ENVIRONMENTAL ASSESSMENT

MAMMAL DAMAGE MANAGEMENT IN ARKANSAS

UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)
ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
WILDLIFE SERVICES (WS)

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ACRONYMS

AGFC	Arkansas Game and Fish Commission
AMDUCA	Animal Medicinal Drug Use Clarification Act
APHIS	Animal and Plant Health Inspection Service
AVMA	American Veterinary Medical Association
CDC	Centers for Disease Control and Prevention
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO_2	Carbon Dioxide
CWA	Clean Water Act
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulation
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FLIR	Forward Looking Infrared
FR	Federal Register
FSIS	Food Safety and Inspection Services
FY	Fiscal Year
GnRH	Gonadotropin-releasing Hormone
IV	Intravenous
IC	Intracardiac
MOU	Memorandum of Understanding
NASS	National Agricultural Statistics Service
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NWP	Nationwide Permit
NWRC	National Wildlife Research Center
PEP	Post - Exposure Prophylaxis
PL	Public Law
SOP	Standard Operating Procedure
T&E	Threatened and Endangered
USC	United States Code
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Services
WS	Wildlife Services

CHAPTER 1: PURPOSE AND NEED FOR ACTION

1.1 PURPOSE

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS)[1] program in Arkansas continues to receive requests for assistance or anticipates receiving requests for assistance to resolve or prevent damage occurring to agricultural resources, natural resources, and property, including threats to human safety, associated with nine-banded armadillos (*Dasypus novemcinctus*), Virginia opossum (*Didelphis virginiana*), raccoons (*Procyon lotor*), river otters (*Lontra canadensis*), striped skunks (*Mephitis mephitis*), coyotes (*Canis latrans*), red fox (*Vulpes vulpes*), bobcats (*Lynx rufus*), woodchucks (*Marmota monax*), feral swine (*Sus scrofa*), beaver (*Castor canadensis*), gray squirrel (*Sciurus carolinensis*), fox squirrel (*Sciurus niger*), little brown myotis (*Myotis lucifugus*), silver-haired bat (*Lasionycteris noctivagans*), eastern pipistrelle (*Pipistrellus subflavus*), big brown bat (*Eptesicus fuscus*), evening bat (*Nycticeius humeralis*), Rafinesque's big-eared bat (*Corynorhinus rafinesquii*), and white-tailed deer (*Odocoileus virginianus*). Individual wildlife damage management projects conducted by the WS program could be categorically excluded from further analysis under the National Environmental Policy Act (NEPA), in accordance with APHIS implementing regulations for the NEPA (7 CFR 372.5(c), 60 FR 6000-6003).

The purpose of this Environmental Assessment (EA) is to evaluate cumulatively the individual projects conducted by WS to manage damage and threats to agricultural resources, property, natural resources, and threats to people caused by those mammal species identified previously. This EA will assist in determining if the proposed cumulative management of mammal damage could have a significant impact on the environment based on previous activities conducted by WS and based on the anticipation of additional efforts to manage damage caused by those species. Because the goal of WS would be to conduct a coordinated program to alleviate mammal damage in accordance with plans, goals, and objectives developed to reduce damage, and because the program's goals and directives[2] would be to provide assistance when requested, within the constraints of available funding and workforce, it is conceivable that additional damage management efforts could occur. Thus, this EA anticipates those additional efforts and the analyses would apply to actions that may occur in any locale and at any time within Arkansas as part of a coordinated program. This EA analyzes the potential effects of mammal damage management when requested, as coordinated between WS and the Arkansas Game and Fish Commission (AGFC).

WS is preparing this EA to: 1) facilitate planning, 2) promote interagency coordination, 3) streamline program management, 4) clearly communicate to the public the analysis of individual and cumulative impacts of proposed activities, and 5) evaluate and determine if there would be any potentially significant or cumulative effects from the alternative approaches developed to meet the need for action. The analyses contained in this EA are based on information derived from WS' Management Information System, published documents (see Appendix A), interagency consultations, and public involvement.

The EA evaluates the need for action to manage damage associated with mammals in the State, the potential issues associated with mammal damage management, and the environmental consequences of conducting different alternatives to meet the need for action while addressing the identified issues. WS initially developed the issues and alternatives associated with mammal damage management in consultation with the AGFC. The AGFC has regulatory authority to manage populations of mammal

[1]The WS program is authorized to protect agriculture and other resources from damage caused by wildlife through the Act of March 2, 1931 (46 Stat. 1468; 7 USC 426-426b) as amended, and the Act of December 22, 1987 (101 Stat. 1329-331, 7 USC 426c).

[2]At the time of preparation, WS' Directives occurred at the following web address: http://www.aphis.usda.gov/wildlife_damage/ws_directives.shtml.

species in the State. To assist with additional issues and alternatives to managing damage associated with mammals in Arkansas, WS will make this EA available to the public for review and comment prior to the issuance of a Decision[3].

This EA will: (1) assist in determining if the proposed management of damage associated with mammals could have a significant impact on the environment for both people and other organisms, (2) analyze several alternatives to address the need for action and the identified issues, (3) coordinate efforts between WS, the AGFC, and other entities, (4) inform the public, and (5) document the analyses of the environmental consequences of the alternatives to comply with the NEPA.

1.2 NEED FOR ACTION

Some species of wildlife have adapted to and have thrived in human altered habitats. Those species, in particular, are often responsible for the majority of conflicts between people and wildlife. Those conflicts often lead people to request assistance with reducing damage to resources and to reduce threats to human safety.

Wildlife can have either positive or negative values depending on the perspectives and circumstances of individual people. In general, people regard wildlife as providing economic, recreational, and aesthetic benefits. For some people, knowing that wildlife exists in the natural environment provides a positive benefit to many people. However, activities associated with wildlife may result in economic losses to agricultural resources, natural resources, property, and threaten human safety. Therefore, an awareness of the varying perspectives and values are required to balance the needs of people and the needs of wildlife. When addressing damage or threats of damage caused by wildlife, wildlife damage management professionals must consider not only the needs of those directly affected by wildlife damage but a range of environmental, sociocultural, and economic considerations as well.

Resolving wildlife damage problems requires consideration of both sociological and biological carrying capacities. The wildlife acceptance capacity, or cultural carrying capacity, is the limit of human tolerance for wildlife or the maximum number of a given species that can coexist compatibly with local human populations. Biological carrying capacity is the land or habitat's ability to support healthy populations of wildlife without degradation to the species' health or their environment during an extended period of time (Decker and Purdy 1988). Those phenomena are especially important because they define the sensitivity of a person or community to a wildlife species. For any given damage situation, there are varying thresholds of tolerance exhibited by those people directly and indirectly affected by the species and any associated damage. This damage threshold determines the wildlife acceptance capacity. While the biological carrying capacity of the habitat may support higher populations of wildlife, in many cases the wildlife acceptance capacity is lower or already met. Once the wildlife acceptance capacity is met or exceeded, people begin to implement population or damage management to alleviate damage or address threats to human health and safety.

Wildlife damage management is the alleviation of damage or other problems caused by or related to the behavior of wildlife and can be an integral component of wildlife management (Berryman 1991, The Wildlife Society 1992). The threat of damage or loss of resources is often sufficient for people to initiate individual actions and the need for damage management can occur from specific threats to resources. Those species have no intent to do harm. They utilize habitats (*e.g.*, feed, shelter, reproduce) where they can find a niche. If their activities result in lost economic value of resources or threaten human safety,

[3]After the development of the EA by WS and consulting agencies and after public involvement in identifying new issues and alternatives, WS will issue a Decision. Based on the analyses in the EA after public involvement, either WS will make a decision to publish a Notice of Intent to prepare an Environmental Impact Statement or WS will issue a Finding of No Significant Impact notice to the public in accordance to the NEPA and the Council of Environmental Quality regulations.

people often characterize this as damage. When damage exceeds or threatens to exceed an economic threshold and/or pose a threat to human safety, people often seek assistance with resolving damage or reducing threats to human safety. The threshold triggering a request for assistance is often unique to the individual person requesting assistance and many factors can influence when people request assistance (*e.g.*, economic, social, aesthetics). Therefore, what constitutes damage is often unique to the individual person. What one individual person considers damage, another person may not consider as damage. However, the use of the term "*damage*" is consistently used to describe situations where the individual person has determined the losses associated with wildlife is actual damage requiring assistance (*i.e.*, has reached an individual threshold). Many people define the term "*damage*" as economic losses to resources or threats to human safety; however, "*damage*" could also occur from a loss in the aesthetic value of property and other situations where the behavior of wildlife was no longer tolerable to an individual person.

The need for action to manage damage and threats associated with mammals in Arkansas arises from requests for assistance[4] received by WS. WS receives requests to reduce or prevent damage from occurring to four major categories: agricultural resources, natural resources, property, and threats to human safety. WS has identified those mammal species most likely to be responsible for causing damage to those four categories in the State based on previous requests for assistance. Table 1.1 lists WS' technical assistance projects involving mammal damage or threats of damage to those four major resource types in Arkansas from the federal fiscal year[5] (FY) 2008 through FY 2012. WS provides technical assistance to those persons requesting assistance with resolving damage or the threat of damage. Technical assistance provides information and recommendations on activities to alleviate mammal damage that the requester could conduct without WS' direct involvement in managing or preventing the damage. This EA discusses technical assistance activities further in Chapter 3. Table 1.1 does not include direct operational assistance projects conducted by WS where a person requested WS' assistance through the direct application of methods.

Table 1.1 – Technical assistance projects conducted by WS from FY 2008 through FY 2012

Species	Projects	Species	Projects
Nine-banded Armadillo	1	**Bats (all species)**	7
Virginia Opossum	1	**Beaver**	8
Raccoon	7	**Gray Squirrel**	1
River Otter	2	**Feral Swine**	108
Striped Skunk	13	**White-tailed Deer**	128
Coyote	10	**TOTAL**	**286**

The technical assistance projects conducted by WS are representative of the mammal species that cause damage and threats in Arkansas. As shown in Table 1.1, WS has conducted 286 technical assistance projects in Arkansas from FY 2008 through FY 2012 associated with those mammal species addressed in this assessment. Over 82% of the technical assistance projects conducted by WS have involved feral swine and deer.

Table 1.2 lists those mammal species addressed in this EA and the resource types that those mammal species can cause damage to in Arkansas. Many of the mammal species can cause damage to or pose threats to a variety of resources. In Arkansas, most requests for assistance received by WS are related to threats associated with those mammal species causing damage or posing threats of damage to property

[4]WS would only conduct mammal damage management after receiving a request for assistance. Before initiating damage management activities, WS and the cooperating entity would sign a Memorandum of Understanding, cooperative service agreement, or other comparable document that would list all the methods the property owner or manager would allow WS to use on property they owned and/or managed.

[5]The federal fiscal year begins on October 1 and ends on September 30 the following year.

and human safety. Nearly all those species can cause damage to property, including posing strike risks at airport and airbases or posing as attractants for other species that are strike risks.

Table 1.2 – Mammal species that WS routinely receives requests for assistance and the resource type damage by those species

Species	Resource[a]				Species	Resource			
	A	N	P	H		A	N	P	H
Nine-banded Armadillo	X	X	X	X	**Woodchuck**	X		X	X
Virginia Opossum	X	X	X	X	**Feral Swine**	X	X	X	X
Raccoon	X	X	X	X	**Beaver**	X	X	X	X
River Otter	X		X		**Gray Squirrel**	X	X	X	X
Striped Skunk	X	X	X	X	**Fox Squirrel**	X	X	X	X
Coyote	X	X	X	X	**Bats (all species)**			X	X
Red Fox	X	X	X	X	**White-tailed Deer**	X	X	X	X
Bobcat	X	X	X	X					

[a]A=Agriculture, N =Natural Resources, P=Property, H=Human Safety

The following subsections of the EA provide more information on mammal damage to those four categories.

Need for Mammal Damage Management to Protect Human Health and Safety

Zoonosis (*i.e.*, wildlife diseases transmissible to people) are often a major concern of cooperators when requesting assistance with managing threats from mammals. Disease transmission could occur from direct interactions between people and mammals or from interactions with pets and livestock that have direct contact with wild mammals. Pets and livestock often encounter and interact with wild mammals, which can increase the opportunity of transmission of disease to people. Table 1.3 shows common diseases affecting people that wild mammals can transmit in addition to diseases that could affect other animals, including domestic species. These include viral, bacterial, mycotic (fungal), protozoal, and rickettsial diseases.

Individuals or property owners that request assistance with mammals frequently are concerned about potential disease risks but are unaware of the types of diseases those animals could transmit. In those types of situations, assistance is requested because of a perceived risk to human health or safety associated with wild animals living in close association with people, from animals acting out of character by roving in human-inhabited areas during daylight, or from animals showing no fear when people are present. Under the proposed action, WS could assist in resolving those types of requests for assistance.

In many circumstances, when human health concerns are the primary reason for requesting WS' assistance there may have been no actual cases of transmission of disease to people by mammals. Thus, the risk of disease transmission would be the primary reason for requesting assistance from WS. Situations in Arkansas where the threat of disease associated with wild or feral mammal populations may include:

- Exposure of people to the threat of rabies from companion animals encountering infected skunks
- Exposure of people to threats of rabies posed by skunks that den under buildings
- Threats of parasitic infections to people from *Giardia* spp. associated with beaver
- Disease threats (*e.g.*, histoplasmosis) from bat guano in an attic where bats routinely roost
- The potential exposure of people to roundworm from fecal accumulations of raccoons
- Exposure of domestic livestock to the bacterium, *Brucella suis*, by feral swine

The most common disease concern expressed by individuals requesting assistance is the threat of rabies transmission to people, pets, and companion animals. Rabies is an acute, fatal viral disease of mammals most often transmitted through the bite of a rabid animal. Wild animals infected with rabies can pose an indirect and direct threat to people. Indirect threats to people can occur from exposure to infected pets or livestock that a rabid animal bites. Direct threats can occur from handling infected wildlife or from aggressive animal behavior caused by rabies. People that identify their potential exposure to the rabies virus early and seek treatment can prevent the disease from becoming fatal. In addition, people can vaccinate domestic animals and pets for rabies. However, the abundant and widely distributed reservoir among wild mammals complicates rabies control. The vast majority of rabies cases reported to the Centers for Disease Control and Prevention (CDC) each year occur in raccoons, skunks (primarily *Mephitis mephitis*), and bats (Order Chiroptera) (CDC 2011).

Table 1.3 - Wildlife Diseases in the Eastern United States that pose potential health risks through transmission to people (Beran 1994, Davidson 2006)[†]

Disease	Causative Agent	Hosts[‡]	Human Exposure
Tetanus	*Clostridium tetani*	mammals	direct contact
Dermatophilosis	*Dermatophilus congolensis*	mammals	direct contact
Leprosy	*Mycobacterium leprae*	armadillo	inhalation, direct contact
Pasteurellaceae	*Haemophilus influenzae*	mammals	bite or scratch
Salmonellosis	*Salmonella* spp.	mammals	ingestion
Typhus	*Rickettsia prowazekii*	opossums	inhalation, ticks, fleas
Sarcoptic mange	*Sarcoptes scabiei*	red fox, coyotes	direct contact
Trichinosis	*Trichinella spiralis*	raccoons, fox	ingestion, direct contact
Rabies	*Lyssavirus* spp.	mammals	direct contact
Visceral larval	*Baylisascaris procyonis*	raccoons, skunks	ingestion, direct contact
Leptospirosis	*Leptospira interrogans*	mammals	ingestion, direct contact
Echinococcus	*Echinococcus multilocularis*	fox, coyotes	ingestion, direct contact
Toxoplasmosis	*Toxoplasma ondii*	mammals	ingestion, direct contact
Spirometra	*Spirometra mansonoides*	bobcats, raccoons, fox	ingestion, direct contact
Giardiasis	*Giardia lamblia, G. duodenalis*	mammals	ingestion, direct contact

[†]Table 1.3 is not an exhaustive list of wildlife diseases considered infectious to humans. The zoonoses provided are the more common infectious diseases for the species addressed in this EA and are only a representation of the approximately 100 to 3,000 zoonoses known to exist.

[‡] The host species provided for each zoonosis includes only those mammalian species addressed in this EA unless the zoonoses listed potentially infects a broad range of mammalian wildlife. The use of the general term "*mammals*" as the host species denotes zoonoses that could infect a broad range of mammals. The diseases listed do not necessarily infect only those mammalian species covered under this EA but likely infect several species of mammals or groups of mammals. For a complete discussion of the more prevalent diseases in free-ranging mammals, please refer to Beran (1994) and Davidson (2006).

Over the last 100 years, the vector of rabies in the United States has changed dramatically. About 90% or greater of all animal cases reported annually to CDC now occur in wildlife (Krebs et al. 2000, CDC 2011). Before 1960, the majority of cases the CDC received occurred in domestic animals. The principal rabies hosts today are wild carnivores and bats. The number of rabies-related human deaths in the United States has declined from more than 100 annually in the early 1900s to an average of one or two people per year in the 1990s. Modern day prophylaxis, which is the series of vaccine injections given to people who have been potentially or actually exposed, has proven nearly 100% successful in preventing mortality when administered promptly (CDC 2011). In the United States, human fatalities associated with rabies occur in people who fail to seek timely medical assistance, usually because they were unaware of their exposure to rabies. Although human rabies deaths are rare, the estimated public health costs associated with disease detection, prevention, and control have risen, exceeding $300 million annually. Those costs include the vaccination of companion animals, maintenance of rabies laboratories, medical costs such as

those incurred for exposure case investigations, rabies post-exposure prophylaxis (PEP), and animal control programs (CDC 2011).

Accurate estimates of the aforementioned expenditures are not available. Although the number of PEPs given in the United States each year is unknown, it has been estimated to be as high as 40,000. When rabies becomes epizootic (*i.e.*, affecting a large number of animals over a large area) or enzootic (*i.e.*, present in an area over time but with a low case frequency) in a region, the number of PEPs in that area increases. Although the cost varies, a course of rabies immunoglobulin and five doses of vaccine given over a 4-week period typically exceeds $1,000 (CDC 2011) and has been reported to be as high as $3,000 or more (Meltzer 1996). As epizootics spread in wildlife populations, the risk of "*mass*" human exposures requiring treatment of large numbers of people that contact individual rabid domestic animals infected by wild rabid animals increases. One case in Massachusetts involving contact with, or drinking milk from, a single rabid cow required PEPs for 71 people (CDC 1999*a*). The total cost of this single incident exceeded $160,000 based on a median cost of $2,376 per PEP in Massachusetts. Likely, the most expensive single mass exposure case on record in the United States occurred in 1994 when a kitten from a pet store in Concord, New Hampshire tested positive for rabies after a brief illness. Because of potential exposure to the kitten or to other potentially rabid animals in the store, at least 665 persons received post-exposure rabies vaccinations at a total cost of more than $1.1 million (Noah et al. 1995). The American Veterinary Medical Association (AVMA) estimated the total cost for this specific incident, including investigation, laboratory testing, and rabies immunoglobulin and vaccines, was more than $1.5 million (AVMA 2004).

Skunks are an important wildlife host for the rabies virus in North America and are second only to raccoons in being the most commonly reported rabid wildlife species in the United States (Majumdar et al. 2005). The skunk variant of rabies occurs in the Midwest and California; however, different variants of rabies can infect skunks throughout North America, such as the raccoon variant. The distribution of rabies in skunks extends from Georgia to Maine east of the Appalachians, Texas to the Canadian border, and throughout the northern two thirds of California (Majumdar et al. 2005). The fox is one of the four major maintenance hosts for rabies in North America. In the 1950s, rabies in red fox spread throughout Canada, parts of New England, and Alaska. The range has since decreased, but fox rabies persists in Alaska and parts of Texas. Clinical signs of rabies in fox often manifest as the "*furious*" form of rabies (Majumdar et al. 2005).

Majumdar et al. (2005) implicated increasing populations of raccoons in certain areas to outbreaks of distemper. Distemper has not been identified as transmissible to people. However, people who feel threatened by the possibility of disease transmission often request assistance after observing sick raccoons on their property. Symptoms of distemper often lead to abnormal behavior in raccoons that are similar to symptoms associated with rabies. Raccoons with distemper often lose their fear of people and can act aggressively, which increases the risk to people, livestock, or companion animals from bites. Distemper can also occur in coyotes, red fox, and gray fox with symptoms that are similar to those symptoms exhibited by animals infected with the rabies virus.

Feral swine can pose a threat to human safety from disease transmission, from aggressive behavior, and from vehicles and aircraft striking swine. Feral swine are potential reservoirs for at least 30 viral and bacterial diseases (Samuel et al. 2001, Williams and Barker 2001, Davidson 2006) and 37 parasites (Forrester 1991) that are transmissible to people. Brucellosis, salmonellosis, toxoplasmosis, trichinosis, tuberculosis, and tularemia are some of the common diseases that feral swine carry that are also known to infect people (Stevens 1996, Hubalek et al. 2002, Seward et al. 2004). In addition, feral swine can pose risks to domestic livestock through the potential transmission of diseases between feral swine populations and domestic livestock where interactions may occur.

Conflicts involving bats can include property damage, but primarily involve threats to human, pet, and livestock health. The buildup of bat droppings and urine in attics and between walls can result in odor problems and discoloration of walls and ceilings (Agency for Toxic Substances and Disease Registry 1998). In addition to the threat of rabies from direct contact or a bat entering the living area of a home, there are other threats associated with bat colonies, including histoplasmosis, fungal spores, and mites.

Bat droppings, particularly when they accumulated for many years, are likely to contain the fungus *Histoplasma capsulatum* or with fungi species such as molds, especially in warm, moist conditions. When people disturb fecal accumulations containing *H. capsulatum* and inhale spores from the fungus, they may become ill with a disease known as histoplasmosis. Symptoms of histoplasmosis include some combination of mild, flu-like respiratory illness, a general ill feeling, chest pain, fever, cough, headache, loss of appetite, shortness of breath, joint and muscle pains, chills, and hoarseness. Although there are other, more rare illnesses associated with exposure, the most likely is histoplasmosis. Similarly, mold spores released into the air may result in increases in asthma attacks (Agency for Toxic Substances and Disease Registry 1998).

Bat bugs (*Cimex adjunctus*) are free-living ectoparasites of bats that feed on blood. They will bite humans in the absence of their primary hosts. The main means of dispersal for bat bugs is by clinging to the fur of bats as bats move between locations. Typically, bat bug infestations originate from bat populations established in attics, wall voids, unused chimneys, or uninhabited portions of a house. Bat bugs typically do not wander far from occupied bat roosting sites where they have easy access to food. However, if their normal hosts leave, bat bugs can seek other sources of food and may crawl about and invade living areas within a house and bite people (Jones and Jordan 2004). Although their bite is not particularly harmful, the person may experience an allergic reaction and develop a skin rash in response (Agency for Toxic Substances and Disease Registry 1998).

The intention of this brief discussion on zoonoses is to address the more common known zoonoses found in the United States for those species specifically addressed in this EA and not an exhaustive discussion of all potential zoonoses. Limited information and understanding of disease transmission from wildlife to people exists for most infectious zoonoses. In most cases when human exposure occurs, the presence of a disease vector across a broad range of naturally occurring sources, including occurring in wildlife populations, can complicate determining the origin of the vector. For example, a person with salmonella poisoning may have contracted salmonella bacterium from direct contact with an infected pet but may have also contracted the bacterium from eating undercooked meat or from other sources.

Disease transmission directly from wildlife to people is uncommon. However, the infrequency of such transmission does not diminish the concerns of those people requesting assistance since disease transmission could occur. WS actively attempts to educate the public about the risks associated with disease transmission from wildlife to people through technical assistance and by providing technical leaflets on the risks of exposure.

In addition to disease transmission threats, WS also receives requests for assistance from perceived threats of physical harm from wildlife, especially from predatory wildlife. Human encroachment into wildlife habitat increases the likelihood of human-wildlife interactions. Those species that people are likely to encounter are those most likely to adapt to and thrive in human altered habitat. Several predatory and omnivorous wildlife species thrive in urban habitat due to the availability of food, water, and shelter. Many people enjoy wildlife to the point of purchasing food specifically for feeding wildlife despite laws prohibiting the act in many areas. The constant presence of human created refuse, readily available water supplies, and abundant rodent populations found in some areas often increases the survival rates and carrying capacity of wildlife species that are adaptable to those habitats. Often the only limiting factor of wildlife species in and around areas inhabited by people is the prevalence of diseases.

Overabundant wildlife that congregate into small areas because of the unlimited amount of food, water, and shelter can confound the prevalence of diseases.

Beaver activity in certain situations can become a threat to public health and safety (*e.g.*, burrowing into or flooding of roadways and railroad beds can result in serious accidents) (Miller 1983, Woodward 1983). Increased water levels in urban areas resulting from beaver activity can lead to unsanitary conditions and potential health problems by flooding septic systems and sewage treatment facilities (DeAlmeida 1987, Loeb 1994). Beaver damming activity also creates conditions favorable to mosquitoes and can hinder mosquito control efforts or result in population increases of these insects (Wade and Ramsey 1986). While the presence of these insects is largely a nuisance, mosquitoes can transmit diseases, such as encephalitis (Mallis 1982).

In addition, beaver, which are carriers of the intestinal parasite *Giardia lamblia*, can contaminate human water supplies and cause outbreaks of the disease Giardiasis in people (Woodward 1983, Beach and McCulloch 1985, Wade and Ramsey 1986, Miller and Yarrow 1994). Giardiasis is an illness caused by a microscopic parasite that have become recognized as one of the most common causes of waterborne disease in people across the United States during the last 15 years (CDC 1999*b*). People can contract giardiasis by swallowing contaminated water or putting anything in their mouth that has touched the fecal matter of an infected animal or person. Symptoms of giardiasis include diarrhea, cramps, and nausea (CDC 1999*b*). Beaver are also carriers of tularemia, a bacterial disease that is transmittable to people through bites by insect vectors, bites of infected animals, or by handling animals or carcasses that are infected (Wade and Ramsey 1986). In cattle ranching sections of Wyoming, Skinner et al. (1984) found that the fecal bacteria count was much higher in beaver ponds than in other ponds, something that can be a concern to ranchers and recreationists. Furthermore, damming of streams sometimes increases the number of aquatic snakes, including the poisonous cottonmouth (Wade and Ramsey 1986).

As people are increasingly living with wildlife, the lack of harassing and threatening behavior by people toward many species of wildlife has led to a decline in the fear wildlife have toward people. When wildlife species begin to habituate to the presence of people and human activity, a loss of apprehension occurs that can lead to threatening behavior toward people. This threatening behavior continues to increase as human populations expand and the populations of those species that adapt to human activity increase. Threatening behavior can be in the form of aggressive posturing, a general lack of apprehension toward people, or abnormal behavior. Although wildlife attacking people occurs rarely, the number of attacks appears to be on the increase. Timm et al. (2004) reported that coyotes attacking people have increased in California and the recent, highly publicized coyote attacks, including a fatal attack on a 19-year old woman in Nova Scotia (Canadian Broadcast Company 2009), have only heightened people's awareness of the threat of such encounters.

Although attacks on people associated with those species addressed in this EA occurs rarely, requests for assistance to lessen the threat of possible attacks could occur from people in Arkansas. Often, wildlife exhibiting threatening behavior or a loss of apprehension to the presence of people is a direct result and indication of an animal inflicted with a disease. Therefore, requests for assistance could occur from a desire to reduce the threat of disease transmission and/or from fear of aggressive behavior from an animal that is less apprehensive of people or induced as a symptom of disease. As part of the proposed program, WS could provide mammal damage management assistance, upon request, involving those mammal species addressed in this EA that pose a threat to human health and safety in Arkansas.

Disease Surveillance and Monitoring

Public awareness and health risks associated with zoonoses (*i.e.*, diseases of animals that are transmissible to people) have increased in recent years. This EA addresses several zoonotic diseases associated with

mammals. Those zoonotic diseases remain a concern and continue to pose threats to human safety where people encounter mammals. WS has received requests to assist with reducing damage and threats associated with several mammal species in Arkansas and could conduct or assist with disease monitoring or surveillance activities for any of the mammal species addressed in this EA. Most disease sampling would occur ancillary to other wildlife damage management activities (*i.e.*, disease sampling would occur after wildlife have been captured or lethally taken for other purposes). For example, WS may sample deer harvested during the annual hunting season or collect samples during other damage management programs for Chronic Wasting Disease. WS could collect ticks from carcasses of raccoons after lethally removing the raccoon to alleviate damage. WS could sample feral swine harvested by hunters or during damage management activities to test for classical swine fever, swine brucellosis, pseudorabies, or other diseases.

Need for Mammal Damage Management at Airports

Airports provide ideal conditions for many wildlife species due to the large open grassy areas around runways and taxiways adjacent to brushy, forested habitat used as noise barriers. Access to most airport properties is restricted so mammal species living within airport boundaries are not harvestable during hunting and trapping seasons and insulated from many other human disturbances.

The civil and military aviation communities have acknowledged that the threat to human health and safety from aircraft collisions with wildlife is increasing (Dolbeer 2000, MacKinnon et al. 2001, Dolbeer 2009). Collisions between aircraft and wildlife are a concern throughout the world because wildlife strikes threaten passenger safety (Thorpe 1996), result in lost revenue, and repairs to aircraft can be costly (Linnell et al. 1996, Robinson 1996, Thorpe 1997, Keirn et al. 2010). Aircraft collisions with wildlife can also erode public confidence in the air transport industry as a whole (Conover et al. 1995).

Between 1990 and 2012, there were 2,946 reported aircraft strikes involving terrestrial mammals in the United States (Dolbeer et al. 2013). The number of mammal strikes actually occurring is likely to be much greater, since Dolbeer (2009) estimated that entities reported 39% of actual civil wildlife strikes. Aircraft have collided with a reported 42 species of terrestrial mammals from 1990 through 2012, including white-tailed deer, raccoons, gray fox, red fox, coyotes, opossums, river otter, and striped skunks. In addition, aircraft in the United States have struck 15 species of bats (Dolbeer et al. 2013). Of the terrestrial mammals reported struck by aircraft, 35% were carnivores (primarily coyotes), causing nearly $4.1 million in damages (Dolbeer et al. 2013). Deer accounted for 35% of the reported strikes involving terrestrial mammals in the United States causing over $45 million in damages (Dolbeer et al. 2013). Data also indicates that a much higher percentage of mammal strikes resulted in aircraft damage compared to bird strikes (Dolbeer et al. 2013). Costs of those collisions vary, but Federal Aviation Administration (FAA) data reveals that mammal strikes in the United States cost the civil aviation industry approximately 298,603 hours of down time and nearly $62 million in direct monetary losses between 1990 and 2012 (Dolbeer et al. 2013).

About 34% of terrestrial mammal strikes in the United States have resulted in damage compared to 9% for birds from 1990 through 2012 (Dolbeer et al. 2013). In addition to direct damage, an aircraft striking a mammal can pose serious threats to human safety if the damage from the strike causes a catastrophic failure of the aircraft leading to a crash. For example, damage to the landing gear during the landing roll and/or takeoff run can cause a loss of control of the aircraft, causing additional damage to the aircraft and increasing the threat to human safety. Nearly 63% of the reported mammal strikes from 1990 through 2012 occurred at night, with 64% occurring during the landing roll or the takeoff run (Dolbeer et al. 2013).

Airports in Arkansas have requested assistance to manage the threat to human safety and damage to property caused by mammals present inside the area of operations of an airport. The infrequency of mammal strikes does not lessen the need to prevent threats to human safety and the prevention of damage to property. Preventing damage and reducing threats to human safety are the goals of cooperators requesting assistance at airports in Arkansas given that a potential strike can lead to the loss of human life and considerable damage to property.

Wildlife populations near or found confined within perimeter fences at airports can be a threat to human safety and cause damage to property when struck by aircraft. Those wildlife confined inside an airport perimeter fence would not be considered distinct populations nor separate from those populations found outside the perimeter fence. Wildlife found within the boundaries of perimeter fences originate from populations outside the fence. Those individuals of a species inside the fence neither exhibit nor have unique characteristics from those individuals of the same species that occur outside the fence; therefore, those individuals of a species confined inside an airport perimeter fence do not warrant consideration as a unique population under this analysis.

Need for Mammal Damage Management to Alleviate Agricultural Damage

Armadillos, opossum, raccoons, river otters, skunks, coyotes, fox, bobcats, woodchucks, feral swine, beaver, and deer can cause losses or injury to crops, livestock (*e.g.*, sheep, goats, cattle, pigs, horses), and poultry (*e.g.*, chickens, turkeys, geese, ducks) through predation. During 2001, crop and livestock losses from wildlife in the United States totaled $944 million, with field crop losses totaling $619 million, livestock and poultry losses totaling $178 million, and losses of vegetables, fruits, and nuts totaling $146 million. Those losses include destruction of or damage to crops in the field and death or injury to livestock. In 2001, the National Agricultural Statistics Service (NASS) reported that raccoons were responsible for 6%, 3%, and 6% of the total damage to field crops; livestock and poultry; and vegetables, fruits, and nuts, respectively, in the United States (NASS 2002). In addition, white-tailed deer accounted for 58% of the total field crop damage and 33% of vegetable, fruit, and nut damage. Feral swine accounted for 3% or $18.5 million in damages to field crops (NASS 2002).

In 2010, the NASS (2011) reported cattle and calf losses from animal predation totaled 219,900 head in the United States according to livestock producers. Animal predation represented 5.5% of the total cattle and calf losses reported by livestock producers in 2010 totaling $98.5 million in economic losses. Agricultural producers identified coyotes as the primary predator of livestock with 53.1% of cattle and calf losses attributed to coyotes. Producers also identified livestock losses associated with bobcats. Producers spent nearly $188.5 million dollars on non-lethal methods to reduce cattle and calf losses from predation by animals in 2010 (NASS 2011). The primary non-lethal method employed by livestock producers was the use of guard animals with a reported 36.9% of producers using guard animals. Producers also reported using exclusion fencing, frequent checking, and culling as additional employed methods for reducing predation (NASS 2011).

Of the cattle and calf losses attributed to animal predators in 2010, cattle producers in the United States indicated coyotes and mountain lions/bobcats caused 53.1%, and 8.6% of the losses, respectively, (NASS 2011). In Arkansas, animal predators killed 1,900 cattle and 4,800 calves during 2010 causing over $3.1 million in economic losses (NASS 2011). Of those cattle and calves lost due to animal predators in Arkansas during 2010, producers identified coyotes as the cause of 37.5% of the cattle losses and 38.7% of the calves lost. Cattle producers in the United States indicated mountain lions and bobcats[6] caused 7.8% of the cattle and calf losses attributed to animal predators in 2010 (NASS 2011). Bobcats also prey on other livestock. Cattle producers in Arkansas reported using a number of non-lethal methods to reduce

losses due to predators. In Arkansas, 15.0% of producers reported using exclusion fencing with 51.7% reporting the use of guard animals (NASS 2011).

Woodchucks (commonly referred to as groundhogs) can cause damage to field crops, such as row and forage crops, orchards, nursery plants, and commercial gardens. River otters and to a lesser extent raccoons may prey on fish and other cultured species at hatcheries and aquaculture facilities (Bevan et al. 2002).

Agricultural damage and threats caused by feral swine in Arkansas occurs to crops, livestock, and other agricultural resources. Damage occurs from direct consumption of agricultural crops and from trampling, rooting, and/or wallowing that are common activities of feral swine (Beach 1993). Rooting is a common activity of feral swine during their search for food where they overturn sod and soil (Stevens 1996). Feral swine also wallow in water and mud to regulate body temperature and to ward off skin parasites.

Damage and threats to livestock associated with feral swine occurs from predation on livestock and the risks associated with disease transfer from feral swine to domestic livestock. Feral swine can also cause damage to other agricultural resources. For example, feral swine can cause damage to pastures and land used for hay by rooting and wallowing, can cause damage to ponds and water sources for livestock, and can cause damage from the consumption of livestock feed. Feral swine feeding activities in agricultural crops can also lead to increased erosion from the removal of vegetation that leaves the soil bare along with the overturning of soil caused by rooting.

In addition, feral swine also damage pastures, land used for hay, and sod farms from rooting and wallowing activities (Beach 1993). Rooting activities can also lead to increased erosion and soil loss. Wallowing and rooting activities in livestock watering areas can lead to a degradation in water quality through an increase in turbidity, by causing algal blooms, by depleting dissolved oxygen, and increasing erosion (Beach 1993). Since feral swine often travel in family groups, damages from rooting and wallowing can be extensive often encompassing several acres.

Additional risks associated with feral swine are the potential for disease transmission from feral swine to domestic livestock, especially to domestic swine. Feral swine are potential reservoirs for several diseases that are transmissible between feral swine and domestic livestock (Wood and Barrett 1979, Corn et al. 1986, Beach 1993, Davidson 2006). Corn et al. (1986) found feral swine tested in Texas were positive for pseudorabies, brucellosis, and leptospirosis. A study in Oklahoma found samples from feral swine tested positive for antibodies of porcine parvovirus, swine influenza, and porcine reproductive and respiratory syndrome virus (Saliki et al. 1998). Cholera, trichinosis, and African swine fever are additional diseases that are transmissible between livestock and feral swine. Disease transmission is likely to occur where domestic livestock and feral swine have a common interface, such as at water sources and livestock feeding areas.

Although several diseases that swine carry are also transmissible to other livestock, the primary concern is the potential transmission of diseases from feral swine to domestic swine. Pseudorabies is a viral disease associated with an extremely contagious herpes virus that can have negative effects on reproduction in domestic swine. Brucellosis is a bacterial disease that can also have negative effects on reproduction in swine. Many of the other diseases associated with feral swine also negatively affect the health and marketability of domestic swine that can lead to economic losses of a livestock producer. The United States is one of the world's largest producers of pork and is the second largest exporter of pork. Pork production in the United States accounts for about 10% of the total world supply. The retail value of pork sold to consumers exceeds $30 billion annually. In addition, the pork industry supports more than 600,000 jobs. An economic analysis estimated that the annual cost of pseudorabies to pork producers in

the United States at more than $30 million annually in lost production as well as testing and vaccination costs (USDA 2008).

Although the source of livestock disease outbreaks can be difficult to identify, a risk of transmission and the spreading of diseases to domestic swine and other livestock exists wherever feral swine and domestic livestock interact. A disease outbreak not only has negative economic implications to the individual livestock producer, but also can cause economic losses that can negatively affect the statewide and national swine industry.

In addition to the potential for disease transmission, feral swine also predate livestock. Feral swine can kill calves, kids, lambs, and poultry (Stevens 1996, West et al. 2009). Predation occurs primarily on young livestock but feral swine can also kill weakened or injured livestock. If feral swine populations continue to increase, WS could receive requests for assistance to address localized predation by feral swine.

Beaver are the largest member of the Order Rodentia, which consists of mammal species that have upper and lower incisors (teeth) that grow continually. To prevent the overgrowth of the incisors, beaver must wear down their teeth through gnawing. Beaver feed and gnaw on woody vegetation to keep teeth worn to appropriate levels. This feeding and gnawing behavior often girdles trees and other woody vegetation leading to the death of the vegetation. Beaver also feed on agricultural crops, such as soybeans and corn (Chapman 1949, Roberts and Arner 1984). Where beaver are located near agricultural fields, consumption of crops can be high. During stomach content analyses of beaver, Roberts and Arner (1984) found that the stomachs of 83% of the beaver sampled in the summer near soybean fields contained only soybeans.

Flooding damage associated with beaver occurs when crops or pastures are inundated causing the death of plants. Flooding can also prevent access of agricultural producers to crops or livestock to forage areas. Beaver dams across irrigation canals can prevent irrigation activities and flood surrounding cropland. Beaver often burrow into earthen embankments of canals, which can weaken the structural integrity of the structure through erosion and by allowing water to seep into the interior of the structure. Beaver damage can lead to the failure of the embankments leading to costly repairs of the embankment and the potential for flooding.

Need for Mammal Damage Management to Alleviate Natural Resources Damage

Natural resources can be those assets belonging to the public that government agencies, as representatives of the people, often manage and hold in trust. Such resources may be plants or animals, including threatened and endangered (T&E) species, historic properties, or habitats in general. Examples of natural resources in Arkansas are historic structures and places; parks and recreation areas; natural areas, including unique habitats or topographic features; threatened or endangered plants and animals; and any plant or animal populations that have been identified by the public as a natural resource.

Mammals can also cause damage to natural resources. Mammals causing damage are often locally overabundant at the damage site and threaten the welfare of another species' population. An example of this would be nest predation of a local ground-nesting bird population by mammalian predators, such as raccoons, armadillos, opossum, feral swine, coyotes, or fox.

Massey (1971) and Massey and Atwood (1981) found that predators can prevent endangered least terns (*Sterna antillarum*) from nesting or cause them to abandon previously occupied sites. In another study, mammalian predators adversely affected the nesting success of least terns on sandbars and sandpits (Kirsch 1996).

Woodchucks can cause extensive damage by burrowing and denning in earthen levees and other mounds. Burrowing activities can threaten the integrity of the earthen embankments. In addition, burrows can be aesthetically displeasing to the public and can cause damage to mowing equipment.

Feral swine compete with over 100 species of native wildlife for important and limited natural food supplies. Some species including quail, turkey, endangered sea turtles, and shorebirds are at risk of predation by nest destruction and the consuming of eggs. Feral swine can cause damage to natural areas such as parks and wildlife management areas in Arkansas. Those sites suffer erosion and local loss of critical ground plants and roots, as well as destruction of seedlings because of feral swine feeding and rooting (Barrett and Birmingham 1994). Many state and federal natural resource managers are now in the process of controlling feral swine numbers because of their known impact to endangered plants and animals (Thompson 1977, West et al. 2009).

Feral swine are not native to North America, and many native species have not evolved to deal with swine competition or predation. Feral swine feed on many smaller animals (some threatened or endangered), disrupt ecosystems via rooting, and feed on rare and endangered plants. Many experts in the fields of botany and herpetology have observed declines in some rare species of plants, reptiles, amphibians, and soil invertebrates in areas inhabited by feral swine (Singer et al. 1984). Feral swine disturb large areas of vegetation and soil through rooting, and swine inhabiting coastal, upland, and wetland ecosystems can uproot, damage, and feed on rare native species of plants and animals (Means 1999). Feral swine can disrupt natural vegetative communities, eliminate rare plants and animals, alter species composition within a forest, including both canopy and low growing species (Lipscomb 1989, Frost 1993), increase water turbidity in streams and wetlands (reducing water quality and impacting native fish), and increase soil erosion and alter nutrient cycling (Singer et al. 1984, DeBenedetti 1986). Kaller and Kelso (2003) linked feral and free-ranging swine to increased levels of fecal coliform and other potentially pathogenic bacteria in several watersheds in Louisiana. Additionally, feral swine negatively affected some species of freshwater mussels and aquatic insects (Kaller and Kelso 2006).

Beaver activities can also destroy habitat (*e.g.*, free-flowing water, riparian areas, and bird roosting and nesting areas), which can be important to many species. Patterson (1951) and Avery (1992) reported that the presence of beaver dams could negatively affect fisheries. Beaver dams may adversely affect stream ecosystems by increasing sedimentation in streams; thereby, affecting wildlife that depend on clear water such as certain species of fish and mussels. Stagnant water impounded by beaver dams can increase the temperature of water impounded upstream of the dam, which can negatively affect aquatic organisms. Beaver dams can also act as barriers that inhibit movement of aquatic organisms and prevent the migration of fish to spawning areas.

Deer overabundance can affect native vegetation and natural ecosystems in addition to ornamental landscape plantings. White-tailed deer selectively forage on vegetation (Strole and Anderson 1992), and thus, can have negatively affect certain herbaceous and woody species and on overall plant community structure (Waller and Alverson 1997). These changes can lead to adverse effects on other wildlife species, which depend on those plants for food and/or shelter. Numerous studies have shown that over browsing by deer can decrease tree reproduction, understory vegetation cover, plant density, and diversity (Warren 1991). By one count, deer browsing disturbs 98 species of threatened and endangered plants, many of them orchids and lilies (Ness 2003).

The alteration and degradation of habitat from over-browsing by deer can have a detrimental effect on deer herd health and may displace other wildlife communities (*e.g.*, neotropical migrant songbirds and small mammals) that depend upon the understory vegetative habitat destroyed by deer browsing (Virginia Department of Game and Inland Fisheries 1999). Similarly, deCalesta (1997) reported that deer browsing

affected vegetation that songbirds need for foraging surfaces, escape cover, and nesting. In certain areas, higher deer densities reduced species richness and abundance of intermediate canopy nesting songbirds (deCalesta 1997). Intermediate canopy-nesting birds declined 37% in abundance and 27% in species diversity at higher deer densities. Five species of birds disappeared from areas with densities of 38.1 deer per square mile and another two disappeared at 63.7 deer per square mile. Casey and Hein (1983) found that three species of birds could no longer be found in a research preserve stocked with high densities of ungulates and that the densities of several other species of birds were lower than in an adjacent area with lower deer density. Waller and Alverson (1997) hypothesize that by competing with squirrels and other fruit-eating animals for oak mast, deer may further affect many other species of animals and insects.

Need for Mammal Damage Management to Alleviate Property Damage

Mammals cause damage to a variety of property types in Arkansas each year. Property damage can occur in a variety of ways and can result in costly repairs and clean-up. Mammal damage to property occurs primarily through direct damage to structures. Accumulations of fecal droppings can cause damage to buildings and other structures. For example, fecal droppings from bats roosting in an attic can cause damage to insulation and support structures. Aircraft striking mammals can also cause substantial damage requiring costly repairs and aircraft downtime. Raccoons, skunks, woodchucks, and armadillos can cause damage to property by digging under porches, buildings, homes, and many other places. Armadillos often cause damage to lawns and turf while digging for grubs and insects. Beaver can flood land, roads, and railways. They can also girdle large trees and consume landscaping. Feral swine can root up turf in neighborhoods and golf courses. Coyotes can attack companion animals.

Feral swine can damage landscaping, golf courses, roads, drainage ditches, and cause erosion by feeding in those areas. Feral swine dig or root in the ground with their nose in search of desired roots, grubs, earthworms, and other food sources. The rooting and digging activity of feral swine turns sod and grass over, which often leaves the area bare of vegetation and susceptible to erosion. Feral swine can also pose a threat to property when motor vehicles and aircraft strike swine.

Deer can damage and destroy landscaping and ornamental trees, shrubs, and flowers by browsing on those trees and plants. Developing rural areas into residential areas could enhance deer habitat in those areas. Fertilized lawns, gardens, and landscape plants in those residential areas may serve as high quality sources of food for deer (Swihart et al. 1995). Furthermore, deer are prolific and adaptable, characteristics that allow them to exploit and prosper in most suitable habitat near urban areas, including residential areas (Jones and Witham 1990). The succulent nature of many ornamental landscape plants, coupled with high nutrient contents from fertilizers, offers an attractive food. In addition to browsing pressure, male deer damage ornamental trees and shrubs from antler rubbing, which can result in broken limbs and bark removal. While large trees may survive antler-rubbing damage, smaller trees often die or they become scarred to the point that they are not aesthetically acceptable for landscaping.

Deer-vehicle collisions are a serious concern nationwide because of losses to property and the potential for human injury and death (Conover et al. 1995, Romin and Bissonette 1996, Conover 1997). The economic costs associated with deer-vehicle collisions include vehicle repairs, human injuries and fatalities, and picking up and disposing of deer (Drake et al. 2005). The Insurance Institute for Highway Safety (2005) estimated that 1.5 million deer-vehicle collisions occur annually in the United States causing approximately 150 fatalities and $1.1 billion in damage to property. In 1995, the estimated damage to vehicles associated with vehicles striking deer was $1,500 per strike (Conover et al. 1995). Estimated damage costs associated with deer collisions in 2011 were $3,171 per incident, which was an increase of 2.2% over the 2010 estimate (State Farm Mutual Automobile Insurance 2011). An estimated 20,281 deer-vehicle collisions occurred in Arkansas from July 1, 2011 through June 30, 2012 (State Farm Mutual Automobile Insurance 2012). Based on the average repair costs associated with vehicle strikes

estimated at $3,171 in 2010 and the number of strikes that have occurred in the State estimated at 20,281 from July 2011 through June 2012, deer-vehicle collisions resulted in nearly $64.3 million in damage to property in the State.

Often, deer-vehicle collisions go unreported, especially when there was no recovery of a deer carcass or when little vehicle damage occurred. A Cornell University study estimated that the actual number of deer-vehicle collisions could be as high as six times the reported number (Decker et al. 1990).

Generally, people consider beaver beneficial where their activities do not compete with human land use or human health and safety (Wade and Ramsey 1986). The opinions and attitudes of individuals, organizations, and communities vary greatly and are primarily influenced and formed by the benefits and/or damage directly experienced by each individual (Hill 1982). Woodward et al. (1976) found that 24% of landowners who reported beaver activity on their property indicated benefits to having beaver ponds on their land and desired assistance with beaver pond management (Hill 1976, Lewis 1979, Woodward et al. 1985).

In some situations, the damage and threats caused by beaver outweigh the benefits (Grasse and Putnam 1955, Woodward et al. 1985, Novak 1987). Damage to resources associated with beaver are most often a result of their feeding, burrowing, and dam building behaviors. Beaver cause an estimated $75 to $100 million dollars in economic losses annually in the United States, with total losses in the southeastern United States over a 40-year period estimated to be $4 billion (Novak 1987).

Beaver often will gnaw through trees and other woody vegetation for use in dam building, food caches, and the buildings of lodges. The girdling and felling of trees and other woody vegetation can cause economic losses, can threaten human safety and property when trees fall, and the loss of trees can be aesthetically displeasing to property owners. Timber resources have the highest recorded damage caused by beaver (Hill 1976, Lewis 1979, Hill 1982, Woodward et al. 1985). In some southeastern states, an estimated $3 million to $5 million in economic losses occur annually from beaver damage (Miller and Yarrow 1994), with timber losses as the most common type of damage (Hill 1982). Tracts of bottomland hardwood timber up to several thousand acres in size may be lost to beaver activity (Miller and Yarrow 1994). Timber damage caused by beaver activity in the southeastern United States has been estimated at $2.2 million annually in Mississippi (Arner and Dubose 1982), $2.2 million in Alabama (Hill 1976), $45 million in Georgia (Godbee and Price 1975), and $14.5 million in Louisiana in 1993 (Fowler et al. 1994).

In addition to damage associated with beaver feeding and gnawing on trees, damage can occur from dam building activities. Beaver dams impound water, which can flood property resulting in economic damage. Flooding from beaver dams can cause damage to roads, impede traffic, inundate timber, weaken earthen embankments, and cause damage to residential and commercial utilities.

Beaver often inhabit sites in or adjacent to urban/suburban areas and cut or girdle trees and shrubs in yards, undermine yards and walkways by burrowing, flood homes and other structures, destroy pond and reservoir dams by burrowing into levees, gnaw on boat houses and docks, and cause other damage to private and public property (Wade and Ramsey 1986). Additionally, impounded water may damage roads and railroads by saturating roadbeds or railroad beds. Beaver burrowing into banks can comprise roadbeds and railroad beds.

Burrowing activities of woodchucks can severely damage levees, dikes, earthen dams, landfills, and other structures (Federal Emergency Management Agency 2005). Woodchucks burrowing into roadbeds and embankments could potentially weaken or cause the collapse of those structures. Woodchucks also cause damage by chewing underground utility cables, sometimes resulting in power outages. Additionally,

woodchuck burrows may cause damage to property when tractors and other equipment drop into a burrow or roll over due to a burrow.

WS has received numerous requests in the past for assistance in resolving property damage caused by mammals. As part of the proposed program, WS could provide assistance, upon request, involving target mammal species to any requestor experiencing such damage throughout Arkansas.

1.3 SCOPE OF THIS ENVIRONMENTAL ASSESSMENT

Actions Analyzed

This EA documents the need for mammal damage management, the issues associated with meeting that need, and alternative approaches to address those issues and to meet the need for action. WS mission is to provide federal leadership with managing damage and threats of damage associated with wildlife (see WS Directive 1.201). WS would only provide assistance when the appropriate property manager or property owner requested WS' assistance. WS could receive a request for assistance from a property owner or manager to conduct activities on property they own or manage, which could include federal, state, tribal, municipal, and private land within the State of Arkansas.

Appendix B of this EA discusses the methods available for use or recommendation under each of the alternative approaches evaluated[7]. The alternatives and Appendix B also discuss how WS and other entities could recommend or employ methods to manage damage and threats associated with mammals in the State. Therefore, the actions evaluated in this EA are the use or recommendation of those methods available under the alternatives and the employment or recommendation of those methods by WS to manage or prevent damage and threats associated with mammals from occurring when requested by the appropriate resource owner or manager. WS' activities that could involve the lethal removal of target mammal species under the alternatives would only occur when agreed upon by the requester and when permitted by the AGFC, when required, and only at levels permitted.

Federal, State, County, City, and Private Lands

Under two of the alternatives, WS could continue to provide damage management activities on federal, state, county, municipal, and private land in Arkansas when WS receives a request for such services by the appropriate resource owner or manager. In those cases where a federal agency requests WS' assistance with managing damage caused by mammals on property they own or manage, the requesting agency would be responsible for analyzing those activities in accordance with the NEPA. However, this EA could cover such actions if the requesting federal agency determined the analyses and scope of this EA were appropriate for those actions and the requesting federal agency adopted this EA through their own Decision based on the analyses in this EA. Therefore, scope of this EA analyzes actions that could occur on federal lands, when requested.

Native American Lands and Tribes

The WS program in Arkansas would only conduct damage management activities on Native American lands when requested by a Native American Tribe. WS would only conduct activities after WS and the Tribe requesting assistance signed a Memorandum of Understanding (MOU) or cooperative service agreement. Therefore, the Tribe would determine what activities would be allowed and when WS'

[7] Appendix B contains a complete list of chemical and non-chemical methods available for use under the identified alternatives. However, listing methods neither implies that all methods would be used by WS to resolve requests for assistance nor does the listing of methods imply that all methods would be used to resolve every request for assistance.

assistance was required. Because Tribal officials would be responsible for requesting assistance from WS and determining what methods would be available to alleviate damage, no conflict with traditional cultural properties or beliefs would likely occur. Those methods available to alleviate damage associated with mammals on federal, state, county, municipal, and private properties under the alternatives analyzed in this EA would be available for use to alleviate damage on Tribal properties when the Tribe requesting WS' assistance approved the use of those methods. Therefore, the activities and methods addressed under the alternatives would include those activities that WS could employ on Native American lands, when requested and when agreed upon by the Tribe and WS.

Period for which this EA is Valid

If the preparation of an Environmental Impact Statement (EIS) is not warranted based the analyses associated with this EA, WS would conduct reviews of activities conducted under the selected alternative to ensure those activities occurred within the parameters evaluated in the EA. This EA would remain valid until WS, in consultation with the AGFC, determined that new needs for action, changed conditions, new issues, or new alternatives having different environmental impacts must be analyzed. At that time, WS would supplement this analysis or conduct a separate evaluation pursuant to the NEPA. Under the alternative analyzing no involvement by WS, no review or additional analyses would occur based on the lack of involvement by WS. The monitoring of activities by WS would ensure the EA remained appropriate to the scope of damage management activities conducted by WS in Arkansas under the selected alternative, when requested.

Site Specificity

As mentioned previously, WS would only conduct damage management activities when requested by the appropriate resource owner or manager. In addition, WS' activities that could involve the lethal removal of mammals under the alternatives would only occur when permitted by the AGFC, when required, and only at levels permitted.

This EA analyzes the potential impacts of mammal damage management based on previous activities conducted on private and public lands in Arkansas where WS and the appropriate entities entered into a MOU, cooperative service agreement, or other comparable document. The EA also addresses the potential impacts of mammal damage management in areas where WS and a cooperating entity sign additional agreements in the future. Because the need for action would be to reduce damage and because the program's goals and directives would be to provide services when requested, within the constraints of available funding and workforce, it is conceivable that additional damage management efforts could occur. Thus, this EA anticipates those additional efforts and analyzes the impacts of those efforts as part of the alternatives.

Many of the mammal species addressed in this EA occur statewide and throughout the year in the State; therefore, damage or threats of damage could occur wherever those mammals occur. Planning for the management of mammal damage must be viewed as being conceptually similar to the actions of other entities whose missions are to stop or prevent adverse consequences from anticipated future events for which the actual sites and locations where they would occur are unknown but could be anywhere in a defined geographic area. Examples of such agencies and programs include fire departments, police departments, emergency clean-up organizations, and insurance companies. Although WS could predict some locations where mammal damage would occur, WS could not predict every specific location or the specific time where such damage would occur in any given year. In addition, the threshold triggering an entity to request assistance from WS to manage damage associated with mammals is often unique to the individual; therefore, predicting where and when WS would receive such a request for assistance would be difficult. This EA emphasizes major issues as those issues relate to specific areas whenever possible;

however, many issues apply wherever mammal damage and the resulting management actions occurs and are treated as such.

Chapter 2 of this EA identifies and discusses issues relating to mammal damage management in Arkansas. The standard WS Decision Model (Slate et al. 1992; see WS Directive 2.201) would be the site-specific procedure for individual actions that WS could conduct in the State (see Chapter 3 for a description of the Decision Model and its application). Decisions made using the model would be in accordance with WS' directives and Standard Operating Procedures (SOPs) described in this EA, as well as relevant laws and regulations.

The analyses in this EA would apply to any action that may occur in any locale and at any time within Arkansas. In this way, WS believes it meets the intent of the NEPA with regard to site-specific analysis and that this is the only practical way for WS to comply with the NEPA and still be able to accomplish its mission.

Summary of Public Involvement

WS initially developed the issues associated with conducting mammal damage management in consultation with the AGFC. WS defined the issues and identified the preliminary alternatives through the scoping process. As part of this process, and as required by the Council on Environmental Quality (CEQ) and APHIS implementing regulations for the NEPA, WS will make this document available to the public for review and comment. WS will make the document available to the public through legal notices published in local print media, through direct mailings to parties that have requested notification, or that WS has identified as having a potential interest in the reduction of threats and damage associated with mammals in the State. In addition, WS will post this EA on the APHIS website at http://www.aphis.usda.gov/wildlife_damage/nepa.shtml for review and comment.

WS will provide for a minimum of a 30-day comment period for the public and interested parties to provide new issues, concerns, and/or alternatives. Through the public involvement process, WS will clearly communicate to the public and interested parties the analyses of potential environmental impacts on the quality of the human environment. WS would fully consider new issues, concerns, or alternatives the public identifies during the public involvement period to determine whether WS should revisit the EA and, if appropriate, revise the EA prior to issuance of a Decision.

1.4 RELATIONSHIP OF THIS EA TO OTHER ENVIRONMENTAL DOCUMENTS

The APHIS and cooperating agencies are in the process of preparing a programmatic EIS to address feral swine damage management in the United States, American Samoa, Mariana Islands, United States Virgin Islands, Guam, and Puerto Rico. When the EIS is completed, WS would review this EA for consistency with the material in the EIS and Record of Decision and supplement this EA, if needed, pursuant to the requirements of the NEPA, and the NEPA implementing regulations of the USDA and APHIS.

1.5 AUTHORITY OF FEDERAL AND STATE AGENCIES

Below are brief discussions of the authorities of WS and other agencies, as those authorities relate to conducting wildlife damage management.

WS' Legislative Authority

The primary statutory authority for the WS program is the Act of March 2, 1931 (46 Stat. 1468; 7 USC 426-426b) as amended, and the Act of December 22, 1987 (101 Stat. 1329-331, 7 USC 426c). The WS

program is the lead federal authority in managing damage to agricultural resources, natural resources, property, and threats to human safety associated with wildlife. WS' directives define program objectives and guide WS' activities when managing wildlife damage.

United States Environmental Protection Agency (EPA)

The EPA is responsible for implementing and enforcing the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), which regulates the registration and use of pesticides. The EPA is also responsible for administering and enforcing the Section 404 program of the Clean Water Act (CWA) with the United States Army Corps of Engineers that established a permit program for the review and approval of water quality standards that directly affect wetlands.

Arkansas Game and Fish Commission

Amendment 35 to the Arkansas Constitution states that "*the control, management, restoration, conservation, and regulation of birds, fish, game, and wildlife resources of the State, including hatcheries, sanctuaries, refuges, reservations, and all property now owned or used for said purposes and the acquisition and establishment of same, the administration of the laws now and/or hereafter pertaining thereto, shall be vested in a commission known as the Arkansas State Game & Fish Commission ….*" Although many AGFC mandates occur throughout the Arkansas State Code, the primary purpose of the AGFC is the conservation of fish and wildlife resources in Arkansas.

AGFC currently has an MOU with WS that establishes a cooperative relationship between the two agencies. Responsibilities include planning, coordinating, and implementing policies to address wildlife damage management and facilitating exchange of information.

Arkansas Agriculture Department

In Arkansas, pesticide use and regulation occurs within the Pesticide Division of the Arkansas State Plant Board. The mission of the Pesticide Division is to "*...insure the proper labeling, distribution, storage, transportation, use, application, and disposal of pesticides with the State of Arkansas through fair and equitable implementation and enforcement of applicable State and federal laws*".

1.6 COMPLIANCE WITH LAWS AND STATUTES

Several laws or statutes would authorize, regulate, or otherwise affect WS' activities under the alternatives. WS would comply with applicable federal, state, and local laws and regulations in accordance with WS Directive 2.210. Below are brief discussions of those laws and regulations that would relate to damage management activities that WS could conduct in the State.

National Environmental Policy Act

All federal actions are subject to the NEPA (Public Law 9-190, 42 USC 4321 et seq.). WS follows CEQ regulations implementing the NEPA (40 CFR 1500 et seq.) along with USDA (7 CFR 1b) and APHIS Implementing Guidelines (7 CFR 372) as part of the decision-making process. Those laws, regulations, and guidelines generally outline five broad types of activities that federal agencies must accomplish as part of any project: public involvement, analysis, documentation, implementation, and monitoring. The NEPA also sets forth the requirement that all major federal actions be evaluated in terms of their potential to significantly affect the quality of the human environment for the purpose of avoiding or, where possible, mitigating and minimizing adverse impacts. In part, the CEQ, through regulations in 40 CFR, Parts 1500-1508, regulate federal activities that could affect the physical and biological environment. In

accordance with regulations of the CEQ and the USDA, the APHIS has published guidelines concerning the implementation of the NEPA (see 44 CFR 50381-50384).

Pursuant to the NEPA and the CEQ regulations, this EA documents the analyses resulting from proposed federal actions, informs decision-makers and the public of reasonable alternatives capable of avoiding or minimizing adverse impacts, and serves as a decision-aiding mechanism to ensure that WS infuses the policies and goals of the NEPA into agency actions. WS prepared this EA by integrating as many of the natural and social sciences as warranted, based on the potential effects of the alternatives, including the potential direct, indirect, and cumulative effects of the alternatives.

Endangered Species Act (ESA)

Under the ESA, all federal agencies will seek to conserve T&E species and will utilize their authorities in furtherance of the purposes of the Act (Sec.2(c)). WS conducts Section 7 consultations with the United States Fish and Wildlife Service (USFWS) to use the expertise of the USFWS to ensure that "*any action authorized... funded or carried out by such an agency . . . is not likely to jeopardize the continued existence of any endangered or threatened species . . . Each agency will use the best scientific and commercial data available*" (Sec.7 (a)(2)). Evaluation of the alternatives in regards to the ESA will occur in Chapter 4 of this EA.

Federal Insecticide, Fungicide, and Rodenticide Act

The FIFRA and its implementing regulations (Public Law 110-426, 7 USC 136 et. seq.) require the registration, classification, and regulation of all pesticides used in the United States. The EPA is responsible for implementing and enforcing the FIFRA. The EPA and the Arkansas Agriculture Department regulate chemical methods that could be available to manage damage associated with mammals in the State.

National Historic Preservation Act (NHPA) of 1966, as amended

The NHPA and its implementing regulations (see 36 CFR 800) require federal agencies to initiate the section 106 process if an agency determines that the agency's actions are undertakings as defined in Sec. 800.16(y) and, if so, whether it is a type of activity that has the potential to cause effects on historic properties. If the undertaking is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties were present, the agency official has no further obligations under section 106. None of the mammal damage management methods described in this EA that would be available cause major ground disturbance, any physical destruction or damage to property, any alterations of property, wildlife habitat, or landscapes, nor would involve the sale, lease, or transfer of ownership of any property. In general, such methods also do not have the potential to introduce visual, atmospheric, or audible elements to areas in which they are used that could result in effects on the character or use of historic properties. Therefore, the methods that would be available under the alternatives would not generally be the types of methods that would have the potential to affect historic properties. If WS planned an individual activity with the potential to affect historic resources under an alternative selected because of a decision on this EA, WS would conduct the site-specific consultation, as required by Section 106 of the NHPA, as necessary.

The use of noise-making methods, such as firearms, at or in close proximity to historic or cultural sites for the purposes of removing wildlife have the potential for audible effects on the use and enjoyment of historic property. However, WS would only use such methods at a historic site at the request of the owner or manager of the site to resolve a damage problem, which means such use, would be to the benefit of the historic property. A built-in minimization factor for this issue is that virtually all the methods

involved would only have temporary effects on the audible nature of a site and could be ended at any time to restore the audible qualities of such sites to their original condition with no further adverse effects. WS would conduct site-specific consultation as required by the Section 106 of the NHPA as necessary in those types of situations.

The Native American Graves and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act (Public Law 101-106, 25 USC 3001) requires federal agencies to notify the Secretary of the Department that manages the federal lands upon the discovery of Native American cultural items on federal or tribal lands. Federal agencies are to discontinue work until the agency has made a reasonable effort to protect the items and notify the proper authority.

Occupational Safety and Health Act of 1970

The Occupational Safety and Health Act of 1970 and its implementing regulations (29 CFR 1910) on sanitation standards states that, "*Every enclosed workplace shall be so constructed, equipped, and maintained, so far as reasonably practical, as to prevent the entrance or harborage of rodents, insects, and other vermin. A continuing and effective extermination program shall be instituted where their presence is detected*." This standard includes mammals that may cause safety and health concerns at workplaces.

Federal Food, Drug, and Cosmetic Act (21 USC 360)

This law places administration of pharmaceutical drugs, including some chemical methods used for wildlife capture and handling, under the Food and Drug Administration.

Controlled Substances Act of 1970 (21 USC 821 et seq.)

This law requires an individual or agency to have a special registration number from the United States Drug Enforcement Agency to possess controlled substances, including some chemical methods used for wildlife capture and handling.

Animal Medicinal Drug Use Clarification Act of 1994

The Animal Medicinal Drug Use Clarification Act (AMDUCA) and its implementing regulations (21 CFR 530) establish several requirements for the use of animal drugs, including those animal drugs used to capture and handle wildlife in damage management programs. Those requirements are: (1) a valid "*veterinarian-client-patient*" relationship, (2) well defined record keeping, (3) a withdrawal period for animals that have been administered drugs, and (4) identification of animals. A veterinarian, either on staff or on an advisory basis, would be involved in the oversight of the use of animal capture and handling drugs under any alternative where WS could use those immobilizing and euthanasia drugs. Veterinary authorities in each state have the discretion under this law to establish withdrawal times (*i.e.*, a period after a drug is administered that must lapse before an animal may be used for food) for specific drugs. Animals that people might consume within the withdrawal period must be identifiable (*e.g.*, use of ear tags) and labeled with appropriate warnings.

Airborne Hunting Act

The Airborne Hunting Act, passed in 1971 (Public Law 92-159), and amended in 1972 (Public Law 92-502) added to the Fish and Wildlife Act of 1956 as a new section (16 USC 742j-l) that prohibits shooting

or attempting to shoot, harassing, capturing or killing any bird, fish, or other animal from aircraft except for certain specified reasons. Under exception [16 USC 742j-l, (b)(1)], state and federal agencies are allowed to protect or aid in the protection of land, water, wildlife, livestock, domesticated animals, human life, or crops using aircraft.

Clean Water Act (Section 404)

Section 404 (see 33 USC 1344) of the CWA prohibits the discharge of dredged or fill material into waters of the United States without a permit from the United States Army Corps of Engineers unless the specific activity is exempted in 33 CFR 323 or covered by a nationwide permit in 33 CFR 330. These regulations include the breaching of most beaver dams (see 33 CFR 323 and 33 CFR 330).

Food Security Act

The Wetland Conservation provision (Swampbuster) of the 1985 (16 USC 3801-3862), 1990 (as amended by PL 101-624), and 1996 (as amended by PL 104-127) farm bills require all agricultural producers to protect wetlands on the farms they own. Wetlands converted to farmland prior to December 23, 1985 are not subject to wetland compliance provisions even if wetland conditions return because of lack of maintenance or management. If prior converted cropland is not planted to an agricultural commodity (crops, native and improved pastures, rangeland, tree farms, and livestock production) for more than five consecutive years and wetland characteristics return, the cropland is considered abandoned and then becomes a wetland subject to regulations under Swampbuster and Section 404 of the CWA.

Environmental Justice in Minority and Low Income Populations - Executive Order 12898

Executive Order 12898 promotes the fair treatment of people of all races, income levels, and cultures with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Environmental justice is the pursuit of equal justice and protection under the law for all environmental statutes and regulations without discrimination based on race, ethnicity, or socioeconomic status. Executive Order 12898 requires federal agencies to make environmental justice part of their mission, and to identify and address disproportionately high and adverse human health and environmental effects of federal programs, policies, and activities on minority and low-income persons or populations. This EA will evaluate activities addressed in the alternatives for their potential impacts on the human environment and compliance with Executive Order 12898.

WS would use only legal, effective, and environmentally safe damage management methods, tools, and approaches. The EPA through the FIFRA, the Arkansas Agriculture Department, the United States Drug Enforcement Agency, MOUs with land managing agencies, and WS' Directives would regulate chemical methods that could be available for use by WS pursuant to the alternatives. WS would properly dispose of any excess solid or hazardous waste. WS does not anticipate the alternatives would result in any adverse or disproportionate environmental impacts to minority and low-income persons or populations. In contrast, the alternatives may benefit minority or low-income populations by reducing threats to public health and safety and property damage.

Protection of Children from Environmental Health and Safety Risks - Executive Order 13045

Children may suffer disproportionately for many reasons from environmental health and safety risks, including the development of their physical and mental status. WS makes it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children. WS has considered the impacts that this proposal might have on children. The proposed activities would occur by using only legally available and approved methods where it is highly unlikely that activities conducted

pursuant to the alternative would adversely affect children. For these reasons, WS concludes that it would not create an environmental health or safety risk to children from implementing the alternatives. Additionally, the need for action identified a need to reduce threats to human safety, including risks to children; therefore, cooperators could request WS' assistance with reducing threats to the health and safety of children posed by mammals.

Invasive Species - Executive Order 13112

Executive Order 13112 establishes guidance for federal agencies to use their programs and authorities to prevent the spread or to control populations of invasive species that cause economic or environmental harm or harm to human health. The Order states that each federal agency whose actions may affect the status of invasive species shall, to the extent practicable and permitted by law: 1) reduce invasion of exotic species and the associated damages, 2) monitor invasive species populations and provide for restoration of native species and habitats, 3) conduct research on invasive species and develop technologies to prevent introduction, and 4) provide for environmentally sound control and promote public education of invasive species.

1.7 DECISIONS TO BE MADE

Based on agency relationships, MOUs, and legislative authorities, WS is the lead agency for this EA, and therefore, responsible for the scope, content, and decisions made. As the authority for the management of mammal populations in the State, the AGFC was involved in the development of the EA and provided input throughout the EA preparation process to ensure an interdisciplinary approach according to the NEPA and agency mandates, policies, and regulations. The AGFC is responsible for managing wildlife in the State of Arkansas, including those mammals addressed in this EA. The AGFC establishes and enforces regulated hunting and trapping seasons in the State. WS' activities to reduce and/or prevent mammal damage in the State would be coordinated with the AGFC, which would ensure the AGFC has the opportunity to incorporate any activities WS' conducts into population objectives established for mammal populations in the State.

Based on the scope of this EA, the decisions to be made are: 1) should WS conduct mammal damage management to alleviate damage when requested, 2) should WS conduct disease surveillance and monitoring in mammal populations when requested, 3) should WS implement an integrated methods approach, including technical assistance and direct operational assistance, to meet the need for action in Arkansas, 4) if not, should WS attempt to implement one of the alternatives to an integrated methods strategy, and 5) would the proposed action or the other alternatives result in significant effects to the environment requiring the preparation of an EIS.

CHAPTER 2: AFFECTED ENVIRONMENT AND ISSUES

Chapter 2 contains a discussion of the issues, including issues that will receive detailed environmental impact analysis in Chapter 4 (Environmental Consequences), issues that have driven the development of SOPs, and issues that WS did not consider in detail, with rationale. Pertinent portions of the affected environment will be included in this chapter in the discussion of issues. Additional descriptions of the affected environment occur during the discussion of the environmental effects in Chapter 4.

2.1 AFFECTED ENVIRONMENT

Those mammal species addressed in this EA are capable of utilizing a variety of habitats in the State. Most species of mammals addressed in this EA occur throughout the year across the State where suitable habitat exists for foraging and shelter. Damage or threats of damage caused by those mammal species

could occur statewide in Arkansas wherever those mammals occur. However, mammal damage management would only be conducted by WS when requested by a landowner or manager and only on properties where a cooperative service agreement or other comparable document were signed between WS and a cooperating entity.

Upon receiving a request for assistance, WS could conduct activities to reduce mammal damage or threats on federal, state, tribal, municipal, and private properties in Arkansas. Areas where damage or threats of damage could occur include, but would not be limited to agricultural fields, vineyards, orchards, farmyards, dairies, ranches, livestock operations, aquaculture facilities, fish hatcheries, grain mills, grain handling areas, railroad yards, waste handling facilities, industrial sites, 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 would also include airports and military airbases where mammals are a threat to human safety and to property; areas where mammals negatively affect wildlife, including T&E species; and public property where mammals are negatively affecting historic structures, cultural landscapes, and natural resources. Chapter 4 also contains additional information on the affected environment.

Environmental Status Quo

As defined by the NEPA implementing regulations, the "*human environment shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment*" (40 CFR 1508.14). Therefore, when a federal action agency analyzes their potential impacts on the "*human environment*", it is reasonable for that agency to compare not only the effects of the federal action, but also the potential impacts that occur or could occur in the absence of the federal action by a non-federal entity. This concept is applicable to situations involving federal assistance to reduce damage associated with wildlife species.

Neither state nor federal laws protect some wildlife species, such as most non-native invasive species. State authority or law manages most mammal species without any federal oversight or protection. In some situations, with the possible exception of restrictions on methods (*e.g.*, firearms restrictions, pesticide regulations), unprotected wildlife species and certain resident wildlife species are managed with little or no restrictions, which allows anyone to lethal remove or take those species at any time when they are committing damage. For mammal damage management in Arkansas, the AGFC has the authority to manage mammal populations in the State.

When a non-federal entity (*e.g.*, agricultural producers, municipalities, counties, private companies, individuals, or any other non-federal entity) takes an action to alleviate mammal damage or threat, the action is not subject to compliance with the NEPA due to the lack of federal involvement in the action. Under such circumstances, the environmental baseline or status quo would be an environment that includes those resources as other non-federal entities manages or affects those resources in the absence of the federal action. Therefore, in those situations in which a non-federal entity has decided that a management action directed towards mammals should occur and even the particular methods that should be used, WS' involvement in the action would not affect the environmental status quo since the entity could take the action in the absence of WS' involvement. WS' involvement would not change the environmental status quo if the requestor had conducted the action in the absence of WS' involvement in the action.

A non-federal entity could lethally remove mammals to alleviate damage without the need for a permit when those species are non-native or are unregulated by the AGFC. In addition, other entities could remove mammals to alleviate damage during the hunting and/or trapping season, and/or through the issuance of permits by the AGFC. In addition, most methods available for resolving damage associated with mammals would also be available for use by other entities. Therefore, WS' decision-making ability would be restricted to one of three alternatives. WS could take the action using the specific methods as decided upon by the non-federal entity, provide technical assistance only, or take no action. If WS' takes no action, another entity could take the action anyway using the same methods without the need for a permit, during the hunting or trapping season, or through the issuance of a permit by the AGFC. Under those circumstances, WS would have virtually no ability to affect the environmental status quo since the action would likely occur in the absence of WS' direct involvement.

Therefore, based on the discussion above, it is clear that in those situations where a non-federal entity has obtained the appropriate permit or authority, and has already made the decision to remove or otherwise manage mammals to stop damage with or without WS' assistance, WS' participation in carrying out the action would not affect the environmental status quo.

2.2 ISSUES ASSOCIATED WITH MAMMAL DAMAGE MANAGEMENT ACTIVITIES

Issues are concerns regarding potential adverse effects that might occur from a proposed action. Agencies must consider such issues during the NEPA decision-making process. Initially, WS developed the issues related to managing damage associated with mammals in Arkansas in consultation with the AGFC. In addition, WS will invite the public to review and comment on the EA to identify additional issues.

Chapter 4 discusses the issues, as those issues relate to the possible implementation of the alternatives, including the proposed action. WS evaluated, in detail, the following issues:

Issue 1 - Effects of Damage Management Activities on Target Mammal Populations

A common issue when addressing damage caused by wildlife are the potential impacts of management actions on the populations of target species. Lethal and non-lethal methods would be available to resolve wildlife damage or threats to human safety.

Non-lethal methods could disperse or otherwise make an area unattractive to target species, which would reduce the presence of those species at the site and potentially the immediate area around the site where an entity employed those methods. Employing lethal methods could remove a mammal or those mammals responsible for causing damage or posing threats to human safety. Therefore, the use of lethal methods could result in local population reductions in the area where damage or threats were occurring. The number of target species removed from the population using lethal methods would be dependent on the number of requests for assistance received, the number of individual mammals involved with the associated damage or threat, and the efficacy of methods employed.

The analysis will measure the number of individuals lethally removed in relation to that species abundance to determine the magnitude of impact to the populations of those species from the use of lethal methods. Magnitude may be determined either quantitatively or qualitatively. Determinations based on population estimates, allowable harvest levels, and actual harvest data are quantitative. Determinations based on population trends and harvest trend data, when available, are qualitative.

In addition, many of the mammal species addressed in this EA can be harvested in the State during annual hunting and/or trapping seasons and can be addressed using available methods by other entities in the State when those species cause damage or pose threats of damage when permitted by the AGFC.

Therefore, any damage management activities conducted by WS under the alternatives addressed would be occurring along with other natural process and human-induced events such as natural mortality, human-induced mortality from private damage management activities, mortality from regulated harvest, and human-induced alterations of wildlife habitat.

Under certain alternatives, WS could employ methods available to resolve damage and reduce threats to human safety that target an individual of a mammal species or a group of individuals after applying the WS' Decision Model (Slate et al. 1992) to identify possible techniques. Chapter 4 analyzes the effects on the populations of target mammal populations in the State from implementation of the alternatives addressed in detail, including the proposed action. Information on mammal populations and trends are often available from several sources including the fur harvest reports, damage complaints, ground surveys, aerial surveys, and published literature.

Issue 2 - Effects on Non-target Wildlife Species Populations, Including T&E Species

The issue of non-target species effects, including effects on T&E species, arises from the use of non-lethal and lethal methods identified in the alternatives. The use of non-lethal and lethal methods has the potential to inadvertently disperse, capture, or kill non-target wildlife. Appendix B describes the methods available for use under the alternatives.

There are also concerns about the potential for adverse effects to occur to non-target wildlife from the use of chemical methods. Chemical methods that would be available for use to manage damage or threats associated with those mammal species addressed in this EA include immobilizing drugs, euthanasia chemicals, reproductive inhibitors, fumigants, and taste repellents. Chemical methods available for use to manage damage and threats associated with mammals in Arkansas are further discussed in Chapter 4 and Appendix B.

The ESA states that all federal agencies *"...shall seek to conserve endangered and threatened species and shall utilize their authorities in furtherance of the purposes of the Act"* [Sec. 7(a)(1)]. WS conducts Section 7 consultations with the USFWS to ensure compliance with the ESA and to ensure that *"any action authorized, funded or carried out by such an agency...is not likely to jeopardize the continued existence of any endangered or threatened species…Each agency shall use the best scientific and commercial data available"* [Sec. 7(a)(2)].

As part of the scoping process for this EA, WS consulted with the USFWS pursuant to Section 7 of the ESA to facilitate interagency cooperation between WS and the USFWS. Chapter 4 discusses the potential effects of the alternatives on this issue.

Issue 3 - Effects of Damage Management Methods on Human Health and Safety

An additional issue often raised is the potential risks to human safety associated with employing methods to manage damage caused by target species. Both chemical and non-chemical methods have the potential to have adverse effects on human safety. WS' employees could use and recommend only those methods that were legally available under each of the alternatives. Still, some concerns exist regarding the safety of methods available despite their legality and selectivity. As a result, this EA will analyze the potential for proposed methods to pose a risk to members of the public. In addition to the potential risks to the public associated with the methods available under each of the alternatives, risks to WS' employees would also be an issue. Selection of methods, under the alternatives, would include consideration for public and employee safety.

The issue of using chemical methods as part of managing damage associated with wildlife relates to the potential for human exposure either through direct contact with the chemical or exposure to the chemical from wildlife that have been exposed. Under the alternatives identified, the use or recommendation of chemical methods would include immobilizing drugs, euthanasia chemicals, fumigants, reproductive inhibitors, and repellents. The EPA through the FIFRA and the Arkansas Agriculture Department would regulate pesticide use. The United States Drug Enforcement Agency and the United States Food and Drug Administration would regulate immobilizing drugs and euthanasia chemicals. In addition, the use of all chemical methods by WS would be subject to Arkansas laws and WS' Directives.

Immobilizing drugs that could be available include ketamine and telazol, which are anesthetics (*i.e.*, general loss of pain and sensation) used during the capture of wildlife to eliminate pain, calm fear, and reduce anxiety in wildlife when handling and transporting wildlife. Xylazine is a sedative that wildlife professionals often use in combination with ketamine to calm nervousness, irritability, and excitement in wildlife during the handling and transporting of wildlife. Euthanasia chemicals could include sodium pentobarbital, Beuthanasia®-D, Fatal-Plus™ and potassium chloride, all of which WS would administer after anesthetizing an animal.

GonaCon™ is the only product currently registered as a reproductive inhibitor and is only available to manage local deer populations. However, GonaCon™ is not currently registered for use in the State. If registered to manage a local deer population in the State, GonaCon™ would only be available for use by WS and/or the AGFC and agents under their direct supervision. The application of GonaCon™ to manage local deer herds could only occur after the AGFC authorizes the use of the reproductive inhibitor.

Repellents for many mammal species contain different active ingredients with most ingredients occurring naturally in the environment. The most common ingredients of repellents are coyote urine, putrescent whole egg solids, and capsaicin. Repellents for mammals are not generally restricted-use products; therefore, a person does not need a pesticide applicators license to purchase or apply those products. People generally apply repellents directly to affected resources, which elicits an adverse taste response when the target animal ingests the treated resource or the ingestion of the repellent causes temporarily sickness (*e.g.*, nausea). Products containing coyote urine or other odors associated with predatory wildlife are intended to elicit a fright response in target wildlife by imitating the presence of a predatory animal (*i.e.*, wildlife tend to avoid areas where predators are known to be present). WS would only employ or recommend for use those repellents that were available (*i.e.*, registered with the EPA pursuant to the FIFRA and registered with the Arkansas Agriculture Department).

Gas cartridges could be available to fumigate burrows and den sites of woodchucks, coyotes, fox, and skunks in areas where damages were occurring. Gas cartridges act as a fumigant by producing carbon monoxide gas when ignited. The cartridges contain sodium nitrate, which when burnt, produces carbon monoxide gas. WS would place the cartridges inside active burrows and dens at the entrance, ignite the cartridge, and seal the entrance to the burrow or den with dirt, which allows the burrow or den to fill with carbon monoxide. Gas cartridges to fumigate burrows and den sites of woodchucks, coyotes, fox, and skunks are not currently available (*i.e.*, are not registered with the Arkansas Agriculture Department) for use in the State; therefore, WS would not use gas cartridges until a product was available for use in the State.

Another concern would be the potential for immobilizing drugs used in animal capture and handling to cause adverse health effects in people that hunt and consume the species involved. Among the species that WS could capture and handle under the proposed action, this issue would be a primary concern for wildlife species that people hunt and consume as food.

Most methods available to alleviate damage and threats associated with mammals would be non-chemical methods. Non-chemical methods may include cultural methods, limited habitat modification, animal behavior modification, and other mechanical methods. Changes in cultural methods could include improved animal husbandry practices, altering feeding schedules, changes in crop rotations, or conducting structural repairs. Limited habitat modification would be practices that alter specific characteristics of a very localized area, such as removing bushes to eliminate shelter locations or planting vegetation that are less palatable to certain mammal species. Animal behavior modification methods would include those methods designed to disperse mammals from an area through harassment or exclusion. Behavior modification methods could include pyrotechnics, propane cannons, barriers, electronic distress calls, effigies, Mylar tape, and lasers. Other mechanical methods could include cage traps, foothold traps, body-gripping traps, cable restraints, cannon nets, shooting, or the recommendation that a local population of mammals be reduced using hunting and/or trapping.

The primary safety risk of most non-chemical methods occurs directly to the applicator or those persons assisting the applicator. However, risks to others do exist when employing non-chemical methods, such as when using firearms, cannon nets, pyrotechnics, or body-gripping traps. Most of the non-chemical methods available to address mammal damage in Arkansas would be available for use under any of the alternatives and by any entity, when permitted. Chapter 4 further discusses the risks to human safety from the use of non-chemical methods as this issue relates to the alternatives. Appendix B provides a complete list of non-chemical methods available to alleviate damage associated with mammals.

Another concern is the threat to human safety from not employing methods or not employing the most effective methods to reduce the threats that mammals can pose. The need for action in Chapter 1 addresses the risks to human safety from diseases associated with certain mammal populations. The low risk of disease transmission from mammals does not lessen the concerns of cooperators requesting assistance to reduce threats from zoonotic diseases. Increased public awareness of zoonotic events has only heightened the concern of direct or indirect exposure to zoonoses. Not adequately addressing the threats associated with potential zoonoses could lead to an increase in incidences of injury, illness, or loss of human life.

Additional concerns occur when inadequately addressing threats to human safety associated with aircraft striking mammals at airports in the State. Mammals have the potential to cause severe damage to aircraft, which can threaten the safety of passengers. Limiting or preventing the use of certain methods to address the potential for aircraft striking mammals could lead to higher risks to passenger safety. Chapter 4 further evaluates those concerns in relationship to the alternatives.

Issue 4 - Effects on the Aesthetic Values of Mammals

One issue is the concern that the proposed action or the other alternatives would result in the loss of aesthetic benefits of target mammals to the public, resource owners, or neighboring residents. People generally regard wildlife as providing economic, recreational, and aesthetic benefits (Decker and Goff 1987), and the mere knowledge that wildlife exists is a positive benefit to many people. Aesthetics is the philosophy dealing with the nature of beauty, or the appreciation of beauty. Therefore, aesthetics is truly subjective in nature, dependent on what an observer regards as beautiful.

The human attraction to animals likely started when people began domesticating animals. The public today share a similar bond with animals and/or wildlife in general and in modern societies, a large percentage of households have indoor or outdoor pets. However, some people may consider individual wild animals and mammals as "*pets*" or exhibit affection toward those animals, especially people who enjoy viewing wildlife. Therefore, the public reaction can be variable and mixed to wildlife damage

management because there are numerous philosophical, aesthetic, and personal attitudes, values, and opinions about the best ways to manage conflicts/problems between humans and wildlife.

Wildlife populations provide a wide range of social and economic benefits (Decker and Goff 1987). Those include direct benefits related to consumptive and non-consumptive uses, indirect benefits derived from vicarious wildlife related experiences, and the personal enjoyment of knowing wildlife exists and contributes to the stability of natural ecosystems (Bishop 1987). Direct benefits are derived from a personal relationship with animals and may take the form of direct consumptive use (*i.e.*, using parts of or the entire animal) or non-consumptive use (*e.g.*, viewing the animal in nature or in a zoo, photographing) (Decker and Goff 1987).

Indirect benefits or indirect exercised values arise without the user being in direct contact with the animal and originate from experiences, such as looking at photographs and films of wildlife, reading about wildlife, or benefiting from activities or contributions of animals (*e.g.*, their use in research) (Decker and Goff 1987). Indirect benefits come in two forms: bequest and pure existence (Decker and Goff 1987). Bequest is providing for future generations and pure existence is merely knowledge that the animals exist (Decker and Goff 1987).

Public attitudes toward wildlife vary considerably. Some people believe that WS should capture and translocate all animals to another area to alleviate damage or threats those animal pose. In some cases, people directly affected by the problems that wildlife could cause strongly support removal. Individuals not directly affected by the harm or damage may be supportive, neutral, or totally opposed to any removal of wildlife from specific locations or sites. Some people totally opposed to wildlife damage management want WS to teach tolerance for damage and threats caused by wildlife, and that people should never kill wildlife. Some of the people who oppose removal of wildlife do so because of human-affectionate bonds with individual wildlife. Those human-affectionate bonds are similar to attitudes of a pet owner and result in aesthetic enjoyment.

In some cases, the presence of overabundant mammal species offends people, such as raccoons, armadillos, gray squirrels, coyotes, or feral species, such as feral swine. To such people, those species represent pests that are nuisances, which upset the natural order in ecosystems, and are carriers of diseases transmissible to people or other wildlife, which can diminish their overall enjoyment of other animals by what they view as a destructive presence of such species. They are offended because they feel that those mammal species proliferate in such numbers and appear to remain unbalanced.

Issue 5 - Humaneness and Animal Welfare Concerns of Method

The issue of humaneness and animal welfare, as it relates to the killing or capturing of wildlife is an important but very complex concept that people can interpret in a variety of ways. Schmidt (1989) indicated that vertebrate damage management for societal benefits could be compatible with animal welfare concerns, if "*…the reduction of pain, suffering, and unnecessary death is incorporated in the decision making process.*"

The AVMA (1987) has previously described suffering as a "*…highly unpleasant emotional response usually associated with pain and distress.*" However, suffering "*…can occur without pain.…*" and "*…pain can occur without suffering.…*". Because suffering carries with it the implication of a time frame, a case could be made for "*…little or no suffering where death comes immediately…*" (California Department of Fish and Game 1991). Pain and physical restraint can cause stress in animals and the inability of animals to effectively deal with those stressors can lead to distress. Suffering occurs when a person does not take action to alleviate conditions that cause pain or distress in animals.

Defining pain as a component in humaneness appears to be a greater challenge than that of suffering. Pain obviously occurs in animals. Altered physiology and behavior can be indicators of pain. However, pain experienced by individual animals probably ranges from little or no pain to considerable pain (California Department of Fish and Game 1991).

The AVMA has previously stated "*...euthanasia is the act of inducing humane death in an animal*" and "*... the technique should minimize any stress and anxiety experienced by the animal prior to unconsciousness*" (Beaver et al. 2001). Some people would prefer using AVMA accepted methods of euthanasia when killing all animals, including wild and invasive animals. The AVMA has stated, "[f]*or wild and feral animals, many of the recommended means of euthanasia for captive animals are not feasible. In field circumstances, wildlife biologists generally do not use the term euthanasia, but terms such as killing, collecting, or harvesting, recognizing that a distress- free death may not be possible*" (Beaver et al. 2001).

Pain and suffering, as it relates to methods available for use to manage mammals has both a professional and lay point of arbitration. Wildlife managers and the public must recognize the complexity of defining suffering, since "*…neither medical nor veterinary curricula explicitly address suffering or its relief*" (California Department of Fish and Game 1991). Research suggests that some methods, such as restraint in foothold traps or changes in the blood chemistry of trapped animals, indicate "*stress*" (Kreeger et al. 1988). However, such research has not yet progressed to the development of objective, quantitative measurements of pain or stress for use in evaluating humaneness (Bateson 1991, Sharp and Saunders 2008, Sharp and Saunders 2011).

The decision-making process involves tradeoffs between the above aspects of pain and humaneness. Therefore, humaneness, in part, appears to be a person's perception of harm or pain inflicted on an animal, and people may perceive the humaneness of an action differently. The challenge in coping with this issue is how to achieve the least amount of animal suffering. Chapter 4 further discusses the issue of humaneness and animal welfare. Chapter 3 discusses SOPs intended to alleviate pain and suffering.

Issue 6 - Effects of Mammal Damage Management Activities on the Regulated Harvest of Mammals

Another issue commonly identified is a concern that damage management activities conducted by WS would affect the ability of persons to harvest those species during the regulated hunting and trapping seasons either by reducing local populations through the lethal removal of mammals or by reducing the number of mammals present in an area through dispersal techniques. Those species that are addressed in this EA that also can be hunted and/or trapped during regulated seasons in the State include Virginia opossum, raccoons, river otters, striped skunks, coyotes, red fox, bobcats, gray squirrels, fox squirrels, and white-tailed deer.

Potential impacts could arise from the use of non-lethal or lethal damage management methods. Non-lethal methods used to alleviate damage caused by those mammal species could reduce mammal densities through dispersal in areas where damage or the threat of damage was occurring. Similarly, lethal methods used to reduce damage associated with those mammals could lower densities in areas where damage was occurring resulting in a reduction in the availability of those species during the regulated harvest season. WS' mammal damage management activities would primarily be conducted on populations in areas where hunting or trapping access was restricted (*e.g.*, airports, recreational areas) or had been ineffective. The use of non-lethal or lethal methods often disperses mammals from areas where damage was occurring to areas outside the damage area, which could serve to move those mammal species from those less accessible areas to places accessible to hunters.

Issue 7 – Effects of Beaver Dam Manipulation on the Status of Wetlands in the State

Wetlands are a valuable component of land-based ecosystems that provide numerous direct and indirect benefits to people and wildlife (*e.g.*, see Costanza et al. 1997, Millennium Ecosystem Assessment 2005). Between the 1780s and the 1980s, Dahl (1990) estimated 53% of the original wetland acres in the lower 48 states were lost, primarily from human development. Over that 200-year time span, Dahl (1990) estimated the wetland acres in Arkansas decreased from 9,848,600 acres to 2,763,600 acres, which represents a 72% decline. Beaver, through their building of dams and impounding water can have a unique role in establishing wetlands that not only provide benefit to the beaver, but to people and other wildlife. Wildlife professionals often consider beaver a "*keystone*" species for their ability to manipulate and create their own habitats, which can also provide benefits to other wildlife and people. Beaver may also be an inexpensive way of restoring wetlands or creating new wetlands (*e.g.*, see Hey 1995, Muller-Schwarze and Sun 2003, Buckley et al. 2011).

The issue of WS' potential impacts to wetlands could occur from activities conducted to alleviate damage or threats of damage associated with beaver, primarily from the breaching or removal of beaver dams. Beaver dam breaching or removal during activities to manage damage caused by beaver sometimes occurs in areas inundated by water from water impounded by beaver dams. Dam material usually consists of mud, sticks, and other vegetative material. Beaver dams obstruct the normal flow of water, which can change the preexisting hydrology from flowing or circulating waters to slower, deeper, more expansive waters that accumulate bottom sediment over time. The depth of the bottom sediment depends on the length of time water covers an area and the amount of suspended sediment in the water.

Beaver dams, over time, can establish new wetlands. The regulatory definition of a wetland stated by the United States Army Corps of Engineers and the EPA (40 CFR 232.2) is:

"Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas."

Therefore, the breaching or removal of a beaver dam could result in the degrading or removal of a wetland, if wetland characteristics exist at a location where a beaver dam occurs. The preexisting habitat (prior to the building of the dam) and the altered habitat (areas flooded by impounded water) have different ecological values to the fish and wildlife native to the area. Some species may benefit by the addition of a beaver dam that creates a wetland, while the presence of some species of wildlife may decline. For example, darters listed as federally endangered require fast moving waters over gravel or cobble beds, which beaver dams can eliminate; thus, reducing the availability of habitat. In areas where bottomland forests were flooded by beaver dams, a change in species composition could occur over time as trees die. Flooding often kills hardwood trees, especially when flooding persists for extended periods, as soils become saturated. Conversely, beaver dams could be beneficial to some wildlife, such as river otter, neotropical migratory birds, and waterfowl that require aquatic habitats.

If water impounded by a beaver dam persists for an extended period, hydric soils and hydrophytic vegetation could eventually form. This process could take anywhere from several months to years depending on preexisting conditions. Hydric soils are those soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions. In general, hydric soils form much easier where wetlands have preexisted. Hydrophytic vegetation includes those plants that grow in water or on a substrate that is at least periodically deficient in oxygen because of excessive water content. If those conditions exist, then a wetland has developed that would have different wildlife habitat values than an area where those conditions do not exist.

In addition, people often raise concerns regarding the use of lethal methods to remove beaver to alleviate damage or threats. If WS removed beaver from an area and removed or breached any associated beaver dam, the manipulation of water levels by removing/breaching the dam could prevent the establishment of wetlands by preventing water conditions to persist long enough to establish wetland characteristics. If WS removed beaver but left the beaver dam undisturbed, the lack of maintenance to the dam by beaver would likely result in the eventual recession of the impounded water as weathering eroded the dam.

2.3 ISSUES CONSIDERED BUT NOT IN DETAIL WITH RATIONALE

WS and the AGFC identified additional issues during the scoping process of this EA. WS considered those additional issues but a detailed analysis did not occur for the reasons provided. Discussion of those additional issues and the reasons for not analyzing those issues in detail occur below.

Appropriateness of Preparing an EA (Instead of an EIS) For Such a Large Area

The appropriateness of preparing an EA instead of an EIS was a concern WS identified during the scoping process. Wildlife damage management falls within the category of actions in which the exact timing or location of individual activities can be difficult to predict well enough ahead of time to describe accurately such locations or times in an EA or even an EIS. Although WS could predict some of the possible locations or types of situations and sites where some kinds of wildlife damage would occur, the program cannot predict the specific locations or times at which affected resource owners would determine a damage problem had become intolerable to the point that they request assistance from WS. In addition, the WS program would not be able to prevent such damage in all areas where it might occur without resorting to destruction of wild animal populations over broad areas at a much more intensive level than would be desired by most people, including WS and other agencies. Such broad scale population management would also be impractical or impossible to achieve within WS' policies and professional philosophies.

Lead agencies have the discretion to determine the geographic scope of their analyses under the NEPA (Kleppe v Sierra Club, 427 U.S. 390, 414 (1976), CEQ 1508.25). Ordinarily, according to APHIS procedures implementing the NEPA, WS' individual wildlife damage management actions could be categorically excluded (7 CFR 372.5(c)). WS' intent in developing this EA has been to determine if the proposed action or the other alternatives could potentially have significant individual and/or cumulative impacts on the quality of the human environment that would warrant the preparation of an EIS. This EA addresses impacts for managing damage and threats to human safety associated with mammals in the State to analyze individual and cumulative impacts and to provide a thorough analysis.

In terms of considering cumulative effects, one EA analyzing impacts for the entire State would provide a more comprehensive and less redundant analysis than multiple EAs covering smaller areas. If WS made a determination through this EA that the proposed action or the other alternatives could have a significant impact on the quality of the human environment, then WS would publish a notice of intent to prepare an EIS and this EA would be the foundation for developing the EIS. Based on previous requests for assistance, the WS program in Arkansas would continue to conduct mammal damage management in a very small area of the State where damage was occurring or likely to occur.

WS' Impact on Biodiversity

The WS program does not attempt to eradicate any species of native wildlife in the State. WS operates in accordance with federal and state laws and regulations enacted to ensure species viability. WS would use available methods to target individual mammals or groups of mammals identified as causing damage or

posing a threat of damage. Any reduction of a local population or group is frequently temporary because immigration from adjacent areas or reproduction replaces the animals removed. As stated previously, WS would only provide assistance under the appropriate alternatives after receiving a request to manage damage or threats. Therefore, if WS provided direct operational assistance under the alternatives, WS would provide assistance on a small percentage of the land area of Arkansas. In addition, WS would only target those mammals identified as causing damage or posing a threat. WS would not attempt to suppress wildlife populations across broad geographical areas at such intensity levels for prolonged durations that significant ecological effects would occur. The goal of WS would not be to manage wildlife populations but to manage damage caused by specific individuals of a species. The management of wildlife populations in the State is the responsibility of the AGFC and activities associated with many of the mammal species addressed in the EA require authorization from the AGFC. Therefore, those factors would constrain the scope, duration, and intensity of WS' actions under the alternatives.

Often of concern with the use of certain methods is that mammals that WS lethally removes would only be replaced by other mammals after WS completes activities (*e.g.*, mammals that relocate into the area) or by mammals the following year (*e.g.*, increase in reproduction and survivability that could result from less competition). The ability of an animal population to sustain a certain level of removal and to return to pre-management levels demonstrates that limited, localized damage management methods have minimal impacts on species' populations.

For example, studies suggest coyote territories would not remain vacant for very long after removing coyotes from an area. Gese (1998) noted that adjacent coyote packs adjusted territorial boundaries following social disruption in a neighboring pack, thus allowing for complete occupancy of the area despite removal of breeding coyotes. Blejwas et al. (2002) noted that a replacement pair of coyotes occupied a territory in approximately 43 days following the removal of the territorial pair. Williams et al. (2003) noted that temporal genetic variation in coyote populations experiencing high turnover (due to removals) indicated that "*...localized removal effort does not negatively impact effective population size...*".

Chapter 4 evaluates the environmental consequences of the alternatives on the populations of target and non-target species based on available quantitative and qualitative parameters. The permitting of lethal removal by the AGFC would ensure cumulative removal levels would occur within allowable levels to maintain species' populations and meet population objectives for each species. Therefore, activities conducted pursuant to any of the alternatives would not adversely affect biodiversity in the State.

A Loss Threshold Should Be Established Before Allowing Lethal Methods

One issue identified through WS' implementation of the NEPA processes is a concern that WS or other entities should establish a threshold of loss before employing lethal methods to resolve damage and that wildlife damage should be a cost of doing business. In some cases, cooperators likely tolerate some damage and economic loss until the damage reaches a threshold where the damage becomes an economic burden. The appropriate level of allowed tolerance or threshold before employing lethal methods would differ among cooperators and damage situations. In addition, establishing a threshold would be difficult or inappropriate to apply to human health and safety situations. For example, aircraft striking mammals can lead to property damage and can threaten passenger safety if a catastrophic failure of the aircraft occurs because of the strike. Therefore, addressing the threats of wildlife strikes prior to an actual strike occurring would be appropriate.

In a ruling for 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 the plaintiffs' motion for a preliminary injunction. In part, the court determined that a forest supervisor could establish a need for

wildlife damage management if the supervisor could show that damage from wildlife was threatened (Civil No. 92-C-0052A January 20, 1993). Thus, there is judicial precedence indicating that it is not necessary to establish a criterion such as a percentage of loss of a particular resource to justify the need for damage management actions.

Mammal Damage Management Should Not Occur at Taxpayer Expense

An issue identified is the concern that WS should not provide assistance at the expense of the taxpayer or that activities should be fee-based. Funding for WS' activities could occur from federal appropriations and through cooperative funding. Funding for WS' activities would occur through cooperative service agreements with individual property owners or managers. WS receives a minimal federal appropriation for the maintenance of a WS program in Arkansas. The remainder of the WS program would mostly be fee-based. WS would provide technical assistance to requesters as part of the federally funded activities; however, the majority of funding to conduct direct operational assistance in which WS' employees perform damage management activities would occur through cooperative service agreements between the requester and WS.

Cost Effectiveness of Management Methods

The CEQ does not require a formal, monetized cost benefit analysis to comply with the NEPA. Consideration of this issue is not essential to making a reasoned choice among the alternatives WS is considering. However, the methods determined to be most effective to reduce damage and threats to human safety caused by mammals and that prove to be the most cost effective would likely receive the greatest application. As part of an integrated approach and as part of the WS Decision Model, evaluation of methods would continually occur to allow for those methods that were most effective at resolving damage or threats to be employed under similar circumstance where mammals were causing damage or posing a threat. Additionally, management operations may be constrained by cooperator funding and/or objectives and needs. Therefore, the cost of methods can often influence which methods are available to resolve damage and can influence the effectiveness of methods. Discussion of cost effectiveness as it relates to the effectiveness of methods occurs in the following issue.

Effectiveness of Mammal Damage Management Methods

Defining the effectiveness of any damage management activities often occurs in terms of losses or risks potentially reduced or prevented. Effectiveness can also be dependent upon how accurately practitioners diagnose the problem, the species responsible for the damage, and how people implement actions to correct or mitigate risks or damages. To determine that effectiveness, WS must be able to complete management actions expeditiously to minimize harm to non-target animals and the environment, while at the same time, using methods as humanely as possible. The most effective approach to resolving any wildlife damage problem would be to use an adaptive integrated approach, which may call for the use of several management methods simultaneously or sequentially (Courchamp et al. 2003).

The purpose behind integrated management is to implement methods in the most effective manner while minimizing the potentially harmful effects on people, target and non-target species, and the environment[8]. Efficacy is based on the types of methods employed, the application of the method, restrictions on the use of the method(s), the skill of the personnel using the method and, for WS' personnel, the guidance provided by WS' directives and policies.

[8]The cost of management may sometimes be secondary because of overriding environmental, legal, human health and safety, animal welfare, or other concerns.

The goal would be to reduce damage, risks, and conflicts with wildlife as requested and not to reduce/eliminate populations. Localized population reduction could be short-term with new individuals immigrating into the area or born to animals remaining at the site (Courchamp et al. 2003). The ability of an animal population to sustain a certain level of removal and to return to pre-management levels eventually does not mean individual management actions were unsuccessful, but that periodic management may be necessary. The return of wildlife to pre-management levels also demonstrates that limited, localized damage management methods have minimal impacts on species' populations.

WS often receives comments that lethal methods would be ineffective because additional mammals would likely return to the area. In addition, comments also claim that because mammals return to an area after initial removal efforts were complete, the use of lethal methods gives the impression of creating a financial incentive to continue the use of only lethal methods. Those statements assume mammals only return to an area where damage was occurring if WS or other entities used lethal methods. However, the use of non-lethal methods would also often be temporary, which could result in mammals returning to an area where damage was occurring once WS or other entities no longer used those methods. The common factor when employing any method would be that mammals would return if suitable conditions continued to exist at the location where damage was occurring and mammal densities were sufficient to occupy all available habitats to the extent that damage occurs. Therefore, any reduction or prevention of damage from the use of methods addressed in Appendix B would be temporary if habitat conditions continue to exist that attract mammals to an area where damage was occurring.

Therefore, any method that disperses or removes mammals from areas would only be temporary if habitat containing preferred habitat characteristics continued to exist. Dispersing mammals using non-lethal methods addressed in Appendix B often requires repeated application to discourage mammals from returning to locations, which increases costs, moves mammals to other areas where they could cause damage, and would be temporary if habitat conditions that attracted those mammals to damage areas remained unchanged. Some people could view dispersing and translocating mammals as moving a problem from one area to another, which would require addressing damage caused by those mammals at another location, which increases costs and could be perceived as creating a financial incentive to continue the use of those methods since mammals would have to be addressed annually and at multiple locations. WS' recommendation of or use of techniques to modify existing habitat or making areas unattractive to mammals is discussed in Appendix B. WS' objective would be to respond to requests for assistance with the most effective methods and to provide for the long-term solution to the problem using WS' Decision Model.

Managing damage caused by mammals can be divided into short-term redistribution approaches and long-term population and habitat management approaches. Short-term approaches focus on redistribution and dispersal of mammals to limit use of an area where damage or threats were occurring. Short-term redistribution approaches may include prohibiting feeding, the use of pyrotechnics, propane cannons, effigies, and other adverse noise, erecting access barriers such as fencing, and taste aversion chemicals. Population reduction by limiting survival or reproduction, removing mammals, and habitat modification would be considered long-term solutions to managing damage caused by wildlife.

Redistribution methods would often be employed to provide immediate resolution to damage occurring until long-term approaches can be implemented or have had time to reach the desired result. Dispersing mammals can often be a short-term solution that moves those mammals to other areas where damages or threats could occur. Some short-term methods may become less effective in resolving damage as a mammal population increases, as mammals become more acclimated to human activity, and as mammals become habituated to harassment techniques. Non-lethal methods often require a constant presence at locations when mammals are present and must be repeated every day or night until the desired results are achieved, which can increase the costs associated with those activities. Non-lethal methods may also

require constant monitoring and maintenance to insure proper results. For example, fencing could be used to prevent access to a resource; however, constant monitoring of the fencing would be required and necessary repairs completed to ensure the use of fencing would be successful in preventing access to resources. Long-term solutions to resolving mammal damage often require management of the population and identifying the habitat characteristics that attract mammals to a particular location.

Based on an evaluation of the damage situation using the WS Decision Model, the most effective methods could be employed individually or in combination based on prior evaluations of methods or combinations of methods in other damage management situations. Once employed, methods could be further evaluated for effectiveness based on a continuous evaluation of activities by WS. Therefore, the effectiveness of methods would be considered as part of the decision making-process under WS' use of the Decision Model described in Chapter 3 for each damage management request based on the continual evaluation of methods and results.

Mammal Damage Should be Managed by Private Nuisance Wildlife Control Agents

Wildlife control agents and private entities could be contacted to reduce mammal damage when deemed appropriate by the resource owner. In addition, WS could refer persons requesting assistance to agents and/or private individuals under all of the alternatives fully evaluated in the EA.

WS Directive 3.101 provides guidance on establishing cooperative projects and interfacing with private businesses. WS would only respond to requests for assistance received. When responding to requests for assistance, WS would inform requesters that other service providers, including private entities, might be available to provide assistance.

Effects from the Use of Lead Ammunition in Firearms

Questions have arisen about the deposition of lead into the environment from ammunition used in firearms to remove mammals. As described in Appendix B, the lethal removal of mammals with firearms by WS to alleviate damage or threats could occur using a handgun, rifle, or shotgun. In an ecological risk assessment of lead shot exposure in non-waterfowl birds, ingestion of lead shot was identified as the concern rather than just contact with lead shot or lead leaching from shot in the environment (Kendall et al. 1996).

The take of mammals by WS using firearms in the State would occur primarily from the use of rifles. However, the use of shotguns or handguns could be employed to remove some species. To reduce risks to human safety and property damage from bullets passing through mammals, the use of firearms would be applied in such a way (*e.g.*, caliber, bullet weight, distance) to ensure the bullet does not pass through mammals. Mammals that are removed using firearms would occur within areas where retrieval of mammal carcasses for proper disposal is highly likely (*e.g.*, at an airport). With risks of lead exposure occurring primarily from ingestion of bullet fragments, the retrieval and proper disposal of mammal carcasses would greatly reduce the risk of scavengers ingesting or being exposed to lead that may be contained within the carcass.

However, deposition of lead into soil could occur if, during the use of a firearm, the projectile passes through a mammal, if misses occur, or if the mammal carcass was not retrieved. Laidlaw et al. (2005) reported that, because of the low mobility of lead in soil, all of the lead that accumulates on the surface layer of the soil is generally retained within the top 20 cm (about 8 inches). In addition, concerns occur that lead from bullets deposited in soil from shooting activities could contaminate ground water or surface water from runoff. Stansley et al. (1992) studied lead levels in water that was subjected directly to high concentrations of lead shot accumulation because of intensive target shooting at several shooting ranges.

Lead did not appear to "*transport*" readily in surface water when soils were neutral or slightly alkaline in pH (*i.e.*, not acidic), but lead did transport more readily under slightly acidic conditions. Although Stansley et al. (1992) detected elevated lead levels in water in a stream and a marsh that were in the shot "*fall zones*" at a shooting range, the study did not find higher lead levels in a lake into which the stream drained, except for one sample collected near a parking lot. Stansley et al. (1992) believed the lead contamination near the parking lot was due to runoff from the lot, and not from the shooting range areas. The study also indicated that even when lead shot was highly accumulated in areas with permanent water bodies present, the lead did not necessarily cause elevated lead levels in water further downstream. Muscle samples from two species of fish collected in water bodies with high lead shot accumulations had lead levels that were well below the accepted threshold standard of safety for human consumption (Stansley et al. 1992).

Craig et al. (1999) reported that lead levels in water draining away from a shooting range with high accumulations of lead bullets in the soil around the impact areas were far below the "*action level*" of 15 parts per billion as defined by the EPA (*i.e.*, requiring action to treat the water to remove lead). The study found that the dissolution (*i.e.*, capability of dissolving in water) of lead declines when lead oxides form on the surface areas of the spent bullets and fragments (Craig et al. 1999). Therefore, the transport of lead from bullets or shot distributed across the landscape was reduced once the bullets and shot formed crusty lead oxide deposits on their surfaces, which served to reduce naturally the potential for ground or surface water contamination (Craig et al. 1999). Those studies suggest that, given the very low amount of lead being deposited and the concentrations that would occur from WS' activities to reduce mammal damage using firearms, as well as most other forms of dry land small game hunting in general, lead contamination of water from such sources would be minimal to nonexistent.

A secondary concern surrounding lead ammunition is the issue of lead deposition in meat, particularly meat that is donated to various charities. Stewart and Veverka (2011) documented that white-tailed deer that were shot with lead ammunition in the head or extreme upper neck in sharpshooting situations showed no deposition of lead fragments in the meat of the animals that would have been processed for human consumption. Lower neck shots do frequently experience lead fragmentation in the loin muscle and Stewart and Veverka (2011) recommended removing the loins prior to processing to ensure that fragments were not ingested. WS' personnel would be trained to shoot and target the head and upper neck of white-tailed deer. Any deer that were shot in the lower neck would not be donated or would be processed to avoid those areas that could contain lead fragments.

Since those mammals removed by WS using firearms could be lethally removed by the entities experiencing damage using the same method in the absence of WS' involvement, WS' assistance with removing those mammals would not be additive to the environmental status quo. The amount of lead deposited into the environment could be lowered by WS' involvement in damage management activities due to efforts by WS to ensure projectiles do no pass through but are contained within the mammal carcass, which limits the amount of lead potentially deposited into soil from projectiles passing through the carcass. The proficiency training received by WS' employees in firearm use and accuracy would increase the likelihood that mammals were lethally removed humanely in situations that ensure accuracy and that misses occur infrequently, which further reduces the potential for lead to be deposited in the soil from misses or from projectiles passing through carcasses. In addition, WS' involvement ensures mammal carcasses lethally removed using firearms would be retrieved and disposed of properly to limit the availability of lead in the environment and ensures mammal carcasses were removed from the environment to prevent the ingestion of lead in carcasses by scavengers whenever possible. Based on current information, the risks associated with lead projectiles that could be deposited into the environment from WS' activities due to misses, the projectile passing through the carcass, or from mammal carcasses that may be irretrievable would be below any level that would pose any risk from exposure or significant contamination of water.

Effects on Human Health from Consumption of Deer Meat Donated by WS

Of concern under this issue would be the consumption of deer meat donated to a charitable organization after being lethally removed by WS. Of recent concern is the potential for lead and other contaminants to be present in meat that has been processed for human consumption. The potential for the spreading of zoonotic diseases in deer processed and donated for human consumption is also a concern. Under the proposed action alternative, meat from deer lethally removed during damage management activities could be donated to charitable organizations for human consumption. Only meat from deer would be donated under the proposed action alternative. WS could recommend the donation or consumption of meat under the technical assistance only alternative but would not be directly involved with damage management activities under that alternative.

If WS donated deer for human consumption, WS' policies pertaining to the testing or labeling of meat would be followed in order to address potential health concerns. Deer donated for human consumption may be tested for exposure to substances such as organophosphate and carbamate insecticides, lead, mercury, arsenic, organochlorines, and organic chemicals prior to distribution. Deer immobilized using immobilizing drugs or euthanized using euthanasia chemicals would not be donated for human consumption with disposal of carcasses occurring pursuant to WS Directive 2.515. Deer taken by any method for disease sampling or in an area where zoonotic diseases of concern are known to be prevalent and of concern to human health after consuming processed deer meat would not be donated for consumption and would be disposed of by deep burial or incineration. WS' adherence to policy would not result in adverse effects to human health from the donation of deer meat.

Donation of Feral Swine Taken Through Management Activities for Human Consumption

Under the Federal Meat Inspection Act, all swine must be inspected prior to entering into any establishment in which they are to be slaughtered. Inspections are carried out under the Food Safety and Inspection Services (FSIS) under the USDA. The FSIS has ruled that all swine are amenable to the Federal Meat Inspection Act and even if donated, are considered to be in commerce; therefore, all animals must be processed under inspection at an official establishment. This would entail examining the animal alive, at rest and in motion from both sides before passing the animal for slaughter.

In most instances, it would be difficult to trace the origins of feral swine or determine fitness for human consumption due to the potential for feral swine to carry disease (Wyckoff et al. 2009). Transporting live feral swine to slaughter facilities also increases the potential for spreading disease to domestic swine at facilities were swine are being held prior to slaughter. Therefore, feral swine will not be donated to food banks.

Potential for Feral Swine to Disperse to Other Areas Due to Management Activities

Methods involving the exclusion, pursuit, shooting, and/or harassment of feral swine could lead to the abandonment of localized areas traditionally used by swine in Arkansas. If feral swine were dispersed by WS under the alternatives, damages and threats could arise in other areas.

Under the alternatives where WS would be involved with managing damage, WS would evaluate the damage or threat situation to determine the appropriate methods. Activities conducted under the alternatives would be coordinated between WS, the AGFC, and local entities to monitor feral swine populations in areas where dispersal may occur. The potential for methods to disperse feral swine would be considered as part of the evaluation of the damage situation and would be incorporated into the decision-making process associated with the alternatives to determine which methods to employ and

recommend. The use of methods that would likely result in the exclusion, harassment, or dispersal of feral swine (*e.g.*, shooting, propane cannons, pyrotechnics) could be used in those situations where damage, threats of damage, and/or threats to human safety would require immediate resolution.

WS is considering the use of aircraft to aid in alleviating or preventing feral swine damage. Under the proposed action alternative, aerial operations could include the use of aircraft for surveillance and monitoring, as well as, WS' employees shooting feral swine from aircraft. Surveillance and monitoring activities would use aircraft to locate feral swine, to determine the size of a local population, and when using radio telemetry, to locate radio collared swine.

The use of aircraft could rapidly reduce feral swine densities in an area (Saunders 1993, Choquenot et al. 1999, Campbell et al. 2010). Studies conducted in Australia found that shooting feral swine from an aircraft reduced local populations of swine by 65 to 80% and surviving feral swine could continue to cause damage and pose disease risks (Hone 1990, Saunders 1993, Saunders and Bryant 1988). Choquenot et al. (1999) found the efficiency of aerial gunning was influenced by feral swine density in the area. Saunders and Bryant (1988) found feral swine "*...became attuned to the significance of a hovering helicopter and* [feral swine] *modified their behaviour* [sic] *to avoid detection*." Dexter (1996) concluded that harassment caused by the use of aircraft in New South Wales, Australia had little effect on the movements of surviving swine since no statistically significant differences were observed in the hourly distanced moved by surviving feral swine, the home ranges of surviving feral swine, and their positions within their home ranges. Campbell et al. (2010) stated the use of aircraft to shoot feral swine "*...had only minor effects on the behavior of surviving swine...*" and the use of aircraft to remove feral swine "*...should be considered a viable tool...*" when managing disease outbreaks. Based on available information, feral swine are not likely to disperse long-distances due to damage management activities.

A Site Specific Analysis Should be Made for Every Location Where Mammal Damage Management Would Occur

The underlying intent for preparing an EA is to determine if a proposed action might have a significant impact on the human environment. WS' EA development process is issue driven, meaning issues that were raised during the interdisciplinary process and through public involvement that were substantive, would be used to drive the analysis and determine the significance of the environmental impacts of the proposed action and the alternatives. Therefore, the level of site specificity must be appropriate to the issues listed.

The analysis in this EA was driven by the issues raised during the scoping process during the development of the EA. In addition to the analysis contained in this EA, WS' personnel use the WS Decision Model (Slate et al. 1992) described in Chapter 3 as a site-specific tool to develop the most appropriate strategy at each location. The WS Decision Model is an analytical thought process used by WS' personnel for evaluating and responding to requests for assistance.

As discussed previously, one EA analyzing impacts for the entire State would provide a more comprehensive and less redundant analysis that allows for a better cumulative impact analysis. If a determination were made through this EA that the alternatives developed to meet the need for action could result in a significant impact on the quality of the human environment, then an EIS would be prepared.

CHAPTER 3: ALTERNATIVES

Chapter 3 contains a discussion of the alternatives that were developed to meet the need for action discussed in Chapter 1 and to address the identified issues discussed in Chapter 2. Alternatives were

developed for consideration based on the need for action and issues using the WS Decision model (Slate et al. 1992). The alternatives will receive detailed environmental impacts analysis in Chapter 4 (Environmental Consequences). Chapter 3 also discusses alternatives considered but not analyzed in detail, with rationale. SOPs for mammal damage management in Arkansas are also discussed in Chapter 3.

3.1 DESCRIPTION OF THE ALTERNATIVES

The following alternatives were developed to meet the need for action and address the identified issues associated with managing damage caused by mammals in the State:

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

The proposed action/no action alternative would continue the current implementation of an adaptive integrated approach utilizing non-lethal and lethal techniques, when requested, as deemed appropriate using the WS Decision Model, to reduce damage and threats caused by mammals in Arkansas. A major goal of the program would be to resolve and prevent damage caused by mammals and to reduce threats to human safety. To meet this goal, WS would continue to respond to requests for assistance with, at a minimum, technical assistance, or when funding was available, operational damage management. Funding could occur through federal appropriations or from cooperative funding. The adaptive approach to managing damage associated with mammals would integrate the use of the most practical and effective methods to resolve a request for damage management as determined by a site-specific evaluation to reduce damage or threats to human safety for each request. City/town managers, agricultural producers, property owners, and others requesting assistance would be provided information regarding the use of appropriate non-lethal and lethal techniques.

Under this alternative, WS could 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. The take of some of the mammal species addressed in this EA can only legally occur under authorization by the AGFC and only at levels specified, unless those mammal species are afforded no protection, in which case, no authorization for lethal removal would be required.

Property owners or managers requesting assistance from WS would be provided with information regarding the use of effective and practical non-lethal and lethal techniques. Preference would be given to non-lethal methods when practical and effective under this alternative (see WS Directive 2.101). Property owners or managers may choose to implement WS' recommendations on their own (*i.e.*, technical assistance), use contractual services of private businesses, use volunteer services of private organizations, use the services of WS (*i.e.*, direct operational assistance), take the management action themselves, or take no further action.

WS would work with those persons experiencing mammal damage to address those mammals responsible for causing damage as expeditiously as possible. To be most effective, damage management activities should occur as soon as mammals begin to cause damage. Mammal damage that has been ongoing can be difficult to resolve using available methods since mammals would be conditioned to an area and would be familiar with a particular location. Subsequently, making that area unattractive using available methods could be difficult to achieve once damage was ongoing. WS would work closely with those entities requesting assistance to identify situations where damage could occur and begin to implement damage

management activities under this alternative as early as possible to increase the likelihood of those methods achieving the level of damage reduction requested by the cooperating entity.

WS' Decision Model would be the implementing mechanism for a damage management program under the proposed action alternative that could be adapted to an individual damage situation that allows for the broadest range of methods to be used to address damage or the threat of damage in the most effective, most efficient, and most environmentally conscious way available. When WS received a request for direct operational assistance, WS would conduct site visits to assess the damage or threats, would identify the cause of the damage, and would apply the Decision Model described by Slate et al. (1992) and WS Directive 2.201 to determine the appropriate methods to resolve or prevent damage. The use of the Decision model by WS' employees under the proposed action is further discussed below. In addition, preference would be given to non-lethal methods when practical and effective (see WS Directive 2.101).

Non-lethal methods that would be available for use by WS under this alternative include, but are not limited to, minor habitat modification, behavior modification, lure crops, visual deterrents, live traps, translocation, exclusionary devices, frightening devices, immobilizing drugs, reproductive inhibitors, and chemical repellents (see Appendix B for a complete list and description of potential methods). Lethal methods that would be available to WS under this alternative include body-gripping traps, cable restraints, the recommendation of take during hunting and/or trapping seasons, fumigants, euthanasia chemicals, and shooting, including the use of firearms from aircraft. In addition, target mammal species live-captured using non-lethal methods (*e.g.*, live-traps, immobilizing drugs) could be euthanized. The lethal control of target mammals would comply with WS Directive 2.505.

Discussing methods does not imply that all methods would be used or recommended by WS to resolve requests for assistance and does not imply that all methods would be used to resolve every request for assistance. The most appropriate response would 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. For example, if an entity requesting assistance had already attempted to alleviate damage using non-lethal methods, WS would not necessarily employ those same non-lethal methods, since those methods were proven ineffective at reducing damage or threats to an acceptable level to the requester.

Many lethal and non-lethal methods are intended to be short-term attempts at reducing damage occurring at the time those methods were employed. Long-term solutions to managing mammal damage would include limited habitat manipulations and changes in cultural practices, which are addressed further below and in Appendix B.

Non-lethal methods can disperse or otherwise make an area unattractive to mammals causing damage; thereby, reducing the presence of mammals at the site and potentially the immediate area around the site where non-lethal methods were employed. Non-lethal methods would be given priority when addressing requests for assistance (see WS Directive 2.101). However, non-lethal methods would not necessarily be employed to resolve every request for assistance if deemed inappropriate by WS' personnel using the WS Decision Model, especially when the requesting entity had used non-lethal methods previously and found those methods to be inadequate to resolving the damage or threats of damage. Non-lethal methods would be used to exclude, harass, and disperse target wildlife from areas where damage or threats were occurring. When effective, non-lethal methods would disperse mammals from an area resulting in a reduction in the presence of those mammals at the site where those methods were employed. For any management methods employed, the proper timing would be essential in effectively dispersing those mammals causing damage. Employing methods soon after damage begins or soon after threats were identified, increases the likelihood that those damage management activities would achieve success in

addressing damage. Therefore, coordination and timing of methods would be necessary to be effective in achieving expedient resolution of mammal damage.

Under the proposed action alternative, WS could employ only non-lethal methods when determined to be appropriate for each request for assistance to alleviate damage or reduce threats of damage using the WS Decision Model. In some situations, a cooperating entity has tried to employ non-lethal methods to resolve damage prior to contacting WS for assistance. In those cases, the methods employed by the requester were either unsuccessful or the reduction in damage or threats had not reached a level that was tolerable by the requesting entity. In those situations, WS could employ other non-lethal methods, attempt to apply the same non-lethal methods, or employ lethal methods. In many situations, the implementation of non-lethal methods, such as exclusion-type barriers, would be the responsibility of the requestor, which means that, in those situations, the only function of WS would be to implement lethal methods, if determined to be appropriate using the WS Decision Model.

Lethal methods could be employed to resolve damage associated with those mammals identified by WS as responsible for causing damage or threats to human safety under this alternative; however, WS would only employ lethal methods after receiving a request for the use of those methods. The use of lethal methods could result in local population reductions in the area where damage or threats were occurring since mammals would be removed from the population. Lethal methods would often be employed to reinforce non-lethal methods and to remove mammals that were identified as causing damage or posing a threat to human safety. The use of lethal methods could result in local reductions of mammals in the area where damage or threats were occurring. The number of mammals removed from the population using lethal methods under the proposed action would be dependent on the number of requests for assistance received, the number of mammals involved with the associated damage or threat, and the efficacy of methods employed.

Often of concern with the use of lethal methods is that mammals that were lethally removed would only be replaced by other mammals either after the application of those methods (*e.g.*, mammals that relocate into the area) or by mammals the following year (*e.g.*, increase in reproduction and survivability that could result from less competition). As stated previously, the use of lethal methods would not be used as population management tools over broad areas. The use of lethal methods would be intended to reduce the number of individuals of a target mammal species present at a specific location where damage was occurring by targeting those mammals causing damage or posing threats. The intent of lethal methods would be to manage only those individuals of a mammal species causing damage and not to manage entire mammal populations.

Most lethal and non-lethal methods currently available provide only short-term benefits when addressing mammal damage. The use of those methods would be intended to reduce damage occurring at the time those methods were employed but do not necessarily ensure mammals would not return once those methods were discontinued. Long-term solutions to resolving mammal damage would often be difficult to implement and can be costly. In some cases, long-term solutions involve exclusionary devices, such as fencing, or other practices that would not be costly or difficult to implement such as closing garbage cans. When addressing mammal damage, long-term solutions generally involve modifying existing habitat or making conditions to be less attractive to mammals. To ensure complete success, alternative sites in areas where damage was not likely to occur would often be required to achieve complete success in reducing damage and to avoid moving the problem from one area to another. Modifying a site to be less attractive to mammals would likely result in the dispersal of those mammals to other areas where damage could occur or could result in multiple occurrences of damage situations.

WS may recommend mammals be harvested during the regulated hunting and/or trapping season for those species in an attempt to reduce the number of mammals causing damage. Managing mammal populations

over broad areas could lead to a decrease in the number of mammals causing damage. Establishing hunting or trapping seasons and the allowed take during those seasons is the responsibility of the AGFC. WS does not have the authority to establish hunting or trapping seasons or to set allowed harvest numbers during those seasons.

As part of an integrated approach, WS may provide technical assistance and direct operational assistance to those people experiencing damage associated with mammals.

Technical Assistance Recommendations

Under the proposed action, WS would provide technical assistance to those persons requesting assistance with managing damage as part of an integrated approach. Technical assistance would occur as described in Alternative 2 of this EA. From FY 2008 through FY 2012, WS conducted 286 technical assistance projects that involved mammal damage to agricultural resources, property, natural resources, and threats to human safety (see Table 1.1).

Direct Operational Assistance

Operational damage management assistance would include damage management activities that were directly conducted by or supervised by personnel of WS. Operational damage management assistance could be initiated when the problem could not be effectively resolved through technical assistance alone and there was a written MOU, cooperative service agreement, or other comparable document signed between WS and the entity requesting assistance. The initial investigation by WS' personnel would define the nature, history, and extent of the problem; species responsible for the damage; and methods available to resolve the problem. The professional skills of WS' personnel could be required to effectively resolve problems, especially if chemical methods were necessary or if the problems were complex.

Examples of Assistance Provided by WS

The following examples serve as illustrations of WS' operational damage management assistance projects. The examples are intended to present realistic examples of on-going projects only and are not an inclusive or all-encompassing list of all projects conducted by WS in Arkansas.

MANAGEMENT OF WILDLIFE HAZARDS TO AIRCRAFT AND AIR PASSENGERS IN ARKANSAS

Upon receiving a request for assistance, WS evaluates wildlife hazards at an airport, prepares a Wildlife Hazard Assessment that identifies wildlife hazards, and assists the airport in developing a Wildlife Hazard Management Plan to address those hazards and threats.

Direct operational activities consist of various harassment techniques, and live capture and lethal removal techniques aimed at removing potentially injurious wildlife. WS' personnel also provide ongoing technical advice to airport managers regarding methodologies to reduce the presence of wildlife in airport environments, including providing technical advice on various habitat management projects implemented by airport personnel. In addition, WS promotes improved mammal strike record keeping, maintains a program of mammal identification, and monitors mammal numbers at participating airports to assist in developing an effective damage management program.

WS could be requested to evaluate agricultural damage or disease transmission caused by feral swine. Direct operational activities consist of various lethal removal techniques, including corral trapping, snaring, and shooting. In some cases, WS works with adjoining landowners to establish large cooperative land masses suitable for aerial operations to pursue feral swine with aircraft. WS' personnel demonstrate techniques for excluding feral swine from specific areas and utilize harassment techniques to provide time for agricultural crops to mature and become less attractive.

Educational Efforts

Education is an important element of activities because wildlife damage management is about finding balance and coexistence between the needs of people and needs of wildlife. This is extremely challenging as nature has no balance, but rather is in continual flux. In addition to the routine dissemination of recommendations and information to individuals or organizations, WS provides lectures, courses, and demonstrations to producers, homeowners, state and county agents, colleges and universities, and other interested groups. WS frequently cooperates with other entities in education and public information efforts. Additionally, technical papers have been and would continue to be presented at professional meetings and conferences so that other wildlife professionals and the public were periodically updated on recent developments in damage management technology, programs, laws and regulations, and agency policies.

Research and Development

The National Wildlife Research Center (NWRC) functions as the research unit of WS by providing scientific information and the development of methods for wildlife damage management, which are effective and environmentally responsible. Research biologists with the NWRC work closely with wildlife managers, researchers, and others to develop and evaluate methods and techniques for managing wildlife damage. For example, research biologists from the NWRC were involved with developing and evaluating the reproductive inhibitor known under the trade name of GonaCon™. Research biologists with the NWRC have authored hundreds of scientific publications and reports based on research conducted involving wildlife and methods.

WS' Decision Making Procedures

WS' personnel would use a thought process for evaluating and responding to damage complaints that is depicted by the WS Decision Model (see WS Directive 2.201) and described by Slate et al. (1992). WS' personnel would assess the problem and then evaluate the appropriateness and availability (legal and administrative) of strategies and methods based on biological, economic, and social considerations. Following this evaluation, methods deemed practical for the situation would be incorporated into a damage management strategy. After this strategy was implemented, monitoring would be conducted and evaluation would continue to assess the effectiveness of the strategy. If the strategy were effective, the need for further management would be ended. In terms of the WS Decision Model, most efforts to resolve wildlife damage consist of continuous feedback between receiving the request and monitoring the results of the damage management strategy. The Decision Model is not a written documented process, but a mental problem-solving process common to most, if not all, professions, including WS.

Community-based Decision Making

WS could receive requests for assistance from community leaders and/or representatives. In those situations, the WS program in Arkansas under this alternative would follow the "*co-managerial*

approach" to solve wildlife damage or conflicts as described by Decker and Chase (1997). Within this management model, WS could provide technical assistance regarding the biology and ecology of mammals and effective, practical, and reasonable methods available to the local decision-maker(s) to reduce damage or threats. This could include non-lethal and lethal methods. WS and other state and federal wildlife management agencies may facilitate discussions at local community meetings when resources were available. Under this approach, resource owners and others directly affected by mammal damage or conflicts would have direct input into the resolution of such problems. They may implement management recommendations provided by WS or others, or may request direct operational assistance from WS, other wildlife management agencies, local animal control agencies, or private businesses or organizations.

Under a community based decision-making process, WS would provide information, demonstration, and discussion on available methods to the appropriate representatives of the community for which services were requested to ensure a community-based decision was made. By involving decision-makers in the process, damage management actions could be presented to allow decisions on damage management to involve those individuals that the decision-maker(s) represents. As addressed in this EA, WS would provide technical assistance to the appropriate decision-maker(s) to allow for information on damage management activities to be presented to those persons represented by the decision-maker(s), including demonstrations and presentation by WS at public meetings to allow for involvement of the community. Requests for assistance to manage damage caused by mammals often originate from the decision-maker(s) based on community feedback or from concerns about damage or threats to human safety. As representatives of the community, the decision-maker(s) would be able to provide the information to local interests either through technical assistance provided by WS or through demonstrations and presentation by WS on damage management activities. This process would allow decisions on damage management activities to be made based on local input. The community leaders could implement management recommendations provided by WS or others, or may request management assistance from WS, other wildlife management agencies, local animal control agencies, or private businesses or organizations.

Community Decision-Makers

The decision-maker for the local community would be elected officials or representatives of the communities. The elected officials or representatives would be popularly elected residents of the local community or appointees who oversee the interests and business of the local community. This person or persons would represent the local community's interest and make decisions for the local community or bring information back to a higher authority or the community for discussion and decision-making. Identifying the decision-maker for local business communities can be more complex because building owners may not indicate whether the business must manage wildlife damage themselves, or seek approval to manage wildlife from the property owner or manager, or from a governing Board. WS could provide technical assistance and make recommendations for damage reduction to the local community or local business community decision-maker(s). Direct assistance could be provided by WS only if requested by the local community decision-maker, funding was provided, and if the requested direct control was compatible with WS' recommendations.

Private Property Decision-Makers

In the case of private property owners, the decision-maker is the individual that owns or manages the affected property. The decision-maker has the discretion to involve others as to what occurs or does not occur on property they own or manage. Due to privacy concerns, WS cannot disclose cooperator information to others. Therefore, in the case of an individual property owner or manager, the involvement of others and to what degree others were involved in the decision-making process would be a

decision made by that individual. Direct operational assistance could be provided by WS if requested, funding was provided, and the requested management was in accordance with WS' recommendations.

Public Property Decision-Makers

The decision-maker for local, state, or federal property would be the official responsible for or authorized to manage the public land to meet interests, goals, and legal mandates for the property. WS could provide technical assistance to this person and recommendations to reduce damage. Direct control could be provided by WS if requested, funding was provided, and the requested actions were within the recommendations made by WS.

Alternative 2 – Mammal Damage Management by WS through Technical Assistance Only

Under this alternative, WS would provide those cooperators requesting assistance with technical assistance only. Similar to Alternative 1, WS could receive requests for assistance from community representatives, private individuals/businesses, or from public entities. Technical assistance would provide those cooperators experiencing damage or threats associated with mammals with information, demonstrations, and recommendations on available and appropriate methods. The implementation of methods and techniques to resolve or prevent damage would be the responsibility of the requester with no direct involvement by WS. In some cases, WS may provide supplies or materials that were of limited availability for use by private entities (*e.g.*, loaning of propane cannons). Technical assistance may be provided through a personal or telephone consultation, or during an on-site visit with the requester. Generally, several management strategies would be described to the requester for short and long-term solutions to managing damage. Those strategies would be based on the level of risk, need, and the practicality of their application. WS would use the Decision Model to recommend those methods and techniques available to the requester to manage damage and threats of damage. Those persons receiving technical assistance from WS could implement those methods recommended by WS, could employ other methods not recommended by WS, could seek assistance from other entities, or take no further action.

Under a technical assistance only alternative, WS would recommend an integrated approach similar to the proposed action alternative (Alternative 1) when receiving a request for assistance; however, WS would not provide direct operational assistance under this alternative. Preference would be given to non-lethal methods when practical and effective under this alternative (see WS Directive 2.101). Recommendation of methods and techniques by WS to resolve damage would be based on information provided by the individual seeking assistance using the WS Decision Model. In some instances, wildlife-related information provided to the requestor by WS would result in tolerance/acceptance of the situation. In other instances, damage management options would be discussed and recommended. Only those methods legally available for use by the appropriate individual would be recommended or loaned by WS. Similar to Alternative 1, those methods described in Appendix B would be available to those persons experiencing damage or threats associated with mammals in the State except for immobilizing drugs, euthanasia chemicals, reproductive inhibitors, and shooting from aircraft. Immobilizing drugs and euthanasia chemicals would only be available to WS or appropriately licensed veterinarians. Under this alternative, the reproductive inhibitor available under the trade name of GonaCon™ would only be available for use by the AGFC or those persons under the supervision of the AGFC. At the time this EA was developed, GonaCon™ was not registered for use in the State.

The WS program in the State regularly provides technical assistance to individuals, organizations, and other federal, state, and local government agencies for managing mammal damage. Technical assistance would include collecting information about the species involved, the extent of the damage, and previous methods that the cooperator had attempted to resolve the problem. WS would then provide information on appropriate methods that the cooperator could consider to resolve the damage themselves. Types of

technical assistance projects may include a visit to the affected property, written communication, telephone conversations, or presentations to groups such as homeowner associations or civic leagues. Between FY 2008 and FY 2012, WS has conducted 286 technical assistance projects that involved mammal damage to agricultural resources, property, natural resources, and threats to human safety.

This alternative would place the immediate burden of operational damage management work on the resource owner, other governmental agencies, and/or private businesses. Those persons experiencing damage or were concerned with threats posed by mammals could seek assistance from other governmental agencies, private entities, or conduct damage management on their own. Those persons experiencing damage or threats could take action using those methods legally available to resolve or prevent mammal damage as permitted by federal, state, and local laws and regulations or those persons could take no action.

Alternative 3 – No Mammal Damage Management Conducted by WS

This alternative would preclude all activities by WS to reduce threats to human health and safety, and to alleviate damage to agricultural resources, property, and natural resources. WS would not be involved with any aspect of mammal damage management in the State. All requests for assistance received by WS to resolve damage caused by mammals would be referred to the AGFC, other governmental agencies, and/or private entities.

Despite no involvement by WS in resolving damage and threats associated with mammals in the State, those persons experiencing damage caused by mammals could continue to resolve damage by employing those methods legally available since the take of mammals to alleviate damage or threats can occur despite the lack of involvement by WS. The take of mammals by other entities could occur after authorization by the AGFC, when required, and during the hunting and/or trapping seasons. Beaver, coyote, muskrat, nutria, opossum, raccoon, striped skunk, squirrel, and nongame wildlife other than migratory birds, and endangered species that are causing damage to property may be lethally removed during daylight hours or trapped the entire year (AGFC 2013*a*). All methods described in Appendix B could be available for use by those persons experiencing damage or threats under this alternative except for the use of GonaCon™, immobilizing drugs, and euthanasia chemicals. GonaCon™ would not be used by WS under this alternative but would be available to the AGFC, if registered for use in the State. Immobilizing drugs and euthanasia chemicals can only be used by WS or appropriately licensed veterinarians. In addition, gas cartridges are currently not registered for use in the State.

Under this alternative, those persons experiencing damage or threats of damage could contact WS; however, WS would immediately refer the requester to the AGFC and/or to other entities. The requester could contact other entities for information and assistance with managing damage, could take actions to alleviate damage without contacting any entity, or could take no further action.

3.2 ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL WITH RATIONALE

In addition to those alternatives analyzed in detail, several additional alternatives were identified by WS and the AGFC. However, those alternatives will not receive detailed analyses for the reasons provided. Those alternatives considered but not analyzed in detail include:

Non-lethal Methods Implemented Before Lethal Methods

This alternative would require that non-lethal methods or techniques described in Appendix B be applied to all requests for assistance to reduce damage and threats to safety from mammals in the State. If the use of non-lethal methods fails to resolve the damage situation or reduce threats to human safety at each

damage situation, lethal methods would be employed to resolve the request. Non-lethal methods would be applied to every request for assistance regardless of severity or intensity of the damage or threat until deemed inadequate to resolve the request. This alternative would not prevent the use of lethal methods by other entities or by those persons experiencing mammal damage but would only prevent the use of those methods by WS until non-lethal methods had been employed.

Those persons experiencing damage often employ non-lethal methods to reduce damage or threats prior to contacting WS. Verification of the methods used would be the responsibility of WS. No standard exists to determine requester diligence in applying those methods, nor are there any standards to determine how many non-lethal applications are necessary before the initiation of lethal methods. Thus, only the presence or absence of non-lethal methods could be evaluated. The proposed action (Alternative 1) and the technical assistance only alternative (Alternative 2) would be similar to a non-lethal before lethal alternative because WS would use or recommend non-lethal methods before lethal methods (see WS Directive 2.101). Adding a non-lethal before lethal alternative and the associated analysis would not contribute additional information to the analyses in the EA.

Use of Non-lethal Methods Only by WS

Under this alternative, WS would be required to implement non-lethal methods only to resolve damage caused by mammals in the State. Only those methods discussed in Appendix B that were considered non-lethal would be employed by WS. No intentional lethal take of mammals would occur by WS. The use of lethal methods could continue to be used under this alternative by other entities or by those persons experiencing damage by mammals. The non-lethal methods used or recommended by WS under this alternative would be identical to those non-lethal methods identified in any of the alternatives.

In situations where non-lethal methods were impractical or ineffective to alleviate damages, WS could refer requests for information regarding lethal methods to the AGFC, local animal control agencies, or private businesses or organizations.

Property owners or managers could conduct management using any method that was legal. Property owners or managers might choose to implement WS' non-lethal recommendations, implement lethal methods, or request assistance from a private or public entity other than WS. Property owners/managers frustrated by the lack of WS' assistance with the full range of mammal damage management techniques may try methods not recommended by WS or use illegal methods (*e.g.*, poisons). In some cases, property owners or managers may misuse some methods or use some methods in excess of what was necessary, which could then become hazardous and pose threats to the safety of people and non-target species.

The proposed action, using an integrated damage management approach, incorporates the use of non-lethal methods when addressing requests for assistance. In those instances where non-lethal methods would effectively resolve damage from mammals those methods would be used or recommended under the proposed action. Since non-lethal methods would be available for use under the alternatives analyzed in detail, this alternative would not add to the analyses. Those mammals that could be lethally removed by WS under any of the alternatives could be removed by those persons experiencing damage or threats even if WS was not involved.

Use of Lethal Methods Only by WS

This alternative would require the use of lethal methods only to reduce threats and damage associated with mammals. Under WS Directive 2.101, WS must consider the use of non-lethal methods before lethal methods. Non-lethal methods have been effective in alleviating mammal damage. For example, the use of one-way exclusion devices can be effective at allowing bats to exit a structure but prevent re-

entry. Once bats have exited the structure, structural repairs could be completed to prevent re-entry of bats. In those situations where damage could be alleviated using non-lethal methods deemed effective, those methods would be employed or recommended as determined by the WS Decision Model. Therefore, this alternative was not considered in detail.

Live-capture and Translocate Mammals Only

Under this alternative, all requests for assistance would be addressed using live-capture methods or the recommendation of live-capture methods. Mammals would be live-captured using immobilizing drugs, live-traps, cannon nets, or rocket nets. All mammals live-captured through direct operational assistance by WS would be translocated. Translocation sites would be identified and have to be approved by the AGFC and/or the property owner where the translocated mammals would be placed prior to live-capture and translocation. Live-capture and translocation could be conducted as part of the alternatives analyzed in detail. However, the translocation of mammals could only occur under the authority of the AGFC. Therefore, the translocation of mammals by WS would only occur as directed by the AGFC. When requested by the AGFC, WS could translocate mammals or recommend translocation under any of the alternatives analyzed in detail, except under the no involvement by WS alternative (Alternative 3). However, other entities could translocate mammals under Alternative 3.

Generally, translocating mammals that have caused damage to other areas following live-capture would not be effective or cost-effective. Translocation is generally ineffective because problem mammal species are highly mobile and can easily return to damage sites from long distances, habitats in other areas are generally already occupied, and translocation would most likely result in mammal damage problems at the new location. In addition, hundreds of mammals would need to be captured and translocated to solve some damage problems (*e.g.*, deer confined within a perimeter fence); therefore, translocation would be unrealistic. Translocation of wildlife is also discouraged by WS policy (see WS Directive 2.501) because of the stress to the translocated animal, poor survival rates, threat of spreading diseases, and the difficulties that translocated wildlife have with adapting to new locations or habitats (Nielsen 1988). Since WS does not have the authority to translocate mammals in the State unless permitted by the AGFC, this alternative was not considered in detail.

Reducing Damage by Managing Mammal Populations through the Use of Reproductive Inhibitors

Under this alternative, the only method that would be available to resolve requests for assistance by WS would be the recommendation and the use of reproductive inhibitors to reduce or prevent reproduction in mammals responsible for causing damage. Reproductive inhibitors are often considered for use where wildlife populations are overabundant and where traditional hunting or lethal control programs are not publicly acceptable (Muller et al. 1997). Use and effectiveness of reproductive control as a wildlife population management tool is limited by population dynamic characteristics (*e.g.*, longevity, age at onset of reproduction, population size, and biological/cultural carrying capacity), habitat and environmental factors (*e.g.*, isolation of target population, cover types, and access to target individuals), socioeconomic, and other factors.

Reproductive control for wildlife could be accomplished through sterilization (permanent) or contraception (reversible). Sterilization could be accomplished through: 1) surgical sterilization (vasectomy, castration, and tubal ligation), 2) chemosterilization, and 3) through gene therapy. Contraception could be accomplished through: 1) hormone implantation (synthetic steroids such as progestins), 2) immunocontraception (contraceptive vaccines), and 3) oral contraception (progestin administered daily).

Population modeling indicates that reproductive control is more efficient than lethal control only for some rodent and small bird species with high reproductive rates and low survival rates (Dolbeer 1998). Additionally, the need to treat a sufficiently large number of target animals, multiple treatments, and population dynamics of free-ranging populations place considerable logistic and economic constraints on the adoption of reproduction control technologies as a wildlife management tool for some species.

Currently, chemical reproductive inhibitors are not available for use to manage most mammal populations. Given the costs associated with live-capturing and performing sterilization procedures on mammals and the lack of availability of chemical reproductive inhibitors for the management of most mammal populations, this alternative was not evaluated in detail. If a reproductive inhibitor becomes available to manage a large number of mammal populations and if an inhibitor has been proven effective in reducing localized mammal populations, the use of the inhibitor could be evaluated as a method available that could be used to managing damage. Currently, the only reproductive inhibitor that is registered with the EPA is GonaCon™, which is registered for use on white-tailed deer only. However, GonaCon™ was not registered for use in the State during the development of this EA. Reproductive inhibitors for the other mammal species addressed in this EA do not currently exist.

Compensation for Mammal Damage

The compensation alternative would require WS to establish a system to reimburse persons impacted by mammal damage and to seek funding for the program. Under such an alternative, WS would continue to provide technical assistance to those persons seeking assistance with managing damage. In addition, WS would conduct site visits to verify damage. Evaluation of this alternative indicates that a compensation only alternative has many drawbacks. Compensation would: 1) require large expenditures of money and labor to investigate and validate all damage claims, and to determine and administer appropriate compensation, 2) compensation most likely would be below full market value, 3) give little incentive to resource owners to limit damage through improved cultural or other practices and management strategies, and 4) 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 wherever a cooperative program was initiated in Arkansas. 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 was not considered in detail because state and federal agencies with interest in, or jurisdiction over, wildlife oppose eradication of any native wildlife species and 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 could decide to implement local population suppression using the WS' Decision Model. However, large-scale population suppression would not be realistic or practical to consider as the basis of the WS' program. Problems with the concept of suppression would be similar to those described above for eradication. Typically, WS' activities in Arkansas would be conducted on a very small portion of the sites or areas inhabited or frequented by problem species.

Bounties

Payment of funds (bounties) for killing some mammals suspected of causing economic losses have not been supported by state agencies, such as the AGFC, as well as most wildlife professionals for many years (Latham 1960, Hoagland 1993). WS concurs with those agencies and wildlife professionals

because of several inherent drawbacks and inadequacies in the payment of bounties. Bounties are often ineffective at controlling damage over a wide area, such as across the entire State. The circumstances surrounding the take of animals are typically arbitrary and completely unregulated because it is difficult or impossible to assure animals claimed for bounty were not taken from outside the area where damage was occurring. In addition, WS does not have the authority to establish a bounty program.

3.3 STANDARD OPERATING PROCEDURES FOR MAMMAL DAMAGE MANAGEMENT

SOPs improve the safety, selectivity, and efficacy of activities intended to resolve wildlife damage. The WS program in Arkansas uses many such SOPs. Those SOPs would be incorporated into activities conducted by WS under the appropriate alternatives when addressing mammal damage and threats in the State.

Some key SOPs pertinent to resolving mammal damage in the State include the following:

- The WS Decision Model, which is designed to identify effective strategies to managing wildlife damage and their potential impacts, would be consistently used and applied when addressing mammal damage.

- EPA-approved label directions would be followed for all pesticide use. The registration process for chemical pesticides is intended to assure minimal adverse effects occur to the environment when chemicals are used in accordance with label directions.

- Immobilizing and euthanasia drugs would be used according to the United States Drug Enforcement Agency, United State Food and Drug Administration, and WS' directives and procedures.

- All controlled substances would be registered with the United States Drug Enforcement Agency or the United State Food and Drug Administration.

- WS' employees would follow approved procedures outlined in the WS' Field Manual for the Operational Use of Immobilizing and Euthanizing Drugs (Johnson et al. 2001).

- WS' employees that use controlled substances would be trained to use each material and would be certified to use controlled substances.

- WS' employees who use pesticides and controlled substances would participate in State-approved continuing education to keep current of developments and maintain their certifications.

- Pesticide and controlled substance use, storage, and disposal would conform to label instructions and other applicable laws and regulations, and Executive Order 12898.

- Material Safety Data Sheets for pesticides and controlled substances would be provided to all WS' personnel involved with specific damage management activities.

- All personnel who use firearms would be trained according to WS' Directives.

- WS' employees participating in any aspect of aerial wildlife operations would be trained and/or certified in their role and responsibilities during the operations. All WS' personnel would follow the policies and directives set forth in WS' Directive 2.620; WS' Aviation Operations Manual;

WS' Aviation Safety Manual and its amendments; Title 14 CFR; and Federal Aviation Regulations (FAR), Part 43, 61, 91, 119, 133, 135, and 137.

- The use of non-lethal methods would be considered prior to the use of lethal methods when managing mammal damage.

- The take of mammals by WS under the proposed action alternative would only occur when authorized by the AGFC, when applicable, and only at levels authorized.

- Management actions would be directed toward localized populations, individuals, or groups of target species. Generalized population suppression across Arkansas, or even across major portions of Arkansas, would not be conducted.

- Non-target animals live-captured in traps would be released unless it was determined that the animal would not survive and/or that the animal could not be released safely.

3.4 ADDITIONAL STANDARD OPERATING PROCEDURES SPECIFIC TO THE ISSUES

Several additional SOPs are applicable to the alternatives and the issues identified in Chapter 2 including the following:

Issue 1 - Effects of Damage Management Activities on Target Mammal Populations

- Lethal take of mammals by WS would be reported and monitored by WS and the AGFC to evaluate population trends and the magnitude of WS' take of mammals in the State.

- WS would only target those individuals or groups of target species identified as causing damage or posing a threat to human safety.

- The WS' Decision Model, designed to identify the most appropriate damage management strategies and their impacts, would be used to determine strategies for resolving mammal damage.

- WS would monitor activities to ensure those activities do not adversely affect mammal populations in the State.

- Preference would be given to non-lethal methods when practical and effective.

Issue 2 - Effects on Non-target Wildlife Species Populations, Including T&E Species

- When conducting removal operations via shooting, identification of the target would occur prior to application.

- As appropriate, suppressed firearms would be used to minimize noise impacts.

- Personnel would use lures, trap placements, and capture devices that would be strategically placed at locations likely to capture a target animal and minimize the potential of non-target animal captures.

- Any non-target animals captured in cage traps, nets, or any other restraining device would be released whenever it is possible and safe to do so.

- Personnel would monitor live-capture methods and would check traps in accordance with Arkansas laws and regulations. This would help ensure non-target species were released in a timely manner or were prevented from being captured.

- Carcasses of mammals retrieved after damage management activities have been conducted would be disposed of in accordance with WS Directive 2.515.

- WS has consulted with the USFWS and the AGFC to evaluate activities to resolve mammal damage and threats to ensure the protection of T&E species.

- WS would monitor activities conducted under the selected alternative, if activities are determined to have no significant impact on the environment and an EIS is not required, to ensure those activities do not negatively impact non-target species.

Issue 3 - Effects of Damage Management Methods on Human Health and Safety

- Damage management activities would be conducted professionally and in the safest manner possible. Whenever possible, damage management activities would be conducted away from areas of high human activity. If this were not possible, then activities would be conducted during periods when human activity is low (*e.g.*, early morning).

- Shooting would be conducted during times when public activity and access to the control areas were restricted. Personnel involved in shooting operations would be fully trained in the proper and safe application of this method.

- All personnel employing chemical methods would be properly trained and certified in the use of those chemicals. All chemicals used by WS would be securely stored and properly monitored to ensure the safety of the public. WS' use of chemicals and training requirements to use those chemicals are outlined in WS Directive 2.401 and WS Directive 2.430.

- All chemical methods used by WS or recommended by WS would be registered with the EPA, the United States Drug Enforcement Agency, United State Food and Drug Administration and/or the Arkansas Agriculture Department, as appropriate.

- WS would adhere to all established withdrawal times for mammals when using immobilizing drugs for the capture of mammals that are agreed upon by WS, the AGFC, and veterinarian authorities. Although unlikely, in the event that WS was requested to immobilize mammals, during a time when harvest of those mammal species was occurring or during a time where the withdrawal period could overlap with the start of a harvest season, WS would euthanize the animal or mark the animal with a tag. Tags would be labeled with a "*do not eat*" warning and appropriate contact information.

- Carcasses of mammals retrieved after damage management activities would be disposed of in accordance with WS Directive 2.515.

Issue 4 - Effects on the Aesthetic Values of Mammals

- Management actions to reduce or prevent damage caused by mammals would be directed toward specific individuals identified as responsible for the damage, identified as posing a threat to human safety, or identified as posing a threat of damage.

- All methods or techniques applied to resolve damage or threats to human safety would be agreed upon by entering into a cooperative service agreement, MOU, or comparable document prior to the implementation of those methods.

- Preference would be given to non-lethal methods when practical and effective.

Issue 5 - Humaneness and Animal Welfare Concerns of Methods

- Personnel would be well trained in the latest and most humane devices/methods for removing target mammals causing damage.

- WS' personnel would check methods frequently to ensure mammals captured would be addressed in a timely manner to minimize the stress of being restrained.

- When deemed appropriate using the WS' Decision Model, WS' use of lethal methods would comply with WS' directives (WS Directive 2.505, WS Directive 2.430).

- The NWRC is continually conducting research to improve the selectivity and humaneness of wildlife damage management devices used by personnel in the field.

- The use of non-lethal methods would be considered prior to the use of lethal methods when managing mammal damage.

Issue 6 - Effects of Mammal Damage Management Activities on the Regulated Harvest of Mammals

- Management actions to reduce or prevent damage caused by mammals in the State would be directed toward specific individuals identified as responsible for the damage, identified as posing a threat to human safety, or identified as posing a threat of damage.

- WS' activities to manage damage and threats caused by mammals would be coordinated with the AGFC.

- WS' lethal take (killing) of mammals would be reported to and monitored by the AGFC to ensure WS' take has been considered as part of management objectives for those mammal species in the State.

- WS would monitor activities to ensure those activities do not adversely affect mammal populations in the State.

Issue 7 – Effects of Beaver Dam Manipulation on the Status of Wetlands in the State

- WS' personnel would remove beaver dams in accordance with federal and state laws and regulations for environmental protection. Beaver dam removal would be conducted to restore drainage or the stream channel for an area, or if an area has an established silvicultural or other

agricultural, commercial/industrial activity, and where such an area has not become an established wetland.

- Upon receiving a request to remove beaver dams, WS would visually inspect the dam and the associated water impoundment to determine if characteristics exist at the site that would meet the definition of a wetland under section 404 of the CWA (40 CFR 232.2; see Issue 7 in Section 2.2 of this EA). If wetland conditions were present at the site, the entities requesting assistance from WS would be notified that a permit might be required to remove the dam and to seek guidance from the Arkansas Department of Environmental Quality and the United States Army Corps of Engineers pursuant to Arkansas State Law and the CWA.

CHAPTER 4: ENVIRONMENTAL CONSEQUENCES

Chapter 4 provides information needed for making informed decisions when selecting the appropriate alternative to address the need for action described in Chapter 1 and the issues described in Chapter 2. This chapter analyzes the environmental consequences of each alternative as that alternative relates to the issues identified. The following resource values in the State are not expected to be significantly impacted by any of the alternatives analyzed: soils, geology, minerals, water quality/quantity, flood plains, wetlands, critical habitats (areas listed in T&E species recovery plans), visual resources, air quality, prime and unique farmlands, aquatic resources, timber, and range. Those resources will not be analyzed further.

The activities proposed in the alternatives would have a negligible effect on atmospheric conditions, including the global climate. Meaningful direct or indirect emissions of greenhouse gases would not occur because of any of the proposed alternatives. Those alternatives would meet the requirements of applicable laws, regulations, and Executive Orders, including the Clean Air Act and Executive Order 13514.

4.1 ENVIRONMENTAL CONSEQUENCES FOR ISSUES ANALYZED IN DETAIL

This section analyzes the environmental consequences of each alternative in comparison to determine the extent of actual or potential impacts on the issues. Therefore, the proposed action/no action alternative (Alternative 1) serves as the baseline for the analysis and the comparison of expected impacts among the alternatives. The analysis also takes into consideration mandates, directives, and the procedures of WS and the AGFC.

Issue 1 - Effects of Damage Management Activities on Target Mammal Populations

A common issue is whether damage management actions would adversely affect the populations of target mammal species, especially when lethal methods were employed. WS would maintain ongoing contact with the AGFC to ensure activities occurred within management objectives for those species. WS would submit annual activity reports to the AGFC. The AGFC would monitor the total take of mammals from all sources and would factor in survival rates from predation, disease, and other mortality data. Ongoing contact with the AGFC would assure local, state, and regional knowledge of wildlife population trends would be considered. As discussed previously, the analysis for magnitude of impact from lethal take can be determined either quantitatively or qualitatively. Quantitative determinations are based on population estimates, allowable harvest levels, and actual harvest data. Qualitative determinations are based on population trends and harvest trend data. Information on mammal populations and trends are often derived from several sources, including published literature and harvest data.

Methods available to address mammal damage or threats of damage in the State that would be available for use or recommendation under Alternative 1 (proposed action/no action alternative) and Alternative 2

(technical assistance only alternative) would either be lethal methods or non-lethal methods. Many of the methods would also be available to other entities under Alternative 3 (no involvement by WS alternative). The only methods that would not be available for use by other entities under Alternative 2 and Alternative 3 would be immobilizing drugs, euthanasia chemicals, and GonaCon™. Under Alternative 2, WS could recommend lethal and non-lethal methods as part of an integrated approach to resolving requests for assistance. Alternative 1 would address requests for assistance received by WS through technical and/or operational assistance where an integrated approach to methods would be employed and/or recommended. Non-lethal methods that would be available to WS under Alternative 1 would include, but would not be limited to, habitat behavior modification, pyrotechnics, visual deterrents, live traps, translocation, cable restraints, exclusionary devices, frightening devices, nets, immobilizing drugs, reproductive inhibitors, and chemical repellents (see Appendix B for a complete list and description of potential methods).

Non-lethal methods that would be available under all of the alternatives can disperse or otherwise make an area unattractive to mammals causing damage; thereby, reducing the presence of mammals at the site and potentially the immediate area around the site where non-lethal methods were employed. Non-lethal methods would be given priority by WS when addressing requests for assistance under Alternative 1 and Alternative 2 (see WS Directive 2.101). However, non-lethal methods would not necessarily be employed or recommended to resolve every request for assistance if deemed inappropriate by WS' personnel using the WS Decision Model. For example, if a cooperator requesting assistance had already used non-lethal methods, WS would not likely recommend or continue to employ those particular methods since their use had already been proven ineffective in adequately resolving the damage or threat.

Many non-lethal methods would be used to exclude, harass, and disperse target wildlife from areas where damage or threats were occurring. When effective, non-lethal methods would disperse mammals from the area resulting in a reduction in the presence of those mammals at the site where those methods were employed. However, mammals responsible for causing damage or threats would be dispersed to other areas with minimal impact on those species' populations. Non-lethal methods would not be employed over large geographical areas or applied at such intensity that essential resources (*e.g.*, food sources, habitat) would be unavailable for extended durations or over a wide geographical scope that long-term adverse effects would occur to a species' population. Non-lethal methods would generally be regarded as having minimal impacts on overall populations of wildlife since individuals of those species were unharmed. The use of non-lethal methods would not have adverse impacts on mammal populations in the State under any of the alternatives.

The continued use of many non-lethal methods can often lead to the habituation of mammals to those methods, which can decrease the effectiveness of those methods. For any management methods employed, the proper timing would be essential in effectively dispersing those mammals causing damage. Employing methods soon after damage begins or soon after threats were identified would increase the likelihood that those damage management activities would achieve success in addressing damage. Therefore, the coordination and timing of methods would be necessary to be effective in achieving expedient resolution of mammal damage.

In addition to non-lethal methods that would be used to disperse, exclude, or harass wildlife, another non-lethal method available under the alternatives would be the reproductive inhibitor commonly known as GonaCon™. The reproductive inhibitor GonaCon™ is currently not registered for use in Arkansas. However, the product is discussed in this assessment to evaluate the potential use of the chemical if it becomes registered for use in the future. GonaCon™ has been classified as a restricted-use pesticide by the EPA. Restricted-use pesticides can only be purchased and/or applied by those persons who have successfully completed an applicators course to use restricted-use pesticides. The Arkansas Agriculture Department administers training and testing required for applicators to purchase and apply restricted-use

pesticides in the State. GonaCon™ could be employed by WS and/or the AGFC, if registered for use in the State, under Alternative 1. Only the AGFC or their designated agents could use GonaCon™ if Alternative 2 or Alternative 3 were selected.

Lethal methods would also be available for use under all the alternatives by WS and/or by other entities. Lethal methods that would be available to address mammal damage include live-capture followed by euthanasia, shooting, body gripping traps, fumigants, cable restraints, and the recommendation of harvest during hunting and/or trapping, where appropriate. All of those methods would be available for use by WS or for recommendation by WS under Alternative 1. However, those fumigants discussed in Appendix B are not currently registered for use in the State. Lethal methods could be employed by WS under Alternative 1 to resolve damage only after receiving a request for the use of those methods. Those same methods would also be available for WS to recommend and for other entities to use under Alternative 2. Under Alternative 3, those same lethal methods would continue to be available for use by other entities despite the lack of involvement by WS in damage management activities.

When live-captured target animals were to be lethally taken under Alternative 1, take would occur pursuant to WS Directive 2.505 and WS Directive 2.430. Under alternative 2, WS would recommend the use of methods to lethally take live-captured or restrained target animals in accordance with WS Directive 2.505. No assistance would be provided by WS under Alternative 3; however, many of those methods available to lethally remove live-captured or restrained animals would continue to be available for use by other entities under Alternative 3.

The use of lethal methods by any entity could result in local population reductions in the area where damage or threats were occurring since target individuals would be removed from the population. Lethal methods could be employed or recommended to remove mammals that have been identified as causing damage or posing a threat to human safety. Therefore, the use of lethal methods could result in local reductions of mammals in the area where damage or threats were occurring. The number of mammals removed from the population annually by WS using lethal methods under Alternative 1 would be dependent on the number of requests for assistance received, the number of mammals involved with the associated damage or threat, and the efficacy of methods employed. The number of mammals removed by other entities under Alternative 2 and Alternative 3 would be unknown but would likely be similar to the take that could occur under Alternative 1.

Most lethal methods would be employed to reduce the number of mammals present at a location since a reduction in the number of mammals at a location could lead to a reduction in damage, which would be applicable whether using lethal or non-lethal methods. The intent of non-lethal methods would be to harass, exclude, or otherwise make an area unattractive to mammals, which disperses those mammals to other areas leading to a reduction in damage at the location where those mammals were dispersed. Similarly, the use of a reproductive inhibitor would be to reduce a local population of target mammals, which could reduce the damage occurring since fewer individuals in a localized population could lead to more tolerable damage levels. The intent of using lethal methods would be similar to the objective trying to be achieved when using non-lethal methods, which would be to reduce the number of mammals in the area where damage was occurring; thereby, reducing the damage occurring at that location.

The use of firearms could reduce the number of mammals using a location (similar to dispersing mammals) by lethally removing those target animals causing damage or posing a threat of damage. The capture of mammals using live-traps and subsequently euthanizing those mammals would be employed to reduce the number of mammals using a particular area where damage was occurring. Similarly, the recommendation that mammals be harvested during the regulated hunting and/or trapping season for those species in the State would be intended to manage those populations in the area where damage was occurring.

Often of concern with the use of lethal methods is that mammals that were lethally removed would only be replaced by other mammals either during the application of those methods (*e.g.*, mammals that relocate into the area) or by mammals the following year (*e.g.*, increase in reproduction and survivability that could result from less competition). As stated previously, WS would not use lethal methods during direct operational assistance as population management tools over broad areas. Lethal methods would be employed under Alternative 1 to reduce the number of target animals present at a location where damage was occurring by targeting those animals causing damage or posing threats. The return of mammals to areas where methods were previously employed does not indicate previous use of those methods were ineffective since the intent of those methods were to reduce the number of mammals present at a site where damage was occurring or could occur at the time those methods were employed.

The use of most lethal methods would be intended to reduce the number of mammals present at a location since a reduction in the number of mammals at a location could lead to a reduction in damage, which is applicable whether using lethal or non-lethal methods. The intent of non-lethal methods would be to harass, exclude, or otherwise make an area unattractive to mammals, which could disperse those mammals to other areas potentially leading to a reduction in damage at the location where those mammals were dispersed. The intent of using lethal methods would be similar to the objective trying to be achieved when using non-lethal methods, which would be to reduce the number of mammals in the area where damage was occurring leading to a reduction in the damage occurring at that location.

Most lethal and non-lethal methods currently available provide only short-term benefits when addressing mammal damage. Those methods would be employed to reduce damage occurring at the time those methods were employed but do not necessarily ensure mammals would not return once those methods were discontinued or after the reproductive season (when young disperse and occupy vacant areas). Long-term solutions to resolving mammal damage can often be difficult to implement and can be costly. In some cases, long-term solutions involve exclusionary devices, such as fencing, or other practices such as structural repairs. When addressing mammal damage, long-term solutions generally involve modifying existing habitat or making conditions to be less attractive to mammals. To ensure complete success, alternative sites in areas where damage was not likely to occur would often times be required to achieve complete success in reducing damage and to avoid moving the problem from one area to another. Modifying a site to be less attractive to mammals would likely result in the dispersal of those mammals to other areas where damage could occur or could result in multiple occurrences of damage situations.

WS may recommend under Alternative 1 and Alternative 2 that property owners or managers, that request assistance, allow mammals to be harvested during the regulated hunting and/or trapping season for those species in an attempt to reduce the number of mammals causing damage on their properties. Managing localized mammal populations by allowing hunting and/or trapping could lead to a decrease in the number of mammals causing damage. Establishing hunting and trapping seasons and the allowed harvest during those seasons is the responsibility of the AGFC. WS does not have the authority to establish hunting or trapping seasons or to set allowed harvest numbers during those seasons. However, the harvest of those mammals during hunting and/or trapping seasons in the State would be occurring in addition to any take that could occur by WS under the alternatives or recommended by WS. In addition, mammals could also be lethally removed by other entities to alleviate damage or threats of damage under all the alternatives. The total number of individuals from each species that were lethally removed by other entities to alleviate damage or threats of damage is currently not available.

The issue of the potential impacts of conducting the alternatives on the populations of those mammal species addressed in this assessment is analyzed for each alternative below.

Alternative 1 - Continue the Current Adaptive Integrated Approach to Managing Mammal Damage (Proposed Action/No Action)

Under the proposed action, WS would continue to provide both technical assistance and direct operational assistance to those persons requesting assistance with managing damage and threats associated with mammals in the State. WS could employ those methods described in Appendix B in an adaptive approach that would integrate methods to reduce damage and threats associated with mammals in the State.

The analysis of potential impacts on each of the species populations includes an estimate of annual take by WS as compared to statewide population estimates of the species. The statewide population has been estimated using the most current reliable information possible. Frequently, there is no current reliable information available for a species and conservative estimates are calculated based upon habitat availability and species use of those habitats.

As discussed previously, the analysis to determine the magnitude of impact from lethal removal can be determined either quantitatively or qualitatively. Quantitative determinations are based on population estimates, allowable harvest levels, and actual harvest data. Qualitative determinations are based on population trends and harvest trend data. WS' take that could occur to alleviate damage or threats of damage under the proposed action would be monitored by comparing numbers of animals killed with overall populations or trends in populations to assure the magnitude of take was maintained below the level that would cause undesired adverse effects to the viability of native species' populations. The potential impacts on the populations of target mammal species from the implementation of the proposed action are analyzed for each species below.

NINE-BANDED ARMADILLO POPULATION INFORMATION AND EFFECTS ANALYSIS

The nine-banded armadillo is easily recognized due to its unique appearance. An opossum sized animal, the armadillo has a "*shell*", which is composed of ossified dermal plates covered by a leathery epidermis (Whitaker, Jr. and Hamilton, Jr. 1998). The armadillo is the only North American mammal that has heavy bony plates (National Audubon Society 2000). Female armadillos produce one litter of young per year, which are identical quadruplets (National Audubon Society 2000).

Originally thought to occur in Central and South America, including Mexico, the nine-banded armadillo has undergone a northward and eastward expansion into the United States since the late-1800s, likely through natural dispersal from Mexico and release of captive armadillos (Layne 2003). Today, the armadillo can be found across the southern portion of the United States with additional dispersal northward and eastward in the United States likely in the future (Layne 2003). Range expansion is likely only limited by the reduced food availability and the colder temperatures experienced during the winter months.

Armadillos do not tolerate extended periods of cold weather, which may limit their expansion northward. Armadillos do not hibernate and must feed every couple of days during winter months since they do not store food nor accumulate efficient amounts of body fat to survive through the winter. The presence of snow or frozen soils limits the availability of food sources, primarily the availability of insects, during winter months. The lack of food available often causes armadillos to starve during winter months.

Armadillos occupy and exploit a variety of natural and human-modified terrestrial habitats in the United States and across their range, including those armadillos found Arkansas. Layne (2003) summarizes the natural habitat types occupied by armadillos throughout their range as "*...pine-oak woodlands, oak-elm woodlands, pine forests, mixed pine-hardwood forests, bottomland forests, riparian woodlands, mesic*

hardwood forests, scrub, chaparral-mixed grass, inland and coastal prairies, salt marsh, coastal dunes, and coastal strand." Layne (2003) described human-modified habitats where armadillos could be found as "*...pastures, parkland, cemeteries, golf courses, citrus groves, pine plantations, plant nurseries, cut-over pineland, and various croplands*." The ability of armadillos to exploit a wide variety of habitat types is likely one of the main components facilitating the range expansion of the armadillo into and across the United States (Layne 2003). Habitat suitability is likely more of a function of soil substrate rather than vegetative type due to the foraging and digging behavior of armadillos (Layne 2003).

Armadillos are opportunistic feeders and will often forage by digging and probing the soil, leaf litter, and decaying wood for invertebrates, primarily insects. One study found at least 488 different food items in the stomachs of 281 armadillo with insects and other invertebrates comprising 92% of the stomach contents (Kalmbach 1943). Armadillos are also known to forage on plant material and small vertebrates with food preferences often driven by the availability of food sources (Layne 2003).

The other limiting factor in armadillo expansion and for maintaining populations is the presence of sandy or clay soils. Armadillos are prolific diggers and damages attributed to armadillos are often associated with their digging behavior. Armadillos will dig out shelters and dig while rooting out invertebrates in the soil and leaf litter. This digging and rooting behavior are the most common complaints from resource owners in Arkansas. Damage to landscaping is the most common resource being damaged by armadillos in Arkansas. Sandy soils are conducive to digging and armadillos can be found in those areas in Arkansas where sandy soils are present.

Population estimates for armadillos in the United States range from 30 to 50 million armadillos (Gilbert 1995). In Arkansas, winter temperatures are relatively sufficient to maintain armadillo populations. The first record of an armadillo in Arkansas occurred in 1921 (AGFC 2013*b*). Today, armadillos can be found throughout the year statewide in suitable habitat (Layne 2003, AGFC 2013*b*). Periods of extreme cold or prolonged periods of cold temperatures may temporarily reduce local populations, primarily in the northern portion of the State. However, population estimates in Arkansas are not currently available. Therefore, a population estimate will be derived based on the best available information for armadillos to provide an indication of the magnitude of take proposed by WS to alleviate damage and threats of damage.

Population densities for armadillos are reported to range from 0.004 to 1.4 armadillos per acre with an average of 0.25 armadillos per acre (Mengak 2005). The land area of Arkansas has been estimated at 52,035 mi^2 (United States Census Bureau 2010), which is approximately 33,302,400 acres. Using a population density estimated at 0.004 to 1.4 armadillos per acre, the statewide population could range from approximately 133,200 armadillos to approximately 46.6 million armadillos. With an average of 0.25 armadillos per acre, the statewide population could be estimated at 8.3 million armadillos. As stated previously, the actual number of armadillos in the State is currently unknown. Under a worst-case scenario, if armadillos occupied only 50% of the land area of Arkansas, the lowest population could be estimated at 66,600 armadillos. Armadillos can be found in a variety of habitats, including urban areas, throughout the State; therefore, armadillos likely occupy more than 50% of the land area in the State. However, armadillos occupying only 50% of the land area would provide a likely minimum population estimate, which could be used to determine the magnitude of the proposed take by WS.

In anticipation of efforts to assist with managing damage caused by armadillos, WS could lethally remove up to 100 armadillos annually in the State as part of efforts to alleviate and prevent damage. Given the range of population estimates in the State, the take of 100 armadillos by WS annually would represent less than 0.1% of the statewide population based on a population estimated at 133,200 armadillos if the overall population remains at least stable. If the statewide population were 66,600 armadillos statewide, take of up to 100 armadillos would represent 0.2% of the estimated population. Armadillos are an

unregulated species in Arkansas and can be lethally removed at any time. However, the number of armadillos removed annually by other entities is unknown. The cumulative take of armadillo, including the proposed lethal removal of up to 100 armadillos annually by WS, would likely be of low magnitude when compared to the actual statewide population of armadillos.

VIRGINIA OPOSSUM POPULATION INFORMATION AND EFFECTS ANALYSIS

Opossums are the only marsupials (*i.e*., possess a pouch in which young are reared) found north of Mexico (Seidensticker et al. 1987). They frequent most of the eastern and central United States, except Minnesota, northern Michigan, and New England, extending west to Wyoming, Colorado, and central New Mexico (National Audubon Society 2000). Opossums are also found in parts of the southwestern United States, California, Oregon, and Washington (Jackson 1994*a*). It has been documented that human activities have aided in the range expansion of opossum (Gardner 1982). Adults range in size from less than 1 kg (2.2 lbs) to about 6 kg (13 lbs), depending on sex and time of year. They grow throughout life (Seidensticker et al. 1987). Opossum have a broad range of pelage colors, but they are usually considered as "*gray*" or "*black*" phase. Their fur is grizzled white above; long white hairs cover black tipped fur below. They climb well and feed on a variety of foods, including carrion, which forms much of its diet. In addition, opossums eat insects, frogs, birds, snakes, small mammals, earthworms, and berries and other fruits; persimmons, apples, and corn are favorite foods (National Audubon Society 2000). They use a home range of 4 to 20 hectares (10 to 50 acres), foraging throughout this area frequently (Jackson 1994*a*), but concentrating on a few sites where fruits abound, when they are in season (Seidensticker et al. 1987).

The reproductive season of the Virginia opossum typically occurs from December to February, depending on latitude (Gardner 1982). Gestation is short (average of 12.8 days) with 1 to 17 young born in an embryonic state that climb up the mothers belly to the marsupium (pouch), attach to teats, and begin to suckle (Gardner 1982, National Audubon Society 2000). Those young remain in the pouch for about two months. After two months, the young begin to explore outside the pouch and may be found traveling on their mother's back with their tails grasping hers (Whitaker, Jr. and Hamilton, Jr. 1998). Opossums live for only one to two years, with as few as 8% of a population of those animals surviving into the second year in a study in Virginia conducted by Seidensticker et al. (1987). In that five-year study, Seidensticker et al. (1987) also observed a wide variation in opossum numbers, in what was considered excellent habitat for the species. Those variations were observed seasonally and in different years. However, the mean density during the study was 10.1 opossum per square mile with a range of 1.3 opossum per square mile to 20.2 opossum per square mile (Seidensticker et al. 1987). This was comparable to other opossum population densities in similar habitats in Virginia. Verts (1963) found a density estimate of 10.1 opossum per square mile in farmland areas in Illinois while Wiseman and Hendrickson (1950) found a density of 6.0 opossum per square mile in mixed pasture and woodlands in Iowa. However, VanDruff (1971) found opossum densities in waterfowl nesting habitat as high as 259 opossum per square mile.

Opossum are common throughout Arkansas in appropriate habitat. Population estimates for opossum in the State are not available. Therefore, a population estimate will be derived based on the best available information for opossum to provide an indication of the magnitude of take proposed by WS to alleviate damage and threats of damage. As stated previously, the land area of Arkansas covers 52,035 mi^2. If opossum were only found on 50% of the land area using a mean density of 10.1 opossum per square mile found by Seidensticker et al. (1987) in Virginia, the population would be estimated at nearly 262,800 opossum. Using the range of opossum found by Seidensticker et al. (1987) estimated at 1.3 opossum per square mile to 20.2 opossum per square mile and only 50% of the land area of the State being occupied by opossum, the statewide population would range from a low of 33,800 opossum to a high of nearly 525,600 opossum. Opossums can be found in a variety of habitats, including urban areas, so opossums occupying only 50% of the land area of the State would be unlikely since opossums can be found almost

statewide. However, opossum occupying only 50% of the land area would provide a likely minimum population estimate, which could be used to determine the magnitude of the proposed take by WS.

Opossums are considered a furbearer in the State and can be harvested during annual hunting and trapping seasons (AGFC 2013*a*). During the development of the EA, opossums could be harvested during hunting and trapping season with no limit on the number that could be taken during the length of those seasons. In addition, opossums can be lethally taken in Arkansas when causing damage or posing a threat of damage (AGFC 2013*a*).

During the 2009-2010 harvest season, 548 opossum pelts were sold at fur auctions in the State (AGFC 2010), which compares to 938 opossum pelts sold at auctions during the 2008-2009 harvest season (AGFC 2009). Pelt transactions only reflect the number of opossum pelts sold in the State. Not all of the pelts of opossum harvested during the hunting and/or trapping season are likely sold. Therefore, pelt transaction data would be considered a minimum harvest estimate. The current number of opossum harvested during the annual hunting season and for damage management purposes is unknown within the State. In addition, the number of opossum lethally removed to alleviate damage annually is unknown.

In anticipation of efforts to address damage or threats of damage caused by opossum, WS could lethally remove up to 100 opossum annually in the State as part of efforts to reduce damage and threats of damage. Given the range of population estimates in the State, the take of 100 opossum by WS annually would represent from 0.02% to 0.3% of the estimated statewide population if the overall population remains at least stable. If WS had lethally removed 100 opossum during the 2008-2009 hunting season, the cumulative take would have represented 3.1% of a statewide population estimated at 33,800 opossum. Since the statewide population of opossum is likely higher than 33,800 opossum, the cumulative take of opossum would likely represent a smaller percentage of the actual population.

The AGFC allows an unlimited number of opossum to be harvested during the annual hunting and trapping season in the State, which provides an indication the population of opossum is not likely to decline from overharvest. Although the number of opossum lethally removed in the State during the annual harvest seasons and for damage management is unknown, the cumulative take of opossum, including the proposed take of up to 100 opossum annually by WS, would be of a low magnitude when compared to the actual statewide opossum population.

RACCOON POPULATION INFORMATION AND EFFECTS ANALYSIS

The raccoon is a stocky mammal about 61 to 91 cm (two to three feet) long, weighing 4.5 to 13.5 kg (10 to 30 lbs). It is distinctly marked, with a prominent black mask over the eyes and a heavily furred, ringed tail. The animal is a grizzled salt-and-pepper gray and black above, although some individuals are strongly washed with yellow (Boggess 1994).

Raccoons will eat carrion, garbage, birds, mammals, insects, crayfish, mussels, other invertebrates, and a wide variety of grains, various fruits, other plant materials and most foods prepared for human or animal consumption (Sanderson 1987). They will occasionally kill poultry (Boggess 1994).

The raccoon is found throughout most of the United States, with the exception of the higher elevations of mountainous regions and some areas of the arid southwest (Boggess 1994, National Audubon Society 2000). Raccoons are more common in the wooded eastern portions of the United States than in the more arid western plains (Boggess 1994), and are frequently found in cities or suburbs as well as rural areas (National Audubon Society 2000). Movements and home ranges of raccoons vary according to sex, age, habitat, food sources, season, and other factors. In general, males have larger home ranges than females.

Home range diameters of raccoons have been reported as being 1 to 3 km (0.6 to 2.9 mi) maximum, with some home range diameters of dense suburban populations to be 0.3 to 0.7 km (0.2 to 0.4 mi).

In Arkansas, raccoons cause damage to gardens, residential and non-residential buildings, fish, domestic fowl, and pets, as well as general property damage. Results of their feeding may be the total loss of ripened sweet corn in a garden. Damage to buildings generally occurs when they seek to gain entry or begin denning in those structures. Raccoons may den in uncapped chimneys, or may tear off shingles or fascia boards to gain access to attics or wall spaces. They may also damage or destroy sod by rolling it up in search of earthworms and other invertebrates (Boggess 1994).

The public are also concerned about health and safety issues associated with raccoons. Those diseases include, but are not limited to, canine distemper and rabies, and the roundworm *Baylisascaris procyonis*, the eggs of which survive for extremely long periods in raccoon feces and soil contaminated by them. Ingestion of those eggs can result in serious or fatal infections in other animals as well as humans (see Table 1.3; Davidson 2006).

Absolute raccoon population densities can be difficult or impossible to determine because of the difficulty in knowing what percentage of the population had been counted or estimated along with knowing how large an area the raccoons were using (Sanderson 1987). Due to their adaptability, raccoon densities reach higher levels in urban areas than that of rural areas. Relative raccoon population densities have been variously inferred by take of animals per unit area. For instance, Twichell and Dill (1949) reported removing 100 raccoons from tree dens in a 41 ha (101 acres) waterfowl refuge area, while Yeager and Rennels (1943) studied raccoons on 881 ha (2,177 acres) in Illinois and reported trapping 35-40 raccoons in 1938-39, 170 in 1939-1940, and 60 in 1940-1941. Slate (1980) estimated one raccoon per 7.8 ha (19.3 acres) in New Jersey in predominantly agricultural land on the inner coastal plain. Raccoon densities of 100 per sq. mile (1 raccoon per 6.4 acres) have been attained around abundant food sources (Kern 2002). Riley et al. (1998) summarized rural raccoon densities based on published literature that ranged from 2 to 650 per square mile in rural habitats with an average of 10 to 80 raccoons per square mile.

Raccoons can be found throughout the State and thrive in a variety of habitats including rural, suburban, and urban areas. However, the statewide population of raccoons is currently unknown. Using the summarized density ranges for raccoons in rural areas provided by Riley et al. (1998) and the assumption that raccoons only inhabit 50% of the land areas of Arkansas, a statewide population could be estimated to range from a low of nearly 52,035 raccoons to a high of nearly 17 million raccoons. Using the average number of raccoons per square mile of 10 to 80 raccoons, the statewide population could be estimated at 260,200 to 2.1 million raccoons if raccoons only occupied 50% of the available land area of the State. Similar to estimates derived for the other mammal species in this EA, estimating that raccoons inhabit only 50% of the land area of the State is intended to determine a minimum population estimate to compare the potential range of WS' proposed take of raccoons and to determine the magnitude of WS' proposed take.

Raccoons are classified as furbearers in Arkansas with regulated annual hunting and trapping seasons with unlimited take allowed during the length of those seasons, although daily limits may apply during the annual hunting seasons. During the 2008-2009 harvest season, 7,182 raccoon pelts were purchased in Arkansas (AGFC 2009), which compares to 5,389 raccoon pelts sold in the State during the 2009-2010 harvest season (AGFC 2010). As addressed previously, pelt transactions only reflect the number of pelts sold in the State. Not all of the pelts harvested during the hunting and/or trapping season are likely sold. Therefore, pelt transaction data would be considered a minimum harvest estimate. In addition, raccoons can be lethally removed at any time to alleviate damage occurring to property. However, the number of raccoons lethally removed annually to alleviate damage is currently unknown.

In anticipation of efforts by WS to address damage or threats associated with raccoons, up to 150 raccoons could be lethally removed by WS annually under all damage management activities, including unintentional lethal removal during other activities. Using a population estimated at 52,035 raccoons, the lethal removal of up to 150 raccoons by WS would represent less than 0.3% of the estimated population. If WS' estimated annual take were combined with the 7,182 pelts sold during the 2008-2009 harvest season, the cumulative lethal removal of raccoons would represent 14.1% of a statewide population estimated at 52,035 raccoons. However, the statewide population is likely to be higher than 52,035 raccoons; therefore, cumulative take is likely to represent a smaller percentage of the actual population.

The unlimited harvest levels allowed by the AGFC during the length of the harvest seasons provides an indication that cumulative take, including take for damage management, would not reach a level where overharvest of the raccoon population would occur resulting in an undesired population decline. The AGFC has regulatory authority over the management of wildlife within the State, including raccoons, and all take by WS has occurred and would continue to occur only after being authorized by the AGFC and only at the levels authorized.

RIVER OTTER POPULATION INFORMATION AND EFFECTS ANALYSIS

Historically, river otters inhabited aquatic ecosystems throughout much of North America, excluding the frozen Arctic and arid Southwest (Hall and Kelson 1959). Information on historic numbers and distribution is limited. As its broad geographic distribution suggests, the river otter is able to adapt to diverse aquatic habitats. Otters are found in both marine and freshwater environments, ranging from coastal to high mountainous habitat. Riparian vegetation adjacent to lakes, streams, and other wetland areas is a key component of otter habitat.

Human encroachment, habitat destruction, and overharvest have eliminated river otters from marginal portions of their range. However, present distribution spans the North American continent from east to west and extends from southern Florida to northern Alaska (Melquist and Dronkert 1987). River otters remained relatively abundant in Arkansas despite declines in other parts of the country. River otter are known to occur throughout Arkansas where habitat exists. However, the number of otters present in the State is currently unknown. Densities of river otter in linear waterways have been reported ranging from one otter per 0.7 miles in southeast Alaska (Woolington 1984) to one otter per 10.6 miles (Reid 1984) in northeastern Alberta. Melquist and Dronkert (1987) summarized studies estimating river otter densities, which showed that densities were about 1 per 175 to 262 acres in Texas coastal marshes, and ranged from 1 per 1.8 miles to 1 per 3.6 miles of waterway (stream or river). The results of a Missouri study found 1 otter per 2.5 to 5.0 miles of linear waterways (Erickson et al. 1984). The density of otters in Arkansas is currently unknown; therefore, a population estimate was calculated using the available density information for river otters to provide an indication of the potential magnitude of take that could occur by WS.

There are approximately 2.8 million acres of wetlands in Arkansas (Arkansas Multi-agency Wetland Planning Team 2013) along with 87,617 miles of rivers and streams in the State; however, only 28,408 miles are considered perennial stream miles (Arkansas Department of Environmental Quality 2008). Using the lowest otter density per linear measure derived from other studies of one otter per 3.6 stream mile and using the assumption that all perennial stream miles in Arkansas are suitable otter habitat and occupied by otter, the number of otter inhabiting rivers and streams could be estimated at 7,900 otter. Using the results of the density study conducted in Missouri (Erickson et al. 1984), the number of otter found in perennial rivers and streams within the State could be estimated to range from 5,700 to 11,400 otters. Estimates do not include those otters that may inhabit wetland habitats within the State.

River otters are classified as furbearers in Arkansas with regulated annual hunting and trapping seasons with unlimited take allowed during the length of those seasons, although daily limits may apply during the annual hunting seasons. During the 2008-2009 harvest season, 870 otter pelts were purchased in Arkansas (AGFC 2009), which compares to 1,136 pelts sold in the State during the 2009-2010 harvest season (AGFC 2010). As addressed previously, pelt transactions only reflect the number of pelts sold in the State. Not all of the pelts harvested during the hunting and/or trapping season are likely sold. Therefore, pelt transaction data would be considered a minimum harvest estimate.

In anticipation of efforts by WS to address damage or threats associated with otter, up to 50 otter could be lethally removed by WS annually under all damage management activities, including unintentional lethal removal during other activities. Using a population estimated at 5,700 otter, the lethal removal of up to 50 otters by WS would represent less than 0.9% of the lowest population estimate. If WS' estimated annual removal were combined with the 1,136 pelts sold during the 2009-2010 harvest season, the cumulative lethal removal of otters would represent 20.8% of a statewide population estimated at 5,700 otters. However, the statewide population is likely to be higher than 5,700 otters; therefore, cumulative take is likely to represent a smaller percentage of the actual population.

As with many of the mammal species addressed in this document, the unlimited harvest allowed by the AGFC provides an indication that harvest during the regulated harvest seasons and lethal removal for damage management, is not likely to reach a level where overharvest would occur. Otter maintain sufficient densities in the State to allow annual harvesting, which is regulated by the AGFC, including lethal removal that occurs during damage management activities.

STRIPED SKUNK POPULATION INFORMATION AND EFFECTS ANALYSIS

Although easily recognized by their black and white fur, the striped skunk may be most readily recognized by the odiferous smell of their musk. Skunks are common throughout the United States and Canada (Rosatte 1987). Striped skunks are primarily nocturnal and do not have a true hibernation period, although during extremely cold weather skunks may become temporarily dormant. The striped skunk is an omnivore, feeding heavily on insects such as grasshoppers, crickets, beetles, bees, and wasp (Chapman and Feldhamer 2003). The diet of striped skunks also includes small mammals, the eggs of ground-nesting birds, and amphibians. Striped skunks are typically not aggressive and attempt to flee when approached by humans (Rosatte 1987). However, when provoked, skunks will give a warning and assume a defensive posture prior to discharging their foul-smelling musk. This musk is comprised of sulfur-alcohol compounds known as butylmercaptan (Chapman and Feldhamer 2003).

Adult skunks begin breeding in late February. Yearling females (born in the preceding year) mate in late March. Gestation usually lasts about seven to 10 weeks. Litters commonly consist of five to nine young with two litters per year possible (Hall and Kelson 1959). The home range of striped skunks is usually not consistent. Home ranges appear to be reliant upon life history requirements such as winter denning, feeding activities, dispersal, and parturition (Rosatte 1987). According to Chamberlain and Leopold (2001), very little information regarding striped skunk densities in the southeast exists and those densities are based on harvest numbers and trapper/hunter observations. During the breeding season, males may travel larger areas in search of females. Skunk densities vary widely according to season, food sources, and geographic area. Densities have been reported to range from one skunk per 77 acres to one per 10 acres (Rosatte 1987).

Population estimates for striped skunks in Arkansas are currently not available. Striped skunks can be found in a variety of habitats across the State. If skunks only inhabit 50% of the land area of the State and densities occur at one skunk per 77 acres, the statewide population could be estimated at 216,300 skunks

based on the land area of the State. Similar to other furbearing species, skunks can be found throughout the State and the estimate is intended to evaluate the magnitude of take proposed under this alternative.

Skunks are considered a furbearer in the State and can be harvested during annual hunting and trapping seasons. During the length of those harvest seasons, the AGFC places no restrictions on the number of striped skunks that can be harvested daily or possessed during the length of the season (AGFC 2013*a*). In addition, striped skunks are considered a "*nuisance animal*" by the AGFC, which allows residents to remove skunks causing damage to property without the need for a permit.

During the 2008-2009 harvest season, 23 striped skunk pelts were purchased within the State (AGFC 2009), which compares to 19 pelts sold during the 2009-2010 harvest season (AGFC 2010). As with other furbearers harvested in the State, pelt transaction data likely represents a minimum harvest estimate. The number of skunks removed annually to alleviate damage is currently unknown and is not tracked by the AGFC.

In anticipation of efforts to manage damage caused by skunks, up to 50 skunks could be lethally removed by WS annually, which would include skunks that were lethally removed unintentionally during other damage management activities. The lethal removal of up to 50 skunks annually by WS would represent 0.02% of a statewide population estimated at 216,300 skunks. If WS had lethally removed 50 skunks during the 2008-2009 harvest season, the cumulative take of 73 skunks would represent 0.03% of a statewide population estimated at 216,300 skunks.

The AGFC allows an unlimited number of skunks to be harvested during the annual hunting and trapping season in the State, which provides an indication the population of striped skunks is not likely to decline from overharvest. Although the number of skunks lethally removed in the State during the annual harvest seasons and for damage management is unknown, the cumulative take of skunks, including the proposed take of up to 50 skunks annually by WS, would be of a low magnitude when compared to the actual statewide skunk population.

COYOTE POPULATION INFORMATION AND EFFECTS ANALYSIS

Coyotes are a familiar mammal to most people. Their coloration is blended, primarily gray mixed with a reddish tint. The belly and throat are a paler color than the rest of the body (Beckoff 1982). Coyotes have long, rusty or yellowish legs with dark vertical lines on the lower foreleg. Color varies greatly, ranging from nearly black to red or nearly white in some individuals and local populations. Most have dark or black guard hairs over their back and tail (Green et al. 1994). Coyotes sometimes breed with domestic dogs producing hybrids called "*coydogs*" (National Audubon Society 2000). The size of coyotes varies from about 20 to 40 lbs (9 to 18 kg) (Voigt and Berg 1987).

Coyotes range throughout the United States with the highest densities occurring on the Plains and in the south-central United States, including Texas. The distribution of coyotes in eastern North America began to expand beginning around 1900 to 1920. Now, all eastern states and Canadian provinces have at least a small population of coyotes (Voigt and Berg 1987).

Coyotes often include many items in their diet. Rabbits are one of the most common prey items. Other items in the coyote's diet include carrion, rodents, deer (usually fawns), insects (such as grasshoppers), as well as livestock and poultry. Coyotes readily eat fruits such as watermelons, berries, persimmons and other vegetative matter when it is available. In some areas, coyotes feed on human refuse at dumpsites and take small domestic pets such as cats and dogs (Voigt and Berg 1987).

Coyotes breed between January and March and are able to breed prior to reaching one year of age (Kennely and Johns 1976), but the percentage of yearlings having litters varies from 0 to 80% in different populations (Gier 1968). This variation is influenced by a number of factors, such as large annual variations in total number of coyotes breeding. In a study in Texas, the percentage of females having litters varied from 48% to 81% (Knowlton 1972). Pups are born after a gestation period of 60 to 63 days, with litter sizes varying primarily with prey availability. Gier (1968) reported average litter sizes of 4.8 to 5.1 in years with low rodent numbers, but litters of 5.8 to 6.2 during years with high rodent numbers. Litter sizes of 1 to 19 pups have been reported (National Audubon Society 2000).

Many references indicate that coyotes were originally found in relatively open habitats, particularly grasslands and sparsely wooded areas of the western United States. Today, coyotes have adapted to and now exist in virtually every type of habitat, arctic to tropic, in North America. Coyotes live in deserts, swamps, tundra, grasslands, brush, dense forests, from below sea level to high mountain ranges, and at all intermediate altitudes. High densities of coyotes also appear in the suburbs of major cities (Green and Gipson 1994).

The coyote is probably the most extensively studied carnivore (Bekoff 1982), and considerable research has been conducted on population dynamics. Coyote densities as high as two per km^2 (5 per mi^2) have been reported in the southwestern and west-central United States, but are lower in other portions of the country, including eastern North America; although, few studies have accurately determined densities (Voigt and Berg 1987). Although coyote densities vary based on local habitat quality, Knowlton (1972) published that density estimates of 0.5 to 1.0 coyotes per mi^2 would likely be applicable to coyote densities across much of their range. However, methods for estimating carnivore populations are crude and often produce estimates with broad confidence intervals (Crawford et al. 1993).

Actual population estimates for coyotes in Arkansas are not available. Coyotes are common throughout the State and inhabit a variety of habitats. Because determinations of absolute coyote densities are frequently unknown (Knowlton 1972), many researchers have estimated coyote populations using various methods (Clark 1972, Knowlton 1972, Camenzind 1978, United States Department of Interior 1979, Pyrah 1984). The cost to determine absolute coyote densities accurately over large areas is prohibitive (Connolly 1992) and determining absolute coyote densities would not appear to be warranted given the coyote's overall relative abundance. The presence of unusual food concentrations and the assistance provided to a breeding pair by non-breeding coyotes at the den can influence coyote densities and complicate efforts to estimate abundance (Danner and Smith 1980). Coyote densities are lowest in late winter prior to whelping, highest immediately after whelping, followed by a continued decline to the next whelping season (Parker 1995).

Predator abundance indices suggest that densities of coyotes in North America increase from north to south (Knowlton and Stoddart 1985, Parker 1995). Coyote densities range from 0.2 per square mile when populations are low (pre-whelping) to 3.6 coyotes per square mile when populations are high (post-whelping) (Knowlton 1972, United States Department of Interior 1979). Although coyote densities vary considerably between habitat types and vary based on numerous environmental variables, Knowlton (1972) concluded that coyote densities might approach a high of five to six coyotes per square mile under extremely favorable conditions with densities of 0.5 to 1.0 per square mile possible over the entire range of the coyote in the United States. Such an estimate is speculative but represents some the best available information for estimating coyote populations.

Population modeling information suggests that a viable coyote population can withstand an annual removal of 70% of their population without causing a decline in the population (Connolly and Longhurst 1975, Connolly 1995). The unique resilience of the coyote, its ability to adapt, and its perseverance under adverse conditions is commonly recognized among biologists and land managers. Despite intensive

historical damage management efforts in livestock production areas and despite sport hunting and trapping for fur, coyotes continue to thrive and expand their range, occurring widely across North and Central America (Miller 1995). Connolly and Longhurst (1975) determined that, "*...if 75% of the coyotes are killed each year, the population would be exterminated in slightly over 50 years.*" However, Connolly and Longhurst (1975) go on to explain that their "*...model suggests that coyotes, through compensatory reproduction, can withstand an annual population mortality of 70%*" and that coyote populations would regain pre-control densities (through recruitment, reproduction, and migration) by the end of the fifth year after control was terminated even though 75% mortality had occurred for 20 years. In addition, other researchers (Windberg and Knowlton 1988) recognized that immigration, (not considered in the Connolly and Longhurst (1975) model) could result in rapid occupancy of vacant territories, which helps to explain why coyotes have thrived in spite of intensive damage management activities (Connolly 1978).

The statewide population of coyotes in Arkansas is currently not available. If coyotes only occupied 50% of the land area in Arkansas and the density of coyotes in the State ranged from 0.5 coyotes per square mile to five coyotes per square mile, the statewide population could be estimated to range from 13,000 coyotes to a high of 130,100 coyotes.

Coyotes are classified as a furbearer in Arkansas that can be harvested during annual hunting and trapping seasons. The AGFC does not limit the number coyotes that can be harvested daily or possessed during the length of the season (AGFC 2013*a*). In addition, the AGFC considers coyotes as a "*nuisance animal*" that may be lethally removed at any time when causing damage to property without the need for a depredation permit from the AGFC.

During the 2008-2009 harvest season, 150 coyote pelts were sold in the State (AGFC 2009) compared to 110 sold during the 2009-2010 harvest season (AGFC 2010). Similar to other furbearers, data from pelt transactions likely represents a minimum harvest level. The number of coyotes lethally removed annually to alleviate damage is currently not tracked by the AGFC and is currently unknown.

Based on efforts that could occur to address damage or threats of damage associated with coyotes, WS could lethally remove up to 50 coyotes annually under the proposed action to alleviate damage. Using a statewide coyote population ranging from 13,000 to 130,100 coyotes, take of up to 50 coyotes annually would represent from 0.04% to 0.4% of the estimated population. Although exact population estimates for coyotes in Arkansas and annual harvest rates are not available, the unlimited take allowed by the AGFC for the species during hunting and trapping seasons indicates the species is not at risk of overharvesting. Since the statewide population could reasonably be expected to be higher than 13,000 coyotes, the proposed lethal removal of 50 coyotes annually could be a smaller percentage of the actual statewide population.

RED FOX POPULATION INFORMATION AND EFFECTS ANALYSIS

The red fox is a typically proportioned member of the dog family. The bushy and unusually long tail, pointed ears, slender muzzle, and slanted eyes coupled with its small dog size and typical reddish coloration, make the red fox instantly recognizable to most people. Red fox are also the most common and well-known species in the genus *Vulpes*, which includes about 10 other species worldwide (Honacki et al. 1982). Typically, black-tipped ears, black cheek patches, white throat parts, a lighter underside, and black "*leg stockings*" are found on most red fox. The white tip of the tail (which is much more prominent in North American fox than elsewhere) can be used to distinguish brownish fox pups from similarly colored coyote pups, which lack a white tail tip (Voigt 1987).

In North America, the red fox weighs about 3.5 to 7 kg (7.7 to 15.4 lbs), with males averaging about one kg (2.2 lbs), which is heavier than females. Generally, adult fox measure 100 to 110 cm (39 to 43 inches) from the tip of the nose to the tip of the tail. Juveniles in their first autumn are similar in size to adults (Voigt 1987). Red fox occur over most of North America. Red fox are found throughout most of the United States with the exception of a few isolated areas. Prehistoric fossil records suggest that the red fox may not have inhabited much of the United States; however, they were plentiful in many parts of Canada. Voigt (1987) suggested climatic factors, interbreeding with the introduced European red fox, extirpation of the gray and red wolf, and clearing of land for agriculture has possibly contributed to the present-day expansion and range of red fox in North America.

Red fox are adaptable to most habitats within their range, but usually prefer open country with moderate cover. Some of the highest fox densities reported are in the north-central United States in areas where woodlands are interspersed with farmlands. Red fox have also demonstrated their adaptability by establishing breeding populations in many urban areas of the United States, Canada, and Europe (Phillips and Schmidt 1994). In many areas, competition with other canids and the availability of suitable year-round food resources limit fox survival. Habitat determines the availability of year-round food resources and the presence or absence of other canids. Because those two factors strongly influence red fox survival, habitat limits fox numbers but seldom limits distribution (Voigt 1987).

Red fox mate from January through March and produce litters of one to 10 kits after a gestation period of 51 to 53 days. Fox rear young in a maternity den, commonly an enlarged woodchuck or badger den, usually in sparse ground cover on a slight rise, with a good view of all approaches (National Audubon Society 2000). Juvenile fox are able to breed before reaching a year old, but in areas of high red fox densities, most yearlings do not produce pups (Harris 1979, Voigt and MacDonald 1984, Voigt 1987). Gier (1968) reported average litter sizes of 4.8 to 5.1 in years with low rodent numbers, but litters of 5.8 to 6.2 during years with high rodent numbers. Litter sizes of one to 19 pups have been reported (National Audubon Society 2000). Offspring disperse from the denning area during the fall and establish breeding areas in vacant territories, sometimes dispersing considerable distances. Red fox are generally solitary animals as adults, except when mating (Phillips and Schmidt 1994). Rabies and distemper are associated with this species.

The red fox is a skilled nonspecific predator, foraging on a variety of prey. Fox are also an efficient scavenger, and in parts of the world, garbage and carrion are extremely important to its diet (Voigt 1987). Fox are opportunists, feeding mostly on rabbits, mice, bird eggs, insects, and native fruit. They usually kill animals smaller than a rabbit, although fawns, pigs, kids, lambs, and poultry are sometimes taken (Phillips and Schmidt 1994). They also feed on squirrels, woodchucks, crayfish, and even grasses (National Audubon Society 2000).

Population densities for red fox can be difficult to determine because of the secretive and elusive nature of fox. Estimates are prone to error even in open areas with good visibility. Methods used to estimate numbers have included aerial surveys, questionnaires to rural residents and mail carriers, scent post surveys, intensive ground searches, and indices derived from hunting and trapping harvest (Voigt 1987). Home ranges for red fox in the eastern United States are usually from 500 to 2,000 ha (1,235 to 4,940 acres) in rural settings, such as farmland (Voigt and Tinline 1980), but such sizes may not apply among fox populations in urban settings. In Great Britain, where food is abundant in many urban areas, densities as high as 30 fox per km^2 (78 per mi^2) have been reported (Harris 1977, MacDonald and Newdick 1982, Harris and Rayner 1986), while in southern Ontario, densities of about 1 fox per km^2 (2.6 per mi^2) occur during spring. This includes both pups and adults. In small areas of the best habitat, three times as many fox have been observed (Voigt 1987). However, those densities rarely occur extensively because of the dispersion of unsuitable habitat, high mortality, or from competition with coyotes (Voigt and Earle 1983). Cyclical changes in fox numbers occur routinely and complicate density estimates as well as

management. Those cycles can occur because of changes in prey availability, or disease outbreaks, especially rabies, among red fox. For fox populations to remain relatively stable, mortality and reproduction must balance approximately.

Red fox can be found statewide in Arkansas; however, the statewide population in currently unknown. If red fox only occupied 50% of the land area in the State and the density of red fox in the State was 2.6 red fox per square mile, the statewide population could be estimated at 67,600 red fox. Red fox are considered a furbearer by the AGFC and can be harvested during annual hunting and trapping seasons in the State. There is no limit to the number of fox that can be harvested daily and no possession limit during the length of the trapping season for red fox. During the annual hunting season, two red fox can be harvested daily with no limit on the number of fox that can be harvested during the length of the season. Based on pelt transactions in the State, a minimum of 464 red fox were harvested in the State during the 2008-2009 harvest season (AGFC 2009) and a minimum of 32 fox were harvested during the 2009-2010 harvest season (AGFC 2010).

Based on efforts that could occur by WS to alleviate fox damage or threats of damage, WS could take up to 50 red fox annually under the proposed action. Using a statewide population estimate of 67,600 red fox, take of up to 50 red fox annually would represent 0.1% of the estimated population. Although exact population estimates for red fox in Arkansas are not available, the unlimited take allowed by the AGFC for the species during the trapping seasons and during the length of the hunting seasons indicates the species is not at risk of overharvesting. The proposed take of red fox to alleviate damage would be a small component of the overall harvest of red fox in the State. The overall take would be of low magnitude when compared to the statewide population and the number of fox harvested during the annual hunting and trapping seasons.

BOBCAT POPULATION INFORMATION AND EFFECTS ANALYSIS

The bobcat, also called "*wildcat*", is a medium-sized member of the North American cat family, and may be mistaken for a large bob-tailed domestic cat by some people. This species is actually two to three times larger than most domestic cats and appears more muscular and fuller in body. Their fur is dense, soft, short and generally yellowish to reddish-brown in color with numerous black spots and black-tipped guard hairs on the back and white with black spots on the belly. Forelegs are tawny with black bars. The species gets its common name from its characteristic stubby or "*bobbed*" tail. The tail is generally only 9 to 20 cm (3.5 to 8 inches) in length with two or three black bars and a black tip above, while the underside is pale or white (Larivière and Walton 1997). Their upper legs have dark horizontal bands. The face has thin, black lines stretching onto broad cheek ruff and their ears are tufted. Males are generally larger than females. The length of bobcats ranges from 47.5 to 125 cm (19 to 49 inches), while their weight ranges between 4.1 and 18.3 kg (9 to 40 lbs) (Larivière and Walton 1997).

Bobcats are capable of hunting and killing prey that range from the size of a mouse to that of a deer. Rabbits, tree squirrels, ground squirrels, woodrats, porcupines, pocket gophers, and woodchucks comprise most of their diet. Opossums, raccoon, grouse, wild turkey, and other ground nesting birds are also eaten. Occasionally, insects and reptiles can be part of a bobcat's diet. They also resort to scavenging. They are opportunistic predators, and may feed on livestock and domestic animals such as poultry, sheep, goats, house cats, small dogs, exotic birds and game animals, and rarely, calves (Virchow and Hogeland 1994). McCord and Cardoza (1982) reported the cottontail rabbit to be the principal prey of bobcats throughout their range.

Ruell et al. (2009) reported bobcat densities ranged from 0.65 to 1.09 bobcats per square mile (0.25 to 0.42 bobcats per km^2) in coastal southern California in both large open habitat and in habitat surrounded by human developments. Lawhead (1984) reported bobcat densities of 0.66 per square mile (0.26 bobcats

per km^2) in Arizona with a preference for riparian habitat. Bobcats in southern Illinois were reported to have a population density of 0.70 bobcats per square mile (0.27 bobcats per km^2) (Nielsen and Woolf 2001), while Anderson (1987) provided population density estimates of 0.13 to 0.26 bobcats per square mile (0.05 to 0.10 bobcats per km^2). Bobcats reach densities of about one per 0.7 km^2 (1 per ¼ mi^2) on some islands in the Gulf Coast of the southeastern United States. Densities vary from about one per 1.3 km^2 (1 per ½ mi^2) in coastal plains to about one cat per 10.7 km^2 (1 per 4 mi^2) in portions of the Appalachian foothills. Mid-Atlantic and mid-western states usually have scarce populations of bobcats (Virchow and Hogeland 1994). Populations are stable in many northern states and reviving in other states where intensive trapping formerly decimated the species (National Audubon Society 2000). Rates of natural mortality reported for adult bobcats in protected populations appear to be quite low. Crowe (1975) estimated a 3% mortality rate in a protected population, based on Bailey's (1972) study of bobcats in southeastern Idaho. Causes of natural mortality for adult bobcats include starvation (Hamilton 1982), disease and predation (Lembeck 1978), and injuries inflicted by prey (Fuller et al. 1985).

Bobcats can be found statewide in Arkansas in suitable habitat. The statewide bobcat population is currently unknown. If bobcats only occupied 50% of the land area in the State and the density of bobcats in the State was estimated at a low of 0.13 bobcats per square mile to a high of 1.09 bobcats per square mile, the statewide population could be estimated to be 3,400 and 28,400 bobcats. Bobcats can be found in a variety of habitats, including developed areas, so bobcats occupying only 50% of the land area of the State would be unlikely since bobcats can be found almost statewide. However, similar to the other furbearing species, bobcat occupying only 50% of certain land classifications was used to provide a minimum population estimate to determine the magnitude of the proposed take by WS.

Bobcats are classified as a furbearing animal in Arkansas and may be harvested during hunting and trapping seasons. During the hunting and trapping season, the AGFC allows an unlimited number of bobcats to be harvested during the length of the seasons with no possession limit. During the 2009-2010 seasons, 588 bobcat pelts were sold within the State (AGFC 2010), which compares to 801 bobcat pelts sold in the State during the 2008-2009 season (AGFC 2009).

Although WS has not previously been requested to manage damage or threats of damage associated with bobcats within the State, WS anticipates that direct operational assistance could be requested. In anticipation of those efforts, WS reasonably expects the total lethal removal of bobcats would not exceed five bobcats annually in Arkansas to resolve requests to manage damage to resources and threats to human health and safety.

Based upon the aforementioned population estimate, WS' limited lethal take of up to five bobcats annually under the proposed action would represent 0.02% to 0.2% of a statewide population estimated to be between 3,400 and 28,400 bobcats. If the number of pelts sold during the 2008-2009 season were representative of the number of bobcats harvested in the State during the annual hunting and trapping seasons, the cumulative take would represent 2.8% to 23.7% of the estimated statewide population. Although exact population estimates for bobcats in Arkansas are not available, the unlimited harvest allowed by the AGFC for the species during the hunting and trapping seasons indicates the species is not at risk of overharvesting. The proposed lethal removal of bobcats to alleviate damage would be a small component of the overall harvest of bobcats in the State. The proposed take of bobcats by WS in the State would be of low magnitude when compared to the actual statewide population.

WOODCHUCK POPULATION INFORMATION AND EFFECTS ANALYSIS

The woodchuck, also known as the "*groundhog*", is a large rodent, often seen in pastures, meadows, and open fields. They dig large burrows, generally eight to 12 inches at the opening, sometimes five feet deep and 30 feet long with more than one entrance to a spacious grass-filled chamber. Green vegetation such

as grass, clover, and alfalfa forms its diet. At times, the woodchuck will feed heavily on corn and can cause extensive damage in a garden to other crops (National Audubon Society 2000). Woodchucks may also jeopardize the integrity of earthen dams, present hazards to livestock and farm equipment because of burrowing, gnaw on electrical cables, and damage hoses and other accessories on automobiles by gnawing (Bollengier, Jr. 1994).

The breeding season for woodchucks is usually from March through April (Bollengier, Jr. 1994). Female woodchucks usually produce from four to six young (Chapman and Feldhamer 2003). The offspring breed at one year of age and live four to five years. Mammal species with high mortality rates, such as rodents (*e.g.*, woodchucks) and lagomorphs (*e.g.*, rabbits), typically possess high reproductive rates, and produce large and frequent litters of young (Smith 1996). For example, if a pair of woodchucks and their offspring all survived to breed as soon as possible, with an average litter size of four with a 1:1 sex ratio; they could produce over 645 woodchucks through their lifetime. The range of woodchucks in the United States extends throughout the East, northern Idaho, northeastern North Dakota, southeastern Nebraska, eastern Kansas, northeastern Oklahoma, and south to Virginia and Alabama.

Both sexes are similar in appearance, but the male is slightly larger, weighing an average of five to 10 pounds (2.2 to 4.5 kg). The total length of the head and body averages 16 to 20 inches (40 to 51 cm). The tail is usually four to seven inches (10 to 18 cm) long. Like other rodents, woodchucks have white or yellowish-white, chisel-like incisor teeth. Their eyes, ears, and nose are located toward the top of the head, which allows them to remain concealed in their burrows while they check for danger over the rim or edge. Although they are slow runners, woodchucks are alert and scurry quickly to their dens when they sense danger (Bollengier, Jr. 1994).

Woodchucks seldom stray far from their home dens. Chapman and Feldhamer (2003) estimated that distances of daily travel ranged from 100 m in colonies occupying good habitat to 400 m in somewhat lacking habitat, which makes a home range of seven to 124 acres in size. Groundhog colonies have not been extensively studied to determine the social structure of a typical colony. However, in order for the species to survive, a colony would have to be comprised of at minimum two adults and the young of that year, totaling at least six to eight individuals.

Woodchucks are classified as a nongame animal in Arkansas and can be removed during daylight hours when cause damage or pose a threat of damage. The statewide population of woodchucks is unknown. As stated previously, woodchucks are typically associated with pastures, meadows and fields, open woodlands, and clearings (Chapman and Feldhamer 2003). If only 25% of the land area supported woodchucks, under a worst case scenario, with an estimate of a single woodchuck colony home range at 124 acres and assuming that only one woodchuck occupies a home range and no home ranges overlap, the statewide woodchuck population could be estimated to be 67,100 woodchucks in Arkansas. This would be a worst-case scenario since the woodchuck population is likely to inhabit a much larger portion of these lands, woodchuck colonies likely consist of six to eight individuals, and some portion of most other land cover categories can support woodchuck populations.

WS anticipates receiving requests for assistance to manage damage associated with woodchucks in the State. Requests for assistance would primarily be associated with woodchuck damage occurring to gardens, vegetables, turf and flowers, building foundations, earthen dams, earthen embankments, and drainage and irrigation structures. In anticipation of receiving requests for assistance, WS could lethally remove up to 20 woodchucks annually c to alleviate damage.

Gas cartridges could be employed to fumigate woodchuck burrows in areas where damages were occurring. Gas cartridges act as a fumigant by producing carbon monoxide when ignited. The cartridges contain sodium nitrate, which when burnt, produces carbon monoxide gas. The cartridges would be

placed inside active burrows at the entrance, the cartridge would be ignited, and the entrance to the burrow would be sealed with dirt, which allows the burrow to fill with carbon monoxide.

The number of entrances to burrow systems used by woodchucks varies. Twichell (1939) found the number of entrances to burrow systems used by woodchucks ranged from two to six entrances in Missouri with the average number being 2.8 entrances. Other studies note the number of entrances per burrow system ranged from one to five entrances (Grizzell, Jr. 1955) to a high of 11 entrances per system (Merriam 1971). Merriam (1971) found the mean number of entrances per burrow system was 2.98 entrances. The use of burrow systems is usually restricted to a male and a reproductive female (Swihart 1992, Armitage 2003). The number of woodchucks lethally removed when using gas cartridges to fumigate burrows would be based on the mean number of entrances per burrow system of approximately three entrances (Twichel 1939, Merriam 1971) and each burrow system occupied by a male and a female (Swihart 1992, Armitage 2003). The lethal removal of woodchucks could also occur using other methods, such as shooting, live traps, and body-gripping traps. However, the number of woodchucks lethally removed using gas cartridges and by other methods would not be expected to exceed 20 woodchucks annually.

Damage management activities associated with woodchucks would target single animals or local populations of the species at sites where their presence was causing unacceptable damage to agriculture, human health or safety, natural resources, or property. Some local populations may be temporarily reduced because of damage management activities conducted under the proposed action alternative aimed at reducing damage at a local site. If WS' annual removal reached 20 woodchucks, the take would represent 0.03% of a statewide population estimated at 67,100 woodchucks, if the population remains at least stable. However, WS' annual removal of woodchucks would likely represent a smaller percentage of the actual population given the population estimate derived represents a worst-case scenario.

FERAL SWINE POPULATION INFORMATION AND EFFECTS ANALYSIS

Feral swine are also known as "*wild pigs*", "*wild boars*", and "*feral hogs*". Feral swine are medium-size hoofed mammals that often can look like domestic pigs. Feral swine usually have coarser and denser coats than their domestic counterparts and exhibit modified canine teeth called "*tusks*" that are usually 7.5 to 12.5 cm (3 to 5 inches) long, but may be up to 23 cm (9 inches) long. Tusks can curl out and up along the sides of the mouth. Lower canines are also prominent but smaller. Young feral swine have pale longitudinal stripes on the body until they are 6 weeks of age. Adults of the species average 90 cm (3 feet) in height and 1.32 to 1.82 m (4 feet 6 inches to 6 feet). Males may attain a weight of 75 to 200 kg (165 to 440 lbs), while females may weigh from 35 to 150 kg (77 to 330 lbs). Feral swine mate any time of year but peak breeding times usually occur from January and February through early summer. Litter sizes are usually three to 12 piglets (National Audubon Society 2000). Given adequate nutrition, a wild pig population can double in just four months. Feral swine may begin to breed before six months of age and sows can produce two litters per year (Barrett and Birmingham 1994). Feral swine are found in variable habitat in much of the southern United States, as well as most of the United States. Populations are usually clustered around areas with ample food and water supplies. Evidence of the presence of feral swine may be rooted up earth, tree rubs at ground level to 900 cm (36 inches) high, with clinging hair or mud, and muddy wallows.

Damage in areas supporting feral swine populations is sometimes a serious natural resource management concern for land managers. Substantial damage has occurred to natural resources, including destruction of fragile plant communities, killing of tree seedlings, and erosion of soils (Barrett and Birmingham 1994). Food sources for feral swine includes acorns, hickory nuts, pecans, beech nuts, and a wide variety of vegetation including roots, tubers, grasses, fruit, and berries, but feral swine also eat crayfish, frogs, snakes, salamanders, mice, eggs and young of ground-nesting birds, young rabbits, and any other easy

prey or carrion encountered. Feral swine have been known to kill and eat deer fawns (National Audubon Society 2000). Feral swine have also been reported to kill considerable numbers of domestic livestock, especially young animals, in some areas (Barrett and Birmingham 1994). Several diseases are associated with feral swine populations (see Chapter 1).

In Arkansas, feral swine are classified as a "*free ranging domestic animal*" with no closed season on private property and during open hunting seasons on Wildlife Management Areas within the State. In addition, there are no limits on the number that can be harvested (AGFC 2013*a*). However, the number of feral swine harvested in the State is currently unknown and not tracked by the AGFC. In addition, the total feral swine population in Arkansas is unknown. It is anticipated that feral swine populations in Arkansas will continue to increase due to their prolific breeding behavior, adaptability, and additional swine being illegally released into the wild. The management goal of the AGFC is to eradicate feral swine from Arkansas or keep the population at the lowest possible level (AGFC 2013*a*).

Feral swine damage may be addressed by WS in response to requests by federal agencies, state agencies, or the public in Arkansas. Agricultural producers may request assistance with managing damage to standing crops or disease threats to domestic livestock. Natural resource managers may request assistance to protect natural areas, parks or recreation areas, or T&E species. Public health agencies may request assistance in reducing feral swine densities where disease threats to humans may be present (see Table 1.3). WS may use any legal methods among those outlined by Barrett and Birmingham (1994) and West et al. (2009) as suitable for feral swine damage management, including the use of aircraft to shoot feral swine.

Between FY 2008 and FY 2012, WS responded to 108 requests for technical assistance associated with feral swine in Arkansas. Damages were reported primarily from the rooting and wallowing behaviors of feral swine. From FY 2008 through FY 2012, WS removed 419 feral swine to reduce damage and for disease surveillance in Arkansas. Removal of a small number of feral swine or a single individual will sometimes reduce damage considerably where natural resources, agriculture, or property is affected (Barrett and Birmingham 1994). However, damage may increase dramatically in areas where feral swine have ample resources and opportunity to expand.

Based on previous requests for assistance and the likely continued spread of feral swine in Arkansas, WS anticipates that up to 1,000 feral swine could be killed annually in the State to alleviate damage associated with requests for assistance and for disease surveillance. However, such population reduction is not expected to affect the overall statewide population of feral swine because of the high reproductive rates exhibited by these animals (Barrett and Birmingham 1994). Damage management activities associated with feral swine would target single animals or local populations of feral swine at sites where their presence was causing unacceptable damage or threats to agriculture, human health and safety, natural resources, or property. Feral swine are not native to North America, including Arkansas. The National Invasive Species Council specifically lists feral swine as an invasive species pursuant to Executive Order 13112. Executive Order 13112 directs federal agencies to address invasive species to the extent practicable and permitted by law.

Based upon the above information, WS' limited lethal take of feral swine would not adversely affect overall feral swine populations in the State. Any damage management activities involving lethal methods by WS would be restricted to isolated individual sites. Some local populations may be temporarily reduced because of damage management activities aimed at reducing damage at a local site. Since feral swine are classified as a nuisance species in Arkansas, in those cases where feral swine are causing damage or are a nuisance and complete removal of the local population could be achieved, this could be considered as providing some benefit to the natural environment since feral swine are not considered part of the native ecosystem.

BEAVER POPULATION INFORMATION AND EFFECTS ANALYSIS

The North American beaver is a semi-aquatic mammal occurring in rivers, streams, lakes, reservoirs, and wetlands across North America. Beaver are large, bulky rodents whose most prominent features include a large scaly, paddle-shaped tail and nearly orange colored incisors (Hill 1982). Most adults weigh from 15.8 to 38.3 kg (35 to 50 lbs) with some occasionally reaching more than 45 kg (100 lbs), and are the largest North American rodents (Miller and Yarrow 1994). They range throughout most of Canada and the United States, with the exception of portions of Florida and the desert southwest. Beaver are active throughout most of the year and are primarily nocturnal, but they can be seen during daylight hours. Beaver living along a river or large stream generally make bank burrows with multiple underwater entrances. Those in quiet streams, lakes, and ponds usually build dams and a lodge (National Audubon Society 2000). Sign of beaver in an area include gnawing around the bases of trees and trees, which have fallen because of this gnawing. Tree parts are stripped of bark, which is a primary beaver food.

Beaver are unique in their ability to create and modify their habitat by building dams (Boyle and Owens 2007). Beaver have a wide range and are extremely abundant, being found widely distributed over much of North America, including most of the United States. Beaver were trapped extensively during the 19th and part of the 20th centuries, and as a result, disappeared from much of their range (Novak 1987). Now reestablished over most of the continent, and protected from overexploitation, the beaver population has exceeded the societal carrying capacity in some areas. Dams built and maintained by beaver may flood stands of commercial timber, highways, and croplands. However, the dams also help reduce erosion, and the ponds formed by dams may create a favorable habitat for many forms of life (Hill 1982).

Beaver occur mostly in family groups that are comprised of two adult parents with two to six offspring from the current or previous breeding season. The average family group has been documented as ranging from 3.0 to 9.2 individuals (Novak 1987). Beaver abundance has been reported in terms of families per kilometer of stream or per square kilometer of habitat. Novak (1987) summarized reported beaver family abundance as ranging from 0.31 to 1.5 families per kilometer of stream, which converts to 0.5 to 2.4 families per mile of stream. Densities in terms of families per square kilometer have been reported to range from 0.15 to 3.9 (Novak 1987), which is the same as 0.24 to 6.3 per square mile. Novak (1987) indicates that rates of beaver populations are density dependent, which means that rates of increase generally occur as a population is reduced and become less as a population increases toward its carrying capacity. This natural function of most wildlife populations helps to mitigate population reductions.

Beaver have a relatively low biotic potential due to their small litter size and a long juvenile development period. Population matrix models showed that survival of kits (1st year juveniles) and yearlings (2nd year juveniles) is the most critical factor in population viability. Survival of those age classes is partly dependent on the ability of beaver to successfully disperse and re-colonize habitats. Beaver are strong dispersers, and populations can recover quickly from local reductions when dispersal corridors are maintained (Boyle and Owens 2007).

Coyotes, black bears (*Ursus americanus*), bobcats, fishers (*Mustela pennanti*), red fox, river otters, mink (*Neovision vison*), and large raptors such as hawks and owls have been documented preying on beaver (Tesky 1993, Baker and Hill 2003, Jackson and Decker 2004). With the exception of coyote, bear, and bobcat predation, most predation likely occurs to kits, yearlings, and young adults. With little exception, those predator species do not appear to exert significant predation pressure on beaver populations (Baker and Hill 2003).

The current population of beaver in the State is unknown; however, beaver are present in all Arkansas counties, and their population is considered stable. Beaver population estimates are often derived from

density estimates for beaver based on the number of beaver colonies per a linear unit of measure (*e.g.*, stream miles) or per unit of area (*e.g.*, habitat type) (Baker and Hill 2003). Beaver densities specific to Tennessee are currently unavailable. Beaver densities by habitat calculated from other studies in the United States and Canada have ranged from 0.4 beaver colonies per square mile to a high of 12 beaver colonies per square mile (Novak 1987). Density estimates in the United States and Canada based on stream miles have ranged from 0.5 beaver colonies per stream mile to two beaver colonies per stream mile (Novak 1987). To derive a population estimate the number of beaver per colony must also be known; however, the average number of beaver per colony in Tennessee is currently unknown. From other studies, the average size of beaver colonies has ranged from 3.2 beaver to 9.2 beaver per colony (Novak 1987). In the southeastern United States, the average number of beaver per colony in Alabama was estimated at 4.6 beaver (Wilkinson 1962) and the average beaver per colony in Georgia was estimated at 5.3 beaver (Parrish 1960). There are approximately 2.8 million acres of wetlands in Arkansas (Arkansas Multi-agency Wetland Planning Team 2013) along with 87,617 miles of rivers and streams in the State (Arkansas Department of Environmental Quality 2008). Using the lowest beaver colony density per linear measure derived from other studies of 0.5 beaver colonies per stream mile and using the assumption that all stream miles in Arkansas are suitable beaver habitat and occupied by beaver colonies, a statewide population of beaver using the lowest calculated number of beaver per colony of 4.6 beaver in the southeastern United States, a statewide population of beaver inhabiting rivers and streams could be estimated at nearly 202,000 beaver. The actual statewide population of beaver is likely much larger than this since the population estimate was only based on river and stream miles using the lowest density information and did not include beaver that could inhabit other wetland habitats.

The authority for management of resident mammal species in Arkansas, including beaver, is the responsibility of the AGFC. Beaver are considered a furbearer in the State that can be harvested annually during hunting and trapping seasons (AGFC 2013*a*). The AGFC collects and compiles information on beaver population trends and take, and uses this information to manage beaver populations in the State. The primary tool for the management of beaver populations in Arkansas is through adjusting the allowed lethal take during the hunting and trapping season in the State, which is determined and regulated by the AGFC. When beaver are causing damage or about to cause damage, beaver can be taken without a permit during anytime of the year. In addition, the hunting season for beaver is September – March and beaver trapping season in the State is open November – March with no limit on the number that can be harvested.

The number of beaver harvested in the State and lethally removed to alleviate damage is currently unknown. The AGFC liberal hunting and trapping seasons combined with the unlimited harvest restrictions indicates that population levels in the State are stable and that overharvest is not likely to occur. An allowable harvest level for beaver has been estimated at 30% of the population (Novak 1987).

Based on anticipated requests for assistance with beaver damage management in Arkansas, WS could lethally remove up to 1,000 beaver annually and remove or install flow control devices in 200 beaver dams as part of an integrated damage management program. Based on a statewide population estimated at 202,000 beaver, the annual lethal removal by WS of up to 1,000 beaver would represent 0.5% of the population. As indicated previously, the actual statewide population of beaver is likely much larger than 202,000 beaver since the population estimate was only based on river and stream miles using the lowest density information. Therefore, the proposed take of up to 1,000 beaver annually by WS is likely a much lower percentage of the actual statewide population.

Under the proposed action alternative, WS could also be requested to breach or remove beaver dams to alleviate or prevent flooding damage. In addition, WS could be requested to install devices to control the water flow through dams to alleviate flooding or install exclusion devices to prevent damming. WS would only utilize manual methods (*e.g.*, hands and hand tools) to breach dams. To remove dams, WS could also use manual methods but could employ explosives in some cases. When dams are breached or

removed, the building material used to create the dam (*e.g.*, sticks, logs, and other vegetative matter) is discarded on the bank or is released to flow downstream. Mud and small materials, such as bark and other plant debris, also escape downstream and tend to settle out within a short distance of the dam. Small to medium limbs, along with sediments, may drift further distances downstream. Dam breaching and removal would generally be conducted in conjunction with the removal of beaver responsible for constructing the dam since beaver would likely repair and/or rebuild dams quickly if dams were breached or removed prior to the beaver being removed. Therefore, the removal or breaching of beaver dams would not adversely affect beaver populations in the State since those activities would be conducted in association with removing beaver from the site; therefore, the take would be included in the estimated annual take levels of beaver addressed previously.

FOX AND GRAY SQUIRREL POPULATION INFORMATION AND EFFECTS ANALYSIS

Fox squirrels and gray squirrels are similar in behavior and appearance with a few exceptions. The fox squirrel is considerably larger than the gray squirrel and shows more color variation within its populations than do gray squirrels; however, both species exhibit melanistic and albino phases. Fox squirrels measure 48 to 73 cm (19 to 29 inches) long and weigh from 544 to 1,362 g (1 1/5 to 3 lbs). Gray squirrels measure 41 to 51 cm (16 to 20 inches) long and weigh from 567 to 794 g (1 ¼ to 1 ¾ lbs) (National Audubon Society 2000).

Both squirrel species are found throughout most of the eastern United States, including Arkansas. They inhabit mixed hardwood forests, especially those containing nut trees, such as oak and hickory. While they are commonly referred to as tree squirrels, they spend quite a bit of time on the ground foraging. Squirrels feed on a wide variety of foods and adapt quickly to unusual food sources. Typically, they feed on wild tree fruits and nuts in fall and early winter. Acorns, hickory nuts, walnuts, and Osage orange fruits are favorite fall foods. Nuts are often cached for later use. In late winter and early spring, they prefer tree buds. In summer, they eat fruits, berries, and succulent plant materials. Fungi, corn, and cultivated fruits are taken when available. They may also chew bark during high population peaks, when food is scarce and may eat insects and other animal matter (Jackson 1994*b*).

Gray squirrels produce young during early spring but may actually produce at any time until early September (National Audubon Society 2000). Older adults may produce two litters per year (Burt and Grossenheider 1976, Jackson 1994*b*). The gestation period is 42 to 45 days, and about three young comprise a litter. Young begin to explore outside the nest at about 10 to 12 weeks of age (Jackson 1994*b*). Home ranges of squirrels range from 1.2 to over 40 acres in size (Flyger and Gates 1982) with gray squirrels generally occupying home ranges up to seven acres and fox squirrels occupying areas from seven to 40 acres in size.

Both fox and gray squirrel populations periodically increase and decline. Gray squirrels have been documented to have mass emigrations of thousands of individuals moving simultaneously and during which time many die. Although fox squirrels have been described as participating in these migrations, they are not as frequent or extensive in number. Squirrels are vulnerable to numerous parasites and diseases such as ticks, mange mites, fleas, and internal parasites. Squirrel hunters often notice bot fly larvae, called "*wolves*" or "*warbles*", protruding from the skin of animals killed. Larvae do not impair the quality of the meat for eating. In addition to being a food source for some people, squirrels are also prey for hawks, owls, snakes, and several mammalian predators. Predation seems to have little effect on squirrel populations. Typically, about half the squirrels in a population die each year and wild squirrels over four years old are rare, while captive individuals may live 10 years or more (Jackson 1994*b*).

Gray squirrel densities fluctuate based on available food sources but long-term densities tend to be stable (Gurnell 1987). Manski et al. (1981) found gray squirrel densities were typically less than 1.2 squirrels

per acre in continuous areas of woodlands in North Carolina. Doebel and McGinnes (1974) found gray squirrel densities in small woodlots of less than 10 ha in area can be as high as 16 squirrels per ha. In urban parks, Manski et al. (1981) found gray squirrel densities can be more than 8.4 squirrels per acre. A three acre park in Washington, D.C. had a density of 50 squirrels per ha (20 per acre) (Hadidian et al. 1987).

Fox and gray squirrels are considered small game species by the AGFC in Arkansas with a liberal hunting season. Squirrels may be hunted from May 15 through February 28 each year. The daily bag limit on the number of squirrels that can be harvested during the season is 12, with a possession limit of 48 (AGFC 2013*a*). There is currently no annual harvest total for gray squirrels or fox squirrels.

Based on previous requests for assistance and in anticipation of receiving an increasing number of requests for assistance, up to 50 gray squirrels and up to 50 fox squirrels could potentially be lethally removed by WS annually. Given their broad geographical range and relative abundance in the State, the lethal removal of up to 50 gray squirrels and up to 50 fox squirrels would not cause broad population declines. With oversight of the AGFC, the magnitude of take of fox and gray squirrels by WS annually to resolve damage and threats would be low and not affect the squirrel population in the state.

BAT POPULATION INFORMATION AND EFFECTS ANALYSIS

Bats are the only mammals that can truly fly. They are exceeded only by rodents as the most numerous mammals, both in number of species and number of individuals (Greenhall and Frantz 1994, National Audubon Society 2000). Bat bodies are generally well furred and forelimbs are enlarged and developed as wings with membranes attached to four greatly elongated fingers, which spread when in flight and draw together when at rest. The "*thumb*" projects from the end of the "*forearm*" as a small but sharp claw that is used as the animal crawls about. Wing membranes are often naked and translucent (National Audubon Society 2000). The motion of bats in the air appears to be more of a swimming motion, where they rotate their wings to catch air with the membrane, as opposed to birds that flap their wings (National Audubon Society 2000). Although most North American bats have small eyes, their visual acuity is good (Humphrey 1982). However, insectivorous bats locate food and avoid objects by means of echolocation, which is similar to radar or sonar (Humphrey 1982). While flying, the bat emits through its nose or mouth a continuous series of supersonic sounds. These sounds bounce off objects and are picked up by the bats complex ears (National Audubon Society 2000).

Bats are nocturnal, leaving the roosts around dusk and usually flying to a stream, pond, or lake, where they obtain a drink by skimming the surface and dipping their lower jaw into the water. Bats in North America are virtually all insectivorous, feeding on a variety of flying insects, many of which are harmful to people (Greenhall and Frantz 1994). Insectivorous bats obtain food by various means of capturing their prey mostly while in flight. During these feeding flights, they often fly close to animals, including humans and sometimes cause alarm (National Audubon Society 2000).

Among the 40 species of bats found north of Mexico, only a few cause problems for people. Bats congregating in groups are called colonial bats while those that live alone are known as solitary bats. Solitary bats typically roost in tree foliage or under bark. However, occasionally solitary bats are found associated with buildings, some only as transients during migration (Greenhall and Frantz 1994).

Conflicts involving bats can include property damage, but primarily involve threats to human, pet, and livestock health. The buildup of bat droppings and urine in attics and between walls can result in odor problems and discoloration of walls and ceilings (Agency for Toxic Substances and Disease Registry 1998). Bat rabies has always occurred at low levels within bat populations and researchers estimate that less than 1% of all bats are rabid. About 6% of all bats submitted for rabies testing were submitted

because they could be easily captured, were obviously weak or sick, or had been captured by a cat or dog (CDC 2011). In addition to the threat of rabies from direct contact or a bat entering the living area of a home, there are other threats associated with bat colonies including histoplasmosis, fungal spores, and mites.

Bat droppings, particularly when they are thick, are likely to be contaminated with the fungus, *Histoplasma capsulatum* or with fungi species such as molds, especially in warm, moist conditions. As long as people are not in contact with fungal spores, they are unlikely to be affected by them. When people inhale spores from *Histoplasma capsulatum*, they may become ill with a disease known as histoplasmosis. Symptoms of histoplasmosis include some combination of mild, flu-like respiratory illness, a general ill feeling, chest pain, fever, cough, headache, loss of appetite, shortness of breath, joint and muscle pains, chills, and hoarseness. Similarly, mold spores released into the air may result in increases in asthma attacks (Agency for Toxic Substances and Disease Registry 1998).

Bat bugs (*Cimex adjunctus*) are free-living ectoparasites of bats that feed on blood. They will bite humans in the absence of their primary hosts. The main means of dispersal for bat bugs is phoresy, hitching a ride on a bat to a new location by clinging to the fur of their host animal. Typically, bat bug infestations originate from bat populations established in attics, wall voids, unused chimneys, or uninhabited portions of a house. Bat bugs typically do not wander far from occupied bat roosting sites where they have easy access to food. However, if their normal hosts are removed or if those hosts have vacated an area, bat bugs will seek other sources of food and may crawl about and invade living areas within a house (Jones and Jordan 2004). Similarly, bat mites may enter the home and bite people. Although their bite is not particularly harmful, the person may experience an allergic reaction and develop a skin rash in response (Agency for Toxic Substances and Disease Registry 1998).

Several bat species in Arkansas are known to roost, raise young, or hibernate in various human structures. Such behavior sometimes causes human/bat conflicts, especially perceived or actual threats of rabies, by people who encounter bats in such locations, especially when bats enter the living space of a home. From FY 2008 to FY 2012, WS responded to seven requests for technical assistance associated with bats. All requests for assistance were handled as technical assistance and no bats were killed by WS.

Bat damage would be handled by WS primarily through various technical assistance projects or referral to other entities. Program activities would continue to recommend the use of non-lethal methods, such as exclusion and live capture/release. To reduce the possibility of adversely affecting a bat maternity colony, WS would implement and recommended to persons receiving technical assistance that all exclusion be conducted from September to early November, when practicable. Many bat species, except big brown bats, would have migrated at that time, and the rearing of young would have been completed. Therefore, activities conducted after this date would be highly unlikely to disturb maternity colonies of any species during critical young-rearing periods. Conducting exclusionary and other projects during those months would also give big brown bats, or other species that overwinter in Arkansas, an opportunity to find alternate roost sites before the onset of extremely cold weather.

Most requests for WS' operational assistance would likely occur in relation to bats inhabiting human-occupied buildings. Bat species that may be removed include the little brown myotis, silver-haired bat, eastern pipistrelle, big brown bat, evening bat, and the eastern big-eared bat. Those species of bats can be found in buildings and other man-made structures. Bat species that are listed by the USFWS pursuant to the ESA and by the AGFC are not generally associated with man-made structures and so it is unlikely that any federally or state listed bat species would be encountered by WS during activities to address bats. In most cases, a single bat found in a building would be provided an escape route (*e.g.*, opening a door or window) or would be live captured and released outside on site if there was no possibility of an exposure to people or pets. If the bat appeared sick, acted unusually, or if there was a known bite or possible

exposure to people or pets, the bat would be euthanized and submitted for rabies testing. Those bats euthanized by WS for disease testing would likely be euthanized and submitted for testing by other entities in the absence of WS' involvement given the risk to human safety associated with exposure. Therefore, take by WS would not be additive to take that would likely occur in the absence of involvement by WS.

Based on previous requests for assistance and in anticipation of receiving requests for direct operational assistance in the future, it is possible that WS could kill up to five bats each year statewide, in any species combination, consisting of the little brown myotis, silver-haired bat, eastern pipistrelle, big brown bat, evening bat, and the eastern big-eared bat. If the need arises, WS would consult with a qualified biologist to identify positively bats prior to removing them in order to eliminate any chance of addressing a T&E species. If a threatened or endangered bat were encountered, WS would contact the USFWS and/or the AGFC to determine the appropriate action. WS would continue to provide escape routes or live-capture and release bats in those instances where no human or pet exposure could be assured. Based upon this information, WS is not likely to adversely affect any bat populations in the State.

Regionally, some bats species are being adversely affected by the fungal disease known as white-nose syndrome, an emerging disease causing unprecedented morbidity and mortality among bats in eastern North America. The disease is characterized by cutaneous infection of hibernating bats by the psychrophilic fungus *Geomyces destructans*. However, WS' limited lethal take of bats would not adversely affect overall populations of bat species in the State. Impacts to bats would be minimal because any bat removal would be localized and limited in scope. In addition, euthanizing and submitting bats for testing would likely occur in the absence of WS' participation due to the risks to human safety.

WHITE-TAILED DEER POPULATION INFORMATION AND EFFECTS ANALYSIS

When compared to other land mammals in North America, the white-tailed deer currently occupies the largest geographic range of any other mammal (Pagel et al. 1991). White-tailed deer range throughout most of the United States, except the far southwest, and inhabit the southern half of the southern tier of Canadian provinces. This species inhabits farmlands, brushy areas, forests, suburbs, and gardens. Rural areas containing a matrix of forest and agricultural crops can contain the highest deer densities (Roseberry and Woolf 1998). Biologists and resource managers have been challenged with managing escalating populations of deer in many urban/suburban areas and in some rural areas. As deer populations increase, there is an increasing occurrence of damage from white-tailed deer to agricultural crops (DeVault et al. 2007), increasing incidences of Lyme disease (Fernandez 2008), a rise in deer-vehicle collisions (Conover et al. 1995), and a disruption in forest health, regeneration, and forest dependent species (Tilghman 1989). Additionally, white-tailed deer were ranked as one of the most hazardous species to aviation according to the percentage of strikes that caused damage from 1990 through 2012 (Dolbeer et al. 2013).

The authority for management of resident wildlife species, including deer, is the responsibility of the AGFC. White-tailed deer are present in all Arkansas counties, and occupy almost all land types that contain suitable habitat. The AGFC collects and compiles information on white-tailed deer population trends and take, and uses this information to manage deer populations. Currently, the white-tailed deer population in the State is estimated at approximately one million deer (C. Gray, AGFC pers. comm. 2013). The primary tool for the management of deer populations is through adjusting the allowed lethal take during the deer harvest season in the State, which is determined and regulated by the AGFC. White-tailed deer are classified as a big-game species in Arkansas with annual hunting seasons. During the 2009-2010 hunting season, the AGFC reported that 187,074 deer were harvested (AGFC 2010). The number of deer allowed by the AGFC to be harvested by individual hunters during the length of the hunting season varies across the State. However, during the development of this assessment, the seasonal statewide bag limit was six deer of which no more than two could be bucks (AGFC 2013*a*). Where deer

damage is severe, the AGFC also issues depredation permits for the take of deer outside of the regulated season to reduce damage. Mortality can also occur from vehicle collisions, dogs, illegal take, tangling in fences, disease, and other causes (Crum 2003). Annual deer mortality in Arkansas from other sources (*e.g.*, illegal take, disease, and predation) is currently unknown.

From FY 2008 through FY 2012, WS responded to 128 requests for technical assistance associated with white-tailed deer in the State. Most requests were addressed by providing technical assistance in developing harassment programs. Between FY 2008 and FY 2012, WS lethally removed four deer in efforts to alleviate damage at airports. In addition, WS has dispersed 1,459 deer to alleviate damage from FY 2008 through FY 2012.

After review of previous activities conducted by WS and in anticipation of addressing requests for lethal take, WS' future lethal take could reach 1,000 deer annually. In addition, WS may be requested by the AGFC to assist with sampling and managing the spread of diseases found in free-ranging and/or captive deer populations. If a disease outbreak occurred, WS could be requested to lethally take white-tailed deer for sampling and/or to prevent further spread of diseases. However, WS' total annual take would not exceed 1,000 deer annually under the proposed action.

From 2006 through 2010, 707,581 deer were harvested in Arkansas during the annual hunting season, with the highest harvest level occurring in 2009-2010 when 174,937 deer were harvested. The lowest harvest level of deer between 2006 and 2010 occurred in the 2006-2007 season when only 165,663 deer were harvested. If WS lethally removed 1,000 deer during the highest harvest of deer in the State that occurred in 2009-2010, WS' removal of 1,000 deer would have represented 0.6% of the harvest. If WS' removal reached 1,000 deer during the lowest harvest total of deer in the State that occurred in 2006-2007, WS' removal of 1,000 deer would have also represented 0.6% of the total harvest. With oversight of the AGFC, the magnitude of take of deer by WS annually to resolve damage and threats would be low.

GonaCon™ was officially registered by the EPA in 2009 for use in reducing fertility in female white-tailed deer. According to the label, only WS or state wildlife management agency personnel or individuals working under their authority can use the reproductive inhibitor. Additionally, in order for GonaCon™ to be used in any given state, the product must also be registered with the state and approved for use by the appropriate state agency responsible for managing wildlife. The reproductive inhibitor GonaCon™ is currently not registered for use in Arkansas. However, if GonaCon™ becomes available to manage deer in the State, the use of the inhibitor could be evaluated under the proposed action as a method available that could be used in an integrated approach to managing damage.

Population management from the use of reproductive inhibitors to induce a decline in a localized deer population occurs through a reduction in the recruitment of fawns into the population by limiting reproductive output of adults. A reduction in the population occurs when the number of deer being recruited into the population cannot replace those individuals that die from other causes each year, which equates to a net loss in the number of individuals in the population and a reduction in the overall population. Although not generally considered a lethal method since no direct take occurs, reproductive inhibitors can result in the reduction of a target species' population. WS' use of GonaCon™ could target a local deer population identified as causing damage or threatening human safety. Although a reduction in a local deer population would likely occur from constant use of GonaCon™, the actual reduction in the local population annually would be difficult to derive prior to the initiation of the use of the vaccine.

One of the difficulties in calculating and analyzing any actual reduction that could occur from the use of the vaccine in a targeted population prior to application of the vaccine is the variability in the response of deer to the vaccine. Previous studies on GonaCon™ as a reproductive inhibitor have shown variability in the immune response of deer to the vaccine (Miller et al. 2000). Not all deer injected with GonaCon™

develop sufficient antibodies to neutralize the GnRH produced in the body. Those deer continue to enter into a reproductive state and produce fawns even after vaccination. The number of deer that do not develop sufficient antibodies after the initial vaccination cannot be predicted beforehand. In one study, 88% of the deer vaccinated with GonaCon™ did not produce fawns the following reproductive season while 12% of the deer injected with GonaCon™ produced fawns (Gionfriddo et al. 2009). The year following the initial vaccination, the number of deer that were vaccinated the first year that did not produce fawns declined to 47% while the number of deer producing fawns increased to 53% (Gionfriddo et al. 2009) demonstrating the diminishing results that are likely over time if deer are not provided a booster shot periodically.

Since the effects of GonaCon™ appear to be reversible if deer are not provided with a booster shot periodically, the reduction in a local population of deer from the use of GonaCon™ can be maintained at appropriate levels where damages or threats were resolved by increasing or decreasing the number of deer receiving booster injections. Although localized deer populations would likely be reduced from the use of GonaCon™, the extent of the reduction would be variable. For example, not all vaccinated deer would likely be prevented from entering into a reproductive state and those deer that were initially prevented from entering into a reproductive state often become reproductively active in subsequent years as the antibody levels neutralizing the GnRH hormone diminish over time. Therefore, the actual decline in the number of deer in a localized population achieved from the use of GonaCon™ would be difficult to predict prior to the use of the reproductive inhibitor. However, since the decline would occur through attrition over time and since the ability of the inhibitor to prevent reproduction diminishes with time, the actual decline in a localized population would be gradual and could be monitored. In addition, the reduction in a local deer population could be fully reversed if deer were no longer vaccinated or provided booster shots and other conditions (*e.g.*, food, disease) were favorable for population growth.

Turner et al. (1993) noted that although contraception in white-tailed deer may be used to limit population growth, it would not reduce the number of deer in excess of the desired level in many circumstances. Turner et al. (1993) further contended that initial population reductions by various other means may be necessary to achieve management goals, and that reproduction control would be one facet of an integrated program. Although immunocontraceptive technology has been effective in laboratories, pens, and in island field applications, it has not been effective in reducing populations of free-ranging white-tailed deer over large geographical areas.

The magnitude of WS' activities to alleviate damage and threats associated with deer in the State would be low, with the oversight and permitting of WS' activities occurring by the AGFC. If lethal removal by WS had reached 1,000 deer, WS' removal would have represented 0.6% of the statewide harvest during the 2009-2010 season. Deer confined within enclosed facilities (*e.g.*, fenced hunting facilities) are generally not included in statewide deer population estimates or included in statewide harvest estimates. Therefore, the potential removal of deer from those facilities by WS under this alternative would actually represent a lower magnitude of the statewide population and annual harvest levels. WS would report removal to the AGFC and monitor the number removed to ensure activities did not adversely affect the statewide deer population. The permitting of WS' take by the AGFC would ensure WS' removal would meet the objectives of the statewide wildlife management plan.

WILDLIFE DISEASE SURVEILLANCE AND MONITORING

The ability to efficiently conduct surveillance for and detect diseases is dependent upon rapid detection of the pathogen if it is introduced. Effective implementation of a surveillance system would facilitate planning and execution at regional and state levels, and coordination of surveillance data for risk assessment. It would also facilitate partnerships between public and private interests, including efforts by

federal, state, and local governments as well as non-governmental organizations, universities, and other interest groups.

Under disease sampling strategies that could be implemented to detect or monitor diseases in the United States, WS' implementation of those sampling strategies would not adversely affect mammal populations in the State. Sampling strategies that could be employed involve sampling live-captured mammals that could be released on site after sampling occurs. The sampling (*e.g.*, drawing blood, tissue sample, collecting fecal samples) and the subsequent release of live-captured mammals would not result in adverse effects since those mammals would be released unharmed on site. In addition, the sampling of mammals that were sick, dying, or harvested by hunters would not result in the additive lethal take of mammals that would not have already occurred in the absence of disease sampling. Therefore, the sampling of mammals for diseases would not adversely affect the populations of any of the mammals addressed in this EA nor would sampling mammals result in any lethal removal of mammals that would not have already occurred in the absence of disease sampling (*e.g.*, hunter harvest).

Alternative 2 – Mammal Damage Management by WS through Technical Assistance Only

Mammal populations in the State would not be directly impacted by WS from a program implementing technical assistance only. However, persons experiencing damage or threats from mammals may implement methods based on WS' recommendations. Under a technical assistance only alternative, WS would recommend and demonstrate for use both non-lethal and lethal methods legally available for use to resolve mammal damage. Methods and techniques recommended would be based on WS' Decision Model using information provided from the requestor or from a site visit. Requestors may implement WS' recommendations, implement other actions, seek assistance from other entities, or take no action. However, those people requesting assistance would likely be those people that would implement damage abatement methods in the absence of WS' recommendations.

Under a technical assistance only alternative, those persons experiencing threats or damage associated with mammals in the State could lethally take mammals despite WS' lack of direct involvement in the management action. Therefore, under this alternative the number of mammals lethally taken would likely be similar to the other alternatives since take could occur through the issuance of a permit by the AGFC, take of non-native mammal species could occur without the need for a permit from the AGFC, and take would continue to occur during the harvest season for those species. WS' participation in a management action would not be additive to an action that would occur in the absence of WS' participation.

With the oversight of the AGFC, it is unlikely that mammal populations would be adversely impacted by implementation of this alternative. Under this alternative, WS would not be directly involved with damage management actions and therefore, direct operational assistance could be provided by other entities, such as the AGFC, private entities, and/or municipal authorities. If direct operational assistance was not available from WS or other entities, it is hypothetically possible that frustration caused by the inability to reduce damage and associated losses could lead to illegal take, which could lead to real but unknown effects on other wildlife populations. People have resorted to the illegal use of chemicals and methods to resolve wildlife damage issues (White et al. 1989, USFWS 2001, United States Food and Drug Administration 2003).

Alternative 3 – No Mammal Damage Management Conducted by WS

Under this alternative, WS would not conduct damage management activities in the State. WS would have no direct involvement with any aspect of addressing damage caused by mammals and would provide no technical assistance. No take of mammals by WS would occur under this alternative. Mammals could continue to be lethally taken to resolve damage and/or threats occurring either through permits issued by

the AGFC, during the regulated hunting or trapping seasons, or in the case of non-native species, take can occur anytime using legally available methods. Management actions taken by non-federal entities would be considered the *environmental status quo*.

Local mammal populations could decline, stay the same, or increase depending on actions taken by those persons experiencing mammal damage. Some resource/property owners may take illegal, unsafe, or environmentally harmful action against local populations of mammals out of frustration or ignorance. While WS would provide no assistance under this alternative, other individuals or entities could conduct lethal damage management resulting in lethal take levels similar to the proposed action.

Since mammals could still be taken under this alternative, the potential effects on the populations of those mammal species in the State would be similar to the other alternatives for this issue. WS' involvement would not be additive to take that could occur since the cooperator requesting WS' assistance could conduct mammal damage management activities without WS' direct involvement. Therefore, any actions to resolve damage or reduce threats associated with mammals could occur by other entities despite WS' lack of involvement under this alternative.

Issue 2 - Effects on Non-target Wildlife Species Populations, Including T&E Species

As discussed previously, a concern is often raised about the potential impacts to non-target species, including T&E species, from the use of methods to resolve damage caused by mammals. The potential effects on the populations of non-target wildlife species, including T&E species, are analyzed below.

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

The potential for adverse effects to non-targets occurs from the employment of methods to address mammal damage. Under the proposed action, WS could provide both technical assistance and direct operational assistance to those people requesting assistance. The risks to non-targets from the use of non-lethal methods as part of an integrated direct operational assistance program would be similar to those risks to non-targets discussed in the other alternatives.

Personnel from WS would be experienced with managing wildlife damage and would be trained in the employment of methods, which would allow WS' employees to use the WS Decision Model to select the most appropriate methods for taking targeted animals and excluding non-target species. To reduce the likelihood of capturing non-target wildlife, WS would employ the most selective methods for the target species, would employ the use of attractants that were as specific to target species as possible, and determine placement of methods to avoid exposure to non-targets. SOPs to prevent and reduce any potential adverse effects on non-targets are discussed in Chapter 3 of this EA. Despite the best efforts to minimize non-target exposure to methods during program activities, the potential for WS to disperse or lethally take non-targets exists when applying both non-lethal and lethal methods to manage damage or reduce threats to safety.

Non-lethal methods have the potential to cause adverse effects to non-targets primarily through exclusion, harassment, and dispersal. Any exclusionary device erected to prevent access of target species also potentially excludes species that were not the primary reason the exclusion was erected; therefore, non-target species excluded from areas may potentially be adversely effected if the area excluded was large enough. The use of auditory and visual dispersal methods to reduce damage or threats caused by mammals would also likely disperse non-targets in the immediate area the methods were employed. Therefore, non-targets may be permanently dispersed from an area while employing non-lethal dispersal

techniques. However, like target species, the potential impacts on non-target species would likely be temporary with target and non-target species often returning after the cessation of dispersal methods.

Non-lethal methods that use auditory and visual stimuli to reduce or prevent damage would be intended to elicit fright responses in wildlife. When employing those methods to disperse or harass target species, any non-targets near methods when employed would also likely be dispersed from the area. Similarly, any exclusionary device constructed to prevent access by target species could also exclude access to some non-target species. The persistent use of non-lethal methods would likely result in the dispersal or abandonment of those areas where non-lethal methods were employed of both target and non-target species. Therefore, any use of non-lethal methods would likely elicit a similar response from both non-target and target species. Although non-lethal methods do not result in lethal take of non-targets, the use of non-lethal methods could restrict or prevent access of non-targets to beneficial resources. However, non-lethal methods would not be employed over large geographical areas and those methods would not be applied at such intensity levels that essential resources (*e.g.*, food sources, habitat) would be unavailable for extended durations or over a wide geographical scope that long-term adverse effects would occur to a species' population. Non-lethal methods would generally be regarded as having minimal impacts on overall populations of wildlife since individuals of those species were unharmed. Overall, the use of non-lethal methods would not adversely affect populations of wildlife since those methods would often be temporary.

Other non-lethal methods available for use under this alternative would include live traps, nets, repellents, immobilizing drugs, and reproductive inhibitors. Live traps and nets restrain wildlife once captured; therefore, those methods would be considered live-capture methods. Live traps would have the potential to capture non-target species. Trap and net placement in areas where target species were active and the use of target-specific attractants would likely minimize the capture of non-targets. If traps and nets were attended to appropriately, any non-targets captured could be released on site unharmed.

Chemical repellents would also be available to reduce mammal damage. Since FY 2008, WS has not used repellents to reduce mammal damage in the State. However, WS may recommend or employ commercially available repellents when providing technical assistance and direct operational assistance. Only those repellents registered with the EPA pursuant to the FIFRA and registered with the Arkansas Agriculture Department would be recommended or used by WS under this alternative. The active ingredients in many commercially available repellents are naturally occurring substances (*e.g.*, capsaicin, whole egg solids), which are often used in food preparation (EPA 2001). When used according to label instructions, most repellents would be regarded as safe since 1) they are not toxic to animals, if ingested; 2) there is normally little to no contact between animals and the active ingredient, and 3) the active ingredients are found in the environment and degrade quickly (EPA 2001). Therefore, the use and recommendation of repellents would not have negative impacts on non-target species when used according to label requirements. Most repellents for mammals pose a very low risk to non-targets when exposed to or when ingested.

WS could employ immobilizing drugs to handle and transport target mammal species. Immobilizing drugs would be applied directly to target animals through hand injection or by projectile (*e.g.*, dart gun). WS would make reasonable efforts to retrieve projectiles containing immobilizing drugs if misses occur or if the projectile detaches from target animals. Therefore, no direct effects to non-target animals would be likely since identification would occur prior to application. Animals anesthetized using immobilizing drugs recover once the drug has been fully metabolized. Therefore, non-targets that may consume animals that recover are unlikely to receive a dosage that would cause any impairment. When using immobilizing drugs to handle or transport target animals, WS would monitor anesthetized animals until that animal recovers sufficiently to leave the site.

Exposure of non-target wildlife to GonaCon™ could occur primarily from secondary hazards associated with wildlife consuming deer that have been injected with GonaCon™. Since GonaCon™ would be applied directly to deer through hand injection after the animal was live-captured and restrained, the risk of directly exposing non-target wildlife to GonaCon™ while being administered to deer would be nearly non-existent. Several factors inherent with GonaCon™ reduce risks to non-target wildlife from direct consumption of deer injected with the vaccine (EPA 2009). The vaccine itself and the antibodies produced by the deer in response to the vaccine are both proteins, which if consumed, would be broken down by stomach acids and enzymes (EPA 2009, USDA 2010). The EPA determined that the potential risks to non-target wildlife from the vaccine and the antibodies produced by deer in response to the vaccine "*...are not expected to exceed the Agency's concern levels*" (EPA 2009).

Potential impacts to non-targets from the use of non-lethal methods would be similar to the use of non-lethal methods under any of the alternatives. Non-targets would generally be unharmed from the use of non-lethal methods under any of the alternatives since no lethal take would occur. Non-lethal methods would be available under all the alternatives analyzed; however, the use of GonaCon™ would be restricted to use by the AGFC or persons under their supervision under Alternative 2 and Alternative 3, if registered. WS' involvement in the use of or recommendation of non-lethal methods would ensure the potential impacts to non-targets were considered under WS' Decision Model. Potential impacts to non-targets under this alternative from the use of and/or the recommendation of non-lethal methods are likely to be low.

WS could also employ and/or recommend lethal methods under the proposed action alternative to alleviate damage, when those methods were deemed appropriate for use using the WS Decision Model. Lethal methods available for use to manage damage caused by mammals under this alternative would include the recommendation of harvest during hunting and/or trapping seasons, shooting, body-gripping traps, cable restraints, fumigants, and euthanasia chemicals, including euthanasia after live-capture. Available methods and the application of those methods to resolve mammal damage is further discussed in Appendix B.

The use of firearms would essentially be selective for target species since animals would be identified prior to application; therefore, no adverse impacts would be anticipated from use of this method. Similarly, the use of euthanasia methods would not result in non-target take since identification would occur prior to euthanizing an animal.

When using fumigants, burrows and dens would be observed for the presence of non-targets before the use of fumigants. If non-target activity (*e.g*., tracks, scat) were observed, the fumigation of those burrows or dens would not occur. Since non-targets are known to occur in burrows or dens, some risks of unintentional take of non-targets does exist from the use of fumigants. For example, burrows of woodchucks can be used by a variety of non-target species such as the Eastern cottontail (*Sylvilagus floridanus*), striped skunk, raccoon, red fox, coyote, white-footed mouse (*Peromyscus leucopus*), house mouse (*Mus musculus*), and short-tailed shrew (*Blarina brevicauda*) (Hamilton 1934, Grizzell 1955, Dolbeer et al. 1991).

Fumigants would be used in active burrows or dens only, which would minimize risk to non-targets. Dolbeer et al. (1991) found a total of one cottontail rabbit and three mice (*Permyscus* spp.) in three of the 97 woodchuck burrows treated with gas cartridges during the late summer. During 2,064 trap nights at 86 woodchuck burrow entrances targeting small mammals, Swihart and Picone (1995) captured 99 individuals of four small mammal species, which included short-tailed shrews (*Blarina brevicauda*), meadow voles (*Microtus pennsylvanicus*), meadow jumping mouse (*Zapus hudsonius*), and white-footed mice (*Peromyscus leucopus*). Risks to non-targets can be minimized by treating only burrows that appear to be active (Dolbeer et al. 1991). There are no secondary poisoning risks involved with the use of gas

cartridges as the gas produced dissipates into the atmosphere shortly after activation. Primary risks to non-targets would be minimized by treating only active burrows or dens, by covering entrances of burrows or dens, and by following the pesticide label. Although non-targets could be present in burrows or dens, even after WS' conducts site investigations, the risks would be relatively low and unintentional take from the use of fumigants would be limited.

An issue that has arisen is the potential for low-level flights to disturb wildlife, including T&E species. Aerial operations could be an important method of damage management in Arkansas when used to address damage or threats associated with feral swine and/or coyotes in remote areas where access was limited due to terrain and habitat. Aerial operations involving shooting would only occur in those areas where a cooperative service agreement allowing the use of aircraft had been signed between WS and the cooperating landowner or manager. Aircraft could also be used for aerial surveys of wildlife or radio telemetry. Aerial operations would typically be conducted with aircraft between the months of December and April when the foliage has fallen; however, aircraft could be used at any time of year. The amount of time spent conducting aerial operations would vary depending on the survey area, severity of damage, the size of the area where damage or threats were occurring, and the weather, as low-level aerial activities would be restricted to visual flight rules and would be impractical in high winds or at times when animals were not easily visible.

Aircraft play an important role in the management of various wildlife species for many agencies. Resource management agencies rely on low flying aircraft to monitor the status of many animal populations, including large mammals (Lancia et al. 2000), birds of prey (Fuller and Mosher 1987), waterfowl (Bellrose 1976), and colonial waterbirds (Speich 1986). Low-level flights also occur when aircraft are used to track animal movements by radio telemetry (Gilmer et al. 1981, Samuel and Fuller 1994).

A number of studies have looked at responses of various wildlife species to aircraft overflights. The National Park Service (1995) reviewed the effects of aircraft overflights on wildlife and suggested that adverse effects could occur to certain species. Some species will frequently or at least occasionally show an adverse response to even minor overflights. In general though, it appears that the more serious potential adverse effects occur when overflights are chronic (*i.e.*, they occur daily or more often over long periods). Chronic exposures generally involve areas near commercial airports and military flight training facilities. Aerial operations conducted by WS rarely occur in the same areas on a daily basis and little time is actually spent flying over those particular areas.

The effects on wildlife from military-type aircraft have been studied extensively (Air National Guard 1997), and were found to have no expected adverse effects on wildlife. Examples of species or species groups that have been studied with regard to the issue of aircraft-generated disturbance are as follows:

***Waterbirds and Waterfowl*:** Low-level overflights of two to three minutes in duration by a fixed-wing airplane and a helicopter produced no "*drastic*" disturbance of tree-nesting colonial waterbirds, and, in 90% of the observations, the individual birds either showed no reaction or merely looked up (Kushlan 1979). Belanger and Bedard (1989, 1990) observed responses of greater snow geese (*Chen caerulescens atlantica*) to man-induced disturbance on a sanctuary area and estimated the energetic cost of such disturbance. Belanger and Bedard (1989, 1990) observed that disturbance rates exceeding two per hour reduced goose use of the sanctuary by 50% the following day. They also observed that about 40% of the disturbances caused interruptions in feeding that would require an estimated 32% increase in nighttime feeding to compensate for the energy lost. They concluded that overflights of sanctuary areas should be strictly regulated to avoid adverse effects. Conomy et al. (1998) quantified behavioral responses of wintering American black ducks (*Anas rubripes*), American wigeon (*A. americana*), gadwall (*A. strepera*), and American green-winged teal (*A. crecca carolinensis*) exposed to low-level military aircraft

and found that only a small percentage (2%) of the birds reacted to the disturbance. They concluded that such disturbance was not adversely affecting the "*time-activity budgets*" of the species. Aerial operations conducted by WS would not be conducted over federal, state, or other governmental agency property without the concurrence of the managing entity. Those flights, if requested, would be conducted to reduce threats and damages occurring to natural resources and should not result in impacts to bird species. Thus, there is little to no potential for any adverse effects on waterbirds and waterfowl.

***Raptors*:** The Air National Guard analyzed and summarized the effects of overflight studies conducted by numerous federal and state government agencies and private organizations (Air National Guard 1997). Those studies determined that military aircraft noise initially startled raptors, but negative responses were brief and did not have an observed effect on productivity (see Ellis 1981, Fraser et al. 1985, Lamp 1989, United States Forest Service 1992 as cited in Air National Guard 1997). A study conducted on the impacts of overflights to bald eagles (*Haliaeetus leucocephalus*) suggested that the eagles were not sensitive to this type of disturbance (Fraser et al. 1985). During the study, observations were made of more than 850 overflights of active eagle nests. Only two eagles rose out of either their incubation or brooding postures. This study also showed that perched adults were flushed only 10% of the time during aircraft overflights. Evidence also suggested that golden eagles (*Aquila chrysaetos*) were not highly sensitive to noise or other aircraft disturbances (Ellis 1981, Holthuijzen et al. 1990). Finally, one other study found that eagles were particularly resistant to being flushed from their nests (see Awbrey and Bowles 1990 as cited in Air National Guard 1997). Therefore, there is considerable evidence that eagles would not be adversely affected by overflights during aerial operations.

Mexican spotted owls (*Strix occidentalis lucida*) (Delaney et al. 1999) did not flush when chain saws and helicopters were greater than 110 yards away; owls flushed to these disturbances at closer distances and were more prone to flush from chain saws than helicopters. Owls returned to their pre-disturbance behavior 10 to 15 minutes following the event and researchers observed no differences in nest or nestling success (Delaney et al. 1999), which indicates that aircraft flights did not result in adverse effects on owl reproduction or survival.

Andersen et al. (1989) conducted low-level helicopter overflights directly at 35 red-tailed hawk (*Buteo jamaicensis*) nests and concluded their observations supported the hypothesis that red-tailed hawks habituate to low level flights during the nesting period; results showed similar nesting success between hawks subjected to overflights and those that were not. White and Thurow (1985) did not evaluate the effects of aircraft overflights, but found that ferruginous hawks (*B. regalis*) were sensitive to certain types of ground-based human disturbance to the point that reproductive success may be adversely affected. However, military jets that flew low over the study area during training exercises did not appear to bother the hawks, nor did the hawks become alarmed when the researchers flew within 100 feet in a small fixed-wing aircraft (White and Thurow 1985). White and Sherrod (1973) suggested that disturbance of raptors by aerial surveys with helicopters may be less than that caused by approaching nests on foot. Ellis (1981) reported that five species of hawks, two falcons (*Falco* spp.), and golden eagles (*Aquila chrysaetos*) were "*incredibly tolerant*" of overflights by military fighter jets, and observed that, although birds frequently exhibited alarm, negative responses were brief and the overflights never limited productivity.

Grubb et al. (2010) evaluated golden eagle response to civilian and military (Apache AH-64) helicopter flights in northern Utah. Study results indicated that golden eagles were not adversely affected when exposed to flights ranging from 100 to 800 meters along, towards and from behind occupied cliff nests. Eagle courtship, nesting, and fledging were not adversely affected, indicating that no special management restrictions were required in the study location.

The above studies indicate raptors are relatively unaffected by aircraft overflights, including those by military aircraft that produce much higher noise levels. Therefore, we conclude that aerial operations would have little or no potential to affect raptors adversely.

***Passerines*:** Reproductive losses have been reported in one study of small territorial passerines ("*perching*" birds that included sparrows, blackbirds) after exposure to low altitude overflights (see Manci et al. 1988 as cited in Air National Guard 1997), but natural mortality rates of both adults and young are high and variable for most species. The research review indicated passerine birds cannot be driven any great distance from a favored food source by a non-specific disturbance, such as military aircraft noise, which indicated quieter noise would have even less effect. Passerines avoid intermittent or unpredictable sources of disturbance more than predictable ones, but return rapidly to feed or roost once the disturbance ceases (Gladwin et al. 1988, United States Forest Service 1992). Those studies and reviews indicated there is little or no potential for aerial operations to cause adverse effects on passerine bird species.

***Pronghorn (antelope) and Mule Deer*:** Krausman et al. (2004) found that Sonoran pronghorn (*Antilocapra americana sonoriensis*) were not adversely affected by military fighter jet training flights and other military activity on an area of frequent and intensive military flight training operations. Krausman et al. (1986) reported that only three of 70 observed responses of mule deer (*Odocoileus hemionus*) to small fixed-wing aircraft overflights at 150 to 500 feet AGL resulted in the deer changing habitats. The authors believed that the deer might have been accustomed to overflights because the study area was near an interstate highway that was followed frequently by aircraft. Krausman et al. (2004) also reported that pronghorn and mule deer do not hear noise from military aircraft as well as humans, which potentially indicates why they appeared not to be disturbed as much as previously thought.

***Mountain Sheep*:** Krausman and Hervert (1983) reported that, of 32 observations of the response of mountain sheep to low-level flights by small fixed-wing aircraft, 60% resulted in no disturbance, 81% in no or "*slight*" disturbance, and 19% in "*great*" disturbance. Krausman and Hervert (1983) concluded that flights less than 150 feet AGL could cause mountain sheep to leave an area. When Weisenberger et al. (1996) evaluated the effects of simulated low altitude jet aircraft noise on desert mule deer (*Odocoileus hemionus crooki*) and mountain sheep (*Ovis canadensis mexicana*), they found that heart rates of the ungulates increased according to the dB levels, with lower noise levels prompting lesser increases. When they were elevated, heart rates rapidly returned to pre-disturbance levels suggesting that the animals did not perceive the noise as a threat. Responses to the simulated noise levels were found to decrease with increased exposure.

***Bison*:** Fancy (1982) reported that only two of 59 bison (*Bison bison*) groups showed any visible reaction to small fixed-winged aircraft flying at 200 to 500 feet AGL. The study suggests that bison were relatively tolerant of aircraft overflights.

***Domestic Animals and Small Mammals*:** A number of studies with laboratory animals (*e.g.*, rodents [Borg 1979]) and domestic animals (*e.g.*, sheep [Ames and Arehart 1972]) have shown that these animals can become habituated to noise. Long-term lab studies of small mammals exposed intermittently to high levels of noise demonstrate no changes in longevity. The physiological "*fight or flight*" response, while marked, does not appear to have any long-term health consequences on small mammals (Air National Guard 1997). Small mammals habituate, although with difficulty, to sound levels greater than 100 dbA (United States Forest Service 1992).

Although many of those wildlife species discussed above are not present in Arkansas, the information was provided to demonstrate the relative tolerance most wildlife species have of overflights, even those that involve noise at high decibels, such as from military aircraft. In general, the greatest potential for impacts to occur would be expected to exist when overflights are frequent, such as hourly and over many days that

could represent "*chronic*" exposure. Chronic exposure situations generally involve areas near commercial airports and military flight training facilities. Even then, many wildlife species often become habituated to overflights, which would naturally minimize any potential adverse effects where such flights occur on a regular basis. Therefore, aircraft used by WS should have far less potential to cause any disturbance to wildlife than military aircraft because the military aircraft produce much louder noise and would be flown over certain training areas many more times per year, and yet were found to have no expected adverse effects on wildlife (Air National Guard 1997).

The fact that WS would only conduct aerial hunting on a very small percentage of the land area of the State indicates that most wildlife would not even be exposed to aerial overflights in the State. Further lessening the potential for any adverse impacts is that such flights occur infrequently throughout the year.

While every precaution would be taken to safeguard against taking non-targets during operational use of methods and techniques for resolving damage and reducing threats caused by mammals, the use of such methods could result in the incidental lethal take of unintended species. The unintentional take and capture of wildlife species during damage management activities conducted under the proposed action alternative would primarily be associated with the use of body-gripping traps and in some situations, with live-capture methods, such as foothold traps, cage traps, and cable restraints.

Between FY 2008 and FY 2012, the unintentional take of non-targets by the WS program in Arkansas has not occurred when targeting those mammal species addressed in this EA. However, the unintentional take of non-targets by WS could occur during activities targeting those mammal species addressed in this EA. The unintentional take of non-target would likely be minimal with take not exceeding one or two individuals of any species. Although non-targets could be lethally taken by WS, take of individuals from any species is not likely to increase substantively. In addition, most of the species that could be lethally taken or live-captured as non-targets would likely be target species addressed in the EA and the level of take analyzed for each species under Issue 1 includes non-target take that could occur by WS. Therefore, the take of those species addressed in this EA has been evaluated cumulatively under Issue 1, including take that could occur when a species was considered a target or non-target. WS would continue to monitor activities, including non-target take, to ensure the annual take of non-targets would not result in adverse effects to a species' population. No T&E species have been captured or adversely affected by WS' activities conducted previously in Arkansas.

Methods available to resolve and prevent mammal damage or threats when employed by trained, knowledgeable personnel would be selective for target species. WS would report to the AGFC any non-target take to ensure take by WS was considered as part of management objectives established for those species by the AGFC. The potential for adverse effects to non-targets would be similar to the other alternatives and would be considered minimal to non-existent based on previous non-target take.

As discussed previously, the use of non-lethal methods to address damage or threats would generally be regarded as having no adverse effect on a species' population since those individuals addressed using non-lethal methods would be unharmed and no actual reduction in the number of individuals in a species' population occurs. Similarly, the live-capture and release of non-targets would generally be regarded as having no adverse effects on a species' population since those individuals would be released unharmed and no actual reduction in the number of individuals in a population occurs. Therefore, the live-capture and subsequent releasing of non-targets during damage management activities conducted under the proposed action alternative would not result in declines in the number of individuals in a species' population.

T&E Species Effects

Special efforts would be made to avoid jeopardizing T&E species through biological evaluations of the potential effects and the establishment of special restrictions or minimization measures. SOPs to avoid effects to T&E species are described in Chapter 3 of this EA.

The current list of species designated as threatened and endangered in Arkansas as determined by the USFWS and the National Marine Fisheries Service was reviewed during the development of this EA. Appendix C contains the list of species currently listed in the State along with common and scientific names. Based on a review of those T&E species listed in the State during the development of the EA, WS determined that activities conducted pursuant to the proposed action would not likely adversely affect those species listed in the State by the USFWS and the National Marine Fisheries Services nor their critical habitats. As part of the development of the EA, WS consulted with the USFWS under Section 7 of the ESA. The USFWS concurred with WS' determination that activities conducted pursuant to the proposed action would not likely adversely affect those species currently listed in the State or their critical habitats (J. Boggs, Field Supervisor, USFWS pers. comm. 2013). The AGFC has also concurred with WS' determination that proposed activities would not adversely affect threatened and endangered species in Arkansas (M. Knoedle, Director, AGFC pers. comm. 2013).

Alternative 2 – Mammal Damage Management by WS through Technical Assistance Only

Under a technical assistance alternative, WS would have no direct impact on non-target species, including T&E species. Methods recommended or provided through loaning of equipment could be employed by those persons requesting assistance. Recommendations would be based on WS' Decision Model using information provided by the person requesting assistance or through site visits. Recommendations would include methods or techniques to minimize non-target impacts associated with the methods being recommended or loaned. Methods recommended could include non-lethal and lethal methods as deemed appropriate by WS' Decision Model and as permitted by laws and regulations.

The potential impacts to non-targets under this alternative would be variable and based on several factors. If methods were employed, as recommended by WS, the potential impacts to non-targets would likely be similar to the proposed action. If recommended methods and techniques were not followed or if other methods were employed that were not recommended, the potential impacts on non-target species, including T&E species would likely be higher compared to the proposed action.

The potential impacts of harassment and exclusion methods on non-target species would be similar to those described under the proposed action. Harassment and exclusion methods would be easily obtainable and simple to employ. Since identification of targets would occur when employing shooting as a method, the potential impacts to non-target species would likely be low under this alternative.

Those persons experiencing damage from mammals may implement methods and techniques based on the recommendations of WS. The potential for impacts would be based on the knowledge and skill of those persons implementing recommended methods. If those persons experiencing damage do not implement methods or techniques correctly, the potential impacts from providing only technical assistance could be greater than the proposed action. The incorrect implementation of methods or techniques recommended by WS could lead to an increase in non-target take when compared to the non-target take that could occur by WS under the proposed action alternative.

If requestors were provided technical assistance but do not implement any of the recommended actions and take no further action, the potential to take non-targets would be lower when compared to the proposed action. If those persons requesting assistance implement recommended methods appropriately

and as instructed or demonstrated, the potential impacts to non-targets would be similar to the proposed action. If WS made recommendations on the use of methods to alleviate damage but those methods were not implemented as recommended by WS or if those methods recommended by WS were used inappropriately, the potential for lethal take of non-targets would likely increase under a technical assistance only alternative. Therefore, the potential impacts to non-targets, including T&E species would be variable under a technical assistance only alternative.

If non-lethal methods recommended by WS under this alternative were deemed ineffective by those people requesting assistance, lethal methods could be employed by those people experiencing damage. Those persons requesting assistance would likely be those persons that would use lethal methods since a damage threshold had been met for that individual requester that triggered seeking assistance to reduce damage. The potential impacts on non-targets by those persons experiencing damage would be highly variable. People whose mammal damage problems were not effectively resolved by non-lethal control methods would likely resort to other means of legal or illegal lethal control. This could result in less experienced persons implementing control methods and could lead to greater take of non-target wildlife than the proposed action. When those persons experiencing damage caused by wildlife reach a level where assistance does not adequately reduce damage or where no assistance is available, people have resorted to using chemical toxicants that are illegal for use on the intended target species. The illegal use of methods often results in loss of both target and non-target wildlife (White et al. 1989, USFWS 2001, United States Food and Drug Administration 2003). The use of illegal toxicants by those persons frustrated with the lack of assistance or assistance that inadequately reduces damage to an acceptable level can often result in the indiscriminate take of wildlife species.

The ability to reduce negative impacts caused by mammals to wildlife species and their habitats, including T&E species, would be variable under this alternative. The ability to reduce risks would be based upon the skills and abilities of the person implementing damage management actions.

Alternative 3 – No Mammal Damage Management Conducted by WS

Under this alternative, WS would not be directly involved with damage management activities in the State. Therefore, no direct impacts to non-targets or T&E species would occur by WS under this alternative. Mammals would continue to be taken under permits issued by the AGFC, take would continue to occur during the regulated harvest seasons, and non-game mammal species could continue to be taken without the need for a permit. Risks to non-targets and T&E species would continue to occur from those people who implement damage management activities on their own or through recommendations by the other federal, state, and private entities. Although some risks could occur from those people that implement mammal damage management in the absence of any involvement by WS, those risks would likely be low and would be similar to those risks under the other alternatives.

The ability to reduce negative impacts caused by mammals to other wildlife species and their habitats, including T&E species, would be variable based upon the skills and abilities of the person implementing damage management actions under this alternative.

Issue 3 - Effects of Damage Management Methods on Human Health and Safety

A common concern is the potential adverse effects that methods available could have on human health and safety. The threats to human safety of methods available under the alternatives are evaluated below by each of the alternatives.

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

The cooperator requesting assistance would be made aware through a MOU, cooperative service agreement, or a similar document that those methods agreed upon could potentially be used on property owned or managed by the cooperator. Therefore, the cooperator would be made aware of the possible use of those methods on property they own or manage to identify any risks to human safety associated with the use of those methods. Cooperators would be made aware by signing a MOU, cooperative service agreement, or another similar document, which would assist WS and the cooperating entity with identifying any risks to human safety associated with methods at a particular location.

Under the proposed action, those methods discussed in Appendix B could be singularly or in combination to resolve and prevent damage associated with mammals in the State. WS would use the Decision Model to determine the appropriate method or methods that would effectively resolve the request for assistance. Those methods would be continually evaluated for effectiveness and if necessary, additional methods could be employed. Non-lethal and lethal methods could be used under the proposed action. WS would continue to provide technical assistance and/or direct operational assistance to those persons seeking assistance with managing damage or threats from mammals. Risks to human safety from technical assistance conducted by WS would be similar to those risks addressed under Alternative 2. Those non-lethal methods that could be used as part of an integrated approach to managing damage, that would be available for use by WS as part of direct operational assistance, would be similar to those risks associated with the use of those methods under the other alternatives.

Lethal methods available under the proposed action would include the use of body-gripping traps, cable restraints, recommendation of harvest during hunting and/or trapping seasons, fumigants, shooting, and euthanasia chemicals. In addition, target mammal species live-captured using non-lethal methods (*e.g.*, live-traps, immobilizing drugs) could be euthanized. Those lethal methods available under the proposed action alternative or similar products would also be available under the other alternatives. None of the lethal methods available would be restricted to use by WS only. Euthanasia chemicals would not be available to the public but those mammals live-captured could be killed using other methods.

WS' employees who conduct activities to manage damage caused by mammals would be knowledgeable in the use of those methods available, the wildlife species responsible for causing damage or threats, and WS' directives. That knowledge would be incorporated into the decision-making process inherent with the WS' Decision Model that would be applied when addressing threats and damage caused by mammals. When employing lethal methods, WS' employees would consider risks to human safety when employing those methods based on location and method. For example, risks to human safety from the use of methods would likely be lower in rural areas that are less densely populated. Consideration would also be given to the location where damage management activities would be conducted based on property ownership. If locations where methods would be employed occur on private property in rural areas where access to the property could be controlled and monitored, the risks to human safety from the use of methods would likely be less. If damage management activities occurred at public parks or near other public use areas, then risks of the public encountering damage management methods and the corresponding risk to human safety would increase. Activities would generally be conducted when human activity was minimal (*e.g.*, early mornings, at night) or in areas where human activities was minimal (*e.g.*, in areas closed to the public).

The use of live-capture traps, restraining devices (*e.g.*, foothold traps, some cable restraints), and body-gripping traps have been identified as a potential issue. Live-capture traps available for mammals would typically be walk-in style traps where mammals enter but are unable to exit. Live-traps, restraining devices, and body-gripping traps would typically be set in situations where human activity was minimal

to ensure public safety. Those methods rarely cause serious injury and would only be triggered through direct activation of the device. Therefore, human safety concerns associated with live-traps, restraining devices, and body-gripping traps used to capture wildlife, including mammals, would require direct contact to cause bodily harm. Therefore, if left undisturbed, risks to human safety would be minimal. Signs warning of the use of those tools in the area could be posted for public view at access points to increase awareness that those devices were being used and to avoid the area, especially pet owners.

Other live-capture devices, such as cannon nets, pose minor safety hazards to the public since activation of the device would occur by trained personnel after target species were observed in the capture area of the net. Lasers also pose minimal risks to the public since application would occur directly to target species by trained personnel, which would limit the exposure of the public to misuse of the method.

Safety issues related to the misuse of firearms and the potential human hazards associated with the use of firearms were issues identified. To help ensure the safe use of firearms and to increase awareness of those risks, WS' employees who use firearms during official duties would be required to attend an approved firearm safety-training course and to remain certified for firearm use must attend a safety training course in accordance with WS Directive 2.615. As a condition of employment, WS' employees who carry and use firearms are subject to the Lautenberg Domestic Confiscation Law, which prohibits firearm possession by anyone who has been convicted of a misdemeanor crime of domestic violence (18 USC § 922(g)(9)). A safety assessment based on site evaluations, coordination with cooperating and local agencies (if applicable), and consultation with cooperators would be conducted before firearms were deemed appropriate to alleviate or reduce damage and threats to human safety when conducting activities. WS would work closely with cooperators requesting assistance to ensure all safety issues were considered before firearms would be deemed appropriate for use. The use of all methods, including firearms, would be agreed upon with the cooperator to ensure the safe use of those methods. The security of firearms would also occur pursuant to WS Directive 2.615.

The issue of using chemical methods as part of managing damage associated with wildlife relates to the potential for human exposure either through direct contact with the chemical or exposure to the chemical from wildlife that have been exposed. Under the alternatives identified, the use of chemical methods could include immobilizing drugs, euthanasia chemicals, reproductive inhibitors, fumigants, and repellents.

The use of immobilizing drugs would only be administered to mammals that have been live-captured using other methods or administered through injection using a projectile (*e.g.*, dart gun). Immobilizing drugs used to sedate wildlife would be used to temporarily handle and transport animals to lessen the distress of the animal from the experience. Drug delivery would likely occur on site with close monitoring of the animal to ensure proper care of the animal. Immobilizing drugs would be reversible with a full recovery of sedated animals occurring. Drugs used in capturing and handling wildlife that would be available include ketamine, a mixture of ketamine/xylazine, and telazol. A list and description of immobilizing drugs available for use under the identified alternatives can be found in Appendix B.

If mammals were immobilized for sampling or translocation and released, risks could occur to human safety if harvest and consumption occurred. SOPs employed by WS to reduce risks are discussed in Chapter 3 and in Appendix B. SOPs that would be part of the activities conducted include:

- All immobilizing drugs used in capturing and handling wildlife would be under the direction and authority of state veterinary authorities, either directly or through procedures agreed upon between those authorities and WS.
- As determined on a state-level basis by those veterinary authorities (as allowed by AMDUCA), wildlife hazard management programs may choose to avoid capture and handling activities that

utilize immobilizing drugs within a specified number of days prior to the hunting or trapping season for the target species to avoid release of animals that may be consumed by hunters prior to the end of established withdrawal periods for the particular drugs used. Ear tagging or other marking of animals drugged and released to alert hunters and trappers that they should contact state officials before consuming the animal.

- Most animals administered immobilizing drugs would be released well before hunting/trapping seasons, which would give the drug time to completely metabolize out of the animals' systems before they might be taken and consumed by people. In some instances, animals collected for control purposes would be euthanized when they are captured within a certain specified time period prior to the legal hunting or trapping season to avoid the chance that they would be consumed as food while still potentially having immobilizing drugs in their systems.

Meeting the requirements of the AMDUCA should prevent any adverse effects to human health with regard to this issue.

Euthanizing chemicals would be administered under similar circumstances to immobilizing drugs. Euthanizing chemicals would be administered to animals live-captured using other methods. Euthanasia chemicals would include sodium pentobarbital, potassium chloride, and Beuthanasia-D. Euthanized animals would be disposed of in accordance with WS Directive 2.515; therefore, would not be available for harvest and consumption. Euthanasia of target animals would occur in the absence of the public to minimize risks, whenever possible.

The recommendation of repellents or the use of those repellents registered for use to disperse mammals in the State could occur under the proposed action as part of an integrated approach to managing mammal damage. Those chemical repellents that would be available to recommend for use or that could be directly used by WS under this alternative would also likely be available under any of the alternatives. Therefore, risks to human safety from the recommendation of repellents or the direct use of repellents would be similar across all the alternatives. Risks to human safety associated with the use of repellents by WS or the recommendation of repellents by WS is addressed under the technical assistance only alternative (Alternative 2). Risks to human safety would be similar across all the alternatives. WS' involvement, either through recommending the use of repellents or the direct use of repellents, would ensure that label requirements of those repellents were discussed with those persons requesting assistance when recommended through technical assistance or would be specifically adhered to by WS' personnel when using those chemical methods. Therefore, the risks to human safety associated with the recommendation of or direct use of repellents could be lessened through WS' participation.

Gas cartridges would be ignited and placed inside of burrows or dens with the entrance covered by dirt, which traps carbon monoxide inside the burrow. The carbon monoxide would dissipate into the atmosphere and be diluted by the air (EPA 1991). WS would follow label instructions when employing gas cartridges. Therefore, no risks to human safety would occur from the use of gas cartridges. Gas cartridges were not registered for use in the State during the development of this EA.

Due to the classification of GonaCon™ as a restricted-use pesticide by the EPA, this product would be restricted to use by federal or state agencies that have successfully completed the requirements of the Arkansas Agriculture Department for the purchase and application of restricted-use pesticides. Risks to human safety would be limited primarily to the actual applicator due to the necessity to capture and inject GonaCon™ into each animal to be vaccinated. During the development of this EA, GonaCon™ was not registered for use in Arkansas; therefore, GonaCon™ would not be available for use within the State. However, this product could be registered for use in Arkansas and could be administered by AGFC or their agents under any of the alternatives.

Risks to human safety from the use of GonaCon™ would be minimal and would occur primarily to those persons injecting the deer through accidental self-injection or those persons handling syringes. To reduce the risks of accidental exposure through self-injection, the label of GonaCon™ requires the use of long sleeved shirts, long pants, gloves, socks, and shoes. In addition, injection would only occur after deer had been properly restrained to minimize accidental injection during application to the deer. The label also requires that children be absent from the area during application of the vaccine as well as a warning to women that accidental self-injection could cause infertility.

In addition, human exposure could occur through consumption of deer that were treated with GonaCon™. As was discussed previously, the vaccine and the antibodies produced in response to the vaccine are amino acid proteins that if consumed would be broken down by stomach acids and enzymes, posing no risks to human safety. The vaccine would only be used in localized areas where deer populations have exceeded the biological or social carrying capacity. Those areas would likely be places where hunting was prohibited or restricted (*e.g.*, in public parks); therefore, the consumption of deer would be unlikely in those areas where the vaccine would be used since hunting would be prohibited or restricted. Deer injected with the vaccine must also be marked for identification, which would allow for placement of warnings to people that could take and consume a treated deer. Based on the use pattern of GonaCon™ and the chemical make-up of the vaccine and the antibodies, the risks to human safety from the use of the vaccine would be extremely low and would occur primarily to the handler (EPA 2009).

The recommendation by WS that mammals be harvested during the regulated hunting and/or trapping season that are established by the AGFC would not increase risks to human safety above those risks already inherent with hunting or trapping those species. Recommendations of allowing hunting and/or trapping on property owned or managed by a cooperator to reduce mammal populations, which could then reduce damage or threats, would not increase risks to human safety. Safety requirements established by the AGFC for the regulated hunting and trapping season would further minimize risks associated with hunting and trapping. Although hunting and trapping accidents do occur, the recommendation of allowing hunting or trapping to reduce localized populations of mammals would not increase those risks.

CONSEQUENCES OF AERIAL WILDLIFE OPERATIONS ACCIDENTS

Aerial wildlife operations, like any other flying, may result in an accident. WS' pilots and crewmembers would be trained and experienced to recognize the circumstances, which lead to accidents and have thousands of hours of flight time. The national WS Aviation Program has increased its emphasis on safety, including funding for additional training, the establishment of a WS Flight Training Center and annual recurring training for all pilots. Still, accidents may occur and the environmental consequences should be evaluated.

***Major Ground or Wild/Forest Fires*:** Although fires could result from aircraft-related accidents, no such fires have occurred from aircraft incidents previously involving government aircraft and low-level flights.

Fuel Spills and Environmental Hazard from Aviation Accidents: A representative of the National Transportation Safety Board has stated previously that aviation fuel is extremely volatile and will evaporate within a few hours or less to the point that even its odor cannot be detected (USDA 2005). Helicopters used for aerial wildlife operations carry less fuel than fixed-wing aircraft with 30 gallons the maximum for most helicopters. In some cases, little or none of the fuel would be spilled if an accident occurs. Thus, there should be little environmental hazard from unignited fuel spills.

Oil and Other Fluid Spills: With the size of aircraft used by WS, the quantities of oil (*e.g.*, 3 to 5 quarts in helicopters) capable of being spilled in any accident would be small and insignificant with respect to

the potential for environmental damage. The greatest potential amount of oil that could be spilled in one accident would be about eight quarts.

When exposed to oxygen, petroleum products biodegrade through volatilization and bacterial action (EPA 2000). Thus, small quantity oil spills on surface soils can be expected to biodegrade readily. Even in subsurface contamination situations involving underground storage facilities that would generally be expected to involve larger quantities than would ever be involved in a small aircraft accident, EPA guidelines provide for *"natural attenuation"* or volatilization and biodegradation in some situations to mitigate environmental hazards (EPA 2000). Thus, even where oil spills in small aircraft accidents were not cleaned up, the oil does not persist in the environment or persists in such small quantities that no adverse effects would be expected. In addition, WS' accidents generally would occur in remote areas away from human habitation and drinking water supplies. Thus, the risk to drinking water appears to be exceedingly low to nonexistent.

For these reasons, the risk of ground fires or fuel/oil pollution from aviation accidents could be considered low. In addition, based on the history and experience of the program in aircraft accidents, it appears the risk of significant environmental damage from such accidents is exceedingly low.

No adverse effects to human safety have occurred from WS' use of methods to alleviate mammal damage in the State from FY 2008 through FY 2012. The risks to human safety from the use of non-lethal and lethal methods, when used appropriately and by trained personnel, would be considered low. Based on the use patterns of methods available to address damage caused by mammals, this alternative would comply with Executive Order 12898 and Executive Order 13045.

Alternative 2 – Mammal Damage Management by WS through Technical Assistance Only

Under this alternative, WS would be restricted to making recommendations on the use of methods and the demonstration of methods to resolve damage. WS would only provide technical assistance to those people requesting assistance with mammal damage and threats. Although hazards to human safety from non-lethal methods exist, those methods are generally regarded as safe when used by trained individuals who are experienced in their use. Risks to human safety associated with non-chemical methods such as resource management methods (*e.g*., crop selection, limited habitat modification, modification of human behavior), exclusion devices, frightening devices, and cage traps could be considered low based on their use profile for alleviating damage associated with wildlife. Although some risk of fire and bodily harm exists from the use of pyrotechnics and propane cannons, when used appropriately and in consideration of those risks, those methods could be used with a high degree of safety.

Under a technical assistance only alternative, the use of immobilizing drugs, euthanasia chemicals, and GonaCon™ would not be available to the public. However, personnel with the AGFC or their designated agents could use GonaCon™ under this alternative, if registered. Drugs used in capturing and handling wildlife could be administered under the direction and authority of state veterinary authorities, either directly or through procedures agreed upon between those authorities and other entities, such as the AGFC. If cannon nets were recommended, persons employing nets would be present at the site during application to ensure the safety of the public and operators. Although some fire and explosion hazards exist with rocket nets during ignition and storage of the explosive charges, safety precautions associated with the use of the method, when adhered to, would pose minimal risks to human safety and would primarily occur to the handler. Nets would not be recommended in areas where public activity was high, which would further reduce the risks to the public. Nets would be recommended for use in areas where public access was restricted whenever possible to reduce risks to human safety. Overall, nets would pose minimal risks to the public.

The use of chemical methods that are considered non-lethal would be available under this alternative. Chemical methods available would include repellents. There are few chemical repellents registered for use to manage damage caused by mammals in the State. Most repellents require ingestion of the chemical to achieve the desired effects on target species. Repellents that require ingestion are intended to discourage foraging on vulnerable resources and to disperse mammals from areas where the repellents are applied. Repellents, when used according to label directions, are generally regarded as safe especially when the ingredients are considered naturally occurring. Some risk of exposure to the chemical would occur to the applicator, as well as others, as the product was applied due to potential for drift. Some repellents also have restrictions on whether application can occur on edible plants with some restricting harvest for a designated period after application. All restrictions on harvest and required personal protective equipment would be included on the label and if followed, would minimize risks to human safety associated with the use of those products.

The recommendation by WS that mammals be harvested during the regulated hunting and/or trapping season, which would be established by the AGFC would not increase risks to human safety above those risks already inherent with hunting and trapping mammals. Recommendations of allowing hunting or trapping on property owned or managed by a cooperator to reduce local mammal populations that could then reduce mammal damage or threats would not increase risks to human safety. Safety requirements established by the AGFC for the regulated hunting and trapping season would further minimize risks associated with those activities. Although hunting and trapping accidents do occur, the recommendation of allowing hunting or trapping to reduce localized mammal populations would not increase those risks.

The recommendation of shooting with firearms as a method of direct lethal take could occur under this alternative. Safety issues do arise related to misusing firearms and the potential human hazards associated with firearms use when employed to reduce damage and threats. When used appropriately and with consideration for human safety, risks associated with firearms would be minimal. If firearms were employed inappropriately or without regard to human safety, serious injuries could occur. Under this alternative, recommendations of the use of firearms by WS would include human safety considerations. Since the use of firearms to alleviate mammal damage would be available under any of the alternatives and the use of firearms by those persons experiencing mammal damage could occur whether WS was consulted or contacted, the risks to human safety from the use of firearms would be similar among all the alternatives.

If non-chemical methods were employed according to recommendations and as demonstrated by WS, the potential risks to human safety would be similar to the proposed action. If methods were employed without guidance from WS or applied inappropriately, the risks to human safety could increase. The extent of the increased risk would be unknown and variable. Non-chemical methods inherently pose minimal risks to human safety given the design and the extent of the use of those methods.

The cooperator requesting assistance would also be made aware of threats to human safety associated with the use of those methods. SOPs for methods are discussed in Chapter 3 of this EA. Risks to human safety from activities and methods recommended under this alternative would be similar to the other alternatives since the same methods would be available. If misused or applied inappropriately, any of the methods available to alleviate mammal damage could threaten human safety. However, when used appropriately, methods available to alleviate damage would not threaten human safety. The recommendation of methods by WS to people requesting assistance and the pattern of use recommended by WS would comply with Executive Order 12898 and Executive Order 13045.

Alternative 3 – No Mammal Damage Management Conducted by WS

Under the no involvement by WS alternative, WS would not be involved with any aspect of managing damage associated with mammals in the State, including technical assistance. Due to the lack of involvement in managing damage caused by mammals, no impacts to human safety would occur directly from WS. This alternative would not prevent those entities experiencing threats or damage from mammals from conducting damage management activities in the absence of WS' assistance. The direct burden of implementing permitted methods would be placed on those people experiencing damage or would require those people to seek assistance from other entities.

Similar to the technical assistance only alternative, GonaCon™, immobilizing drugs, and euthanasia chemicals would not be available under this alternative to the public. However, fumigants and repellents would continue to be available to those persons with the appropriate pesticide applicators license. Since most methods available to resolve or prevent mammal damage or threats would be available to anyone, the threats to human safety from the use of those methods would be similar between the alternatives. However, methods employed by those persons not experienced in the use of methods or are not trained in their proper use, could increase threats to human safety. Overall, the methods available to the public, when applied correctly and appropriately, would pose minimal risks to human safety.

Issue 4 - Effects on the Aesthetic Values of Mammals

Another concern often raised is the potential impact the alternatives could have on the aesthetic value that people often regard for mammals. The effects of the alternatives on this issue are analyzed below by alternative.

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

Under the proposed action, methods would be employed that would result in the dispersal, exclusion, or removal of individuals or small groups of mammals to resolve damage and threats. In some instances where mammals were dispersed or removed, the ability of interested persons to observe and enjoy those mammals would likely temporarily decline.

Even the use of exclusionary devices can lead to the dispersal of wildlife if the resource being damaged was acting as an attractant. Thus, once the attractant has been removed or made unavailable, the wildlife would likely disperse to other areas where resources would be more vulnerable.

The use of lethal methods would result in temporary declines in local populations resulting from the removal of mammals to address or prevent damage and threats. The goal under the proposed action would be to respond to requests for assistance and to manage those mammals responsible for the resulting damage. Therefore, the ability to view and enjoy mammals would remain if a reasonable effort were made to locate mammals outside the area in which damage management activities were occurring. In most cases, the mammals removed by WS could be removed by the person experiencing damage or removed by other entities if no assistance was provided by WS.

All activities would be conducted where a request for assistance was received and only after the cooperator and WS had signed a cooperative service agreement or similar document. Some aesthetic value would be gained by the removal of mammals and the return of a more natural environment, including the return of native wildlife and plant species that may be suppressed or displaced by high mammal densities.

Since those mammals that could be removed by WS under this alternative could be removed by other entities, WS' involvement in taking those mammals would not likely be additive to the number of mammals that could be taken in the absence of WS' involvement. Other entities could remove mammals when a permit had been issued by the AGFC, without the need for a permit if the species was unregulated, or during the regulated hunting or trapping seasons.

WS' take of mammals from FY 2008 through FY 2012 has been of low magnitude compared to the total mortality and populations of those species. WS' activities would not likely be additive to the mammals that could be taken in the absence of WS' involvement. Although mammals removed by WS would no longer be present for viewing or enjoying, those mammals would likely be removed by the property owner or manager if WS were not involved in the action. Take by the property owner or manager could occur under a permit, during the regulated hunting and trapping seasons, or if the mammals were unregulated, take could occur without the need for a permit. Given the limited take proposed by WS under this alternative when compared to the known sources of mortality of mammals and the population estimates of those species, WS' mammal damage management activities conducted pursuant to the proposed action would not adversely affect the aesthetic value of mammals. The impact on the aesthetic value of mammals and the ability of the public to view and enjoy mammals under the proposed action would be similar to the other alternatives and would likely be low.

Alternative 2 – Mammal Damage Management by WS through Technical Assistance Only

If those persons seeking assistance from WS were those persons likely to conduct damage management activities in the absence of WS' involvement, then technical assistance provided by WS would not adversely affect the aesthetic value of mammals in the State similar to Alternative 1. Mammals could be lethally taken under this alternative by those entities experiencing mammal damage or threats, which would result in localized reductions in the presence of mammals at the location where damage was occurring. The presence of mammals where damage was occurring would be reduced where damage management activities were conducted under any of the alternatives. Even the recommendation of non-lethal methods would likely result in the dispersal of mammals from the area if those non-lethal methods recommended by WS were employed by those persons receiving technical assistance. Therefore, technical assistance provided by WS would not prevent the aesthetic enjoyment of mammals since any activities conducted to alleviate mammal damage could occur in the absence of WS' participation in the action, either directly or indirectly.

Under this alternative, the effects on the aesthetic values of mammals would be similar to those addressed in the proposed action. When people seek assistance with managing damage from either WS or another entity, the damage level has often reached an unacceptable threshold for that particular person. Therefore, in the case of mammal damage, the social acceptance level of those mammals causing damage has reached a level where assistance has been requested and those persons would likely apply methods or seek those entities that would apply those methods based on recommendations provided by WS or by other entities. Based on those recommendations, methods could be employed by the requestor that would result in the dispersal and/or removal of mammals responsible for damage or threatening safety. If those mammals causing damage were dispersed or removed by those persons experiencing damage based on recommendations by WS or other entities, the potential effects on the aesthetic value of those mammals would be similar to the proposed action alternative. In addition, those persons could contact other entities to provide direct assistance with dispersing or removing those mammals causing damage.

The potential impacts on aesthetics from a technical assistance program would only be lower than the proposed action if those individuals experiencing damage were not as diligent in employing those methods as WS would be if conducting an operational program or if no further action was taken by the requester. If those persons experiencing damage abandoned the use of those methods or conducted no

further actions, then mammals would likely remain in the area and available for viewing and enjoying for those persons interested in doing so. Similar to the other alternatives, the geographical area in which damage management activities could occur would not be such that mammals would be dispersed or removed from such large areas that opportunities to view and enjoy mammals would be severely limited.

Alternative 3 – No Mammal Damage Management Conducted by WS

Under the no mammal damage management by WS alternative, the actions of WS would have no impact on the aesthetic value of mammals in the State. Those people experiencing damage or threats from mammals would be responsible for researching, obtaining, and using all methods as permitted by federal, state, and local laws and regulations. Mammals could continue to be dispersed and lethally taken under this alternative in the State. Lethal take could continue to occur when permitted by the AGFC through the issuance of permits, take could occur during the regulated harvest season, and in the case of non-regulated species, take could occur any time without the need for a permit.

Since mammals would continue to be taken under this alternative, despite WS' lack of involvement, the ability to view and enjoy mammals would likely be similar to the other alternatives. The lack of WS' involvement would not lead to a reduction in the number of mammals dispersed or taken since WS' has no authority to regulate take or the harassment of mammals in the State. The AGFC with management authority over mammals could continue to adjust all take levels based on population objectives for those mammal species in the State. Therefore, the number of mammals lethally taken annually through hunting and under permits would be regulated and adjusted by the AGFC.

Those people experiencing damage or threats could continue to use those methods they feel appropriate to resolve mammal damage or threats, including lethal take or could seek the direct assistance of other entities. Therefore, WS' involvement in managing damage would not be additive to the mammals that could be dispersed or removed. The impacts to the aesthetic value of mammals would be similar to the other alternatives.

Issue 5 - Humaneness and Animal Welfare Concerns of Methods

As discussed previously, a common issue often raised is concerns about the humaneness of methods available under the alternatives for resolving mammal damage and threats. The issues of method humaneness relating to the alternatives are discussed below.

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

Under the proposed action, WS would integrate methods using WS' Decision Model as part of technical assistance and direct operational assistance. Methods available under the proposed action could include non-lethal and lethal methods integrated into direct operational assistance conducted by WS. Under this alternative, non-lethal methods would be used by WS that were generally regarded as humane. Non-lethal methods that would be available include resource management methods (*e.g.*, crop selection, limited habitat modification, modification of human behavior), translocation, exclusion devices, frightening devices, reproductive inhibitors, cage traps, foothold traps, nets, immobilizing drugs, and repellents.

As discussed previously, humaneness, in part, appears to be a person's perception of harm or pain inflicted on an animal. People may perceive the humaneness of an action differently. The challenge in coping with this issue is how to achieve the least amount of animal suffering.

Some individuals believe any use of lethal methods to resolve damage associated with wildlife is inhumane because the resulting fate is the death of the animal. Others believe that certain lethal methods can lead to a humane death. Others believe most non-lethal methods of capturing wildlife to be humane because the animal is generally unharmed and alive. Still others believe that any disruption in the behavior of wildlife is inhumane. With the multitude of attitudes on the meaning of humaneness and the varying perspectives on the most effective way to address damage and threats in a humane manner, agencies are challenged with conducting activities and employing methods that are perceived to be humane while assisting those persons requesting assistance to manage damage and threats associated with wildlife. The goal of WS would be to use methods as humanely as possible to resolve requests for assistance to reduce damage and threats to human safety. WS would continue to evaluate methods and activities to minimize the pain and suffering of methods addressed when attempting to resolve requests for assistance.

Some methods have been stereotyped as "*humane*" or "*inhumane*". However, many "*humane*" methods can be inhumane if not used appropriately. For instance, a cage trap would generally be considered by most members of the public as "*humane*", since the animal would be alive and generally unharmed. Yet, without proper care, live-captured wildlife in a cage trap could be treated inhumanely if not attended to appropriately.

Therefore, the goal would be to effectively address requests for assistance using methods in the most humane way possible that minimizes the stress and pain to the animal. Overall, the use of resource management methods, harassment methods, and exclusion devices are regarded as humane when used appropriately. Although some concern arises from the use of live-capture methods, the stress of animals is likely temporary.

Although some issues of humaneness could occur from the use of cage traps, foothold traps, reproductive inhibitors, translocation, immobilizing drugs, nets, and repellents, those methods, when used appropriately and by trained personnel, would not result in the inhumane treatment of wildlife. Concerns from the use of those non-lethal methods would be from injuries to animals while those animals were restrained and from the stress of the animal while being restrained or during the application of the method. Pain and physical restraint can cause stress in animals and the inability of animals to effectively deal with those stressors can lead to distress. Suffering occurs when action is not taken to alleviate conditions that cause pain or distress in animals.

If mammals were to be live-captured by WS, WS' personnel would be present on-site during capture events or capture devices would be checked frequently to ensure mammals captured were addressed in a timely manner and to prevent injury. Although stress could occur from being restrained, timely attention to live-captured wildlife would alleviate suffering. Stress would likely be temporary.

Under the proposed action, lethal methods could also be employed to alleviate or prevent mammal damage and threats, when requested. Lethal methods would include shooting, body-gripping traps, cable restraints, fumigants, euthanasia chemicals, and the recommendation of take during hunting and/or trapping seasons. In addition, target species live-captured using non-lethal methods could be euthanized by WS. WS' use of lethal control methods under the proposed action would follow those required by WS' directives (see WS Directive 2.505, WS Directive 2.430).

The euthanasia methods being considered for use under the proposed action for live-captured mammals are carbon dioxide, carbon monoxide, gunshot, and barbiturates or potassium chloride in conjunction with general anesthesia. Those methods are considered acceptable methods by the AVMA for euthanasia and the use of those methods would meet the definition of euthanasia (AVMA 2013). The use of carbon dioxide, carbon monoxide, barbiturates, and potassium chloride for euthanasia would occur after the

animal had been live-captured and would occur away from public view. Although the AVMA guideline also lists gunshot as a conditionally acceptable method of euthanasia for free-ranging wildlife, there is greater potential the method may not consistently produce a humane death (AVMA 2013). WS' personnel that employ firearms to address mammal damage or threats to human safety would be trained in the proper placement of shots to ensure a timely and quick death.

An issue when dealing with aquatic rodent species is the use of foothold traps to create drowning sets and the humaneness of drowning. There is considerable debate and disagreement among animal interest groups, veterinarians, wildlife professionals, fur trappers, and nuisance wildlife control specialists on this issue. The debate centers on an uncertainty as to whether the drowning animals are rapidly rendered unconscious by high levels of carbon dioxide and thus are rapidly insensitive to distress and pain (Ludders et al. 1999). The inhalation of carbon dioxide at concentrations of 7.5% can increase the pain threshold and higher concentrations can have a rapid anesthetic effect on animals (AVMA 2013). For comparison, room air contains approximately 0.04% carbon dioxide (AVMA 2007).

The AVMA concluded that drowning did not meet the definition of euthanasia (AVMA 2013), but provided no literature citations to support this position. Ludders et al. (1999) concluded animals that drowned were distressed because of the presence of high levels of the stress related hormones epinephrine and norepinephrine that were present in their bloodstreams. Ludders et al. (1999) showed death during drowning occurred from hypoxia and anoxia; thus, animals experienced hypoxemia. Ludders et al. (1999) reported carbon dioxide narcosis did not occur in drowning animals until the mercury levels in the arterial blood of animals exceeded 95 millimeters. Therefore, Ludders et al. (1999) also concluded drowning did not meet the definition of euthanasia. This conclusion was based on animals not dying rapidly from carbon dioxide narcosis (Ludders et al. 1999).

Death by drowning in the classical sense is caused by the inhalation of fluid into the lungs and is referred to as "*wet*" drowning (Gilbert and Gofton 1982, Noonan 1998). Gilbert and Gofton (1982) reported that all submerged beaver do not die from wet drowning, but die of carbon dioxide induced narcosis, and the AVMA has stated the use of CO_2 is acceptable (Gilbert and Gofton 1982, Noonan 1998, AVMA 2013). Gilbert and Gofton (1982) reported that after beaver were trapped and entered the water, they struggled for two to five minutes, followed by a period of reflexive responses. Andrews et al. (1993) stated that with some techniques that induce hypoxia, some animals have reflex motor activity followed by unconsciousness that is not perceived by the animal. Gilbert and Gofton (1982) stated it is unknown how much conscious control actually existed at this stage and they stated anoxia might have removed much of the sensory perception by five to seven minutes post submersion.

However, Gilbert and Gofton (1982) have been criticized because levels of CO_2 in the blood were not reported (Ludders et al. 1999) and there was insufficient evidence that the beaver in their study were under a state of CO_2 narcosis when they died (letter from V. Nettles, D.V.M., Ph.D., Southeastern Cooperative Wildlife Disease Study, to W. MacCallum, MDFW, June 15, 1998). Adding to the controversy, Clausen and Ersland (1970) did measure CO_2 in the blood for submersed restrained beaver, yet none of the beaver in their study died, so Clausen and Ersland (1970) could not determine if beaver died of CO_2 narcosis. Clausen and Ersland (1970) demonstrated that CO_2 increased in arterial blood while beaver were submersed and CO_2 was retained in the tissues. While Clausen and Ersland (1970) did measure the amounts of CO_2 in the blood of submersed beaver, they did not attempt to measure the analgesic effect of CO_2 buildup to the beaver (letter from V. Nettles, D.V.M., Ph.D., Southeastern Cooperative Wildlife Disease Study, to W. MacCallum, MDFW, June 15, 1998). When beaver are trapped using foothold traps with intent to "*drown*", the beaver are exhibiting a flight response. Gracely and Sternberg (1999) reported that there is stress-induced analgesia resulting in reduced pain sensitivity during fight or flight responses. Environmental stressors that animals experience during flight or fight activate the same stress-induced analgesia (Gracely and Sternberg 1999).

The use of drowning trap sets has been a traditional wildlife management technique in trapping aquatic mammals such as beaver and muskrat. Trapper education manuals and other wildlife damage management manuals written by wildlife biologists recommend drowning sets for foothold traps set for beaver (Howard et al. 1980, Randolph 1988, Bromley et al. 1994, Dolbeer et al. 1994, Miller and Yarrow 1994). In some situations, drowning trap sets are the most appropriate and efficient method available to capture beaver and muskrat. For example, a drowning set attachment should be used with foothold traps when capturing beaver to prevent the animals from injuring themselves while restrained, or from escaping (Miller and Yarrow 1994). Animals that drown die relatively quickly (*e.g.*, within minutes) versus the possible stress of being restrained and harassed by people, dogs, and other wildlife before being euthanized. Drowning sets make the captured animal and trap less visible and prevents injury from the trapped animal (*i.e.*, bites and scratches) to people who may otherwise approach a restrained animal. Furthermore, the sight of dead animals may offend some people. Drowning places the dead animal out of public view. Some sites may be unsuitable for body-gripping traps or snares because of unstable banks, deep water, or a marsh with a soft bottom, but those sites would be suitable for foothold traps.

Given the short time period of a drowning event, the possible analgesic effect of CO_2 buildup, the minimal if any pain or distress on drowning animals, the AVMA acceptance of hypoxemia as euthanasia, the AVMA acceptance of a minimum of pain and distress during euthanasia, and the acceptance of catching and drowning muskrats approved by International Humane Trapping Standards (Fur Institute of Canada 2000),WS concludes that drowning, though rarely used by WS, is acceptable. WS recognizes some people would disagree.

Research and development by WS has improved the selectivity and humaneness of management techniques. Research is continuing to bring new findings and products into practical use. Until new findings and products are found practical, a certain amount of animal suffering could occur when some methods were used in situations where non-lethal damage management methods were not practical or effective. Personnel from WS would be experienced and professional in their use of management methods. Consequently, management methods would be implemented in the most humane manner possible. Many of the methods discussed in Appendix B to alleviate mammal damage and/or threats in the State could be used under any of the alternatives by those persons experiencing damage regardless of WS' direct involvement. The only methods that would not be available to those people experiencing damage associated with mammals would be reproductive inhibitors, immobilizing drugs, and euthanasia chemicals. Therefore, the issue of humaneness associated with methods would be similar across any of the alternatives since those methods could be employed by other entities in the absence of WS' involvement. Those persons who view a particular method as humane or inhumane would likely continue to view those methods as humane or inhumane under any of the alternatives. SOPs that would be incorporated into WS' activities to ensure methods were used by WS as humanely as possible are listed in Chapter 3.

Alternative 2 – Mammal Damage Management by WS through Technical Assistance Only

The issue of humaneness of methods under this alternative would be similar to the humaneness issues discussed under the proposed action. This perceived similarity would be derived from WS' recommendation of methods that some people may consider inhumane. WS would not directly be involved with damage management activities under this alternative. However, the recommendation of the use of methods would likely result in the requester employing those methods. Therefore, by recommending methods and thus a requester employing those methods, the issue of humaneness would be similar to the proposed action. Under Alternative 2, WS would recommend the use of euthanasia methods pursuant to WS Directive 2.505. However, the person requesting assistance would determine what methods to use to euthanize or kill a live-captured animal under Alternative 2.

WS would instruct and demonstrate the proper use and placement of methodologies to increase effectiveness in capturing target mammal species and to ensure methods were used in such a way as to minimize pain and suffering. However, the efficacy of methods employed by a cooperator would be based on the skill and knowledge of the requestor in resolving the threat to safety or damage situation despite WS' demonstration. Therefore, a lack of understanding of the behavior of mammals or improperly identifying the damage caused by mammals along with inadequate knowledge and skill in using methodologies to resolve the damage or threat could lead to incidents with a greater probability of being perceived as inhumane. In those situations, the potential for pain and suffering would likely be regarded as greater than discussed in the proposed action.

Alternative 3 – No Mammal Damage Management Conducted by WS

Under this alternative, WS would not be involved with any aspect of mammal damage management in Arkansas. Those people experiencing damage or threats associated with mammals could continue to use those methods legally available. Those methods would likely be considered inhumane by those persons who would consider methods proposed under any alternative as inhumane. The issue of humaneness would likely be directly linked to the methods legally available to the public since methods are often labeled as inhumane by segments of society no matter the entity employing those methods.

The humaneness of methods would be based on the skill and knowledge of the person employing those methods. A lack of understanding of the target species or methods used could lead to an increase in situations perceived as being inhumane to wildlife despite the method used. Despite the lack of involvement by WS under this alternative, those methods perceived as inhumane by certain individuals and groups would still be available to the public to use to resolve damage and threats caused by mammals. Under Alternative 3, euthanasia or killing of live-captured animals would also be determined by those persons employing methods to live-captured wildlife.

Issue 6 - Effects of Mammal Damage Management Activities on the Regulated Harvest of Mammals

The populations of several of the mammal species addressed in this assessment are sufficient to allow for annual harvest seasons that typically occur during the fall. Hunting and trapping seasons are established by the AGFC. Those species addressed in this EA that have established hunting and/or trapping seasons include Virginia opossum, raccoons, river otters, striped skunks, coyotes, red fox, bobcats, gray squirrels, fox squirrels, and white-tailed deer. For many mammal species considered harvestable during hunting and/or trapping seasons, the estimated number of mammals harvested during the season could be reported by the AGFC in published reports.

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

The magnitude of lethal take addressed in the proposed action would be low when compared to the mortality of those species from all known sources. When WS' proposed take of mammals was included as part of the known mortality of those species and compared to the estimated populations, the impact on those species' populations was below the level of removal required to lower population levels.

With oversight of mammal populations by the AGFC through the regulation of take, the number of mammals removed by WS would not limit the ability of those persons interested to harvest those mammal species during the regulated season. All take by WS would be reported to the AGFC annually to ensure take by WS was incorporated into population management objectives established for mammal populations. Based on the limited take proposed by WS and the oversight by the AGFC, WS' take of

mammals annually would have no effect on the ability of those persons interested to harvest mammals during the regulated harvest season.

Alternative 2 – Mammal Damage Management by WS through Technical Assistance Only

Under the technical assistance only alternative, WS would have no direct impact on mammal populations in the State. If WS recommended the use of non-lethal methods and those non-lethal methods were employed by those persons experiencing damage, mammals would likely be dispersed from the damage area to areas outside the damage area, which could serve to move those mammals from those less accessible areas to places accessible to hunters. Although lethal methods could be recommend by WS under a technical assistance only alternative, the use of those methods could only occur after the property owner or manager received a permit from the AGFC or when considered a non-regulated species, could be removed at any time using legally available methods. Lethal take could also occur during the annual hunting and trapping season in areas where those activities were permitted. WS' recommendation of lethal methods could lead to an increase in the use of those methods. However, the number of mammals removed under a permit and during the regulated hunting/trapping seasons would be determined by the AGFC. Therefore, WS' recommendation of the use of lethal methods under this alternative would not limit the ability of those persons interested in harvesting mammals during the regulated season since the AGFC determines the number of mammals that may be taken during the hunting/trapping season and under permits.

Alternative 3 – No Mammal Damage Management Conducted by WS

WS would have no impact on the ability to harvest mammals under this alternative. WS would not be involved with any aspect of mammal damage management. The AGFC would continue to regulate populations through adjustments of the allowed take during the regulated harvest season and the continued use of permits.

Issue 7 – Effects of Beaver Dam Manipulation on the Status of Wetlands in the State

Concern has also been expressed regarding the potential effects of the proposed action and the alternatives on wetland ecosystems associated with activities that could be conducted to address beaver damage or threats. Concerns have been raised that removing and/or modifying beaver dams in an area would result in the loss of wetland habitat and the plant and animal species associated with those wetlands. In addition, concerns are often raised regarding the use of lethal methods to remove beaver to alleviate damage or threats. If beaver were lethally removed from an area and any associated beaver dam was removed or breached, the manipulation of water levels by removing/breaching the dam could prevent the establishment of wetlands in areas where water has been impounded by beaver dams for an extended period.

Over time, the impounding of water associated with beaver dams can establish new wetlands. Because beaver dams may involve waters of the United States, the removal of a beaver dam is regulated under Section 404 of the CWA. The United States Army Corps Of Engineers and the EPA regulatory definition of a wetland (40 CFR 232.2) is "[t]*hose areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas*."

Although beaver can cause damage to resources, there can be many benefits associated with beaver and beaver activities. Beaver can provide ecological benefits associated with the creation of wetland habitats (Munther 1982, Wright 2002, Rossell et al. 2005, Bergman et al. 2007, Pollock 2007, Fouty 2008*a*, Fouty

2008*b*, Hood and Bayley 2008). Beaver can also provide aesthetic and recreational opportunities for wildlife observation (Wade and Ramsey 1986, Ringleman 1991), improve water quality (Muller-Schwarze and Sun 2003), and provide cultural and economic gains from fur harvest (Hill 1976, McNeely 1995, Lisle 1996, Lisle 2003).

Beaver impoundments can increase surface and groundwater storage, which can help reduce problems with flooding by slowing the downstream movement of water during high-flow events and help to mitigate the adverse effects of drought (Wade and Ramsey 1986, Hey and Phillips 1995, Naiman et al. 1988, Fouty 2008*a*,). Hood and Bayley (2008) determined that the presence of beaver could help reduce the loss of open water wetlands during warm, dry years. The presence of active beaver lodges accounted for over 80% of the amount of open water variability present in the mixed-wood boreal region of east-central Alberta (Hood and Bayley 2008). Hood and Bayley (2008) also found temperature and rainfall influenced the amount of open-water wetlands, but to a much lesser extent than the presence of beaver. During wet and dry years, the presence of beaver was associated with a 9-fold increase in open water area over the same areas when beaver were absent. Hood and Bayley (2008) noted that beaver could mitigate some of the adverse effects of global warming through their ability to create and maintain areas of open water. Beaver ponds and associated wetlands can provide a potential water source for livestock, serve as basins for the entrapment of streambed silt and eroding soil (Hill 1982), and help to filter nutrients from the water; thereby, maintaining the quality of nearby water systems (Arner and Hepp 1989).

Beaver may increase habitat diversity by opening forest habitats via dam building and tree cutting, which can result in a greater mix of plant species, and different-aged plant communities (Hill 1982, Arner and Hepp 1989). The creation of standing water, edge habitat, and plant diversity, all in close proximity, can result in excellent habitat for many wildlife species (Jenkins and Busher 1979, Arner and DuBose 1982, Hill 1982, Arner and Hepp 1989, Medin and Clary 1990, Medin and Clary 1991). The wetland habitat that can be created by beaver ponds can be beneficial to some fish (primarily warm water species), reptiles, amphibians, waterfowl, shorebirds, and furbearers such as muskrats (*Ondatra zibethicus*), otter, and mink (*Neovision vison*) (Arner and DuBose 1982, Naiman et al. 1986, Miller and Yarrow 1994). For example, in Mississippi, beaver ponds over three years in age were found to have developed plant communities valuable as nesting and brood rearing habitat for wood ducks (Arner and DuBose 1982). Reese and Hair (1976) found that beaver pond habitats were highly attractive to a large number of birds throughout the year and that the value of beaver pond habitat to waterfowl was minor when compared to other species of birds (Novak 1987). Beaver ponds can be beneficial to some T&E species. The USFWS estimates that up to 43% of T&E species rely directly or indirectly on wetlands for their survival (EPA 1995).

Under the proposed action alternative, WS could recommend and/or implement methods to manipulate water levels associated with water impounded by beaver dams to alleviate flooding damage. If the technical assistance alternative was selected, WS could recommend methods to people requesting assistance that could result in the manipulation of water levels associated with water impounded by beaver dams. WS would not be involved with any aspect of activities associated with beaver dams under the no involvement by WS alternative. Methods that would generally be available under all the alternatives would include exclusion devices, and water flow devices (see Appendix B for additional information). In addition, the use of backhoes or other mechanical methods could be employed by property owners or managers to remove or breach beaver dams under any of the alternatives; however, WS would not operationally employ backhoes or other large machinery to remove or breach dams.

Exclusion devices and water control systems have been used for many years to manipulate the level of water impounded by beaver dams with varying degrees of success (United States General Accounting Office 2001). Landowner management objectives play a role in how the efficacy of a level system is perceived (Nolte et al. 2001). Nolte et al. (2001) found that survey respondents classified pond levelers

installed to manage wetlands for waterfowl habitat more successful than levelers installed to provide relief from flooding. Langlois and Decker (2004) reported that "*...very few beaver problems...can actually be solved with a water level control device*" with a 4.5% success rate in Massachusetts and a 3% success rate in New York. Nolte et al. (2001) reported only 50% of installed pond levelers in Mississippi met landowner objectives and found that pond levelers placed in sites with high beaver activity more frequently failed if installed without implementing population control measures. Higher success rates have been reported for newer exclusion and water control systems ranging from 87% to 93% (Callahan 2005, Boyles 2006, Simon 2006, Boyles and Owens 2007). Lisle (2003) reported the use of water control devices or a combination of a Beaver Deceiver™ and flow management device virtually eliminated the need for maintenance and beaver removal at 20 sites where clogged culverts and flooded roads had previously been a routine issue.

When using exclusion and water control systems, those methods must be specifically designed to meet the needs of each site (Langlois and Decker 2004). Consequently, devices installed by inexperienced individuals may have a higher failure rate than those installed by a professional (Lisle 1996, Callahan 2003, Boyles 2006, Simon 2006, Spock 2006). Higher success rates reported for newer exclusion and water control devices may be indicative of increased understanding of the kinds of situations where those devices work best. For example, Callahan (2005) noted that exclusion and water control systems installed at culvert sites were more successful than similar systems installed at freestanding dams. Callahan (2003) and Callahan (2005) also provided a list of sites that were not well suited to the use of exclusion or water control devices. Boyles (2006) and Boyles and Owens (2007) reported some of the highest success rates for newer exclusion and water control systems; however, those devices were only tested at culvert sites.

Beaver build dams to raise water levels to meet their needs for security and access to forage. While pond levelers allow for the retention of some water, if the water level does not meet the needs of the beaver, they may move a short distance upstream or downstream and build a new dam, or abandon the area (Callahan 2003, Langlois and Decker 2004, Clemson University 2006). This may merely result in moving the problem to a new landowner or, depending upon site characteristics, the resulting pond may result in new or increased damage problems for the original landowner. McNeely (1995) reported the most common reasons cited for lack of success of water flow devices were clogging caused by debris or silt and beaver construction of additional dams upstream or downstream of the management device. In a study by Callahan (2005), construction of a new dam upstream or downstream of a pond leveler device was the most common cause of failure for free-standing dams (*e.g.*, dams not associated with a culvert or other similar constriction in water flow, 11 of 156 sites). Callahan (2005) also found that insufficient pipe capacity (6 sites), dammed fencing (2 sites), and lack of maintenance (2 sites) were also causes for pond leveler failures. Nolte et al. (2001) also reported the need to address problems with dams upstream or downstream of a device. At culvert sites, Callahan (2005) found a lack of maintenance was the primary cause of failure with culvert exclusion devices (4 of 227 sites). Callahan (2005) also found vandalism resulted in the failure of a culvert device at one of the sites. At two culvert sites, Callahan (2005) found dammed fencing reduced or completely impeded the operation of exclusion devices.

Most pond levelers and exclusion devices require maintenance. The amount of maintenance required can vary considerably among sites, depending on site conditions and the type of device (Nolte et al. 2001, Callahan 2005, Boyles 2006, Spock 2006). Stream flow, leaf fall, floods, and beaver activity can continuously bring debris to the intake of a water control device. Ice damage and damage from debris washed downstream during high water events may also trigger the need for maintenance (*e.g.*, cleaning out the intake pipe). Although most exclusion and water control devices generally require some level of maintenance, there are reports of devices that have remained effective for a period of years with no maintenance (Nolte et al. 2001). Nolte et al. (2001) reported that post-installation maintenance had been performed by property owners or managers on 70% of the 20 successfully operating Clemson pond levels installed by WS in Mississippi. The most common action was to adjust the riser on the pipe to

manipulate water levels. Other maintenance included removal of vegetation and secondary dams built after the installation of the devices. In a survey of individuals who had received assistance with exclusion and water control devices, Simon (2006) found 18 of 36 survey respondents reported maintaining their devices, while installation program staff monitored an additional 10 devices. Of those survey respondents, Simon (2006) found that 61% reported that routine maintenance took 15 minutes or less while 93% reported that maintenance took a half hour or less. Boyles (2006) reported that time spent in device maintenance ranged from one to 4.75 hours per year.

Installation and upkeep of water control devices vary from site to site. For example, transporting materials over long distances in difficult terrain to install devices in remote locations where road access is not available could increase costs compared to the ability to transport materials for installation at a culvert site along a roadway. Callahan (2005) reported that the average cost for an exclusion fence at a culvert was $750 with an average annual maintenance cost of approximately $200. Flexible leveler pipe systems cost an average of $1,000 to install and $100 per year in maintenance, while the average cost to install a combination fence and leveler was $1,400 with approximately $150 per year in maintenance (Callahan 2005). Over a ten-year period, Callahan (2005) estimated the cost of installation and annual maintenance would range from $200 to $290 per year depending on the device installed. Spock (2006) reported that exclusion and/or water control device installation cost ranged from < $600 to over $3,000 dollars, with slightly more than half the systems (58.2%) ranging between $600 and $1,000 to install. In many cases, Spock (2006) found the cost included the first year of maintenance. The more expensive installations tended to be extensive fence and leveler systems or systems with numerous leveler pipes (Spock 2006). Boyles (2006) reported that device installation cost an average of $1,349 per device and $3,180 per site with subsequent annual maintenance cost averaging $19.75 per site per year (Boyles 2006). However, unlike the study by Callahan (2005) the devices evaluated by Boyles (2006) had only been in place for a relatively short time (average time in place 15 months, range 6 to 22 months versus average time in place 36.6 months, range 3 to 75 months). The cost of maintenance may vary over time as site conditions change.

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

Manipulation of water levels associated with water impoundments caused by beaver dams could be addressed by WS under the proposed action using either dam breaching, dam removal, or the installation of water flow devices, including exclusion devices. Those methods allow dams to be breached or removed to maintain the normal flow of water. Heavy equipment, such as backhoes or bulldozers, would not be used by WS to breach, remove, or install water flow devices; although, heavy machinery could be utilized by a cooperator or their agents. WS may utilize small all-terrain or amphibious vehicles and/or watercraft for transporting personnel, equipment, and supplies to worksites.

The breaching or removal of dams could be conducted by hand. Breaching would normally be conducted through incremental stages of debris removal from the dam that allows water levels to be gradually lowered. Breaching of dams would normally occur to limit the potential for flooding downstream by gradually allowing water levels to lower as more of the dam was breached over time. Breaching also minimizes the release of debris and sediment downstream by allowing water to move slowly over or through the dam. Depending on the size of the impoundment, water levels could be slowly lowered over several hours or days when breaching dams. When breaching dams, only that portion of the dam blocking the stream or ditch channel would be altered or breached, with the intent of returning water levels and flow rates to historical levels or to a level that eliminates damage threats that would be acceptable to the property owner or resource manager. Similar to breaching dams, the removal of the dam removes the debris impounding water and restores the normal flow of water.

Beaver dams would generally be breached or removed by hand with a rake or power tools (*e.g.*, a winch). In addition to dam breaching and removal, water flow devices and exclusion methods would also be available for WS to employ during direct operational assistance or to recommend during technical assistance. Several different designs of water flow devices and exclusion methods would be available; however, the intent of all those methods would be to lower water levels by allowing water to flow through the beaver dam using pipes and wire mesh. After installation, beaver dams would be left intact with water levels maintained at desired levels by adjusting the water flow device. Water flow devices and exclusion methods allow beaver to remain at the site and maintain the beaver dam.

Although dams could be breached/removed manually, those methods can be ineffective because beaver could quickly repair or replace the dam if the beaver were not removed prior to breaching or removing the dam (McNeely 1995). Damage may be effectively reduced in some situations by installing exclusion and water control devices. Exclusion and water control devices can be designed so that the level of the beaver-created water impoundment can be managed to eliminate or minimize damage from flooding while retaining the ecological and recreational benefits derived from beaver impounding water over time. For example, WS may recommend modifications to site and culvert design (Jensen et al. 1999) as a non-lethal way of reducing problems with beaver dams at culverts.

Manipulating water levels impounded by beaver dams under the proposed action alternative would generally be conducted to maintain existing stream channels and drainage patterns, and to reduce water levels to alleviate flooding. WS could be requested to assist with manipulation of a beaver dam to alleviate flooding to agricultural crops, timber resources, public property, such as roads and bridges, private property, and water management structures, such as culverts. The intent of breaching or removing beaver dams would not be to drain established wetlands. With few exceptions, requests for assistance received by WS from public and private entities would involve breaching or removing dams to return an area to the condition that existed before the dam had been built, or before the impounded water had been affecting the area long enough for wetland characteristics to become established.

Activities conducted by WS in Arkansas do not have the potential to affect wetlands, since those activities would not be conducted near or in wetlands. Under this alternative, water levels would be manipulated to return streams, channels, dikes, culverts, and canals to their original function. Most requests to alleviate flooding from impounded water would be associated roads, crops, merchantable timber, pastures, and other types of property or resources that were not previously flooded. Most dams removed would have been created because of recent beaver activity. WS' personnel receive most requests for assistance associated with beaver dams soon after affected resource owners discover damage.

As stated previously, WS could install water control devices or remove up to 200 beaver dams annually under the proposed action alternative. Upon receiving a request to manipulate the water levels in impoundments caused by beaver dams, WS would visually inspect the dam and the associated water impoundment to determine if characteristics exist at the site that would meet the definition of a wetland under section 404 of the CWA (40 CFR 232.2). If wetland conditions were present at the site, the entities requesting assistance from WS would be notified that a permit might be required to manipulate the water levels impounded by the dam and to seek guidance from the Arkansas Department of Environmental Quality, the EPA, and/or the United States Corps of Engineers pursuant to State laws and the CWA. If the area does not already have hydric soils, it usually takes several years for them to develop and a wetland to become established. This process often takes greater than 5 years as indicated by the Swampbuster provision of the Food Security Act. Most beaver dam removal by WS would occur under exemptions stated in 33 CFR parts 323 and 330 of Section 404 of the CWA or parts 3821 and 3822 of the Food Security Act. However, manipulating water levels associated with some beaver dams could trigger certain portions of Section 404 that require landowners to obtain permits from the United States Army Corps of Engineers prior to removing a blockage. WS' personnel would determine the proper course of

action upon inspecting a beaver dam impoundment. Appendix D describes the procedures used by WS to assure compliance with the pertinent laws and regulations.

The manipulation of water impoundment levels by WS through dam breaching, dam removal, or installation of water flow devices would typically be associated with dams constructed from recent beaver activity and would not have occurred long enough to take on the qualities of a true wetland (*i.e.* hydric soils, hydrophytic vegetation, and hydrological function). WS' activities associated with beaver dam breaching, beaver dam removal, or the installation of flow control device would only be conducted to restore the normal flow of water through drainages, streams, creeks, canals, and other watercourses where flooding damage was occurring or would occur. Beaver dam breaching or removal would not affect substrate or the natural course of streams.

In the majority of instances, beaver dam removal would be accomplished by manual methods (*i.e.*, hand tools). WS' personnel would not utilize heavy equipment, such as trackhoes or backhoes, for beaver dam removal. Only the portion of the dam blocking the stream or ditch channel would be breached or removed. In some instances, WS would install water flow devices to manage water levels at the site of a breached beaver dam. WS would use hand tools to breach or remove dams. Dams would be breached or removed in accordance with exemptions from Section 404 permit requirements established by regulation or as allowed under nationwide permits (NWPs) granted under Section 404 of the CWA (see Appendix D). The majority of impoundments that WS would remove would only be in existence for a few months. Therefore, those impoundments would generally not be considered wetlands as defined by 40 CFR 232.2 and those impoundments would not possess the same wildlife habitat values as established wetlands.

In those situations where a non-federal cooperator had already made the decision to breach or remove a beaver damage to manipulate water levels with or without WS' assistance, WS' participation in carrying out the action would not affect the environmental status quo.

Additional concern has been raised relating to the lethal removal of beaver by WS or the recommendation of lethal methods to alleviate damage or threats of damage under the proposed action alternative. Beaver lethally removed could be replaced by other beaver requiring additional assistance later. Houston (1995) indicated that beaver tend to reoccupy vacant habitats. The likelihood that a site would be recolonized by beaver varies depending on many factors. For example, removal of beaver and a beaver dam from a relatively uniform section of irrigation canal may resolve the problem for an extended period because the relatively uniform nature of the canal does not predispose a site to repeat problems. Recolonization would also depend on the proximity and density of the beaver population in the surrounding area. Isolated areas or areas with a lower density of beaver would normally take longer for beaver to recolonize than areas with higher beaver densities. Activities conducted under the proposed action would be directed at specific beaver and/or beaver colonies and would not be conducted to suppress the overall beaver population in the State.

In accordance with WS Directive 2.101, preference would be given to non-lethal methods where practical and effective. Although use of exclusion and water control devices could greatly reduce the need for lethal beaver removal, beaver removal may still be needed in some situations even though a flow device or water control system had been installed (Wood et al. 1994, Nolte et al. 2001, Simon 2006, Spock 2006). Callahan (2005) states the trapping of beaver to alleviate damage should occur "*...where a flow device is either not feasible or fails, the water level needs to be drastically lowered, or the landowner wants no beavers or ponds on their property*". Spock (2006) reported that beaver had to be trapped out of one site when an exclusion system was augmented by the installation of a water control device. Lisle (1996) noted that it might be necessary to remove beaver that have learned to dam around exclusion and water control devices. In some instances, trapping during the annual trapping season for beaver continued

to occur at or near the area where water control devices were installed but was not prompted by the failure of the devices (Lisle 1996, Simon 2006, Spock 2006).

Exclusion and water control devices may not be the most effective method in specific types of terrain and are not suitable for every site (Wood et al. 1994, Nolte et al. 2001, Langlois and Decker 2004, Callahan 2005). Exclusion devices and water control devices may not be suitable for man-made, uniform channels, such as agricultural drainage ditches and irrigation canals. In addition, exclusion devices and water control devices may not be suitable for reservoirs, areas where human health, property or safety would be threatened with even minor elevation in water level, and areas where the landowner has expressed zero tolerance for beaver activity on their property (Callahan 2003, Callahan 2005, Simon 2006). Water control devices may be ineffective in beaver ponds in broad, low-lying areas because even a slight increase in water depth can result in a substantial increase in the area flooded (Organ et al. 1996). Exclusion and water control systems would not resolve problems related to beaver construction of bank dens. Depending upon site characteristics, beaver may build bank dens instead of lodges by burrowing into banks, levees, and other earthen impoundments. When bank dens are built in earthen levees or in banks supporting roadways or railroad tracks, they can greatly weaken the earthen structure. Burrowing into embankments can weaken the integrity of impoundments. Burrows allow water to infiltrate embankments, which can allow water to seep through the embankments causing erosion and weakening water impoundments. In those situations, removal of the beaver (either by translocation or by lethal methods) could be the only practical solution to resolve the potential for damage.

Water control devices may also be inappropriate in areas that are managed for aquatic species that need free-flowing water conditions and gravel substrate to survive. The still water and silt that accumulates behind beaver dams can be detrimental to some species. In addition, beaver dams could impede the movement of fish upstream. Avery (2004) found the removal of beaver dams resulted in substantial increases in the stream area where trout could be found. For example, a 9.8-mile treatment zone on the North Branch of the Pemebonwon River in Wisconsin and an additional 17.9 miles of seven tributaries to the treatment section of the river were maintained free of beaver dams since 1986. In 1982, prior to dam removal, wild brook trout were found in only four of the seven tributaries within the treatment zone and at only four of the 12 survey stations. In the spring of 2000, wild brook trout were present in all seven tributaries and at all 12 survey stations (Avery 2004). In some cases, water control devices could be modified to improve fish passage (Close 2003). Although the presence of beaver dams could be detrimental to some species of fish, some fish species may benefit from the presence of a beaver dam (Rossell et al. 2005, Bergman et al. 2007, Pollock et al. 2007).

Although beaver can serve a valuable role in wetland ecology, the presence of beaver dams in intensively managed wetlands could be a concern to property owners or managers. In those areas, man-made water control structures are used to manage the water level in the wetland area in order to maximize habitat value for waterfowl and specific types of wetland-dependent wildlife (United State Department of Interior 2008). While general elevations or reductions in water levels might conceivably be achieved by installing pipe systems through beaver dams, the devices tend to be more difficult to adjust than the water control structures. More importantly, the primary difficulty comes when drawdowns are used to achieve wetland management objectives. Drawdowns generally involve reducing the water level until large sections of mudflat are exposed. Many plant species valuable to waterfowl and other wetland bird species need exposed mudflats to sprout. Shorebirds use the mudflats to forage for invertebrates (United States Department of Interior 2008). Once the plants have matured, the water level can be gradually increased until approximately half of the marsh has open water and half has standing plants (United States Department of Interior 2008). Drawdowns may also be used in fall as a means of eliminating invasive fish (United States Department of Interior 2008). The extent of the water level reduction conflicts with the beaver's desire for water deep enough to provide protection, and water area of sufficient extent to provide relatively easy access to foraging sites. The extent of the water level reduction during a

drawdown would likely increase the risk of new dam creation in other locations that may cause new problems (Callahan 2003).

Alternative 2 – Mammal Damage Management by WS through Technical Assistance Only

The issues regarding the effects on wetlands under this alternative would likely be similar to those issues discussed under the proposed action. This similarity would be based on WS' recommendation of methods to manage damage caused by beaver and the recommendation of methods to manage the water impounded by beaver dams. Based on information provided by the person requesting assistance or based on site visits, WS could recommend that a landowner or manager manipulate beaver dams to reduce flooding damage or threats of damage. WS would not be directly involved with conducting activities associated with the manipulation of beaver dams under this alternative. However, the recommendation of the use of methods would likely result in the requestor employing those methods or employing an agent to employ them. Therefore, by recommending methods and thus a requester employing those methods, the potential for those methods to reduce the presence of impounded water would be similar to the proposed action.

WS could instruct and demonstrate the proper use and placement of flow control and exclusionary devices, as well as recommend the breaching or removal of beaver dams, when appropriate. WS would also assist requestors by providing information on permit requirements and which state agencies need to be contacted by the requester to obtain appropriate permits to manipulate the levels of water impounded by beaver dams.

The efficacy of methods employed by a cooperator would be based on the skill and knowledge of the requester or their agent despite WS' recommendations or demonstration. Therefore, a lack of understanding of the behavior of beaver along with inadequate knowledge and skill in using methodologies to resolve flooding could lead to incidents with a greater probability of unforeseen impacts to wetlands. In those situations, the potential for adverse effects to occur to wetlands from dam manipulation conducted by a landowner or manager would likely be greater.

WS would recommend the landowner or manager seek and obtain the proper permits to manipulate water levels impounded by beaver dams under this alternative; however, WS would not be responsible for ensuring that appropriate permits were obtained, proper methods were implemented for manipulating water levels, or for reviewing sites for the presence of T&E species. Those responsibilities would be incurred by the property owner/manager and/or their designated agent who may or may not properly follow WS' recommendations.

Alternative 3 – No Mammal Damage Management Conducted by WS

Under this alternative, WS would not be involved with any aspect of managing water levels associated with beaver dam impoundments. Under the no involvement by WS alternative, WS would not be involved with any aspect of managing damage associated with beaver in the State, including technical assistance. Due to the lack of involvement in managing damage caused by beaver, no impacts to wetlands would occur directly from WS. This alternative would not prevent those entities experiencing threats or damage due to flooding from manipulating water levels associated with beaver dams in the absence of WS' assistance. Those methods described previously would be available to other entities to breach or remove dams, including water flow devices. The direct burden of implementing permitted methods would be placed on those persons experiencing damage.

Since the same methods would be available to resolve or prevent beaver damage or threats related to beaver dams, effects on the status of wetlands in the State from the use of those methods would be similar

between the alternatives. However, manipulating water levels by those persons not experienced in identifying wetland characteristics or unaware of the requirement to seek appropriate permits to alter areas considered as a wetland, could increase threats to wetlands and the associated flora and fauna.

4.2 CUMULATIVE IMPACTS OF THE PROPOSED ACTION BY ISSUE

Cumulative impacts, as defined by the CEQ (40 CFR 1508.7), are impacts to the environment that result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts may result from individually minor, but collectively significant, actions taking place over time.

Under Alternative 1 and Alternative 2, WS would address damage associated with mammals either by providing technical assistance only (Alternative 2) or by providing technical assistance and direct operational assistance (Alternative 1) in the State. WS would be the primary federal agency conducting direct operational mammal damage management in the State under Alternative 1 and Alternative 2. However, other federal, state, and private entities could also be conducting mammal damage management in the State.

WS does not normally conduct direct damage management activities concurrently with such agencies or other entities in the same area, but may conduct damage management activities at adjacent sites within the same period. In addition, commercial companies may conduct damage management activities in the same area. The potential cumulative impacts could occur from either WS' damage management program activities over time or from the aggregate effects of those activities combined with the activities of other agencies and private entities. Through ongoing coordination and collaboration between WS and the AGFC, activities of each agency and the take of mammals would be available. Damage management activities in the State would be monitored to evaluate and analyze activities to ensure they were within the scope of analysis of this EA.

The activities proposed in the alternatives would have a negligible effect on atmospheric conditions including the global climate. Meaningful direct or indirect emissions of greenhouse gases would not occur because of any of the proposed alternatives. Those alternatives would meet the requirements of applicable laws, regulations, and Executive Orders including the Clean Air Act and Executive Order 13514.

Issue 1 - Effects of Damage Management Activities on Target Mammal Populations

The issue of the effects on target mammal species arises from the use of non-lethal and lethal methods to address the need for reducing damage and threats. As part of an integrated methods approach to managing damage and threats, WS could apply both lethal and non-lethal methods when requested by those persons experiencing damage.

Non-lethal methods could disperse or otherwise make an area unattractive to mammals causing damage; thereby, reducing the presence of mammals at the site and potentially the immediate area around the site where non-lethal methods were employed. WS' employees would give non-lethal methods priority when addressing requests for assistance (see WS Directive 2.101). However, WS would not necessarily employ non-lethal methods to resolve every request for assistance if deemed inappropriate by WS' personnel using the WS Decision Model. For example, if a cooperator requesting assistance, had already attempted to disperse mammals using non-lethal harassment methods, WS would not necessarily employ those methods again during direct operational assistance since those methods had already been proven to be ineffective in that particular situation. WS and other entities could use non-lethal methods to exclude,

harass, and disperse target wildlife from areas where damage or threats were occurring. When effective, non-lethal methods would disperse mammals from an area resulting in a reduction in the presence of those mammals at the site where WS or other entities employed those methods. However, mammals responsible for causing damage or threats would likely disperse to other areas with minimal impacts occurring to those species' populations. WS would not employ non-lethal methods over large geographical areas or apply those methods at such intensity that essential resources (*e.g.*, food sources, habitat) would be unavailable for extended durations or over a wide geographical scope that long-term adverse effects would occur to a species' population. WS and most people generally regard non-lethal methods as having minimal impacts on overall populations of wildlife since individuals of those species would be unharmed. Therefore, the use of non-lethal methods would not have cumulative effects on mammal populations in the State.

WS' employees could employ lethal methods to resolve damage associated with those target mammal species identified by WS as responsible for causing damage or threats to human safety only after receiving a request and only after the AGFC authorized WS to remove the species, when required. Therefore, the use of lethal methods could result in local population reductions in the area where damage or threats were occurring since WS would remove those target individuals from the population. WS would often employ lethal methods to reinforce non-lethal methods and to remove mammals that have been identified as causing damage or posing a threat to human safety. The use of lethal methods could therefore result in local reductions of mammals in the area where damage or threats were occurring. The number of mammals removed from a species' population using lethal methods under the proposed action would be dependent on the number of requests for assistance received, the number of mammals involved with the associated damage or threat, and the efficacy of methods employed.

WS would maintain ongoing contact with the AGFC to ensure activities were within management objectives for those species. WS would submit annual activity reports to the AGFC. The AGFC would monitor the total take of mammals from all sources and would factor in survival rates from predation, disease, and other mortality data.

WS would monitor take by comparing numbers of animals killed with overall populations or trends in populations to assure the magnitude of take was below the level that would cause undesired adverse effects to the viability of native species populations. This EA analyzed the potential cumulative impacts on the populations of target mammal species from the implementation of the proposed action alternative in Section 4.1.

Evaluation of activities relative to target species indicated that program activities would likely have no cumulative adverse effects on mammal populations when targeting those species responsible for damage at the levels addressed in this EA. WS' actions would be occurring simultaneously, over time, with other natural processes and human generated changes that are currently taking place. These activities include, but would not be limited to:

- Natural mortality of mammals
- Mortality through vehicle strikes, aircraft strikes, and illegal harvest
- Human-induced mortality of mammals through annual hunting and trapping seasons
- Human-induced mortality of mammals through private damage management activities
- Human and naturally induced alterations of wildlife habitat
- Annual and perennial cycles in wildlife population densities

All those factors play a role in the dynamics of mammal populations. In many circumstances, requests for assistance arise when some or all of those elements have contrived to elevate target species

populations or place target species at a juncture to cause damage to resources. The actions taken to minimize or eliminate damage would be constrained as to scope, duration, and intensity for the purpose of minimizing or avoiding impacts to the environment. WS uses the Decision Model to evaluate damage occurring, including other affected elements and the dynamics of the damaging species; to determine appropriate strategies to minimize effects on environmental elements; applies damage management actions; and subsequently monitors and adjusts/ceases damage management actions (Slate et al. 1992). This process allows WS to take into consideration other influences in the environment, such as those listed above, in order to avoid cumulative adverse impacts on target species.

With management authority over mammal populations in the State, the AGFC could adjust take levels, including the take of WS, to ensure population objectives for mammals were achieved. Consultation and reporting of take by WS would ensure the AGFC had the opportunity to consider any activities WS conducts.

WS' take of mammals in Arkansas from FY 2008 through FY 2012 was of a low magnitude when compared to the total known take of those species and the populations of those species. The AGFC could consider all known take when determining population objectives for mammals and could adjust the number of mammals that could be taken during the regulated harvest season and the number of mammals taken for damage management purposes to achieve the population objectives. Any take of regulated mammal species by WS would occur at the discretion of the AGFC. Any mammal population declines or increases would be the collective objective for mammal populations established by the AGFC through the regulation of take. Therefore, the cumulative take of mammals annually or over time by WS would occur at the desire of the AGFC as part of management objectives for mammals in the State. No cumulative adverse effects on target and non-target wildlife would be expected from WS' damage management activities based on the following considerations:

Historical outcomes of WS' damage management activities on wildlife

WS would conduct damage management activities associated with mammals only at the request of a cooperator to reduce damage that was occurring or to prevent damage from occurring and only after methods to be used were agreed upon by all parties involved. WS would monitor activities to ensure any potential impacts were identified and addressed. WS would work closely with resource agencies to ensure damage management activities would not adversely affect mammal populations and that WS' activities were considered as part of management goals established by those agencies. Historically, WS' activities to manage mammals in Arkansas have not reached a magnitude that would cause adverse effects to mammal populations in the State.

SOPs built into the WS program

SOPs are designed to reduce the potential negative effects of WS' actions on mammals, and have been tailored to respond to changes in wildlife populations that could result from unforeseen environmental changes. This would include those changes occurring from sources other than WS. Alterations in programs would be defined through SOPs, and implementation would be insured through monitoring, in accordance with the WS' Decision Model (see WS Directive 2.201; Slate et al. 1992).

Issue 2 - Effects on Non-target Wildlife Species Populations, Including T&E Species

Potential effects on non-target species from conducting mammal damage management arise from the use of non-lethal and lethal methods to alleviate or prevent those damages. The use of non-lethal methods during activities to reduce or prevent damage caused by mammals has the potential to exclude, disperse, or capture non-target wildlife. However, the effects of non-lethal methods are often temporary and often

do not involve the take (killing) of non-target wildlife species. When using exclusion devices and/or repellents, both target and non-target wildlife can be prevented from accessing the resource being damaged. Since exclusion and repellents do not involve lethal take, cumulative impacts on non-target species from the use of exclusionary methods or repellents would not occur but would likely disperse those individuals to other areas. Exclusionary methods and repellents can require constant maintenance to ensure effectiveness. Therefore, the use of exclusionary devices and repellents would be somewhat limited to small, high-value areas and not used to the extent that non-targets would be excluded from large areas that would cumulatively impact populations from the inability to access a resource, such as potential food sources, denning, or fawning sites. The use of visual and auditory harassment and dispersion methods would generally be temporary with non-target species returning after the cessation of those activities. Dispersal and harassment do not involve the take (killing) of non-target species and similar to exclusionary methods would not be used to the extent or at a constant level that would prevent non-targets from accessing critical resources that would threaten survival of a population.

The use of lethal methods or those methods used to live-capture target species followed by euthanasia also have the potential to affect non-target wildlife through the take (killing) or capture of non-target species. Capture methods used are often methods that would be set to confine or restrain target wildlife after being triggered by a target individual. Capture methods would be employed in such a manner as to minimize the threat to non-target species by placement in those areas frequently used by target wildlife, using baits or lures that are as species specific as possible, and modification of individual methods to exclude non-targets from capture. Most methods described in Appendix B are methods that would be employed to confine or restrain wildlife that would be subsequently euthanized using humane methods. With all live-capture devices, non-target wildlife captured could be released on site if determined to be able to survive following release. SOPs are intended to ensure take of non-target wildlife is minimal during the use of methods to capture target wildlife.

The use of firearms and euthanasia methods would essentially be selective for target species since identification of an individual would be made prior to the application of the method. Euthanasia methods would be applied through direct application to target wildlife. Therefore, the use of those methods would not affect non-target species.

All chemical methods would be tracked and recorded to ensure proper accounting of used and unused chemicals occurs. All chemicals would be stored and transported according with WS' Directives and relevant federal, state, and local regulations. All chemical methods would be tracked and recorded to ensure proper accounting of used and unused chemicals occurs. All chemicals would be stored and transported according to WS' Directives and relevant federal, state, and local regulations. Chemical methods available for use under the proposed action would include repellents, reproductive inhibitors, fumigants, immobilizing drugs, and euthanasia chemicals, which are described in Appendix B. Except for repellents that would be applied directly to the affected resource and reproductive inhibitors that would be applied directly to target animals, those chemical methods available for use would be employed using baits that were highly attractive to target species, used in known burrow/den sites, and/or used in areas where exposure to non-targets would be minimal. The use of those methods often requires an acclimation period and monitoring of potential bait sites for non-target activity. All chemicals would be used according to product labels, which would ensure that proper use would minimize non-target threats. WS' adherence to Directives and SOPs governing the use of chemicals would also ensure non-target hazards would be minimal.

Repellents may be used or recommended by the WS program in Arkansas to manage mammal damage. The active ingredients in numerous commercial repellents are capsaicin, pepper oil, and carnivore urine. Characteristics of these chemicals and potential use patterns indicate that no cumulative impacts related to environmental fate would be expected from their use in WS' programs in Arkansas when used according

to label requirements.

The amount of chemicals used or stored by WS would be minimal to ensure human safety. All label requirements of repellents and toxicants would be followed to minimize non-target hazards. Based on this information, WS' use of chemical methods, as part of the proposed action, would not have cumulative impacts on non-targets.

The methods described in Appendix B all have a high level of selectivity and could be employed using SOPs to ensure minimal impacts to non-target species. The unintentional take of wildlife would likely be limited and would not reach a magnitude where adverse effects would occur. Based on the methods available to resolve mammal damage and/or threats, WS does not anticipate the number of non-targets taken to reach a magnitude where declines in those species' populations would occur. Therefore, take under the proposed action of non-targets would not cumulatively affect non-target species. WS' has reviewed the T&E species listed by the AGFC, the USFWS, and the National Marine Fisheries Service, and has determined that damage management activities proposed by WS would not likely adversely affect T&E species. Cumulative impacts would be minimal on non-targets from any of the alternatives discussed**.**

Issue 3 - Effects of Damage Management Methods on Human Health and Safety

Non-chemical methods described in Appendix B would be used within a limited period, would not be residual, and do not possess properties capable of inducing cumulative effects on human health and safety. Non-chemical methods would be used after careful consideration of the safety of those persons employing methods and to the public. When possible, capture methods would be employed where human activity was minimal to ensure the safety of the public. Capture methods also require direct contact to trigger ensuring that those methods, when left undisturbed, would have no effect on human safety. All methods would be agreed upon by the requesting entities, which would be made aware of the safety issues of those methods when entering into a MOU, cooperative service agreement, or other comparable document between WS and the cooperating entity. SOPs would also ensure the safety of the public from those methods used to capture or take wildlife. Firearms used to alleviate or prevent damage, though hazards do exist, would be employed to ensure the safety of employees and the public.

Personnel employing non-chemical methods would continue to be trained to be proficient in the use of those methods to ensure the safety of the applicator and to the public. Based on the use patterns of non-chemical methods, those methods would not cumulatively affect human safety.

Repellents to disperse mammals from areas of application would be available. Repellents must be registered with the EPA according to the FIFRA and with the Arkansas Agriculture Department. Many of the repellents currently available for use have active ingredients that are naturally occurring and are generally regarded as safe. Although some hazards exist from the use of repellents, hazards occur primarily to the handler and applicator. When repellents were applied according to label requirements, no effects to human safety would be expected. Similarly, fumigants must also be registered for use with the EPA and the Arkansas Agriculture Department. Given the use patterns of repellents and fumigants, no cumulative effects would occur to human safety.

WS has received no reports or documented any effects to human safety from WS' mammal damage management activities conducted from FY 2008 through FY 2012. No cumulative effects from the use of those methods discussed in Appendix B would be expected given the use patterns of those methods for resolving mammal damage in the State.

Issue 4 - Effects on the Aesthetic Values of Mammals

The activities of WS would result in the removal of mammals from those areas where damage or threats were occurring. Therefore, the aesthetic value of mammals in those areas where damage management activities were being conducted would be reduced. However, for some people, the aesthetic value of a more natural environment would be gained by reducing mammal densities, including the return of native species that may be suppressed or dispersed by non-native species.

Some people experience a decrease in aesthetic enjoyment of wildlife because they feel that overabundant species are objectionable and interfere with their enjoyment of wildlife in general. Continued increases in numbers of individuals or the continued presence of mammals may lead to further degradation of some people's enjoyment of any wildlife or the natural environment. The actions of WS could positively affect the aesthetic enjoyment of wildlife for those people that were being adversely affected by the target species identified in this EA.

Mammal population objectives would be established and enforced by the AGFC by regulating harvest during the statewide hunting and trapping seasons after consideration of other known mortality factors. Therefore, WS would have no direct impact on the status of mammal populations since all take by WS occurs at the discretion of the AGFC. Since those persons seeking assistance could remove mammals from areas where damage was occurring when permitted by the AGFC, WS' involvement would have no effect on the aesthetic value of mammals in the area where damage was occurring. When damage caused by mammals has occurred, any removal of mammals by the property or resource owner would likely occur whether WS was involved with taking the mammals or not.

In the wild, few animals in the United States have life spans approaching that of people. Mortality is high among wildlife populations and specific individuals among a species may experience death early in life. Mortality in wildlife populations is a natural occurrence and people who form affectionate bonds with animals experience loss of those animals over time in most instances. A number of professionals in the field of psychology have studied human behavior in response to attachment to pet animals (Gerwolls and Labott 1994, Marks and Koepke 1994, Zasloff 1996, Archer 1999, Ross and Baron-Sorensen 1998, Meyers 2000). Similar observations were probably applicable to close bonds that could exist between people and wild animals. As observed by researchers in human behavior, normal human responses to loss of loved ones proceed through phases of shock or emotional numbness, sense of loss, grief, acceptance of the loss or what cannot be changed, healing, and acceptance and rebuilding which leads to resumption of normal lives (Lefrancois 1999). Those who lose companion animals, or animals for which they may have developed a bond and affection, are observed to proceed through the same phases as with the loss of human companions (Gerwolls and Labott 1994, Boyce 1998, Meyers 2000). However, they usually establish a bond with other individual animals after such losses. Although they may lose the sense of enjoyment and meaning from the association with those animals that die or are no longer accessible, they usually find a similar meaningfulness by establishing an association with new individual animals or through other relational activities (Weisman 1991). Through this process of coping with the loss and establishing new affectionate bonds, people may avoid compounding emotional effects resulting from such losses (Parkes 1979, Lefrancois 1999).

Some mammals with which humans have established affectionate bonds may be removed from some project sites by WS. However, other individuals of the same species would likely continue to be present in the affected area and people would tend to establish new bonds with those remaining animals. In addition, human behavior processes usually result in individuals ultimately returning to normalcy after experiencing the loss of association with a wild animal that might be removed from a specific location. WS' activities would not be expected to have any cumulative effects on this element of the human environment.

Issue 5 - Humaneness and Animal Welfare Concerns of Methods

WS would continue to seek new methods and ways to improve current technology to improve the humaneness of methods used to manage damage caused by wildlife. Cooperation with individuals and organizations involved in animal welfare continues to be an agency priority for the purpose of evaluating strategies and defining research aimed at developing humane methods.

All methods not requiring direct supervision during employment (*e.g.*, live traps) would be checked in accordance with Arkansas laws and regulations to ensure any wildlife confined or restrained were addressed in a timely manner to minimize distress of the animal. All euthanasia methods used for live-captured mammals would be applied according to WS' directives. Shooting would occur in some situations and personnel would be trained in the proper use of firearms to minimize pain and suffering of mammals taken by this method.

WS would employ methods as humanely as possible by applying SOPs to minimize pain and that allow wildlife captured to be addressed in a timely manner to minimize distress. Through the establishment of SOPs that guide WS in the use of methods to address damage and threats associated with mammals in the State, the cumulative impacts on the issue of method humaneness would be minimal. All methods would be evaluated to ensure SOPs were adequate and that wildlife captured were addressed in a timely manner to minimize distress.

Issue 6 - Effects of Mammal Damage Management Activities on the Regulated Harvest of Mammals

As discussed in this EA, the magnitude of WS' mammal take for damage management purposes from FY 2008 through FY 2012 was low when compared to the total take of mammals and when compared to the estimated statewide populations of those species. Since all take of mammals is regulated by the AGFC, take by WS that would occur annually and cumulatively would occur pursuant to mammal population objectives established in the State. WS' take of mammals (combined take) annually to alleviate damage would be a minor component to the known take that occurs annually during the harvest seasons.

The populations of several mammal species are sufficient to allow for annual harvest seasons that typically occur during the fall. Hunting and trapping seasons are established by the AGFC. Those species addressed in this EA that have established harvest seasons include Virginia opossum, raccoons, river otters, striped skunks, coyotes, red fox, bobcats, gray squirrels, fox squirrels, and white-tailed deer.

With oversight of mammal take, the AGFC maintains the ability to regulate take by WS to meet management objectives for mammals in the State. Therefore, the cumulative take of mammals would be considered as part of the AGFC objectives for mammal populations in the State.

Issue 7 – Effects of Beaver Dam Manipulation on the Status of Wetlands in the State

Beaver build dams primarily in smaller riverine streams (intermittent and perennial brooks, streams, and small rivers) and in drainage areas with dams consisting of mud, sticks and other vegetative materials. Their dams obstruct the normal flow of water and typically change the pre-existing hydrology from flowing or circulating waters to slower, deeper, more expansive waters that accumulate bottom sediment. The depth of bottom sediment depends on the length of time an area is covered by water and the amount of suspended sediment in the water.

The pre-existing habitat and the altered habitat have different ecological values to the fish and wildlife native to an area. Some species would abound by the addition of a beaver dam, while others would

diminish. For example, some fish species require fast moving waters over gravel or cobble beds, which beaver dams can eliminate, thus reducing the habitat's value for these species. In general, it has been found that wildlife habitat values decline around bottomland beaver impoundments because trees are killed from flooding and mast production declines. On the other hand, beaver dams can potentially be beneficial to some species of fish and wildlife such as river otter, neotropical birds, and waterfowl.

If a beaver dam is not breached and water is allowed to stand, hydric soils and hydrophytic vegetation eventually form. This process can take anywhere from several months to years depending on pre-existing conditions. Hydric soils are those soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions. In general, hydric soils form much easier where wetlands have preexisted. Hydrophytic vegetation includes those plants that grow in water or on a substrate that is at least periodically deficient in oxygen because of excessive water content. If these conditions are met, then a wetland has developed that would have different wildlife habitat values than an area that has been more recently impounded by beaver dam activity.

The intent of most dam breaching is not to drain established wetlands. With few exceptions, requests from public and private individuals and entities that WS receives involve dam breaching to return an area back to its pre-existing condition within a few years after the dam was created. If the area does not have hydric soils, it usually takes many years for them to develop and a wetland to become established. This often takes greater than five years as recognized by the Swampbuster provisions. Most beaver dam removal by WS is either exempt from regulation under Section 404 of the CWA as stated in 33 CFR Part 323 or may be authorized under the United States Army Corps of Engineers Nationwide Permit System in 33 CFR Part 330.

However, the breaching of some beaver dams can trigger certain portions of Section 404 that require landowners to obtain permits from the United States Army Corps of Engineers. WS' personnel determine the proper course of action upon inspecting a beaver dam impoundment.

It should also be noted that beaver created wetlands are dynamic and do not remain in one state for indefinite periods. Large beaver ponds may eventually fill with sediment and create a beaver meadow. Beaver may be removed from an area due to natural predation or they may abandon an area due to lack of food. Once a dam is abandoned, it is subject to natural decay and damage due to weather. The dam would eventually fail and the wetland would return to a flowing stream or brook. WS' beaver management activities may accelerate or modify these natural processes by removing beaver and restoring or increasing water flow; however, they are generally processes that would occur naturally over time.

Therefore, the activities of WS to manage flooding damage by manipulating beaver dams would not be expected to have any cumulative adverse effects on wetlands in Arkansas when conducted in accordance with the CWA and the Swampbuster provision of the Food Security Act.

CHAPTER 5: LIST OF PREPARERS AND PERSONS CONSULTED

5.1 LIST OF PREPARERS

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5.2 LIST OF PERSONS CONSULTED

James F. Boggs, Field Supervisor	USFWS
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APPENDIX A
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APPENDIX B

METHODS AVAILABLE FOR RESOLVING OR PREVENTING MAMMAL DAMAGE IN ARKANSAS

The most effective approach to resolving wildlife damage problems would be to integrate the use of several methods, either simultaneously or sequentially. An adaptive plan would integrate and apply practical methods of prevention and reduce damage by wildlife while minimizing harmful effects of damage reduction measures on humans, other species, and the environment. An adaptive plan may incorporate resource management, physical exclusion and deterrents, and population management, or any combination of these, depending on the characteristics of specific damage problems.

In selecting damage management techniques for specific damage situations, consideration would be given to the responsible species and the magnitude, geographic extent, duration and frequency, and likelihood of wildlife damage. Consideration would also be given to the status of target and potential non-target species, local environmental conditions and impacts, social and legal aspects, and relative costs of damage reduction options. The cost of damage reduction may sometimes be a secondary concern because of the overriding environmental, legal, and animal welfare considerations. Those factors would be evaluated in formulating damage management strategies that incorporate the application of one or more techniques.

A variety of methods would potentially be available to the WS program in Arkansas relative to the management or reduction of damage from mammals. Various federal, state, and local statutes and regulations and WS directives would govern WS' use of damage management methods. WS would develop and recommend or implement strategies based on resource management, physical exclusion, and wildlife management approaches. Within each approach there may be available a number of specific methods or techniques. The following methods could be recommended or used by the WS program in Arkansas. Many of the methods described would also be available to other entities in the absence of any involvement by WS.

Non-chemical Wildlife Damage Management Methods

Non-chemical management methods consist primarily of tools or devices used to repel, capture, or kill a particular animal or local population of wildlife to alleviate damage and conflicts. Methods may be non-lethal (*e.g.*, fencing, frightening devices) or lethal (*e.g.*, firearms, body gripping traps). If WS' personnel apply those methods, a MOU, cooperative service agreement, or other similar document must be signed by the landowner or administrator authorizing the use of each damage management method. Non-chemical methods used or recommended by WS could include:

Exclusion pertains to preventing access to resources through fencing or other barriers. Fencing of small critical areas can sometimes prevent animals that cannot climb from entering areas of protected resources. Fencing of culverts, drainpipes, and other water control structures can sometimes prevent beaver from building dams that plug those devices. Fencing installed with an underground skirt can prevent access to areas for many mammal species that dig, including fox, feral cats, and striped skunks. Areas such as airports, yards, or hay meadows may be fenced. Hardware cloth or other metal barriers can sometimes be used to prevent girdling and gnawing of valuable trees and to prevent the entry of mammals into buildings through existing holes or gaps. Construction of concrete spillways may reduce or prevent damage to dams by burrowing aquatic rodent species. Riprap can also be used on dams and levees to deter muskrat, woodchuck, and other burrowing rodents. Exclusion and one-way devices such as netting or nylon window screening can be used to exclude bats from a building or an enclosed structure (Greenhall and Frantz 1994). Electric fences of various

constructions have been used effectively to reduce damage to various crops by deer, raccoons, and other species (Boggess 1994, Craven and Hygnstrom 1994).

Beaver exclusion and the use of water control devices could be recommended or implemented by WS to alleviate flooding damage without removing beaver under the alternatives. Although dams could be breached/removed manually, those methods are usually ineffective because beaver quickly repair or replace the dam (McNeely 1995). Damage may be effectively reduced in some situations by installing exclusion and water control devices. Exclusion and water control devices can be designed so that the level of the beaver-created pond can be managed to eliminate or minimize damage while retaining the ecological and recreational benefits derived from beaver ponds. WS could also recommend that modifications occur to culvert design (Jensen et al. 1999) as a non-lethal way of reducing problems with beaver dams at culverts.

Beaver exclusion generally involves the placement of fencing to prevent beaver from accessing water intake areas, such as culverts. A variety of exclusion systems could be recommended or implemented by WS, including the Beaver Deceiver™, Beaver Bafflers™, and pre-dams (Lisle 1996, Brown and Brown 1999, Lisle 1999, Brown et al. 2001, Partington 2002, Lisle 2003). The Beaver Deceiver™ is a fencing system that is installed to prevent beaver blockage of culverts by minimizing environmental cues that stimulate beaver to construct dams, and by making culverts less attractive as dam construction sites (Lisle 1996, Lisle 1999, Lisle 2003). Beaver can be deterred from blocking culverts by the installation of a fence on the upstream end of the culvert. Installation of a fence increases the length of the area that must be dammed to impound water, and if beaver build along the fence, may increase the distance between the beaver and the source of the cues that stimulate damming behavior (*e.g.*, water moving through culvert) (Lisle 1996, Lisle 1999, Lisle 2003, Callahan 2005). Beaver prefer to build dams perpendicular to water flow, so fences can be oriented at odd angles to water flow and can be set so that they do not block the stream channel. Fencing can also be used to cover the up and downstream ends of the culverts to prevent beaver from entering the deceiver from the downstream side of the culvert and to prevent any beaver that might make it past the outer fence from plugging the interior of the culvert. Efforts can also be made to reduce the sound of water flowing through the culvert by raising the water level on the down-stream side of the culvert with dam boards or beaver-made dams; by constructing flumes to replace waterfalls, or, in extreme cases, by resetting the culvert (Lisle 1996). To ensure sufficient water flow through the culvert, Beaver Deceivers™ may be used in combination with water control devices (see discussion on Beaver Deceivers™ below).

Cylindrical exclusion devices like the Beaver Bafflers™ can be attached to culvert openings to reduce the likelihood that beaver plug a culvert by spreading the water intake over a larger area (Brown et al. 2001). While cylindrical exclusion devices can be effective in some situations (Partington 2002), in a study of beaver exclusion and water control devices, cylindrical shapes attached in-line with a culvert had a higher failure rate (40%) than trapezoidal shapes (*e.g.*, Beaver Deceivers™; 3% failure rate) and use of the cylindrical devices was discontinued in favor of trapezoidal fences (Callahan 2005).

Unlike Beaver Deceivers™ and cylindrical fences, pre-dam fences (*e.g.*, deep-water fences, diversion dams) (Brown and Brown 1999) can be designed with the specific intention that the beaver build the dam along the fence. Pre-dam fences can be short semicircular or circular fences that are built in an arc around a water inlet. The fence serves as a dam construction platform that allows beaver to build a dam and pond at the site but prevents beaver from plugging the water intake. If the size of the upstream pond created from the impounded water were not a concern, no further modifications of the pre-dam would be needed. However, in most cases, pre-dams would be used in combination with water control devices to manage the size of the upstream pond to alleviate flooding concerns.

Fence mesh size can be selected to minimize risks to beaver and non-target species. Brown et al. (2001) noted that beaver occasionally became stuck in 6-inch mesh and that the risk of beaver entrapment was lower with 5-inch mesh. Lisle (1999) noted that the size of the mesh on the fence of the Beaver Deceivers™ (6-inch mesh) was such that it allowed most species to pass through the fence except beaver and big turtles. In some remote areas where vehicular traffic is infrequent, it may be acceptable for animals that cannot pass through the fence mesh to travel across the road. However, for culverts under busy roads, it may be necessary to design special "*doors*" that allow the passage of beaver, large turtles, and other non-targets through the device. For example, T-joints 30 centimeters in diameter have been used to allow access through Beaver Deceiver™ fences. The T-shape reduces the likelihood that beaver can haul woody debris for dam construction inside the device (Lisle 2003). Fence caps would not be attached to the up and down-stream ends of a culvert when it is necessary to allow passage of species like large turtles and beavers through a culvert.

Water control devices (*e.g.*, pond levelers) are systems that allow the passage of water through a beaver dam. The devices could be used in situations where the presence of a beaver pond is desired but it is necessary to manage the level of water in the pond. Various types of water control devices have been described (Arner 1964, Roblee 1984, Laramie and Knowles 1985, Miller and Yarrow 1994, Wood et al. 1994, Lisle 1996, Organ et al. 1996, Brown and Brown 1999, Lisle 1999, Brown et al. 2001, Close 2003, Lisle 2003, Clemson University 2006, Simon 2006, Spock 2006, Perry 2007). The devices generally involve the use of one or more pipes installed through the beaver dam to increase the flow of water through the dam. Height and placement of pipes can be adjusted to achieve the desired water level in the beaver pond. Beaver generally only check the dam for leaks, so, when site conditions permit, the inlet of the pipe is placed away from the dam to make the source of the water flow more difficult to detect and decrease the likelihood that beaver will attempt to plug the device. To minimize the sound/sensation of water movement and the associated beaver damming behavior, the end of the pipe may be capped with a series of holes or notches cut in the pipe, which allows water to flow into the pipe. Holes and notches may be placed on the underside of the pipe to reduce the sound of water movement. Alternatively, 90-degree elbow joints can be placed facing downward on the upstream end of the pipes to prevent the noise of running water and attracting beaver. A protective cage can be placed around the upstream end of the inlet pipe to prevent beaver from blocking the pipe and to reduce problems with debris blocking the pipe. As noted above, water control systems can be combined with exclusion devices to prevent beaver from blocking culverts while still maintaining a beaver pond at an acceptable level.

Cultural Methods and Habitat Management includes the application of practices that seek to minimize exposure of the protected resource to damaging animals through processes other than exclusion. They may include animal husbandry practices such as employing guard dogs, herders, shed lambing, carcass removal, or pasture selection. Strategies may also include minimizing cover where damaging mammals might hide, manipulating the surrounding environment through barriers or fences to deter animals from entering a protected area, or planting lure crops on fringes of protected crops. Continual destruction of beaver dams and removal of dam construction materials on a daily basis will sometimes cause beavers to move to other locations. Water control devices such as the 3-log drain (Roblee 1983), the T-culvert guard (Roblee 1987), wire mesh culvert (Roblee 1983), and the Clemson beaver pond leveler (Miller and Yarrow 1994) can sometimes be used to control the water in beaver ponds to desirable levels that do not cause damage. Removal of trees from around buildings can sometimes reduce damage associated with tree squirrels and raccoons.

Some mammals that cause damage in urban environments are attracted to homes by the presence of garbage or pet food left outside and unprotected. Removal or sealing of garbage in tight trash receptacles, and elimination of all pet foods from outside areas can reduce the presence of unwanted mammals. If raccoons are a problem, making trash and garbage unavailable, and removing all pet

food from outside during nighttime hours can reduce their presence. Altering how bird feeders are hung and constructing mounting poles for the feeders that cannot be climbed by tree squirrels can reduce the presence of localized populations along with their associated damage.

Beaver dam breaching/removal would involve the removal of debris deposited by beaver that impedes the flow of water. Removing or breaching a dam is generally conducted to maintain existing stream channels and drainage patterns, and reduce floodwaters that have affected established silviculture, agriculture, or drainage structures, such as culverts. Beaver dams are made from natural debris such as logs, sticks and mud that beaver take from the immediate area and impound water, creating habitat that they utilize to build lodges and bank dens to raise their young and/or provide protection from predators. The impoundments that WS removes or breaches would typically be created by recent beaver activity, which have not been in place long enough to take on the qualities of a true wetland (*e.g.*, hydric soils, aquatic vegetation, pre-existing function). Unwanted beaver dams can be removed by hand with a rake or power tools (*e.g.*, a winch). Beaver dam removal or breaching by hand would not affect the substrate or the natural course of the stream. Removing or breaching dams would return the area back to its pre-existing condition with similar flows and circulations.

Most beaver dam breaching operations, if considered discharge, are covered under 33 CFR 323 or 330 and do not require a permit. A permit would be required if the beaver dam breaching activity was not covered by a 404 permitting exemption or a NWP and the area affected by the beaver dam was considered a true wetland. The State of Arkansas may require additional permits (see Appendix D). WS' personnel would survey the site or impoundment to determine if conditions exist for classifying the site as a true wetland. If the site appears to have conditions over 3 years old or appeared to meet the definition of a true wetland, the landowner or cooperator would be required to obtain a permit before proceeding (see Appendix D for information that explains Section 404 permit exemptions and conditions for breaching/removing beaver dams).

Supplemental feeding is sometimes used to reduce damage by wildlife, such as lure crops. Food is provided so that the animal causing damage would consume it rather than the resource being protected. In feeding programs, target wildlife would be offered an alternative food source with a higher appeal with the intention of luring them from feeding on affected resources.

Animal behavior modification refers to tactics that deter or repel damaging mammals and thus, reduce damage to the protected resource. Those techniques are usually aimed at causing target animals to respond by fleeing from the site or remaining at a distance. They usually employ extreme noise or visual stimuli. Unfortunately, many of these techniques are only effective for a short time before wildlife habituate to them (Conover 1982). Devices used to modify behavior in mammals include electronic guards (siren strobe-light devices), propane exploders, pyrotechnics, laser lights, human effigies, effigies of predators, and the noise associated with the discharge of a firearm.

Live Capture and Translocation can be accomplished using hand capture, hand nets, catch poles, cage traps, suitcase type traps, cable restraints, or with foothold traps to capture some mammal species for the purpose of translocating them for release in other areas. WS could employ those methods in Arkansas when the target animal(s) can legally be translocated or can be captured and handled with relative safety by WS' personnel. Live capture and handling of mammals poses an additional level of human health and safety threat if target animals are aggressive, large, or extremely sensitive to the close proximity of humans. For that reason, WS may limit this method to specific situations and certain species. In addition, moving damage-causing individuals to other locations can typically result in damage at the new location, or the translocated individuals can move from the relocation site to areas where they are unwanted. In addition, translocation can facilitate the spread of diseases from one area to another. The AVMA, the National Association of State Public Health

Veterinarians, and the Council of State and Territorial Epidemiologists all oppose the relocation of mammals because of the risk of disease transmission, particularly for small mammals such as raccoons or skunks (CDC 1990). Although translocation is not necessarily precluded in all cases, it would be logistically impractical, in most cases, and biologically unwise in Arkansas due to the risk of disease transmission. High population densities of some animals may make this a poor wildlife management strategy for those species. Translocation would be evaluated by WS on a case-by-case basis. Translocation would only occur with the prior authorization of the AGFC.

Trapping can utilize a number of devices, including nets, foothold traps, cage-type traps, and body-gripping traps, foot snares, and neck/body snares. Those techniques would be implemented by WS' personnel because of the technical training required to use such devices.

Drop nets are nylon or cloth nets that would be suspended above an area actively used by an animal or group of animals where target individuals have been conditioned to feed (Ramsey 1968). The area would be baited and once feeding occurs under the net, the net would be released. Drop nets require constant supervision by personnel to drop the net when target individuals are present and when animals are underneath the net. This method has limited use due to the time and effort required to condition animals to feed in a location and the required monitoring of the site to drop the net when target wildlife are present. Nets are used to live-capture target individuals and if any non-targets are present, they can be released on site unharmed. Drop nets allow for the capture of several animals during a single application. Injuries to animals do occur from the use of nets. Injuries to deer occurred when using drop nets with the rate of injury being correlated with the number of deer captured during a single application of the net (Haulton et al. 2001). Nets are not generally available to the public.

Cannon nets use nylon or cloth nets to capture wildlife that have been conditioned to feed in a given area through baiting (Hawkins et al. 1968). When using cannon nets, the net is fully deployed to determine the capture area when fired. Once the capture zone has been established, the net is rolled up upon itself and bait is placed inside the zone to ensure feeding wildlife are captured. When target animals are feeding at the site and within the capture zone of the net, the launcher is activated by personnel near the site, which launches the net over the target wildlife. The net is launched using small explosive charges and weights. Only personnel trained in the safe handling of explosive charges will be allowed to employ rocket nets when explosive charges were used. Pneumatic cannon nets could also be used, which propels the net using compressed air instead of small explosive charges. Cannon nets require personnel to be present at the site continually to monitor for feeding. Similar to drop nets, cannon nets can be used to capture multiple animals during a single application. Similar to drop nets, injury rates for cannons nets appear to be correlated with the number of animals captured during a single application of the net (Haulton et al 2001). Non-targets incidentally captured can be released on site unharmed. Cannon nets would not be available for use by the public and would not be available for use by the public under Alternative 2 and Alternative 3. A permit may be required from the AGFC to use cannon nets.

Foothold Traps can be effectively used to capture a variety of mammals. Foothold traps can be placed beside, or in some situations, in travel ways being actively used by the target species. Placement of traps is contingent upon the habits of the respective target species, habitat conditions, and presence of non-target animals. Effective trap placement and adjustment, and the use and placement of appropriate baits and lures by trained WS' personnel also contribute to the selectivity of foothold traps. An additional advantage is that foothold traps can allow for the on-site release of non-target animals since animals are captured alive. The use of foothold traps requires more skill than some methods.

Cable Restraints are typically made of wire or cable, and can be set to capture an animal by the neck, body, and foot. Cable restraints may be used as either lethal or live-capture devices depending on how or where they are set. Cable restraints set to capture an animal by the neck are usually lethal but stops can be attached to the cable to increase the probability of a live capture depending on the trap check interval. Snares positioned to capture the animal around the body can be a useful live-capture device, but are more often used as a lethal control technique. Snares can incorporate a breakaway feature to release non-target wildlife and livestock where the target animal is smaller than potential non-targets (Phillips 1996). Snares can be effectively used wherever a target animal moves through a restricted travel lane (*e.g.*, under fences or trails through vegetation). When an animal moves forward into the loop formed by the cable, the noose tightens and the animal is held. Snares must be set in locations where the likelihood of capturing non-target animals is minimized.

The foot or leg snare can be set as a spring-powered non-lethal device, activated when an animal places its foot on the trigger or pan. In some situations, using snares to capture wildlife is impractical due to the behavior or morphology of the animal, or the location of many wildlife conflicts.

Cage traps come in a variety of styles to live-capture animals. The most commonly known cage traps are box traps and corral traps. Box traps are usually rectangular and are made from various materials, including metal, wire mesh, plastic, and wood. These traps are well suited for use in residential areas and work best when baited with foods attractive to the target animal. Box traps are generally portable and easy to set-up.

Corral traps for feral swine are generally large circular traps consisting of panels anchored to the ground using steel posts with a door allowing entrance. Side panels are typically woven metal fencing referred to as swine panels or cow panels. The entrances into the traps generally consist of a door that allow entry into the trap but prevents exit. The doors are often designed to allow swine to continually enter the trap that allows for the possibility of capturing multiple swine.

The disadvantages of using cage traps are: 1) some individual target animals may avoid cage traps; 2) some non-target animals may associate the traps with available food and purposely get captured to eat the bait, making the trap unavailable to catch target animals; 3) cage traps must be checked frequently to ensure that captured animals are not subjected to extreme environmental conditions; and 4) some animals will fight to escape and may become injured; 5) expense of purchasing traps. Disadvantages associated with corral traps include: 1) the expense of purchasing the materials to construct trap, 2) once constructed, corral traps are not moveable until disassembled and transported, and 3) in remote areas, getting all the required equipment to the location can be difficult.

Trap monitors are devices that send a radio signal to a receiver if a set trap is disturbed and alerts field personnel that an animal may be captured. Trap monitors can be attached directly to the trap or attached to a string or wire and then placed away from the trap in a tree or shrub. When the monitor is hung above the ground, it can be detected from several miles away, depending on the terrain in the area. There are many benefits to using trap monitors, such as saving considerable time when checking traps, decreasing fuel usage, prioritizing trap checks, and decreasing the need for human presence in the area. Trap monitors could be used when using cage traps.

Trap monitoring devices would be employed, when applicable, that indicate when a trap has been activated. Trap monitoring devices would allow personnel to prioritize trap checks and decrease

the amount of time required to check traps, which decreases the amount of time captured target or non-targets would be restrained. By reducing the amount of time targets and non-targets are restrained, pain and stress can be minimized and captured wildlife can be addressed in a timely manner, which could allow non-targets to be released unharmed. Trap monitoring devices could be employed where applicable to facilitate monitoring of the status of traps in remote locations to ensure any captured wildlife was removed promptly to minimize distress and to increase the likelihood non-targets could be released unharmed.

Hancock/Bailey Traps (suitcase/basket type cage traps) are designed to live-capture beaver. The trap is constructed of a metal frame that is hinged with springs attached and covered with chain-link fence. The trap's appearance is similar to a large suitcase when closed. When set, the trap is generally baited and opened to allow an animal to enter. When tripped, the panels of the trap close around the animal capturing the animal. One advantage of using the Hancock or Bailey trap is the ease of release of beaver or non-target animals. Beaver caught in Hancock or Bailey traps could also be humanely euthanized. Disadvantages are that those traps are very expensive (>$300 per trap), cumbersome, and difficult to set (Miller and Yarrow 1994). The trap weighs about 25 pounds and is relatively bulky to carry and maneuver. Hancock and Bailey traps can also be dangerous to set (*i.e.*, hardhats are recommended when setting suitcase traps), are less cost and time-efficient than snares, footholds, or body-grip traps, and may cause serious and debilitating injury to river otters (Blundell et al. 1999).

Body-grip Traps are designed to cause the quick death of the animal that activates the trap. Body-grip traps may include snap traps, mole traps, and conibear traps. The conibear trap consists of a pair of rectangular wire frames that close like scissors when triggered, killing the captured animal with a quick body blow. For conibear traps, the traps should be placed so ensure the rotating jaws close on either side of the neck of the animal to ensure a quick death. Conibear traps are lightweight and easily set. Snap traps are common household rat or mouse traps. These traps are often used to collect and identify rodent species that cause damage so that species-specific control tools can be applied, such as identifying the prey base at airports. Spring-powered harpoon traps are used to control damage caused by surface-tunneling moles. Soil is pressed down in an active tunnel and the trap is placed at that point. When the mole reopens the tunnel, it triggers the trap. Two variations of scissor like traps are also used in tunnels for moles. Safety hazards and risks to humans are usually related to setting, placing, checking, or removing the traps. Body-grip traps present a minor risk to non-target animals. Selectivity of body-grip traps can be enhanced by placement, trap size, trigger configurations, and baits. When using body-grip traps, risks of non-target capture can be minimized by using recessed sets (placing trap inside a cubby, cage, or burrow), restricting openings, or by elevating traps. For example, conibear traps set to capture beaver can be placed underwater to minimize risks to non-targets. Choosing appropriately sized traps for the target species can also exclude non-targets by preventing larger non-targets from entering and triggering the trap. The trigger configurations of traps can be modified to minimize non-target capture. For example, offsetting the trigger can allow non-targets to pass through conibear traps without capture.

Shooting with firearms is very selective for the target species and would be conducted with rifles, handguns, and shotguns. Methods and approaches used by WS may include use of vehicles or aircraft, illuminating devices, bait, firearm suppressors, night vision/thermal equipment, and elevated platforms. Shooting is an effective method in some circumstances, and can often provide immediate relief from the problem. Shooting may at times be one of the only methods available to effectively and efficiently resolve a wildlife problem.

Ground shooting is sometimes used as the primary method to alleviate damage or threats of damage. Shooting would be limited to locations where it is legal and safe to discharge a weapon. A shooting program, especially conducted alone, can be expensive because it often requires many staff hours to complete.

Shooting can also be used in conjunction with an illumination device at night, which is especially useful for nocturnal mammals, such as deer or feral swine. Spotlights may or may not be covered with a red lens, which nocturnal animals may not be able to see, making it easier to locate them undisturbed. Night shooting may be conducted in sensitive areas that have high public use or other activity during the day, which would make daytime shooting unsafe. The use of night vision and Forward Looking Infrared (FLIR) devices can also be used to detect and shoot mammals at night, and is often the preferred equipment due to the ability to detect and identify animals in complete darkness. Night vision and FLIR equipment aid in locating wildlife at night when wildlife may be more active. Night vision and FLIR equipment could be used during surveys and in combination with shooting to remove target mammals at night. WS' personnel most often use this technology to target mammals in the act of causing damage or likely responsible for causing damage. Those methods aid in the use of other methods or allow other methods to be applied more selectively and efficiently. Night vision and FLIR equipment allow for the identification of target species during night activities, which reduces the risks to non-targets and reduces human safety risks. Night vision equipment and FLIR devices only aid in the identification of wildlife and are not actual methods of take. The use of FLIR and night vision equipment to remove target mammals would increase the selectivity of direct management activities by targeting those mammals most likely responsible for causing damage or posing threats.

Aerial Shooting or aerial hunting (*i.e.*, shooting from an aircraft) is a commonly used coyote damage management method; it can be especially effective in removing offending coyotes that have become "*bait-shy*" to trap sets or are not susceptible to calling and shooting. Aerial shooting is one of the preferred damage management methods for reducing feral swine damage as well, in that local swine populations can quickly be removed when weather and habitat conditions are favorable. Aerial hunting is mostly species-selective (there is a slight potential for misidentification) and can be used for immediate control to reduce livestock and natural resource losses if weather, terrain, and cover conditions are favorable. WS has also used aerial hunting for disease surveillance (*e.g.*, taking deer samples for chronic wasting disease and searching for carcasses in areas where an anthrax outbreak has occurred). Fixed-wing aircraft are most frequently used in flat and gently rolling terrain whereas helicopters with better maneuverability have greater utility and are safer over rugged terrain and timbered areas.

In broken timber or deciduous cover, aerial hunting is more effective in winter when snow cover improves visibility and leaves have fallen. The WS program aircraft-use policy helps ensure that aerial hunting is conducted in a safe and environmentally sound manner, in accordance with federal and state laws. Pilots and aircraft must be certified under established WS program procedures and only properly trained WS' employees are approved as gunners. Ground crews are often used with aerial operations for safety reasons. Ground crews can also assist with locating and recovering target animals, as necessary.

Aircraft overflights have created concerns about disturbing wildlife. The National Park Service (1995) reviewed studies on the effects of aircraft overflights on wildlife. Their report revealed that a number of studies documented responses by certain wildlife species that could suggest adverse impacts may occur. Few, if any studies, have proven that aircraft overflights cause significant adverse impacts to wildlife populations, although the report stated it is possible to draw the conclusion that affects to populations could occur. It appears that some species will frequently, or at

least occasionally, show adverse responses to even minor overflight occurrences. In general, it appears that the more serious potential impacts occur when overflights are frequent, such as hourly, and over long periods of time, which represents chronic exposure. Chronic exposure situations generally occur in areas near commercial airports and military flight training facilities. The use of firearms from aircraft would occur in remote areas where tree cover and vegetation allows for visibility of target animals from the air. WS spends relatively little time over any one area.

WS has used fixed-wing aircraft and helicopters for aerial hunting in areas inhabited by wildlife for years. WS conducts aerial activities on areas only under signed agreement and concentrates efforts during certain times of the year and to specific areas. WS' Predator Damage Management Environmental Assessments (*e.g*., USDA 2005) that have looked at the issue of aerial hunting overflights on wildlife have found that WS has annually flown less than 10 min./mi.^{2} on properties under agreements. WS flies very little over any one property under agreement in any given year. As a result, no known problems to date have occurred with WS' aerial hunting overflights on wildlife, nor are they anticipated in the future.

Denning is the practice of locating coyote or fox dens and killing the young, adults or both to stop an ongoing predation problem or prevent future depredation of livestock. Coyote and red fox depredations on livestock often increase in the spring and early summer due to the increased food requirements associated with feeding and rearing litters of pups. Removal of pups will often stop depredations even if the adults are not taken (Till 1992). Pups are typically euthanized in the den using a registered gas fumigant cartridge or by digging out the den and euthanizing the pups with sodium pentobarbital (see discussion of gas cartridges and sodium pentobarbital under *Chemical Wildlife Damage Management Methods*).

Hunting/Trapping is sometimes recommended by WS to resource owners. WS could recommend resource owners consider legal hunting and trapping as an option for reducing mammal damage. Although legal hunting/trapping is impractical and/or prohibited in many urban-suburban areas, it can be used to reduce some populations of mammals.

Aerial Surveying is a commonly used tool for evaluating and monitoring damage and establishing population estimates and locations of various species of wildlife. WS uses aerial surveying throughout the United States to monitor damages and/or populations of coyotes, fox, wolves, feral swine, feral goats, feral dogs, bobcats, mountain lions, white-tailed deer, pronghorn antelope, elk, big-horn sheep, and wild horses but any wildlife species big enough to see from a moving aircraft could be surveyed using this method. As with aerial shooting, the WS program aircraft-use policy helps ensure that aerial surveys are conducted in a safe and environmentally sound manner, in accordance with Federal and State laws. Pilots and aircraft must also be certified under established WS program procedures and policies.

Aerial Telemetry is used in research projects studying the movements of various wildlife species. Biologists will frequently place radio-transmitting collars on selected individuals of a species and then monitor their movements over a specified period. Whenever possible, the biologist attempts to locate the research subject using a hand-held antennae and radio receiver, however, occasionally animals will make large movements that prevent biologists from locating the animal from the ground. In these situations, WS can utilize either fixed wing aircraft or helicopters and elevation to conduct aerial telemetry and locate the specific animal wherever it has moved to. As with any aerial operations, the WS program aircraft-use policy helps ensure that aerial surveys would be conducted in a safe and environmentally sound manner, in accordance with Federal and State laws.

Chemical Wildlife Damage Management Methods

All pesticides used by WS are registered under the FIFRA and administered by the EPA and the Arkansas Agriculture Department. All WS personnel in Arkansas who apply restricted-use pesticides would be certified pesticide applicators by Arkansas Agriculture Department and have specific training by WS for pesticide application. The EPA and the Arkansas Agriculture Department require pesticide applicators to adhere to all certification requirements set forth in the FIFRA. Pharmaceutical drugs, including those used in wildlife capture and handling, are administrated by United States Food and Drug Administration and/or the United States Drug Enforcement Agency.

Chemicals would not be used by WS on public or private lands without authorization from the land management agency or property owner or manager. The following chemical methods have been proven selective and effective in reducing damage by mammals.

GonaCon™ was developed by scientists with the NWRC as a reproductive inhibitor. GonaCon™ is a new single dose immunocontraceptive vaccine. Recent studies have demonstrated the efficacy of this single-shot Gonadotropin-releasing hormone (GnRH) vaccine on California ground squirrels, Norway rats, feral cats and dogs, feral swine, wild horses, and white-tailed deer. Infertility among treated female swine and white-tailed deer has been documented for up to two years without requiring a booster vaccination (Miller et al. 2000). This vaccine overcomes one of the major obstacles of previous two dose vaccines since target wildlife need to be captured only once for vaccination instead of twice. A single-injection vaccine would be much more practical as a field delivery system for use on free-ranging animals.

GonaCon™ was officially registered by the EPA in 2009 for use in reducing fertility in female white-tailed deer under EPA registration number 56228-40. GonaCon™ is registered as a restricted-use pesticide available for use by WS' personnel and personnel of a state wildlife management agency or persons under their authority. Additionally, in order for GonaCon™ to be used in any given state, the product must also be registered with the state and approved for use by the appropriate state agency responsible for managing wildlife. GonaCon™, when injected into the body, elicits an immune response that neutralizes the GnRH hormone being produced naturally by deer. The GnRH hormone in deer stimulates the production of other sexual hormones, which leads to the body reaching a reproductive state. The vaccine neutralizes the GnRH hormone being produced, which then prevents the production of other sexual hormones in the deer vaccinated; thereby, preventing the body of the deer from entering into a reproductive state (USDA 2010).

Ketamine (Ketamine HCl) is a dissociative anesthetic that is used to capture wildlife, primarily mammals, birds, and reptiles. It is used to eliminate pain, calm fear, and allay anxiety. Ketamine is possibly the most versatile drug for chemical capture, and it has a wide safety margin (Fowler and Miller 1999). When used alone, this drug may produce muscle tension, resulting in shaking, staring, increased body heat, and, on occasion, seizures. Usually, ketamine is combined with other drugs such as xylazine. The combination of such drugs is used to control an animal, maximize the reduction of stress and pain, and increase human and animal safety.

Telazol is a more powerful anesthetic and usually used for larger animals. Telazol is a combination of equal parts of tiletamine hydrochloride and zolazepam hydrochloride (a tranquilizer). The product is generally supplied sterile in vials, each containing 500 mg of active drug, and when dissolved in sterile water has a pH of 2.2 to 2.8. Telazol produces a state of unconsciousness in which protective reflexes, such as coughing and swallowing, are maintained during anesthesia. Schobert (1987) listed the dosage rates for many wild and exotic animals. Before using Telazol, the size, age, temperament, and health of the animal are considered. Following a deep intramuscular injection of Telazol, onset

of anesthetic effect usually occurs within 5 to 12 minutes. Muscle relaxation is optimum for about the first 20 to 25 minutes after the administration, and then diminishes. Recovery varies with the age and physical condition of the animal and the dose of Telazol administered, but usually requires several hours.

Xylazine is a sedative (analgesic) that calms nervousness, irritability, and excitement, usually by depressing the central nervous system. Xylazine is commonly used with ketamine to produce a relaxed anesthesia. It can also be used alone to facilitate physical restraint. Because xylazine is not an anesthetic, sedated animals are usually responsive to stimuli. Therefore, personnel should be even more attentive to minimizing sight, sound, and touch. When using ketamine/xylazine combinations, xylazine will usually overcome the tension produced by ketamine, resulting in a relaxed, anesthetized animal (Fowler and Miller 1999). This reduces heat production from muscle tension, but can lead to lower body temperatures when working in cold conditions.

Sodium Pentobarbital is a barbiturate that rapidly depresses the central nervous system to the point of respiratory arrest. Barbiturates are a recommended euthanasia drug for free-ranging wildlife (AVMA 2013). Sodium pentobarbital would only be administered after deer have been live-captured and properly immobilized to allow for direct injection. There are United Stated Drug Enforcement Agency restrictions on who can possess and administer this drug. Some states may have additional requirements for personnel training and particular sodium pentobarbital products available for use in wildlife. Certified WS' personnel are authorized to use sodium pentobarbital and dilutions for euthanasia in accordance with United States Drug Enforcement Agency and state regulations. All animals euthanized using sodium pentobarbital and all of its dilutions (*e.g.* Beuthanasia-D, Fatal-Plus) are disposed of immediately through incineration or deep burial to prevent secondary poisoning of scavenging animals and introduction of these chemicals to non-target animals.

Potassium Chloride used in conjunction with prior general anesthesia is used as a euthanasia agent for animals, and is considered acceptable and humane by the AVMA (2013). Animals that have been euthanized with this chemical experience cardiac arrest followed by death, and are not toxic to predators or scavengers.

Beuthanasia®-D combines pentobarbital with another substance to hasten cardiac arrest. Intravenous (IV) and intracardiac (IC) are the only acceptable routes of injection. As with pure sodium pentobarbital, IC injections with Beuthanasia®-D are only acceptable for animals that are unconscious or deeply anesthetized. With other injection routes, there are concerns that the cardiotoxic properties may cause cardiac arrest before the animal is unconscious completely. It is a Schedule III drug, which means it can be obtained directly from the manufacturer by anyone with a United States Drug Enforcement Agency registration. However, Schedule III drugs are subject to the same security and record-keeping requirements as Schedule II drugs.

Fatal-Plus® combines pentobarbital other substances to hasten cardiac arrest. IV is the preferred route of injection; however, IC is acceptable as part of the two-step procedure used by WS. Animals are first anesthetized and sedated using a combination of ketamine/xylazine and once completely unresponsive to stimuli and thoroughly sedated, Fatal-Plus® is administered. Like Beuthanasia®-D, it is a Schedule III drug requiring a United States Drug Enforcement Agency registration for purchase and is subject to the security and record-keeping requirements of Schedule II drugs.

Carbon dioxide is sometimes used to euthanize mammals that are captured in live traps and when relocation is not a feasible option. Live mammals are placed in a sealed chamber. CO_2 gas is released into the chamber and the animal quickly dies after inhaling the gas. This method is approved as a euthanizing agent by the AVMA. CO_2 gas is a byproduct of animal respiration, is common in the

atmosphere, and is required by plants for photosynthesis. It is used to carbonate beverages for human consumption and is the gas released by dry ice. The use of CO_2 by WS for euthanasia purposes is exceedingly minor and inconsequential to the amounts used for other purposes by society.

Repellents are usually naturally occurring substances or chemicals formulated to be distasteful or to elicit pain or discomfort for target animals when they are smelled, tasted, or contacted. Only a few repellents are commercially available for mammals, and are registered for only a few species. Repellents would not be available for many species that may present damage problems, such as some predators or furbearing species. Repellents are variably effective and depend largely on resource to be protected, time and length of application, and sensitivity of the species causing damage. Again, acceptable levels of damage control would usually not be realized unless repellents were used in conjunction with other techniques.

Gas cartridges (EPA Reg. No. 56228-21, EPA Reg. No. 56228-2) could be registered by WS with the Arkansas Agriculture Department and are often used to treat dens or burrows of coyotes, fox, or woodchucks. When ignited, the cartridge burns in the den of an animal and produces large amounts of carbon monoxide, a colorless, odorless, and tasteless, poisonous gas. The combination of oxygen depletion and carbon monoxide exposure kills the animals in the burrow or den. Sodium nitrate is the principle active chemical in gas cartridges and is a naturally occurring substance. Although stable under dry conditions, it is readily soluble in water and likely to be highly mobile in soils. In addition, dissolved nitrate is very mobile, moving quickly through the vadose zone to the underlying water table (Bouwer 1989). However, burning sodium nitrate, as in the use of a gas cartridge as a fumigant in a rodent burrow, is believed to produce mostly simple organic and inorganic gases, using all of the available sodium nitrate. In addition, the human health drinking water tolerance level for this chemical is 10 mg / L, a relatively large amount, according to EPA Quality Criteria for Water (EPA 1986*a*, EPA 1986*b*). The gas along with other components of the cartridge, are likely to form oxides of nitrogen, carbon, phosphorus, and sulfur. Those products are environmentally non-persistent because they are likely to be metabolized by soil microorganisms or they enter their respective elemental cycles. In rodent cartridges, sodium nitrate is combined with seven additional ingredients: sulfur, charcoal, red phosphorus, mineral oil, sawdust, and two inert ingredients. None of the additional ingredients in this formulation is likely to accumulate in soil, based on their degradation into simpler elements by burning the gas cartridge. Sodium nitrate is not expected to accumulate in soils between applications, nor does it accumulate in the tissues of target animals (EPA 1991). The EPA stated sodium nitrates "*...as currently registered for use as pesticides, do not present any unreasonable adverse effects to humans*" (EPA 1991).

APPENDIX C

FEDERAL LIST OF THREATENED, ENDANGERED AND CANDIDATE SPECIES IN ARKANSAS

Mammals

1. Gray Bat (*Myotis grisescens*) – Status: Endangered
2. Indiana Bat (*Myotis sodalis*) – Status: Endangered
3. Ozark Big-eared Bat (*Corynorhinus townsendii ingens*) – Status: Endangered
4. Florida Panther (*Puma concolor coryi*) – Status: Endangered, AR status: presumed extirpated

Birds

1. Interior Least Tern (*Sterna antillarum*) – Status: Endangered
2. Red-cockaded Woodpecker (*Picoides borealis*) – Status: Endangered
3. Ivory-billed Woodpecker (*Campehilius principalis*) – Status: Endangered
4. Whooping Crane (*Grus americana*) – Status: Endangered
5. Piping Plover – (*Charadrius melodus*) – Status: Threatened
6. Sprague's Pipit – (*Anthus spragueii*) – Status: Candidate

Fish

1. Ozark Cavefish (*Amblyopsis rosae*) – Status: Threatened
2. Leopard Darter (*Percina pantherina*) – Status: Threatened
3. Arkansas River Shiner (*Notropis girardi*) – Status: Threatened, AR status: extirpated
4. Pallid Sturgeon (*Scaphirhynchus albus*) – Status: Endangered
5. Yellowcheek Darter (*Etheostoma moorei*) – Status: Endangered
6. Arkansas Darter (*Etheostoma cragini*) – Status: Candidate

Freshwater Mussels

1. Turgid Blossum (*Epioblasma turgidula*) – Status: Endangered, AR status – extirpated
2. Louisiana Pearlshell (*Margaritifera hemblii*) – Status: Threatened
3. Arkansas Fatmucket (*Lampsilis powellii*) – Status: Threatened
4. Winged Mapleleaf (*Quadrula fragosa*) – Status: Endangered
5. Pink Mucket (*Lampsilis abrupta*) – Status: Endangered
6. Scaleshell (*Leptodea leptodon*) – Status: Endangered
7. Curtis Pearlymussel (*Epioblasma florentina curtisi*) – Status: Endangered
8. Fat Pocketbook (*Potamilus capax*) – Status: Endangered
9. Ouachita Rock Pocketbook (*Arkansia wheeleri*) – Status: Endangered
10. Speckled Pocketbook (*Lampsilis streckeri*) – Status: Endangered
11. Fanshell (*Cyprogenia stegaria*) – Status: Endangered
12. Snuffbox (*Epioblasma triquetra*) – Status – Endangered
13. Neosho Mucket (*Lampsilis rafinesqueana*) – Status: Proposed Endangered
14. Spectaclecase (*Cumberlandia monodonta*) – Status: Endangered
15. Rabbitsfoot (Quadrula cylindrica cylindrica) – Status: Proposed Threatened

Amphibians

1. Ozark Hellbender (*Cryptobranchus alleganiensis bishopi*) – Status: Endangered

Crayfish

1. Benton County Cave Crayfish (*Cambarus aculabrum*) – Status: Endangered
2. Hell Creek Cave Crayfish (*Cambarus zophanastes*) – Status: Endangered

Insects

1. American Burying Beetle (*Nicrophorus americanus*) – Status: Endangered

Plants

1. Missouri Bladderpod (*Lesquerella filiformis*) – Status: Threatened
2. Running Buffalo Clover (*Trifolium stoloniferum*) – Status: Endangered
3. Harperella (*Ptilimnium nodosum*) – Status: Endangered
4. Pondberry (*Lindera melissifolia*) – Status: Endangered
5. No common name (*Geocarpon minimum*) – Status: Threatened

(Candidate Species: Federal listing warranted, but precluded by higher priority listings)

For More Information Contact:

U.S. Fish and Wildlife Service
110 South Amity Road, Suite 300
Conway, Arkansas 72032
Telephone: 501-513-4470

APPENDIX D

CRITERIA FOR BEAVER DAM BREACHING/REMOVAL

Beaver dam breaching is generally conducted to maintain existing stream channels and drainage patterns, and reduce flooding. Beaver dams are made from natural debris such as logs, sticks, and mud that beaver take from the area. This portion would be dislodged during a beaver dam breaching operation. The impoundments that WS could remove would normally be from recent beaver activity and would not have been in place long enough to take on the qualities of a true wetland (*i.e.*, hydric soils, aquatic vegetation, preexisting function). Beaver dam breaching and removal by hand does not affect the substrate or the natural course of the stream and returns the area back to its preexisting condition with similar flows and circulations.

Wetlands are recognized by three characteristics: hydric soils, hydrophytic vegetation, and general hydrology. Hydric soils either are composed of, or have a thick surface layer of, decomposed plant materials (muck); sandy soils have dark stains or streaks from organic material in the upper layer where plant material has attached to soil particles. In addition, hydric soils may be bluish gray or gray below the surface or brownish black to black and have the smell of rotten eggs. Wetlands also have hydrophytic vegetation present such as cattails, bulrushes, willows, sedges, and water plantains. The final indicator is general hydrology which includes standing and flowing water or waterlogged soils during the growing season; high water marks are present on trees and drift lines of small piles of debris are usually present. Beaver dams usually will develop a layer of organic material at the surface because siltation can occur rapidly, but aquatic vegetation and high water marks (a new high water mark is created by the beaver dam) are usually not present. However, cattails and willows can show up rapidly if they are in the vicinity, but most hydrophytic vegetation takes time to establish.

When a dam is removed or breached, debris could be discharged into the water. The debris that ends up in the water would be considered "*incidental fallback*" or discharge fill. However, in most beaver dam removal or breaching operations, the material that would be displaced, if considered to be discharge, would be exempt from permit requirements under 33 CFR 323 or 33 CFR 330. A permit would be required if the impoundment caused by a beaver dam was considered a true wetland. WS' personnel would survey the beaver dam site and impoundment and determine whether conditions exist suggesting that the area may be a wetland as defined above. If such conditions exist, the landowner would be asked the age of the dam or how long he/she has known of its presence to determine whether Swampbuster, Section 404 permit exemptions or NWPs allow removal of the dam. If not, the landowner would be required to obtain a Section 404 permit before the dam could be removed. In those cases, the EPA and/or the United States Army Corps of Engineers would be responsible for determining if the beaver dam and associated areas was an actual wetland and if so, whether to issue a permit to remove the dam.

Federal Regulations- United States Army Corps of Engineers

Under Section 404 of the CWA, the Corps of Engineers regulates all waters of the United States. Because beaver dams involve waters of the United States, dam breaching is regulated under Section 404 of the CWA. In most beaver dam breaching operations, the material that is displaced would be exempt from permitting or included in a NWP in accordance with Section 404 of the CWA (33 CFR Part 323). A permit would be required if the impoundment caused by a beaver dam was not covered under a NWP or permitting exemption and was considered jurisdictional based on the Corps of Engineers 1987 Delineation Manual.

The following explains Section 404 exemptions and conditions that pertain to the breaching of beaver dams and are WS' interpretation of the NWPs.

33 CFR 323 - Permits For Discharges of Dredged or Fill Material into Waters of the United States. This regulation provides guidance to determine whether certain activities require permits under Section 404.

Part 323.4 Discharges not requiring permits. This section establishes exemptions for discharging certain types of fill into waters of the United States without a permit. Certain minor drainage activities connected with normal farming, ranching, and silviculture activities where they have been established do not require a permit as long as these drainages do not include the immediate or gradual conversion of a wetland (*i.e.*, beaver ponds greater than 5 years old) to a non-wetland. Specifically, part (a)(1)(iii)(C)(i) states, "*...fill material incidental to connecting upland drainage facilities (e.g., drainage ditches) to waters of the United States, adequate to effect the removal of excess soil moisture from upland croplands...*". This indicates that beaver dams that block ditches, canals, or other structures designed to drain water from upland crop fields can be breached without a permit.

Moreover, (a)(1)(iii)(C)(iv) states the following types of activities do not require a permit "*The discharges of dredged or fill materials incidental to the emergency removal of sandbars, gravel bars, or other similar blockages which are formed during flood flows or other events, where such blockages close or constrict previously existing drainage ways and, if not promptly removed, would result in damage to or loss of existing crops or would impair or prevent the plowing, seeding, harvesting or cultivating of crops on land in established use for crop production. Such removal does not include enlarging or extending the dimensions of, or changing the bottom elevations of, the affected drainage way as it existed prior to the formation of the blockage. Removal must be accomplished within one year of discovery of such blockages in order to be eligible for exemption.*"; this allows the breaching of beaver dams in natural streams to restore drainage of agricultural lands within one year of discovery.

Part 323.4 (a) (2) allows "*Maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, bridge abutments or approaches, and transportation structures. Maintenance does not include any modification that changes the character, scope, or size of the original fill design. Emergency reconstruction must occur within a reasonable period of time after damage occurs in order to qualify for this exemption.*"; this allows beaver dams to be breached without a permit where they have resulted in damage to roads, culverts, bridges, or levees if it is done in a reasonable amount of time.

33 CFR 330 - Nationwide Permit (NWP) Program. The United States Army Corps of Engineers, Chief of Engineers is authorized to grant certain dredge and fill activities on a nationwide basis if they have minimal impact on the environment. The NWPs are listed in Appendix A of 33 CFR 330 and permittees must satisfy all terms and conditions established to qualify for their use. Individual beaver dam breaching by WS may be covered by any of the following NWPs if not already exempted from permit requirements by the regulations discussed above. WS complies with all conditions and restrictions placed on NWPs for any instance of beaver dam breaching done under a specific NWP.

Nationwide permits can be used except in any component of the National Wild and Scenic River System such as waterways listed as an "*Outstanding Water Resource*", or any waterbody, which is part of an area designated for "*Recreational or Ecological Significance*".

NWP 3 authorizes the rehabilitation of those structures, such as culverts, homes, and bridges, destroyed by floods and "*discrete events*," such as beaver dams, if the activity is commenced within 2 years of the date when the beaver dam was established.

NWP 18 allows minor discharges of dredged and fill material, including the breaching of beaver dams, into all waters of the United States provided that the quantity of discharge and the volume of excavated

area does not exceed 10 cubic yards below the plane of the ordinary high water mark (this is normally well below the level of the beaver dam) or is in a "*special aquatic site*" (wetlands, mudflats, vegetated shallows, riffle and pool complexes, sanctuaries, and refuges). The District Engineer must be "*notified*" (general conditions for notification apply), if the discharge is between 10-25 cubic yards for a single project or the project is in a special aquatic site and less than 1/10 of an acre is expected to be lost. If the values are greater than those given, a permit is required. Beaver dams rarely would exceed 2 or 3 cubic yards of backfill into the waters and probably no more than 5 cubic yards would ever be exceeded. Therefore, this stipulation is not restrictive. Beaver dams periodically may be breached in a special aquatic area, but normally the aquatic site will be returned to normal. However, if a true wetland exists, and beaver dam breaching is not allowed under another permit, then a permit must be obtained from the District Engineer.

NWP 27 provides for the discharge of dredge and fill for activities associated with the restoration of wetland and riparian areas with certain restrictions. On non-federal public and private lands, the owner must have: a binding agreement with the USFWS or the USDA-Natural Resources Conservation Service to conduct restoration; a voluntary wetland restoration project documented by Natural Resources Conservation Service; or notify the District Engineer according to "notification" procedures. On federal lands, including United States Army Corps of Engineers and USFWS, wetland restoration can take place without any contract or notification. This NWP "*...applies to restoration projects that serve the purpose of restoring "natural" wetland hydrology, vegetation, and function to altered and degraded non-tidal wetlands and "natural" functions of riparian areas. This NWP does not authorize the conversion of natural wetlands to another aquatic use...*" If operating under this permit, the breaching of a beaver dam would be allowed as long as it was not a true wetland (*i.e.*, 5 or more years old), and for non-federal public and private lands the appropriate agreement, project documentation, or notification is in place.

A quick response immediately resulting from permitting requirements can be critical to the success of minimizing or preventing damage. Exemptions contained in the above regulations or NWPs provide for the breaching of the majority of beaver dams that WS encounters. The primary determination that must be made by WS personnel is whether a beaver impounded area has become a true wetland or is just a flooded area. The flexibility allowed by these exemptions and NWPs is important for the efficient and effective resolution of many beaver damage problems because damage escalates rapidly in many cases the longer an area remains flooded.