



United States Department of the Interior

FISH AND WILDLIFE SERVICE

5275 Leesburg Pike
MS-ES
Falls Church, Virginia 22041



In Reply Refer To:
FWS/AES/DER/BNC/079956

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) Final Biological Opinion (Opinion) on the Environmental Protection Agency's (EPA's) proposed registration renewal decision of the herbicides Enlist One and Enlist Duo under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Pursuant to our collaborative efforts, we have assessed the effects of these herbicides 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 January 10, 2022, and have received additional supplemental information from your staff over the past several months. Additional coordination 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 "2022 Ecological Risk and Endangered Species Assessment for Use on Genetically-Modified Herbicide-Tolerant Corn, Soybean, and Cotton in Support of Registration Renewal Decision for Enlist One and Enlist Duo Products" (heretofore referred to as the "biological evaluation") provided with your request to initiate formal consultation, additional information provided by the Environmental Fate and Effects Division of the Office of Pesticide Programs, and other sources of information as described herein. Our final Opinion addresses the application of Enlist One and Enlist Duo on genetically modified herbicide-tolerant corn, cotton, and soybean as described in the biological evaluation and addenda.

In our Opinion, we conclude that the Action is not likely to jeopardize the continued existence of any listed species nor destroy or adversely modify any designated critical habitats, contingent on the implementation of species- and critical habitat-specific conservation measures, which have been previously discussed and agreed to with the EPA.

This concludes formal consultation. A complete record of this consultation is on file at our office. We look forward to continued coordination with EPA during implementation of the Action. If you have any questions or comments about this final Opinion, or the implementation process in general, please feel free to contact me, or Irvin Huang (irvin_huang@fws.gov) or Nancy Golden (nancy_golden@fws.gov) of the Branch of National Consultations.

Sincerely,

Jane Ledwin
Acting Chief
Division of Environmental Review
Ecological Services Program
U.S. Fish and Wildlife Service Headquarters