

Record of Categorical Exclusion Determination

Removal of ash trees within Prince George's County, MD to the eradicate the infestation of emerald ash borer

Brief History and Description of Proposed Action:

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) has established emerald ash borer (EAB) regulations (7 CFR § 301.53) and is proposing to fund the removal of ash trees within and around the infested area of Prince George's County, Maryland, in order to contain and eradicate the pest. In 2006, EAB larvae were detected in ash trees located in the Clinton/Brandywine area of southern Prince George's County, Maryland. The larvae were discovered during ongoing survey begun after an initial detection of the insect in Maryland in 2003. USDA and Maryland have implemented quarantines to prevent the artificial spread of EAB within the State. But without additional action, EAB will naturally spread throughout Maryland and surrounding areas, destroying ash trees as it spreads as have been observed in infested areas of the states of Illinois, Indiana, Ohio, and Michigan. This action is important, though not sensitive, controversial, or precedent setting.

APHIS is proposing to provide funding to the Maryland Department of Agriculture for the removal of ash trees within a 1.5-mile radius of infested trees within Prince George's County. This is an area of approximately 11,000 acres around Clinton and Brandywine, Maryland. An estimated 24,000 ash trees, all potential hosts of EAB, will be cut and chipped. The majority of these trees are small, with almost 72% being less than one inch in diameter measured at breast height. The removal of the potential host trees within this area should prevent the spread of EAB and eradicate it from Maryland. Stumps remaining on private land, residential property, or next to roads will be removed by grinding. Stumps remaining in forested areas will be treated using Garlon 3A (triclopyr). Each stump will be treated once by hand with a backpack sprayer, in accordance with the product label.

If this work is not conducted, there is little doubt that EAB will destroy all ash trees in and near the infested area, as well as any area to which the insect may spread. These infested ash trees will present a hazard to people as they decay and ultimately fall. There is currently no other feasible manner in which to control the natural spread of EAB.

Number and Title of Categorical Exclusion Applied:

This proposed action falls within the class of actions which have been subject to categorical exclusion under APHIS' National Environmental Policy Act (NEPA) Implementing Procedures, in 7 CFR § 372.5 (c)(1). The APHIS NEPA regulation that defines a categorical exclusion appropriate to this action under section 372.5(c) is:

"(1)(i) Routine measures such as removals, sanitizing, inoculations, control, and monitoring employed by agency programs to pursue their missions and functions."

The use of the registered herbicide (Garlon 3A) is permitted as a routine measure according to the categorical exclusion implementing procedures, provided that:

- "(A) The use is localized or contained in areas where humans are not likely to be exposed, and is limited in terms of quantity, i.e., individualized dosages and remedies;
- (B) The use will not cause contaminants to enter water bodies, including wetlands;
- (C) The use does not adversely affect any federally protected species or critical habitat; and
- (D) The use does not cause bioaccumulation."

The treatment area is localized, as it is defined as a radius around the currently small area of known detections in Prince George's County, MD (currently about 11,000 acres.) Humans are not likely to be exposed, since the treatments will be applied by hand and in forested areas. Residential and private land will not be treated with the herbicide. The application by hand will prevent the direct exposure of any water to the herbicide, although the product label notes that "It is permissible to treat ... flood plains, deltas, marshes, swamps, bogs, and transitional areas between upland and lowland sites." The high biodegradation rate (according to the Material Safety Data Sheet) should eliminate the potential for the chemical to enter water via runoff. The Maryland Department of Natural Resources has indicated that there are no known records of any state-listed or federally-listed species that will be impacted by the proposed project. The Material Safety Data Sheet notes that the bioconcentration potential for the product is low. Since the product will be used only on stumps, it is unlikely that any organism will consume the woody material and chemical in order for bioaccumulation to occur.

The proposed action will not result in significant adverse impacts; there are no extraordinary circumstances which might affect the significance of any potential impacts, and there are no cumulative impacts with other related actions that might result in significant adverse impacts. This proposed action is necessary to prevent the spread of emerald ash borer to noninfested areas of the United States and to eradicate the insect from the state of Maryland. To the extent that this action restricts the spread of emerald ash borer and should eradicate it from Maryland, it is anticipated that this action will result in more protection of the human environment.

Determination:

Based upon my review of information conveyed to me and in my possession concerning the proposed action, I have determined that the proposed action fits within the specified class of actions, that the regulatory requirements set forth above are met, and that the proposed action is hereby categorically excluded from further NEPA review.



Deborah L. McPartlan, Program Manager
Emergency and Domestic Programs
PPQ, USDA, APHIS

12/21/06

Date