

Finding of No Significant Impact
European Cherry Fruit Fly Cooperative Control Program
Greater Niagara Region, New York State
Environmental Assessment
April 2019

The U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (USDA APHIS) prepared an environmental assessment (EA) analyzing alternatives for an emergency response program to control the European cherry fruit fly (ECFF), *Rhagoletis cerasi* (Linnaeus, 1758), an exotic agricultural pest. The confirmed detection of ECFF at actionable levels in western Niagara County in September 2017 triggered USDA APHIS’ involvement in an ECFF cooperative control program with New York State. The Commissioner of the New York State Department of Agriculture and Markets requested further Federal assistance to Niagara County’s commercial cherry growers in the form of a pre-quarantine response when information became available about the potential impacts of ECFF infestation on the State’s economy. Evidence gathered during 2018 revealed ECFF infestation in multiple areas of Niagara County. These outbreaks raised State and Federal concern about the risk and potential impact to ECFF-hosts in the United States.

The proposed 2019 ECFF program would be implemented in an area of northwestern New York State that includes Erie, Genesee, Niagara, and Orleans Counties (“greater Niagara region”). The EA analyzing the action proposed for 2019 is incorporated in this document by reference, and is available from:

USDA–APHIS–PPQ
State Plant Health Director
500 New Karner Road, 2nd Floor
Albany, NY 12205

or

USDA–APHIS–PPQ
Fruit Fly National Policy Manager
4700 River Road, Unit 26
Riverdale, MD 20737

The EA for the currently proposed action considered and dismissed several action alternatives: aerial pesticide applications, host netting, mass trapping, malathion bait sprays, and methyl bromide fumigation. The EA considered two alternatives: (1) continue the 2018 program within Niagara County and a small portion of Erie County (“no action”), and (2) implement the control and preventative buffer programs in the greater Niagara region. Each of these alternatives is associated with potential environmental consequences. USDA APHIS selected the proposed cooperative control program as the preferred alternative because of its flexibility of response to diverse ECFF incursions, and its ability to reduce the risk of ECFF dispersion and establishment, as well as reduce the overall magnitude of potential environmental consequences.

USDA APHIS reviewed the proposed program area to evaluate the effect implementing the proposed action would have on federally listed species and critical habitat in the four counties. USDA APHIS determined that there would be no effect on the northern long-eared bat (*Myotis septentrionalis*), bog turtle (*Clemmys muhlenbergii*), eastern massasauga (*Sistrurus catenatus*), and Houghton’s goldenrod (*Solidago houghtonii*). No critical habitat is designated in the program area. Should the emergency program area expand, or a new species or critical habitat be listed

that may occur in that program area, USDA APHIS will review this determination and the results of any consultation, as necessary. In addition, implementation of the preferred alternative is not expected to have any adverse effect on migratory birds or their flight corridors, and only minimal impact on other nontarget species in the program area because of the application method used, the favorable toxicity profile of the insecticide, and the ECFF program's limited and targeted use of the insecticide.

I find implementation of the proposed ECFF adaptive management program in the greater Niagara region will not significantly impact the quality of the human environment. I considered and based my finding of no significant impact on the quantitative and qualitative risk assessments of the proposed pesticides, the analyses in the referenced EAs, and my review of the program's operational characteristics. Participation in the proposed program is authorized for commercial cherry growers on private land under a compliance agreement with the New York State Department of Agriculture and Markets. Program activities in State parks and near or on historic properties would occur with the concurrence of the New York State Office of Parks, Recreation and Historic Preservation. Program activities on Tribal property would occur after consultation with appropriate Tribal leaders. Based on consultations for the proposed program, I find USDA APHIS is fulfilling applicable consultation requirements associated with the human environment (including low-income and minority populations, children, and Tribal, cultural, and historical resources). Lastly, because I have not found evidence of significant environmental impacts associated with this proposed program, I find an environmental impact statement does not need to be prepared and implementation of the 2019 ECFF cooperative control program may proceed.



Edward Chen
State Plant Health Director, New York
Animal and Plant Health Inspection Service
U.S. Department of Agriculture

April 16, 2019
Date