



November 21, 2016

U.S. Fish and Wildlife Service  
Headquarters, MS: BPHC  
5275 Leesburg Pike, Falls Church, VA 22041-3803

**Re: Endangered and Threatened Wildlife and Plants; Endangered Species Status for Rusty Patched Bumble Bee.  
Docket No. FWS-R3-ES-2015-0112**

The National Sorghum Producers **opposes the listing of the rusty patched bumble bee (RPBB)** as an endangered or threatened species under the Endangered Species Act. NSP is an agricultural commodity organization that represents sorghum farmers nationwide on regulatory and legislative issues. NSP serves as the voice of the sorghum industry, which includes 50,000 sorghum farmers across every state in the continental U.S. with 7.2 million acres planted in 2016.

While the natural range of the RPBB does not overlap with the majority of the “Sorghum Belt,” defined as primarily dry lands from South Dakota to South Texas, and relatively few acres of sorghum would be impacted, NSP believes the evidence used for highlighting agriculture’s role in the species decline is misplaced. NSP knows our farmers are stewards of the lands they use, passing their farms from one generation to the next. Our grower members have a great appreciation for the organisms that inhabit our lands and their need for protection. However, the FWS report placed considerable emphasis on pesticides, specifically neonicotinoids, as playing a significant role in the RPBB’s decline, a premise unsupported by the information included within the proposal.

Misleading and Erroneous Correlation

FWS’s report included a graph that grouped data regarding neonicotinoid use and RPBB decline by decades intervals, creating the perception of a correlation but actually misrepresenting the timing of the decline and when neonicotinoid use became prevalent in the regions of interest. The use of neonicotinoids within the range of the RPBB increased beginning in 2004. However, the precipitous decline of the RPBB was already well underway prior to 2004. Furthermore, the “Population Status” map included in the report includes a “green” oval indicating extant areas, where RPBB is still found. It is this area that contains the

most crop intensive areas within the RPBB range. The ovals in “red” indicating historic range with no sightings since 2000 are in areas with far less intensive agricultural practices.

#### Non-target Risk Mitigation

The sorghum industry, in collaboration with other grower groups and beekeeping organizations is engaged with the U.S. Environmental Protection Agency and states that are pursuing state managed pollinator protection plans (MP3s). While these efforts are focused on honeybees, the EPA acknowledged that native bees would also benefit from their implementation. However, the FWS report is completely silent on these efforts and shows no indication communicating with the EPA during the writing of the report.

#### Misplaced Emphasis

The EPA has the authority to regulate and evaluate the human and ecological safety of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). It seems nonsensical for the FWS to place emphasis on the impact of pesticides on the RPBB without consulting with the EPA. The report highlighted five risk factors identified from a survey. Of those surveyed, 31 percent identified pathogens as the greatest risk to RPBB, 23 percent habitat loss, 15 percent climate change, 15 percent small population dynamics and 15 percent pesticides. Yet when describing risk factors the FWS report spends more time (six pages in all) discussing pesticides than all of the other factors combined.

#### Conclusion

NSP appreciates the opportunity to comment on the U.S. Fish and Wildlife Service proposal. We are not in a position to comment on the current status of the RPBB population. However, it is apparent that the FWS is placing undue blame on the agriculture community that it is not supported by the report’s evidence. We would strongly encourage the FWS to consult with the EPA and the U.S. Department of Agriculture for a more thorough evaluation of the interaction between RPBB and agricultural lands.

Thank you for the opportunity to comment on this important issue and please feel free to contact us if you have any questions regarding our response.

Sincerely,

A handwritten signature in cursive script that reads "Tim Lust".

Tim Lust  
Chief Executive Officer  
National Sorghum Producers