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

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

ORIGINAL SIGNED 11-30-04

Memorandum

From: Genifer Maree Tarkowski, M.S., M.P.S.
Environmental Field Branch
Field and External Affairs Division

To: Arthur-Jean Williams, Chief
Environmental Field Branch
Field and External Affairs Division

Subject: Effects Determination for Triclopyr BEE for Certain Pacific Anadromous Salmonids

I reviewed data and other information for **Triclopyr BEE**, a registered herbicide named by the Washington Toxics Coalition (WTC) and included in the court order for 'effects determinations' and potential consultation with the National Marine Fisheries Service. Triclopyr BEE is registered nationally to control unwanted trees, brush, and weeds on rangeland, permanent grass pastures, fence rows, non-irrigation ditchbanks, roadsides, sod/turf, and other non-crop areas. The Environmental Fate and Effects Division (EFED) has completed an environmental risk assessment for a "Reregistration Eligibility Decision (RED) Triclopyr" issued in October, 1998. The assessment concludes that levels of concern are exceeded for freshwater fish and aquatic invertebrates for all forest and direct application to water uses of Triclopyr BEE.

I have adapted the more general findings of the EFED assessment to develop an analysis of the potential for effects on endangered and threatened Pacific salmon and steelhead Evolutionary Significant Units (ESUs) from current uses in California and the Pacific Northwest. My analysis addresses changes in uses and rates that have been put on most labels since the RED was developed. OPP's levels of concern are exceeded for direct acute risks from some uses to endangered fish. Some uses also exceed criteria for populations of aquatic invertebrates that may be food for fish. Levels of concern are also exceeded for risk to aquatic vascular plants that may serve as cover for fish. There are a number of mitigating factors that reduce many, but not all concerns.

Based upon the available information, I determined that some uses of Triclopyr BEE on certain non-crop sites may affect 16 ESUs under labeled application directions and may affect but is not likely to adversely affect 10 ESUs. No chronic effects are expected for any registered use.

attachment:

Triclopyr BEE: Analysis of Risks to Endangered and Threatened Salmon and Steelhead (with attachments)