

FINDING OF NO SIGNIFICANT IMPACT

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

Background

The purpose of the action to list live largescale silver carp (*Hypophthalmichthys harmandi*), gametes, viable eggs and hybrids as an injurious species under the Lacey Act is to prevent the importation and interstate movement of largescale silver carp, thereby preventing their introduction into natural waters of the United States. This action was considered in order to protect native wildlife and wildlife resources from the potential negative impacts of largescale silver carp. Largescale silver carp have not been imported to the United States, but have potential to negatively impact native aquatic species due primarily to diet competition. 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 all alternatives, I have decided to implement Alternative 2 which would list live largescale silver carp as injurious wildlife under the Lacey Act, and prohibit their importation and interstate transport of live largescale silver carp, gametes, viable eggs and hybrids. This alternative will prevent the legal introduction of live largescale silver carp into the United States via importation or interstate transport.

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 largescale silver carp as an injurious species under the Lacey Act, which would allow the importation and interstate transport of largescale silver carp, gametes, viable eggs and hybrids.

Public Involvement

The proposed rule to list live largescale silver carp was open for 60 days. There was no opposition to the proposed rule and no comments related to the environmental assessment were received.

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 largescale 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/ANS/ANSInjurious.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 largescale 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 largescale silver carp as injurious wildlife as this action is taken to prevent the introduction of largescale silver carp into 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 largescale 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

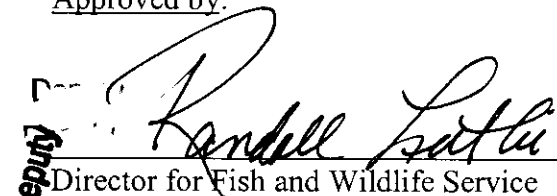
This decision to designate live largescale silver carp (*Hypophthalmichthys harmandi*), gametes, viable eggs and hybrids as injurious wildlife under the Lacey Act is consistent with the intent of the Lacey Act which is to protect humans, the welfare and survival of wildlife and wildlife resources and 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 Largescale silver Carp (*Hypophthalmichthys harmandi*) as Injurious Wildlife under the Lacey Act. May 2006.

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

Approved by:


Deputy Director for Fish and Wildlife Service

JUN 04 2007
Date