



October 15, 2019

Public Comments Processing  
Attn: Docket No. FWS-R1-ES-2018-0044  
U.S. Fish & Wildlife Service, MS: BPHC 5275  
Leesburg Pike, Falls Church, VA 22041-3803

Submitted via Regulations.gov; Docket ID: FWS-R1-ES-2018-0044

RE: Comments on the Proposal to List the Franklin's Bumble Bee (*Bombus franklini*) as an Endangered Species; Docket No. FWS-R1-ES-2018-0044.

Dear Sir or Madam:

CropLife America (CLA) respectfully submits these comments on the U.S. Fish & Wildlife Service (the Service)'s proposed rule to list the Franklin's bumble bee as an endangered species under the Endangered Species Act of 1973 (ESA), as amended through Docket No. FWS-R1-ES-2018-0044.

CLA, established in 1933, represents the nation's developers, manufacturers, formulators, and distributors of crop protection chemicals and plant science solutions for agriculture and pest management in the United States. Our member companies produce, sell, and distribute crop protection and biotechnology products used by American farmers. CLA encourages farming practices and supports environmental policies that are based on science and best practices, and that respect and maintain U.S. farmers' ability to grow healthy and abundant food, feed and fuel. CLA and its members are also committed to advancing the environmental sustainability of U.S. agriculture. We believe that our nation can achieve our environmental goals—including goals to preserve and enhance biodiversity in agricultural landscapes—while maintaining and improving agricultural productivity.

CLA commends the Service on its dedication to conserving biodiversity and we fully support the protection of our natural resources, including potentially threatened or endangered species. Although we have significant concerns with the undue emphasis on possible impacts of pesticides, the proposed endangered species status for Franklin's bumble bee is appropriate. This status will allow the Service to determine (1) whether Franklin's bumble bee still exists, (2) the real (versus speculative) threats to continued existence, and (3) what can be done to mitigate real threats.

In its proposal to list Franklin's bumble bee as an endangered species, the Service has called out the use of pesticides in general and neonicotinoids in particular as a possible influencing factor and one of the drivers for this listing. However, as noted in the Proposed Rule document: "No studies have investigated the effects of pesticide use on the Franklin's bumble bee, and no discoveries have been documented of any Franklin's bumble bees injured or killed by pesticides."

**Representing the Crop Protection Industry**

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In addition to the lack of scientific data, it is also important to highlight that the range maps for Franklin's bumble bee reflect less than 2% overlap with agricultural lands. The Service has rightly captured the information in the Federal Register Notice - "The Franklin's bumble bee is a habitat generalist and is not known to have a close association with agricultural lands; therefore, it may have less exposure to pesticides than some other *Bombus* species. However, pesticide use occurs in the range of the Franklin's bumble bee."

Finally, we have serious concerns related to the usage data regarding neonicotinoids. Most neonicotinoids are used as seed treatments on grains and other field crops, which have experienced a sharp decrease in agricultural acreage over the years, as mentioned in the Proposed Rule document under Influence Factors Related to Destruction, Modification or Curtailment of Habitat (Agricultural Intensification). However, the Proposed Rule document does not account for the sharp decline in land acreage and its` impact on Franklin's bumble bee. In the Proposed Rule document, the increase in usage from 53.35 pounds per acre (lbs/ac) in 1996 to 1,144.128 lbs/ac (518.86 kg/ha) in 2014 appears to be incorrect. The data used to generate these values are in mass (pound or kilogram) of neonicotinoid used in the county and are not mass/area unit. The values provided appear to be the sum of kilograms of neonicotinoids used in the three Oregon counties, and pounds of neonicotinoids used in the two California counties. The Oregon county data comes from USGS and is clearly identified as **kilograms** of active ingredient in data downloads (i.e. "EPEST\_LOW\_KG" and "EPEST\_HIGH\_KG"). The California county data is from the California Pesticide Information Portal (CalPIP) and is provided in **pounds** of chemical used (pound/acre rates are also provided). The data from Appendix 3 of FWS-R1-ES-2018-0044-0006 can be used, but the sum of chemical used needs to account for the different mass units of the USGS and CalPIP data (e.g., 2014 high estimates are 431 kg in Oregon, 325 kg in California, and a total of 756 kg). Again, these are mass units, not lb/acre or kg/ha.

To conclude, we support the proposed listing of Franklin's bumble bee as an endangered species and would like to request the Service to provide additional information validating the proposed listing, correcting the typographical / mathematical error, and not overemphasizing the role of pesticides without data from relevant studies.

Respectfully submitted,



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