

**DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT**

**REDUCING MAMMAL DAMAGE
THROUGH AN
INTEGRATED WILDLIFE DAMAGE MANAGEMENT PROGRAM
IN THE STATE OF VERMONT**

The U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA, APHIS), Wildlife Services (WS) program responds to requests for assistance from individuals, organizations and agencies experiencing damage caused by wildlife. Ordinarily, according to APHIS procedures implementing the National Environmental Policy Act (NEPA), individual wildlife damage management actions may be categorically excluded (7 CFR 372.5(c), 60 Fed. Reg. 6000-6003, 1995). To evaluate and determine if any potentially significant impacts to the human environment from WS' planned and proposed program would occur, an environmental assessment (EA) was prepared. The EA documents the need for mammal damage management (MDM) in Vermont and assessed potential impacts of various alternatives for responding to damage problems. The EA analyzes the potential environmental and social effects for resolving mammal damage related to the protection of resources, and health and safety on private and public lands in Vermont. WS' proposed action is to implement an Integrated Wildlife Damage Management (IWDM) program on public and private lands in Vermont. Comments from the public involvement process were reviewed for substantive issues and alternatives which were considered in developing this decision.

WS is the Federal program authorized by law to reduce damage caused by wildlife (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). 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). WS uses an IWDM approach, commonly known as Integrated Pest Management (WS Directive 2.105) in which a combination of methods may be used or recommended to reduce damage. WS wildlife damage management is not based on punishing offending animals but as one means of reducing damage and is used as part of the WS Decision Model (Slate et al. 1992, USDA 1997, WS Directive 2.201). The imminent threat of damage or loss of resources is often deemed sufficient for wildlife damage management actions to be initiated (U.S. District Court of Utah 1993). Resource management agencies, organizations, associations, groups, and individuals have requested WS to conduct mammal damage management to protect resources and human health and safety in Vermont. All WS wildlife damage management activities are in compliance with relevant laws, regulations, policies, orders and procedures, including the Endangered Species Act of 1973.

Consistency

The analyses in the EA demonstrate that Alternative 2: 1) best addresses the issues identified in the EA, 2) provides safeguards for public health and safety, 3) provides WS the best opportunity to reduce damage while providing low impacts on non-target species, 4) balances the economic effects to agricultural and natural resources, and property, and 5) allows WS to meet its obligations to government agencies or other entities.

Monitoring

The Vermont WS program will annually review its impacts on target mammal species and other species addressed in the EA each year to ensure that WS program activities do not impact the viability of target and non-target wildlife species. In addition, the EA will be reviewed each year to ensure that it and the analysis are sufficient.

Public Involvement

The pre-decisional EA was prepared and released to the public for a 30-day comment period by a legal notice in the Burlington Free Press on June 15 and 16, 2006. A letter of availability for the pre-decisional EA was also mailed directly to agencies, organizations, and individuals with probable interest in the proposed program. One comment

document was received from the public after review of the pre-decisional EA. All comments were analyzed to identify substantial new issues, alternatives, or to re-direct the program. Responses to specific comments are included in Appendix A. All letters are maintained in the administrative file located at the Vermont State Wildlife Services Office, Parker Professional Center, 617 Comstock Road, Berlin, VT 05602.

Major Issues

The EA describes the alternatives considered and evaluated using the identified issues. The following issues were identified as important to the scope of the analysis (40 CFR 1508.25).

- Effects on Target Mammal Species
- Effects on Other Wildlife Species, including T&E Species
- Effects on Human Health and Safety
- Impacts to Stakeholders, including Aesthetics
- Humaneness and Animal Welfare Concerns of Methods Used
- Effects on Wetlands

Affected Environment

The proposed action may be conducted on private, federal, state, tribal, county, and municipal lands in Vermont to protect agricultural and natural resources, property, and public health and safety. Areas of the proposed action could include, but are not limited to, state, county, municipal and federal natural resource areas, park lands, and historic sites; state and interstate highways and roads; railroads and their right-of-ways; property in or adjacent to subdivisions, businesses, and industrial parks; timberlands, croplands, and pastures; private and public property where burrowing mammals cause damage to structures, dikes, ditches, ponds, and levees; public and private properties in rural/urban/suburban areas where mammals cause damage to landscaping and natural resources, property, and are a threat to human safety through the spread of disease. The area of the proposed action would also include airports and military airbases where mammals are a threat to human safety and to property; areas where mammals negatively impacts wildlife, including T&E species; and public property where mammals are negatively impacting historic structures, cultural landscapes and natural resources.

Alternatives That Were Fully Evaluated

The following four alternatives were developed to respond to the issues. Five additional alternatives were considered but not analyzed in detail. Appendix B of the EA provides a description of the methods that could be used or recommended by WS under each of the alternatives. A detailed discussion of the effects of the Alternatives on the issues is described in the EA; below is a summary of the Alternatives.

Alternative 1: Technical Assistance Only. This alternative would not allow for WS operational MDM in Vermont. WS would only provide technical assistance and make recommendations when requested. Producers, property owners, agency personnel, corporations, or others could conduct MDM using any legal lethal or non-lethal method available to them. Property owners and land managers could implement their own mammal damage management program, use contractual services of private businesses, use volunteer services, or take no action. This alternative would place the immediate burden of operational damage management work on the property owners and other federal, state, or county agencies.

Alternative 2: Integrated Mammal Damage Management Program (Proposed Action/No Action). The USDA, APHIS, Wildlife Services proposes to continue the current damage management program that responds to mammal damage in the State of Vermont. An IWDM approach would be implemented to reduce mammal damage to property, agricultural resources (including livestock), natural resources, and human/public health and safety. Damage management would be conducted on public and private property in Vermont when the resource owner (property owner) or manager requests assistance. An IWDM strategy would be recommended and used, encompassing 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. Under this action, 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, physical exclusion, habitat modification or harassment would be recommended and utilized to reduce damage. In other situations, mammals would be removed as humanely as possible using: shooting, trapping, snaring, and FDA or EPA approved chemical products. In determining the damage management strategy, 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 could include instances where application of lethal methods alone would be the most appropriate strategy.

Mammal damage management activities would be conducted in the State, when requested and funded, on private or public property, including airport facilities and adjacent or nearby properties, after an *Agreement for Control* or other comparable document has been completed. All management activities would comply with appropriate Federal, State, and Local laws, including applicable laws and regulations authorizing the take of mammals in Vermont.

Alternative 3: Non-lethal Mammal Damage Management Only by WS. This alternative would require WS to use non-lethal methods only to resolve mammal damage problems. Information on lethal MDM methods would still be available to producers and property owners through other sources such as USDA Agricultural Extension Service offices, Vermont Fish and Wildlife Department (VTDFW), universities, or pest control organizations. Requests for information regarding lethal management approaches would be referred to VTDFW, local animal control agencies, or private businesses or organizations. Individuals might choose to implement WS non-lethal recommendations, implement lethal methods or other methods not recommended by WS, contract for WS direct control services, use contractual services of private businesses, or take no action. Persons receiving WS's non-lethal technical and direct control assistance could still resort to lethal methods that were available to them.

Alternative 4: No Federal WS Mammal Damage Management. This alternative would eliminate WS involvement in MDM in Vermont. WS would not provide direct operational or technical assistance and requesters of WS's assistance would have to conduct their own MDM without WS input. Information on MDM methods would still be available to producers and property owners through other sources such as USDA Agricultural Extension Service offices, VTDFW, universities, or pest control organizations. Requests for information would be referred to VTDFW, local animal control agencies, or private businesses or organizations. Property owners and land managers could implement their own mammal damage management program, use contractual services of private businesses, use volunteer services, or take no action. This alternative would place the immediate burden of operational damage management work on the property owners and other federal, state, or county agencies.

Alternatives Considered but not Analyzed in Detail:

Lethal Mammal Damage Management Only By WS. Under this alternative, WS would not conduct any nonlethal control of mammals for MDM purposes in the State, but would only conduct lethal MDM. This alternative was eliminated from further analysis because some mammal damage problems can be resolved effectively through nonlethal means. For example, a number of damage problems involving the encroachment of smaller mammals such as raccoons into buildings can be resolved by installing barriers or repairing of structural damage to the buildings, thus excluding the animal. Further, such damage situations as immediately shooting a fox on a runway might not be possible, where as scaring them away through noise harassment might resolve the air passengers' threat at once.

Compensation for Mammal Damage Losses. The compensation alternative would require the establishment of a system to reimburse persons impacted by mammal damage. This alternative was eliminated from further analysis because no federal or state laws currently exist to authorize such action. Under such an alternative, WS would not provide any direct control or technical assistance. Aside from lack of legal authority, analysis of this alternative in the ADC Final EIS indicated that the concept has many drawbacks (USDA 1997):

- It would require larger expenditures of money and labor to investigate and validate all damage claims to determine and administer appropriate compensation.
- Compensation would most likely be less than full market value.

- Responding in a timely fashion to all requests to assess and confirm damage would be difficult and certain types of damage could not be conclusively verified. For example, proving conclusively in individual situations that mammals were responsible for disease outbreaks would be impossible, even though they may actually have been responsible. Thus, a compensation program that requires verification would not meet its objective for mitigating such losses.
- Compensation would give little incentive to resource owners to limit damage through improved cultural, husbandry, or other practices and management strategies.
- Not all resource owners would rely completely on a compensation program and unregulated lethal control would most likely continue as permitted by state law.
- Compensation would not be practical for reducing threats to human health and safety.

Short Term Eradication and Long Term Population Suppression. An eradication alternative would direct all WS program efforts toward total long term elimination of mammal populations on private, State, Local and Federal government land wherever a cooperative program was initiated in the State. In Vermont, eradication of native mammal species is not a desired population management goal of State agencies or WS. Eradication as a general strategy for managing mammal damage will not be considered in detail because:

- All State and Federal agencies with interest in, or jurisdiction over, wildlife oppose eradication of any native wildlife species.
- Eradication is not acceptable to most people.

Suppression would direct WS program efforts toward managed reduction of certain problem populations or groups. In areas where damage can be attributed to localized populations of mammals, WS can decide to implement local population suppression as a result of using the WS Decision Model. It is not realistic or practical to consider large-scale population suppression as the basis of the WS program. Typically, WS activities in the State would be conducted on a very small portion of the sites or areas inhabited or frequented by problem species.

Nonlethal Methods Implemented Before Lethal Methods. This alternative is similar to Alternative 2 except that WS personnel would be required to always recommend or use nonlethal methods prior to recommending or using lethal methods to reduce mammal damage. Both technical assistance and direct damage management would be provided in the context of a modified IWDM approach. Alternative 2, the Proposed Action, recognizes nonlethal methods as an important dimension of IWDM, gives them first consideration in the formulation of each management strategy, and recommends or uses them when practical before recommending or using lethal methods. However, the important distinction between the Nonlethal Methods First Alternative and the Proposed Alternative is that the former alternative would require that all nonlethal methods be used before any lethal methods are recommended or used.

While the humaneness of the nonlethal management methods under this alternative would be comparable to the Proposed Program Alternative, the extra harassment caused by the required use of methods that may be ineffective could be considered less humane. As local mammal populations increase, the number of areas negatively affected by mammals would likely increase and greater numbers of mammals would be expected to congregate at sites where nonlethal management efforts were not effective. This may ultimately result in a greater numbers of mammals being killed to reduce damage than if lethal management were immediately implemented at problem locations. Once lethal measures were implemented, mammal damage would be expected to drop relative to the reduction in localized populations of animals causing damage.

Since in many situations this alternative would result in greater numbers of animals being killed to reduce damage, at a greater cost to the requester, and result in a delay of reducing damage in comparison to the Proposed Alternative, the Nonlethal Methods Implemented Before Lethal Methods Alternative is removed from further discussion in this document.

Bounties. Payment of funds (bounties) for killing some mammals suspected of causing economic losses have not been supported by Vermont Department of Fish and Wildlife as well as most wildlife professionals for many years

(Latham 1960, Hoagland 1993). WS concurs with these agencies and wildlife professionals because of several inherent drawbacks and inadequacies in the payment of bounties, including:

- Bounties are generally ineffective at controlling damage, especially over a wide area such as Vermont,
- Circumstances surrounding the take of animals are typically arbitrary and completely unregulated,
- It is difficult or impossible to assure animals claimed for bounty were not taken from outside the damage management area, and
- WS does not have the authority to establish a bounty program.

Finding of No Significant Impact

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

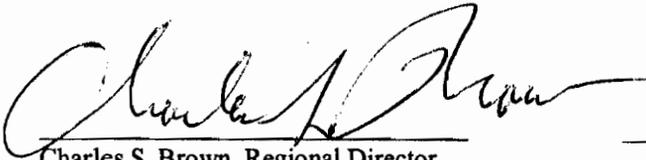
1. Mammal damage management as conducted by WS in Vermont is not regional or national in scope.
2. The proposed action would pose minimal risk to public health and safety. Risks to the public from WS methods were determined to be low in a formal risk assessment (USDA 1997, Appendix P).
3. There are no unique characteristics such as park lands, prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas that would be significantly affected. Built-in mitigation measures that are part of WS's standard operating procedures and adherence to laws and regulations will further ensure that WS activities do not harm the environment.
4. The effects on the quality of the human environment are not highly controversial. Although there is some opposition to wildlife damage management, this action is not highly controversial in terms of size, nature, or effect.
5. Based on the analysis documented in the EA and the accompanying administrative file, the effects of the proposed 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 EA discussed cumulative effects of WS on target and non-target species populations and concluded that such impacts were not significant for this or other anticipated actions to be implemented or planned within the State.
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. If an individual activity with the potential to affect historic resources is planned under the selected alternative, then site-specific consultation as required by Section 106 of the NHPA would be conducted as necessary.
9. WS has determined that the proposed project would not adversely affect any Federal or Vermont State listed threatened or endangered species. This determination is based upon concurrence from the US Fish and Wildlife Service and VTDFW that the project will not likely adversely affect any threatened or endangered species in Vermont.
10. The proposed action would be in compliance with all federal, state, and local laws.

Decision and Rationale

VT Mammal Damage Management Decision

I have carefully reviewed the Environmental Assessment prepared for this proposal and the input from the public involvement process. I believe that the issues identified in the EA are best addressed by selecting Alternative 2 (Integrated Mammal Damage Management Program (Proposed Action/No Action) and applying the associated standard operating procedures discussed in Chapter 3 of the EA. Alternative 2 is selected because (1) it offers the greatest chance at maximizing effectiveness and benefits to resource owners and managers while minimizing cumulative impacts on the quality of the human environment that might result from the program's effect on target and non-target species populations; (2) it presents the greatest chance of maximizing net benefits while minimizing adverse impacts to public health and safety; and, (3) it offers a balanced approach to the issues of humaneness and aesthetics when all facets of these issues are considered. The comments identified from public involvement were minor and did not change the analysis. Therefore, it is my decision to implement the preferred alternative as described in the EA.

Copies of the EA are available upon request from the Vermont State Wildlife Services Office, Parker Professional Center, 617 Comstock Road, Berlin, VT 05602.



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

8/11/06

Date

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APPENDIX A

RESPONSE TO PUBLIC COMMENTS RECEIVED ON PRE-DECISIONAL ENVIRONMENTAL ASSESSMENT

Issue 1: The EA does not justify the need for the proposed action.

Program Response 1: As summarized in section 1.3 of the EA, a variety of mammal species have the potential to adversely impact agricultural and natural resources, property, and public health and safety. Even though some of these damages and conflicts are not a wide spread occurrence in Vermont, the potential risks are real. Since WS may be requested to assist in managing mammal species to reduce the spread of diseases, reduce safety concerns, and protect resources from damage, WS believes that a discussion of these types of conflicts are appropriate and well within the scope of this document. WS discussion of potential disease risks, safety threats, and damage to resources is not overstated and is presented to inform the decision maker of the types of damage and conflicts for which WS assistance may be requested.

WS maintains a Management Information System (MIS) database to document assistance that the agency provides in addressing wildlife damage conflicts. MIS data is limited to information that is collected from people who have requested services or information from Wildlife Services. It does not include requests received or responded to by local, State or other Federal agencies, and it is not a complete database for all wildlife damage occurrences. The number of requests for assistance does not necessarily reflect the extent of need for action, but this data does provide an indication that needs exist. The database includes, but is not limited to, the following information: species of wildlife involved, the number of individuals involved in a damage situation; tools and methods used or recommended to alleviate the conflict; and the resource that is in need of protection. Table 1-1 in the EA provides a summary of mammal Technical Assistance requests to the Vermont WS program for Fiscal Years 1997-2005.

Issue 2: The EA does not provide any evidence to suggest that mammal damage causes enough economic impact to warrant the proposed action.

Program Response 2: WS's wildlife damage management assistance is based, in part, upon legislative authority and program policy and not necessarily upon the extent of economic damage that has occurred prior to WS receiving a request of assistance.

WS has the legal direction to respond to requests for assistance, and it is program policy to aid each requester to minimize losses. The USDA is directed by law to protect American agriculture and other resources from damage associated with wildlife. The primary statutory authority for the Wildlife Services program is 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), which provides that:

“The Secretary of Agriculture may conduct a program of wildlife services with respect to injurious animal species and take any action the Secretary considers necessary in conducting the program. The Secretary shall administer the program in a manner consistent with all of the wildlife services authorities in effect on the day before the date of the enactment of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001.”

Since 1931, with the changes in societal values, WS policies and its programs place greater emphasis on the part of the Act discussing “bringing (damage) under control”, rather than “eradication” and “suppression” of wildlife populations. In 1988, Congress strengthened the legislative directive and authority of WS with the Rural Development, Agriculture, and Related Agencies Appropriations Act.

Section 3.2 of the EA provides a description of the MDM strategies and methodologies used by the WS program in Vermont. WS considers the biology and behavior of the damaging species and other factors using the WS Decision Model (Slate et al 1992). The recommended strategy(ies) may include any combination of preventive and corrective actions that could be implemented by the requester, WS, or other agency personnel, as appropriate. Preventive damage management is applying wildlife damage management strategies before damage and economic losses occur, based on historical problems and data. In the Southern Utah Wilderness Alliance, et al. vs. Hugh Thompson, Forest Supervisor for the Dixie National Forest, et al., the United States District Court of Utah denied plaintiffs' motion for preliminary injunction. In part, the court found that a forest supervisor need only show imminent threat of damage is probable to establish a need for wildlife damage management (U.S. District Court of Utah 1993).

Issue 3: The EA fails to mention the possibility of using rabies vaccine baits to alleviate the threat of rabies.

Program Response 3: As identified in section 1.4 of the EA, WS oral rabies vaccination program and the use of rabies vaccine baits is addressed in the WS Environmental Assessment (USDA 2001) and Finding of No Significant Impact (FONSI) – *Oral Vaccination to Control Specific Rabies Virus Variants in Raccoons, Gray Foxes, and Coyotes in the United States*. Any use of oral rabies vaccine baits in Vermont by WS will be implemented in accordance with this EA and associated FONSI.

Issue 4: Capture methods used by WS do not exclude or reduce the capture of all non-target species.

Program Response 4: Non-target wildlife issues are addressed in sections 2.2.2 and 4.1.2 of the EA. WS personnel are experienced and trained in wildlife identification, and to select the most appropriate methods for taking targeted animals and excluding non-target species. WS' SOPs are designed to reduce the effects on non-target species' populations and are presented in Chapter 3. To reduce the risks of adverse affects to non-target species, WS would select damage management methods that are target-selective or apply such methods in ways to reduce the likelihood of capturing or killing non-target species. To date, lethal take of non-target species by WS while conducting MDM activities in Vermont is rare. WS take of non-target species during MDM activities is expected to be extremely low to non-existent. While every precaution is taken to safeguard against taking non-target wildlife, changes in local animal movements and other unanticipated events can result in the incidental take of unintended species. These rare occurrences should not affect the overall populations of any species under the current program. The VTFW concurs that Vermont WS mammal damage management activities would have no adverse effects on native wildlife populations in Vermont, including non-target species that may be taken under the proposed program (R. Regan, pers. comm., 2006).

Issue 5: Killing or capturing of wildlife is cruel and inhumane.

Program Response 5: The issue of humaneness is addressed in the EA in sections 2.2.5 and 4.1.5. The definition of humaneness varies among people and cultures. The basic problem associated with animal traps is a lack of defining "humaneness" as it relates to animal cruelty (Proulx and Barrett 1991). Common knowledge about the various animal rights and humane groups is their prejudice towards their definition of animal humaneness which may vary from a livestock producer and consumer's point of view. Vermont WS personnel take every measure to be as humane as possible while still providing an effective and efficient damage control program.

The WS program is concerned about animal welfare and continuously evaluates existing and new methods because of our concern for animals. WS is conducting trap research at the National Wildlife Research Center (NWRC) and has provided grants of at least \$350,000 annually since 1997 to state wildlife agencies to develop Best Management Practices for trapping wild furbearers. While it is regrettable that wild animals die to alleviate some damage, we believe that if an animal death must occur, then it should occur with a minimum amount of distress and pain, in as short period of time as practical, and with compassion. The American Society of Mammalogist (Baker et al. 1987) states that, "*Field methods used to sacrifice mammals should be quick, as painless as possible, and compatible with ... the size and behavior of the species of mammal under investigation.*" The AVMA (Andrews et al. 1993) states, "*Kill traps are practical and effective for animal collection when used in a manner that minimizes the potential for*

attraction and collection of non-target species.” It appears the AVMA (Andrews et al. 1993) is not objecting to the use of kill traps. In addition, the American Society of Mammalogists recommends using kill traps for medium-sized animals in field investigations (Baker et al. 1987). Conibear (kill traps) have passed the International Humane Trapping Standards for beaver and muskrat (Fur Institute of Canada 2000).

WS recognizes that people have wide and varying opinions and beliefs regarding WS use of control methods. Vermont WS personnel are experienced and professional in their use of management methods so that they are as humane as possible under the constraints of current technology and funding. Standard Operating Procedures used to maximize humaneness are listed in Chapter 3 of the EA. WS personnel receive information and training on a periodic basis to keep them aware new methods and techniques that become available for use in the wildlife damage management arena. Furthermore, the NWRC functions as the research arm of WS by providing scientific information and development of methods for wildlife damage management that are effective and environmentally responsible. NWRC scientists work closely with wildlife managers, researchers, field specialists and others to develop and evaluate wildlife damage management techniques. NWRC scientists have authored hundreds of scientific publications and reports, and are respected world-wide for their expertise in wildlife damage management. As new effective methods become available, the Vermont WS program will consider them for potential use in managing mammal damage and conflicts throughout the state.

Issue 6: The EA does little to prove that target mammal species populations will not be affected by the proposed action.

Program Response 6: Impacts to target species is addressed in sections 2.2.1 and 4.1.1 of the EA. MDM methods used or recommended by the WS program in Vermont will likely have no cumulative adverse effects on target wildlife populations. Based upon the best information that is available, WS limited lethal take of target mammal species is anticipated to have minimal impacts on target mammal populations in Vermont. The VTFW has determined that there is no evidence to suggest that human mediated mortality resulting from regulated harvest and damage management, including removal by WS, will be detrimental to the survival of target mammal species populations in the state of Vermont (K. Royar, pers. comm., 2006).

The population estimates provided in section 4.1.1 of the EA are based upon the best available information for a particular species, including reproductive information, population densities, home ranges and habitat types found throughout the state. For some species a percentage of a particular habitat type is used to provide a minimum population estimate. This percentage represents the amount of a particular habitat type that will likely support a specific species in Vermont. By no means is this inferring that the species in question is only found in this specific habitat type, since many are found in a variety of habitat types including rural, urban and suburban settings. For most, if not all the species addressed in this EA, the statewide population is likely much higher than the conservative estimate provided in the EA.

Issue 7: The EA offers no explanation for the projected number of target animals that may be killed each year under the proposed action.

Program Response 7: As described in section 4.1.1 of the EA, WS projected lethal take of target mammal species is based upon current and an anticipated increase in requests for mammal damage management assistance throughout the Vermont.

Issue 8: The proposed action does not satisfy Endangered Species Act requirements to protect the threatened Canada Lynx.

Program Response 8: WS compliance with the Endangered Species Act is discussed in sections 2.2.2 and 4.1.2 of the EA. For the preparation of this EA, WS obtained and reviewed the list of federally listed T&E species for the state of Vermont (*see* Appendix C of the EA) and determined that the proposed WS MDM program would not likely adversely

affect any T&E species or critical habitat. This determination included potential impacts on the Canada Lynx. The USFWS concurs with this determination (*see* Appendix D of the EA).