

Decision and Finding of No Significant Impact
for
Field Release of *Lophodiplosis indentata* (Diptera: Cecidomyiidae), for classical biological control of *Melaleuca quinquenervia* (Myrtaceae), in the contiguous United States
January 2022

The U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) is proposing to issue permits for release of the fly *Lophodiplosis indentata* (Diptera: Cecidomyiidae). *Lophodiplosis indentata* would be used by the permittee for the classical biological control of melaleuca, *Melaleuca quinquenervia* (Myrtaceae), in the contiguous United States. Before permits are issued for release of *L. indentata*, APHIS must analyze the potential impacts of its release into the contiguous United States in accordance with USDA, APHIS National Environmental Policy Act implementing regulations (7 Code of Federal Regulations Part 372). APHIS has prepared an environmental assessment (EA) that analyzes the potential environmental consequences of this action. The EA is available from:

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Plant Protection and Quarantine
Pests, Pathogens, and Biocontrol Permits
4700 River Road, Unit 133
Riverdale, MD 20737

https://www.aphis.usda.gov/aphis/ourfocus/planthealth/plant-pest-and-disease-programs/ea/ct_biocontrol_weeds

The EA analyzed the following two alternatives in response to a request for a permit authorizing environmental release of *L. indentata*: (1) no action, and (2) issue permits for the release of *L. indentata* for biological control of melaleuca. A third alternative, to issue permits with special provisions or requirements concerning release procedures or mitigating measures, was considered. However, this alternative was dismissed because no issues were raised that indicated that special provisions or requirements were necessary. The No Action alternative, as described in the EA, would likely result in the continued use at the current level of chemical, mechanical, and biological controls for the management of melaleuca. These control methods described are not alternatives for decisions to be made by APHIS, but are presently being used to control melaleuca in the United States and may continue regardless of permit issuance for field release of *R. crupinae*. Notice of this EA was made available in the Federal Register on December 16, 2021 for a 30-day public comment period. Five comments were received on the EA by the close of the comment period. Four comments were in favor of the proposed release of *L. indentata*, while the fifth was neither for nor against it and raised no concerns.

I have decided to authorize APHIS to issue permits for the environmental release of *L. indentata*. The reasons for my decision are:

- *Lophodiplosis indentata* is sufficiently host specific and poses little, if any, threat to the biological resources, including non-target plant species, of the contiguous United States.

- *Lophodiplosis indentata* is not likely to adversely affect federally listed threatened and endangered species or their critical habitats in the contiguous United States.
- *Lophodiplosis indentata* poses no threat to the health of humans or animals.
- No negative cumulative impacts are expected from release of *Lophodiplosis indentata*.
- There are no disproportionate adverse effects to underserved communities, minorities, low-income populations, or children in accordance with Executive Order (EO) 13985, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government”, EO 12898 “Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations” and EO 13045, “Protection of Children from Environmental Health Risks and Safety Risks.”
- While there is not total assurance that the release of *L. indentata* into the environment will be reversible, there is no evidence that this organism will cause any adverse environmental effects.

I have determined that there would be no significant impact to the human environment from the implementation of the action alternative and, therefore, no Environmental Impact Statement needs to be prepared.

/s/ _____
Steven Crook, Director
Permitting and Compliance Coordination
U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Plant Protection and Quarantine

January 20, 2022
Date