The Region VIII Pre-SFIREG meeting was held at the EPA Building in Denver, Colorado on October 5, 2015 in conjunction with the Region VIII Pesticide Managers Meeting. All Region VIII States were in attendance for both meetings and EPA Personnel and Tribal Program Managers were present for the Pesticide Managers Meeting, however, after the Pre-SFIREG Meeting, many of the issues discussed were brought back to the larger group as some topics were relevant for our Tribal partners and the Full Pesticide Managers Meeting was developed in part to address issues that were to be discussed in the Pre-SFIREG Meeting. The agenda for the Full Pesticide Managers Meeting is included as an attachment.

State Issues/Updates.

**Utah:** Has hosted an MP3 “Open House” where several hundred people were able to attend various informational booths and learn about the issues. Utah's new media was present and filmed portions of their event.

**North Dakota:** Has created its Pollinator Protection Plan. It includes a web-based GIS Map with a user interface the results in automatic emails when updates occur.

**Wyoming:** Is back to full staff. There exist new programs, with no additional funding, so that staff is already being pulled thin. There is a marijuana ballot initiative being circulated, however, for a ballot initiative to be successful in Wyoming, 15% of the voters in each county must support it for the initiative to reach the ballot.

Wyoming is has concluded its MP3 Final Draft, which is modified after North Dakotas. Wyoming held 8 public meetings throughout the state, added some BMPs for bee keepers, and uses Goggle Maps for applicator notification.

**South Dakota:** expects to have its MP3 finalized in either March or April of 2016. They have met with SD Bee Keepers to discuss the issues and are considering the feedback. SD has created a “Sensitive Sites Database and presented the info at the annual SD Aerial applicator “Fly-In.”

**Montana:** experiencing issues with refillable “shuttle” or “mini-bulk” containers no longer being accepted by re-fillers or collectors due to age and other issues on the containers. There currently is not a requirement for mini-bulk container stewardship (when containers no longer meet the preferred standard of the industry) and Montana is interested in knowing if any other states are starting to see this as issue and if any states have programs or requirements in place on what to do with these containers.

Montana has had a Pollinator Protection Plan “Bee Guide” in place for several years. They are in the process of updating and modifying the content and plan to present the updates to the bee keeping community soon. They have also scheduled a pollinator workshop to look at specific pesticides and alternative pesticides.

**Colorado:** is in the process of implementing new Rules required by the changes to the Pesticide Applicators’ Act that occurred this year during our legislative session. Some changes are:

- Mandated training for all public and limited commercial applicators using concentrated GUPs.
- Increased Advisory Committee members including a bee keeper, Organic grower, urban ag (marijuana), and a WPS Worker.
Marijuana continues to be an issue, to date we have opened 34 marijuana investigations alone. We are currently at 95% of average case load in just ½ a year. Our pesticide sampling has gone way up; we are in the process of adding at least one more LC/MS/MS and two new lab technicians. We are collecting plant material, including harvested “bud”, edibles, beverages, oils, extracts of various forms, and infrequently, hard surface sampling. The marijuana samples pose significant problems with instruments. The entire system needs to be cleaned after each sample is run and marijuana extracts separate and won’t stay in solution, classic oil and water issues.

With the addition of Marijuana growers, Colorado’s agricultural establishment numbers have doubled and in response we have hired another Enforcement Investigator and are in the process of hiring two more WPS Inspectors. We hope to have these people fully trained and functioning within a year.

As a result of Emerald Ash Borer reaching Colorado, and the very real public fear of not being able to protect trees with systemic pesticides for fear of harming bees, Colorado funded a study to check the pollen collection of bees to determine if Ash pollen played a significant role in honey bee diet. Once the results are finalized we would be happy to share the info.

Pre-SFIREG

After the states and tribes updates, the meeting progressed through the morning portion of the Managers Meeting until the State Break Session which comprised the Bulk of the topics discussed for the Pre-SIFREG Meeting. Topics discussed are as follows:

Proposed C & T Rule Change

Region 8 had a lot of discussion and a lot of concerns. One main theme is the cost of CEUs. Region VIII States agree that the costs to attend trainings, including registrations fees and loss of revenue, are likely to dis-incentivize on-going training and will result in many more applicators maintaining certification through testing only.

WPS PIRT/PREP

There several hundred agricultural establishments and agricultural employers for every inspector in Region VIII. There are only 30 slots available per course, so many states and tribes will have the opportunity for one person to attend these trainings. Region VIII States would like to encourage additional PIRT Courses as it’s the inspectors who will ultimately teach the agricultural establishments what the new requirements are.

Each inspector works on more than one program, meaning, no inspectors are dedicated to only WPS, therefore there exists an unreal expectation that the compliance assistance will reach each grower before EPA expects enforcement to begin. Many Region VIII States are considering asking for modifications to their cooperative agreements during their negotiated agreement process to shift the workload more towards compliance assistance to assure that their constituents receive equal opportunity to become familiar with the new obligations.

Region VIII discussed having a “Mini-PIRT/PREP” and decided to invite four members from each of our states and two members from our tribes. Colorado has offered its office for the meeting space and we have set the date and arranged for a block of rooms. We understand that some HQ folks have already agreed to come out to Colorado for this training, and we may possibly extend our invitation to include Region 7, depending on the number of Region 8 commitments to attend. The official invite for Region 8 will likely be sent in the next week or two.

Pesticides and Marijuana

Region 8 has only two states with lawful marijuana cultivation currently, Wyoming may become the third
state, though they have a very difficult process to get there. Before the June meeting this year, I had asked for each SFIREG representative to let me know if any SLAs in their Region have inspected or investigated any marijuana growers, at that time, none had.

It's now my understanding that Nevada has conducted several WPS compliance inspections with marijuana growers. Colorado has conducted nearly three hundred such compliance inspections and hosted seven informational trainings for marijuana growers to learn about the WPS, reaching just over 300 people; however, there are more than 1200 licensed marijuana growers in Colorado.

The Media has been all over the marijuana and pesticides issue. Mostly inaccurate with respect to CDA's position on which pesticides could lawfully be used and more importantly why, what we are doing with respect to enforcement and regulation, when we began and why, and as a result our office has been inundated with open records requests from the Media, concerned citizens environmental groups and from the marijuana industry. We know EPA (Region and HQ) has had a number of media calls on these issues too.

Last year, Colorado's marijuana crop produced 700 million dollars in revenue. It was behind only Hay (grass, alfalfa and alfalfa grass mixed combined) and it was ahead of Corn. These issues will continue to grow, and marijuana growers nationwide will continue to need effective and legal pesticides to use.