DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT
MAMMAL DAMAGE MANAGEMENT IN MICHIGAN ENVIRONMENTAL ASSESSMENT:

August 11, 2016

Michigan wildlife has many positive values and is an important part of life in the state. However, as human populations expand, and land is used for human needs, there is increasing potential for conflicting human/wildlife interactions. The U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) program completed an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) on alternatives for reducing mammal damage in Michigan. The EA evaluated the potential impacts on the human environment from alternatives for WS involvement in the protection of agricultural and natural resources, property, livestock, and public health and safety from damage and risks associated with mammals in Michigan. This Decision document provides notification of WS' choice of a management alternative and determination regarding the environmental impacts of the chosen alternative. Based on analysis in the EA and response to public comments, WS is selecting Alternative 1 "Adaptive *Integrated Mammal Damage Management*" in which WS provides technical assistance and direct control activities to alleviate damage and conflicts caused by the mammals addressed in the EA.

Damage problems can occur throughout the state. Under the Proposed Action, MDM could be conducted on private, federal, state, tribal, county, and municipal lands in Michigan upon request. Several mammal species have potential to be the subject of WS MDM activities in Michigan including: American marten (*Martes americana*), badger (*Taxidea taxus*), beaver (*Castor Canadensis*), black bear (*Ursus americanus*), bobcat (*Lynx rufus*), coyote (*Canis latrans*), Eastern chipmunk (*Tamias striatus*), Eastern cottontail (*Sylvilagus floridanus*), elk (*Cervus elaphus*), ermine/short-tailed weasel (*Mustela ermine*), fisher (*Martes penanti*), fox squirrel (*Sciurus niger*), gray fox (*Urocyon cinereoargenteus*), gray squirrel (*Sciurus carlolinensis*), least weasel (*Mustela rixosa*), long-tailed weasel (*Mustela frenata*), mink (*Mustela vison*), muskrat (*Ondatra zibethica*), Northern flying squirrel (*Glaucomys sabrinus*), Norway rat (*Rattus norvegicus*), pocket gopher (*Geomys spp.*), porcupine (*Erethizon dorsatum*), raccoon (*Procyon lotor*), red fox (*Vulpes vulpes*), red squirrel (*Tamiasciurus hudsonicus*), river otter (*Lontra canadensis*), snowshoe hare (*Lepus americanus*), Southern flying squirrel (*Glaucomys volans*), striped skunk (*Mephitis mephitis*), thirteen-lined ground squirrel (*Spermophilus tridecemlineatus*), Virginia opossum (*Didelphis virginianus*), and woodchuck/groundhog (*Marmota monax*). WS MDM activities will potentially involve feral species such as: feral cats (*Felix sp.*), feral dogs (*Canis sp.*), feral rabbits (*Oryctolagus cuniculus*), and feral swine (*Sus scrofa*). This EA will also address limited removal of miscellaneous mice, shrews, moles, and voles during small mammal surveys at airports.
This analysis also includes management of free ranging white-tailed deer (*Odocoileus virginianus*) and multiple species of captive cervids (including; white-tailed deer, elk (*Cervus Canadensis*), mule deer (*O. hemionus*), and other species in the Family Cervidae). Management of damage by these species is currently addressed in an environmental assessment on white-tailed deer damage management in Michigan (USDA 2002). This analysis replaces the existing Michigan white-tailed deer EA.

Wildlife Services was the lead agency in the preparation of the EA. The EA was prepared in consultation with Bay Mills Indian Community, Grand Traverse Band of Ottawa and Chippewa Indians, Great Lakes Indian Fish and Wildlife Commission (GLIFWC), Little Traverse Bay Band of Odawa Indians, Keweenaw Bay Indian

Community, Michigan Department of Natural Resources, Pokagon Band of Potawatomi, and Saginaw Chippewa Indian Tribe. The issues and alternatives associated with mammal damage management were initially developed by WS with review by the consulting agencies. Consulting agencies assisted with the identification of additional issues and alternatives pertinent to managing damage associated with mammals in Michigan.

Wildlife Services responds to requests for assistance from individuals, organizations and agencies experiencing damage caused by wildlife. Wildlife Services is the federal program authorized by Congress and authorized by law to reduce damage caused by wildlife (Act of March 2, 1931, as amended (46 Stat. 1468; 7 U.S.C. 426-426b) 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). 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). 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). However, WS chose to prepare an EA to facilitate planning, interagency coordination, and to clearly communicate with the public the analysis of individual and cumulative impacts. In addition, the EA evaluates and determines if there are any potentially significant or cumulative impacts from the proposed and planned damage management program.

The scope of the EA is limited to alternatives for WS involvement in MDM and cannot change MDNR wildlife management policies and regulations. Actions to resolve mammal damage problems, will continue to occur in accordance with various laws and authorities, even if WS is not involved in MDM. This means that the Federal WS program has limited ability to affect the environmental outcome (*status quo*) of MDM 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 actions that may be taken by resource owners/managers. Despite the limitation to WS' influence on the environmental *status quo* and associated limit 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 mammal damage and conflicts in Michigan.

PUBLIC COMMENTS

The MDM EA was made available for comment from April 18 to June 1, 2016. The document was made available through a "Notice of Availability" (NOA) published in the *Lansing State Journal* and sent to interested parties through the APHIS Stakeholder Registry[1]. Wildlife Services also published this document on the program website http://www.aphis.usda.gov/ wildlife damage/nepa.shtml and Regulations.gov, and through direct mailings of the NOA to interested parties. Wildlife Services received two comments. Issues raised in the letters and agency responses to public comments are provided in Appendix B. The comment letters and all other documentation associated with this EA are maintained at the Wildlife Services State Office, 2803 Jolly Rd, Suite 100, Okemos, MI 48864. This decision document will be made available to the public using the same procedures as for the EA.

MAJOR ISSUES

The EA analyzed a range of management alternatives in context of issues relevant to the scope of the analysis including:

[1] Individuals can register for WS notices through the APHIS stakeholder registry at https://public.govdelivery.com/accounts/USDAAPHIS/suscriber/new

- Effects on target mammal species
- Effects on other wildlife species, including threatened and endangered species
- Effects of damage management methods on human health and safety
- Impacts to stakeholders, including aesthetics
- Humaneness and animal welfare concerns

AFFECTED ENVIRONMENT

Under the Proposed Action, mammal damage management could be conducted on private, Federal, State, tribal[2], county, and municipal lands in Michigan with the permission of the appropriate land owner/manager. Most MDM activities would be conducted on private land. Consultation will occur among the MDNR, WS, GLIFWC (if in ceded territory), and the appropriate public land manager if MDM is going to be conducted on public land.

ALTERNATIVES ANALYZED IN DETAIL

Three alternatives were developed to address the issues identified above (see "Major Issues" section). Eight additional alternatives were considered but not analyzed in detail in the EA. Reasons for not considering the alternatives in detail remain as discussed in the EA. The following is a summary of the management alternatives considered in the EA.

Alternative 1 – Continue the Current Adaptive Integrated Mammal Damage Management Program (Proposed Action/No Action)

The Proposed Action/No Action alternative would continue the current implementation of an adaptive integrated approach utilizing non-lethal and lethal techniques, identified through use of the WS Decision Model (Slate et al 1992), to reduce damage and threats caused by mammals. Under this alternative, WS, in consultation with the MDNR, would continue to respond to requests for assistance by: 1) taking no action if warranted, 2) providing only technical assistance to property owners or managers on actions they could take to reduce damages caused by mammals, or 3) providing technical assistance and direct operational assistance to a property owner or manager experiencing damage. WS would also continue to work with the MDNR, Michigan State University Extension Service, tribes and other entities to produce and distribute materials and provide educational programs on methods for preventing damage. Funding could occur through federal appropriations or from cooperative funding. Under this action, WS could provide technical assistance or direct operational damage management including non-lethal and lethal management methods by applying the WS Decision Model. 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. Property owners or managers may choose to implement WS' recommendations on their own (i.e., use WS technical assistance), use contractual services of private businesses, use volunteer services of private organizations, or use the services of WS (i.e., direct operational assistance). Property owners may also take management action themselves without consulting another private or governmental agency, or take no action.

Alternative 2 - Non-lethal Mammal Damage Management Only by WS

[2] WS' MDM actions would only be conducted on tribal lands with the Tribes request/consent and only after appropriate documents had been signed by WS and the respective Tribe.

Under this alternative, WS would be restricted to only using or recommending non-lethal methods to resolve damage caused by mammals. Lethal methods could continue to be used under this alternative by those persons experiencing damage by mammals without involvement by WS. In situations where non-lethal methods were impractical or ineffective to alleviate damage, WS could refer requests for information regarding lethal methods to the MDNR, local animal control agencies, or private businesses or organizations. Property owners or managers might choose to implement WS' non-lethal recommendations on their own or with the assistance of WS, implement lethal methods on their own, or request assistance (nonlethal or lethal) from a private or public entity other than WS.

Alternative 3 – No Mammal Damage Management Conducted by WS

Under this alternative, WS would not be involved with any aspect of mammal damage management. Information on MDM methods would still be available to producers and property owners through other sources such as MDNR, MSU Extension Service offices, or pest control organizations and private businesses. Requests for information would be referred to these entities. Currently, MDNR does not provide direct MDM assistance, but does provide technical assistance and issues permits for MDM activities as appropriate.

CONSISTENCY

Wildlife damage management activities conducted in Michigan are consistent with Work Plans, Memorandum of Understanding (MOU) and policies of WS, MI Tribes, MDNR, United States Fish and Wildlife Service (USFWS). In addition, WS has completed an ESA Section 7 Consultation with the USFWS for MDM activities (letter from USFWS dated April 17, 2014). WS has also consulted with the MDNR regarding risks to state-listed threatened and endangered species (letter from MDNR dated January 29, 2015). Wildlife Services has also consulted with the State's Coastal Zone Management Program (Michigan Coastal Management Program letter, August 4, 2016).

MONITORING

The Michigan WS program gives the MDNR data on the take of various mammal species and non-target animals to help ensure the cumulative impact of WS actions do not adversely impact the viability of state mammal populations or non-target species populations. Wildlife Services is also a contributing member of various MDNR science advisory committees. Wildlife Services monitors program activities to determine if the analyses and determinations in the EA adequately address current and anticipated future program activities.

DECISION AND FINDING OF NO SIGNIFICANT IMPACT

I have carefully reviewed the EA prepared for this proposal and the input from GLIFWC, Michigan Tribes, various State agencies and the public. I believe that the issues identified in the EA are best addressed by selecting Alternative 1 – Implement an Adaptive Integrated Mammal Damage Management Program (Proposed Action / No Action) and applying the associated Standard Operating Procedures discussed in Chapter 3 of the EA. Alternative 1 is selected because (1) it best enables the WS to provide prompt, professional assistance with specific mammal conflicts and will help maintain local public tolerance; (2) 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; (3) it presents the greatest chance of maximizing net benefits while minimizing adverse impacts to public health and safety; and (4) it offers a balanced approach to the issues of humaneness and aesthetics when all facets of these issues are considered. WS decision to adhere to the Standard Operating

Procedures and limits to activities proposed in the EA and annual monitoring insures that environmental impacts including WS take of specific mammal species and impacts on their populations, risks to non-target species, impacts on public and pet health and safety, humaneness of methods to be used and sociological issues will remain as described in the EA.

The analysis 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. Michigan mammal damage management as proposed in the EA is not regional or national in scope.

2. Analysis of the cumulative impacts for this or other anticipated actions within the State and other Mid-west states indicates that the proposed action would not threaten the continued existence of populations of specific species listed in the MDM EA. Based on State data, the various populations are large enough and healthy enough that even while the proposed action and all other mortality factors have adverse effects on individuals, and may temporarily reduce local wildlife populations, they are not likely to adversely impact the viability of state populations.

3. The proposed action would pose minimal risk to public health and safety. Based on the analysis in the EA, the methods available would not adversely affect human safety based on their use pattern and standard operating procedures..

4. 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 the action agencies' Standard Operating Procedures and adherence to laws and regulations will further ensure that the agencies' activities do not harm the environment.

5. The effects on the quality of the human environment are not highly controversial. Although there is opposition to MDM proposed in the preferred alternative, this action is not highly controversial in terms of size, nature, or effect.

6. 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.

7. The proposed action would not establish a precedent for any future action with significant effects. Authorization for mammal damage management activities would be issued by the MDNR and would have to be reviewed and renewed annually. Any similar and appropriate authorizations involving mammal conflict management which could be issued by the tribes would be subject to similar review.

8. No significant cumulative effects were identified through this assessment. The EA analyzed cumulative effects 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.

9. 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.

10. The USFWS has determined that the proposed program would have no effect on or is not likely to adversely affect Federal listed threatened or endangered species. This determination is based upon a Section 7 consultation completed by the USFWS for activities described in the EA (letter from USFWS dated April 17, 2014). In addition, WS and the MDNR have determined that the proposed program will not adversely affect any State-listed threatened or endangered species (letter from MDNR dated January 29, 2015).

11. The proposed action will be in compliance with all applicable federal, state, and local laws.

Therefore, it is my decision to implement the proposed action (Alternative 1) as described in the Final EA. Copies of the Final EA are available upon request from the Michigan Wildlife Services State Office, 2803 Jolly Rd, Suite 100, Okemos MI 48864, (517) 336-1928, on the WS website at: http://www.aphis.usda.gov/wildlife_damage/nepa.shtml.

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APPENDIX A
LITERATURE CITED

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APPENDIX B
RESPONSES TO COMMENTS

This Appendix contains issues raised by the public during the comment period for the 2016 Michigan mammal damage management EA and the WS response to each of the issues. Wildlife Services received two comment letters regarding the EA. Issues raised in the letters are numbered and are written in bold text. The WS response follows each comment and is written in standard text.

1. There is no need for action (i.e. no need for MDM in Michigan).

WS does not agree. The comment suggested that occurrences of mammal damage were alleged, however a detailed discussion of the need for action was provided in section 1.2 of the EA. WS does believe further discussion on this topic is required.

2. Lethal methods of MDM are inhumane.

The issue of humaneness of WS methods is addressed in detail for each alternative in section 4.5 of the EA.

3. Commenter is opposed to the use of lethal methods.

The EA considers an alternative which restricts WS to the exclusive use of non-lethal methods in Detail (see Section 3.1.2 Alternative 2: Non-lethal mammal damage management only by WS). Further, Chapter 4 provides detailed analyses of Alternative 2: Non-lethal mammal damage management only by WS and Alternative 3: No mammal damage management conducted by WS in relation to the issues that were identified in Chapter 2 of the EA. Based on the analyses of the alternatives that were developed to address those issues that were analyzed in detail within the EA, including individual and cumulative impacts of those alternatives, the WS program will issue a decision for the final EA.

4. The hiring policies of both the MDNR and WS restrict candidates who are opposed to hunting.

The management decisions and criterion for hiring of the MDNR and WS are outside the scope of analysis of the EA and will not be considered further.

5. WS fails to disclose take of animals.

WS' current and projected future take of target animals is provided in the EA at Section 4.1.2 Table 4.1a, Table 4.1b, Table 4.2a, and Table 4.2b.

6. WS needs to makes all comments publicly available.

All comments received by the deadline are posted on regulations.gov and available for public review.

7. WS should continue an Integrated MDM management program to offer the broadest possible range of wildlife management options.

The WS program appreciates the comment. WS developed alternatives to meet the need for action, which is described in Chapter 1 of the EA, and to address the identified issues associated with managing damaged caused

by those mammal species addressed in the EA, which were described in Chapter 2 of the EA. The EA analyzed continuing the current program using an integrated methods approach to managing mammal damage (Alternative 1; see Section 3.3.1 of the EA). Chapter 4 of the EA analyzes the environmental consequences of each of the alternatives in comparison to determine the extent of the actual or potential impacts on the issues, including continuing the current program. Based on the analyses of the alternatives that were developed to address those issues that were analyzed in detail within the EA, including individual and cumulative impacts of those alternatives, the WS program will issue a decision for the final EA.

8. WS should reject alternatives that that do not allow flexibility in responding to mammal damage management needs, including alternatives that do not allow the use of lethal methods or restrict assistance.

WS developed several alternatives to meet the need for action. These are described in Section 3.1 of the EA. Section 3.1.2 Alternative 2: Non-lethal mammal damage management only by WS and Section 3.1.3 Alternative 3: No mammal damage management conducted by WS describe alternatives that were identified and developed to meet the need for action described in Chapter 1 of the EA. The environmental consequences of these alternatives and Alternative 1: Continue the current adaptive integrated mammal damage management program were considered with regard to the identified issues in Chapter 4. Based on the analyses of the alternatives that were developed to address those issues that were analyzed in detail within the EA, including individual and cumulative impacts of those alternatives, the WS program will issue a decision for the final EA.

9. Commenter encourages WS to adopt alternatives in the EA that would allow harvested wildlife to be inspected and donated for human consumption, disease testing, research, or other needs.

As discussed in Section 2.3.7 of the EA, under the proposed action alternative, meat from wildlife lethally taken during damage management activities could be donated to charitable organizations for human consumption. WS could also recommend the donation of meat under the technical assistance only alternative. If WS donates wild meat for human consumption, WS' policies pertaining to the testing or labeling of the meat would be followed in order to address any potential health concerns.

10. Commenter supports compensation for losses due to mammal damage.

Compensation only for mammal damage losses is an alternative considered but not analyzed in detail in the EA (see Section 3.4.3). WS lacks legal authority to provide indemnification for losses due to mammal damage, however the State of Michigan does, under some circumstances, provide indemnification for the death or injury of livestock caused by wolves, coyotes, or cougars under the Wildlife Depredations Indemnification Act (Act 487 of 2012).

11. Commenter supports reproductive control of wildlife when appropriate and effective.

Reproduction control is an alternative considered but not analyzed in detail in the EA (see Section 3.4.4). Currently there are no reproductive inhibitors registered for use in mammals in Michigan.

12. Commenter supports a payment of bounties for wildlife control.

As discussed in Section 3.4.5 of the EA, WS does not have the authority to establish a bounty program, nor does the MDNR support such a program.

13. Commenter opposed to the use of artificial feeding or baiting of wildlife as an alternative to prevent crop browsing as it would not discourage crop damage but would instead increase nuisance populations and encourage disease transmission.

Section 3.4.7 discussed the use of supplemental feeding as an alternative but was not considered in detail. Supplemental feeding is banned in Deer Management Unit (DMU) 487 and Michigan has strict regulations elsewhere in the state due to the potential to spread diseases such as bovine tuberculosis. WS will continue to abide such guidelines established by the MDNR.

14. WS has an opportunity to support more education and outreach on important issues such as disease transmission (e.g., bovine tuberculosis) from wildlife to livestock, loss of field crops by sand hill cranes, predation of livestock by predators, crop damage by feral swine, and other topics.

As discussed in Section 3.2.2, educational efforts are an important element of an integrated wildlife damage management plan. WS employees frequently provide lectures, courses, and demonstrations to producers, homeowners, and other interested groups. In addition, WS' employees frequently present technical papers at professional meeting and conferences so that other WS personnel, other wildlife professionals, and the public are periodically updated on recent developments in damage management technology, programs, laws and regulations, and agency policies.