

**Finding of No Significant Impact
for
Golden Nematode Ro2 Eradication in Livingston and Suffolk Counties, New York
Environmental Assessment
September 2008**

In July 2008, the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), prepared an environmental assessment (EA) that analyzed the environmental consequences of a treatment program to eradicate a new race of golden nematode from Livingston and Suffolk Counties in New York, known as Ro2 race. In the EA, the treatment alternative consisted of using a combination of methyl bromide and chloropicrin (MBC) to treat soil twice a year. The EA was made available for a 30-day public comment period ending on September 2, 2008. To date, no comments have been received on the EA. This EA was updated (with new endangered species information) in September and is available at www.aphis.usda.gov/plant_health/ea/nematode.shtml and from:

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Animal and Plant Health Inspection Service
Plant Protection and Quarantine
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The EA analyzed alternatives consisting of (1) continuation of the Federal Order which prohibits the planting of host crops in the infected fields, movement of articles from infected fields, and establishes phytosanitary procedures to prevent the spread of PCN (no action alternative), and (2) continuation of the Federal Order and eradication of GN from the infested fields by fumigation using MBC twice per year in a program that could extend as long as 5 to 7 years (preferred alternative).

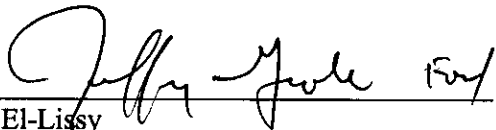
APHIS has determined that the preferred alternative, to continue the Federal Order and fumigate infested fields twice per year for up to 5 to 7 years, will not have a significant impact on the quality of the human environment.

APHIS' finding of no significant impact for this action was based upon the expected limited environmental consequences, as expressed in the EA. The EA evaluated the potential environmental effects of the various treatment options on human health and nontarget organisms. Management practices related to the application of the fumigants (including the use of chloropicrin as a warning agent, application by soil injection and covering the treated area with tarps for several days), the lack of proximity to sensitive areas, and the small area to be treated (a maximum of approximately 800 acres in and adjacent to 8 fields) limit exposure to humans and nontarget organisms, resulting in minimal environmental risk. In addition, the analysis indicated that the potential for cumulative effects from the proposed eradication is minimal due to the volatile nature of MBC, its rapid degradation, the method of application, and the small area proposed to be treated. Methyl bromide has been identified as an ozone-depleting substance; however, it is not a large source of manmade ozone-depleting gases and its use in this program, relative to global methyl bromide use, is negligible.

APHIS has consulted with the U.S. Fish and Wildlife Service (FWS), as required by the Endangered Species Act. A no effect determination was made for the treatment in Livingston County since there were no listed species in the area. Several federally listed species are present in Suffolk County, including sea turtles, piping plover, roseate tern, sandplain gerardia, seabeach amaranth, shortnosed sturgeon, and small whorled pogonia, however, none of these species are reported to be in or near the proposed treatment area. In addition, the treated fields would not be expected to serve as habitat for any of the listed species. Therefore, it was determined that the eradication program would have no effect on federally listed species in Suffolk County, either.

There are 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." Likewise, Federal and State agriculture officials have consulted and collaborated with Indian tribal officials to ensure that they are well-informed and represented in policy and program decisions that may impact their agricultural interests in accordance with Executive Order (EO) 13175, "Consultation and Coordination with Indian Tribal Governments."

Lastly, because I have not found evidence of significant impact on the quality of the human environment associated with this program, I further find that an EIS does not need to be prepared and that this program may be implemented.



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Plant Protection and Quarantine
Animal and Plant Health Inspection Agency

9/12/08

Date