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

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

March 28, 2012

MEMORANDUM

SUBJECT: Effects Determinations for Difenacoum (PC Code 119901) Relative to the Alameda Whipsnake, the Salt Marsh Harvest Mouse, and the San Joaquin Kit Fox and Designated Critical Habitat for the Alameda Whipsnake

FROM: Stephanie Syslo, Environmental Scientist
ERB 6
Environmental Fate and Effects Division

TO: Anita Pease, Associate Director
Environmental Fate and Effects Division

Attached is the assessment of potential direct and indirect effects to the federally threatened Alameda whipsnake (*Masticophis lateralis euryxanthus*; AW), the federally endangered salt marsh harvest mouse (*Reithrodontomys raviventris*; SMHM), and the federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*; SJKF) arising from FIFRA regulatory actions regarding all registered uses of the rodenticide difenacoum (PC Code 119901). In addition, this assessment evaluates whether the action is expected to result in modification of designated critical habitat for AW. The attached ecological risk assessment addresses potential risk to AW, SMHM, and SJKF for which difenacoum 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 Document[1]. Effects determinations for this assessment are summarized below:

- AW: Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for AW from the labeled uses of difenacoum as described in Table 1.1 (in the attached document). The effects determination is based on potential direct and indirect effects to AW. The LAA determination applies to all currently registered difenacoum uses in California. Additionally, the Agency has determined that there is the potential for modification of designated critical habitat of the AW from the use of difenacoum.

[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.

- SMHM: Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for SMHM from the labeled uses of difenacoum as described in Table 1.1 (in the attached document). The effects determination is based on potential direct and indirect effects to SMHM. The LAA determination applies to all currently registered difenacoum uses in California.

- SJKF: Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for SJKF from the labeled uses of difenacoum as described in Table 1.1 (in the attached document). The effects determination is based on potential direct and indirect effects to AW. The LAA determination applies to all currently registered difenacoum uses in California.

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 difenacoum relative to the AW, SMHM, and SJKF and potential modification to designated critical habitat.

Attachments