

DECISION AND FINDING OF NO SIGNIFICANT IMPACT FOR THE ENVIRONMENTAL ASSESSMENT: WILDLIFE DAMAGE MANAGEMENT AT AIRPORTS IN OHIO

I. INTRODUCTION

The U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services program (WS) receives and responds to a variety of requests for assistance from individuals, organizations, and agencies experiencing damage and other problems related to wildlife. Wildlife damage management is the alleviation of damage or other problems caused by or related to the presence of wildlife, and is recognized as an integral part of wildlife management (The Wildlife Society 1992). In October 2006, WS released an Environmental Assessment (EA) "*Wildlife Damage Management at airports in Ohio*" for public review and comment. The EA documented the need for wildlife damage management (WDM) at airports in Ohio and assessed potential impacts of various alternatives to respond to damage and risks to human health and safety caused by wildlife at airports. Ordinarily individual WS damage management actions are categorically excluded and do not require an environmental assessment (EA) (7 CFR 372.5(c), 60 Fed. Reg. 6000-6003, 1995). However, in order to facilitate planning, interagency coordination, and the streamlining of program management, and to clearly communicate with the public the analysis of cumulative impacts from WS's proposed program, an EA on alternatives for managing wildlife damage at airports in Ohio was prepared. The EA and supporting documentation are available for review at the USDA-APHIS-WS State Office, 6929 Americana Parkway, Reynoldsburg, Ohio.

The EA was prepared in consultation with the Ohio Department of Natural Resources, Division of Wildlife (ODW) and the United States Department of the Interior, Fish and Wildlife Service (USFWS) to determine impacts on state and federal wildlife populations and to ensure that the proposed actions are in compliance with relevant laws, regulations, policies, orders and procedures. All WS WDM activities will be conducted consistent with the Endangered Species Act of 1973 as amended including consultation with the United States Department of Interior, USFWS, and all other applicable federal, state and local laws, regulations and policies.

II. BACKGROUND

Airports in Ohio contain a variety of habitats from lakes, rivers, and wetlands to woodlands, native grasslands, croplands, and suburban areas. Although habitats differ from one airport to another they all have one thing in common - airport environments attract animals that can cause hazards to aircraft. Wildlife can have adverse impacts on property at airports, such as rodent damage to runway light cables and other electronic safety equipment and bird nests on aircraft and in aircraft engines. The most significant property damage from wildlife at airports is the thousands of collisions that occur annually between wildlife and aircraft (Cleary and Dolbeer 1999). It is estimated that wildlife strikes cost the US civil aviation industry \$500 million/year (Cleary et al. 2004). During the period of 1990-2005, 52 Ohio airports reported more than 2,700 wildlife strikes and over \$16 million in damages to civil aviation (Federal Aviation Association (FAA), National Wildlife Strike Database 2006, <http://wildlife-mitigation.tc.faa.gov>). Considering that only 20% of wildlife strikes to aviation are reported, the total cost for all aviation wildlife strikes in Ohio during 1990-2005 could be as high as \$80 million. In the absence of increased wildlife hazard management activities, the future looks no better as expanding

wildlife populations and increased commercial and military air traffic create a growing probability of accidents resulting from wildlife strikes nationwide (Cleary et al. 2006).

Nationwide, birds were involved in 97.5 percent of the reported wildlife strikes in the US between 1990 and 2005, mammals in 2.2% percent, and bats and reptiles in less than 1% (Cleary et al. 2006). In Ohio, Gull strikes cost the aviation industry the most amount of money with over \$5 million in reported damage between 1990-2005, followed by Canada geese with over \$2.8 million and red-tailed hawks with \$1.3 million.

Various services have been and are currently being provided by WS to reduce wildlife hazards at Ohio airports. These services include technical assistance (advice), wildlife hazard assessments, wildlife hazard management plans, and direct assistance. Examples of different work that has been conducted are: facilitating required federal and state permits; recommendations to modify habitat through vegetation management programs, converting croplands on airfields to a monoculture of turf grass, constructing wildlife fences, and installing perch barriers; landscape and architectural consulting; testing new vegetation and perch barrier strategies; and direct control activities. Direct control activities include but are not limited to harassment, capture and relocation programs, nest and egg destruction, and lethal removal.

III. ISSUES ANALYZED IN THE EA

The following issues were identified as important to the scope of the analysis (40 CFR 1508.25) and each of the proposed alternatives was evaluated relative to its impacts on these issues.

- Effects on Target Wildlife Species Populations
- Effects on Other Wildlife Species Populations, including T&E Species
- Effects of Damage to Property from Wildlife Strikes
- Effects on Human Health and Safety
- Effects on Aesthetics
- Humaneness and Animal Welfare Concerns of Lethal Methods Used by WS

IV. ALTERNATIVES ANALYZED IN DETAIL

The following Alternatives were developed to analyze and respond to the issues listed above. Three additional alternatives were considered but not analyzed in detail. A detailed discussion of the effects of the Alternatives on the issues is presented in the EA (Chapter 4).

Alternative 1 – Integrated Wildlife Damage Management (Proposed Action/ No Action Alternative)

The action proposed in the EA was to continue the current WS program at civil and military airports in Ohio that responds to requests for WS assistance with the protection of property and human health and safety at airports. An Integrated Wildlife Damage Management (IWDM) approach would be implemented which would allow use of any legal technique or method, singly or in combination, to resolve conflicts with wildlife affecting airport property and safe airport operations (EA Appendix B). Airport personnel requesting assistance would be provided with information regarding the use of effective non-lethal and lethal techniques. Lethal methods used by WS could include shooting, trapping, toxicants, or euthanasia following live capture by

immobilization drugs or trapping. Non-lethal methods used by WS may include habitat alteration, chemical immobilization, repellents, fencing, barriers and deterrents, netting, capture and relocation, and harassment or scaring devices. In many situations, the implementation of non-lethal methods such as habitat alteration, structural modifications, and exclusion-type barriers would be the responsibility of the airport to implement. WS may assist with consultations and forms necessary for the airports to obtain a depredation permit from the USFWS for the removal of migratory birds. WDM by WS would be allowed on the airports and adjacent properties, when requested and a need has been documented. WS operational assistance will only be initiated after completion of an Agreement for Control or similar document outlining the type (WDM methods) and duration of the WDM to be conducted. All management actions would comply with appropriate federal, state, and local laws.

Alternative 2: Only Non-lethal WDM by WS

This alternative would limit WS to only providing technical and operational assistance with non-lethal methods to resolve wildlife damage problems. Requests for information regarding lethal management approaches would be referred to ODW, USFWS, local animal control agencies, and/or private businesses or organizations. WS would not assist with consultations and forms necessary for the airports to obtain a depredation permit from the USFWS for the removal of migratory birds. Individuals might choose to implement WS' non-lethal recommendations or implement lethal methods or other methods not recommended by WS on their own, contract for WS assistance with the use of non-lethal techniques, use contractual services of private businesses, or take no action. In some cases, management methods employed by others could be contrary to the intended use of the method or in excess of what is necessary.

Currently, DRC-1339 and Alpha-Chloralose are only available for use by WS employees. Under this alternative, Alpha-Chloralose or other approved capture drugs would be used by WS personnel to capture and relocate wildlife. The toxicant DRC-1339 is a lethal method and would not be used or recommended by WS and could not be made available to the public. However, Starlicide, a product similar to DRC-1339 and Avitrol are available for use by certified pesticide applicators.

Alternative 3: Only Lethal WDM by WS

Under this alternative, WS would only provide technical and operational assistance with lethal WDM methods. All animals live-captured by WS would be euthanized. Technical assistance would include making recommendations to the USFWS and ODW regarding the issuance of permits to resource owners to allow them to take wildlife by lethal methods. Requests for information regarding non-lethal management approaches would be referred to ODW, USFWS, local animal control agencies, or private businesses or organizations. Individuals might choose to implement WS' non-lethal recommendations or implement lethal methods or other methods not recommended by WS on their own, contract for WS assistance with the use of non-lethal techniques, use contractual services of private businesses, or take no action. In some cases, management methods employed by others could be contrary to the intended use of the method or in excess of what is necessary. Appendix B of the EA describes a number of lethal methods available for use by WS under this alternative.

Alternative 4: No WDM by WS

This alternative would eliminate WS involvement in WDM at airports in Ohio. WS would not assist with consultations and forms necessary for the airports to obtain a depredation permit from the USFWS for the removal of migratory birds. WS would not provide direct operational or technical assistance and requesters of WS services would have to conduct their own WDM without WS input. Requests for information would be referred to ODW, USFWS, local animal control agencies, or private businesses or organizations. Individuals might choose to implement WS' non-lethal recommendations or implement lethal methods or other methods not recommended by WS on their own, contract for WS assistance with the use of non-lethal techniques, use contractual services of private businesses, or take no action. In some cases, management methods employed by others could be contrary to the intended use of the method or in excess of what is necessary. DRC-1339 and Alpha-Chloralose are only available for use by WS employees and use of these chemicals by private individuals would be illegal. However, Starlicide, a product similar to DRC-1339 and avitrol are available for use by certified pesticide applicators.

V. FEDERAL ENDANGERED SPECIES CONSULTATION

At the time the EA was submitted for public comment, WS was in the process of conducting an informal Section 7 consultation with the USFWS regarding potential risks to federally-listed threatened and endangered species. WS determined that the proposed action would either have no effect on or may affect but will not adversely affect federally-listed species in Ohio. On January 17, 2007 WS received notice that the USFWS concurred with this determination.

VI. COASTAL ZONE MANAGEMENT ACT

At the time the EA was submitted for public review and comment, WS had determined that the actions proposed in the EA were consistent with the policies of the Ohio Coastal Management Program and was seeking concurrence on this determination from the Ohio Office of Coastal Management. On December 18, 2006, WS received notification that the Ohio Office of Coastal Management concurred with WS' consistency determination.

VII. MONITORING

The Ohio WS program will annually monitor the impacts of its actions relative to each of the issues analyzed in detail in the EA. This evaluation will include reporting the WS take of all target and nontarget species to ODW and the USFWS as appropriate to help ensure that there are no adverse impacts on the viability of native wildlife populations or non-target species including state and federally-listed threatened/endangered species.

VIII. PUBLIC INVOLVEMENT

As part of this process, and as required by the Council on Environmental Quality (CEQ) and APHIS-National Environmental Policy Act (NEPA) implementing regulations, an announcement of the availability of the pre-decisional EA for public review and comment was made through "Notices of Availability" (NOA) published in the *Columbus Dispatch*, *Cincinnati Enquirer*, and the *Cleveland Plain*

Dealer on October 2, 2006 and through direct mailings to parties that have specifically requested notification regarding WS' proposed actions. Twenty-eight (28) letters were mailed to organizations, individuals, and public agencies announcing that the EA was available. Additionally, 7 copies of the pre-decisional EA were mailed to interested parties for comment. WS did not receive any comments on the EA during the 35 day public comment period.

IX. AGENCY AUTHORITIES

United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services. Under various acts of Congress, the Secretary of Agriculture is authorized to carry out wildlife control programs necessary to protect the Nation's agricultural and other resources. The primary statutory authorities for the WS program are the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b) as amended, and the Act of December 22, 1987 (101 Stat. 1329-331, 7 U.S.C. 426c). Under the Act of March 2, 1931 and 7 U.S.C. § 426c, the Secretary of Agriculture may carry out these wildlife control programs alone, or may enter into cooperative agreements with States, local jurisdictions, individuals and public and private agencies whereby they may fund and assist in carrying out such programs. The Secretary has delegated the authority under both these Acts to APHIS. Within that agency, the authority resides with the Wildlife Services (WS) program.

Ohio Department of Natural Resources, Division of Wildlife. As authorized by Ohio Revised Code (ORC) 1531.04, "the division of wildlife, at the direction of the chief of the division, shall do all of the following: (A) Plan, develop, and institute programs and policies based on the best available information, including biological information derived from professionally accepted practices in wildlife and fisheries management, with the approval of the director of natural resources; (B) Have and take the general care, protection, and supervision of the wildlife in the state parks known as Lake St. Marys, The Portage Lakes, Lake Loramie, Indian Lake, Buckeye Lake, Guilford Lake, such part of Pymatuning Reservoir as lies in this state, and all other state parks and lands owned by the state or in which it is interested or may acquire or become interested, except lands and lakes the care and supervision of which are vested in some other officer, body, board, association, or organization; (C) Enforce by proper legal action or proceeding the laws of the state and division rules for the protection, preservation, propagation, and management of wild animals and sanctuaries and refuges for the propagation of those wild animals, and adopt and carry into effect such measures as it considers necessary in the performance of its duties" (ORC §1531.04).

U.S. Fish and Wildlife Service. The primary responsibility of the USFWS is conserving fish, wildlife, plants and their habitats. While some of the USFWS's responsibilities are shared with other federal, state, tribal, and local entities, the USFWS has special authorities in managing the National Wildlife Refuge System; conserving migratory birds, endangered species, certain marine mammals, and nationally significant fisheries; and enforcing federal wildlife laws. The Migratory Bird Treaty Act (MBTA) gives the USFWS primary statutory authority to manage migratory bird populations in the United States. The USFWS is also charged with implementation and enforcement of the Endangered Species Act of 1973, as amended and with developing recovery plans for listed species.

X. DECISION and RATIONALE

I have carefully reviewed the EA and the input resulting from the EA review process. I believe the issues identified in the EA are best addressed by selecting Alternative 1, *Integrated Wildlife Damage Management (Proposed Action/ No Action Alternative)*, and applying the associated Standard Operating Procedures and monitoring measures discussed in Chapter 3 of the EA. Alternative 1 provides the best range of damage management methods considered practical and effective, best addresses the issues identified in the EA, provides safeguards for public safety, and accomplishes WS' Congressionally directed role in protecting the Nation's agricultural and other resources including meeting its obligations to the residents of Ohio. WS policies and social considerations, including humane issues, will be considered while conducting WDM at airports. I have also adopted the EA as final because WS did not receive any comments from the public that would change the analysis.

XI. FINDING OF NO SIGNIFICANT IMPACT

The EA indicates that there will not be a significant impact, individually or cumulatively, on the quality of the human environment because of this proposed action, and that these actions do not constitute a major federal action. I agree with this conclusion and therefore determine that an EIS will not be necessary or prepared. This determination is based on the following factors:

1. Wildlife damage management at airports, as conducted in Ohio, is not regional or national in scope.
2. The proposed action will not have an impact on unique characteristics of the areas such as historical or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecological critical areas.
3. The proposed action will not significantly affect public health and safety. No accidents associated with WS WDM at airports are known to have occurred in Ohio. The proposed action will likely improve public safety by reducing the risk of accidents resulting from wildlife collisions with aircraft.
4. The effects on the quality of the human environment are not highly controversial. Although there is opposition to WS damage management, this action is not controversial in relation to size, nature or effects.
5. Standard Operating Procedures adopted as part of the proposed action lessen risks to the public and prevent adverse effects on the human environment and reduce uncertainty and risks.
6. The proposed action does not establish a precedent for future actions with significant effects. This action would not set precedence for additional WS damage management that may be implemented or planned in Ohio.
7. The number of animals taken (both target and non-target) by WS annually is small in comparison to the total population. Adverse effects on wildlife or wildlife habitats would be minimal.
8. No significant cumulative effects were identified by this assessment or other actions implemented or planned within the area.
9. Wildlife damage management at airports would not affect cultural or historic resources. The proposed action does not affect districts, sites, highways, structures or objects listed in or eligible for listing in the

National Register of Historic Places, nor will it cause a loss or destruction of significant scientific, cultural, or historical resources.

10. An evaluation of the proposed action and its effects on state and federally listed threatened and endangered species determined that no significant adverse effects would be created for these species. The proposed action will fully comply with the Endangered Species Act of 1973, as amended. Consultations with the USFWS and the ODW have taken place and their input was used to develop Standard Operating Procedures for the proposed action.

11. This action would be in compliance with federal, State and local laws or requirements for damage management and environmental protection.

For additional information regarding this decision, please contact Andrew Montoney, State Director, APHIS, WS, 6929 Americana Parkway, Reynoldsburg OH 43068, or by phone @ 614-861-6087.



Charles S. Brown, Regional Director
USDA-APHIS-WS Eastern Region

11/24/07

Date

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