**DECISION AND FINDING OF NO SIGNIFICANT IMPACT FOR THE ENVIRONMENTAL ASSESSMENT: REDUCING ROCK DOVES, EUROPEAN STARLINGS, AND HOUSE SPARROW DAMAGE IN IOWA**

## 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 June 2005, WS released an Environmental Assessment (EA) "*Reducing Rock Dove, European Starling, and House Sparrow Damage in Iowa*". 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, the EA on alternatives for managing rock dove (*Columba livia*), European starling (*Sturnus vulgaris*), and house sparrow (*Passer domesticus*) damage in Iowa was prepared. The EA documented the need for bird damage management (BDM) in Iowa and analyzed the environmental impacts of alternative ways for WS to protect 1) property, 2) agricultural and natural resources, 3) livestock and dairies, and 4) human health and safety from bird damage. The EA and supporting documentation are available for review at the USDA-APHIS-WS State Office, 1714 Commerce Ct., Suite C, Columbia, MO 65202. The EA is tiered to the WS programmatic Environmental Impact Statement (EIS) (USDA 1997, Revised). Copies of the EIS are available from the USDA/APHIS/WS, Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD 20737-1234.

The purpose of the proposed program is to reduce damage to agriculture, natural resources and property, and reduce risks to human health and safety resulting from the activities of pigeons, starlings and house sparrows in Iowa. The EA was prepared in consultation with the Iowa Department of Natural Resources (IDNR) to determine impacts on state wildlife populations and to ensure that the proposed actions are in compliance with relevant laws, regulations, policies, orders and procedures. All WS BDM activities will be conducted consistent with the Endangered Species Act of 1973 including consultation with the United States Department of Interior, Fish and Wildlife Service (USFWS), and all other applicable Federal, State and local laws, regulations and policies.

## II. BACKGROUND

The determination of a need for WS assistance with BDM in Iowa is based on requests for assistance with bird damage to property, agricultural and natural resources, and bird-related risks to livestock and human health and safety. Details on the damage associated with rock doves, starlings and house sparrows, are provided in the EA. No license or permit from (IDNR) is required for taking these species. These species are not native to the U.S. and federal permits are not required to take house sparrows, starlings and rock doves. The WS EA only evaluated alternatives for WS involvement in BDM and cannot change Iowa state statutes or IDNR policy permitting private landowners access to lethal and non-lethal alternatives for managing bird damage on their own. Therefore, a major overarching factor in determining how to analyze potential environmental impacts of WS' involvement in BDM is that in most instances, such management will likely be conducted by state, local government, or private entities that are not subject to

compliance with NEPA if WS is not involved. This means that the Federal WS program has limited ability to affect the environmental outcome of BDM in the state, except that the WS program is likely to have lower risks to nontarget species and less impact on wildlife populations than some alternatives available to resource owners/managers. Therefore, WS has limited ability to affect the environmental *status quo*. Despite this limitation to federal decision-making, this EA process is valuable for informing the public and decision-makers of the substantive environmental issues and alternatives for management of damage by these species.

## 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 bird species,
- Effects on other wildlife species, including threatened and endangered (T&E) species,
- Effects on human health and safety,
- Impacts to stakeholders, including aesthetics
- Humaneness and animal welfare concerns of methods used

An additional 5 issues were discussed but not addressed in detail for each alternative including:

- Bird damage management should not be conducted at taxpayer expense (wildlife damage management should be fee based);
- Bird damage should be managed by private wildlife control agents;
- Appropriateness of preparing an EA instead of an EIS for such a large area
- Effectiveness of bird damage management methods.

## IV. ALTERNATIVES ANALYZED IN DETAIL

The following Alternatives were developed to analyze and respond to issues. Four additional alternatives were considered but not analyzed in detail. A detailed discussion of the effects of the Alternatives on the issues is analyzed in the EA.

### Alternative 1: Technical Assistance Only

Under this alternative WS would only provide technical assistance and make recommendations when requested. This alternative would not allow for WS operational BDM in Iowa. Producers, property owners, agency personnel, or others could conduct BDM using any legal lethal or non-lethal method available to them. Avitrol® could be used by state certified restricted-use pesticide applicators. Currently, DRC-1339 is not registered for use in the state of Iowa and is only Federally registered for use by WS employees. Therefore, use of this chemical would not be available for use. However, the restricted use pesticide Starlicide® is similar to DRC-1339 and could be used by certified applicators if it becomes registered for use in Iowa. Alpha-chloralose would only be available for use if entities other than WS seek approval from the FDA and the State of Iowa. Appendix B of the EA describes a number of BDM methods available for recommendation by WS under this alternative.

**Alternative 2: Integrated Bird Damage Management Program (Proposed Action/No Action)**

Wildlife Services proposes to continue the current bird damage management program that responds to rock dove, European starling and house sparrow damage requests in the State of Iowa. An IWDM approach would be implemented to reduce damage activities to property, agricultural and natural resources, livestock, and public health and safety. Damage management would be conducted on public and private property in Iowa when the resource owner (property owner) or manager requests assistance. The IWDM strategy would encompass the use of practical and effective methods of preventing or reducing damage while minimizing harmful effects of damage management measures on humans, target and non-target species, and the environment. WS could provide technical assistance and direct operational damage management, including non-lethal and lethal management methods by applying the WS Decision Model (Slate et al. 1992). When appropriate, nonlethal methods like physical exclusion, habitat modification or harassment would be recommended and utilized to reduce damage. In other situations, birds would be removed as humanely as possible using: shooting, trapping, and registered pesticides. In developing site-specific damage management strategies, preference would be given to practical and effective non-lethal methods. However, non-lethal methods may not always be applied as a first response to each damage problem. The most appropriate response could often be a combination of non-lethal and lethal methods, or there could be instances where application of lethal methods alone would be the most appropriate strategy. Appendix B of the EA provides a more detailed description of the methods that could be used under the proposed action. The proposed program would be conducted in accordance with all applicable laws, regulations, policy and interagency agreements authorizing take of rock doves, European starlings and house sparrows, developed through partnerships among WS, USFWS and IDNR, and as requested by and through coordination with requestors of assistance. All management actions would comply with applicable federal, state, and local laws.

**Alternative 3: Non-lethal Bird Damage Management Only by WS**

Under this Alternative, WS would only be able to provide technical and operational assistance with non-lethal BDM methods. Information on lethal BDM methods would still be available to producers and property owners through other sources such as USDA Agricultural Extension Service offices, IDNR, universities,, local animal control agencies, or private businesses or organizations. Requests for information regarding lethal management approaches would be referred to these entities. Individuals might choose to implement WS' non-lethal recommendations, implement lethal methods or other methods not recommended by WS, contract for WS operational assistance with non-lethal BDM methods, use contractual services of private businesses, or take no action. Persons receiving WS' non-lethal technical and direct control assistance could still resort to lethal methods that were available to them. Currently, DRC-1339 is not registered for use in the state of Iowa and is only Federally registered for use by WS employees. Therefore, this chemical would not be available for use. However, the restricted use pesticide, Starlicide®, is similar to DRC-1339 and may be used by certified applicators if it becomes registered for use in Iowa. Avitrol® could also be used by state certified restricted-use pesticide applicators. Appendix B of the EA describes a number of non-lethal methods available for use by WS under this alternative.

**Alternative 4: No Federal WS Bird Damage Management**

This alternative would eliminate WS federal involvement in BDM in Iowa. WS would not provide direct operational or technical assistance and requesters of WS' assistance would have to conduct their own BDM without WS input. Information on BDM methods would still be available to producers and property owners through other sources such as USDA Agricultural Extension Service offices, IDNR, universities,, local animal control agencies, or private businesses or organizations. Requests for information would be referred to these entities. Individuals might choose to conduct BDM themselves, use contractual services of private businesses, or take no action. Alpha-chloralose would only be available for use if entities other than WS seek approval from the FDA and the State of Iowa. Currently, DRC-1339 not registered for use in the state of Iowa and is only Federally registered for use by WS employees. Therefore, this chemical would not be available for use. However, the restricted use pesticide, Starlicide®, is similar to DRC-1339 and may be used by certified applicators if registered for use in Iowa. Avitrol® could also be used by state certified restricted-use pesticide applicators.

## V. MONITORING

The Iowa 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 help ensure no adverse impact on the viability of any target or non-target species including State and Federally listed threatened and endangered species. IDNR expertise will be used to assist in determining impacts on state wildlife populations.

## VI. PUBLIC INVOLVEMENT

As part of this process, and as required by the CEQ and APHIS-NEPA implementing regulations, an announcement of the availability of the EA for public review and comment was made through "Notices of Availability" (NOA) published in the major newspaper in Iowa, the Des Moines Register, August 8-10, 2005, and through direct mailings to parties that have specifically requested notification. Thirty-three letters were mailed to organizations, individuals, and public agencies announcing that the EA was available. WS received 2 requests for copies of the EA for review. Following the 53 day public review and comment period for the EA, IA WS received no comments on the EA .

## VII. AGENCY AUTHORITIES

### Wildlife Services Legislative Authority.

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. Among these are the Act of March 2, 1931, 46 Stat. 1468-69, 7 U.S.C. "426-426b, as amended and Public Law No. 100-202, ' 101(k), 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.

### Authority of WS for Wildlife Damage Management in Iowa

The Iowa Department of Agriculture and Land Stewardship (IDALS) and IDNR currently have a Memoranda of Understanding (MOU) with WS which establishes a cooperative relationship between WS, the IDALS and IDNR, outlines responsibilities, and sets forth annual objectives and goals of each agency for resolving wildlife damage in Iowa. WS is obligated to conduct control activities under the applicable Federal, State, and local laws and regulations.

## VIII. 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 2, *Integrated Bird Damage Management Program (Proposed Action/No Action)*, and applying the associated standard operating procedures and monitoring measures discussed in Chapter 3 of the EA. Alternative 2 provides the best range of damage management methods considered practical and effective, addresses the issues, and accomplishes WS' Congressionally directed role in protecting the Nation's agricultural and other resources. WS policies and social considerations, including humane issues, will be considered while conducting BDM. While Alternative 2 does not require non-lethal methods to be used, WS will continue to provide information and encourage the use of practical and effective non-lethal methods (WS Directive 2.101).

The analyses in the EA demonstrate that Alternative 2 provides WS the best opportunity to address the issues and has low impacts on target and non-target species, provides safeguards for public safety, and allows WS to meet its obligations to the IDNR, and cooperating counties and residents of Iowa. I have adopted the EA as final because no information was received during the public comment period that would change the analysis.

## 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. Rock dove, starling, sparrow damage management, as conducted in Iowa 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 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.

4. 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.

5. 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 Iowa.

6. The number of animals taken (both target and non-target) by WS annually is small in comparison to their total populations. Adverse effects on wildlife or wildlife habitats would be minimal.

7. No significant cumulative effects were identified by this assessment or other actions implemented or planned within the area.

8. Wildlife Services' bird damage management activities 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.

9. An evaluation of the proposed action and its effects on State and Federally listed T/E species determined that there would be no significant adverse effects on these species. The proposed action will fully comply with the Endangered Species Act of 1973, as amended. Consultations with the IDNR have taken place and their input was used to develop Standard Operating Procedures for the proposed action.

10. 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 R. Edwin Hartin, USDA, APHIS, WS, 1714 Commerce Ct,. Suite C, Columbia, MO 65202, or by phone @ (573) 449-3033.

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

8/12/05
Date

## APPENDIX A

## LITERATURE CITED

Slate, D. A., R. Owens, G. Connolly, and G. Simmons. 1992. Decision making for wildlife damage management. Transactions of the North American Wildlife and Natural Resource Conference 57:51-62.

United States Department of Agriculture (USDA). 1997 (revised). Animal Damage Control Program, Final Environmental Impact Statement – Revised October 1997. USDA, APHIS, Wildlife Services Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD 20737.

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The Wildlife Society. 1992. Conservation policies of the wildlife society: a stand on issues important to wildlife conservation. The Wildlife Society, Bethesda, Md. 24 pp.