

DECISION AND FINDING OF NO SIGNIFICANT IMPACT

WILDLIFE DAMAGE MANAGEMENT AT AIRPORTS IN MINNESOTA

The U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA-APHIS), Wildlife Services (WS) program responds to requests for assistance from individuals, organizations and agencies experiencing damage caused by wildlife in Minnesota. WS has prepared an environmental assessment (EA) that analyzes alternatives for managing damage caused by wildlife in Minnesota. Ordinarily, according to APHIS procedures implementing the National Environmental Policy Act (NEPA), individual wildlife damage management actions may be categorically excluded (7 CFR 372.5(c), 60 Fed. Reg. 6000-6003, 1995). An EA was prepared in this case to facilitate planning, interagency coordination, and streamlining of program management, and to clearly communicate with the public the analysis of cumulative impacts. The pre-decisional EA released by WS in June 2003 documented the need for wildlife damage management at airports in the State, and assessed potential impacts of various alternatives for responding to wildlife damage problems. Comments from the public involvement process were reviewed for substantive issues and alternatives which were considered in developing this decision.

The **Proposed Action** is to implement and/or maintain a WS program at civil and military airports in Minnesota to protect property, and human health and safety at such airports. This program would be designed to address wildlife damage at airports in Minnesota where requesters have solicited the assistance of WS. An Integrated Wildlife Damage Management (IWDM) approach would be implemented which would allow use of any legal technique or method, used singly or in combination, to meet request or needs for resolving conflicts with wildlife affecting the use of the airfield operations. All WS wildlife damage management activities are conducted in compliance with relevant laws, regulations, policies, orders and procedures, including the Endangered Species Act of 1973.

Public Involvement

The Pre-Decisional EA was available for public review and comment during a 30-day period (June 2 – July 1, 2003), which complies with public involvement guidelines/policies contained in NEPA, Council On Environmental Quality (CEQ) regulations, and APHIS WS=Implementing Regulations, as well as all pertinent agency laws, regulations, and policies. A Legal Notice of Availability was placed in the *Minneapolis Star Tribune* and *Duluth News Tribune*, daily newspapers with geographic coverage of all of the proposed project area, for three days June 2-4 and June 3-5, 2003, respectively. A letter of availability for the pre-decisional EA was also mailed directly to a total of agencies, organizations, and individuals with probable interest in the proposed program. EAs were made available for review by request through the U.S. Mail. All comments were to be received within the same 30-day period as advertised in the newspapers. WS received four requests for copies of the Pre-Decisional EA. Upon the closing date, July 1, 2003, no comments were received.

Monitoring

The Decision associated with the EA, and the activities specified in the Decision will be reviewed annually for applicability and accuracy of the documents, monitoring compliance, and the need for further analysis and documentation due to new information or changes in activities. The Minnesota WS program will annually provide to the U.S. Fish and Wildlife Service (USFWS)

and the Minnesota Department of Natural Resources the WS lethal take of target and non-target animals to help ensure the total statewide take (WS and other take) does not impact the viability of target and non target wildlife species.

Impacts of West Nile virus on bird populations

West Nile (WN) virus has emerged in recent years in temperate regions of North America, with the first appearance of the virus in North America occurring in New York City in 1999 (MMWR 2002, Rappole et al. 2000). Since 1999 the virus has spread across the United States and was reported to occur in 44 states and the District of Columbia in 2002 (MMWR 2002). West Nile virus is typically transmitted between birds and mosquitoes. Mammals can become infected if bitten by an infected mosquito, but individuals in most species of mammals do not become ill from the virus. The most serious manifestation of the WN virus is fatal encephalitis in humans, horses, and birds. West Nile virus has been detected in dead bird species of at least 138 species (CDC 2003). Although birds infected with WN virus can die or become ill, most infected birds do survive and may subsequently develop immunity to the virus (CDC 2003, Cornell University 2003). In some bird species, particularly Corvids (crows, blue jays, ravens, magpies), the virus causes disease (often fatal) in a large percentage of infected birds (Audubon 2003, CDC 2003, Cornell University 2003, MMWR 2002). In 2002, WN virus surveillance/monitoring programs revealed that Corvids accounted for 90% of the dead birds reported with crows representing the highest rate of infection (MMWR 2002). Large birds that live and die near humans (i.e. crows) have a greater likelihood of being discovered, therefore the reporting rates tend to be higher for these bird species and are a “good indicator” species for the presence of WV virus in a specific area (Cornell University 2003, Audubon 2003). According to US Geological Survey (USGS), National Wildlife Health Center (2003), information is not currently available to know whether or not WN virus is having an impact on bird populations in North America. USGS states that it is not unusual for a new disease to cause high rates of infection or death because birds do not have the natural immunity to the infection. Furthermore, it is not known how long it will take for specific bird population to develop sufficient immunity to the virus. Surveys of wild birds completed in the last three years have shown that some birds have already acquired antibodies to the virus (USGS-WHC 2003). Based upon available Christmas Bird Counts and Breeding Bird Surveys, USGS-WHC (2003) states that there have been declines in observations of many local bird populations, however they do not know if the decline can be attributed to WN virus or to some other cause. A review of available crow population data by Audubon (2003) reveals that at least some local crow populations are suffering high WN virus related mortality, but crow numbers do not appear to be declining drastically across broad geographic areas. USGS does not anticipate that the commonly seen species, such as crows and blue jays, will be adversely affected by the virus to the point that these bird species will disappear from the U.S. (USGS-WHC 2003).

Objectives

- To reduce damaging wildlife strikes to less than 10 strikes per year/per airport
- Reduce and maintain wildlife use in hangers to less than \$1000 dollars in damage per year/per airport.
- To maintain the runways and airfields to no down time caused by wildlife

Major Issues

Several issues were deemed relevant to the scope of this EA. These issues were consolidated into the following six primary issues that were considered in detail:

- ◆ Effects on Target Wildlife Species Populations
- ◆ Effects on Other Wildlife Species Populations, including T&E Species
- ◆ Effects of Damage to Property from Wildlife Strikes
- ◆ Effects on Human Health and Safety
- ◆ Effects on Aesthetics
- ◆ Humaneness and Animal Welfare Concerns of Lethal Methods Used by WS

Affected Environment

The affected areas include all public, private, and military airport properties and their adjacent properties throughout Minnesota. Airports in Minnesota contain a variety of habitats from lakes, rivers, and wetlands to woodlands, native grasslands, croplands, and suburban areas. Potentially WS could be called upon to conduct WDM on any of the 67 airports in Minnesota, including any adjacent properties that are negatively impacting or have the potential to negatively impact airport operations.

Alternatives Analyzed in Detail

Chapter 3 of the EA analyzes four potential alternatives that were developed to address the issues identified above. One additional alternative was considered but not analyzed in detail. A detailed discussion of the anticipated effects of the alternatives on the issues is provided in Chapter 4 of the EA. The following summary provides a brief description of each of the alternatives.

1. Alternative 1 – Continue the Current Federal WDM Program /Integrated Wildlife Damage Management (Proposed Action/No Action).

The proposed action is to continue the current WS program that responds to requests for WDM to protect property, and human health and safety at Minnesota's civil and military airports. An Integrated Wildlife Damage Management (IWDM) approach would be implemented which would allow use of any legal technique or method, used singly or in combination, to meet requests or needs for resolving conflicts with wildlife affecting the use of the airfield and safe airport operations (see Appendix B of the EA). Airport personnel requesting assistance would be provided with information regarding the use of effective non-lethal and lethal techniques. Lethal methods used by WS would include shooting, trapping, toxicants, or euthanasia following live capture by immobilization drugs or trapping. Non-lethal methods used by WS may include habitat alteration, chemical immobilization, repellents, fencing, barriers and deterrents, netting, capture and relocation, and harassment or scaring devices. In many situations, the implementation of non-lethal methods such as habitat alteration, structural modifications, and exclusion-type barriers would be the responsibility of the airport to implement. WDM by WS would be allowed on the airports and adjacent properties, when requested, where a need has been documented and upon completion of an Agreement for Control. All management actions would comply with appropriate federal, state, and local laws.

Alternative 2 - Non-lethal WDM Only By WS.

This alternative would require WS to use and recommend non-lethal methods only to resolve wildlife damage problems. Requests for information regarding lethal management approaches would be referred to MDNR, USFWS, local animal control agencies, or private businesses or organizations. Individuals might choose to implement WS non-lethal recommendations, implement lethal methods or other methods not recommended by WS, contract for WS direct control services, use contractual services of private businesses, or take no action. Currently, DRC-1339 and Alpha-Chloralose are only available for use by WS employees. DEA regulated

immobilizing/euthanasia drugs are available only to licensed veterinarians or other authorized users such as WS personnel. Therefore, use of these chemicals by private individuals would be illegal. Under this alternative, Alpha-Chloralose or other approved capture drugs would be used by WS personnel to capture and relocate wildlife. Appendix B of the EA describes a number of non-lethal methods available for use by WS under this alternative.

Alternative 3 - Lethal WDM Only By WS.

Under this alternative, WS would provide only lethal direct control services and technical assistance. Technical assistance would include making recommendations to the USFWS and MDNR regarding the issuance of permits to resource owners to allow them to take wildlife by lethal methods. Requests for information regarding non-lethal management approaches would be referred to MDNR, USFWS, local animal control agencies, or private businesses or organizations. Individuals might choose to implement WS lethal recommendations, implement non-lethal methods or other methods not recommended by WS, contract for WS direct control services, use contractual services of private businesses, or take no action. In some cases, control methods employed by others could be contrary to the intended use or in excess of what is necessary. Appendix B of the EA describes a number of lethal methods available for use by WS under this alternative.

Alternative 4 - No Federal WS WDM.

This alternative would eliminate Federal WS involvement in WDM at airports in Minnesota. WS would not provide direct operational or technical assistance and requesters of WS services would have to conduct their own WDM without WS input. Requests for information would be referred to MDNR, USFWS, local animal control agencies, or private businesses or organizations. Individuals might choose to conduct WDM themselves, use contractual services of private businesses, or take no action. DRC-1339 and Alpha-Chloralose are only available for use by WS employees. Therefore, use of these chemicals as well as DEA controlled substances by private individuals would be illegal.

Alternatives Considered But Not Analyzed in Detail with Rationale

Technical Assistance Only

This alternative would not allow WS operational WDM at airports in Minnesota. WS would only provide technical assistance and make recommendations when requested. This alternative has been determined ineffective based upon the unsuccessful attempts by airport personnel to conduct WDM prior to WS direct control involvement. The WDM programs implemented by airport personnel prior to WS involvement were unsuccessful in preventing the wildlife strikes that prompted airport management to seek assistance by WS.

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. Airport WDM, as conducted by WS in the State of Minnesota, is not regional or national in scope. Although WDM projects may occur anywhere in the State, individual activities will occur at localized airports.
2. Based on the analysis documented in the EA, the impacts of the **Proposed Action** will

- have no negative affects on public health or safety. The **Proposed Action** is expected to result in a direct beneficial impact on public health and safety by reducing the potential risk health and safety risks posed by wildlife at airports. Risks to the public from WS methods were determined to be low in a formal risk assessment (USDA 1997, Appendix P).
3. The **Proposed Action** will not have a significant impact on unique characteristics such as park lands, prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas. Built-in mitigation measures that are part of WS's standard operating procedures and adherence to laws and regulations that govern impacts on elements of the human environment will assure that significant adverse impacts are avoided.
 4. The effects on the quality of the human environment are not highly controversial. Although there may be opposition to killing wildlife, this action is not controversial in relation to size, nature, or effects. Based on consultations with the State wildlife management authorities, the **Proposed Action** is not likely to cause a controversial disagreement among the appropriate resource professionals.
 5. Mitigation measures adopted and/or described as "part of the **Proposed Action**" minimize risks to the public, prevent adverse effects on the human environment, and reduce uncertainty and risks. Effects of methods and activities, as proposed, are known and do not involve uncertain or unique risks.
 6. The **Proposed Action** does not establish a precedent for future actions with significant effects. This action would not set a precedent for future WDM actions that may be implemented or planned within the State. Effects of the **Proposed Action** are minor and short-term in nature and similar actions have occurred previously in the State without significant effects.
 7. No significant cumulative effects were identified through this assessment. The EA discussed cumulative effects of WS on target and non-target species populations and concluded that such impacts were not significant for this or other anticipated actions to be implemented or planned within the State. Adverse effects on wildlife or established wildlife habitats would be minimal.
 8. This action will not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places and will not cause loss or destruction of significant scientific, cultural, or historic resources. Wildlife damage management would not disturb soils or any structures and therefore would not be considered a Federal undertaking as defined by the National Historic Preservation Act.
 9. WS has determined that the **Proposed Action** would not adversely affect any Federal or Minnesota State listed threatened or endangered species.
 10. The **Proposed Action** is consistent with Local, State, and Federal laws that provide for or restrict WS wildlife damage management. Therefore, WS concludes that this project is in compliance with Federal, State and Local laws for environmental protection.

DECISION

I have carefully reviewed the Environmental Assessment (EA) prepared for this proposal and input from the public involvement process, and it is my determination that the **Proposed Action** (Alternative 1) does not constitute a major Federal action and will not significantly affect the quality of the human environment. As such, an environmental impact statement will not be prepared. The **Proposed Action** is selected because (1) it offers the greatest chance at maximizing effectiveness and benefits to resource owners and managers while minimizing cumulative impacts on the quality of the human environment that might result from the program's effect on target and non-target species populations; (2) it presents the greatest chance of maximizing net benefits while minimizing adverse impacts to public health and safety; and, (3) it offers a balanced approach to the issues of humaneness and aesthetics when all facets of these issues are considered. Therefore, it is my decision to implement the **Proposed Action** as described in the EA.

Additional copies of the EA are available upon request from USDA/APHIS/WS, 34912 U.S. Hwy. 2, Grand Rapids, MN 55744.

Charles S. Brown
Eastern Regional Director
USDA-APHIS-WS

Date

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