

**Finding of No Significant Impact for
Quarantine and Interstate Movement of
Citrus Greening and Asian Citrus Psyllid**

Environmental Assessment

July 2009

The U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), has prepared an environmental assessment (EA) that analyzes the potential environmental consequences of implementing a citrus greening (CG) and Asian citrus psyllid (ACP) control program. The proposed program is needed to control the spread of CG and ACP in order to minimize economic damage to citrus in groves and nurseries. The final EA, incorporated by reference in this document, is available from:

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Plant Protection and Quarantine
Emergency and Domestic Programs
Emergency Management
4700 River Road, Unit 134
Riverdale, MD 20737-1236

The U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) has undertaken measures to control the artificial spread of CG and ACP to noninfested areas of the United States since the introduction of the CG in 2005. Since September 16, 2005, APHIS has issued Federal Orders to designate quarantined areas and imposed restrictions on the interstate movement of all CG and ACP host material from these areas.

A July 2009 EA was prepared to comply with the procedural requirements of the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. 4321 et seq.) and APHIS' NEPA implementing procedures (7 CFR part 372). The EA analyzed two alternatives: (1) the no action alternative, in which APHIS would withdraw the current Federal Order and would take no further regulatory action; and (2) the proposed action alternative, in which the control program would codify some of the provisions of the current Federal Order, clarify others, and add provisions that APHIS has determined to be necessary to prevent the spread of CG and ACP to noninfested areas of the United States. Under the proposed program, the interstate movement of articles regulated for CG and ACP from an area quarantined for CG or ACP will be prohibited, except under certain conditions.

The purpose of preparing an EA is for an Agency to determine whether a significant environmental impact is likely to occur as a result of the proposed action. An environmental impact statement (EIS) must be prepared if implementation of the proposed action may significantly affect the quality of the human environment. Based on the information provided in the July 2009 EA, I have determined that there would be no significant impact to the human environment from the implementation of the proposed control program and, therefore, no EIS needs to be prepared. APHIS' finding of no significant impact from the proposed control program is based up on the expected limited environmental consequences, as analyzed in the EA and summarized below.

The EA analyzed the potential environmental impacts arising from chemical (i.e., methyl bromide, dinotefuran, imidacloprid, bifenthrin, chlorpyrifos, deltamethrin, fenpropathrin, or an imidacloprid and cyfluthrin mixture) and irradiation treatments that would be required if regulated articles were moved interstate from areas quarantined for ACP. The only potentially affected areas to be treated pursuant to the proposed program are within commercial nurseries. The EA concluded that, provided persons applying the chemical treatments follow the pesticide label, its applicable directions, and all restrictions and precautions, including statements pertaining to Worker Protection Standards, the effects to the

environment and to humans from chemical treatments within nurseries are not expected to be substantial. Protective gear and safety precautions required by the label and standard operating procedures are designed to ensure that no adverse effects to program workers will be expected.

Since methyl bromide fumigation is conducted in contained facilities, potential exposure to the environment and to nontargets, including humans in the surrounding communities, is minimal. Additionally, adherence to good practices and guidelines should ensure that there are no adverse effects on workers and bystanders. Consumers are unlikely to be impacted by handling a commodity which has been fumigated with methyl bromide because methyl bromide dissipates quickly once the commodity is removed from the fumigation chamber. The expected use of methyl bromide in fumigation of articles under the proposed control program is well below any levels that could contribute measurably to ozone depletion. In addition, irradiation treatment of regulated articles is under controlled conditions in contained facilities, and, therefore, the potential exposure to the environment and nontarget species is minimal. Irradiation facilities are strictly regulated for human and environmental safety. Consumption of irradiated regulated articles should pose no significant risk to consumers.

The potential for affecting threatened and endangered species exists only at the site where the chemical treatments will occur, namely in the nurseries. APHIS is in the process of gathering pertinent information and intends to consult with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service to ensure that proper measures are taken to protect endangered and threatened species. Any conservation measures decided upon would be incorporated into the compliance agreements required by APHIS for the nurseries.

Due to the nature of the proposed actions, we anticipate no disproportionate adverse effects to minorities, low-income populations, or children in accordance with Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations," and Executive Order 13045, "Protection of Children from Environmental Health Risks and Safety Risks." APHIS is in the process of complying with the Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments," by collaborating with Indian tribal officials to ensure that they are well-informed and represented in decisions regarding the proposed program.

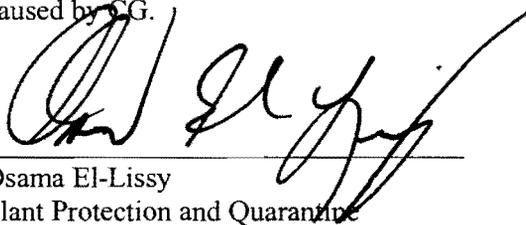
The Council on Environmental Quality's NEPA implementing regulations require that environmental documents be made available to the persons and agencies that may be interested or affected. The July 2009 EA prepared for the proposed CG and ACP control program was made available to the public for comment. The agency accepted comments for 30 days, ending November 9, 2009. APHIS received three comments.

One comment was not related to the EA but to the CG and ACP control program. The commenter requested that we allow the limited interstate movement of citrus nursery stock from an area quarantined for citrus greening; under the program, such movement is prohibited, unless the articles are destined for immediate export. We would authorize such movement only if we determine that measures exist that adequately mitigate the risk associated with it. Our evaluation of possible measures is currently ongoing.

A second comment was received from the United States Department of the Interior (DOI), Fish and Wildlife Service (Service). The commenter indicated a general agreement with the EA, referenced the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act, and requested applicators avoid direct spraying of birds of any species. A third comment was received from the DOI's National Park Service (NPS). NPS requested that they be informed if new information becomes available regarding control strategies and threatened and endangered species.

APHIS acknowledges and appreciates these comments, but we do not consider it necessary to revise the EA in response to them. However, we have revised the EA to reference Federal Orders issued since the close of the comment period.

Based on this July 2009 EA, I have determined that this finding of no significant impact is the appropriate environmental decision to make in reference to the proposed control action. Additionally, I have selected the proposed action alternative because it will be able to effectively address the serious plant disease risk caused by CG.



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Animal and Plant Health Inspection Service

2/25/2010
Date