Rikki cc

United States
Department
of Agriculture

Animal and Plant Health
Inspection Service
Animal Damage Control

FINDING OF NO SIGNIFICANT IMPACT AND DECISION FOR PREDATOR DAMAGE MANAGEMENT IN WESTERN OKLAHOMA

The U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), Animal Damage Control (ADC) program responds to a variety of requests for assistance from individuals, organizations and agencies experiencing damage caused by wildlife in the West ADC District of Western Oklahoma (District). Ordinarily, according to APHIS procedures implementing the National Environmental Policy Act (NEPA), individual wildlife damage management actions are categorically excluded (7CFR 372.5(c), 60 Fed. Reg. 6000-6003, 1995). In order to evaluate and determine if there might be any potentially significant impacts to the human environment from ADC's planned and proposed program, an environmental assessment (EA) was prepared. The predecisional EA released by ADC in December 1996, documented the need for predator damage management (PDM) in the District and assessed potential impacts of various alternatives for responding to predator damage problems. ADC's proposed action was to allow the use of the full range of PDM methods currently authorized.

Public Involvement

During the development of the EA, the Oklahoma Departments of Agriculture (ODA) and Wildlife Conservation (ODWC), the Oklahoma Historical Society, and U.S. Fish and Wildlife Service were solicited for comments and concerns. A predecisional EA was prepared and released to the public for a 36-day comment period. Notice of availability of the predecisional EA was published in The Daily Oklahoman, the major statewide newspaper, December 10-12, 1996. The Oklahoma Department of Libraries had 25 copies available to the public on or before December 13, 1996. The predecisional EA was mailed directly to 33 individuals and organizations, and additionally to those individuals and agencies that were solicited for input into the EA. Two individuals called for the EA. The public was given over 30 days to comment on the EA. The deadline for comments was set at January 17, 1997 and all comments received were accepted. One comment letter and one phone call were received in response to the predecisional EA. The caller was in favor of the Proposed Action. The letter expressed concerns that the EA failed to: 1) demonstrate the need for PDM in the District; 2) adequately provide information on the size of predator populations; 3) analyze cumulative and indirect impacts; and 4) objectively analyze the issue of humaneness. ADC disagrees with these assertions and believes that these concerns were adequately addressed in the EA.

Major Issues

Cooperating agencies and the public helped identify a variety of issues deemed relevant to the scope of this EA. These issues were consolidated into the following 4 primary issues to be considered in detail:

1. Effect on target species populations.
2. Effect on nontarget species populations, including threatened and endangered (T&E) species.
3. Effect of predator removal on prey populations.
4. Humaneness of control techniques.

Several issues were used to develop mitigation measures to minimize impacts. These were:

1. Effect on nontarget species populations, including T&E species.
2. Humaneness of control techniques.
3. The public's concern about the use of chemicals.
4. Concerns for American Indian and cultural resources.

Alternatives Analyzed in Detail

Four potential alternatives were developed to address the issues identified above. Five additional alternatives were considered but not analyzed in detail. A detailed discussion of the anticipated effects of the alternatives is described in Chapter 4 of the EA. The following summary provides a brief description of each alternative and its anticipated impacts.

Alternative 1. Continuation of the Current PDM Program (No Action). Consideration of the No Action alternative is required under 40 CFR 1502.14(d), and provides a baseline for comparing the potential effects of all the other alternatives. This alternative consists of using all currently authorized control methods in an integrated approach to resolve predator damage problems in the District. Control actions may be initiated under either a corrective or preventive strategy, in response to current or historic livestock losses. Alternative 1 benefits individual resource owners/managers while resulting in only low levels of impact on wildlife populations, minimal potential to adversely impact ecosystems, very low risks to or conflicts with the public, and low risk to T&E species. Currently used methods are effective, selective for target species, and appear to present a balanced approach to the issue of humaneness when all facets of the issue are considered.

Alternative 2. No Federal ADC Predator Damage Management. This alternative would consist of no federal involvement in PDM in the District -- neither direct operational management assistance nor technical assistance to provide information on nonlethal and/or lethal management techniques would be available from ADC. A portion of the formerly federal PDM responsibilities would be born by the remaining state agency programs. Private individuals would increase their efforts which would mean that more PDM would be conducted by persons with little or no experience and training, and with little oversight or supervision. Risks to the public and risks to T&E species would probably be greater than under Alternative 1, and effectiveness and selectivity would probably be lower. Adverse impacts on individual producers would probably be greater.

Alternative 3. Technical Assistance Only. Under this alternative, ADC would not provide any direct control assistance to persons experiencing predator damage problems, but would instead provide only advice, recommendations, and limited technical supplies and equipment. Predator damage management would likely be conducted by persons with little or no experience, and with little oversight or supervision. Risks to or conflicts with the public and risks to T&E species would probably be greater than under Alternative 1 and slightly less than or similar to Alternative 2, but effectiveness and selectivity would probably be lower. Adverse impacts on individual producers would probably be similar to or slightly less than Alternative 2.

Alternative 4. Nonlethal Control Required Before Lethal. This alternative would allow no use of lethal methods by ADC as described under the proposed action until nonlethal methods have been employed in a given damage situation and found to be ineffective or inadequate. No preventive lethal control would be allowed. Producers and state agencies would still have the option of implementing their own lethal control measures without a requirement that nonlethal methods be conducted first. Risks to or conflicts with the public and risks to T&E species would probably be similar to Alternative 1 and slightly less than or similar to Alternative 2. Program effectiveness would probably be lower. Adverse impacts on individual producers would probably be slightly greater than Alternative 1. Selectivity of PDM activities would likely be less than Alternative 1 if reduced effectiveness leads to greater PDM efforts by less experienced and proficient private individuals, but greater than Alternatives 2 and 3.

Alternatives considered but not analyzed in detail were:

1. **Compensation for Predator Damage Losses**. The Compensation alternative would require the establishment of a system to reimburse persons impacted by predator damage. This alternative was eliminated from further analysis because no federal or state laws currently exist to authorize such action and because of other drawbacks discussed in the ADC FEIS.

2. **Bounties**. Bounties are payment of funds for killing predators of certain species that cause or are suspected of causing economic losses. This alternative was eliminated from further analysis because it is not supported by Oklahoma State agencies such as ODWC nor is it supported by ADC because of problems discussed in the EA.

3. **Eradication and Long Term Population Suppression**. An eradication alternative would direct all ADC program efforts toward total long term elimination of coyotes and perhaps other predator species within large defined areas or across the entire District. This alternative was eliminated from further analysis because ADC, ODWC, and ODA oppose eradication of any native wildlife species, and because it is generally impossible to achieve. Long term population suppression is not a desired goal of state agencies or of ADC for the District as a whole but could be implemented for localized areas prone to predator damage under the current program alternative. The impacts of localized population suppression are analyzed in the EA.

4. **The Humane Society of the United States (HSUS) Alternative.** This alternative would require that: 1) "permittees evidence sustained and ongoing use of nonlethal/husbandry techniques aimed at preventing or reducing predation prior to receiving the services of the ADC Program"; 2) "employees of the ADC Program use or recommend as a priority the use of appropriate nonlethal techniques in response to a confirmed damage situation"; 3) "lethal techniques be limited to calling and shooting and ground shooting, and used as a last resort when use of husbandry and/or nonlethal controls have failed to keep livestock losses below an acceptable level"; and 4) "establish higher levels of acceptable loss levels on public lands than for private lands." This alternative was not considered in detail because the proposed action already embodies the first two components of the HSUS alternative, the detailed analysis contained in the EA includes most facets of the HSUS proposal, and it is believed that inclusion of this alternative would not contribute new information or options for consideration and analysis that are not already being considered and available in IWDM as used by ADC.

5. **Lithium Chloride as an Aversive Agent.** Aversive conditioning with lithium chloride baits was not considered in detail as an alternative because the efficacy of the technique remains unproven, and the chemical is not registered (and thus not legal) for this use.

Finding of No Significant Impact

The analysis in the EA indicates that the proposed action will not result in a significant impact, individually or cumulatively, on the quality of the human environment. I agree with this conclusion and therefore find that an EIS need not be prepared. This determination is based on the following factors:

1. Predator damage management, as conducted by ADC in the West District of Oklahoma, is not regional or national in scope.

2. The proposed action would pose minimal risk to public health and safety. No injuries to any member of the public are known to have resulted from ADC activities in the District.

3. There are no unique characteristics such as park lands, prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas that would be significantly affected.

4. The effects on the quality of the human environment are not highly controversial. Although there is some opposition to predator control, this action is not highly controversial in terms of size, nature, or effect.

5. Based on the analysis documented in the EA, the effects of the proposed predator damage management program on the human environment would not be significant. The effects of the proposed activities are not highly uncertain and do not involve unique or unknown risks.

6. The proposed action would not establish a precedent for any future action with significant effects.

7. No significant cumulative effects were identified through this assessment. The number of animals taken by ADC, when added to the total known other take of all species, falls well within levels sustainable by populations.

8. The proposed activities would not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor would they likely cause any loss or destruction of significant scientific, cultural, or historical resources.

9. An evaluation of the proposed action and its effects on T&E species determined that no significant adverse effects would occur to such species.

10. The proposed action would be in compliance with all Federal, State, and local laws imposed for the protection of the environment.

Decision

I have carefully reviewed the EA and the input resulting from the public involvement process. I believe the issues and objectives identified in the EA would be best addressed through implementation of Alternative 1 (ADC's current program). Alternative 1 is therefore selected because, (1) it offers the greatest chance at maximizing effectiveness and benefits to agricultural producers and other resource owners and agencies within current program funding constraints; (2) it will maximize selectivity of methods available; (3) it offers a balanced approach to the issue of humaneness when all facets of the issue are considered; (4) it will continue to minimize risk to or conflicts with the public; and (5) it will minimize risks to nontarget and T&E species. ADC will continue to use an IWDM approach in compliance with all the applicable mitigation measures listed in Chapter 3 of the EA. The Predecision EA is hereby designated as the final EA. The decision to implement Alternative 1 will become effective 30 days after publication of legal notice in The Daily Oklahoman.

For additional information regarding this decision, please contact Donald Hawthorne, APHIS-ADC, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, telephone (405) 521-4039.

Michael V. Worthen, Regional Director
APHIS-ADC Western Region

5-9-97
Date