

FINDING OF NO SIGNIFICANT IMPACT

Listing Live Silver Carp (*Hypophthalmichthys molitrix*) as Injurious Wildlife under the Lacey Act

Background

The purpose of the action to add live silver carp (*Hypophthalmichthys molitrix*), gametes, viable eggs and hybrids to the list of injurious wildlife under the Lacey Act is to prevent the importation and interstate movement of live silver carp and their hybrids, thereby preventing spread beyond their current locations and their further introduction into natural waters of the United States. This action was considered in order to protect native wildlife, wildlife resources and human beings from the potential negative impacts of silver carp. The need for the action to add live silver carp to the list of injurious wildlife developed as a result of actual and potential impacts of silver carp on native species and impacts on human beings due to their jumping behavior. Silver carp are widespread in the Mississippi River basin, but have not been found in other natural waters of the United States such as the Potomac, Columbia or Sacramento/San Joaquin River systems. The environmental assessment (EA) addressed one action alternative along with evaluating the consequences of the no-action alternative. Two additional alternatives were considered, but dismissed from further analysis.

Decision

Based upon my review of the alternatives, I have decided to implement Alternative 2 which would list live silver carp as injurious wildlife under the Lacey Act, and prohibit importation and interstate transport of live silver carp, gametes, viable eggs and hybrids.

This alternative will greatly reduce the risk of introduction of silver carp into natural waters through importation or interstate transport, thereby minimizing the likelihood of spread beyond their current locations via human movement and their further introduction into natural waters of the United States.

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative: Alternative 1, No action, which refers to continuing the existing course of action or, more specifically, taking no action to list live silver carp as an injurious species under the Lacey Act, which would allow the continued importation and interstate transport of live silver carp, gametes, viable eggs and hybrids.

Public Involvement

Two public comment periods were available during this injurious wildlife evaluation: notice of inquiry and the proposed rule. There was very little opposition to the proposed rule, though one commenter indicated that silver carp's full potential may not yet be realized in the United States aquaculture industry, though most comments indicated that silver carp are not used in fish culture. The main issues of concern raised were the negative impacts of silver carp to native aquatic species due to competition for phytoplankton and zooplankton.

Finding of No Significant Impact

For the reasons presented and based upon an evaluation of the information contained in the final environmental assessment and supporting references, it is my determination that the proposal to list live silver carp as injurious wildlife does not constitute a major Federal action significantly affecting the quality of the human environment, considering the context and intensity of impacts, under the meaning of section 102(2)(c) of the National Environmental Policy Act of 1969 (as amended). Thus, an environmental impact statement will not be prepared. The environmental assessment supporting this determination is available at <http://www.fws.gov/contaminants/Issues/InvasiveSpecies.cfm>.

This determination is based on consideration of the following factors, which are addressed in the EA:

1. There will be no significant ecological impacts. No negative direct or indirect impacts to habitats will result from listing live silver carp as injurious wildlife.
2. There will be no significant impacts to native species. Only positive impacts to native species will result from listing live silver carp as injurious wildlife as this is a preventative action to reduce the risk from the introduction of silver carp into natural waters of the United States through importation or interstate transport.
3. There will be no significant effects on public health and safety.
4. The cumulative impacts of listing live silver carp in order to protect native species are not significant.
5. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973.

Findings Required by Other Laws and Regulations

This decision to designate live silver carp, gametes, viable eggs and hybrids as injurious wildlife under the Lacey Act is consistent with the intent of the Lacey Act which is to protect humans, the welfare and survival of wildlife and wildlife resources and the interests of agriculture, horticulture or forestry from actual and potential negative impacts from a species by preventing their importation and interstate movement.

References:

Draft Environmental Assessment for Listing Silver Carp (*Hypophthalmichthys molitrix*) as Injurious Wildlife under the Lacey Act. August 2006.

Environmental Assessment for Listing Live Silver Carp (*Hypophthalmichthys molitrix*) as Injurious Wildlife under the Lacey Act. November 2006.

Approved by:



Director for Fish and Wildlife Service

JUN 04 2007

Date

no entry