Regulatory Review of Roundup Ready Alfalfa

Virgil Meier
USDA APHIS BRS
Outline

• Regulatory history of Roundup Ready (RR) alfalfa

• Status of RR alfalfa Environmental Impact Statement (EIS)
Regulatory History at APHIS

- **RR Alfalfa**
  - 2003 – Petition for deregulation submitted for RR alfalfa
  - 2005 - APHIS comes to a FONSI and deregulates RR alfalfa
  - 2007- Lawsuit ruling disagreed with FONSI and reversed deregulation
  - 2007 – EIS process initiated
Regulatory History

RR Alfalfa

- 2005 – APHIS reached a FONSI and deregulates RR alfalfa
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- 2008 – Notice of Intent Published
EIS Process

7 CFR part 340

Plant Pest Risk Assessment

NEPA

Notice of Intent

Public Scoping

Draft EIS

Public Comment

Decision

Yes

No

EIS
What NEPA does

- Requires the agency to take a “hard look” at the environmental consequences of major federal actions
- Requires interdisciplinary planning
- Prescribes participation by the public in the planning process
- Ensures full disclosure about the proposed action, alternatives, environmental impacts, and possible mitigation
What NEPA does not do

- Decide or select alternatives
- Prevent environmental impacts
- Prohibit any action
- Justify a pre-determined action
- Require full mitigation of all environmental impacts
ESA Section 7 Consultation Flow Chart

1. Proposed Action
   - No Effect - End -
   - May Affect
     - Likely to Adversely Affect - Formal Consultation -
     - Not Likely to Adversely Affect

2. Action Agency Leads
   - Jeopardy/Adverse Modification
     - Reasonable and Prudent Alternatives
     - Incidental Take Statement
       - Reasonable and Prudent Measures and Terms and Conditions
       - Conservation Recommendations
       - Implementation and Monitoring
   - No Jeopardy/No Adverse Modification
   - No Concurrence
   - Concurrence - End -

3. USFWS or NMFS Leads
   - Beneficial
   - Disputable
   - Insignificant
RR Alfalfa EIS Summary

- Environmental Impact Statement (EIS)
  - Notice of Intent: Jan 2008
  - Contractor selected and deliverables are being completed
  - BRS has started assembling sections of EIS
  - APHIS indicated to the judge that the EIS could take 2 years to complete
For More Information:

- BRS Alfalfa:

- To review scoping comments on the NOI for RR Alfalfa EIS:
  http://www.regulations.gov

- BRS website:
  http://www.aphis.usda.gov/biotechnology/brs_main.shtml