



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Washington DC, 20004



In Reply Refer To:  
FWS/AES/DER/BNC/082122

Jan Matuszko  
Director, Environmental Fate and Effects Division  
Office of Pesticide Programs  
Division Mail Code 7507P  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave.  
NW Washington, D.C. 20460

Dear Ms. Matuszko,

This letter transmits the U.S. Fish and Wildlife Service's (Service's) Draft Biological Opinion (Opinion) on the Environmental Protection Agency's (EPA's) proposed registration review decision of the insecticide carbaryl under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Pursuant to our collaborative efforts, we have assessed the effects of this insecticide on listed endangered and threatened species and designated critical habitat, in accordance with section 7 of the Endangered Species Act, as amended (16. U.S.C. 1531 *et seq.*). We received your request for formal consultation on March 31, 2021, and have received additional supplemental information from your staff over the past several months. Additional coordination between our agencies is described in the attached Opinion. Because of the large size of the document, we have uploaded it to EPA's SharePoint site.

This Opinion is based on the information provided in the "2021 Final Biological Evaluation Assessing Risks to Listed Species from Labeled Uses of Carbaryl" (heretofore referred to as the "biological evaluation") provided with your request to initiate formal consultation, additional information provided by various divisions within the Office of Pesticide Programs, and other sources of information as described herein. Our draft Opinion addresses the application of carbaryl as described in the biological evaluation and addenda. We are providing this draft Opinion so that the EPA may release the Opinion for public comment. We plan to finalize the draft Opinion over the next few months based on feedback received in the public comment, including any comments from the EPA.

Our draft Opinion considers 1,176 candidate, proposed, and listed species and 479 designated and proposed critical habitats. In our Opinion, we conclude that the proposed action is likely to jeopardize the continued existence of 78 proposed or listed species and destroy or adversely modify 14 proposed or designated critical habitats. This conclusion reflects the incorporation of conservation measures that the technical registrants have committed to implementing through the

2022 proposed interim decision on carbaryl and the 2024 National Marine Fisheries Service biological opinion on carbaryl but does not include additional conservation measures put forward by either EPA or the technical registrants. We will work with EPA and the applicants for carbaryl to develop technologically and economically feasible conservation measures to minimize impacts to listed species and critical habitats prior to issuing a final biological opinion for carbaryl.

We look forward to working with you and the registrants as we finalize the draft Opinion. If you have any questions or comments about this draft Opinion, or the consultation process in general, please feel free to contact Nancy Golden ([nancy\\_golden@fws.gov](mailto:nancy_golden@fws.gov)), Branch of National Consultations.

Sincerely,

Ya-Wei Li  
Assistant Direct for Ecological Services  
Ecological Services Program  
U.S. Fish and Wildlife Service Headquarters