



FINDING OF NO SIGNIFICANT IMPACT AND DECISION FOR PREDATOR DAMAGE MANAGEMENT IN NORTHERN AND CENTRAL IDAHO

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

Public Involvement

Prior to development of the EA, approximately 200 letters were mailed to individuals and organizations previously identified as having an interest in ADC issues. Notice of the proposed action and availability of the public involvement letter were also published in four major newspapers within the analysis area. A total of 21 comment letters or cards were received during the initial public involvement period with comments both supporting and opposing ADC's proposed action. These letters were reviewed to identify any additional substantive issues to be addressed in the EA.

A pre-decisional EA was prepared and released to the public for a 30-day comment period. Notice of availability of the pre-decisional EA was also published in the four major newspapers in the analysis area on September 6, 1996. A total of 8 comment letters were received in response to the pre-decisional EA. Documentation of the public involvement effort, including comment letters and specific responses to all the issues identified in those letters, is available for public review from the ADC State Director's office in Boise. Although many comments raised were already addressed in the EA, responses to some of the most significant issues raised are presented below.

1. Some commenters felt that the geographic area covered by the EA was too large, and that more site-specific analysis should be prepared. As noted in chapter 1 of the EA, a total of at least 8 different EAs with Findings of No Significant Impact (FONSI) have been previously prepared by the U.S. Forest Service and the Bureau of Land Management (BLM) to assess the impacts of ADC's predator damage management activities to protect livestock on Federal lands within the analysis area. These previously prepared EAs assessed the need for and the impacts of ADC's activities at a more site-specific level than the September 1996 EA prepared by ADC. All of these EAs have been revisited annually since their development, with an annual review of the confirmed livestock losses documented by ADC during the previous year, as well as a review of animals taken as a result of control actions.

This level of site-specific annual review will continue, with several minor exceptions. Because the Coeur d'Alene and Salmon BLM Districts have been combined administratively into the Columbia/Salmon/Clearwater BLM District, the annual review for these areas will take place during one meeting. A review of ADC activities occurring on State lands within the boundaries of this BLM District will also occur during this annual meeting. All ADC activities on the Boise, Challis, Payette and Sawtooth National Forests will be addressed during an annual review and coordination meeting with each respective National Forest where ADC conducts activities.

2. **One commenter expressed concerns about ADC's use of objectives in the analysis and decision-making process.** The objectives identified in the EA are directly relevant to ADC's mission and were developed as what seemed to be realistically obtainable under the current program. The current program (the no action alternative) was the standard used for a relative comparison showing how all the other alternatives would meet the objectives. Through this comparison, ADC has gone beyond the requirements of NEPA in terms of the required environmental analysis. The comparison of the objectives with the various alternatives (Table 4.2 in the EA) suggests that Alternative 2 (ADC's proposed action) is the logical choice to implement. If objectives had not been developed and used in the analysis process, the analysis of the anticipated impacts from the various issues in relation to the alternatives (Table 4.5 in the EA) still suggests ADC's proposed action as the logical alternative to implement.

3. **Some commenters expressed concerns about whether preventive lethal control of coyotes could be justified.** Some of the rationale for preventive lethal control of coyotes to protect livestock is discussed on pages 3-3 and 4-17 in the EA. During ADC's most recent research prioritization process, the Idaho ADC program identified the efficacy of preventive control to reduce livestock losses as a high research priority, and will continue to cooperate in any planned research on this issue. The current balance of evidence appears to suggest that preventive control is warranted and effective in certain areas. Until the balance of evidence suggests otherwise, preventive control will remain an option to be considered by ADC in trying to most effectively address coyote damage problems.

4. **One commenter suggested that ADC's removal of coyotes may actually be exacerbating the livestock depredation problem.** The commenter cited evidence suggesting that coyotes from unexploited populations produce much smaller litters than coyotes in areas subject to human-caused mortality. This same argument was raised in Southern Utah Wilderness Alliance v. Thompson (U.S. District Court of Utah 1993) and addressed by Connolly (1992) during that court case. The EA also addressed elements of this argument on page 2-7. What happens in an unexploited coyote population bears little relevance to the situation in the analysis area or in most other areas of the western U.S. As noted in the EA, coyote populations in the analysis area are subject to mortality not only from ADC, but also from private trappers, hunters and ranchers protecting their livestock, as well as other causes of mortality. The EA also noted that in the absence of a Federal ADC program, coyote damage control efforts would still likely be carried out by some other entity.

5. **Several commenters expressed concerns about ADC's reliance on data gathered from locations outside the analysis area.** The EA included references to a number of studies conducted in other parts of the country; these were only included if judged to be relevant to the analysis area. The EA included references more applicable to Idaho whenever possible. In some cases, ADC was aware of more site-specific relevant information but chose not to include it because of the preliminary nature of the data. The Idaho Department of Fish and Game (IDFG), for example, has several years worth of data from a current study that documents the incidence of predation on mule deer in southwest Idaho.

6. One commenter suggested that ADC needed to consider the phenomena of "mesopredator release" (i.e. in the absence of large predators, smaller predators such as foxes, raccoons and skunks, can become more abundant), and the potential for this to negatively impact bird species of special concern. While the phenomena of mesopredator release has been documented in the absence of larger predators, this phenomena would not likely result from ADC's predator damage management efforts. As noted in the EA, ADC removes only a minor portion of the coyote population (about 4%), and immigration and natural reproduction contribute to repopulation of areas where coyotes have been removed.

7. One commenter felt that NEPA required the identification of Alternative 6 (No Federal ADC Program) as the "No Action" alternative, rather than identifying the current program as the "No Action" alternative. The Council on Environmental Quality (CEQ) has made two distinct interpretations of what constitutes a "no action" alternative. One of these cases involves the situation where an ongoing program, initiated under existing legislation and regulations, will continue even as a new plan is being developed. In these cases, "no action" is interpreted to mean "no change" from the current management direction or level of intensity. The "no action" alternative is considered a continuation with the present course of action until the action is changed (CEQ 1981).

8. Officials from the Nez Perce National Forest felt that the EA should elaborate upon what they perceived to be significant adverse impacts of mountain lion predation on bighorn sheep and mule deer in the analysis area. The EA on pages 1-6 through 1-8 discusses predation by coyotes on other mammals and avian species but does not specifically address the issue of mountain lion predation on bighorn sheep or mule deer. Although Buechner (1960) and Hornocker (1970) have both suggested that group behavior of bighorn sheep greatly reduces their vulnerability to mountain lion predation, Wehausen (1996) documented high mountain lion predation on bighorns and suggested that this was a primary limiting factor to bighorn sheep populations in his study areas. If the IDFG determines that mountain lion predation on bighorn sheep or mule deer is a problem in the analysis area and requests ADC's assistance, ADC would cooperate with IDFG to address this problem.

9. One commenter asked what type of analysis would be used to determine whether poisons or predacides are used on the Nez Perce National Forest. The Nez Perce National Forest Plan stipulates that no toxicants will be used on the Forest unless an analysis indicates that no other method will meet the need. The data considered in such an analysis are the ADC verified loss reports. These losses are compared with past years' losses to determine the relative effectiveness of control methods currently in use. At present, the loss data indicate that the current integrated ADC program on the Nez Perce Forest (no M-44's are currently being used) has resulted in relatively low losses of sheep and lambs to coyotes. If, in the future a change occurs wherein losses increase on the Nez Perce Forest, then ADC would confer with Nez Perce Forest officials and consider the option of using M-44s.

Major Issues

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

1. Cumulative impacts on viability of wildlife populations.
2. Effectiveness and selectivity of control methods.
3. Risks posed by control methods to the public and domestic pets.
4. Concern about ADC impacts on threatened and endangered (T&E) species.

Alternatives Analyzed in Detail

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

Alternative 1. Continuation of Current Program (No Action). Consideration of the No Action alternative is required under 40 CFR 1502.14(d), and provides a baseline for comparing the potential effects of all the other alternatives. This alternative consists of using all currently authorized methods, as appropriate, in an integrated approach to resolve predator damage problems in the analysis area. Control actions may be initiated under either a corrective or preventive strategy, in response to current or historic livestock losses. Alternative 1 results in low levels of impact on wildlife populations, presents very low risks to the public, pets and T&E species, and is cost-effective. Currently used methods are effective and selective.

Alternative 2. Current Program Plus Use of the Livestock Protection Collar (Proposed Action). This alternative would involve use of all currently authorized control methods, but would additionally provide for the use of the LPC when registered for use in Idaho. Adding use of the LPC to the current program would allow ADC to be even more selective and effective in addressing certain coyote damage problems, would reduce the already low likelihood of accidentally taking any T&E species and could further reduce the current low level of risk to the public and pets.

Alternative 3. No Preventive Control. This alternative would involve all of the methods used under Alternatives 1 and 2, but would limit control actions to only those situations where predator damage was presently occurring. Control actions would not be carried out in areas of historic depredation problems until depredation had started once again. Selectivity of methods would be similar to Alternative 2, but the program would be less effective in reducing livestock losses under this alternative, and ADC would be unable to respond to some requests for assistance from the IDFG or U.S. Fish and Wildlife Service.

Alternative 4. No Use of Chemical Methods. This alternative would only provide for predator damage management using mechanical control methods. Some of the most selective methods, such as the LPC and the M-44 device, could not be used. Selectivity and effectiveness would be lower than under the current program. Risks to T&E species would be slightly less than under the current program, but overall risks would probably not be any lower than those under the Proposed Action.

Alternative 5. Technical Assistance Program. Under this alternative, ADC would not provide any direct control assistance to persons experiencing predator damage problems, but would instead provide only advice, recommendations, and limited technical supplies and equipment. Predator damage management would likely be conducted by persons with much less experience and training, and with little oversight or supervision. Risks to the public, pets, and T&E species would probably be greater than under alternatives 1-4, and effectiveness and selectivity would probably be lower.

Alternative 6. No Federal ADC Program. This alternative would terminate the Federal ADC program in the analysis area. The impacts of this alternative would be similar to those for Alternative 5. Alternative 6 would not allow the ADC program to comply with its statutory responsibilities, and it would not allow meeting any of the applicable objectives identified in the EA. Predator damage management would likely be conducted by persons with little or no experience and training, and with

little oversight or supervision. Risks to the public, pets and to T&E species would probably be greater than under alternatives 1-4, and effectiveness and selectivity would probably be lower.

Finding of No Significant Impact

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

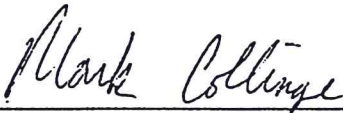
1. Predator damage management, as conducted by ADC in the northern and central Idaho analysis area, is not regional or national in scope.
2. The proposed action would pose minimal risk to public health and safety. No injuries to any member of the public are known to have resulted from ADC activities in the analysis area.
3. There are no unique characteristics such as park lands, prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas that would be significantly affected.
4. The effects on the quality of the human environment are not highly controversial. Although there is some opposition to predator control, this action is not highly controversial in terms of size, nature, or effect.
5. Based on the analysis documented in the EA and the accompanying administrative file, the effects of the proposed predator damage management program on the human environment would not be significant. The effects of the proposed activities are not highly uncertain and do not involve unique or unknown risks.
6. The proposed action would not establish a precedent for any future action with significant effects.
7. No significant cumulative effects were identified through this assessment. The number of animals taken by ADC, when added to the total known other take of all species, falls well within allowable harvest levels.
8. The proposed activities would not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor would they likely cause any loss or destruction of significant scientific, cultural, or historical resources.
9. An informal Section 7 consultation with the U.S. Fish and Wildlife Service confirmed that the proposed action would not likely adversely affect any threatened or endangered species.
10. The proposed action would be in compliance with all Federal, State, and local laws imposed for the protection of the environment.

Decision

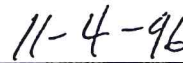
I have carefully reviewed the EA and the input resulting from the public involvement process. I believe the issues and objectives identified in the EA would be best addressed through implementation of Alternative 2 (ADC's current program plus the use of the LPC). Alternative 2 would provide the greatest effectiveness and selectivity of methods available, and has the potential to even further reduce

the current low level of risk to the public, pets and T&E species. Although the LPC has not yet been registered by the Idaho Department of Agriculture for use in Idaho, Departmental representatives have indicated they are proceeding with the necessary steps to effect this registration. Until such time as the LPC is registered for use in Idaho, ADC will continue to use all currently authorized control methods in compliance with all the applicable mitigation measures listed in Chapter 3 of the EA. The decision to implement Alternative 2 will become effective upon publication of legal notice in the Idaho Statesman, the Lewiston Morning Tribune, the Post Register, and the Spokesman Review.

For additional information regarding this decision, please contact Layne Bangerter, APHIS-ADC, 1828 Airport Way, Boise, Idaho 83705, telephone (208) 334-1440.



Mark Collinge, State Director
APHIS-ADC Idaho



Date

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