

**DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT**

**ENVIRONMENTAL ASSESSMENT: MANAGING DAMAGE TO RESOURCES AND
THREATS TO HUMAN HEALTH AND SAFETY CAUSED BY MAMMALS IN DELAWARE**

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) program completed an Environmental Assessment (EA) on alternatives for reducing mammal damage to agricultural resources, natural resources, property, and public health and safety in Delaware (USDA 2019). The United States Department of the Interior, Fish and Wildlife Service (USFWS) cooperated in the development of the EA. The EA documents the need for action and assesses potential impacts on the human environment of three alternatives to address that need.

PUBLIC COMMENTS

The EA was made available for review and comment from March 25 to April 30, 2019. The document was made available through a Notice of Availability (NOA) published in the *Delaware State News*, and sent to interested parties through the APHIS Stakeholder Registry. WS also published the document on the program website. Four comments were received. WS responses to comments are included in Appendix B. All correspondence on the EA is maintained at the WS State Office, 1568 Whitehall Road, Annapolis, MD 21409.

ISSUES ASSOCIATED WITH MAMMAL DAMAGE MANAGEMENT ACTIVITIES

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

- Issue 1 - Effects of Damage Management Activities on Target Mammal Populations
- Issue 2 - Effects of Damage Management on Nontarget Wildlife Species Populations, Including Threatened & Endangered (T&E) Species
- Issue 3 - Effects of Damage Management Activities on Human Health and Safety
- Issue 4 - Humaneness and Animal Welfare Concerns

AFFECTED ENVIRONMENT

Mammals can be found across Delaware throughout the year. Therefore, damage or threats of damage associated with mammals could occur wherever mammals occur as would requests for assistance to manage damage or threats of damage. Assistance would only be provided by WS when requested by a landowner or manager, and WS would only provide direct operational assistance on properties where a Memorandum of Understanding (MOU), Cooperative Service Agreement (CSA), or other comparable document had been signed between WS and the cooperating entity.

Upon receiving a request for assistance, the proposed action alternative, or those actions described in the other alternatives could be conducted on private, federal, state, tribal, and municipal lands in Delaware to reduce damage and threats associated with mammals. Areas where damage or threats of damage could occur include, but would not be limited to agricultural fields, vineyards, orchards, farms, aquaculture facilities, 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; 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 areas could also include airports and military airbases where mammals are a threat to human safety and to property; and areas where mammals negatively affect wildlife, including T&E species.

DESCRIPTION OF THE ALTERNATIVES

The following three alternatives were developed to respond to the issues identified in Chapter 2 of the EA. A detailed discussion of the effects of the alternatives on the issues is described in the EA under Chapter 3 (USDA 2019); below is a summary of the alternatives.

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 nonlethal and lethal techniques, as deemed appropriate using the WS Decision Model (USDA 2019), to reduce damage and threats associated with mammals. Under this alternative, WS could respond to requests for assistance for managing damage and threats associated with mammals by: 1) taking no action, if warranted, 2) providing technical assistance to property owners or managers on actions they could take to reduce damage or threats of damage, or 3) providing technical assistance and direct operational assistance to a property owner or manager experiencing damage or threats of damage. Direct operational assistance could be provided when funding is available through federal appropriations or cooperative funding.

WS response to requests for assistance is dependent upon on those persons initiating the request. Those persons receiving technical assistance could 1) take no action, 2) choose to implement WS' recommendations on their own, 3) use the services of a private nuisance wildlife control agent, 4) use volunteer services of private individuals or organizations (e.g., private trappers or hunters), 5) use the services of local law enforcement or animal control authorities (in the case of dogs or cats) or 6) use the services of WS (direct operational assistance) when available.

The most effective approach to resolving any animal damage problem is to use an adaptive integrated approach (IWDM) that may call for the use of several methods simultaneously or sequentially. This approach is used by WS for providing both technical and direct operational assistance. WS personnel use a thought process for evaluating and responding to requests for assistance detailed in the WS Decision Model. IWDM may incorporate both nonlethal and lethal methods depending upon the circumstances of the specific damage problem. Nonlethal methods disperse or otherwise make an area where the damage is occurring unattractive or unavailable to the species causing the damage, thereby reducing the presence of those species in the area. Nonlethal methods would be given priority when addressing requests for assistance. However, nonlethal methods would not necessarily be employed to resolve every request for assistance if deemed inappropriate by WS' personnel using the WS Decision Model. When effective, nonlethal methods would disperse mammals from the area resulting in a reduction in the presence of those mammals at the site.

Lethal methods remove individuals of the species causing the damage, thereby reducing the presence of those species in the area and the local population. Lethal methods are often employed or recommended to reinforce nonlethal methods and to remove mammals that have been identified as causing damage or posing a threat of damage as part of an integrated approach. 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. WS may recommend mammals be harvested during regulated hunting and/or trapping seasons or lethally removed under nuisance wildlife regulations in an attempt to reduce the number of mammals causing damage.

Alternative 2 - WS Would Address Mammal Damage Using Technical Assistance Only

Under this alternative, WS would provide those persons requesting assistance with managing damage and threats associated with mammals with technical assistance only. Technical assistance would be provided as described above under Alternative 1. Appendix B in the EA contains a thorough discussion of the methods available for use in managing damage and threats associated with mammals. All methods listed in the Appendix could be available under this alternative.

This alternative would place the immediate burden of operational damage management work on the resource owner, other governmental agencies, private businesses and/or private individuals. Those persons experiencing damage or threats could take action using those methods legally available to resolve or prevent 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

Under this alternative, WS would not conduct technical or direct operational assistance to reduce threats or alleviate damage associated with mammals. WS would not be involved with any aspect of managing damage associated with mammals. All requests for assistance received by WS would be referred to the Department of Natural Resources and Environmental Control (DNREC), local law enforcement or animal control authorities and/or private entities. This alternative would not prevent other federal, state, and/or local agencies, including private entities from conducting damage management activities directed at alleviating damage and threats associated with mammals. Similar to Alternative 2, all methods listed in Appendix B could be available under this alternative.

Similar to Alternative 2, this alternative would place the immediate burden of operational damage management work on the resource owner, other governmental agencies, private businesses and/or private individuals. Those persons experiencing damage or threats could take action using those methods legally available to resolve or prevent damage associated with mammals as permitted by federal, state, and local laws and regulations or those persons could take no action.

CONSISTENCY

Based on the provisions and protective measures established in the EA, WS determined that activities conducted pursuant to the proposed action may affect but would not likely adversely affect those species listed in the state by the USFWS, including 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' determinations. The list of species designated as endangered or threatened by the DNREC was reviewed during the development of the EA. Based on the review of species listed, WS determined that the proposed activities may affect but would not likely adversely affect those species listed by the state.

MONITORING

The WS-Delaware program will annually review its effects on mammals and other non-target species addressed in the EA to ensure those activities do not impact the viability of wildlife species. In addition, the EA will be reviewed each year to ensure that the analyses are sufficient.

CUMULATIVE IMPACTS OF THE PROPOSED ACTION

No significant cumulative environmental impacts were identified from any of the three alternatives, including the proposed action. Under the proposed action, the lethal removal of mammals by WS would not have significant impacts on statewide mammal populations when known sources of mortality were considered. No risk to public safety was identified when activities were provided and expected by requesting individuals under Alternative 1 since only trained and experienced personnel would conduct and/or recommend damage management activities. There would be a slight increased risk to public safety if persons rejected assistance and recommendations under Alternative 2 and conducted their own activities, or when no assistance was provided under Alternative 3. However, under all of the alternatives, those risks would not be to the point that the effects would be significant. The analysis in the EA indicates that an integrated approach to managing damage and threats caused by mammals would not result in significant cumulative effects on the quality of the human environment.

DECISION AND FINDING OF NO SIGNIFICANT IMPACT

I have carefully reviewed the EA prepared for this proposal and the input from the public involvement process. I find the proposed action alternative (Alternative 1) to be environmentally acceptable, addressing the issues and needs while balancing the environmental concerns of management agencies, landowners, advocacy groups, and the public. The analysis in the EA adequately addresses the identified issues, which reasonably confirm that no significant impact, individually or cumulatively, to the quality of the human environment are likely to occur from the proposed action, nor does the proposed action constitute a major federal action. Therefore, the analysis in the EA does not warrant the completion of an Environmental Impact Statement (EIS).

Based on the analyses in the EA, the need for action and the issues identified are best addressed by selecting Alternative 1 and applying the associated standard operating procedures. Alternative 1 successfully addresses (1) mammal damage management using a combination of the most effective methods and does not adversely impact the environment, property, human health and safety, target species, and/or non-target species, including T&E species; (2) it offers the greatest chance of maximizing effectiveness and benefits to resource owners and managers; (3) it presents the greatest chance of maximizing net benefits while minimizing adverse effects to public health and safety; and (4) it offers a balanced approach to the issue of humaneness when all facets of that issue are considered. Further analysis would be triggered if changes occur that broaden the scope of damage management activities that affect the natural or human environment or from the issuance of new environmental regulations. Therefore, it is my decision to implement the proposed action/no action alternative (Alternative 1) as described in the EA.

Based on the analyses provided in the EA, there are no indications that the proposed action (Alternative 1) would have a significant impact, individually or cumulatively, on the quality of the human environment. I agree with this conclusion and therefore, find that an EIS should not be prepared. This determination is based on the following factors:

1. Mammal damage management, as conducted by WS in the State, is not regional or national in scope.
2. The proposed action would pose minimal risk to public health and safety. Based on the analyses in the EA, the methods available would not adversely affect human safety based on their use patterns and standard operating procedures.

3. There are no unique characteristics such as park lands, prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas that would be significantly affected. WS' standard operating procedures and adherence to applicable laws and regulations would further ensure that WS' activities do not harm the environment.
4. The effects on the quality of the human environment are not highly controversial. Although there may be some opposition to mammal damage management, this action is not highly controversial in terms of size, nature, or effect.
5. Based on the analysis documented in the EA and the accompanying administrative file, the effects of the proposed damage management program on the human environment would not be significant. The effects of the proposed activities are not highly uncertain and do not involve unique or unknown risks.
6. The proposed action would not establish a precedent for any future action with significant effects.
7. No significant cumulative effects were identified through the assessment. The EA analyzed cumulative effects on target and non-target species populations and concluded that such impacts were not significant for this or other anticipated actions to be implemented or planned.
8. The proposed activities would not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor would they likely cause any loss or destruction of significant scientific, cultural, or historical resources.
9. WS has determined that the proposed program would not adversely affect any federally listed T&E species currently listed in the State. In addition, WS has determined that the proposed activities would not adversely affect state-listed T&E species.
10. The proposed action would comply with all applicable federal, state, and local laws.

The rationale for this decision is based on several considerations. This decision takes into account public comments, social/political and economic concerns, public health and safety, and the best available science. The foremost considerations are that: 1) mammal damage management would only be conducted by WS at the request of landowners/managers, 2) management actions would be consistent with applicable laws, regulations, policies and orders, and 3) no significant effects to the environment were identified in the analysis. As a part of this Decision, the WS program would continue to provide effective and practical technical assistance and direct management techniques that reduce damage and threats of damage.

Willie D. Harris, Director-Eastern Region
USDA/APHIS/WS
Raleigh, North Carolina

Date

APPENDIX A
LITERATURE CITED

USDA (U.S. Department of Agriculture). 2019. Environmental Assessment: Managing Damage to Resources and Threats to Human Health and Safety Caused by Mammals in Delaware. USDA, APHIS, WS, Annapolis, MD.

APPENDIX B RESPONSES TO COMMENTS

This Appendix contains issues raised by the public during the comment period for the 2019 Delaware mammal damage management EA and the WS response to each of the issues. WS received four comment letters regarding the EA. Substantive issues raised in the letters are numbered and are written in bold text. The WS response follows each comment and is written in standard text.

- 1. I do wish there was more of a distinction as to what a hazard is. One could argue that even the presence of a raccoons is a hazard to human and domestic health.**

Section 1.2 *Need for Action* in the EA describes hazards at length and provides multiple examples. It also discussed the effects of wildlife “presence” on humans and sensitive wildlife species.

- 2. Is it not important to first consider how harmful humans are alone? If we are focusing on eliminating other species, will this not just concentrate our efforts on further producing more harmful materials to eradicate potentially harmful mammals?**

Evaluating the effects of humans on the environment is outside the scope of this EA. However, the EA does discuss the need to educate the public and find compromises between the needs of people and wildlife (page 38). Furthermore, WS does not advocate eliminating any native wildlife species as stated on page 78 of the EA.