UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

SEP 29 2010

MEMORANDUM

SUBJECT: Effects Determinations for Chlorophacinone (PC Code 067707) Relative to the Listed Species Relevant to the Use of Rozol Prairie Dog Bait (EPA Reg. No. 7173-286)

FROM: Jean Holmes, Acting Branch Chief
ERB 2
Environmental Fate and Effects Division

TO: Arthur-Jean B. Williams, Associate Director
Environmental Fate and Effects Division

Attached is a nationwide ecological risk assessment and effects determination for the use of Rozol Prairie Dog Bait (EPA Reg. No. 7173-286) with chlorophacinone (PC Code 067707) as the active ingredient. A "may affect, and likely to adversely affect" (LAA) determination was made for the following federally listed species: grizzly bear (*Ursus arctos horribilis*), American burying beetle (*Nicrophorus americanus*), Salt Creek tiger beetle (*Cicindela nevadica lincolniana*), California condor (*Gymnogyps californianus*), whooping crane (*Grus americana*), Eskimo curlew (*Numenius borealis*), northern Aplomado falcon (*Falco femoralis septentrionalis*), black footed ferret (*Mustela nigripes*), Chiricahua leopard frog (*Rana chiricahuensis*), jaguar (*Panthera onca*), Gulf Coast jaguarundi (*Herpailurus yagouaroundi cacomitli*), Canada lynx (*Lynx Canadensis*), Preble's meadow jumping mouse (*Zapus hudsonius preblei*), ocelot (*Leopardus pardalis*), Mexican spotted owl (*Strix occidentalis lucida*), piping plover (*Charadrius melodus*), New Mexican ridge-nosed rattlesnake (*Crotalus willardi obscurus*), Sonora tiger salamander (*Ambystoma tigrinum stebbinsi*) black-capped vireo (*Vireo atricapilla*), golden-cheek warbler (*Dendroica chrysoparia*), and gray wolf (*Canis lupus*) arising from the FIFRA regulatory action of the registration of Rozol Prairie Dog Bait (EPA Reg. No. 7173-286) with chlorophacinone (PC Code 067707) as the active ingredient. In addition, the attached assessment finds the action is expected to result in modification of designated critical habitat for the Salt Creek tiger beetle, whooping crane, Canada lynx, Preble's meadow jumping mouse, Mexican spotted owl, piping plover, and New Mexican ridge-nosed rattlesnake.

The attached assessment was conducted consistent with the Agency's Overview Document[1]. Effects determinations for this assessment are summarized below:

[1] Overview of the Ecological Risk Assessment: Process in the Office of Pesticide Programs, U.S. Environmental Protection Agency: Endangered and Threatened Species Effects Determinations: January 23, 2004.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the grizzly bear based on direct subacute effects and indirect effects to the grizzly bear via effects to prey base species.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the American burying beetle based on direct reproductive effects and indirect effects to the American burying beetle via effects to prey base species.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the Salt Creek tiger beetle based on direct reproductive effects.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the California condor based on direct subacute effects.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the whooping crane based on direct subacute effects and indirect effects to the whooping crane via effects to prey base species.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the Eskimo curlew based on direct subacute effects and indirect effects to the Eskimo curlew via effects to prey base species.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the northern Aplomado falcon based on direct subacute effects and indirect effects to the northern Aplomado falcon via effects to prey base species.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the black-footed ferret based on direct subacute effects and indirect effects to the black-footed ferret via effects to prey base species and habitat loss.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the Chiricahua leopard frog based on direct subacute effects and indirect effects to the Chiricahua leopard frog via effects to prey base species.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the jaguar based on direct subacute effects.

- Based on the best available information the Agency makes a **"may affect, and likely to**

adversely affect" (LAA) determination for the Gulf Coast jaguarundi based on direct subacute effects.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the Canada lynx based on direct subacute effects.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the Preble's meadow jumping mouse based on direct subacute effects and indirect effects to the Preble's meadow jumping mouse via effects to prey base species.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the ocelot based on direct subacute effects.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the Mexican spotted owl based on direct subacute effects.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the piping plover based on direct subacute effects.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the New Mexican ridge-nosed rattlesnake because growth and reproductive effects cannot be precluded and indirect effects to the New Mexican ridge-nosed rattlesnake via effects to prey base species are expected.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the Sonora tiger salamander based on direct subacute effects.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the black-capped vireo based on direct subacute effects.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the golden-cheeked warbler based on direct subacute effects.

- Based on the best available information the Agency makes a **"may affect, and likely to adversely affect" (LAA)** determination for the gray wolf based on direct subacute effects and indirect effects to the gray wolf via effects to prey base species.

As required by the Alternative Consultation Agreement EPA entered into with the U.S. Fish and

Wildlife Service and National Marine Fisheries Service (Services), I have been trained by the Services to make such determinations. Additionally, this assessment was subjected to internal Agency peer review throughout its development.

Please let me know if you have any questions regarding this assessment and effects determination for Rozol Prairie Dog Bait.

Attachments