senior management on a quarterly basis. Other QA/QC measures are not applicable.

5. Data Limitations/Qualifications:

There are no data limitations; however, success under this measure is dependent on successful implementation of the new methodology to incorporate ESA determinations into the regulatory decision-making process and the availability of adequate resources.

6. Technical Contact:

Brian Anderson (OCSPP), 202-566-1821, anderson.brian@epa.gov

7. Certification Statement/Signature:

I certify the information in this DQR is complete and accurate.

DAA Signature Original signed by Richard Keigwin **Date** 5/17/2022