UNITED STATES DEPARTMENT OF AGRICULTURE
Animal and Plant Health Inspection Service
Plant Protection and Quarantine

Finding of No Significant Impact

Southwest Idaho Rangeland Grasshopper Suppression Program
EA Number ID-PPQ-GH-2004-004

An environmental assessment process undertaken for the above-referenced program examined generally the potential environmental effects of alternative means of suppressing grasshopper outbreaks that may occur on portions of federally managed rangeland; the total area covered by this assessment amounts to more than 500,000 acres in southwest Idaho, although no more than 10 per cent of that total area is expected to be treated. Just where suppression activities may take place in that area is not known at the present time, but will be determined subsequently through surveys currently being conducted. When grasshopper infestation threats are detected, the parameters of the treatment area will be defined; during that process, a second, more focused examination of the affected environment will be undertaken. The results of that examination, including, as appropriate, confirmation of this finding, will be made available on request. Comments on the second stage of this process will be welcomed, although it is possible that program operations to deal with the pest threat may well have commenced before comments are received.[1] Nevertheless, comments, if any, on documentation for the second stage of this process will be fully considered, as comments on the first stage document have been, and any program adjustments that may be prompted by those comments will be made.

This environmental assessment process relied to some extent upon data contained in a document entitled "Rangeland Grasshopper and Mormon Cricket Suppression Program, Environmental Impact Statement," finalized in June 2002. Like that document, the environmental assessment prepared for anticipated program operations in southern Idaho describes generally the potential effects of program alternatives on various aspects of environmental quality—human health, water quality, and non-target species, among others—in the area. More focused examination of the potential environmental effects—effects on particular groups, water bodies, and the like—has not been attempted to any substantial degree and would be wasteful at this point, given that no more than 10 per cent of the total area under consideration will be treated. A more focused examination will be undertaken as soon as a grasshopper infestation threatens a more well-defined area. To the extent circumstances have permitted, however, the requirements of other environmental laws, notably the Endangered Species Act, have been largely satisfied in the first stage of this process.

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[1] APHIS' enabling legislation provides, in relevant part, that "on request of the administering agency or the agriculture department of an affected State, the Secretary, to protect rangeland, shall *immediately* treat Federal, State, or private lands that are infested with grasshoppers or Mormon crickets…" 7 U.S.C. § 7717(c)(1) (emphasis supplied).

The environmental assessment describes the potential environmental effects associated with different alternatives, including the "no-action" alternative and treatment alternatives that consistent of using three different chemicals—diflubenzuron, carbaryl, and malathion—and two different application techniques—large block treatment to suppress grasshopper populations in generalized areas, and smaller block treatment to protect specific resources, which is the preferred approach. The types of treatments that may be required to achieve objectives will differ, depending on the circumstances, all of which are described in the environmental assessment. The environmental assessment also describes 18 operational practices for the 2004 program; those practices have been designed to further safeguard all potentially affected aspects of the human environment, including human health and safety, non-target species, water bodies, sensitive sites and resources, as well as protected species and habitat. Twelve additional operational safeguards for aerial application of chemicals are described in the environmental assessment, and one additional operational safeguard for ground application of baits and liquids is also described in the document. Monitoring systems are also a part of program operations.

Agency program officials conducted an informal consultation with Fish and Wildlife Service pursuant to regulations implementing section 7 of the Endangered Species Act. In a letter dated April 27, 2004, the Supervisor of Fish and Wildlife Service's Snake River Fish and Wildlife Office stated

> APHIS has determined that the proposed actions may affect, but will not adversely affect the threatened, endangered or proposed species, or proposed critical habitat that occur within the action areas. For the past four years, staff from the [Fish and Wildlife] Service and the state office of the Bureau of Land Management (Bureau) have worked closely with APHIS during the process of preparing their Assessments to incorporate measures to minimize the potential for effects to occur on proposed, listed, and candidate species, and proposed critical habitat. With this letter, the [Fish and Wildlife] Service is providing concurrence with your determinations.

Comments on the environmental assessment have been filed by several environmental/public interest organizations. Issues raised in those comments are presented below in question form, followed by my response.

1. Why have alternatives, such as integrated pest management, that do not involve the use of chemicals, not been considered?

APHIS' authority is limited to responding immediately to requests for treatment of grasshopper-infested lands. APHIS has no authority to engage in land use planning of any kind; nor is it equipped to do so, for APHIS' expertise is in the field of pest management, not land use planning and practices. In the context of the environmental impact statement process that resulted in the "Rangeland Grasshopper and Mormon Cricket Suppression Program, Environmental Impact Statement" of 2002, APHIS sought to involve area land use planners, the experts who are equipped to address non-chemical

means of dealing with the grasshopper problem, for the purpose of considering the full range of alternatives. None of the area land use planners accepted the agency's invitation; thus, the focus of the environmental impact statement process was necessarily limited to those issues APHIS could reasonably address. It is for this same reason that we are unable to address non-chemical alternatives in the context of this environmental assessment process. We do not disagree that non-chemical means of dealing with the grasshopper problem constitute reasonable alternatives, only that it is unreasonable to expect APHIS to be able meaningfully to develop and describe such alternatives in the circumstances.

2. Why would APHIS defer to land managers regarding areas that should or should not be included in treatment blocks?

Here, again, the land use manager is responsible for what takes place on its holdings, for designating and assuring the protection of any sensitive areas, and for directing and overseeing the work that may be done by an outside agent—in this case, APHIS—at its behest. This is not to suggest that APHIS assumes no responsibility for actions that it may take on the managed land, only that, of necessity, it must rely on the land manager's knowledge of all planning requirements that pertain to the land.

3. Why has APHIS not provided wider buffer areas beside water bodies?

The buffer width adjacent to waterways was selected to protect the waterways and allow APHIS to implement an effective grasshopper suppression program. A five hundred foot buffer on either side of a waterway is specified during aerial application of pesticide bait, and fifty feet if ground application equipment is used. In addition to the use of buffers, the program incorporates many mitigation measures to ensure that pesticides do not enter the waterways. The program requires monitoring weather and environmental conditions prior to and during pesticide application. The program precludes aerial application when wind speeds exceed ten miles per hour. The program requires pretreatment reconnaissance to ensure pesticide applicators are familiar with program area boundaries, buffers and areas that are not to be treated. In summary, the buffer width, in conjunction with the mitigation measures and program elements outlined above, are adequate to protect waterways during pesticide application.

Buffers identified in this first stage environmental assessment process have been determined to be sufficient to safeguard water quality. A passage in the environmental assessment suggests, however, that the buffers would not necessarily prevent all insecticides from entering water bodies. In order to eliminate the possibility of drift into water bodies, APHIS has selected a modified alternative that includes only application of carbaryl bait in program operations. APHIS recognizes that other alternatives may be available to adequately address the issue of pesticide drift and comply with the law, but APHIS has selected the modified alternative at this time due to the need to move forward with program operations for the 2004 season.

4. Why does the environmental assessment not include or reference a "concurrence letter" from the United States Fish and Wildlife Service for the section 7 consultation that was in progress?

The environmental assessment was published for public comment March 29, 2004. In a letter dated April 27, 2004, the Supervisor of the United States Fish and Wildlife Service's Snake River Fish and Wildlife Office concurred with determinations reached in the context of the section 7 consultation process. A copy of that letter is available upon request.

5. Would children be exposed to any danger if insecticides are aerially applied near schools?

The environmental assessment clearly states (p. 40) that schools will not be subject to treatment under the proposed action.

6. Has APHIS intentionally subdivided what once used to be a single program (Idaho) into three sub-programs in an effort to downplay impacts associated with the program, viewed as a whole, and to avoid addressing cumulative impacts on a larger scale?

The Idaho program has been subdivided for convenience according to land ownership and uses in the area, not for purposes of avoiding our responsibilities under the National Environmental Policy Act process. In fact, cumulative impacts have been addressed generally in this first stage environmental assessment process (pp. 37 – 40). When specific treatment areas have been identified and the application technique has been selected we will be in position to better assess cumulative impacts of any related programs in nearby regions. Such assessment will be documented and made available as part of the second stage of this process.

7. Why has APHIS not indicated what insecticide will be used in the program and with what application technique?

The environmental assessment recognizes (pp. 12 – 14) that the choice of insecticides and application techniques depends largely on conditions at the specific site to be treated. I have already indicated that only carbaryl bait will be used in program operations and in a manner, similar to last year's program, that insures compliance with all applicable laws. When specific treatment areas have been identified, the most appropriate application technique in the circumstances will be selected. The selection will be documented in a decision which will be informed by the second stage environmental assessment process.

Finally, although I have indicated that only carbaryl bait will be used in program operations, no decision regarding any other treatment options has been made; nor can any be made until such time as specific treatment areas have been identified. At that time, a more focused examination of the specific treatment area will be undertaken, documented, and made available to the public, together with the decision regarding which options have been selected for the program.

Finding: Accordingly, for purposes of this first stage of the environmental assessment process for the southern Idaho grasshopper suppression program, I find that treatment alternatives, employing only carbaryl bait, described in the environmental assessment, when considered together with enumerated safeguards that are made expressly a part of program operations, will not significantly affect the quality of the human environment.

May 21, 2004

C. David McNeal Jr. (Date)
State Plant Health Director-Idaho