



United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Wildlife Services

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FINDING OF NO SIGNIFICANT IMPACT and DECISION

for PREDATOR DAMAGE MANAGEMENT IN NORTHERN AND CENTRAL IDAHO

MAY 2009

I. AGENCY AUTHORITIES

Wildlife Services (WS) is the Federal agency directed by law and authorized by Congress to reduce damage to agricultural and natural resources, property, and to resolve public health or safety concerns caused by wildlife. The primary statutory authorities for the Animal and Plant Health Inspection Service (APHIS)-WS program are the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. §426-426b) as amended, and the Act of December 22, 1987 (101 Stat. 1329-1331, 7 U.S.C. §426c). Under these Acts, WS may carry out wildlife damage management programs, or enter into cooperative agreements with states, local jurisdictions, individuals and public and private agencies whereby they may fund and assist in carrying out such programs. WS activities are conducted at the request of and in cooperation with other Federal, state, and local agencies, private organizations and individuals. Accordingly, WS' authorities support and authorize its mission of providing Federal leadership and expertise to reduce problems caused by injurious and/or nuisance wildlife.

II. ENVIRONMENTAL ASSESSMENT PREPARATION

In 1996, the Idaho WS program completed an Environmental Assessment (EA) (USDA 1996a) which addressed the need to conduct predator damage management (PDM) and the potential impacts of various alternatives for responding to predator damage in northern and central Idaho. The analysis area encompasses approximately 23 million acres including all lands in Adams, Benewah, Bonner, Boundary, Clearwater, Custer, Idaho, Kootenai, Latah, Lemhi, Lewis, Nez Perce, Shoshone and Valley Counties.

A Notice of Availability (NOA) was announced on September 6, 1996 informing the public of the availability of the pre-decisional EA and a 30-day public comment period. Eight comment letters were received.

The EA identified 6 Alternatives which were analyzed in detail. Alternative 2, the Proposed Action "Current Program Plus Use of the Livestock Protection Collar" was selected as the Preferred Alternative and a Finding of No Significant Impact (FONSI) was issued and a Decision signed November 4, 1996 (USDA 1996b). A NOA was published in 4 major newspapers on November 6, 1996 informing the public of the availability of the FONSI and Decision.

III. MAJOR ISSUES IDENTIFIED IN THE EA

Cooperating agencies (USDA-Forest Service, Bureau of Land Management, Idaho Department of Fish and Game (IDFG), Idaho State Department of Agriculture, Idaho Department of Lands) and



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the public helped identify a variety of issues deemed relevant to the scope of the 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 WS impacts on Threatened and Endangered (T/E) species.

IV. ALTERNATIVES ANALYZED IN DETAIL

Six alternatives, ranging from an expanded version of the program at that time, to no program at all, were analyzed in relation to the primary issues identified above. Six additional alternatives were considered but not analyzed in detail. A thorough analysis of the anticipated effects of the various alternatives as they related to the issues was provided in Chapter 4 of the EA. The following summary provides a brief description of each alternative and its anticipated impacts.

Alternative 1. Continuation of the Current Program (No Action Alternative). 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 chemical and mechanical control methods in an integrated approach to resolve a wide variety of 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 or in response to wildlife agency requests for assistance. Alternative 1 results in only low levels of impact on wildlife populations, presents very low risks to the public 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 the use of all the same control methods described in Alternative 1, but would also provide for the use of the Livestock Protection Collar (LPC). Adding use of the LPC to the current program would allow WS 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 the use of the methods 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 WS would be unable to respond to some requests for assistance from the IDFG or U.S. Fish and Wildlife Service (USFWS).

Alternative 4. No Use of Chemical Control Methods. This alternative would limit PDM activities to the use of only mechanical control methods such as foothold traps, snares and aerial hunting. Some of the most selective control methods, such as the LPC, the M-44 device and DRC-1339, would not be available for use. Cumulative impacts on wildlife populations would be low, but selectivity of available control methods and effectiveness would be lower than under a fully integrated control program such as Alternative 2. Risks to the public, pets and T/E species would be slightly less than under Alternative 1, but overall risks would probably not be any lower than those under the Proposed Action.

Alternative 5. Technical Assistance Program. Under this alternative, WS would not provide any operational damage management assistance to persons or agencies experiencing predator damage problems, but would instead provide only advice, recommendations and limited technical supplies and equipment. PDM would likely be conducted by persons with limited 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. Cumulative impacts on wildlife populations would be low.

Alternative 6. No Federal Predator Damage Management Program. This alternative would terminate the Federal WS program in the analysis area. The impacts of this alternative would be similar to Alternative 5 since neither of these alternatives involves any WS operational control activities. This alternative would not allow the WS program to comply with its statutory responsibilities, nor meet any of the applicable objectives identified in the EA. Risks to the public and T/E species would probably be greater than for Alternatives 1-4. Members of the public experiencing predator damage problems would need to conduct PDM themselves or seek assistance from some other source such as IDFG or private predator control operators. Predator control would still occur, but without the oversight and accountability inherent with a Federally operated program. The lack of availability of some specialized control methods and expertise would probably result in reduced effectiveness and selectivity, and increased amounts of predator damage. Cumulative impacts on wildlife populations would be low.

V. OVERVIEW OF ADDITIONAL NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) DOCUMENTS ASSOCIATED WITH THIS EA

In 1997, a statewide annual Monitoring Report was prepared which reviewed Fiscal Year¹ (FY) 1996 PDM activities analyzed in the 1996 northern and central Idaho EA and the 1996 southern Idaho EA. An amended FONSI addressing both 1996 EAs was issued on October 2, 1997 (USDA 1997). The public was noticed of the availability of the FONSI in 6 major newspapers, Statewide on October 9, 1997.

In 1999, a statewide annual Monitoring Report and Supplemental EA (USDA 1999) was prepared which reviewed FY 1998 PDM activities in northern and central Idaho and in southern Idaho and analyzed additional PDM needs. The document determined that the FONSI and Decisions made in conjunction with both 1996 EAs were still appropriate, and supplemented the original EAs' analyses to address: 1) use of the Livestock Protection Collar (LPC) at the U. S. Sheep Experiment Station at Dubois, Idaho, and 2) PDM to protect sage grouse and sharp-tailed grouse. The document determined that WS' PDM was not causing any adverse impacts to the quality of the human environment. The supplemental analysis enabled WS to use the LPC on the U. S. Sheep Experiment Station and to conduct PDM to protect sage grouse and/or sharp-tailed grouse, most of which would occur in the southern Idaho EA analysis area. A subsequent FONSI was prepared and Decision was signed on August 6, 1999 (USDA 1999). A notice to the public regarding the availability of the FONSI and Decision was published in 7 major newspapers, Statewide on August 13, 1999.

Annual Monitoring Reports for FYs 1999, 2000, 2001, 2002 and 2003 (USDA 2001a, 2001b, 2002, 2003, 2004a, respectively) were prepared to review program activities and to determine if the northern and central Idaho EA, as amended, was consistent with applicable environmental regulations. Based on those annual reviews, there continue to be no indications that WS' activities are having a significant impact, individually or cumulatively, on the quality of the human environment in the northern and central Idaho analysis area. Therefore, revision of the EA, as amended, was deemed unnecessary.

In October 2004, a 5-Year Environmental Monitoring Review (hereafter referred to as the 2004 5-year review) was prepared to examine the results of WS' PDM activities in northern and central Idaho during FY 1999 through FY 2003 (USDA 2004b). Based on that review, the effects of implementing the program have been consistent with the analysis in the EA, as amended, and are not having a significant impact, individually or cumulatively, on the quality of the human environment, and the affected environment remains essentially unchanged. Therefore, revision of the EA, as amended, was not deemed necessary and

¹ The Federal government Fiscal Year covers the period from October 1 through September 30 of each year.

the August 13, 1999 Decision remains appropriate. A new FONSI was prepared and Decision signed on October 6, 2004 (USDA 2004b). A notice to the public was published in 5 major newspapers in northern and central Idaho for 3 consecutive days starting October 27, 2004 through October 29, 2004.

Annual Monitoring Reports for FY 2004, 2005, 2006, 2007 and 2008 (USDA 2005, 2006, 2007, 2008 and 2009a, respectively) were prepared for the EA², as amended, to review program activities and to determine if the EA was consistent with applicable environmental regulations. Based on each of those reports, the effects of implementing the program have been consistent with the analysis in the EA and the affected environment remains essentially unchanged. Additionally, there were no indications that WS' activities are having a significant impact, individually or cumulatively, on the quality of the human environment in the EA, as amended, analysis area.

Copies of the afore-referenced documents are available from the Idaho WS State Office, USDA, APHIS, Wildlife Services, 9134 W. Blackeagle Drive, Boise, ID 83709-1572.

VI. 2009 5-YEAR REVIEW

In April 2009, another 5-Year Review was prepared to examine the results of WS' PDM activities in northern and central Idaho during FY 2004 through FY 2008 (USDA 2009b) (hereafter referred to as the 2009 5-Year Review). Based on that document, the effects of implementing the program have been consistent with the analysis in the EA and are not having a significant impact, individually or cumulatively, on the quality of the human environment, and the affected environment remains essentially unchanged. Therefore, revision of the EA, as amended, was not deemed necessary.

Public Involvement and Review

As part of a public review and comment process, the 2009 5-Year Review was made available through a NOA published for 3 consecutive days, starting April 7 through April 9, 2009 in The Idaho Statesman, Boise; Idaho. The 2009 5-Year Review was also available to the public at the following website address: http://www.aphis.usda.gov/regulations/ws/ws_nepa_public_notice/FONSI_ID_5yr.shtml, and a notice was mailed to a known interested party. These notices stated that WS was providing an opportunity for public review for a 30-day period and copies of the EA, FONSI and Decision, and the 5-Year Review report may be obtained from the USDA-APHIS-WS State Office in Boise or through a hyperlink provided in the internet notice. The WS State Office mailing address and phone number were provided.

Comments Received from the Public on the 2009 5-Year Environmental Monitoring Review Report

During the public review period (April 7 through May 7, 2009) and up to the date of signing this FONSI and Decision, no public comments or responses were received.

VII. DECISION and RATIONALE

The analysis provided in the EA, as amended, and the 2009 5-Year Review indicate that there will not be a significant impact, individually or cumulatively, affecting the quality of the human environment or to wildlife populations from implementing the proposed action, and the action does not constitute a major Federal action. Management actions are conducted pursuant to applicable laws, regulations, policies and orders to reduce damages or potential damages caused by migratory birds in Idaho, as requested. I find the

² Monitoring reports for FY 2005, 2006, 2007 and 2008 include program activity reviews from the 1996 EA, as amended and 2002 Southern Idaho EA and were combined in to one document for each FY to reduce redundancy and to simplify the environmental monitoring process.

current program to be environmentally acceptable, addressing the issues and needs while balancing the environmental concerns of State and Federal management agencies, landowners and advocacy groups.

The rationale for this Decision is based on several considerations. This Decision takes into account previous public comments, social/political and economic concerns, public health and safety and current science. However, the foremost considerations are that PDM by Idaho WS will only be conducted at the request of landowners/managers; management actions are consistent with applicable laws, regulations, policies and orders; and no adverse impacts were identified in the analysis. As a part of this Decision, the Idaho WS program will continue to provide effective and practical technical assistance and direct management techniques that could reduce damage.

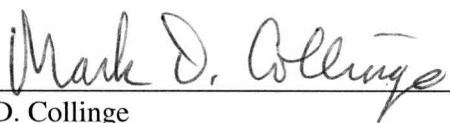
FINDING OF NO SIGNIFICANT IMPACT

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

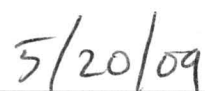
1. PDM, as conducted by WS in the northern and central Idaho analysis area, is not regional or national in scope.
2. The proposed action would pose minimal risk to public health and safety. No injuries to any member of the public are known to have resulted from WS activities in the analysis area.
3. There are no unique characteristics such as park lands, prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas which 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, the expected environmental effects associated with implementing the proposed action are not controversial among experts.
5. Based on the analysis documented in the EA, as amended, and the accompanying administrative file, the effects of the proposed PDM 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. Current WS PDM activities have been occurring for decades in the analysis area with no significant adverse environmental impacts.
6. The proposed action would not establish a precedent for any foreseeable future action with significant effects.
7. No significant cumulative effects were identified through this assessment. The number of animals taken by WS, 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. The USFWS has concurred, through an informal Section 7 consultation, that WS' current and 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, as amended, and the input provided during the public involvement process. I believe the continued implementation of Alternative 2, the Proposed Action, will provide the best overall compromise in addressing the issues identified in the EA, as amended, while also providing for a PDM program which will best meet the needs of cooperating agencies, organizations and individuals who may request WS assistance. Continued implementation of Alternative 2 will involve the use of no additional control methods beyond what are being used in the current program. For additional information regarding this Decision, please contact George Graves, APHIS Wildlife Services, 9134 W. Blackeagle Drive, Boise, ID 83709, telephone (208) 378-5077.



Mark D. Collinge
State Director
Idaho Wildlife Services



Date

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