



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

OFFICE OF PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

September 28, 2012

MEMORANDUM

SUBJECT: Effects Determinations for Methomyl (PC Code 090301) Relative to the Bay Checkerspot Butterfly, Valley Elderberry Longhorn Beetle, California Tiger Salamander, Delta Smelt, California Clapper Rail, California Freshwater Shrimp, San Francisco Garter Snake, and Tidewater Goby and Designated Critical Habitat for the Bay Checkerspot Butterfly, Valley Elderberry Longhorn Beetle, California Tiger Salamander, Delta Smelt, and Tidewater Goby

FROM: Melissa Panger, Senior Scientist
ERB 3
Environmental Fate and Effects Division

A handwritten signature in black ink, appearing to read "Melissa Panger", written over a faint rectangular box.

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

Attached is the assessment of potential direct and indirect effects to the federally threatened Bay Checkerspot Butterfly (BCB; *Euphydryas editha bayensis*), Valley Elderberry Longhorn Beetle (VELB; *Desmocerus californicus dimorphus*), California Tiger Salamander (*Ambystoma californiense*) Central California Distinct Population Segment (CTS CC DPS), and Delta Smelt (DS; *Hypomesus transpacificus*), and the federally endangered California Clapper Rail (CCR; *Rallus longirostris obsoletus*), California Freshwater Shrimp (CFS; *Syncaris pacificus*), California Tiger Salamander (*Ambystoma californiense*) Sonoma County Distinct Population Segment (CTS SC DPS) and Santa Barbara County Distinct Population Segment (CTS SB DPS), San Francisco Garter Snake (SFGS; *Thamnophis sirtalis tetrataenia*), and Tidewater Goby (TG; *Eucyclogobius newberryi*) arising from FIFRA regulatory actions regarding all registered uses of the carbamate insecticide, methomyl (PC Code 090301). In addition, this assessment evaluates whether the action is expected to result in modification of designated critical habitat for BCB, VELB, CTS (CC DPS & SB DPS), DS, and TG. The attached ecological risk assessment addresses potential risk to SFGS, CCR, BCB, VELB, CTS, DS, CFS, and TG for which methomyl 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.

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.

Effects determinations for this assessment are summarized below:

SFGS: Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for SFGS from the labeled uses of methomyl as described in Table 1-2 (in the attached document). The effects determination is based on potential direct and indirect effects to SFGS. The LAA determination applies to all currently registered methomyl uses in California.

CCR: Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for CCR from the labeled uses of methomyl as described in Table 1-2 (in the attached document). The effects determination is based on potential direct and indirect effects to CCR. The LAA determination applies to all currently registered methomyl uses in California.

BCB: Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for BCB from the labeled uses of methomyl as described in Table 1-2 (in the attached document). The effects determination is based on potential direct and indirect effects to BCB. The LAA determination applies to all currently registered methomyl uses in California. Additionally, the Agency has determined that there is the potential for modification of designated critical habitat of the BCB from the use of methomyl.

VELB: Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for VELB from the labeled uses of methomyl as described in Table 1-2 (in the attached document). The effects determination is based on potential direct and indirect effects to VELB. The LAA determination applies to all currently registered methomyl uses in California. Additionally, the Agency has determined that there is the potential for modification of designated critical habitat of the VELB from the use of methomyl.

CTS (all 3 DPS): Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for CTS from the labeled uses of methomyl as described in Table 1-2 (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 methomyl uses in California. Additionally, the Agency has determined that there is the potential for modification of designated critical habitat of the CTS (CC DPS & SB DPS) from the use of methomyl.

DS: Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for DS from the labeled uses of methomyl as described in Table 1-2 (in the attached document). The effects determination is based on potential direct and indirect effects to DS. The LAA determination applies to all currently registered methomyl uses in California. Additionally, the Agency has determined that there is the potential for modification of designated critical habitat of the

DS from the use of methomyl.

CFS: Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for CFS from the labeled uses of methomyl as described in Table 1-2 (in the attached document). The effects determination is based on potential direct and indirect effects to CFS. The LAA determination applies to all currently registered methomyl uses in California.

TG: Based on the best available information, the Agency makes a May Affect, and likely to Adversely Affect (LAA) determination for TG from the labeled uses of methomyl as described in Table 1-2 (in the attached document). The effects determination is based on potential direct and indirect effects to TG. The LAA determination applies to all currently registered methomyl uses in California. Additionally, the Agency has determined that there is the potential for modification of designated critical habitat of the TG from the use of methomyl.

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 methomyl relative to the SFGS, CCR, BCB, VELB, CTS (CC, SC, and SB DPSs), DS, CFS, and TG and potential modification to designated critical habitats.

Attachments

090301 SF Bay Risk Assessment BCB, VELB, CTS, DS, CCR, CFS, SFGS, TG.pdf

