



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

OFFICE OF PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

March 29, 2010

MEMORANDUM

SUBJECT: Effects Determinations for Phosmet (PC Code 059201) Relative to the California Tiger Salamander and Designated Critical Habitat for the California Tiger Salamander

FROM: Melissa Panger, Ph.D.
ERB 4
Environmental Fate and Effects Division

[Handwritten signature] 3/29/10

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

Attached is the assessment of potential direct and indirect effects on the Central California, Sonoma County, and Santa Barbara County Distinct Population Segments (DPSs) of the California Tiger Salamander (CTS; *Ambystoma californiense*) arising from FIFRA regulatory actions regarding all registered uses of the insecticide phosmet (PC Code 059201). In addition, this assessment evaluates whether the action is expected to result in modification of designated critical habitat for the CTS. The attached ecological risk assessment addresses potential risk to the CTS for which phosmet was alleged to be of concern in a complaint made by the Center for Biological Diversity against United States Environmental Protection Agency on May 30, 2007 (Case No: 07-2794-JCS).

The attached assessment was conducted consistent with the Agency's Overview Document¹. Effects determinations for this assessment are summarized below:

Based on the best available information, the Agency makes a May Affect, and Likely to Adversely Affect (LAA) determination for the Central California, Santa Barbara County, and Sonoma County CTS DPSs from the labeled uses of phosmet as described in Table 1.1 (in the attached document). The effects determination is based on potential direct and indirect effects to CTS. The LAA determination applies to all currently registered phosmet uses in California. Additionally, the Agency has determined that there is the potential for modification of designated critical habitat of the CTS in the Central California and Santa Barbara County DPSs for the use of phosmet.

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

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.

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. The review panel included 1 other scientist who has been trained by the Services to make such determinations (Betsy Behl).

Please let me know if you have any questions regarding this assessment and effects determination for phosmet relative to the CTS and potential modification to designated critical habitat.

Attachments