DECISION NOTICE

AND

FINDING OF NO SIGNIFICANT IMPACT

Cooperative STS Gypsy Moth Project

For Indiana - 2015

By

Indiana Department of Natural Resources

and

United Stated Department of Agriculture, Forest Service

April 2015

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INTRODUCTION

This document accompanies the Environmental Assessment (EA) titled "Cooperative Gypsy Moth Project for Indiana 2015", written by the Indiana Department of Natural Resources (IDNR) and the United States Department of Agriculture (USDA). The EA is a site-specific analysis of the potential effects of implementing the project, which is referenced as the proposed action. The IDNR is requesting that the USDA-Forest Service (USFS) provides both technical and financial assistance on this project. Procedures outlined by the National Environmental Policy Act of 1969 (NEPA) must be followed in order for federal assistance to be approved. The NEPA process provides a mechanism to identify 1) issues and concerns from the public, 2) reasonable and prudent alternatives for the proposed action, 3) potential environmental impacts of the alternatives, and 4) appropriate mitigation measures. In addition to the EA, Decision Notice and Finding of No Significant Impact, the USFS requires that a Work and Safety Plan, and a Biological Evaluation also be completed before the project can be implemented.

SUMMARY OF PROPOSED ACTION

The IDNR, in cooperation with the USFS, proposes treating nine sites in Indiana. Mating disruption would be used on four sites totaling 29,023 acres. Btk, *Bacillus thuringiensis* var. *kurstaki*, would be used on five sites totaling 5,057 acres. The objective of this cooperative project is to slow the spread of gypsy moth populations by eliminating reproducing populations from the proposed treatment sites.

Btk would be applied by air either once or twice in accordance with label directions when larvae are first and second instars, which is usually between late April and late May. Mating disruption would be aerially applied in accordance with label directions between mid June to early July, just prior to male moth emergence. IDNR would administer the overall operational and administrative aspects of the cooperative project. The USFS would cost share on applications and would provide technical assistance to the IDNR.

DECISION

The EA discusses alternatives for treating gypsy moth populations in Indiana. The EA documents a site-specific environmental analysis conducted jointly by the IDNR and the USFS for federally supported gypsy moth activities in 2015. The EA is tiered (40 CFR 1502.20; 1508.28) to the 1995 Final Environmental Impact Statement (FEIS) entitled "Gypsy Moth

Management in the United States: a cooperative approach" (USDA 1995). The 1995 EIS was updated with a final supplemental environmental impact statement (SEIS), titled "Gypsy Moth Management in the United States: A Cooperative Approach," dated August 2012. The ROD for the SEIS was signed by the USFS in November 2012.

The EA includes a site-specific discussion of:

1. Purpose and need for action
2. Alternatives, including the proposed action
3. Affected environment
4. Environmental consequences

The four alternatives that were considered in detail in this analysis were:

1. No action
2. Btk
3. Mating disruption
4. Btk and/or Mating disruption

Based upon the analysis documented in this EA, the FEIS and SEIS, it is my decision that the objective of the proposed action and the needs of the people of Indiana are best met by Alternative 4. This alternative is compatible with the preferred alternative discussed in the SEIS and selected in the Record of Decision, November 2012.

RATIONALE FOR DECISION

The general policy of the USFS is to protect forest-related values from damaging insect and disease outbreaks. This policy stems from the Plant Protection Act of 2000 (7 U.S.C. section 7701), the Cooperative Forestry Assistance Act of 1978, as amended (P.L. 95-313), which incorporates provisions of the Forest Pest Control Act of 1947, and the Cooperation with State Agencies in Administration and Enforcement of Certain Federal Laws (7 U.S.C. section 450). These laws provide for federal and state cooperation in forest insect and disease management. The Cooperative Forestry Assistance Act has been reauthorized by the 2014 Farm Bill (P.L. 113-79) and grants authority to the Secretary of Agriculture to assist state officials through cooperative programs to control forest insects and diseases on non-federal forestlands of all ownerships. These programs have several purposes: (1) to enhance the growth and maintenance of trees and forests, (2) to promote the stability of forest related industries, and associated employment, through the protection of forest resources, (3) to conserve forest cover on watersheds, shelterbelts, and windbreaks, (4) to protect outdoor recreation opportunities and other forest resources, and (5) to extend timber supplies by protecting wood products, stored wood, and wood- in- use.

The USDA Departmental Gypsy Moth Policy (USDA 1990) assigns the USFS and the Animal and Plant Health Inspection Service (APHIS) the responsibility to assist states in protecting non-federal lands from gypsy moth damage. On November 28, 2012, James E. Hubbard, Deputy Chief of the USFS for State and Private Forestry, and on December 5, 2012, Rebecca Bech, Deputy Administrator of APHIS for Plant Protection and Quarantine, signed a Record of

Decision (ROD) (USDA 2012b) for the SEIS. The SEIS and ROD document the decision by USDA to support eradication, slow-the-spread, and suppression strategies for gypsy moth management. The ROD and SEIS specify that implementation of this alternative will require the completion of site-specific analyses conducted in accordance with NEPA and the environmental policy and procedures of the USDA (USDA 2012b).

My decision to choose Alternative 4 as the preferred alternative is based upon compliance with and the authority granted by the federal laws and regulations previously described and with USDA policy. This project complies with the Standards as described in the USFS Manual (FSM 3430) and the Gypsy Moth Cooperative Suppression and Eradication Projects, Federal Guidelines for Participating Agencies. This project complies with USFS policy to protect and preserve the forest resources of the nation against destructive forest insects and diseases (USDA 1995, Vol. II, p. 1-3).

I did not choose the other alternatives for the following reasons:

Alternative 1 – No action. The no action alternative is not selected because it does not meet my responsibility to assist the state of Indiana in protecting non-federal lands from gypsy moth damage, nor does it support the general USFS policy of protecting forest related values from damaging insect and disease outbreaks. This alternative is likely to result in more rapid spread of gypsy moth to neighboring counties in Indiana.

Alternative 2 – Btk. Four of the nine proposed treatment sites are suitable for the use of mating disruption because the sites have isolated, very low gypsy moth population levels throughout most of the site. Thus, Btk only is not selected.

Alternative 3 – Mating disruption. The gypsy moth population in five of the nine proposed treatment sites is above the threshold for application of mating disruption. Thus, mating disruption alone is likely to be less effective than Btk for treatment of these sites.

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the EA and carefully considered the issues and concerns expressed by the citizens of Indiana. Based on the site-specific environmental analysis documented in the EA, I have determined that implementing this decision in the manner described will not cause significant environmental impacts or adverse effects. Therefore, an environmental impact statement is not needed for this project. This decision was made after considering the context and intensity of the project.

There are no significant effects after considering context and intensity of the project (40 CFR 1508.27). The site-specific EA evaluates the environmental consequences (effects) of the proposed action in the context of local and regional issues. Cooperative gypsy moth treatments would occur on forested areas in three counties, within a total assessed land area of approximately 34,080 acres. The forested areas of treatment are only a small portion of the total forested acres in this county.

The significance of any effects is minimal for the following reasons:

1. Impacts from the applications are limited to the treatment areas.

2. "There is no information from epidemiology studies or studies in experimental mammals to indicate *B.t.k.* will cause severe adverse health effects in humans under any set of plausible exposure conditions" (USDA 2012a, Vol. III, App. F, p. 3-19). In acute toxicity tests, disparlure was not toxic to mammals, birds, or fish (USDA 2012a, Vol. III, App. H, pp. 4-1 to 4-8) therefore no effects to human health are anticipated. A Work and Safety Plan is completed before implementation of the project.

3. Treatment materials will not adversely affect wetlands or ecologically critical areas. Treatments are not applied over croplands.

4. Treatment materials are not highly controversial and will help to maintain the quality of the environment, as it existed prior to gypsy moth infestations. Mating disruption and Btk are registered for gypsy moth and will be applied according to label requirements. This meets the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act of 1947 (7 USC 136) as amended.

5. There are no known unique or unknown risks associated with this project.

6. The decision to proceed is based upon the results of a site-specific environmental analysis conducted in accordance with NEPA. Decisions regarding future actions will be made in a similar manner. Similar gypsy moth projects have been conducted in Indiana since 1997.

7. The FEIS and SEIS analyzed and demonstrated that neither cumulative environmental nor human health risks are associated with the use of the treatment materials. The site specific analysis in this environmental assessment demonstrated that no cumulative effects were identified in the proposed site.

8. The Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology reviewed the proposed treatment site and determined that no historic properties will be altered, demolished, or removed by the proposed project.

9. The U.S. Fish & Wildlife Service and the Indiana Department of Natural Resources, Division of Fish & Wildlife were consulted, and it was determined that this project would not likely adversely affect any threatened or endangered species.

10. The proposed action complies and is consistent with all federal, state and local laws or requirements imposed for protection of the environment. The action is a cooperative project that has been planned, funded and will be implemented by agencies representing federal and state governments.

This analysis was performed in compliance with Executive Order 12898 (Environmental Justice, February 11, 1994). This project will not be implemented on national forest lands, thus the decision is not subject to the USFS appeals process (36 CFR Part 215). This project may be implemented after this document has been signed.

for Michael D. Jones

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May 6, 2015
Date