



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

OFFICE OF PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

February 18, 2009

MEMORANDUM

SUBJECT: Effects Determinations for Methidathion Relative to the California Red-Legged Frog and Designated Critical Habitat

FROM: Stephanie Syslo, Environmental Scientist
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Stephanie Syslo 2/18/09

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

Attached is the assessment of potential direct and indirect effects to the California red-legged frog (CRLF) and potential modification to designated critical habitat from uses of the insecticide/acaricide Methidathion. While the Endangered Species Act requires we assess uses of pesticides relative to any potentially affected listed species, this assessment focuses only on the CRLF, including designated critical habitat, addressing provisions of a settlement agreement entered into by the federal government to resolve claims made by plaintiffs against EPA in a court case (CBD v. EPA¹).

The attached assessment was conducted consistent with the Agency's Overview Document². Effects determinations for this assessment are summarized below:

- For all current uses of methidathion in California, a Likely to Adversely Affect ("LAA") determination was made based on potential direct effects to the CRLF (Table 7.1 of the Executive Summary), and a "LAA" determination for indirect effects to the CRLF was made based on potential reduction in prey base (Table 7.2 of the Executive Summary). Consideration of CRLF designated critical habitat indicates a determination of "habitat modification" for both aquatic and terrestrial habitats. The overall CRLF effects determination for methidathion use is "LAA."

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

¹ Settlement agreement of October 20, 2006: Center for Biological Diversity v. United States Environmental Protection Agency. Civ. No: 02-1580-JSW(JL)).

² 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.

throughout its development. The review panel included one other scientist who has been trained by the Services to make such determinations (Dr. Edward Odenkirchen).

Please let me know if you have any questions regarding this assessment and effects determination for Methidathion relative to the CRLF and its designated critical habitat.

Attachments