DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT

INTRODUCTION

This document accompanies the Environmental Assessment (EA) titled "Cooperative STS Spongy Moth Project for Indiana - 2025", developed by the Indiana Department of Natural Resources (IDNR) and the United States Department of Agriculture Forest Service State, Private, & Tribal Forestry (Forest Service, SP&TF). The EA is a site-specific analysis of the potential effects of implementing the Indiana Cooperative Spongy Moth Slow-the-Spread (STS) project in 2025 which is referenced as the proposed action. The Forest Service, SP&TF is integrally involved in proposing, planning, funding, and implementing this project. As such, we are required by the 2012 Supplemental Environmental Impact Statement and its Record of Decision to conduct site specific project level environmental analyses and to document those in accordance with agency NEPA implementing procedures. In addition to the EA and this Decision Notice and Finding of No Significant Impact, the Forest Service, SP&TF requires Work and Safety Plans before funding will be approved. In the absence of federal funding, IDNR may implement the proposed action on state and private lands in accordance with Indiana state laws and IDNR departmental policies and without the need to fulfill Forest Service, SP&TF requirements.

This Decision Notice and Finding of No Significant Impact is for public and private lands in Indiana.

SUMMARY OF PROPOSED ACTION

The IDNR, in cooperation with the Forest Service, SP&TF, proposes treating 3 sites in Indiana under the STS Program. Mating disruption would be applied on 2 sites totaling 34,984 acres. *Bacillus thuringiensis* var. *kurstaki* (Btk), would be applied on 1 site totaling 1,402 acres. The objective of this cooperative project is to slow the spread of spongy moth populations by eliminating or decreasing reproducing populations from the proposed treatment sites.

Btk would be aerially applied in accordance with label directions during late April to May, depending upon weather conditions. Two applications of Btk would be applied. Mating disruption treatment would be aerially applied in accordance with label directions between mid-June to early July, just prior to male moth emergence. A single application of the mating disruptant would occur. If funding is approved, the Forest Service, SP&TF will cost-share treatments with IDNR. IDNR would administer the overall operational and administrative aspects of the Btk treatments, the Forest Service, SP&TF in cooperation with IDNR will administer the mating disruption treatments.

DECISION

The EA discusses four alternatives for managing spongy moth populations in Indiana. The EA documents a site-specific environmental analysis conducted jointly by IDNR and the Forest Service, SP&TF for federally supported slow-the-spread spongy moth treatment activities in 2024. The EA is tiered (40 CFR 1502.20; 1508.28) to the 2012 Supplemental Environmental

Impact Statement (SEIS), titled “Gypsy Moth Management in the United States: A Cooperative Approach”, and the 1995 Final Environmental Impact Statement (FEIS) also titled “Gypsy moth management in the United States: A Cooperative Approach.” The Record of Decision (ROD) for the SEIS was signed by the U.S. Forest Service in 2012, the ROD for the FEIS was signed in 1996. The EA includes a site-specific discussion of 1) the purpose and need for action, 2) the alternatives, including the proposed action, 3) the affected environment, and 4) the environmental consequences of the proposed action.

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

1. No action
2. Btk only
3. Mating disruption only
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**- **Btk and/or mating disruption**.

RATIONALE FOR DECISION

The general policy of the U.S. Forest Service (Forest Service) 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 was reauthorized by the 2018 Farm Bill (P.L. 115-334, Sec 8 [16 U.S.C. 2104], Forest Health Protection) 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. The 2025 American Relief Act (P.L. 118-158) signed into law December 21, 2024 extended the 2018 Farm Bill through September 30, 2025. 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 *L. dispar* policy (1990) assigns the Forest Service and the Animal and Plant Health Inspection Service (APHIS) the responsibility to assist states in protecting non-Federal lands from spongy moth damage. On November 28, 2012, the Deputy Chief of the Forest Service, SP&TF, signed a Record of Decision (ROD) for the SEIS. The SEIS and ROD document the Forest Service decision to support suppression, eradication, and slow-the-spread

strategies for *L. dispar* management. The ROD and SEIS specify that implementation of this alternative will require the completion of site-specific analyses conducted and documented in accordance with agency NEPA implementing procedures.

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 within Forest Service policy. This project complies with the Standards as described in the Forest Service Manual (FSM 3430).

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

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

Alternative 2 – Btk is an effective treatment option at a variety of spongy moth population levels. Populations found in one area proposed for treatment is too high for other treatments (e.g., mating disruption) to be effective, so Btk is the best choice for this area. However, in other areas, mating disruption is as effective as Btk, but it is much less expensive and does not have the potential for effects on non-target species. Since the Btk only alternative would not be the best and most effective choice in all proposed treatment areas this year, this alternative was not selected.

Alternative 3 – Mating disruption is an effective treatment option, but only at very low spongy moth population levels. Populations found in one area proposed for treatment are above the threshold for mating disruption to be effective. In those areas, Btk would be a better choice. Since the mating disruption only alternative would not be the best and most effective choice in all proposed treatment areas this year, this alternative was not selected.

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 effects. Therefore, an environmental impact statement is not needed for this project. This decision was made after considering the following: 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, two other action alternatives, and the no action alternative.

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

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

2. Based on the analysis reported in the SEIS, FEIS, and the EA, there is no indication that the general public will experience severe adverse health or safety effects from Btk or mating disruption products.
3. Treatment materials will not adversely affect wetlands or ecologically critical areas. Treatments are not applied over croplands.
4. There is no known credible scientific controversy over the effects of the proposed action, and it will help to maintain the quality of the environment, as it existed prior to spongy moth infestations. The treatment products are registered for treating spongy 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 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 spongy moth projects have been conducted in Indiana since 1997.
7. The EA identified no cumulative effects for the proposed project.
8. The Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology reviewed the proposed treatment sites and determined that no historic properties will be altered, demolished, or removed by the proposed project.
9. The possibility of impacting federally listed threatened or endangered species has been considered. The U.S. Fish & Wildlife Service and the Indiana DNR Environmental Coordination Unit were consulted. The consultation between IDNR and USFWS determined that the spongy moth program is not likely to adversely affect any federally listed species. The consultation also determined that the proposed treatments would not jeopardize the listed proposed threatened species of butterflies.
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.

GINA JORGENSEN

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